



Alex Furst, Chair
Keith Benner, Vice-Chair
Teresa Alabi
Amy Barnhart
Norman Brusk
Toni Kleckley
Anita Ward

Planning & Zoning Board

7232 East Main Street
Reynoldsburg, OH 43068
www.reynoldsburg.gov

Eric Meyer, Development Director
Melissa Butler, Administrative
Assistant

Thursday, October 2, 2025

6:00 PM

Council Chambers

A. CALL TO ORDER

1. ROLL CALL
2. APPROVAL OF MINUTES
 1. Planning & Zoning Board - Regular Meeting - 9/18/2028
3. APPROVAL OF AGENDA
4. SWEARING IN OF SPEAKERS

B. PUBLIC COMMENT

C. UNFINISHED BUSINESS

1. 6050 E. Livingston Avenue; Timothy J. McGrath for MYM Property Management, LLC.;
Appeal to Zoning Code and Building Code Violation/Cease and Desist

D. NEW BUSINESS

E. OTHER BUSINESS

1. 2026 Zoning Calendar

F. ADJOURNMENT

ADJOURNMENT



**MINUTES REGULAR MEETING
REYNOLDSBURG PLANNING & ZONING BOARD
September 18, 2025**

CALL TO ORDER

ROLL CALL

PRESENT: Alabi, Benner, Brusk, Kleckley, Ward, Furst
ABSENT: Barnhart

APPROVAL OF MINUTES

Planning & Zoning Board - Regular Meeting - 8/21/2025

Minutes stand approved.

Planning & Zoning Board - Regular Meeting - 9/4/2025

Minutes stand approved.

APPROVAL OF AGENDA

Agenda stands approved.

SWEARING IN OF SPEAKERS

Speakers sworn in by Mr. Furst.

PUBLIC COMMENT

None.

UNFINISHED BUSINESS

App# 2025-0385; 6800 Frey Lane; Haidar Hashem; Variance

Ms. Bauthier read the staff report into the record.
Mr. Furst invited the applicant to speak at the podium, and the applicant declined.
Mr. Furst: From my perspective, I think the precedent is set here and that we should move for approval, and I do so move for approval with staff's

recommendations.
Mr. Benner: Second.

RESULT:	Approved
MOVER:	Furst
SECONDER:	Benner
AYES:	Ward, Kleckley, Brusk, Alabi, Benner, Furst

NEW BUSINESS

None.

OTHER BUSINESS

None.

ADJOURNMENT

Adjourned at 6:07 PM.

Planning and Zoning Administrator

Chairman



7232 E. Main Street Reynoldsburg, Ohio

(614) 322-6840

www.ci.reynoldsburg.oh.us

NOTICE OF ZONING CODE & BUILDING CODE VIOLATION

July 29, 2025

Attn: Ahmed Jamal Mahmood Sami
MYM Property Management LLC
6050 E. Livingston Avenue
Reynoldsburg, Ohio 43068

RE: ZONING CODE & BUILDING CODE VIOLATION/CEASE AND DESIST

Dear Property Owner:

The City of Reynoldsburg has determined, based upon evidence so presented, that you are operating a business in the City without a zoning certificate. The business appears to be a Vehicular Care Services - Major in the (I) Innovation District in violation of the Zoning Code of the City of Reynoldsburg. Vehicular Care Services – Major is not a permitted or conditional use in the (I) Innovation District.

The City is requesting that such operations cease immediately. If such violation continues, you will be cited under Section 1109.27 of the Codified Ordinances of the City of Reynoldsburg for an unclassified misdemeanor, which is punishable up to \$1,000.00/day for each day such violation occurs. On any second or subsequent offense, you could be subject to a criminal penalty of up to sixty (60) days in jail.

If you believe this Notice is in error and that you are not in violation of the Zoning Code of the City of Reynoldsburg, you have the right to appeal this Notice within fourteen (14) days by filing a written request for a hearing with the Clerk of Council. Pursuant to Section 1109.23, the Planning and Zoning shall hear any appeals from this Notice.

Also pursuant to Section 1305.04 of the City of Reynoldsburg Code of Ordinances, no new building, or structure shall be used or occupied, and no change of occupancy as defined in the Ohio Building Code thereof, shall be made until the Chief Building Official has issued a certificate of occupancy. This includes any new business moving into a vacant building or space, change of occupancy causing increase in life and fire risk, and change of ownership in the existing occupancy. Based on our observation and records, you were notified in writing by code enforcement on September 4, 2024 that a Certificate of Occupancy was necessary for operation. You are currently operating the business at the above referenced building without a certificate of occupancy.

You are hereby ordered to **CEASE ALL BUSINESS OPERATIONS** at the above referenced building immediately and to apply for a change of occupancy building permit to complete the process for a certificate of occupancy. Failure to comply with this letter of instructions may result in further legal actions pursuant



7232 E. Main Street Reynoldsburg, Ohio

(614) 322-6840

www.ci.reynoldsburg.oh.us

to the city code, including, but not limited to, the filing of a civil action in Franklin Count Environmental Court for an injunction.

Sincerely,

Phoenix Buathier, Planning and Zoning Administrator
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068
Phone: 614-322-6829

John Graham, Code Enforcement
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068
Phone: 614-322-6818

Jeff Taborn, Chief Building Official
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068
Phone: 614-322-6824

6050
E. Livingston Ave.
taken on August 4th, 2025



LAW OFFICES OF
STRIP, HOPPERS, LEITHART, McGRATH & TERLECKY CO.

