

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

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*Represent
@ 9/5/25*

Minutes from the Licking Township Board of Zoning Appeals meeting, July 24, 2025, at Licking Township Fire Station #600 9384 Jacksontown Road, Jacksontown, OH 43030.

Members present: Rex Adkins; Phil Jones; Anton Kissell; Huber Loewendick

Members absent: Robert Hansberger

Others in attendance: Andrea Lynch; Dave Moraine; Ken Johnson; Julie Johnson; Linda Eisel; Tom Lee; Mark Bailey; Chris Middlemus; Brandy Middlemus; Jill Boetcher; Kyle Mapel (**).

(*) a female in attendance with Mark Bailey did not sign in.

(**) Mr. Mapel arrived after the meeting was called to order and was not sworn in.

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. The Meeting was recorded.

Mr. Jones explained the hearing procedure to all in attendance. Mr. Jones indicated that there are 3 hearings: Bailey; Middlemus; Lee/Eisel/GLR Family.

Mrs. Lynch read the legal notice advertising the hearings for Bailey and Middlemus (these were advertised together while Lee/Eisel/GLR Family was a late addition to the docket and advertised separately).

Mrs. Lynch reported receiving no correspondence regarding the Bailey variance.

Mark Bailey addressed the Board and provided testimony regarding his request for a variance to Section 10.00.F.1 Front Yard Setback and 10.00.F.4 Rear Yard Setback. Mr. Bailey wishes to reduce the front yard setback at his property from 30' to 20'6" (9'6" variance) and reduce the rear yard setback at his property from 15' to 10'2" (4'10" variance). Mr. Bailey said that he wishes to put a new addition on to match the existing house and add a porch patio. He said that that existing house was built prior to zoning regulations. A discussion took place including reviewing the current footprint and proposed construction.

Mr. Jones cited that this is an irregular lot size and asked if Mr. Bailey had considered any other ways to redesign the addition. Mr. Bailey responded that the house is already an odd shape and that he tried to utilize the current layout.

Mr. Jones noted that the house is already in the setback and that there is no conceivable option in the rear yard. A discussion took place regarding the porch and lack of options.

Mr. Moraine said that cutting the porch on a diagonal is not aesthetically in line with the other properties and considers the proposed addition a huge improvement in the structure. Mr. Moraine said he supported the variance request.

Public Comment:

- 1) Kyle Mapel (who was not sworn in as he arrived after hearing began) owner of Local Properties Group LLC supports the variance request.

Mr. Adkins made a motion to approve the variance as requested.

Mr. Loewendick seconded the motion.

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

Mr. Jones stated that the variance was approved as applied for. A notice of final order will be emailed to the applicant. The applicant provided an email address to the Zoning Clerk for electronic delivery of the notice of final order.

Mrs. Lynch excused members of the public that did not wish to remain for the other 2 variances being heard. Mr. Bailey and his female guest(*) excused themselves from the conference room.

Mr. Jones proceeded with the 2nd variance of the evening for Chris & Brandy Middlemus.

Mr. Jones said the legal notice advertising the hearing was previously read in the 1st case.

Mrs. Lynch reported receiving no correspondence regarding the Middlemus variance.

Christopher Middlemus addressed the Board and provided testimony regarding their request for a variance to Section 10.00.F.1 Front Yard Setback and 10.00.F.2 Side Yard Setback. Mr. & Mrs. Middlemus wish to reduce the front yard setback at their property from 30' to 16' (14' variance) and reduce the side yard setback at their property from 10' to 8' (2' variance). Mr. Middlemus said that they own 4 lots but he is trying to keep everything on 2 of the lots and would like to build a 48'x 36' pole barn. Mr. Middlemus explained that electric lines run end-to-end through his property and there is an electric pole on the lot which creates an issue for placement of the building. Mr. Middlemus said he contacted the electric company and the cost to relocate the pole was astronomical.

