



**Licking County Planning Commission**  
***Regularly Scheduled Meeting***

***Agenda***

**TIME:** 7:00 p.m.  
**DATE:** August 26, 2019  
**LOCATION:** Donald D. Hill County Administration Building  
20 South Second Street, Newark, OH 43055  
Meeting Room A (Basement Level)

---

- 1. Pledge**
- 2. Roll Call and seating of alternate members**
- 3. Approval of meeting minutes, with or without corrections**
- 4. Swearing-In/Affirming of Public**
- 5. Announcements of Director**
- 6. Announcements of Commission Members**
- 7. Old Business**
  - a. None
- 8. New Business**
  - a. Consent Agenda
    - a. None
  - b. Zoning Amendments, Variances, Subdivision Reviews and Recommendations
- 9. Public Comments**
- 10. Director's Comments**
- 11. Next Meeting:** September 23, 2019
- 12. Adjournment**

## **ZONING AMENDMENTS, VARIANCES, AND SUBDIVISION REVIEWS RECOMMENDATIONS**

### ***NEW BUSINESS***

#### **1. 2019-031-V**

Regulation: Licking County Access Management Regulations  
Articles: Section 8.10, Table 13: AASHTO Safe Stopping Sight Distance  
Description: A request to remedy a violation of an existing non-permitted driveway which currently fails to meet Sight Stopping Distance (550-feet).  
  
Township: Perry  
Applicant: Frederick and Brandee Lockard  
LCPC Planner: Jay Fisher, CFM, Planner II

#### **2. 2019-033-V**

Regulation: Licking County Access Management Regulations  
Articles: Section 8.10, Table 14: Driveway Spacing Standards  
Description: A request to install a residential driveway on a Major Collector Roadway (400-foot spacing) to a parcel along Mink Street that does not currently have access to it.  
  
Township: Jersey  
Applicant: Anthony Haag  
LCPC Planner: Jay Fisher, CFM, Planner II

#### **3. 2019-010-Z**

Regulation: Licking Township Zoning Resolution  
Articles: Article 5: Amendment; Article 12.02 Interstate Business District (IB); and Section 13.00: Industrial and Manufacturing District (I).  
Description: Zoning Map Amendment; Request to rezone 28.970-acres from Interstate Business District (IB) to Industrial and Manufacturing District (I).  
  
Township: Licking  
Applicant: Licking Township Zoning Commission (Application from SMZ Development LLC, C/o Troy Hindel)  
LCPC Planner: Angela Farley, Planner I

# THE LICKING COUNTY PLANNING COMMISSION

## MEETING MINUTES

July 22, 2019

Draft

The Licking County Planning Commission meeting was called to order by Chairman Stephen Holloway at 7:03 p.m. on Monday, July 22, 2019, in the Donald D. Hill County Administration Building, Meeting Room D, 20 South Second Street, Newark, Ohio.

### **VOTING MEMBERS PRESENT**

Randy Bishop Rick Black Tim Bubbs Dave Dicks Steve Holloway Dave Lang Jim Roberts Bill Weaver Duane Flowers Ronda Saunders

### **VOTING MEMBERS ABSENT**

None

### **ALTERNATE MEMBERS PRESENT**

None

### **ALTERNATE MEMBERS ABSENT**

None

### **ALTERNATE MEMBERS WHOSE ATTENDANCE IS NOT REQUIRED TONIGHT**

### **SEATED ALTERNATES**

None

### **STAFF PRESENT**

Chris Harkness Brad Mercer Natalie Reineke

### **OTHERS PRESENT**

None

### **ROLL CALL AND SEATING OF ALTERNATE MEMBERS**

Licking County Planning Commission member Dave Lang led the Pledge of Allegiance. Roll call was taken and all members were seated.

### **APPROVAL OF THE APRIL 22, 2019 LCPC MEETING MINUTES, WITH OR WITHOUT CORRECTIONS**

Rick Black moved to approve June 24, 2019, Meeting Minutes with changes. Dave Lang seconded the motion. A voice vote was called and the motion passed unanimously.

### **SWEARING-IN/AFFIRMING OF PUBLIC-no public present**

There was no public attendance.

### **ANNOUNCEMENTS OF THE DIRECTOR**

None at this time

### **ANNOUNCEMENTS OF COMMISSION MEMBERS**

Stephen Holloway thanked the Commissioners and congratulated the members that have been reappointed for a three-year term, Dave Lang, Rhonda Saunders, Bill Weaver, Kevin Black, and Steve Holloway.

# THE LICKING COUNTY PLANNING COMMISSION

## MEETING MINUTES

July 22, 2019

Draft

### OLD BUSINESS

None

---

### NEW BUSINESS

#### A. CONSENT AGENDA

None

---

#### B. SUBDIVISION REVIEW, VARIANCES, ZONING RECOMMENDATIONS.

##### 1. 2019-007-Z

Regulation: Union Township Zoning Resolution  
Articles: Article 5 - Amendment, Section 5.06 - Submission to County Planning Commission; Article 8 - Agriculture District (AG) and Article 9 - Residential Districts, Section 9.01 - Rural Residential 3 District (RR-3)  
Description: A request for a zoning map amendment to rezone 3-acres of a 63.44-acre parcel located at 4193 National Road from Agriculture District (AG) to Rural Residential 3 District (RR-3).  
Township: Union  
Applicant: Robert and Sue Penick and Kevin Keller  
LCPC Planner: Angela Farley, Planner I

*Brad Mercer presented the staff report which was provided with the packet.*

#### BRIEF SUMMARY OF REQUEST:

The Union Township Zoning Commission is requesting a non-binding recommendation from the Licking County Planning Commission Board. The requested recommendation is based upon a zoning map amendment application the township received from Robert and Susan Penick. The applicants own a 63.44-acre parcel on the south side of National Road (U.S. Route 40), west of Swamp Road. The applicants are requesting to change the zoning district classification on his parcel from Agriculture District (AG) to Rural Residential – 3 District (RR-3). The purpose of this is to allow for a minor land division of the existing parcel that would create a 3-acre parcel and a 60+ acre parcel.

#### RECOMMENDATION AND BASIS:

**Staff Recommendation: NON-BINDING RECOMMENDATION OF APPROVAL**

Staff Recommendation and Basis: To provide the Union Township Zoning Commission a non-binding recommendation of **APPROVAL** for the proposed map amendment (2019-007-Z). The basis for this recommendation is that the proposed zoning map amendment is in conformance with the Township Comprehensive Plan and good planning practices, and is compatible with the existing land uses in the area.

*Rick Black asked if this pertained to the 3 acres. Brad Mercer said yes.*

**Vote: Duane Flowers made a motion to approve Application 2019-007-V as presented and as recommended by the staff. Rick Black seconded the motion. A vote was called and the motion passed unanimously.**



# THE LICKING COUNTY PLANNING COMMISSION

## MEETING MINUTES

July 22, 2019

Draft

C. Resolution # 2019-008 In the Matter of Partnering With the Mid-Ohio Regional Planning Commission and Expending Funds toward the Central Ohio Regional Housing Strategy.