A LEGAL PROFESSIONAL ASSOCIATION

A.C. STRIP
JOHN WM. HOPPERS
PAUL W. LEITHART, II
TIMOTHY J. McGRATH
MYRON N. TERLECKY
NELSON E. GENSHAFT
KENNETH R. GOLDBERG*
AARON C. FIRSTENBERGER

575 S. THIRD STREET
COLUMBUS, OHIO 43215
(614) 228-6345
FAX: (614) 228-6369
tjmcgrath@columbuslawyer.net

JOHN W. KENNEDY
CHAD A. FOISSET
LONI R. SAMMONS
KIRSTEN M. COX

Of Counsel:
GARY PAUL PRICE

*Certified Family Relations Law Specialist

August 12, 2025

Melissa Butler
Clerk of Counsel
City of Reynoldsburg, Ohio
7232 East Main Street
Reynoldsburg, Ohio 43068

Sent via email: mbutler@reynoldsburg.gov

**Re: Board of Zoning and Building Appeals Notice of Appeal of MYM Property Management, LLC
Property at 6050 East Livingston Avenue**

Dear Clerk:

We are filing herewith a Notice of Appeal and Request for Hearing to be filed on behalf of our client MYM Property Management, LLC., relating to the property at 6050 East Livingston Avenue, Columbus, Ohio 43232.

Please confirm receipt as soon as convenient.

We will be glad to assist with any further documentation if needed.

Respectfully yours,



Timothy J. McGrath

TJM/slm
Attachment

Cc: Christopher Shook, Esquire, Reynoldsburg City Attorney
Jeff Taborn, Chief Building Official
John Graham, Code Enforcement
Phoenix Buathier, Planning and Zoning Administrator
Ahmed Sami

**BOARD OF ZONING AND BUILDING APPEALS
CITY OF REYNOLDSBURG, OHIO**

MYM PROPERTY MANAGEMENT, LLC :
2160 Sutter Parkway :
Dublin, Ohio 43016 :

Appellant,

v.

CITY OF REYNOLDSBURG, OHIO, :
DEPARTMENT OF DEVELOPMENT :
PLANNING AND ZONING :
ADMINISTRATOR :
7332 E. Main Street :
Reynoldsburg, Ohio 43068 :

Appellee.

CASE NO. _____

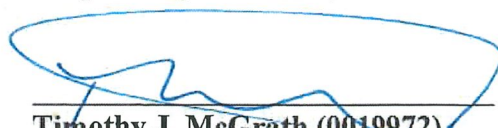
NOTICE OF APPEAL AND REQUEST FOR HEARING

Appellant, MYM Property Management, LLC., hereby gives Notice of its Appeal of the determination by the City of Reynoldsburg that Appellants property located at 6050 E. Livingston Avenue is in violation of the Zoning Code of the City of Reynoldsburg. The Notice of Violation Appealed from dated July 29, 2025 is attached as Exhibit A.

Appellant further requests a Hearing on this Appeal pursuant to Code Section 1109.23.

Appellant's use of the property is a continuation of a pre-existing legally conforming use for the Property.

Respectfully submitted,



Timothy J. McGrath (0019972)
**Strip, Hoppers, Leithart, McGrath &
Terlecky Co., L.P.A.**
575 S. Third St.
Columbus, Ohio 43215
(614) 228-6345 - telephone
(614) 228-6369 – fax
tjm@columbuslawyer.net
Attorney for Appellant
MYM Property Management, LLC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing Notice was served via ordinary U.S. mail on this 12th day of August, 2025, upon:

Christopher Shook, Esquire, Reynoldsburg City Attorney
7232 East Main Street
Reynoldsburg, OH 43068

Jeff Taborn, Chief Building Official
7232 East Main Street
Reynoldsburg, OH 43068

John Graham, Code Enforcement
7232 East Main Street
Reynoldsburg, OH 43068

Phoenikx Buathier, Planning and Zoning Administrator
7232 East Main Street
Reynoldsburg, OH 43068



Timothy J. McGrath (0019972)
Attorney for Appellant
MYM Property Management, LLC.

EXHIBIT A



7232 E. Main Street Reynoldsburg, Ohio

(614) 322-6840

www.ci.reynoldsburg.oh.us

NOTICE OF ZONING CODE & BUILDING CODE VIOLATION

July 29, 2025

Attn: Ahmed Jamal Mahmood Sami
MYM Property Management LLC
6050 E. Livingston Avenue
Reynoldsburg, Ohio 43068

RE: ZONING CODE & BUILDING CODE VIOLATION/CEASE AND DESIST

Dear Property Owner:

The City of Reynoldsburg has determined, based upon evidence so presented, that you are operating a business in the City without a zoning certificate. The business appears to be a Vehicular Care Services - Major in the (I) Innovation District in violation of the Zoning Code of the City of Reynoldsburg. Vehicular Care Services – Major is not a permitted or conditional use in the (I) Innovation District.

The City is requesting that such operations cease immediately. If such violation continues, you will be cited under Section 1109.27 of the Codified Ordinances of the City of Reynoldsburg for an unclassified misdemeanor, which is punishable up to \$1,000.00/day for each day such violation occurs. On any second or subsequent offense, you could be subject to a criminal penalty of up to sixty (60) days in jail.

If you believe this Notice is in error and that you are not in violation of the Zoning Code of the City of Reynoldsburg, you have the right to appeal this Notice within fourteen (14) days by filing a written request for a hearing with the Clerk of Council. Pursuant to Section 1109.23, the Planning and Zoning shall hear any appeals from this Notice.

Also pursuant to Section 1305.04 of the City of Reynoldsburg Code of Ordinances, no new building, or structure shall be used or occupied, and no change of occupancy as defined in the Ohio Building Code thereof, shall be made until the Chief Building Official has issued a certificate of occupancy. This includes any new business moving into a vacant building or space, change of occupancy causing increase in life and fire risk, and change of ownership in the existing occupancy. Based on our observation and records, you were notified in writing by code enforcement on September 4, 2024 that a Certificate of Occupancy was necessary for operation. You are currently operating the business at the above referenced building without a certificate of occupancy.

