

BZA
JULY 23, 2013-FINAL

Members present: Valerie Hans, Deborah Laughlin, Ryan Bailey and Dwight Gibson, Jr.
Also present Tom Frederick, Zoning Inspector, Vickie Noble, Zoning Secretary and Marilyn Martin, Court Reporter from Anderson Reporting.
Members absent: Scott Van Den Berg, George Snider and Christopher Strayer
Guests present: Charles Estel, applicant and Trustee Mark Van Buren

The purpose of this meeting is to consider an application submitted by Charles J. Estel of 340 N. Bend Dr. Pataskala, OH 43062. Mr. Estel is requesting approval to install a 16' x 32' in ground pool at a minimum distance of 15' from the property line instead of the required 25'.

The meeting was called to order at 6:30 p.m. by Valerie Hans with all standing for the Pledge of Allegiance.

Ms. Hans asked Ms. Martin, the court reporter, to administer the oath to all who wished to speak during tonight's meeting.

The application was read.

Mr. Frederick explained the recommendation letter he presented to the board. His recommendation was for approval of this application. He sited the utility location on the back of the property and felt this would be a factor in approving the application. He also told the board that Christopher Stayer had sent an email (the board received a copy of this email). Mr. Stayer, a member of the BZA is a next door neighbor of the applicant therefore, not able to participate in the public hearing.

A new site plan was submitted by Mr. Estel.
Ms. Hans asked about the no dig area on the new plan.
Mr. Estel explained this was due to a retaining wall.

Ms. Hans noted the old site plan had a proposed garage and the new plan had the proposed garage eliminated. Mr. Estel answered that the neighbors didn't like the idea of a detached garage so he plans on adding another bay to the existing garage. This will be built in about 2 years. He asked if it would be possible to get that approved tonight. Ms. Hans asked if that was part of the variance request before the board. Mr. Estel asked if a variance was required for a garage. Ms. Hans stated a variance would be needed if the setback requirements were not met. Mr. Frederick explained the minimum side yard requirements.

Ms. Hans also explained that the board would need the dimensions of the building as well as the distances in order to consider. She told Mr. Estel that the pool issue could be addressed tonight and the garage at a later date. Mr. Estel said he was fine with just the pool issue being addressed tonight.

Ms. Hans asked Mr. Frederick if any of the neighbors had a problem with the application. Mr. Frederick said he had no complaints. He had some calls in response to the sign posted on the property but once they found out what the zoning request was for they had no problems.

Mr. Estel was then asked about a permanent fence around the pool. He said the contract for the fence has been signed and should be in by October. He was fine with a date of October 31.

Mr. Bailey asked about concrete around the pool. Mr. Estel said the pool comes with concrete but he plans on more concrete at a later date.

Mr. Bailey asked Mr. Frederick if this much concrete would create a problem with runoff. Mr. Frederick felt there shouldn't be any issues.

Mr. Gibson expressed concerns about safety, especially with the children in the neighborhood. Mr. Estel said he tried to address all the safety issues.

Motion by Valerie Hans

Motion to approve the application with the following conditions:

1. That the North side yard setback will be a minimum of 15'.
2. That the East rear yard setback will be a minimum of 18'.
3. That the applicant will meet code regulations on the South side yard setback.
4. That a locking temporary fence will be installed immediately upon installation of the pool with a minimum of 3' in height.
5. That a permanent fence a minimum of 6' in height with a lock on all doors will be installed surrounding the entire pool and retaining wall areas of the property by October 31, 2013.
6. That all seeding and grading will be completed by October 31, 2013.
7. That all additional concrete work will be completed by June 1, 2014.
8. That the garage will be addressed as a separate application at a later date if necessary.
9. That this application is being granted on the basis of a lot hardship due to the location of the electric utilities.

Second by Ms. Laughlin

Vote:

Valerie Hans.....yes

Deborah Laughlin....yes

Ryan Bailey.....yes

Dwight Gibson, Jr....yes

Motion passed with a unanimous yes vote

Ms. Hans made a motion to close the public hearing portion of the meeting. Mr. Gibson seconded. The motion passed with unanimous ayes.

The public hearing closed at 7:05 p.m.

A working session opened at 7:14 p.m.

The minutes of the March 13, 2013 meeting were read.

Ms. Laughlin moved the minutes be approved. Mr. Bailey seconded. The motion passed with unanimous ayes.

The minutes of the June 25 Zoning workshop were read.

Ms. Laughlin moved the minutes be approved. Ms. Hans seconded. The motion passed with unanimous ayes.

Mr. Frederick passed out copies of Article 4 from the Union Township zoning resolution. He explained that the Zoning Commission is finishing the updates to the Sign resolution then will move onto addressing issues from Article 4. He feels the BZA needs to be involved with this section of updates to the Harrison Township Zoning Resolution. He will inform the BZA when the ZC will be addressing these issues.

Mr. Van Buren asked for feedback on the June 25 Zoning Workshop. Several board members stated they liked the workshop and would like to see more. Mr. Van Buren suggested some board members might attend the sessions of the OTA in January.

Mr. Gibson moved the meeting be adjourned. Ms. Hans seconded. The motion passed with unanimous ayes. The meeting was adjourned at 7:50 p.m.

Respectfully submitted

Vickie Noble, Zoning Secretary

Scott Van Den Berg, Chair

Valerie Hans, Vice Chair

Professionally recorded by Anderson Reporting