*Stephen Holloway stated the board was given an invitation to join MORPC in a Regional Strategy Housing Group and he asked Chris Harkness to bring forth to the board as there is a cost involved. Mr. Harkness presented a handout which included the invitation to help be a partnering agency with them and to be a part of the advisory council. There is a fee of \$10,000.00 to participate in the group which will be hiring a consultant to look into the whole Central Ohio Region's whole housing stock, age, and condition as well as impediments to potential developers, retrofitting options, and strategies for incentivizing where there are gaps in the market. This will be a very large study. Mr. Harkness went on to explain there is a projection that Licking County will be upwards of 3 million people by 2050 and there is a need for this study to prepare for the County's future population growth. He stated that the study will not only prepare for the influx of the population, but the housing market will be looked at to see what the County can do to cover the gaps, whether it is to look at affordability, senior housing, workforce housing, and the ethnic areas within the housing developments. Mr. Harkness talked about also involving the transit board to look at getting workers to and from their job with the increase in large developments.*

*Tim Bubb asked about the fee and wondered if it was negotiable. Chris Harkness said the 10,000. was the minimum and it was basically for hiring the consultant to do the study. Mr. Harkness said the project was to cost around \$350,000.00 and there were other counties that would be involved. He listed Delaware, Union, and Reynoldsburg as participants. Rhonda Saunders asked about Fairfield County and Mr. Harkness said they were not part of the study.*

*Tim Bubb wanted to know if it was through the MPO and Mr. Harkness answered it did not have anything to do with MORPC's MPO and he felt the \$10,00 was a reasonable amount and available in the budget to allow the LCPC to be involved in the study. Mr. Bubb asked about the time frame and Mr. Harkness said it was to be very quick, completed in 2020. Mr. Bubb was in support and stated the need to be involved to prepare for the future as Licking County grows. He also felt that GROW Licking County would be a great asset to this study and should be involved.*

*Duane Flowers and Dave Dicks were also in support of getting involved and bringing GROW Licking County in as a participant as well.*

*Rhonda Saunders also was in support of this and said there was a need for smaller homes and rentals to accommodate starter families and workers coming in with families making \$15 hourly wages that need to have affordable housing. She remarked that she has rental properties and has a large waiting list because smaller families are having difficulty finding a place to live. Randy Bishop agreed with Ms. Saunders that we need smaller homes in the County for working families.*

*Jim Rogers wanted to know if this was a binding contract and fixed fees. Mr. Harkness stated this was more of a study and not really a binding contract. Mr. Rogers was also in support of the study but pointed out that if they went ahead with this, everyone needed to be aware that there may be some things in the study that show problems and felt the board needed to be open-minded to what the final study revealed. Chris Harkness said this was a very large study with 5 other Counties involved and related it to a peer comparison with several case studies within the Central Ohio Region looking at the successes and failures from those areas.*

# THE LICKING COUNTY PLANNING COMMISSION

## MEETING MINUTES

July 22, 2019

Draft

*Rick Black asked if the study would involve looking at the schools as well. He stated that as the County grows and more families come in, the schools would also need to be taken into consideration. Stephen Holloway said he also hoped they would be considering other factors like the schools, parks, recreation, and utilities. Rhonda Saunders said she saw the study as taking inventory of what the County has and what was needed. Chris Harkness agreed and said the study would take it a step further as there would be recommendations and gaps identified that needed to be filled. Tim Bubb said it could be a very challenging study and there may be things that will need to be done differently after the study. Stephen Holloway stated the townships themselves have quite a bit of control and pointed out that the board will need to work with the townships to recommend the changes if needed.*

**Vote: Tim Bubb made a motion to approve Resolution 2019-008. Dave Dicks seconded the motion. A voice vote was called and the motion passed unanimously.**

---

### **PUBLIC COMMENTS**

None

---

### **DIRECTOR'S COMMENTS**

*Chris Harkness passed out the director's update. He stated the two positions open in the planning department were posted. Both of those posts expire in a week. He will begin to look at applicants and interviews will be scheduled in the next couple of weeks. Mr. Harkness said by August or September he will bring a resolution to accept the candidates to fill the open positions.*

*Chris Harkness said the Transit Development plan has secured all funding thanks in part to the grant the Transit Board secured through ODOT, the Commissioners contribution of \$ 38,000 and LCATS adding \$37,000. WSB was the selected consultant and the contract is currently en route to Minnesota. Mr. Harkness said the department was very excited about this project. He said there will be a lot of public engagement and next summer it is slated to be complete.*

*The LCATS has been working with the Health Department's active transportation grant, Creating Healthy Communities. Chris Harkness said the Commissioners were supportive of installing bike racks in the parking garage and 2 spaces have been reserved specifically for the bike racks and wayfinding signage will be going up when it comes in. Mr. Harkness said the Health Department was in the process of applying for the same grant next year and the emphasis was land use which LCATS will be partnering again with the Health Department and looking for ways to promote healthy living.*

*Chris Harkness announced that the Mayor of Hanover, Jeff Collins, had agreed to serve on the LCATS Board. He stated LCATS were reaching out to the smaller entities and explaining some of the services and the abilities our staff has and how we can help their communities. Mr. Harkness said the smaller communities that pay \$1000. in dues saw the advantages of being a member of LCATS.*

### **LCPC COMMENTS**

None

**Rick Black moved to adjourn. Duane Flowers seconded the motion. All were in favor and the meeting adjourned at 7:40 p.m.**

**NEXT MEETING: MONDAY, August 26, 2019**

# **THE LICKING COUNTY PLANNING COMMISSION**

## **MEETING MINUTES**

July 22, 2019

Draft

Respectfully submitted,

Natalie J. Reineke

I do hereby certify that the minutes are true and correct copy:

---

Chris Harkness, Director



# STAFF REPORT

## Variance

Application #: 2019-031-V  
Meeting Date: August 26, 2019  
Prepared By: Jay Fisher, CFM, Planner II

Frederick and Brandee Lockard  
APPLICANT/PROPERTY OWNER

Perry  
TOWNSHIP

Reform  
ROAD

A variance request from the 550-foot Stopping Sight Distance requirement for roadways without a posted speed limit (55 mph)  
DESCRIPTION

Section 8.10; Table 13: AASHTO Safe Stopping Sight Distance (550-feet / 55 mph) - *Licking County Access Management Regulations*  
SECTION / REGULATION

### BRIEF SUMMARY OF REQUEST:

The applicant's (the Lockard's) own an existing 30.97 acre lot on the west side of Reform Road in Perry Township. The property in question, 7421 Reform Road, currently has a shared access point with 7423 Reform Road. However, the driveway to 7421 Reform Road was installed without any approved permits by the previous property owner and the Lockard's are wishing to remedy their current driveway violation and seek a variance in order to keep the current driveway location. The current driveway is a non-conforming driveway and in order to increase the number of trips it sees, it must meet the current standards of the *Licking County Access Management Regulations*. The Lockard's are requesting a variance due to the fact that the current location fails to meet the sight stopping distance requirements of 550-feet.



| REGULATIONS                                  | REQUIREMENT                  | VARIANCE AMOUNT                                  |
|----------------------------------------------|------------------------------|--------------------------------------------------|
| Licking County Access Management Regulations | 550' Stopping Sight Distance | 190 feet +/- to the South (approx.360' provided) |