You are hereby ordered to **CEASE ALL BUSINESS OPERATIONS** at the above referenced building immediately and to apply for a change of occupancy building permit to complete the process for a certificate of occupancy. Failure to comply with this letter of instructions may result in further legal actions pursuant



7232 E. Main Street Reynoldsburg, Ohio

(614) 322-6840

www.ci.reynoldsburg.oh.us

to the city code, including, but not limited to, the filing of a civil action in Franklin Count Environmental Court for an injunction.

Sincerely,

Phoenix Buathier, Planning and Zoning Administrator
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068
Phone: 614-322-6829

John Graham, Code Enforcement
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068
Phone: 614-322-6818

Jeff Taborn, Chief Building Official
City of Reynoldsburg
7232 E. Main Street
Reynoldsburg, OH 43068
Phone: 614-322-6824

Item 1 – Sign Permits, submitted 7/25/25.

ZONING SIGN APPLICATION

☐ Paid: _____

Property Address: <u>6050 E Livingston Ave</u>	Parcel ID#(s): <u>06 000 7296</u>
---	--------------------------------------

PROPERTY OWNER OF RECORD

Property Owner Names: <u>My M Properties Management LLC</u>	
Contact Email: <u></u>	Contact Phone Number: <u>614-657-1684</u>

II. BUSINESS/TENANT INFORMATION (IF APPLICABLE)

Business Name: <u>Plus Engine & Total Care</u>	Contact Name: <u>Ahmed</u>
Contact Email: <u>plus.totalcare@gmail.com</u>	Contact Phone Number: <u>614-657-1684</u>
Description of Use: <u>Auto Repair</u>	

III. APPLICANT INFORMATION

Applicant Name: <u>R+R Sign LLC</u>	Applicant Address: <u>PO Box 121, Carroll, OH 43112</u>
Applicant Phone Number: <u>740-475-9295</u>	Applicant Email: <u>randrsign@gmail.com</u>
☐ Property Owner ☐ Business Owner/Tenant ☒ Contractor ☐ Architect/Engineer ☐ Owner's Consent Attached.	

SIGNAGE INFORMATION

Type of Signage: ☐ New Sign ☒ Sign Reface	Sign Fees are \$100 per sign. Please fill out a single application for each sign.
Sign Type: ☐ Monument ☐ Wall ☐ Projecting ☐ Awning ☐ Roof ☒ Other <u>Pole</u>	
Sign Illumination: ☒ Internal ☐ External ☐ Non-Illuminated	Type of Illumination: <u>LED</u>
Signs Dimensions (width and height): <u>4</u> feet by <u>8</u> feet	Signs Square Footage: <u>32</u>
Setback of Monument Sign: <u>17.6</u> feet	Sign Material: <u>Plastic FALCS</u>

Applicant Signature: James Reed

Date: 7/23/25

By signing this application, I certify that I am the owner of property or the owner's agent, and that the work is authorized with the full knowledge of the owner

OFFICE USE ONLY

Additional Notes:

Zoning Information:

Zoning District: _____

☐ Olde Reynoldsburg District

P&Z Administrator: _____

Floodplain Administrator: _____

Additional Approvals Required

☐ Planning and Zoning Board

Additional Requirements:

☐ Certificate of Appropriateness

☐ Variance

☐ Building Permit

Date: _____

Date: _____



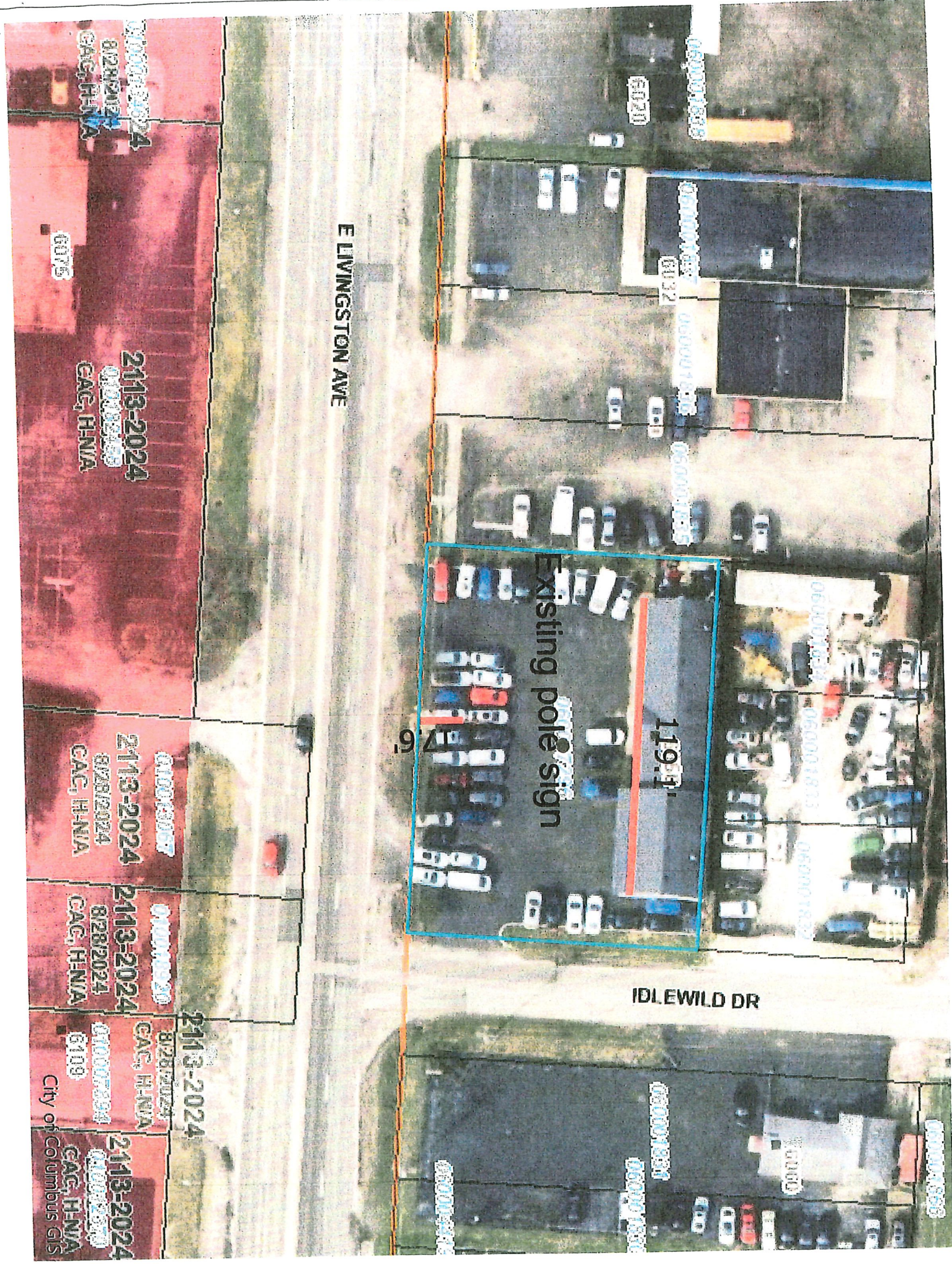
8'



