

HARRISON TOWNSHIP

BZA

May 25, 2021

Members present: Ricky Biniker, Rachael Mattis Bissett, Jack Treinish, John McGowan, and Gerald Saffo. Absent: Jeremy Nestor.

Mr. Saffo will be a voting member due to the absence of Mr. Nestor.

Also present: Valerie Hans, Zoning Inspector and Vickie Noble, Zoning Secretary

Present for the Public Hearing: Marilyn Martin of Anderson Reporting.

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

Mr. Treinish moved to approve the minutes from April 27, 2021. Ms. Bissett seconded. The motion passed with unanimous ayes.

Article 15, Article 16, Article 24 and Article 26 were revised by the Zoning Commission and adopted by the Trustees on May 3, 2021. They will go into effect on June 2, 2021. The board was given copies of the revised articles.

Ms. Hans gave an overview of zoning issues in the township.

Mr. Biniker closed the working session at 6:57 pm.

PUBLIC HEARING

The purpose of this Public Hearing is to consider a Variance Application submitted by Michelle Vanko for property located at 8335 Blacks Rd SW Pataskala, OH 43062. The applicant is planning to build a room addition and is requesting a variance for the front yard setback. The request is for the setback to be 48'.

The public hearing was called to order at 7:03 pm.

Ms. Hans read the application and pertinent materials from the application. Since the applicant was not present, she explained the details of the application.

Ms. Hans report:

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*Harrison Township Zoning Inspector's report and recommendation for a variance application for 8335 Blacks Rd., S.W., Pataskala, Ohio 43062 submitted by Michelle Vanko.*

*The applicant is proposing to build a 20-foot by 24-foot room addition on their property 48 feet from the front property line.*

*This recommendation will follow the requirements of the Harrison Township Zoning Resolution Section **4.12 2. a-g Area Variance**. The Board of Zoning Appeals shall review the particular facts and circumstances of this area variance in terms of the following standards and shall find adequate answers to the questions that establish the criteria for establishing practical difficulty in the use of the property.*

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

*The property in question will still yield a reasonable return and beneficial use of the property without a variance as there is an existing home on the property. However, the home cannot be enlarged in any way without a variance being granted.*

**b. Whether the variance is substantial.**

*The property is zoned Manufacturing (M-1). The M-1 zoning district requires a front yard setback of 50 feet from the front property line for residential uses in this district. The variance is not substantial as it reflects a 4% (2 foot) variance from the 50-foot minimum front yard setback.*

**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.**

*The essential character of the neighborhood would not be substantially altered, as there are other homes in the area that sit close to the road. Although the south side of Blacks Road is zoned M-1 the primary zoning use in the area is residential.*

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

*This variance will not influence delivery of any governmental services as it does not change the ability for those services to reach existing residences.*

**e. Whether the property owner purchased the property with knowledge of the zoning restriction.**

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Final - Approved

The property owner stated that they were not aware of the zoning restriction when they purchased the property.

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

No, due to the proximity of the home to Blacks Road, the only option to enlarge the existing home is to apply for and receive a variance.

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

The spirit and intent behind the zoning requirement would still be observed, and substantial justice would be done by granting the variance as it will promote a use that is in harmony with the existing residential uses in the neighborhood. This home is a 1920s farmhouse that is part of the history of Harrison Township. Rather than tear down the old farmhouse, the applicant wants to add onto it and preserve a piece of history in the community. This is something that should be encouraged in our community.

**Zoning Inspector’s Recommendation**

I would recommend the following consideration for this variance if considering approval.

1. That the applicant will comply with all other requirements of the Harrison Township Zoning Resolution.

Respectfully submitted, Valerie L. Hans Harrison Township Zoning Inspector

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Ms. Hans said she had spoken with the homeowner west of the property. They are completely in support of the application request.

Mr. Biniker asked if the build would cause any water problems to the neighboring properties. Ms. Hans said it wouldn’t and that the builder plans to contain the water on site.

Mr. McGowan made a motion to approve the application with the condition that the applicant would comply with all requirements of the Harrison Township Zoning Resolution.

Ms. Bissett seconded.

Vote: Ricky Biniker-yes, Rachael Mattis Bissett-yes, Jack Treinish-yes, John McGowan-yes, Gerald Saffo-yes. The motion passed with all yes votes.

Mr. Biniker closed the public hearing at 7:08 pm.

Respectfully submitted     Vickie Noble, Zoning Secretary                     Ricky Biniker, Chair

*The Public Hearing was professionally recorded by Anderson Reporting*