

HARRISON TOWNSHIP  
BZA  
AUGUST 1, 2023

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

Alternate Stephen Clegg will be a voting member due to the absence of Jack Treinish.

Also present : Valerie Hans- Zoning Inspector, Vickie Noble- Zoning Secretary and Marilyn Martin of Anderson Reporting.

Guests: Andrew Carrick and James Carrick, applicants, Dawn Williams, Eileen Boggess, Kali and Nate Sites.

The purpose of the Public Hearing is to consider a Conditional Use Application submitted by James A & Jon Carrick, Trustees. The applicants are requesting to have short-term housing (Airbnb) located at 60 Hiawatha Trl. Granville, OH 43023.

Parcel # 025-073512-00.006      Application # 2023-02

Mr. Biniker called the meeting to order at 6:04 p.m. with all standing for the Pledge of Allegiance.

All who wished to speak were sworn in by the court reporter.

Mr. Biniker read the application and attached information.  
He asked if the applicant had anything to add.

James Carrick said he had nothing to add.

Mr. Biniker asked for the Zoning Inspector's report.

Ms. Hans presented her report

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*August 1, 2023*

*Harrison Township Zoning Inspector's report and recommendation for a conditional use application, to use the property for short-term lodging, at 60 Hiawatha Tr. Granville, Ohio 43023. The applicant is James A. & Jon Carrick, Trustees.*

*This recommendation will follow the requirements of the Harrison Township Zoning Resolution Section 4.22 General Standards Applicable to All Conditional Uses. The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:*

Harrison Twp. Board of Zoning Appeals  
August 1, 2023

Final - Approved

- a. ***Is in fact a conditional use as established under the provisions for the Zoning District involved.***

*The property is currently zoned B-1. Business Districts, Conditional Use Section 15. 2 provides for a Conditional Use Permit for motels and hotels.*

- b. ***Will be harmonious with and in accordance with the general objectives, or with any specific objective of the Township's comprehensive plan and/or Zoning Resolution.***

*The future land use map shows this area as residential.*

- c. ***Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.***

*The applicant is using the existing single-family home as short-term lodging. While the exterior of the property under the current ownership appears to protect the essential character of the neighborhood, there is no guarantee that the short-term lodging use will remain harmonious with the character of the neighborhood if the property ownership were to change.*

- d. ***Will not be hazardous or disturbing to existing or future neighboring uses.***

*The applicant states that no cars will be parked along the road and there will be no loud noise. The property owner is always at the house when guests are present.*

- e. ***Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.***

*Yes, this property is located with access to state route 16 via Hiawatha Trail and Cherokee Trail and is easily accessible to safety services. It is unknown if the property is served by public water and sewer at this time.*

- f. ***Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.***

*No, the property is already developed as a single-family residential home.*

- g. ***Will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odor.***

*The proposed use will slightly change the character of the neighborhood. The use of the property for short-term lodging will bring more transient individuals to the neighborhood. It will slightly increase the amount of vehicular traffic on Cherokee and Hiawatha.*

- h. Will have vehicular approaches to the property, which need to be designed to not interfere with traffic on surrounding public thoroughfares.***

*The applicant is not requesting any additional vehicular approaches to the property as the driveway is already established.*

- i. Will not result in the destruction, loss, or damage of natural, scenic, or historic feature of major importance.***

*The conditional use request will not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance as the property is already developed as a single-family home.*

**Zoning Inspector’s Recommendation**

*If considering approval of this application, I would recommend the following considerations.*

- 1. That there will be no noise audible from the outside of the home between the hours of 9:00pm and 9:00am.*
- 2. That the property will be used to lodge no more than 5 persons on the property at one time.*
- 3. That all exterior lighting will be angled downward to avoid light pollution onto neighboring properties.*
- 4. That there will be no outdoor overnight lodging.*
- 5. That no additional structures will be built on the property for the use of short-term lodging or any other residential use.*
- 6. That the applicant will comply with the Harrison Township Zoning Resolution, Licking County Regulations, including but not limited to, signage, lighting, landscaping/buffering.*

*Respectfully submitted,*

*Valerie L. Hans  
Harrison Township Zoning Inspector*

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Stephen Clegg asked if this was already in operation and if so, how long. James Carrick said a couple of years. Mr. Clegg also asked if there were any issues and who usually stays. The applicants said it was usually Dennison parents and baseball parents.

Ryan Bailey asked about the number of times a month there were guests. The applicants said usually two to three times but does vary according to seasons; less in the winter more in the spring and summer.

Ricky Biniker asked if there was advertising. The applicants said no, usually word of mouth. Valerie Hans added that the property was listed on Airbnb. The applicants confirmed this. Mr. Biniker asked if there would be signage in the yard. The applicants said no.

