

HARRISON TOWNSHIP
BZA
JANUARY 4, 2018

ORGANIZATIONAL FOR 2018

Members present: Valerie Hans, Dwight Gibson, Jr., James Hannahs, Douglas Harned, Jeremy Nestor and Alternate Curt Painter.

Members absent: Alternate Ryan Bailey.

Also present: Tom Frederick, Zoning Inspector and Vickie Noble, Zoning Secretary

Vickie Noble called the meeting to order at 6:30 pm with all standing for the Pledge of Allegiance.

Ms. Noble called for nominations for Chair for the 2018 board.

Mr. Harned nominated Valerie Hans. Mr. Gibson seconded.

Vote: Dwight Gibson, Jr. ...yes James Hannahs...yes Douglas Harned ... yes
Jeremy Nestor ...yes Valerie Hans...yes

Ms. Hans asked for nominations for Vice Chair for the 2018 board.

Mr. Harned nominated Dwight Gibson, Jr. Ms. Hans seconded.

Vote: Valerie Hans...yes Dwight Gibson, Jr. ...yes James Hannahs...yes
Douglas Harned ... yes Jeremy Nestor ...yes

Ms. Hans asked for nominations for Alternate Secretary.

Ms. Hans nominated Douglas Harned. Mr. Gibson seconded.

Vote: Valerie Hans...yes Dwight Gibson, Jr. ...yes James Hannahs...yes
Douglas Harned ... yes Jeremy Nestor ...yes

The board agreed to keep the same meeting schedule. The second Wednesday and the fourth Tuesday of each month are set aside as meeting dates. If these dates cannot be fulfilled the board can agree to an alternate meeting date. All dates are on an as needed basis.

Mr. Gibson moved to accept the minutes from the September 26, 2017 meeting.

Mr. Hannahs seconded. The motion passed with unanimous ayes.

The Organizational meeting concluded at 6:39 p.m.

PUBLIC HEARING

Members present: Valerie Hans, Dwight Gibson, Jr., James Hannahs, and Douglas Harned, Jeremy Nestor and Alternate Curt Painter.

Members absent: Alternate Ryan Bailey.

Also present: Tom Frederick, Zoning Inspector, Vickie Noble, Zoning Secretary and Marilyn Martin of Anderson Reporting.

Guest: Connie Klema representing Coughlin Land Company.

The purpose of this hearing is to consider a Variance Application submitted by Attorney Connie Klema representing Coughlin Land Company. The applicant is requesting to replat lots 1-3 of Combs Subdivision (north side of Blacks Road) creating two lots.

The Public Hearing was called to order at 7:00 pm by Valerie Hans with all standing for the Pledge of Allegiance.

Ms. Hans read the application and attached letter.

She asked if Ms. Klema wished to add anything. Ms. Klema stated the lots were already platted when her client purchased the properties.

Mr. Frederick's Report:

Harrison Township Zoning Inspector's report & recommendation for the variance request submitted by Connie Klema for Coughlin Land Company regarding the Combs Subdivision located on the north side of Blacks Rd. and Corylus Dr. The Combs Subdivision has been a platted subdivision since 1954. It has eleven (11) 20,000 sq. ft. lots (100 road frontage x 200 ft. lot depth). The Variance request is for lots 1-3 that are on the east side of Corylus Dr. These lots are currently zoned Business District (B-1). The B-1 district required lot size is 45,000 sq. ft. and 150 ft. of lot width. Required building setback lines/yards are Front yard – 50 ft.; Sideyard -15 ft. and Rear yard – 50 ft.

The variance request is to take lots 1-3 and subdivide those 3 lots into two half acre lots. Proposed lot 1A would be 0.555 acres (2,4175.8 sq. ft.) and lot 2A would be 0.552 acres (24,045 sq. ft.). This equals 48,220.8 sq. ft. or 1.107 acres.

This variance recommendation will follow the requirements of Harrison Township Zoning Resolution Article 4 – Section 4.12 #2. – Area Variance.

Area Variance Section 4.12 #2

#2 states the factors to be considered and weighed in determining whether a property owner seeking an area variance has encountered practical difficulties in the use of the property. They include but are not limited to:

a. whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.

There are currently 3 legal non-conforming lots of record. If one of the lots was sold for a business use, there would be difficulty in issuing a Zoning Permit due to required setbacks, parking and landscaping/buffering regulations.

b. whether the variance is substantial.

Yes. The current required lot size in the B-1 District is 45,000 sq. ft.

c. whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

No.

d. whether the variance would adversely affect the delivery of governmental services (e.g. water, sewer, garbage, medical, fire, police).

No.

e. whether the property owner purchased the property with knowledge of the zoning restrictions.

Yes.

f. whether the property owner's predicament feasibly can be prevented or corrected through some other method other than a variance.

Yes. The fact is there are three 20,000 sq. ft. lots of record that could be sold individually for a permitted use, but it may cause the need for additional variance requests in order to be developed. If lots 1A and 2A or the three existing lots were combined into 1 lot, it would be more in line with the required lot size and surrounding businesses lot size.

g. whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Again, the proposed lots 1A and 2 A could be developed but there might be the need for additional variance requests for the proposed land uses to develop/built on these lots as proposed.

Thomas D. Frederick Harrison Township Zoning Inspector

Ms. Hans asked if the lots will be developed as business or residential. Ms. Klema said there is a possibility for both.

Ms. Hans asked about the requirements of issues such as setbacks, parking, landscaping, etc. Mr. Frederick could not provide an answer without knowing what the use would be. He also stated he has the option to look at Harrison Township Zoning Article 8.10 in Non-Conformities. He added that another issue to be considered is access.

Mr. Gibson asked about the difference in measurements on the maps provided. Ms. Klema answered the difference comes from Licking County taking away part of the ROW.

Ms. Hans brought up the fact that the board cannot consider approval on a financial basis.

Ms. Klema doesn't feel this request is based on financial issues pointing out the county is taking away some of the ROW.

Mr. Harned stated that the property platted in 1954 doesn't seem to be desirable. This he feels could be considered a financial issue. Ms. Klema disagrees stating the property has not been marketed and is desirable in the current market. She feels small business is an asset to the community.

Ms. Hans moved to approve the application with the condition that:

1. The applicant will plat and record a shared driveway for lots 1A and 2A if required by the Licking County Engineer and/or the Licking County Planning Commission.
2. That Harrison Township will accept the building setbacks as presented on lots 1A and 2A.

Mr. Harned seconded the motion.

Vote:

Valerie Hans...yes Dwight Gibson, Jr. ...yes James Hannahs...no

Douglas Harned...yes Jeremy Nestor...yes

The motion passed with four yes votes and one no vote.

At 7:46 Ms. Hans moved to adjourn. Mr. Hannahs seconded. The motion passed with unanimous ayes.

Respectfully submitted

Vickie Noble, Zoning Secretary

Valerie Hans, Chair

Public hearing professionally recorded by Anderson Reporting