

BOARD OF TRUSTEES OF HARRISON TOWNSHIP  
LICKING COUNTY, OHIO  
MINUTES OF PUBLIC HEARING NOVEMBER 4, 2019

The Harrison Township Trustees held a Public Hearing on November 4, 2019 at the Township Hall. The meeting was called to order at 7:00 p.m. by the Chairman, Eric Smith. The purpose of this hearing is to consider and review proposed amendments to the Harrison Township Zoning Resolution. The Trustees will consider the following Articles:

1. Article 3 - DEFINITIONS
2. Article 6 - AMENDMENT
3. Article 10 - DISTRICT AND GENERAL PROVISIONS
4. Article 13 - R-RESIDENTIAL DISTRICT
5. Article 15 - B-BUSINESS DISTRICTS
6. Article 24 - PLANNED UNIT DEVELOPMENT (PUD).

The following members and guests were in attendance.

Trustee	Eric Smith
Trustee	Mark Van Buren
Trustee	Ray Foor
Fiscal Officer	Carolyn Elder
Zoning Inspector	Tom Frederick
Road Superintendent	Ben Patterson
Guest	Tony Sharp
Guest	Randy Morton
Guest	Vickie Noble, Zoning Secretary
Guest	Olivia Parkinson
Guest	Joe Skaggs
Guest	Brad Sager
Guest	John Thomas
Guest	Kenny Bing
Guest	Scott Dunbar

Marilyn Martin, court reporter with Anderson Reporting Services was in attendance.

The Articles being considered are listed below. The red print indicates the proposed changes. Tom Frederick, Zoning Inspector proceeded to read and review the following.

### **3 – DEFINITIONS**

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**URGENT CARE: An urgent care center is a walk-in clinic focused on the delivery of medical care for minor illnesses and injuries in an ambulatory medical facility outside of a traditional hospital-based or freestanding emergency department.**

## **SOLAR COLLECTION:**

(a) "Solar collection system(s)" means all equipment, machinery and structures utilized in connection with the conversion of solar energy to electricity. This includes, but is not limited to solar panels, storage, collection and supply equipment, substations and transformers.

(b) "Solar collection equipment" means items including panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations used for or intended to be used for collection of solar energy in connection with a building on residential or commercial property. Solar energy equipment and its use is accessory to the principal use of the property.

(c) "Solar panel" is a single photovoltaic panel or a group of photovoltaic panels that convert solar energy to electricity.

(d) "Ground mounted solar collection system" is a free-standing solar energy system

(e) "Roof mounted solar collection system" is a solar energy system integrated or mounted on top of the structure of the roof of a principle or accessory building.

(f) The Photovoltaic cell is the semiconductor device that converts the light into electrical energy.

## **6 – AMENDMENT**

### **6.3 CONTENTS OF APPLICATION**

Applications for amendments to the Official Zoning Map adopted as part of this resolution by Article 7 shall contain at least the following:

1. Name, address, phone number and **email address** of applicant(s)
2. Legal description of property, including owner's consent if applicant is not the legal owner
3. Proposed amendment resolution
4. Present use
5. Present zoning district
6. Proposed use
7. Proposed zoning district
8. A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing proposed zoning, and such other items as the Zoning Inspector may require
9. A list of all property owners certified by the county tax auditor office and their mailing addresses who are within **five hundred (500) feet**, contiguous to, or directly across the street from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case. Names and addresses need not be included where more than ten (10) parcels are to be rezoned.
10. A statement on how the proposed amendment relates to the comprehensive land use plan, if applicable

11. A fee as established by the Board of Township Trustees according to Article 5.11.
12. In order to notify adjacent property owners, landowners, and residents in the immediate vicinity and the general public of pending zoning changes. The Township will provide a notice sign with the recommended wording:

**“This property is under a zoning consideration. For additional information contact the Harrison Township Zoning Office at 740-927-8277 or visit website at [www.harrisontownship.net](http://www.harrisontownship.net)”**

The notice must be erected within 48 hours of application. It shall be erected on the site readily legible from the most traveled thoroughfare adjacent to the property. The sign must be maintained until a final decision by the appropriate board. At which time the sign must be returned in good condition to the township.

Applications proposing to amend, supplement, change or repeal portions of this resolution other than the Official Zoning Map shall include items (1), (2), (3), (10), and (11) listed above

## **10 - DISTRICT AND GENERAL PROVISIONS**

### **10.11 ACCESSORY BUILDINGS**

Accessory buildings shall be at least 15 (fifteen) feet from any lot lines of adjoining lots and meet the same front yard requirements of structures in that district. **See Section 10.15**

### **10.13 AGRICULTURAL EXEMPTIONS**

Section ~~519.02 and 519.25~~ **519.01 and 519.21**, inclusive, of the Revised Code confer no power on any Board of Township Trustees or Zoning Appeals to prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use of agricultural purposes of the land on which such buildings or structures are located, and no zoning certificate shall be required for any such building or structure.

