

Licking Township Board of Zoning Appeals

c/o Andrea M. Lynch, Zoning Clerk

Phillip Jones, Chair ~ Robert Hansberger, Vice Chair

Huber Loewendick, Christopher Powell

Jae Jones (alternate); Anton Kissel (alternate)

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Minutes from the Licking Township Board of Zoning Appeals meeting, February 15, 2024, at Licking Township Fire Station #600 9384 Jacksontown Road, Jacksontown, OH 43030.

Members present: Robert Hansberger; Huber Loewendick; Phil Jones;

Members not present: Christopher Powell; Anton Kissell; Jae Jones

Others in attendance: Andrea Lynch; Doug Howell; James Richards; Luke Baus; Ryan Lehberger

The Meeting was called to order at 7:00 p.m.

The Pledge of Allegiance was recited.

All in attendance were sworn in.

Roll call was called.

Meeting minutes were read and approved as follows:

Motion: Mr. Hansberger

Second: Mr. Loewendick

Roll Call: Hansberger, yes; Loewendick, yes; P. Jones, yes.

Mr. P. Jones explained the hearing procedure to all in attendance.

Mrs. Lynch read the legal notice advertising the hearings.

Mrs. Lynch indicated having received a phone call from Ms. Carolyn Petree who told her that she was unable to attend hearing and may send letter with a neighbor. To date, Mrs. Lynch received no other correspondence

Mr. P. Jones read a letter dated 2/15/24 from Carolyn Petree that voiced opposition to approval of the variance for the setback. Ms. Petree indicated that the structure would be too close to Jim & Linda Richards.

Mr. Lehberger (architect & applicant) provided testimony OBH of the property owner in which he explained the current home location including that the structure sits 1' from the side yard property line. Mr. Lehberger said that the new home construction would be an improvement regarding setbacks as it would actually encroach less on the Richards than the current residence. He indicated that the property owners had considered various other options to build the new home on the property without requiring a variance, one of which was to move the house closer to the lake. Mr. Lehberger said that this option was not agreed upon as it would create an obstruction for the other adjoining neighbor Ms.

Claugus. Mr. Lehberger explained that they reviewed additional options however the current plan being presented was a better fit for all parties involved and fit the curve of the property.

Mr. Richards inquired about the where the 10' setback variance measurement comes from. Mr. P. Jones explained that LTWP's side yard setbacks are 10' vs the 6' setback for the Harbor Hill Civic Association.

Mr. P. Jones and Mr. Lehberger discussed the setbacks with the current house vs the proposed new construction. Mr. Lehberger showed the Board the setbacks on the blueprints. Mr. Lehberger also cited the following:

- An 8' move towards the lake would obstruct the Claugus' view of lake
- The pool is being removed and being moved to the east
- The overhang of the new house will be at 4' from the side yard but the actual house itself will sit at 5' from the property line.

Mr. P. Jones and Mr. Hansberger clarified the overhang vs the location of the actual side wall of the house. Mr. Lehberger confirmed the house wall will sit 5' from the property line.

Mrs. Lynch provided details from the LC Auditor's office regarding the original construction date of the house, additions, etc.

Mr. Richards asked about the pool construction timing. Mr. Lehberger explained that this has been discussed with the property owner and that they are all in agreement to install the pool prior to building the new house so as to avoid damage to the neighbor's yard.

Zoning Inspector Doug Howell supported the variance request as presented. Harbor Hills Civic Association was not in attendance.

Public Comment:

Mr. Richards stated that he would like the house to be moved towards the lake rather than a sideyard variance be approved. Mr. Jones said that the neighbor to the east would be negatively impacted by that approach whereas granting the variance does not block anyone's view of the lake. Mr. Jones said that without the east neighbors being their to voice their opinion, it was not a favorable approach.

Mr. Richards stated that "they" made him remove his gazebo. Mrs. Lynch sought clarification as to whom Mr. Richards was referring to. He indicated Harbor Hills Civic Association. Mr. Jones said that had no bearing on the Board of Zoning Appeals or the matter before them.

Mr. Loewendick made a motion to approve the variance request as presented.
Mr. Hansberger seconded the motion.
Roll Call: Hansberger, yes; Loewendick, yes; P. Jones, abstain.(*)

() Mr. P. Jones explained his vote to abstain was due to the fact that the current home is being demolished, and the current home was previously owned by Mr. Jones' family, he wished to abstain however given past precedence, the fact that the new home will be further away from the property line than it sits currently, and in keeping with the curvature and appearance of other homes in the cul-de-sac, he would have voted yes in favor of the variance.*

Mrs. Lynch explained that she confirmed with the LCPO that a 2-0-abstain vote would carry as a yes OR a 0-2-abstain vote would carry as a no. In the case of a 1-1-abstain, the property owner could request a new hearing at the expense of the township.

Mr. Hansberger moved that Mr. Phillip Jones serve as the 2024 Chairman of the Board of Zoning Appeals.

Mr. Loewendick seconded the motion.

Roll Call: P. Jones, yes; Loewendick, yes; Hansberger, yes.

Mr. Hansberger nominated Christopher Powell to serve as the 2024 Vice Chairman of the Board of Zoning Appeals.

Mr. Loewendick seconded the motion.

Roll Call: Hansberger, yes; Loewendick, yes; P. Jones, yes.

A brief discussion took place regarding zoning board members transitioning from one board to another to cross-train and/or fill vacancies. Mr. P Jones indicated that he wishes to stay on the Board of Zoning Appeals. Mrs. Lynch will report this back to the Trustees.

Mr. Loewendick made a motion to adjourn at 7:45 p.m.

Mr. Hansberger seconded the motion.

Roll Call: P. Jones, yes; Loewendick, yes; Hansberger, yes.

Minutes approved by:

Meeting Minutes recorded by Andrea M. Lynch, Zoning Clerk – February 15, 2024