## Staff Recommendation: APPROVAL

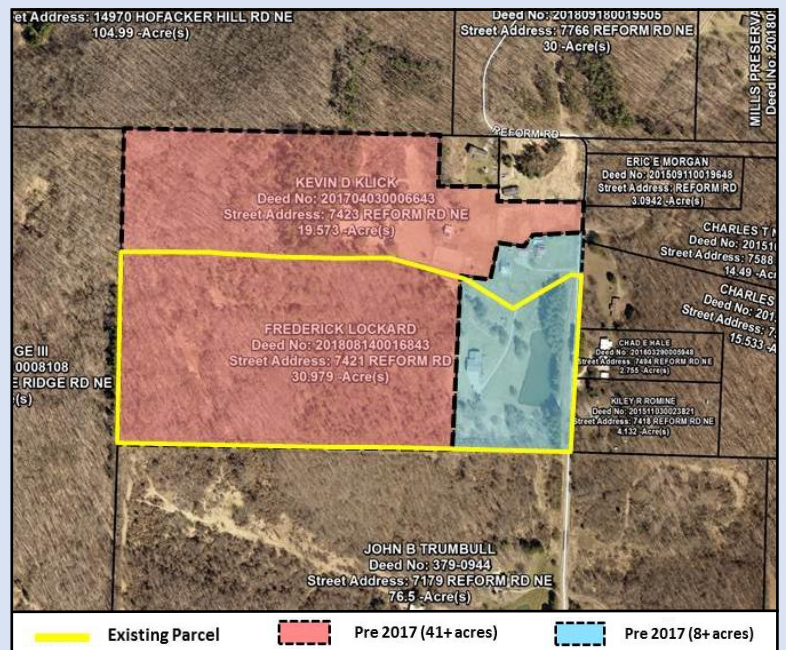
Staff Recommendation and Basis: To **approve** the requested variance from Section 8.10; Table 13: AASHTO Safe Stopping Sight Distance, of the *Licking County Access Management Regulations*, as described in the staff report. This recommendation is based upon the staff's opinion that the proposed variance upholds the purpose and intent of the *Licking County Subdivision Access Management Regulations* and meets the standards for a variance.

## PLANNING CONSIDERATIONS

### Background:

The current property owners, Frederick and Brandee Lockard, own a 30.97 acre parcel located at 7421 Reform Road (Auditor's Parcel ID#065-313194-00.000) in Perry Township. The applicant's purchased their property in August of 2018. At the time of purchase, the Lockard's were unaware that the existing driveway from Reform Road to their home was in violation and was not an approved driveway location by the Licking County Engineer's Office. Prior to the Lockard's owning this property, the property was owned by Daniel Hafer. Mr. Hafer had owned two parcels totaling 50.55 acres since June of 2013.

The original configuration of Mr. Hafer's 50.55 acre parcels consisted of an 8.774 acre parcel and a 41.778 acre parcel. The 8.774 acre parcel at the time of purchase, contained what is assumed to be, according to the Licking County Auditor's information, the original farmhouse (circ. 1875). This residence (7423 Reform Road) had/has an access location to it from Reform Road. Sometime in 2014, a second residential structure was built on the 8.774 acre parcel. Due to the property in question being in Perry Township, which is one of Licking County's un-zoned townships, outside of access management and possible septic and well systems, there are no restrictions to having multiple residential structures located on a single parcel of land. Based on aerial imagery within the Licking County Auditor's OnTrac program, the current driveway appears



with the construction of the house (2014) and appears to have used an old field access that goes to a set of oil wells on the property.

In March of 2017, Mr. Hafer reconfigured the 50.55 acres of land along Reform Road consisting of the 8.774 acre and 41.778 acre parcels into the current configuration of 30.97 acres (7421 Reform Road/applicant's property) and 19.75 acres (7423 Reform Road/owned by Kevin Klick). This reconfiguration went through the Licking County Minor Land Division / Lot Split Process and was approved by LCPC.





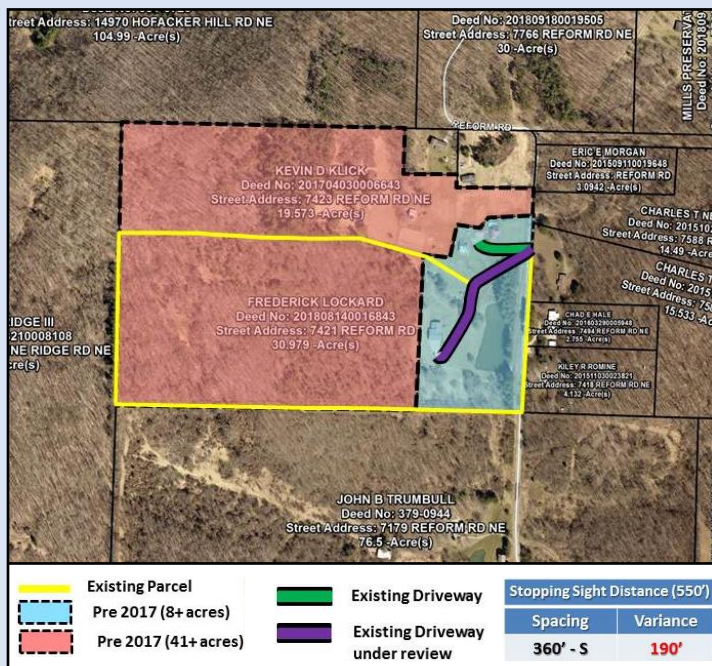
# STAFF REPORT

## Variance

Application #: 2019-031-V  
Meeting Date: August 26, 2019  
Prepared By: Jay Fisher, CFM, Planner II

staff in March of 2017. Deeds for the two “new” properties were recorded shortly thereafter. LCPC Staff granted approval of the lot split based upon the fact that an existing driveway was identified on the survey and aerial photos and a permit from the LCEO was approved and believed to be for the purposes of future options for the property owner.

Sometime in April / May 2019, LCPC Staff was notified of a complaint regarding the driveway in question. Staff researched both the previously approved lot split in 2017 and contacted the Licking County Engineer’s Office (LCEO) regarding the driveway in question. Staff noted that the survey for the lot split appeared to show an existing driveway, yet the LCEO did not have a permit on file for 7421 at this location but did have the approved permit location as part of the lot split in 2017. The justification from the LCEO as to why a permit at the time of the lot split was not approved at the “current” location was due to Sight Stopping Distance.



The Lockard’s are now attempting to remedy the current driveway violation, caused by a previous property owner by applying for this variance. They are wishing to reduce the Sight Stopping Distance from 550-feet to 360-feet to the south of their property. Sight Stopping Distance meets or exceeds the required 550-feet to the north of the current driveway situation.

### Access Type:

The proposed access would be a shared entry point to serve both 7421 and 7423 Reform Road. As the entry point is near the middle of the property line between the two (2) driveways, each property would maintain their own existing

driveways to their property, and the only shared portion would be within the road right-of-way for Reform Road.

### Classification/Speed/AADT:

- **Reform Road**, Minor Collector, **AADT 93** vehicles in, 2019.
- **Average Speed**
  - North – 43 MPH
  - South – 42 MPH
- **85<sup>th</sup> Percentile**
  - North – 50 MPH
  - South – 50 MPH

### Licking County Engineer:

The Licking County Engineer, Jared Knerr, P.E., P.S. has reviewed the location and given guidance to LCPC Staff regarding the variance request. Mr. Knerr is not providing a specific recommendation on this particular application.