### **10.20 SOLAR COLLECTION-ACCESSORY SYSTEM**

1. Solar panels are permitted as an accessory use in all districts to promote clean, sustainable and renewable energy resources. The intent of these regulations is to establish general guidelines for the location of solar panels and solar collection systems to prevent off-site nuisances including unreasonable visual interference, light glare and

heat that the incorrect placement of solar panels or solar collection systems may create such that they may have a negative effect on surrounding properties.

2. No solar panel or solar collection system shall be constructed, erected, installed or located without a zoning permit.

3. Requirements and Regulations. Solar panels or solar collection systems shall conform to or be evaluated for compliance with the following standards:

a. If roof mounted, the solar or photovoltaic system shall:

- i. Be flush mounted on the roof unless good cause is shown by the applicant that the solar panel is not at an appropriate angle to obtain maximum sun exposure if mounted flush to the roof.
- ii. Be located in a location on the roof so as not to be seen from the street(s).
- iii. Not extend higher than the peak of a sloped roof or higher than 5 feet from the top of a flat roof.

b. If freestanding, the solar or photovoltaic system shall:

- i. Not extend more than 10 feet above the existing grade in residential districts.
- ii. Not be located in the front yard.
- iii. Not be located in any required side or rear yard setback areas for accessory uses.
- iv. Not be positioned so as to reflect sunlight onto neighboring property, public streets or sidewalks, including on any neighboring structures.
- v. The surface area of a ground mounted system, regardless of the mounted angle, shall be calculated as part of the overall lot coverage. Not to exceed 10 % of lot size.
- vi. Be landscaped at the base up to the height of the of the panel structure if structure is visible from neighboring property or the street(s).

c. All signs, both temporary and permanent, are prohibited on solar panel or solar collection systems, except as follows:

- i. Manufacturer's or installer's identification information on the system.
- ii. Appropriate warning signs and placards.

d. Solar panel or solar collection systems shall comply with all applicable sections of the Licking County Building Code Department.

e. All electrical wires and connections on freestanding solar or photovoltaic collection system shall be located underground.

4. Maintenance: All solar panel or solar collection systems shall be maintained in good working order.

5. Procedure for Review. The review and approval of solar panels or a solar collection system shall comply with the following requirements:

- a. Plan Review. A plan shall be submitted for review for all solar panel or solar collection systems. The following items shall be the minimum requirements to be considered a complete application and shall include the following:

- i. Property lines and physical dimensions of the applicant's property.
  - ii. Location, dimensions and types of existing structures on the subject property
  - iii. Location of the proposed solar panel or solar collection system, and associated equipment.
6. Compliance with all development standards as outlined in this section.
- a. Zoning Compliance. A Zoning permit must be obtained in accordance with this Zoning Resolution.
  - b. Building Permit. A Building Permit must be obtained from the Licking County Building Code Department.

## 13 - R- DISTRICT

### 13.1 USES PERMITTED IN ALL R DISTRICTS

- 1. One-family dwelling; accessory uses.
- 2. Churches and other places of worship, including Sunday School buildings, located not less than fifty (50) feet from any other lot in any R district; schools and colleges for academic instruction, located not less than fifty (50) feet from any other lot in R district; public libraries, public museums and public art galleries located not less than twenty-five (25) feet from any other lot in any R district or Residence(s).
- 3. Light agricultural uses including greenhouses and raising farm products. ~~(not including livestock); provided any lot or tract in such use should be not less than five (5) acres in area, and provided that any greenhouse heating plant should be located not less than two hundred (200) feet distant from any lot line.~~  
See Article 10.13
- 4. Public parks and playgrounds, provided that any principal building or community pool shall be located not less than one hundred (100) feet from any other lots in any R district or residence(s).
- 5. Home occupation.

# 15 B - BUSINESS DISTRICTS

## 15.1 PERMITTED and CONDITIONAL USES IN THE NB, LB, and GB DISTRICTS

<i>Permitted and Conditional Uses by Business District: P = Permitted    C = Conditional    NA= Not Allowed</i>	<i>NB</i>	<i>LB</i>	<i>GB</i>
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Hospitals	NA	C	P
Urgent Care Center	NA	P	P

## 15.5 RESIDENTIAL USE IN A BUSINESS DISTRICT

Any residence in a Business District, except as addressed in this Article, must follow regulations of the R districts; see ~~Article 13~~. see Article 13.3-13.8.

# 24 PLANNED UNIT DEVELOPMENT (PUD)

## **24.5 CRITERIA FOR PUD APPROVAL** Fees and Charges

- a) ~~The applicant shall be responsible for all fees and charges incurred by Harrison Township in reviewing the PUD Plans or any modifications to those plans. Expenses may include items such as:~~  
The applicant shall submit a fee according to the Harrison Township Zoning Fee Schedule. If the township expends more funds than the established fee, the applicant will be billed by Harrison Township for any additional expenses. No zoning permits will be issued until the additional fee has been paid in full. All fees must be submitted at the time of application and in order for an application to be considered complete. Such Expenses may include items such as:
  - i) The cost of professionals (e.g. geologists, landscape architects, planners, engineers, environmental scientists and architects), incurred in connection with reviewing the plans and prepared reports.

