

HARRISON TOWNSHIP  
BZA  
OCTOBER 30, 2023

Members present: Ryan Bailey, Jeremy Nestor, John McGowan, and Alternates Stephen Clegg and Mark Motz. Absent: Jack Treinish. Ricky Biniker was present as an adjoining property owner therefore was not a participating board member.

Ryan Bailey will serve as chair due to Mr. Biniker not participating as a board member.

Alternates Stephen Clegg and Mark Motz will be a voting members

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

Guests: Ricky Biniker, Jan Solt, Timothy Solt, David and Virginia Hallenback, David Williams and applicants Eva and Bill Casto.

The purpose of the Public Hearing is to consider a Conditional Use Application submitted by William Casto. The applicant is requesting to have an electrical contractor office and storage space at a property located on Outville Rd. SW Pataskala, OH 43062 between Millstone Circle and Blacks Rd.

Parcel # 025-068616-00.007 Application #2023-03

Mr. Bailey called the meeting to order at 6:01 p.m. with all standing for the Pledge of Allegiance.

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

Mr. Bailey asked Ms. Noble to read the application and attached information. He asked if the applicant had anything to add. Nothing added at this time.

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

Ms. Hans presented her report

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*October 30, 2023*

*Harrison Township Zoning Inspector's report and recommendation for a conditional use application, to use the property for an electrical contractor business, at 0 Columbus Rd., Pataskala, OH 43062. The applicant is William Casto who is purchasing the property from Christy Charvat.*

*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:*

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- 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 construction sales and service.*

- 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 planning to construct a building to house his electrical contractor business office and materials. There is another very similar business building located 200 feet to the north of this property. However, the remainder of the surrounding area is being used as residential homes.*

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

*The applicant states that he will not have customer traffic at this business location. He and his employees will pick up materials before being dispatched to job sites. There will be two employees working in the office at this location.*

- 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 on Outville Rd with access to state route 16 and Interstate 70. The property is easily accessible to safety services. It is unknown if the property is served by public water and sewer at this time. The applicant is advised to contact Southwest Licking Water and Sewer to look into the water and sewer availability. If water and sewer is not available, the applicant will need to work with the Licking County Health Department to establish well and septic for the property.*

- 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 will be developed with one building and vehicles to be used in this business.*

- 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 not change the character of the neighborhood as there is already a business with similar daily operating habits located and operating 200 feet to the north of this property.*

***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 location was already established by Licking County.*

***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 flat, vacant and has minimal tree coverage.*

**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 business between the hours of 7:00pm and 6:00am.*
- 2. That materials will not be stored outside on the property.*
- 3. That all exterior lighting will be angled downward to avoid light pollution onto neighboring properties.*
- 4. That all parking areas on the site will be paved, including any area where business trucks may be parked.*
- 5. That the applicant will comply with the Harrison Township Zoning Resolution, Licking County Regulations, including but not limited to, architectural review, signage, lighting, landscaping/buffering.*

*Respectfully submitted, Valerie L. Hans Harrison Township Zoning Inspector*  
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During her report Ms. Hans pointed out that Christy Charvat had signed the application and that the applicants were in contract to purchase. She also pointed out that the property is currently in the B-1 district.

Mr. McGowan asked about water and sewer. Mr. Casto said he was told the lines were on the east side of the road and were extended across the road.

Mr. Motz had multiple questions:  
What vehicles would be there....Mr. Casto answered some outside but would be in a fenced area.  
Type of materials.... Mr. Casto said supplies such as conduit.

Any repairs done at the property...Mr. Casto said no, repairs were done at the customer's location.

Mr. Clegg wanted to know what kind of trucks would be present. Mr. Casto said he had some bucket trucks.

Mr. Motz asked about deliveries. Mr. Casto said approximately three times a week in box trucks, he would have to look at semi-trucks since the possibility of a semi turning into the business location would be questionable.

Mr. Clegg questioned future development on the property.