Mr. Jones asked what the hardship is that prevents them from keeping the pole barn within the regulations outlined in the zoning resolution. Mr. Jones also asked if they considered any alternatives such as building a smaller barn.

Mr. Middlemus said that he wants a structure large enough to accommodate his boat, vehicles, and storage to get items out of the yard and that they did consider a smaller structure but it did not accomplish what their goal was.

Mr. Moraine said that the applicant even looked at turning the pole barn to the side but it was not feasible.

Mr. Adkins inquired as to which side will face the Middlemus residence. Mr. Moraine said that no matter which way the pole barn is facing, it requires a variance.

Mr. Adkins ^{asked} as if there were any other utility easements? Mr. Mapel (who was not sworn in) said that there is a water line along the front.

Mr. Middlemus cited that the Rubadue garage (485 Coshocton Avenue) sits further to the front than where he is proposing his pole barn to sit.

Mr. Jones asked what the current garage is from the property line. Mr. Moraine and Mr. Middlemus both responded 8'. Mr. Jones inquired if the future overlay would have any affect. Mr. Moraine said no.

Mr. Middlemus said that the pole barn will be 6' from the utility pole which was going to cost over \$12,000.00 for them to have relocated and this prevents them from changing the location of the pole barn on the property.

Public Comment:

- 1) Kyle Mapel – (not sworn in) said that although he is not an adjacent neighbor it makes sense that the Middlemus' want their property stored in a barn which is an improvement over leaving the items in the yard.

Mr. Jones inquired about a pole barn situated at 454 Coshocton Avenue in the same neighborhood. He asked the Zoning Inspector if that barn was bigger than the pole barn being proposed by Mr. & Mrs. Middlemus. Mr. Moraine responded that the pole barn at 454 Coshocton (Howarth) is approximately 40' x 83' which is larger.

Mr. Loewendick made a motion to approve the variance as applied for.

Mr. Kissell seconded the motion.

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

Mr. Jones stated that the variance was approved as applied for. A notice of final order will be emailed to the applicant. The applicant provided an email address to the Zoning Clerk for electronic delivery of the notice of final order.

Mrs. Lynch excused members of the public that did not wish to remain for the other variance being heard. Mr. & Mrs. Middlemus and Kyle Mapel excused themselves from the conference room.

Mr. Jones proceeded with the 3rd variance of the evening for Applicant GLR Family LLC property owner(s) Gail Lee & Linda Eisel.

Mrs. Lynch read the legal notice advertising the hearing.

Mrs. Lynch reported receiving no correspondence regarding the GLR Family variance however noted that she received a call from Thomas Lee (son of one of the property owners)

who was representing the applicant(s). Mrs. Lynch stated that Mr. Lee had letters of support that he wished to present at the hearing.

Mr. Lee provided the Zoning Clerk with the letters which were read into the minutes. Synopsis as follows:

- Email from James Elliott approving the plans to add a storage unit to the property.
- Email from Dave Brennan – not bothered by them putting a shed on the lot
- Signature Sheet from adjacent neighbors signed by Jeanne & Jim Elliott; Damon Howarth; Ed & Eileen Thomas and notated Brennan “see attached letter”; 110 Woodland Road (Embrey) “out of town”; 645 Lakeshore (Johnson) “refused to sign”.

Mr. Lee provided the Zoning Clerk with a color picture of the view demonstrating there would be no obstruction of the view of the lake.

Mr. Jones stated that the Harbor Hills building committee originally denied the request for the applicant to place a 12' x 16' shed on the property however the applicant appealed the decision to the HH Civic Association where they then granted conditional approval of the project.

Thomas Lee addressed the Board and provided testimony regarding their request for a variance to Section 10.00. A.5. and 10.00.A.5.a. to allow the placement of a 12' x 16' non-permanent shed on a vacant lot that sits across the road from the principal structure located at 49 Woodland Road. Mr. Lee said that his mother is one of the property owners (Linda Lee) and is speaking on their behalf. Mr. Lee said that he met with Karl Senter of the HH building committee and was told that they could not approve the shed but that they could apply for a variance of which they did and it was voted unanimously to approve. Once they received the approval, they came to the township for approval. Mr. Lee said that the GLR property is the last property on Woodland that is considered in the HHCA.