### Design Standards:

As per Section 8.10; Table 13: AASHTO Safe Stopping Sight Distance, of the *Licking County Access Management Regulations*, driveways located on roadways that are posted at 55 MPH or as in the case for this driveway where there is no posted speed limit (*automatically given a 55 MPH classification*) must meet Stopping Sight Distance of at least 550-feet in both directions.

### Variance Standards (Section 8.5 Variance Standards of the Licking County Access Management Regulations)

1. The granting of the variation shall be in harmony with the purpose and intent of these Regulations and shall not be considered until every feasible option for meeting access standards is explored.

*The intent of these regulations is to ensure that private access points are chosen that are both safe for the property owner and the traveling public. It has been stated in past variance requests when it comes to new access locations that there are three (3) determining factors when new locations are approved. These factors include; driveway to driveway spacing, driveway to intersection spacing, and sight stopping distance. Of these three, sight stopping distance tends to be weighed most heavily from a safety standpoint. In the case of this variance, the only requirement that is not met is safe stopping sight distance. Reform Road which is a Minor Collector roadway, is also an unposted roadway. This means that there are no posted speed limit signs along the roadway, and by state law, the speed for this roadway is automatically considered to be 55 MPH. With this designation, sight stopping distance in both directions must meet or exceed 550-feet.*

*In this particular case, the applicants are trying to*



# STAFF REPORT

## Variance

Application #: 2019-031-V  
Meeting Date: August 26, 2019  
Prepared By: Jay Fisher, CFM, Planner II

remedy a violation that they did not cause and in which they bought their property without the knowledge that their driveway was an issue. The previous property owner obtained an approved driveway location further to the south of the existing driveway but never installed the access at this approved location. It should be noted that this approved location has topographical challenges at the roadway, includes the need for possibly two (2) ditch/stream crossings, and would require the driveway to be curved around the northern headwaters of a pond and through a wet/marsh like area north of the pond, which takes up most of the frontage of 7421 Reform Road. This location has the ability to meet both the spacing and sight distance requirements.

By only providing 360-feet, to the south, of the required 550-feet of sight stopping distance seems significant on paper in terms of both safety and strictly a numbers standpoint. However, if you analyze the numbers, the situation is not as alarming as it might appear. On a posted 45 MPH roadway, a sight stopping distance of 360-feet is all that is required in order to obtain an approved driveway location from the LCEO. If you look at the speed and AADT numbers within this staff report regarding the driveway in question, you will find that while the roadway is unposted, the average vehicle speeds are 43 MPH northbound and 42 MPH southbound. Additionally, approx. 2/3 of the northbound traffic is traveling at 45 mph or slower. If a speed study was to be conducted, and the results warranted the roadway to be posted at 45 MPH, the driveway would now meet the AASHTO requirements for sight stopping distance in both directions. Pair this information with the fact that in most cases, a vehicle pulling out of this driveway will be turning southbound to head towards Hanover/State Route 16, sight distance is safely met from traffic to the north, it would only be the cases when a vehicle from this driveway needs to turn northbound, and head north toward State Route 79, where the sight distance becomes an issue. Lastly, with only 93 vehicles per day the traffic is extremely minimal on this portion of Reform Road, thereby reducing even further the potential for accidents or conflicts.

2. Applicants for a variance from these standards must provide proof of unique or special conditions that make strict application of the provisions impractical. This shall include proof that:

- Indirect or restricted access cannot be obtained;
- No engineering or construction solutions can be applied to mitigate the condition;
- No alternative access is available from a street with lower functional classification than the primary roadway.

*During the process of working with the Lockard's to try and find a solution to remedy the violation at hand, the Lockard's presented the LCPC Staff with*

*a deed (Inst. # 199710070002223) which contains a legal description for a "reserved easement of access" from May 1996. This reserved easement crossed the original 8+ acre parcel and appears to provide access to what is assumed to be the original back 41+ acre parcel. This same easement can be traced back to Deed Book 610, Page 142 (August 1966). Thus for at least 50-plus years, there has been, the intention that two (2) parcels in this area were to share a driveway location in the area of question. The only difference today is that the original two parcels have since been reconfigured into what are now 30+ and 19+ acre parcels respectively, and thereby have removed the original easement of access.*

*The lot in question only has frontage on Reform Road, which is a Minor Collector roadway. Thus there are no alternative options for access on a roadway with a lower functional class.*

3. Under no circumstances shall a variance be granted, unless not granting the variance would deny all reasonable access, endanger public health, welfare or safety, or cause an exceptional and undue hardship on the applicant. No variance shall be granted where such hardship is self-created.

*Not granting this variance would not deny all access to this property, as the previous property owner had obtained an approved location for a driveway that was to be 250-feet south of the current location. However, it would now be the responsibility of the current property owner to install this driveway location, which could be a financial hardship on the applicant to make two (2) possible ditch/stream crossings, as well as locating the driveway along the north side of an existing pond, which the applicant states, is often wet throughout various points in the year.*

*As has been previously stated, the applicants who are the current property owners purchased this property with the driveway that is a part of this variance and currently in violation, already installed and they believed it to be in good standing with the County. This hardship is not self-created and the property owner simply wishes to maintain the driveway location which has been in its current state as a shared access location since 2014, and as a single-use driveway long before this date.*

*In reviewing all of the supporting data, given the fact that traffic count data from 2019 for Reform Road has a low traffic volume and that the average speeds taken from those counts help to show that Reform Road is both a lightly traveled road where vehicles are not traveling at a high rate of speed*



# STAFF REPORT

## Variance

Application #: 2019-031-V  
Meeting Date: August 26, 2019  
Prepared By: Jay Fisher, CFM, Planner II

*helps to show support towards the justification of this variance. The applicant is attempting to maintain their current access, reducing the number of direct access points on Reform Road and attempting to save on the costs of relocating their driveway, this all while trying to remedy a violation that they did not create nor were they aware of prior to purchasing their home/land.*

*In conclusion, in the case of this variance, by legally establishing a shared driveway at the proposed location along Reform Road, it does not appear to endanger the public health, safety, or welfare of the applicant or the traveling public. LCPC staff believes that the requested variance appears to be reasonable, allowing for the current location to become a legal and approved access point.*

4. Emergency access-point drives shall not require a variance from spacing requirements for driveways or roads provided that they are limited to use by emergency equipment only.

N/A



## Variance Justification Letter

For: Fred and Brandee Lockard  
7421 Reform Rd. Newark 43055

LCPC Board Members,

As required by the variance instructions, we are writing this letter and submitting additional documents requesting we be granted a variance for our existing driveway and access point to our home.