4'

Existing pole sign

20' oah



ZONING SIGN APPLICATION

☐ Paid: _____

Property Address: <u>6050 E Livingston Ave</u>	Parcel ID#(s): <u>060007296</u>
---	------------------------------------

PROPERTY OWNER OF RECORD

Property Owner Names: <u>My m Property Management LLC</u>	
Contact Email: <u></u>	Contact Phone Number: <u>614-657-1684</u>

II. BUSINESS/TENANT INFORMATION (IF APPLICABLE)

Business Name: <u>Plus Engine & Total Care</u>	Contact Name: <u>Ahmed</u>
Contact Email: <u>plus.totalcare@gmail.com</u>	Contact Phone Number: <u>614-657-1684</u>
Description of Use: <u>Auto Repair</u>	

III. APPLICANT INFORMATION

Applicant Name: <u>R&R Sign LLC</u>	Applicant Address: <u>PO Box 121, Carroll, OH 43112</u>
Applicant Phone Number: <u>740-475-9295</u>	Applicant Email: <u>candrsign@gmail.com</u>

☐ Property Owner ☐ Business Owner/Tenant ☒ Contractor ☐ Architect/Engineer ☐ Owner's Consent Attached.

SIGNAGE INFORMATION

Type of Signage: ☒ New Sign ☐ Sign Reface		Sign Fees are \$100 per sign. Please fill out a single application for each sign.
Sign Type: ☐ Monument ☒ Wall ☐ Projecting ☐ Awning ☐ Roof ☐ Other _____		
Sign Illumination: ☐ Internal ☐ External ☒ Non-Illuminated		Type of Illumination: _____
Signs Dimensions (width and height): <u>4</u> feet by <u>10</u> feet		Signs Square Footage: <u>40</u>
Setback of Monument Sign: _____ feet		Sign Material: <u>Aluminum</u>

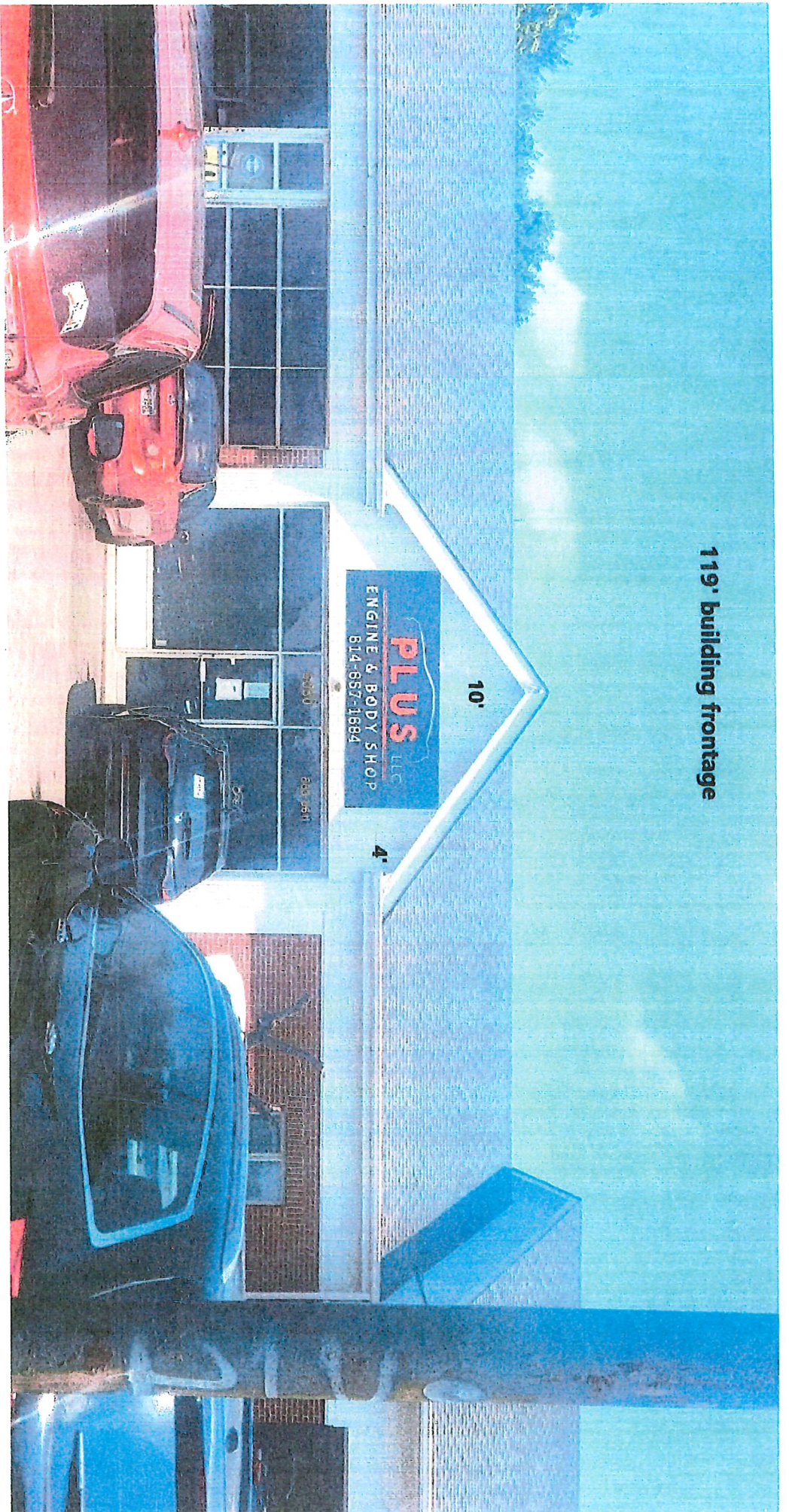
Applicant Signature: James Reed Date: 7/23/25