Mr. Jones said that the home situated at 49 Woodland is one of the few homes in the neighborhood without a garage. Mr. Lee said that it was purchased without a garage. Mr. Lee said that the Lee family has owned the home at 49 Woodland since the 1970's and made no adjustment for a garage. Mr. Lee further said that there is no room at 49 Woodland to put the shed and they need a place to store lawnmowers, fire pit, etc. as they are currently storing the items at their farm in Pataskala and trailering the items back and forth to the Harbor Hills property. Mr. Lee said his parents are aging and need a more convenient way of storing things.

Mr. Jones said that it is important to avoid setting a precedence or giving one property owner a right in the neighborhood that others have not had.

Mr. Lee said that he does not see this as a special consideration and does not know the other circumstances of other property owners.

Mr. Moraine said that he is aware of 1 that is a permanent garage that sits on the opposite side of the road. A discussion took place.

Mr. Adkins inquired about 16 Woodland Road (Brennan) which appears to be a detached lot that has a garage with a living space above it.

Jill Boetcher interjected however was asked to refrain until the public comment portion.

A discussion took place amongst the Board and Mr. Moraine. They discussed the 16 Woodland Road property which according to the Licking County Auditor's website - On Trac - was constructed in 2019. Mr. Adkins questioned if 16 Woodland was required to obtain a variance because it is common to have to add a living space above a garage which is what appears to have happened here.

Mr. Moraine said that if the applicant was requesting a permanent shed/garage, he would not be in support of the variance however since this is a non-permanent shed and based on size, does not require a foundation, he supports the variance request.

Public Comments:

- 1) Ken Johnson - Said that he does not support the request for anything being put on the property that interferes with his view; that Harbor Hills building committee denied it and then never received any notice from Harbor Hills Civic Association of the appeal nor of the scheduled hearing; that 2 of the neighbors could not attend the BZA hearing tonight due to family emergencies/death; and that he feels it would set a precedence for the township.
- 2) Jill Boucher – Said that she knows Mr. Brennan (16 Woodland) as he is her landlord and that Mr. Brennan told her that he had to build a living space above the garage in order to get approval. She said that it was different building codes at that time.
- 3) Julie Johnson – Said that the residence at 49 Woodland is not occupied year round whereas she and her husband are year-round residents in Harbor Hills.

Mr. Lee asked to respond to the comments. He said that Mr. Brennan is not present to confirm what Ms. Boucher said however the letter he presented is Mr. Brennan's words on the variance. Mr. Lee said that if the line of sight is an issue, they would be willing to consider moving the shed to a place on the vacant lot where it would not be in their line of sight. He said this is a unique situation and is asking for grace in consideration of the request. Mr. Lee said that it is not outlandish and that he is not sure of the relevancy of whether they live there year round or not.

Mrs. Johnson said that she was never notified directly of any meeting with Harbor Hills Civic Association.

Mr. Lee said that he did speak with Mr. Johnson directly and concerns that Mr. Johnson stated in public comments tonight were never brought up previously. Mr. Lee said that he wants to be a good neighbor and work with them.

Mr. Jones discussed the Licking Township Zoning regulations.

Mrs. Lynch stated that the letter from the Harbor Hills Civic Association does not indicate who was in attendance at their variance meeting.

Mr. Moraine reiterated that he only supports this variance due to the fact that they are requesting a non-permanent shed.

Mr. Loewendick made a motion to approve the variance as requested.
There was no second.
Motion died.

Mr. Jones made a motion to deny the variance as requested.
Mr. Adkins seconded the motion.
Roll Call: Jones, no; Kissell, no; Adkins, no; Loewendick, no.