1. We respectfully request that we be granted a variance in order to keep the existing driveway/ingress and egress point to our property where it currently is and that we not have to move our driveway. My wife and I are both retired, disabled, Army Combat Veterans who have served our country honorably for a combined 47-years. We choose to move to Newark upon our retirement due to the natural beauty and for peace and quiet. We moved into our home in Aug 2018 hoping for an easy going life; but that has not happened. This issue with the driveway has been terribly frustrating and anxiety-provoking for us to say the least. We were never informed that the driveway already in place was apparently not the driveway that was approved by the engineer's office in 2017 or the one the original owners built in 2014 and possibly earlier. When we asked the previous owners about the driveway after this came to light, Ms. Bobby Grigsby (she filed the permit request in 2017) told us that "someone" in the engineering department told them; "it will never be enforced so do not worry about it". The permit was filed at least 3-years after the house and driveway had already been constructed. Once we found out about it, we visited the county engineer's office and were told that there was "an existing shared driveway that was being used in lieu of changing the location of the driveway" and not to worry about it. Then a few days later we received a call from a different person in engineering saying there was no easement/shared driveway. Then the letter came from the planning commission telling us we had to move the driveway. No one had any issues or concerns about the full driveway as it is currently or potential road-hazard/safety concerns, until our neighbor, who we do not get along with and who is mad at us for another issue, called and started complaining that our driveway was illegal. Why he thought our driveway was supposedly illegal or from where/whom he obtained this information is something we have yet to figure out. We do know he talked and complained to several people in the engineer and planning commission office. His complaints are what got the ball rolling on this whole issue. Receiving the letter from the planning commission telling us we had 30-days to move our driveway and that we could be fined \$500 a day caused my wife and I some very anxious days and sleepless nights.



2. To build a new ingress/egress point at the proposed location would require a massive construction effort and cause harm to the environment around our home and take away from the natural beauty we have come to love so much. The point that we were told the driveway would have to be moved to (pictures 1 and 2) crosses right over our nearly 1-acre pond and the southern edge of our recently established wetlands area. In order to comply with the proposed change to our driveway, we would likely have to drain and fill in our pond and/or build a bridge and a gradually inclining driveway running to the road. Our pond serves as a basin for huge amounts of water when it rains. From the northwest corner of our pond, continuing northwest, the terrain rises for over a quarter mile, with an elevation change of 188'. As a rough approximation, about 40 Acres drains downhill toward our pond. A rain storm of ½ - inch of rain per hour for one hour, which is actually a low rainfall total compared to a few storms we have had this year, produces approximately 543,000 gallons of water which then drains into our pond (that is a little over 4.5 million tons of water). The excess that fills the pond is then discharged via a culvert and out to the creek that runs south (our pond serves as a sort of reservoir for the area). This creek then helps keep our neighbors pond filled and so on in a roughly southerly direction. If we have to drain and fill in our pond to create the proposed driveway, it is going to create a whole new set of drainage issues not only for our property, but potentially our neighbors to the south of us as millions of tons of water will now simply run straight downhill with no pond to buffer it. Additionally, the proposed new ingress/egress point would need to go up a steep incline and through a stand of old, beautiful tress (see pictures 1, 2, and 3). All these tress would have to be removed, and a gradual incline built from where the driveway is now to the road in order to have an entry/exit point that is reasonably accessible; especially when it snows. Our driveway would have to take a hard right turn (see picture 4) making entry onto our property more challenging; especially for larger delivery trucks etc., and then cross the pond/wetlands. These actions would almost certainly ruin the pond and wetlands (see picture 5) and result in the loss of a beautiful part of our property that is now home to fish, migrating birds (see picture 6), and many types of aquatic life. We have worked hard to make our pond and wetlands a wildlife sanctuary and moving our driveway would almost certainly ruin this wildlife habitat.

3. Forcing us to move our driveway would be financially ruinous for us. No other landowner on our stretch of Reform is being told they have to move their driveway for safety reasons despite several of them being even closer to the supposed line-of-site danger areas than ours. This is especially true for our neighbor's driveway, whom we have a shared driveway/easement with. If our ingress/egress point is dangerous then there's would have to be also. If they are not being forced to move their access point then why should we be forced? If many of our neighbors have had their entry/exit points "grandfathered-in", then why can't ours be? Our entry/exit point on the shared driveway was granted by an easement as recorded in the chain of deeds going back to at least 1994 and possibly earlier (see attached deed) and was built well before that – likely in the 1950s. The engineers traffic study confirmed what we see on Reform Road in front of our home every day; there is little traffic (average of less than 100 cars per day) and people tend to drive slowly (average speed is 40 MPH) knowing the road has 2 small hills, a large hill with a steep turn, and a fairly tight turn on it.

4. It was not our actions nor anything we ever did that resulted in this problem. Indeed we have worked diligently with the engineering office and the planners to resolve this difficult issue. This all started because of the complaints of one angry neighbor looking to get even with us for other matters. This same neighbor had no complaints or issues with the driveway/easement from since he moved in until recently. The 2017 study that proposed the current driveway be moved was never checked on or enforced and was based on the faulty assumption that cars travel down this section of Reform Road at 55 MPH. Additionally, ingress and egress has been granted to us via our driveway in its current location as described in the chain of deed going back to at least 1994 as stated earlier. The current full driveway was completed sometime in 2014 and possibly much earlier than that to accommodate the builders and contractors who completed the home in 2014. From then until July 2019 no one had an issue or complaint with the driveway as it is right now. No one said it was illegal or that it needed to be changed due to safety concerns until recently.

5. There have been no recorded accidents on the stretch of Reform Road in question with our driveway entry/exit point where it is right now. Granting us this variance would have no impact on the overall safety on this road. The traffic study confirmed that people generally drive well under 55 MPH and that there is only light traffic anyway. We were told that the main reason for the proposed new driveway was safety related. It had to do with site-line distance for cars traveling 55 MPH and the distance needed to stop in time to ensure they do not hit us as we come out of our driveway and onto Reform. We now know that the traffic study clearly shows that cars do not travel down this section of Reform Road at that high of a speed. This indicates that the site-line distance, based on the 55 MPH originally factored into the engineering decision to move the driveway is thus irrelevant. According to the engineering office, the driveway access/exit point as constructed now meets the site-line distance based on the recorded average of 40 MPH as determined from the traffic study.