- ii) The publications and mailing of public notices in connection therewith; and
  - iii) Any other expenses attributable to the review of the plans.
- b) ~~Within thirty (30) days after submission of all the items indicated in 1 and 2 above, Harrison Township Trustees shall make an initial estimate of the required expenses to conduct the review of the submitted plans and shall send the applicant written notice of the Township's initial estimate of fees and charges it will incur in reviewing the application. This initial estimate will be reviewed, and may be revised, from time to time during the review process, and if such review results in an increase in the estimated fees and charges which will be incurred in the Township's review of application, the Township shall send the applicant written notice of the revised estimate of the fees and charges.~~
- e) ~~Within ten (10) days of the date of the notice of the initial estimate of the fees and charges, the applicant shall deposit in the office of the Township Clerk, an amount equal to the estimated cost of the Township's expenses. When the deposit has been depleted to thirty three (33) percent of the original amount another deposit shall be made in an amount equal to the Harrison Township Trustees' estimate of the costs associated with the remaining Phases of the review. In making the estimates of required expenses, Harrison Township Trustees shall consider the reasonable business rates of qualified professionals in the area.~~

## 24.6 ACTION BY THE ZONING COMMISSION ON PUD PLAN

The Zoning Commission shall hold a public hearing on the zoning map change and the PUD Plan **as provided in section 6.11 through 6.13 of this Resolution**. Such public hearing shall consider all aspects of the zoning map change and PUD Plan including any proposed Phases and/or units of development. The Zoning Commission shall prepare and transmit to the Harrison Township Trustees and to the applicant, specific findings of fact with respect to the extent to which the zoning map change and PUD Plan complies or fails to comply with the standards set out in this Section and the District for which the change has been requested, together with its recommendations to the Harrison Township Trustees with respect to the action to be taken. The Zoning Commission in

recommending approval, approval with amendments, conditions or restrictions or disapproval, shall follow the provisions of sections 6.7 through 6.10 of the Resolution.

## **24.9 MODIFICATION OF PUD FINAL DEVELOPMENT PLAN**

**1. Minor changes shall not require a formal request to modify the approved PUD Development Plan. The township, by way of the Zoning Inspector, must be notified of these changes. A minor request shall be limited to the following:**

**a. Development name change.**

**b. Information within an application such as phone numbers, addresses and engineers.**

**2. Major changes to the PUD Development Plan shall require a formal administrative review for the modification(s) and shall follow the procedures outlined in Article 6-Amentment, Sections 6.7 thru 6.12. A major change shall include:**

**a. A change in use.**

**b. An increase in density, change in lot size.**

**c. Any change in setback, lot configurations or street location.**

**d. A change in dwelling square footage or structure height.**

**e. A reduction in open space.**

**f. Any change that is not a minor change as defined in Section 24.9- #1.**

**The application for a major change to the approved PUD Development Plan and/or text shall include findings that are based on new engineering or scientific testing evidence for the reason for such proposed changes to the plan or text.**

**End of proposed amendments.**



Trustee Smith noted that Article 24.9 number 2, had a typographical error. At the end of the sentence, Sections 6.7 thru 6.12, should read Sections 6.7 through 6.12.

**-Eric Smith moved to approve the proposed amendments to the following Articles of the Harrison Township Zoning Resolution as presented:**

- 1. Article 3 – DEFINITIONS**
- 2. Article 6 – AMENDMENT**
- 3. Article 10 - DISTRICT AND GENERAL PROVISIONS**
- 4. Article 13 - R-RESIDENTIAL DISTRICT**
- 5. Article 15 - B-BUSINESS DISTRICTS**
- 6. Article 24 - PLANNED UNIT DEVELOPMENT (PUD).**

**The motion further states that approval includes correction of the typographical error in Article 24.9 number 2. At the end of the sentence, Sections 6.7 thru 6.12, should read Sections 6.7 through 6.12. Mark Van Buren seconded the motion. Discussion: Mark Van Buren ask for clarification of when changes will come back before the Board of Trustees in the PUD section. Tom Frederick, Zoning Inspector, used Ellington Village as an example, and listed several major changes that were made bringing them back to the Board of Trustees. Tom noted that simple changes, such as changing the name of an Engineer, would not require additional approval. Roll call: Smith YES, Van Buren YES and Foor YES. The motion passed.**

Being no further discussion, Chairman Eric Smith adjourned the public hearing at 7:14 p.m. Minutes are unofficial until approved by the trustees.

Respectively Submitted,

Carolyn I. Elder  
Harrison Township Fiscal Officer