

HARRISON TOWNSHIP
BZA
FEBRUARY 18, 2025

Members present: Ricky Biniker, John McGowan, Jeremy Nestor and Alternates Stephen Clegg and Mark Motz. Absent: Ryan Bailey and Jack Treinish.

Alternates Stephen Clegg and Mark Motz will be voting members.

Also present : Valerie Hans- Zoning Inspector, Vickie Noble- Zoning Secretary and Marilyn Martin- Court Reporter.

Guests: Carolyn Carnes, Gary Townsend, Scott Hayes (by phone)

Scott Hayes was not able to attend in person but was able to answer and ask questions by phone. Call was on speaker phone so all could hear.

The purpose of the Public Hearing is to consider a Variance Application submitted by Tri-Village Christian Church 7509 E. Broad St. SW Pataskala, OH 43062 c/o Scott Hayes, Hayes Law Offices. The applicant is requesting a variance for Article 10.17 Buffering and Screening and Article 26.04 (screening). Application # 2025-01 Parcel # 025-068082-00.002

Ricky Biniker called the meeting to order at 7:00 p.m. with all standing for the Pledge of Allegiance.

All who wished to speak were asked to be sworn in by the Court Reporter.

Mr. Biniker asked Ms. Noble to read the application and attached documents.

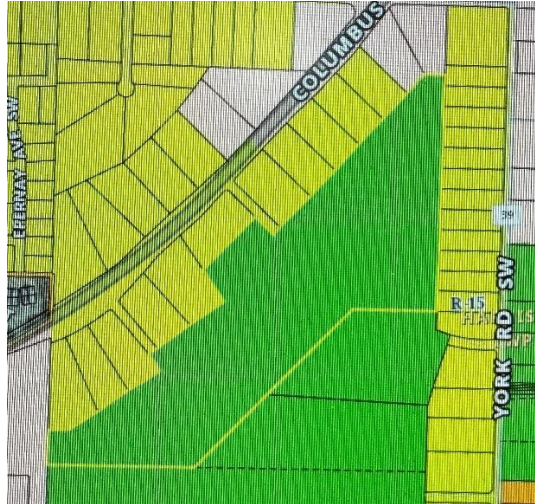
Mr. Biniker asked Valerie Hans to give her report.

Zoning Inspector's Report

February 18, 2025

Harrison Township Zoning Inspector's report and recommendation for a variance application for 7509 Broad St., Pataskala, Ohio 43062 submitted by Tri-Village Christian Church.

The applicant is requesting a variance to the landscaping requirements of Article 10.17 and 26.04 to permit them to install less landscaping around the perimeter of their property as it relates to the building of an addition for a new building on the west side of their existing church. The property is a 43.63-acre property located in the AG zoning district. The property backs primarily up to R-15 and AG properties which are developed for residential use. There is one property to the west of the church's property that is vacant and zoned B-1. There are 2 B-1 zoned properties adjacent to the northern point of the church property; one used for residential, and one used for business. The new building will sit towards the western side of the property.



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

The property is already being used as a church and will continue to do so without a variance.

- b. Whether the variance is substantial.**

The property is zoned Agricultural (AG). The code requires buffering and landscaping for all unlike land uses and/or zoning classifications when building or adding on to a commercial building. The applicant is questioning that requirement because the shape of their property is very irregular and placing additional landscaping would be extremely difficult in some locations due to the terrain of the property.

- 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 the existing homes surrounding the church are older and have several trees on the adjoining property lines.

- 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 or proposed properties.

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

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.

It would be very difficult for the applicant to meet all of the landscaping requirements due to the shape and terrain of the property.

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 requirements would still be observed and substantial justice would be done by granting the variance as it will promote use of the property while retaining the rural character of the area.

Zoning Inspector's Recommendation

If you are considering approval of this variance, I would recommend the following conditions:

- 1. That 3 evergreen trees at least 6 foot high at the time of planting be placed on the property line near the 90 degree turn in the entry drive from Broad Street.*
- 2. That 2 evergreen trees at least 6 foot high at time of planting be placed on the southwest corner of the property line between the church property and 7417 Broad Street property.*
- 3. That the applicant will comply with all other requirements of the Harrison Township Zoning Resolution.*

Respectfully submitted, Valerie L. Hans Harrison Township Zoning Inspector

Ms. Hans explained that it would be difficult for the applicant to meet all of the landscaping requirements due to the shape and terrain of the property.

John McGowan asked if there would be additional parking added. Mr. Hayes said there would be additional parking added to the west side of the building.

Mr. Biniker asked Mr. Hayes if he had anything to add. Mr. Hayes said they would do what was required by the township. He asked about the Architectural Review. Ms. Hans said that was a separate process and would be submitted to the Township Architect and the Zoning Commission for review

Mr. Nestor moved to approve the application for 7509 Broad St. Pataskala, OH 43062 with the inclusion of the zoning inspector's recommended conditions. Mr. Biniker seconded.

Conditions as per Zoning Inspector's recommendation:

1. That 3 evergreen trees at least 6 foot high at the time of planting be placed on the property line near the 90 degree turn in the entry drive from Broad Street.
2. That 2 evergreen trees at least 6 foot high at time of planting be placed on the southwest corner of the property line between the church property and 7417 Broad Street property.

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

Vote: Ricky Biniker-yes, John McGowan-yes, Jeremy Nestor-yes,
Stephen Clegg-yes, Mark Motz-yes.

The application was approved with conditions.

At 7:19 pm Mr. Clegg moved to close the Public Hearing. Mr. Biniker seconded.
The motion passed with unanimous ayes.

A working session began at 7:20 p.m.

The board was given copies of the Zoning Resolution revised articles.

Mr. Clegg moved to approve the January 14, 2025 minutes. Mr. Biniker seconded.
The motion passed with unanimous ayes.

Ms. Hans gave the board updates on township violations and issues.

At 8:03 p.m. Mr. Biniker moved to adjourn. Mr. Clegg seconded.
The motion passed with unanimous ayes.

Respectfully submitted

Vickie Noble, Zoning Secretary

Ricky Biniker, Chair

The Public Hearing was professionally recorded by Marilyn Martin