Mr. Biniker asked how many guests stay at one time. The applicants said usually 2-3 guests per stay.

Mr. Biniker asked Ms. Hans about the parking regulations. Ms. Hans gave the regulations for parking listed in the Harrison Township Zoning Resolution. It was determined that 4 parking spaces would be required.

Mr. Bailey asked where the guest rooms were located in the house. The applicants said they were on the main floor.

Mr. Biniker inquired about handicapped regulations. The applicants said they had none.

Mr. Nestor asked why the applicants were requesting conditional use at this time. The applicants said they were not familiar with the regulations until they received a letter from the township.

Mr. Biniker asked if there were any public comments.

Mark Motz asked if there was any other business conducted at this address. Andrew Carrick said he had not operated any other business.

Dawn Williams said she had been a resident for 27 years and did not recall any other business at this address.

Mr. Clegg asked if the property was zoned B-1. Ms. Hans said it was but that the current Future Land Use shows this as residential.

Kali Sites said she has run an Airbnb in the township and wanted to know why and when the township started looking at these properties.

Ms. Hans said the township had received complaints about other properties running Airbnb businesses. Upon investigating it created a domino effect with residents pointing to other properties.

Ms. Sites said they had received no complaints and had been running an Airbnb for 6-7 years.

Mr. Biniker informed Ms. Sites that this hearing was to consider the property at 60 Hiawatha Trl. And could not address her situation at this hearing. Ms. Hans added that a violation letter had been sent to the Sites and was pending.

Eileen Boggs had a concern about strangers in the neighborhood.

Mr. Clegg asked Andrew Carrick if he ever had concerns about guests that were staying. He said he did not.

Ms. Hans received an email from a resident who wished to remain anonymous. She shared the content of the email: The homeowner at 60 Hiawatha Trail has been a great neighbor, the home has always been well maintained, and quiet. I would have no problem with this being a short term rental, if it was just for the current person who lives there. However since that is not an option, then my concern would be that, when the property changes hands, that the next owner would not be as responsible/respectful. So considering that I am not in favor a short term rental approval.

Mr. Bailey wanted to clarify that the BZA could add conditions to the request. Ms. Hans said yes.

Mr. McGowan asked if conditional use could be granted for a limited time. Ms. Hans said no, but if the conditional use ceased to exist for 2 years it would be gone. Mr. McGowan also asked if there were different types of Airbnb. The applicant said he knows some that are absentee hosts. Ms. Hans added that there were some operated as absentee hosts while others have onsite hosts.

Mr. McGowan asked if there were any plans to put more regulations in the Zoning Resolution. Ms. Hans said the Zoning Commission may be looking at possible additions in the future.

At 6:28 p.m. Mr. Clegg moved to go into private deliberation. Mr. Bailey seconded.

The motion passed with unanimous ayes.

At 6:41 p.m. Mr. Biniker moved to return to the public hearing. Mr. Bailey seconded.

The motion passed with unanimous ayes.

Ryan Bailey moved to approve the application with the Zoning Inspector's recommendations:

1. That there will be no noise audible from the outside of the home between the hours of 9:00 pm and 9:00 am.
2. That the property will be used to lodge no more than 5 persons on the property at one time.
3. That all exterior lighting will be angled downward to avoid light pollution onto neighboring properties.
4. That there will be no outdoor overnight lodging.
5. That no additional structures will be built on the property for the use of short-term lodging or any other residential use.
6. That the applicant will comply with the Harrison Township Zoning Resolution, Licking County Regulations, including but not limited to, signage, lighting, landscaping/buffering.

Ricky Biniker seconded.

Board discussion:

Mr. Clegg asked about taxes. Ms. Hans said there is a county bed tax.

Mr. Bailey asked if there were any light issues with the current lighting. The applicants said no.

Mr. McGowan asked about any other license requirements such as a vendor's license. Ms. Hans said the county would inform the applicants of any other requirements.

Vote: Ricky Biniker-No, Ryan Bailey-Yes, Jeremy Nestor-Yes, John McGowan-yes, Stephen Clegg-Yes

The application was approved with conditions.

At 6:46 p.m. Mr. Clegg moved to adjourn the public hearing. Mr. Biniker seconded. The motion passed with unanimous ayes.

A working session began at 6:49 p.m.

Mr. Biniker moved to approve the June 27, 2023 minutes. Mr. Nestor seconded. The motion passed with unanimous ayes.

The board was given copies of the Zoning Resolution revised articles

Mr. Biniker closed the working session at 6:51 p.m.

Respectfully submitted

Vickie Noble, Zoning Secretary

Ricky Biniker, Chair

*The Public Hearing was professionally recorded by Anderson Reporting*