By signing this application, I certify that I am the owner of property or the owner's agent, and that the work is authorized with the full knowledge of the owner

OFFICE USE ONLY

Additional Notes:	Zoning Information:	Additional Approvals Required	Additional Requirements:
	Zoning District: _____	☐ Planning and Zoning Board	☐ Certificate of Appropriateness
	☐ Olde Reynoldsburg District		☐ Variance
	P&Z Administrator: _____		☐ Building Permit
	Floodplain Administrator: _____		Date: _____

119' building frontage





**Item 2 – Code Enforcement citation from
9/4/2024. Cited for no certificate of
occupancy.**

CITY OF REYNOLDSBURG

BUILDING DIVISION

7232 East Main Street, Reynoldsburg, Ohio 43068
(614) 322-6802

Property Maintenance

Code Violation Notice

Owner/Resident/Business/Manager MYM Property Management LLC

(Optional)

Your property at 6050 E Livingston Ave

VACANT PROPERTY - City will cut if not cut today

Was inspected on 9/4/2024 and found to be in violation of Reynoldsburg City Code

Section(s) 102.3 APPLICATION OF OTHER CODES

To Wit: Section 302.4 - Plant growth in excess of 6 inches on property
Section 975.08 - Trash cans and/or recycle bins stored improperly.

Other Violation(s) Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Existing Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International Plumbing Code and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the International Zoning Code.

You are hereby notified that you have 14 days to correct the violation by:

Cutting and trimming grass and maintaining at 6 inches or lower
Storing trash cans at the side or rear of the house or shielded from public view

Other Corrective Action(s) Please stop by the Reynoldsburg Building Department to apply for a Certificate of Occupancy.

NOTICE: Failure to comply or a subsequent offense may result in a citation being issued and/or re-inspection fees being levied. Any actions taken by the City of Reynoldsburg to correct the aforementioned violation(s) may be charged against the real estate and if not reimbursed may be a lien upon such real estate. Residents may appeal this violation by writing the City of Reynoldsburg Building Department on or before the expiration of the violation notice.

Thank you for your immediate attention and cooperation

[Signature]
Code Compliance Official

Office Use Only: Initialed: JA File # Entered: 9/9/2024 Photos Taken: ☒ Y ☐ N

Re-Inspection Date 9/23/2024 Additional Inspections:

Citation Date: Citation No: Date of Compliance:







Item 3- New Business/Use approved by zoning on 11/22/2022. No building permits (i.e. certificate of occupancy) were ever submitted, therefore, the zoning approval expired.

Reynoldsburg

Department of Development
Planning & Zoning Division
7232 East Main Street
Reynoldsburg, Ohio

Received

NOV 15 2022

Reynoldsburg Building Division

App./Case#: 2022-5454

Date Submitted: 11/15/22

Fee Amount: \$150.00

☒ Paid: Cash

I. PROPERTY INFORMATION

ZONING CERTIFICATE APPLICATION

Property Address: 6050 E. Livingston Ave, Col OH 43232	Parcel ID#(s):
---	----------------

II. PROPERTY OWNER OF RECORD

Property Owner Name(s): Ahmed M. Sami / MYM Property Management LLC.	
Contact Email:	Contact Phone Number: 614-620-2602

III. BUSINESS/TENANT INFORMATION (IF APPLICABLE)

Business Name: Plus Engine & Body shop LLC	Contact Name: Ahmed M. Sami
Contact Email: Plus.totalcare@gmail.com	Contact Phone Number: 614-657-1684

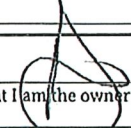
IV. APPLICANT INFORMATION

Applicant Name: Samuel S. Ogris	Applicant Address: P.O. Box 20026, Col OH 43220
Applicant Phone Number: 614-484-3248	Applicant Email: sam-ogris@yahoo.com

☐ Property Owner ☐ Business Owner/Tenant ☐ Contractor ☐ Architect/Engineer

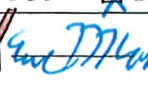
RESIDENTIAL (\$100)	NON-RESIDENTIAL (\$150)	Project Information (If Applicable)
CHECK IF APPLICABLE: ☐ New Building (+\$50) ☐ Building Modification ☐ Home Occupation (\$100) ☐ Accessory Structure ☐ Shed ☐ Swimming Pool ☐ Patio ☐ Deck ☐ Driveway Modification* (See page 3) ☐ FENCE (\$50) (All Dists.)	CHECK IF APPLICABLE: ☒ New Business/Use ☐ Accessory Structure ☐ New Building ☐ Building/Site Modification ☐ MIN. SITE PLAN (+\$250)	Total Square Footage: Est. Cost of Construction: 0.00 Est. Additional Employees: 3

Description of Use/Project: Continue to use as an Auto-repair facility.