Mr. Jones stated that he personally did not feel comfortable approving the variance and explained that the applicant reserves the right to challenge the decision in municipal court.

Mr. Jones made a motion to adjourn the hearing portion of the meeting @ 8:19 p.m.
Mr. Adkins seconded the motion.
Roll Call: Kissel, yes; Loewendick, yes; Adkins, yes; Jones, yes.

Mr. Jones opened the regular business portion of the meeting at 8:20 p.m.

Mrs. Lynch read the previous meeting minutes.

Mr. Jones made a motion to approve the minutes as read.
Mr. Loewendick seconded the motion.
Roll Call: Kissel, yes; Jones, yes; Loewendick, yes.

Mr. Adkins noted a typo in the meeting minutes.

Mr. Jones moved to amend the previous motion to "approve the minutes as read" to "approve the minutes as read with one correction"
Mr. Kissell seconded the motion.
Roll Call: Jones, yes; Kissell, yes; Loewendick, yes.

New Business: Mrs. Lynch reported is 1 variance is scheduled to be heard on 8/28/25 and that the ZC has moved the Mixed Use overlay draft to the LCPC for a cursory review as per their request.

Old Business: None

Public Comment: Mr. Lee addressed the Board. He said that he understands that this is a very unique situation and that the Board has to look out for the township not just Harbor Hills and asked what his options are. Mr. Jones said that Mr. Lee could consider getting involved with attending LTWP Trustee Meetings and Zoning Commission Meetings as the 1st place for zoning regulation changes. Mr. Jones said that in relation to Mr. Lee's hearing (GLR Family LLC) there wasn't ambiguity in the regulations due to the vacant lot being separated by a road/thoroughfare from the residence. Mr. Jones encouraged Mr. Lee to participate in local government as the township changes, decisions are more impactful to the community.

Mr. Lee asked if his only option was to build a residence on the vacant land. Mr. Jones said that he reserves the right to appeal the Board's decision in municipal court at his own expense. Mr. Lee said that he does not want to be a bad neighbor. Mr. Jones suggested that Mr. Lee get it changed at the Harbor Hills level. Linda Lee inquired as to what that means since the LTWP Zoning Regulations supersedes HH rules. Mr. Lee said his only option would be to build based on the LTWP Zoning Regulations. Mr. Adkins said that the resolution is black and white regarding Accessory Structures. Mr. Moraine said that the recent Comprehensive Plan was passed and that he feels that the Buckeye Lake area needs its own zoning. Mr. Moraine said that the Zoning Commission is in the process of re-doing the zoning regulations and that he is not sure if there was a zoning variance issued on the Brennan property (16 Woodland) however in order to comply with the zoning regulations, Mr. Lee would need a minimum of 1000 sq. feet of living space on the 1st floor. Mr. Moraine said that Mr. Lee would need to look at the lot size and determine what can fit on the lot to meet setbacks and other zoning regulations.

Mr. Lee inquired as to his option should he be unable to build based on the lot size. Mr. Lee was told that he would then have to apply for a variance.

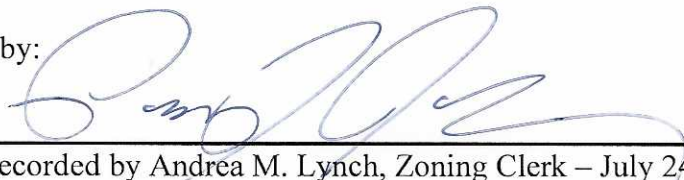
Mr. Lee inquired as to how he would know when meetings are held and if changes to the zoning have been made? Mr. Jones said that the information is on our LTWP website and encouraged him to attend public meetings.

Mr. Adkins made a motion to adjourn at 8:50 p.m.

Mr. Loewendick seconded the motion.

Roll Call: 4 ayes

Minutes approved by:



9/25/25

Meeting Minutes recorded by Andrea M. Lynch, Zoning Clerk – July 24, 2025