Ms. Hans said the conditional use would be for the electrical contractor business. Any other business would have to come back to the BZA.

Mr. Clegg wanted to address the shared driveway. Ms. Hans said the county required the shared driveway. She also added that the owners of the house being built with the shared driveway had signed an affidavit acknowledging they were building in a business district.

Mr. Bailey asked if there were any public comments.

David Williams has the property west of the Casto's. He has existing shrubs next to the property line and wanted to know if the Castos were ok with that. Mr. Casto is ok with the shrubs. Mr. Williams also pointed out some drainage issues and asked how much green space would be left. Mr. Casto said there would be some behind the building. Ms. Hans explained the township regulations regarding setbacks. She also stated the applicants would have to go through a TRC with the county and an Architectural Review with the township.

Jan Solt asked how many trucks would be at the business. Mr. Casto said two bucket trucks, three vans and four scissor lifts. Ms. Solt said a neighbor is concerned about the school bus and one driveway. Ms. Hans said the shared driveway is required by Licking County.

Virginia Hallenback said her property will have a view of the back of the business. She is concerned about property values and another possible building. Ms. Hans informed Ms. Hallenback that the applicants would have to meet the requirements of an Architectural Review which includes 60% natural appearing materials on all sides, explaining what natural appearing materials consist of. Ms. Hans also added that the business is not located in the subdivision and is in the B-1 district. All commercial buildings will have to go through an Architectural Review and any business not being an electrical contractor would have to come back to the BZA for approval.

Mr. Williams asked about the height of the building. Mr. Casto said the building would be a single story, probably 17-18 feet in height.

At 6:36 p.m. Mr. Clegg moved to go into private deliberation. Mr. McGowan seconded. The motion passed with a unanimous aye vote.

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At 6:58 p.m. Mr. Bailey moved to go back on record. Clegg seconded. The motion passed with a unanimous aye vote.

Mr. Motz asked about items to be stored outside. Mr. Casto said a couple of vehicles would be outside.

Mr. Clegg asked about storage and parking on the nearby Landscape Business. Ms. Hans said she is looking into it.

Mr. Motz asked who would be responsible for maintaining the shared driveway. Ms. Hans said it would be shared between the property owners. The house could have gravel on their section, but the business owners would need to pave.

Mr. McGowan moved to approve the application with the Zoning Inspector's recommendations.

After discussion Mr. McGowan withdrew his motion.

The board discussed what they would like to see included in the conditions of the conditional use.

Mr. McGowan moved to approve the application as submitted with the recommendations from the Zoning Inspector; adding verbiage to item # 2 to cover outside storage for future buildings. Conditions are as follows:

1. That there will be no noise audible from the outside of the business between the hours of 7:00pm and 6:00am.
2. That materials will not be stored outside buildings on the property or outside future buildings.
3. That all exterior lighting will be angled downward to avoid light pollution onto neighboring properties.
4. That all parking areas on the site will be paved, including any area where business trucks may be parked.
5. That the applicant will comply with the Harrison Township Zoning Resolution, Licking County Regulations, including but not limited to, architectural review, signage, lighting, landscaping/buffering.

Mr. Bailey seconded. Vote: Ryan Bailey-yes, John McGowan-yes, Jeremy Nestor-yes, Stephen Clegg-yes, Mark Motz-yes.  
The motion passed unanimously.

At 7:06 p.m. Mr. Clegg moved to adjourn the public hearing. Mr. Nestor seconded.  
The motion passed with unanimous ayes.

A working session began at 7:17 p.m.

Mr. Clegg moved to approve the August 1, 2023 minutes. Mr. Motz seconded.  
The motion passed with unanimous ayes.

At 7:31 p.m. Mr. Clegg moved to adjourn the working session. Mr. Bailey seconded.  
The motion passed with unanimous ayes.

Respectfully submitted

Vickie Noble, Zoning Secretary

Ryan Bailey, Vice Chair

*The Public Hearing was professionally recorded by Anderson Reporting*