Applicant Signature:  Date: 11-15-2022

*By signing this application, I certify that I am the owner of the property or the owner's agent, and that the work is authorized with the full knowledge of the owner. *

OFFICE USE ONLY

Additional Notes: Vehicular repair service - Major	Zoning Information Zoning District: I ☐ Historic District	Additional Requirements ☐ CoA ☐ Variance ☐ Special Exception Use Permit ☐ PGU ☒ Building Permit
	Add'l Approvals/Rec'd ☐ PC ☐ BZBA	FILE COPY P&Z Admin.  Date: 11/15/2022
	Floodplain Admin.: _____ Date: _____	

Section 1109.11

ZONING CERTIFICATE

No use of land, building or structure and no construction or alteration of an existing use, building, or structure shall commence until a zoning certificate is issued by the Planning & Zoning Administrator certifying that the intended use of the premises has been documented, reviewed, and approved in conformance with the provisions of this Zoning Code. A zoning certificate shall only be issued by the Planning & Zoning Administrator subsequent to completion of all procedures and approvals required by this Code. No zoning certificate shall be issued to permit any use or construction contrary to the provisions of this Zoning Code, unless in compliance with a duly approved variance. Unless exempted by this Code, a zoning certificate shall be required before:

1. Locating, erecting, construction, reconstructing, altering, or moving any building/structure, including an accessory structure such as a sign or fence;
2. Occupying or using land or a building, or changing the use of land or of a building, in whole or in part, for a different use;
3. Changing a nonconforming use to a different use or extending or expanding a nonconforming use or structure.

ADDITIONAL MATERIALS CHECKLIST

This application shall be accompanied by two (2) copies of plans to scale showing:

- | | |
|--|--------------------------|
| 1. The dimensions and shape of the lot to be built upon; | ☐ |
| 2. The sizes and locations of <u>existing structures</u> and uses on the lot; | ☐ |
| 3. The size, dimensions and locations of proposed structures, including distances to all lot lines; and | ☐ |
| 4. The heights of existing and proposed structures. | ☐ |
| 5. For new businesses/uses and home occupations: <u>A letter detailing the proposed use, hours of operation, and number of projected staff members.</u> | ☐ |
| 6. A digital submission of all applications and plans are required.
Please email application and plans to permit@ci.reynoldsburg.oh.us or provide a USB at time of paper submittal. | ☐ |

Section 1143.03(e)

RESIDENTIAL SITE PLAN REQUIREMENT

A residential site plan shall be required for a single family dwelling, a two-family dwelling, and any dwelling within a Planned Development District.

ADDITIONAL MATERIALS CHECKLIST	
This application shall be accompanied by two (2) copies of plans to scale showing:	
1. Surveyed dimensions and orientations of all lot lines; total area of the lot; seal and signature of the professional surveyor or engineer who prepared the drawing;	☐
2. Identification of the, subdivision, lot number, tax parcel number, and address;	☐
3. Dimensions indicating compliance with all setbacks;	☐
4. Setbacks.	☐
5. Locations of all streets, easements, and existing and proposed structures;	☐
6. Finished floor elevations for first floor, garage floor, and basement; floor area of all floors;	☐
7. Finished ground elevations at all corners of structures, at midpoints of the walls of structures, at corners of the lot, and at midpoints of the lot lines;	☐
8. Drainage features and improvements sufficient to demonstrate positive drainage, including the locations of swales, sump pumps, and yard drains; data describing any	☐
9. A landscape plan indicating the size and types of landscape materials and the location of all street trees; and	☐
10. Such other information as the Planning & Zoning Administrator may require so as to carry out the full intent of the Zoning Code.	☐
11. A digital submission of all applications and plans are required. Please email application and plans to permit@ci.reynoldsburg.oh.us or provide a USB at time of paper submittal.	☐

***Modifications to Driveway Standards as of April 2022:**

- i. Driveways shall be located at least 3 feet away from the property line unless the driveway is extended into the nearest front private or public right of way
- ii. Driveways are permitted to be 10 feet in width for each primary garage space.
- iii. No driveway is permitted to be located beyond the front setback line of the primary structure unless there is a side entry garage, in which case the garage may not extend beyond the rear of the primary structure.

Section 1143.03(d)

MINOR SITE PLAN REQUIRED

An application for a minor site plan shall be submitted for a development, building addition or site improvement which does not qualify as a major site plan in a commercial or industrial zoned district, or if in the professional opinion of the Planning & Zoning Administrator, the project warrants review.

ADDITIONAL MATERIALS CHECKLIST	
This application shall be accompanied by seven (7) copies of plan(s) to scale showing:	
1. A vicinity map showing the location of the proposed development in relationship to the surrounding area including major thoroughfares.	☐
2. The dimensions of property lines, parcel dimensions, and adjoining right-of-ways.	☐
3. The current zoning of the parcel and all adjacent parcels.	☐
4. The location of proposed building and structures.	☐
5. The location of existing water bodies, streams, drainage ditches, stands of trees and other pertinent features within one hundred fifty feet (150FT) of development.	☐
6. <u>Setbacks and building separations shall be noted in accordance with zoning requirements.</u>	☐
7. A landscape concept plan, including approximate location of all new landscape material and plantings, that addresses the applicable district requirements.	☐
8. A transportation and parking plan, including location and number of all parking and loading spaces and location of all proposed walkways and bike/pedestrian access points	☐
9. An architectural plan, including exterior building materials, colors, and lighting features	☐
10. Such other information as the Planning & Zoning Administrator may require so as to carry out the full intent of the Zoning Code.	☐
11. A digital submission of all applications and plans are required. Please email application and plans to permit@ci.reynoldsborg.oh.us or provide a USB at time of paper submittal.	☐



