

HARRISON TOWNSHIP
BZA
September 25, 2018

Members present: Valerie Hans, Dwight Gibson, Jr., James Hannahs, Jeremy Nestor, Rick Biniker and Alternates Ryan Bailey and Jack Treinish. Also present: Tom Frederick, Zoning Inspector, Vickie Noble, Zoning Secretary and Marilyn Martin of Anderson Reporting.

Guests: Joe Skaggs, Asonia England, Pat West, Mark Hyde, Brian Williams and Andy and Lisa Sloan.

The purpose of this meeting is to consider a Variance Application submitted by Patrick West, representing Charles and Betsy Hyde. The applicants are requesting to split a 17.4 acre parcel at 6710 Gale Rd. Pataskala, OH 43062. The Variance request is for a 60 foot road frontage for one parcel, instead of the 150 foot requirement. The second parcel would have 182 feet of road frontage. They are also requesting a shared access driveway for both parcels.

The Public Hearing was called to order at 6:30 pm by Valerie Hans with all standing for the Pledge of Allegiance.

Those who wanted to speak during tonight's hearing were asked to be sworn in by the court reporter.

Ms. Hans read the application for the Variance request.

Ms. Hans asked if the applicant had anything to add to the application. Patrick West, representing the applicants introduced the owner Charles (Mark) Hyde. He said they would answer any questions.

Ms. Hans asked if anyone in the audience had any questions. There were none.

Mr. Hannahs asked where the shared access would be. Mr. West said it would be on the southernmost property line.

Mr. Frederick's Report:

September 24, 2018

Harrison Township Zoning Inspector's report & recommendation for the variance request submitted by Mark and Betsy Hyde. The request is for 6710 Gale Rd. SW, Pataskala, Ohio 43062. This 17.4 acre lot has

242 +ft. of road frontage and an average lot depth of 2664 ft. Currently there are no structures located on the property.

The applicants are proposing to subdivide the 17.4 acre lot into two proposed lots. One lot would be 4.72 acres with 182 ft. of road frontage. The second lot would be 12.68 acres with 60 ft. of road frontage.

This recommendation will follow the requirements of Article 4 – Section 4.12- #2 Area Variance of the Harrison Township Zoning Resolution. This Section states that 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 include; but 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.

The Hyde property does not have enough road frontage for more than one single family residence without the requested variance from the required 150 feet of road frontage.

b. whether the variance is substantial.

The property is zoned Agricultural (AG). The AG zoning district requires a minimum lot area is 45,000 square feet and lot width (road frontage) of 150 feet. Only two (2) lots are being proposed to be subdivided on the 17+ acre property. A 4.72 acre lot with 182 ft. of road frontage and a 12.68 acre lot with 60 ft. road frontage.

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.

I do not believe the essential character of the neighborhood would be substantially altered or suffer a substantial detriment.

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

If there is specific house numbering located on each of the proposed lots I do not see this as an issue. The West Licking Fire District has required specific standards for addressing at the road frontage on individual lots as well as requirements for the driveway construction and/or upgrades to the existing driveway to accommodate their vehicles.

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

I do not have an answer for this question.

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

The applicants could not subdivide the 17+ acre lot without the requested variance. The 17+ acre lot currently has 242.09 ft of frontage which is 57.91 ft. shy of the requirement for two (2) lots.

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

The issue is the amount of road frontage for the proposed lots and the shared driveway/access being proposed to access the proposed lots. I am aware that there are other lots within Harrison Township that have multiple lots with a small amount of road frontage and use a shared/common driveway, but I believe most of the lots were subdivided before the current Township & County regulations.

Zoning Inspector's recommendation:

It would be my recommendation to approve the variance request as submitted.

Thomas D. Frederick

Harrison Township Zoning Inspector

Adding to the report, Mr. Frederick noted that (b) identified the zoning on the property as Agricultural, and it is actually zoned M-1 General Manufacturing. The requirement numbers listed in (b) are the same for both zoning classifications.

Mr. Frederick stated the Hydes applied to the Licking County Planning Commission last month. The LCPC looked at the application for the shared driveway. Mr. Frederick measured the common driveway area and is confident with the location.

Ms. Hans asked if there was an agreement created for the shared driveway. An agreement has not yet been created.

Ms. Hans asked Mr. Frederick if there would be a problem with a flag lot. Mr. Frederick said there would be no problem.

Ms. Hans moved to approve the application request with the following conditions:

1. All requirements of the West Licking Fire District will be met with regard to driveway construction specifications.
2. That a shared driveway access agreement will be created, signed between the property owners and recorded with the deed to each of the affected properties.

Seconded by Dwight Gibson, Jr.

Vote:

Valerie Hans...yes, Dwight Gibson, Jr...yes, James Hannahs...yes, Jeremy Nestor...yes, Ricky Biniker...yes

Motion passed with a unanimous yes vote.

At 6:49 pm Mr. Hannahs moved to close the public hearing. Mr. Gibson seconded.
The motion passed with unanimous ayes.

A working session began at 6:50 p.m.

Mr. Gibson moved to approve the minutes from the July 31, 2018 meeting. Mr. Hannahs seconded.
The motion passed with unanimous ayes.

At 7:00 pm Mr. Gibson 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