Thanks you for your time and consideration

Fred and Brandee Lockard





①

|||

→

|||



②





③

↑  
↑  
STEEP  
GRADE



4





5

WETLANDS





⑥





VARIANCE

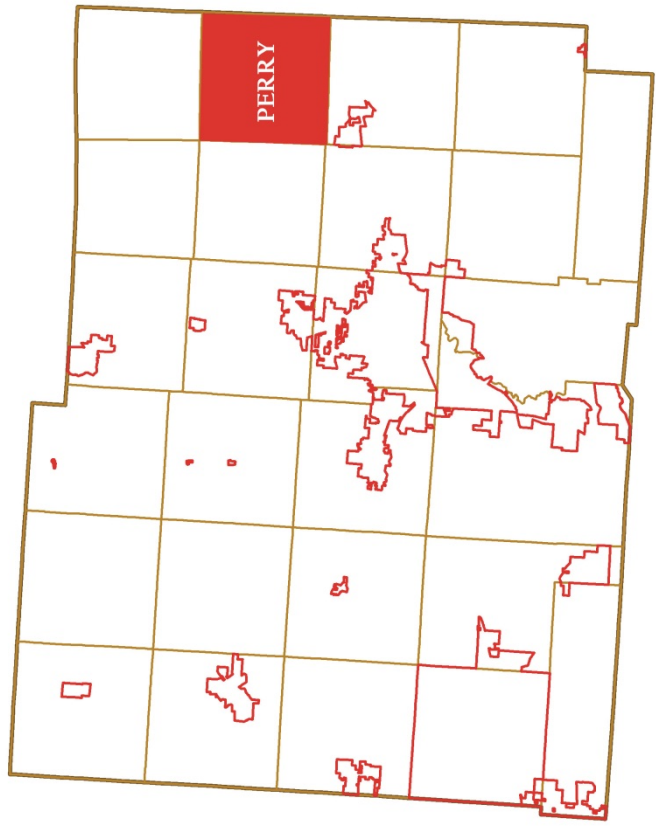
2019-031-V

Licking County Access Management Regulations

