

Minutes from Zoning Board of Appeals
Liberty Township, Licking County, Ohio
July 13, 2022 at 6:30 pm

Opening:

- Max Kackstetter called the meeting to order at 6:30pm.
- He led the Pledge and stated that the meeting is being recorded.
- The following members were present for roll call: Dale McCombs, Robert Moore, Max Kackstetter, and Pamela Warga. Ed Wasem, Zoning Inspector, and Melodie Bogantz, Zoning Clerk were also present. Mark Altier, from the Licking County Prosecutor's Office was also present.

Business:

- Max explained the purpose of the meeting was the appeal by Ryan Rito and Ashley Fisher at 7010 Sportsman Club Road. They would like to be able to live in their residence (old home/"garage" on the property while a new home is being built on that same property.
- Max made sure that everyone wanting to speak had signed in and explained the public hearing process.

Public Hearing:

- Max swore in those who wished to testify and mentioned that the variance application is available on the table.
- Melodie mentioned that a notice for the public hearing was placed in the Newark Advocate on 7/1/2022 and buffering neighbors within 500 ft were notified by certified mail on 6/30/2022. The buffering neighbors are listed in the application.
- Ryan and Ashley spoke to the board and requested that they be allowed to have 30 days after they receive an occupancy permit to move into their new home and remove the shower and kitchen from the old home/garage.
- Larry Shafer acknowledged that his clients know that they still need to get a well and septic permit for their new home before they can get a building permit from the Zoning Inspector.
- Mike Blenk said he was there as a neighbor and trustee for the Sportsman Club to learn more about the requested variance.
- Ryan mentioned that their construction loan expires in January 2023. If the home is not complete by then they would have to re-negotiate the loan which could be costly with interest rates going up.
- Ed mentioned that a building permit is good for one year.
- Mark Altier said that any variance should contain specific dates and not be open ended.

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- A completion date of 8/1/2023 was agreed upon.
- The board discussed and agreed upon the following stipulations for a variance:
 - The process shall be completed no later than 8/1/2023, which means Ryan/Ashley should be in their new home and the township should have assurance from the Zoning Inspector that the old home/"garage" has been converted to storage by 8/1/2023.
 - Ryan/Ashley will move into their new home within 60 days of receiving the occupancy permit from the county.
 - The Zoning Inspector will do an inspection to ensure that the kitchen and tub have been removed from the old home/"garage" within 60 days of obtaining the occupancy permit and the Zoning Inspector will confirm, in writing, to the Board of Zoning Appeals that kitchen and tub have been removed and the building is being used only for storage, or climate controlled storage at that time.
 - Ryan/Ashley understand that the old home/"garage" cannot be used as a residence for anyone at any time after the Zoning Inspector's inspection where it is confirmed it is only being used for storage per current Zoning Resolution requirements.
 - The county health department gives written ok to use the existing well and septic while the new home is being built.
 - Ryan/Ashley understand that the township will take legal action if this agreement isn't kept and they are allowing someone to live in the old home/"garage".
 - Ryan and Ashley agree to these stipulations
- **Max made a motion that the variance be approved given the above listed stipulations. Robert seconded the motion. The motion passed with all YES votes.**
- The board made sure that Ryan & Ashley know if they run into any problems with the timeline or stipulations they need to come back to the board.

Closing:

- **Pam made a motion to adjourn the meeting. Robert seconded the motion. The motion passed with all YES votes.**

Approval of the minutes from the July 13, 2022 meeting of the Zoning Appeals Board:

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Zoning Clerk: *Melodie Bogantz* dotloop verified 07/18/22 11:52 AM EDT HKKN-5PKP-PBR9-ZHNM Date: 07/18/2022

Zoning Appeals Board:

Max Kackstetter dotloop verified 07/18/22 11:59 AM EDT ZQL5-8AHI-4RL3-8BPK

Dale McCombs dotloop verified 07/25/22 1:37 PM EDT BMGV-WWQC-GKJ8-2N74

Robert Moore dotloop verified 07/25/22 6:51 AM EDT BZUB-OOQT-BAUC-U24Q

Pamela Warga dotloop verified 07/18/22 2:50 PM EDT JS0A-KBWC-XNMN-BF7K
