

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, January 25, 2024, at Licking Township Fire Station #600 9384 Jacksontown Road, Jacksontown, OH 43030.

Members present: Robert Hansberger; Anton Kissell; Phil Jones; Huber Loewendick; Christopher Powell

Members not present: Jae Jones (alternate)

Others in attendance: Andrea Lynch; Doug Howell; Attorney Craig Moncrief; Matt Foor; Scott Behrmann.

The Meeting was called to order at 7:01 p.m.

The Pledge of Allegiance was recited.

All in attendance were sworn in.

Roll call was called.

Meeting minutes were read, one correction noted, and approved as follows:

Motion: Mr. Jones

Second: Mr. Powell

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

Mr. P. Jones opened the floor for nominations for Chairman for 2024. Mr. P. Jones nominated Mr. Powell. Mr. Hansberger nominated Mr. P. Jones.

Mrs. Lynch provided information concerning recent changes to the Zoning Commission Board regarding appointments and resignations. A discussion took place.

Mr. Hansberger withdrew his nomination.

Mr. P. Jones withdrew his nomination.

Mr. P. Jones moved that the Board of Zoning Appeals will use an interim chairperson until information is received from the Licking Township Board of Trustees concerning balancing members across both boards.

Mr. Hansberger seconded the motion.

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

Mr. Hansberger moved that Phil Jones serve as the temporary/interim chairperson for 2024 until the LTWP Trustees have balanced the boards.

Mr. Powell seconded the motion.

Roll Call: Kissell, yes; Powell, yes; Loewendick, yes; Hansberger, yes; Jones, yes.

Mr. P. Jones moved that the 2024 Board of Zoning Appeals will be held on the 3rd Thursday of each month at 7:00 p.m. as needed at the Licking Township Fire Station #600, Jacksontown, OH.

Mr. Kissell seconded the motion.

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

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

Mrs. Lynch read the legal notice advertising the hearing.

Mrs. Lynch indicated having received no correspondence.

Attorney Craig Moncrief, attorney, on behalf of applicant PTS (Matt Foor), provided testimony in which he explained his client is seeking a Conditional Use Permit and Variance to property situated at 10077 Jacksontown Road owned by Zemba Brothers/Adams Brothers LLC. Attorney Moncrief provided details concerning the training and classes, employment opportunities, and overall mission of PTS. Attorney Moncrief cited the September text amendment to the IB District which established criteria for the heavy equipment training school. Attorney Moncrief stated that the applicant's request is reasonable and stated there's no residential area in close proximity to the site being used for training.

Mr. P. Jones inquired about the requirements for student certification.

Response from Mr. Foor: Must be age 17+. Classes is typically 3 weeks in length and 35-40% of training is classroom based.

Mr. P. Jones inquired about the typical operation on the property.

Response from Mr. Foor: 20 pieces of equipment are being used to train basic skills. Grading, digging, etc. Skill set will allow basic certification for a person to apply for a basic entry level position.

Mr. Foor said that he operated a training school since 2011 near Reynoldsburg however they outgrew the facility. He indicated that his program offer lifetime career assistance, so far has graduated upwards of 200 students and that there are no other programs like his in Ohio.

Mr. Howell inquired as to whether or not he owned the property in Reynoldsburg.

Response from Mr. Foor: No, his business partner owned the property.

Mr. Powell commended Mr. Foor for the business model and said that he sees a need for hands-on equipment training such as this.

Mr. Powell inquired as to whether they are seeking a variance for the entire property or just a portion.

Response from Attny Moncreif : Site plan area which shows the earth disturbance is the area they are seeking the variance from the conditional use criteria.

Mr. Powell asked how the variance will affect the remainder of the property?

Response from Attny Moncrief: It will not.

Public comment: Mrs. Lynch inquired as to how someone who does not own the property, can seek a variance on the property?

Attorney Moncrief stated that the applicant has a lease agreement and a fiduciary interest in the property.

Mr. P. Jones discussed self-created hardship. Attorney Moncrief explained that the land needs to be usable to a business.

Mr. P. Jones explained that the text change permitting a portable concrete plant has deviated from the original vision of the I-70 corridor and the original intent of the IB district purposes.

Mr. P. Jones stated that an applicant needs to explain the hardship that the zoning regulations presents to a property owner and that he is still uncertain what the hardship is.

Testimony was closed.

OBH of the Zoning Inspector Doug Howell Mrs. Lynch read a message from Mr. Howell that he supported the variance request as presented.

Public Comment: None

Mr. P. Jones made a motion that a conditional use permit be approved for the property and that the variance be handled as a separate motion.

Mr. Loewendick seconded the motion.

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

A discussion took place regarding the variance request. Attorney Moncrief requested the Board strike their request for modification/variance to 4.01.A.3.d.1. The Board agreed to strike that portion of the applicant's request.

Mr. P. Jones stated that the Board of Zoning Appeals proceed with a vote of approve, deny, or approve with modifications pursuant to the Applicant's request for a variance to 4.01.A.3.d.13.

Mr. Loewendick seconded the motion.

Roll Call: Hansberger, approve with modifications; Kissell, approve with modifications; P. Jones, approve with modifications; Loewendick, approve with modifications; Powell, approve with modifications.

Mr. P. Jones moved to approve the variance request to 4.01.A.3.d.13 with the following modifications:

- Maintain green space on the south side of the area of use as per the site map and,
- Keep existing trees in the southeast and,
- Keep and maintain the earth mounds on the north and northeast side of the area of use as per the site map with the “area of use” being the portion of the property being currently leased by PTS (Matt Foor) as per the submitted site plan.

Mr. Powell seconded the motion.

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

Mr. Powell made a motion to approve the variance request to 4.01.A.3.d.17 with modifications.

Mr. P. Jones seconded the motion.

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

Mr. Hansberger made a motion to approve the variance to 4.01.A.3.d.17 with the following modifications:

- To read 400’ not 500’ granting a 100’ variance with trees to remain intact.

Mr. Powell seconded the motion.

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

New Business: N/A

Old Business: N/A

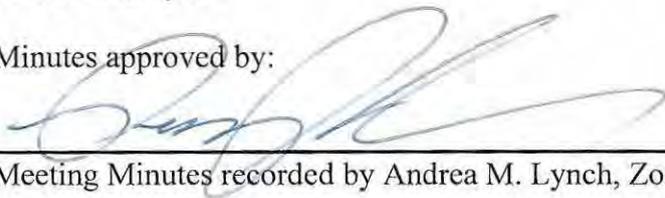
Mrs. Lynch stated that there will be a variance hearing on 2/15/24 @ 7:00 p.m. for Mr. & Mrs. Chodak.

Mr. P. Jones made a motion to adjourn the meeting at 9:15 p.m.

Mr. Hansberger seconded the motion.

Roll Call: 5 ayes

Minutes approved by:



Meeting Minutes recorded by Andrea M. Lynch, Zoning Clerk – January 25, 2024