-Section 8.10, Table 13-AASHTO Safe Sight Stopping Distance

APPLICANT

Frederick and Brandee Lockard

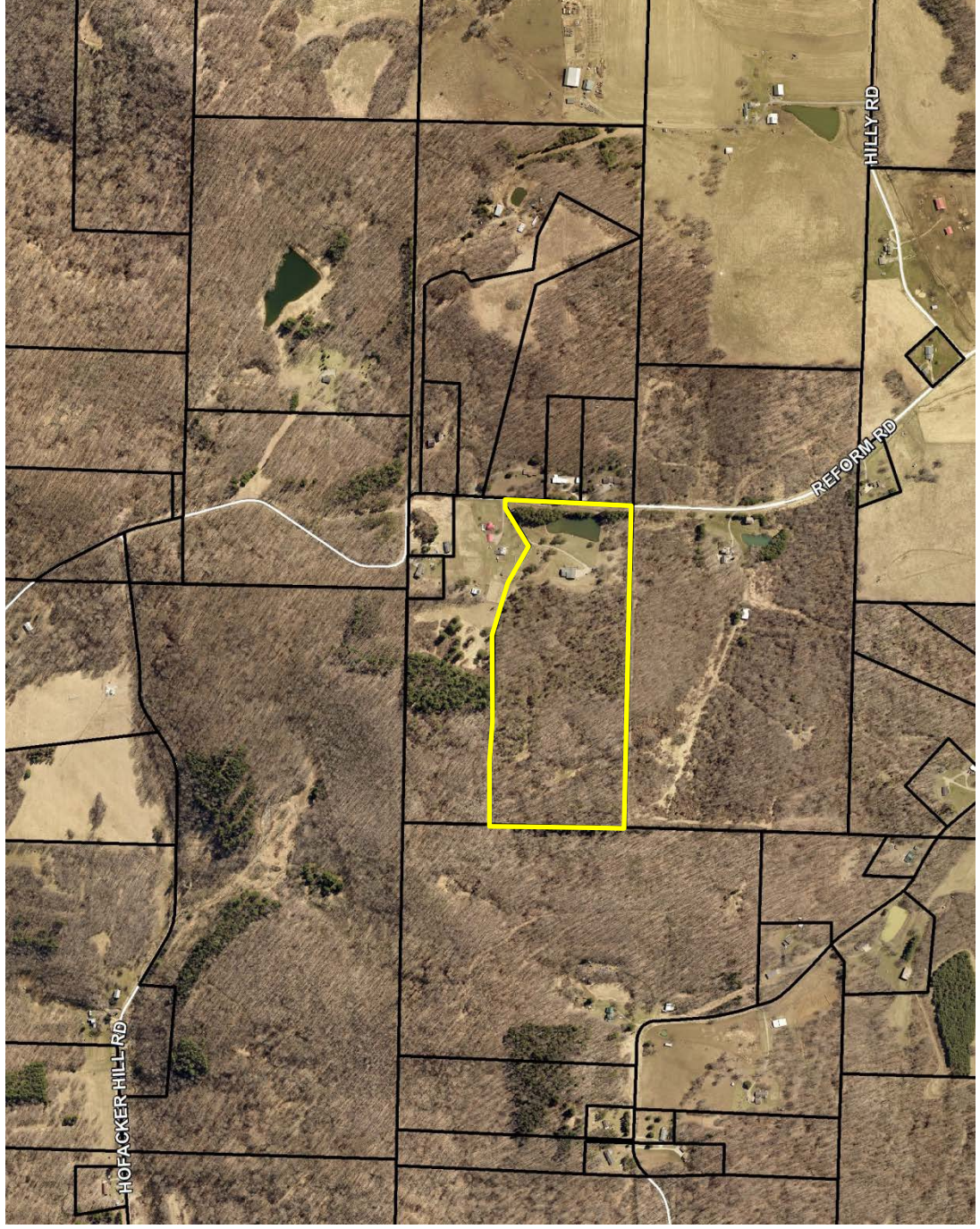






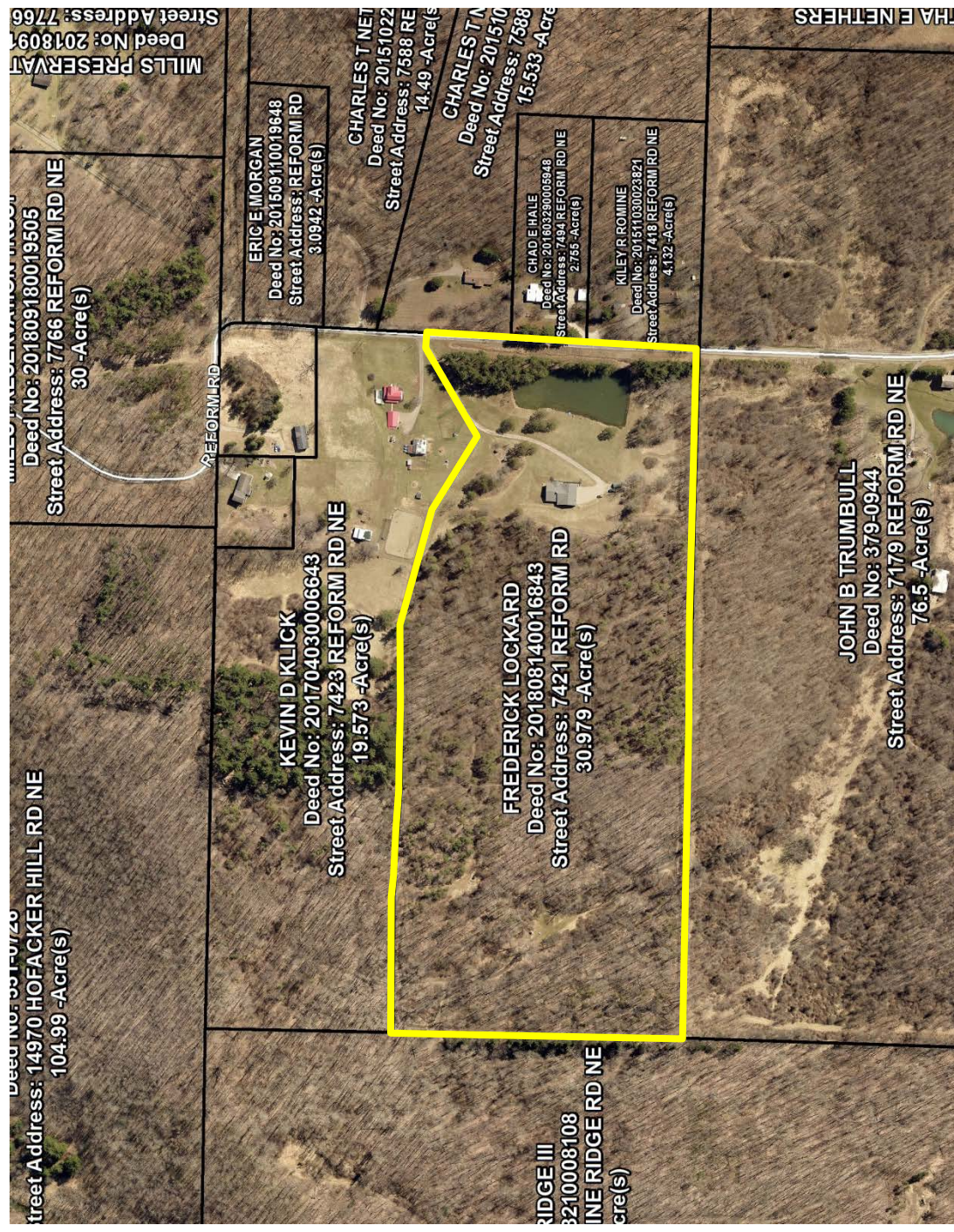


Existing Parcel



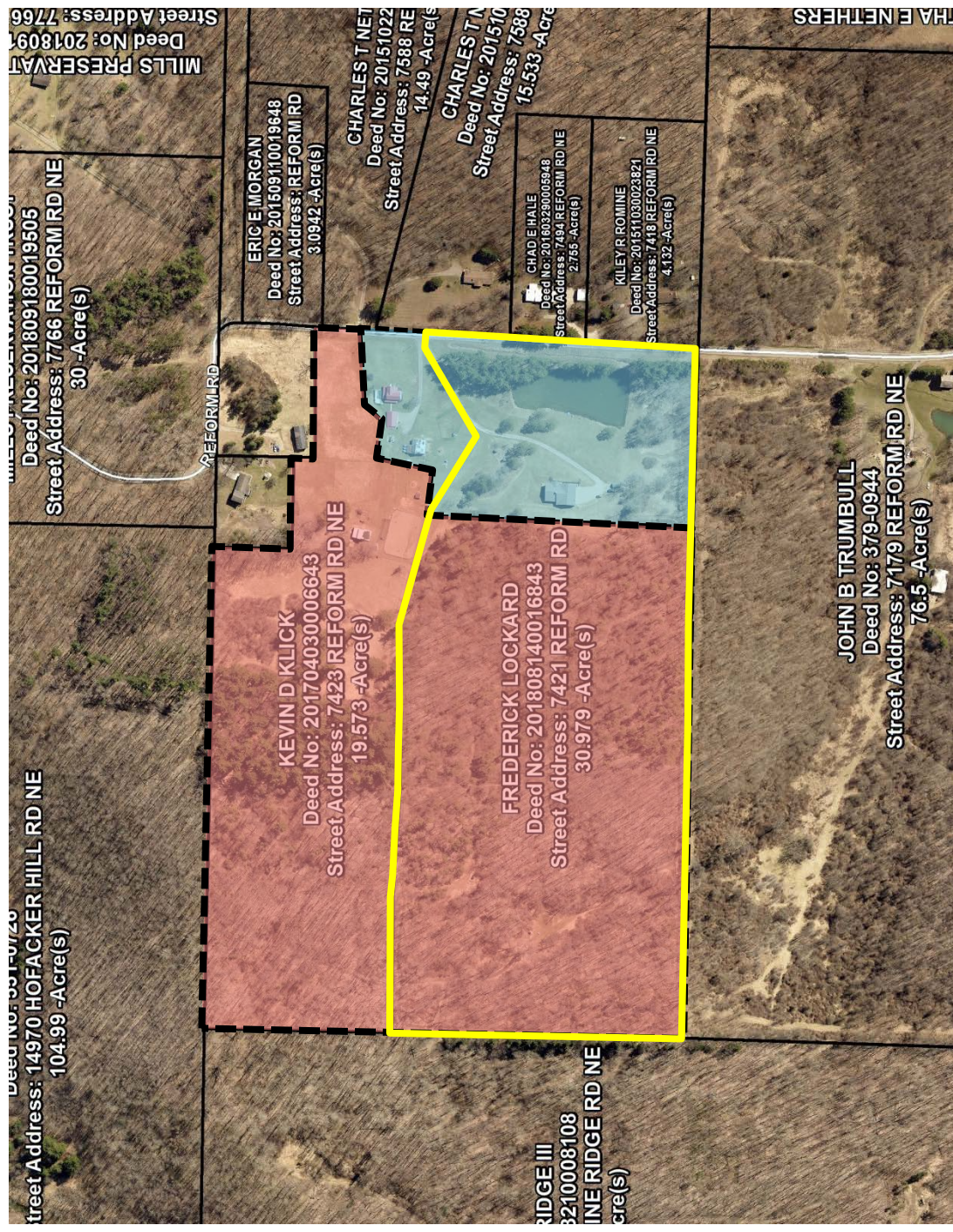
AREA MAP







Pre 2017 (41+ acres)