CONSTRUCTION & RENOVATION

P.O. Box 20026 - Columbus, Ohio 43220 - (614)484-3248 - BudgetBCR@Gmail.com

Request letter to the Planning & Zoning division, requesting a Zoning Certificate

Reynoldsburg Department of Development
Planning & Zoning Division

November 14, 2022

Received

NOV 15 2022
Reynoldsburg Building Division

Property information:

Address: 6050 E. Livingston Ave., Columbus, OH. 43232

Municipality & Township: Truro

County: Franklin

Lot Size: 0.43 Acres (158' x 119.6')

Lot Dimensions: 158' x 119.6'

Tax District: 060 – City of Reynoldsburg

Parcel Number: 060-007296-00

Property Owner's Agent: Samuel Oasis

Address: P.O. Box 20026

Phone Number: (614) 484-3248

E-Mail: sam_oasis@yahoo.com

Dear Community Development Department,

This letter is to request a Zoning Certificate for the commercial property at the above-mentioned address. The property was used as auto repair services and will remain and re-open as auto repair services under the new owner.

The property is approximately 3,600 square feet of building that includes 6 bays for automotive servicing and repairs; and 11,500 square feet of paved parking area, and currently has 15 parking spaces. No construction activities needed.

The proposed use is in total harmony with existing character of the district and does not adversely affect the use of adjacent property. The adjacent lot west of the property is a **Goodyear store**, an auto tire sales/repairs and auto repairs business. Across the street on the east side of the property is **Action Auto Sales**, a used car sales business.

There are no special conditions or circumstances applying to the property involved that does not generally apply to other properties in the same zoning district.

Respectfully submitted,

Samuel Oasis

Owner's Agent

sam_oasis@yahoo.com

(614) 484-3248

FILE COPY

From: [Sheri McHale](#)
To: [Emma Cepek](#); [lomandjo.pas89@gmail.com](#); [hlosokola@gmail.com](#);
[divineandfavorresidentialcareservices@gmail.com](#); [haidar@3brothersheatingcooling.com](#);
[plus.totalcare@gmail.com](#); [Tim McGrath](#)
Cc: [Phoenix Buathier](#); [Eric Meyer](#); [Adam Wheeler](#); [Melissa Butler](#); [Chris Shook](#); [America Andrade](#)
Subject: MYM Property Management LLC 6050 E. Livingston Avenue
Date: Thursday, September 4, 2025 4:44:05 PM
Attachments: [2025-09-04 Appeal Brief.docx](#)
Importance: High

[NOTICE: This email originated outside of the City of Reynoldsburg.]

Dear Mr. Shook and all,

Enclosed is a copy of Appellant's Hearing Brief to the Planning and Zoning Board for this evening's meeting.

Very truly yours,

Sheri

Sheri L. McHale

Paralegal/Assistant to:

Timothy J. McGrath, Esquire

Strip, Hoppers, Leithart, McGrath & Terlecky

575 S. Third Street

Columbus, Ohio 43215

Tel: 614/228-6345; Fax: 614/228-6369

slm@columbuslawyer.net



IRS Circular 230 Disclosure. To ensure compliance with requirements imposed by the IRS, please be informed that: To the extent that this communication and any attachments contain any federal tax advice, such advice is not intended to be used, and cannot be used, for the purpose of avoiding penalties that may be imposed under the Internal Revenue Code or promoting, marketing, or recommending to another person any transaction, arrangement or matter addressed herein.

CONFIDENTIALITY NOTICE: This e-mail transmission and any documents, files or previous e-mail messages attached to it contain confidential information that is privileged. If you are not the true intended recipient, or a person responsible for delivering it to the intended recipient, you are

hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is strictly prohibited. If you have received this transmission in error, please immediately notify the sender. Please destroy the original transmission and its attachments without reading or saving in any manner.

**CITY OF REYNOLDSBURG PLANNING AND ZONING BOARD
REYNOLDSBURG, OHIO**

MYM PROPERTY MANAGEMENT, LLC	:	
	:	
Appellant,	:	CASE NO. _____
	:	
v.	:	
	:	
CITY OF REYNOLDSBURG DEPARTMENT OF DEVELOPMENT PLANNING AND ZONING ADMINISTRATOR,	:	
	:	
Appellee.	:	

APPELLANT’S HEARING BRIEF

Appellant, MYM Property Management, LLC respectfully submits this Hearing Brief in the course of appealing the order of the City of Reynoldsburg’s Planning and Zoning Administrator (the “Order”) requiring Appellant to cease and desist all business activities at Appellant’s property, located at 6050 E. Livingston Ave., Columbus, OH 43232 (the “Property”).

I. Factual Background

The Property in question is an automotive service and repair shop. Prior to Appellant’s acquisition of the Property, the Property had been owned and used by Appellant’s predecessor in interest since 1986 as an automotive repair business. The Property was purchased by Appellant in April, 2022. Appellant resumed operations shortly thereafter.

The City of Reynoldsburg enacted zoning amendments which placed the Property in the new I – Innovation District. where automobile repair use may not be permissible.

Appellant received the Order from the City of Reynoldsburg to cease all business operations at the Property. Appellant complied by moving the business to another location then filed this Appeal. Appellant maintains that the automotive repair business is a legally non-conforming use.

