

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Thursday, January 22, 2009

6:30 PM

City Hall

Board of Zoning and Building Appeals

*Debra Mecozzi
Timothy W. Pack
Donald W. Jensen
Andre Porter
A. Benjamin Winkler*

A. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE:

City Attorney Thomas L. Weber called the meeting to order at 6:35 p.m. in Council Chambers of City Hall and led the Board in the Pledge of Allegiance. Agenda for this meeting was published on January 15, 2009.

B. SWEARING IN OF NEW MEMBERS:

City Attorney Thomas L. Weber gave the oath of office to newly appointed member Donald W. Jensen and newly reappointed member Debra Mecozzi.

C. ROLL CALL:

Members Present: Debra Mecozzi, Timothy W. Pack, Andre Porter, Ben Winkler and Donald W. Jensen

D. ELECTION OF CHAIR:

A motion was made by Pack, seconded by Porter, to appoint Debra Mecozzi as Chair of the Board of Zoning and Building Appeals for the year 2009. The motion carried by the following vote:

Yes 5 Mecozzi, Pack, Porter, Winkler and Jensen

E. ELECTION OF VICE CHAIR:

A motion was made by Mecozzi, seconded by Porter, to appoint Timothy W. Pack as Vice Chair of the Board of Zoning and Building Appeals for the year 2009. The motion carried by the following vote:

Yes 5 Mecozzi, Pack, Porter, Winkler and Jensen

F. ESTABLISH DAY & TIME FOR REGULAR MEETINGS:

A motion was made by Mecozzi, seconded by Porter, to set regular meeting nights as the 1st and 4th Thursdays of each month as needed at 6:30 p.m. The motion carried by the following vote:

Yes 5 Mecozzi, Pack, Porter, Winkler and Jensen

G. ADOPT RULES OF PROCEDURE:

A motion was made by Pack, seconded by Porter, to adopt the Rules of Procedure for the Board of Zoning and Building Appeals dated August 5, 2004. The motion carried by the following vote:

Yes 5 Mecozzi, Pack, Porter, Winkler and Jensen

H. CLERK'S COMMENTS:

Clerk stated a letter had been sent to an applicant whose Planning Commission application for design review had been denied recently; if they choose to appeal would be a late February or early March meeting; only thing that might come forward at this time.

Pack asked if it would be appropriate to sent a memo to the zoning officer regarding the lack of enforcement, or inquiring as regards to the status of compliance, for the Suncraft property on West Johnstown Road. Discussion followed.

Pack asked if there was a time frame specified with the directives we gave the appellant. Winkler questioned if this exceeds our power. Pack asked if there is no action taken, why are we here; should be some power to follow up on decisions. Porter asked what if we inquire as to process and procedure for actions taken by this board; something general and then ask to specifically look at certain properties. Concern raised about communication from the body; send an informal e-mail from the Clerk; let's try e-mail first and see what is found out; next time you meet can review; requested Clerk send e-mail to Brian Reynolds.

I. COMMENTS BY THE BOARD:

Pack asked if building permits are down. Clerk stated she believes they are; will send you a copy of the Development Department Annual Report when it is distributed.

Porter stated that in discussion on future development, any additional development in Olde Gahanna is infill development. Weber agreed that area is ripe for redevelopment; not much growth potential; annexations are hard to come by because of the water and sewer district that Jefferson Township has and it's almost every annexation is a pitched battle; 100% annexations are supposed to be expedited but that isn't always the case; Jefferson Township rates are going up again, so we'll see.

Pack asked about the appeal that might come up; how did it come about. Clerk stated it had been found when inspection was done for final occupancy permit; appellant was reported as not in compliance. Weber noted BZA has the ability to amend, modify or approve anything that comes before them; pretty broad discretion. Pack asked if we had a case brought up like the bricks and enclosure that was under the directive of this board and there is noncompliance by the appellant, wouldn't it be the same case situation then with respect to enforcement. Weber noted the two are parallel; that's why you have code enforcement; no other enforcement arm other than zoning enforcement. Pack stated this has never come up when we've had a case where we have ruled with directives to an appellant only to later possibly discuss whether that appellant is in compliance with directives of the board; same situation as under Planning Commission where because we have the right to amend or modify; have same enforcement. Weber stated they are the arm and how they would be notified; good that Reynolds be asked to verify what is going on. Pack stated there are various kinds of appeals; some are just noticed and status quo stays the same; all I had.

J. ADJOURNMENT: 6:52 p.m. - Motion by Porter.

ISOBEL L. SHERWOOD, MMC, Clerk of Council, reporting