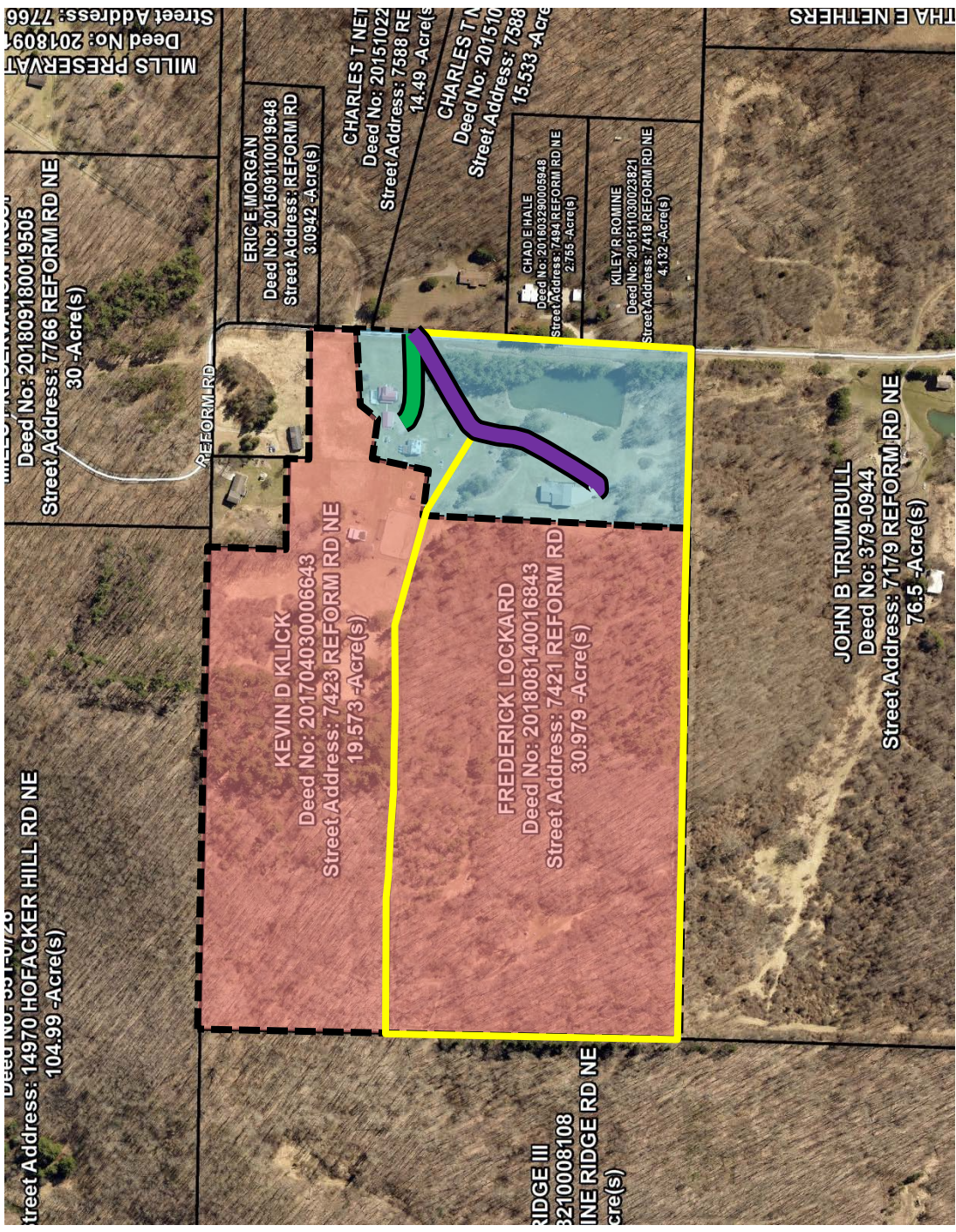






- Existing Parcel
- Pre 2017 (8+ acres)
- Pre 2017 (41+ acres)
- Existing Driveway
- Existing Driveway under review

| Stopping Sight Distance (550') |          |
|--------------------------------|----------|
| Spacing                        | Variance |
| 360' - S                       | 190'     |



SITE MAP





REFORM ROAD LOOKING NORTH





REFORM ROAD LOOKING SOUTH





# STAFF REPORT

## Variance

Application #: 2019-033-V  
Meeting Date: August 26, 2019  
Prepared By: Jay Fisher, CFM, Planner II

Anthony Haag

APPLICANT/PROPERTY OWNER

Jersey

TOWNSHIP

Mink

ROAD

A variance request from the 400-foot Driveway Spacing Standards for a Major Collector Roadway (400-feet)

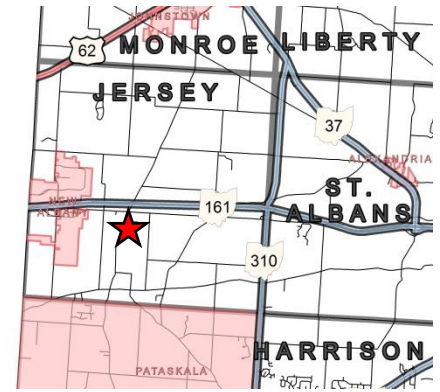
### DESCRIPTION

Section 8.10; Table 14: Driveway Spacing Requirements- *Licking County Access Management Regulations*

### SECTION / REGULATION

#### BRIEF SUMMARY OF REQUEST:

The applicant (Anthony Haag) owns an existing 1.10 acre parcel on the west side of Mink Street in Jersey Township. The property in question (Licking County Auditor's Parcel ID# 082-106872-00.003), currently does not have any access to it and any proposed location must meet the current standards of the *Licking County Access Management Regulations*. Mr. Haag is requesting a variance due to the fact that the proposed location fails to meet the driveway spacing standards for a Major Collector roadway of 400-feet.



| REGULATIONS                                  | REQUIREMENT           | VARIANCE AMOUNT                                                                       |
|----------------------------------------------|-----------------------|---------------------------------------------------------------------------------------|
| Licking County Access Management Regulations | 400' Driveway Spacing | 330 feet +/- to the North (70' provided)<br>300 feet +/- to the South (100' provided) |

## Staff Recommendation: APPROVAL

Staff Recommendation and Basis: To **approve** the requested variance from Section 8.10; Table 14: Driveway Spacing Requirements, of the *Licking County Access Management Regulations*, as described in the staff report. This recommendation is based upon the staff's opinion that the proposed variance upholds the purpose and intent of the *Licking County Subdivision Access Management Regulations* and meets the standards for a variance.

## PLANNING CONSIDERATIONS

### Background:

The current property owner, Anthony Haag, owns an existing 1.10 acre parcel located on Mink Street (Auditor's Parcel ID# 082-106872-00.003) in Jersey Township. The applicant purchased the property in October of 2018 and is now wishing to establish access to it in order to build a single-family residential structure. The property in question has been in existence since 1981 and currently does not have access to it from Mink Street. The proposed access location has been chosen and reviewed by the Licking County Engineer's Office and best meets the requirements of the *Licking County Access Management Regulations*.

### Access Type:

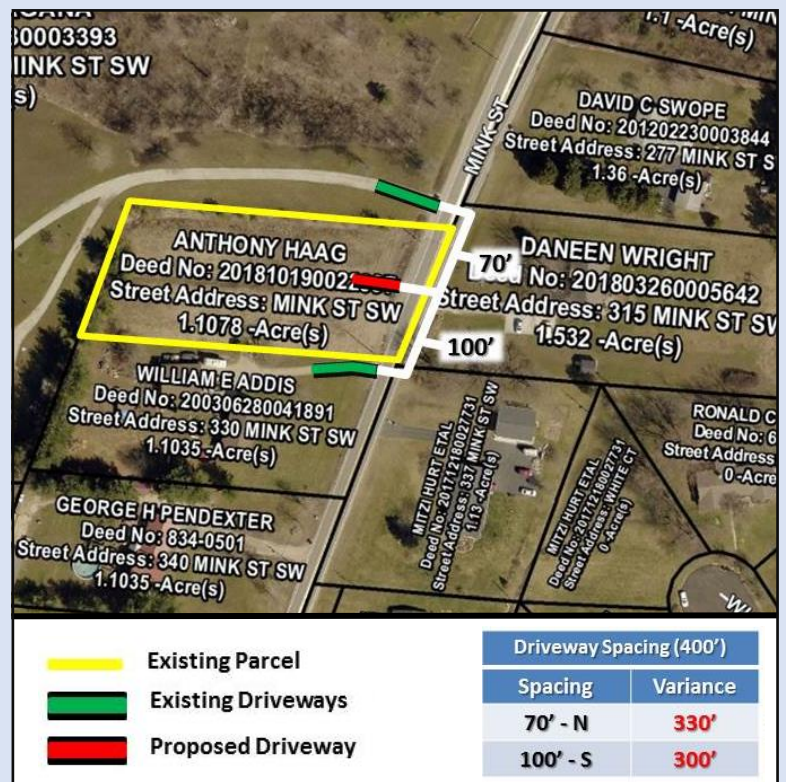
The proposed access would be for a single-family residential structure.

### Classification/Speed/AADT:

- Mink Street**, Major Collector, AADT 2,399 vehicles in, 2016.

### Design Standards:

As per Section 8.10; Table 14: Driveway Spacing Requirements, of the *Licking County Access Management Regulations*, driveways located on Major Collector roadways are to have driveway to driveway spacing of at least 400-feet.



### Variance Standards (Section 8.5 Variance Standards of the Licking County Access Management Regulations)

- The granting of the variation shall be in harmony with the purpose and intent of these Regulations and shall not be considered until every feasible option for meeting access standards is explored.



# STAFF REPORT

## Variance

Application #: 2019-033-V  
Meeting Date: August 26, 2019  
Prepared By: Jay Fisher, CFM, