

Licking Township Board of Zoning Appeals

c/o Andrea M. Lynch, Zoning Clerk

Phillip Jones, Chair ~ Rex Adkins, Vice Chair

Robert Hansberger, Anton Kissell, Huber Loewendick

Doug Howell (alternate)

www.lickingtwplc.gov

Minutes from the Licking Township Board of Zoning Appeals meeting, March 13, 2025, at Licking Township Fire Station #600 9384 Jacksontown Road, Jacksontown, OH 43030.

Members present: Rex Adkins; Robert Hansberger; Phil Jones; Doug Howell; Huber Loewendick

Others in attendance: Andrea Lynch, Dave Moraine, Paul Dague, Kristyn Brown, Trenton Cassady, David Ruffini, Nolan Moore, Molly Jones, Christina Wilson, Mike Wilson

The Meeting was called to order at 7:02 p.m.

The Pledge of Allegiance was recited.

All in attendance were sworn in.

Roll call was called. The Meeting was not recorded.

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

Mrs. Lynch read the legal notice advertising the hearings.

Mrs. Lynch reported receiving the following correspondence for the variance hearing:

- 1) Telephone conversation with Mr. Sorg on 3/10/25 and requested Mr. Sorg speak with Zoning Inspector for specifics regarding the project.
- 2) Voice mail message from Molly Walker on 3/12/25 indicating that she had no objections to the variance.

Mr. Moraine relayed his telephone conversation with Mr. Sorg. Mr. Moraine said that Mr. Sorg stated he had not objections to the variance.

Mr. Dague addressed the Board and provided testimony regarding the variance request. Mr. Dague stated that in 2024 he had contracted to have an inground pool installed in his backyard and the contractor obtained a permit from then Zoning Inspector Doug Howell. The pool design changed to include an open air structure (kitchen/bar) and he thought that the contractor had done everything he needed to for permits. Mr. Moraine and Mr. Dague said that the contractor did not contact the HHCA nor LTWP about the project changes nor obtain a new permit and the work is almost complete. The Harbor Hills Civic Association became involved due to the change in the original scope of the project. Mr. Moraine was then notified by the HHCA and met with the contractor. Mr. Moraine stated that due to the design change of the pool and due to the addition of the structure, it was determined that a variance was needed. Mr. Moraine issued a cease and desist stopping the completion of the project. Mr. Dague stated that after he was made aware of the violations of the HHCA regulations, he met with Mr. Ruffini. Mr. Dague agreed to the HHCA's request of him to lower the kitchen/bar roof approximately 28" and install a fence. Mr. Ruffini (HHCA) concurred that Mr. Dague complied with both of the requests regarding roof height and fencing. Mr. Ruffini stated that he spoke with the neighbors about the design changes that were made and there were no objections. Mr. Moraine said that the HHCA then issued a new permit based on the design change and Mr. Dague & Ms. Brown have now applied for the following variances for the project:

- 1) Left Side Yard Setback – 10' to 8' = 2' variance
- 2) Right Side Yard Setback – 10' to 1' = 9' variance
- 3) 20' to 10' reduction in distance for the kitchen/bar structure (accessory structure) to the dwelling/sunroom = 10' variance.

Mr. Dague added that he was given authorization for the contractor to access the project/property through the backyard of Phillip Lewis and Jamie Sprague (situated on Park Drive West) and that this spring he will need to repair the Lewis/Sprague lawn as there was damage caused by the access to the project.

Mr. Moraine stated that it is his opinion that Mr. Dague relied on the contractor to have obtained the proper permits. That Mr. Dague and Ms. Brown did not willfully violate the zoning regulations and instead need help in trying to protect the investment they have in the project without having to pursue costly legal action against the contractor.

Mr. Moraine recommended that the BZA approve the variance as requested.

Public Comment: Mike Wilson stated that the completed project looks nice and is an improvement to the property. He stated that it would be unfair if the variance was not approved and supports the variance request. Mr. Wilson then addressed Mr. Ruffini directly and said that neither he nor his wife were ever contacted by the HHCA and that he hopes that their communication with all residents of Harbor Hills improves. Mr. Ruffini acknowledged that he had not contacted Mr. or Mrs. Wilson however had directly communicated with the back yard adjacent neighbors of Mr. Dague.

Board Comment:

- Mr. Adkins – requested that the variance motions be separated out into 1 variance related to the pool design change and 1 variance to address the accessory structure.

The hearing was closed.

Mr. Adkins made a motion to approve the variance request for the left yard setback – pool only- from 10' to 8' (2' variance).

Mr. Loewendick seconded the motion.

Roll Call: Adkins, yes; Hansberger, yes; Howell, yes; Jones, yes; Loewendick, yes.

Mr. Jones made a motion to approve the variance request for the right side yard setback – outdoor kitchen/bar accessory structure only – from 10' to 1' (9' variance) and 20' to 10' (10' variance) for reduction of the distance from the dwelling/sunroom to the outdoor kitchen/bar as built.

Mr. Hansberger seconded the motion.

Roll Call: Loewendick, yes; Jones, yes; Howell, yes; Hansberger, yes; Adkins, yes.

Mr. Jones stated that the variance application was approved as presented. A notice of final order will be mailed to the applicant.

Members of the public that did not wish to remain for the business portion of the meeting were excused.

Regular Business:

Meeting minutes from 01-16-25 were read, 1 correction noted.

Mr. Adkins moved to approve the meeting minutes with 1 correction.

Mr. Loewendick seconded the motion.

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

Mr. Hansberger and Mr. Moraine had a brief discussion regarding zoning regulations and inception of township zoning.

New Business:

Mrs. Lynch provided a brief update on upcoming Zoning Commission meeting dates.

Mr. Moraine reported on the discussions from the most recent ZC meetings including work on proposed amendments to the current zoning regulations (i.e. Short term rentals, billboards, fencing and pools, etc).

Mr. Moraine provided an update to the Cristland Hill – Kessler property matter. Mr. Moraine said that the LC technical review has been completed on a 29 lot housing development slated for 4281 Cristland Hill Road. There is a prospected developer who may take ownership in April.

Mr. Moraine said a variance hearing may need held in April for a room addition.

Old Business:

Mr. Jones completed an edited Notice of Final Order for PadCo Investments LLC for a hearing heard on 11/14/24. The Zoning Inspector had requested a few edits to the original NOF to help clarify the variance that was approved. Mrs. Lynch will mail the edited NOF to the applicants.

Mr. Adkins made a motion to adjourn at 8:16 p.m.

Mr. Jones seconded the motion.

Roll Call: 5 ayes

Minutes approved by:

 4/24/25
Meeting Minutes recorded by Andrea M. Lynch, Zoning Clerk – March 13, 2025