II. Law and Citation to Authority

Ohio Revised Code § 713.15 provides:

“The lawful use of any dwelling, building, or structure and of any land or premises, as existing and lawful at the time of enacting a zoning ordinance or an amendment to the ordinance, may be continued, although such use does not conform with the provisions of such ordinance or amendment, *but if any such nonconforming use is voluntarily discontinued for two years or more, or for a period of not less than six months but not more than two years that a municipal corporation otherwise provides by ordinance*, any future use of such land shall be in conformity with sections 713.01 to 713.15 of the Revised Code. The legislative authority of a municipal corporation shall provide in any zoning ordinance for the completion, restoration, reconstruction, extension, or substitution of nonconforming uses upon such reasonable terms as are set forth in the zoning ordinance.”

(Emphasis added).

In short, the statute mandates that “voluntary discontinuance” of a pre-existing non-conforming use of a property for two years extinguishes the permissibility of such a use. Municipalities are free to depart from the statute’s default two-year expiration period. But the period set by local ordinance cannot exceed two years, and it cannot be shorter than six months in duration.

However, Reynoldsburg Codified Ordinance § 1107.13 provides:

“If lawful use of a structure, or of structure and premises in combination, exists at the effective date of adoption or amendment of this Code that would not be allowed in the district under the terms of this Code, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

* * *

(d) Where a non-conforming use has been discontinued, meaning that the structure containing the use has remained *vacant, unoccupied, unused or has ceased the daily activities or operations which had occurred, for a period of three (3) or more continuous months*, the non-conforming use shall be permanently terminated.”

(Emphasis added).

Juxtaposing these provisions, it is apparent that the Code is in derogation of R.C. § 713.15, as the municipal legislature set the expiration period for pre-existing non-conforming uses at a duration of less than six months. Further, this Code provision contravenes R.C. § 713.15 by setting the requisite

conditions of extinguishing pre-existing non-conforming uses as when a property is “vacant, unoccupied, unused, or has ceased the daily activities or operations which had occurred,” rather than when the use is “voluntarily discontinued” as required by § 713.15.

These inconsistencies raise one central legal issue applicable to Appellant’s circumstances, namely, whether the state statute supersedes the inconsistent provision of the Code, under which Appellant was ordered to cease his business operations. The answer to this question rests in the well-settled principles of the “*Canton* test” as established in *City of Canton v. State*. This test provides a three-part framework to determine when a state statute supersedes a municipal ordinance under the Home Rule Amendment of the Ohio Constitution. According to this test, a state statute takes precedence over a local ordinance if: (1) the ordinance is an exercise of the police power, rather than of local self-government; (2) the statute qualifies as a general law; and (3) the ordinance is in conflict with the statute. *City of Canton v. State*, 95 Ohio St.3d 149, 151 (2002). This test has been routinely applied in Ohio’s Tenth District. See e.g., *City of Columbus v. State*, 2025-Ohio-2408, ¶ 13.

R.C. § 713.15 has already been deemed a general law for purposes of the *Canton* test. *Sun Oil Co. v. Upper Arlington*, 55 Ohio App.2d 27, 35-36 (10th Dist. 1977). Municipal zoning regulations have also consistently been held to be exercises of the “police power” per the *Canton* test. See e.g., *State ex rel. Morrison v. Beck Energy Corp.*, 143 Ohio St.3d 271, 271 (2015), citing *Rispo Realty & Dev. Co. v. City of Parma*, 55 Ohio St.3d 101, 103 (1990).

Therefore, R.C. § 713.15 not only preempts application of the Code’s three-month expiration period to Appellant’s circumstances, but also application of the “vacant, unoccupied, unused, or has ceased the daily activities or operations which had occurred” standard used by the Code. The standard set by R.C. § 713.15 utilizes the word “voluntary” because it implies an intentional decision by the property owner to cease the non-conforming use, as opposed to an involuntary cessation due to external factors such as legal prohibitions, natural disasters, or the acts of someone other than the property owner.

Ohio case law applying § 713.15 in the context of analyzing whether discontinuance of a non-conforming use was “voluntary” uniformly stand on the proposition that mere non-use of does not constitute “voluntary” discontinuance, and there must be some affirmative showing of an intent to abandon the use. See e.g., *Bell v. Rocky River Bd. of Zoning Appeals*, 122 Ohio App.3d 672, 675-76 (8th Dist. 1997); contra *Bowling Green v. Sarver*, 9 Ohio App.3d 279, 282 (6th Dist. 1983). Therefore, even a successful showing that the Property was vacant or unoccupied does not amount to “voluntary discontinuance” under R.C. § 713.15. In that vein, Appellant submits that there was no voluntary discontinuance of use for automotive repairs.

III. Conclusion

In sum, Reynoldsburg Codified Ordinance § 1107.13(d)’s derogation of R.C. § 713.15 necessitates that this Planning and Zoning Board recall the Order to Appellant to cease and desist, and that this decision operate to allow Appellant to proceed in working to obtain a proper certificate of use and occupancy for the premises.

Respectfully submitted,

/s/ Timothy J. McGrath
Timothy J. McGrath (0019972)
Strip, Hoppers, Leithart, McGrath
& Terlecky Co., L.P.A.
575 S. Third St.
Columbus, Ohio 43215
(614) 228-6345 - telephone
(614) 228-6369 – fax
tjm@columbuslawyer.net - email
Attorney for Appellant

2026 Reynoldsburg Planning and Zoning Board

January						
S	M	T	W	T	F	S
				X	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	X	20	21	22	23	24
25	26	27	28	29	30	31

February						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	X	17	18	19	20	21
22	23	24	25	26	27	28

March						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	X	26	27	28	29	30
31						

June						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	X	20
21	22	23	24	25	26	27
28	29	30				

July						
S	M	T	W	T	F	S
			1	2	X	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September						
S	M	T	W	T	F	S
		1	2	3	4	5
6	X	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	X	12	13	14
15	16	17	18	19	20	21
22	23	24	25	X	X	28
29	30					

December						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	X	X	26
27	28	29	30	X		

	Planning and Zoning Board - 6:00 pm
	Council/Committee Mtgs - 6:30 pm
X	Holiday- City Offices Closed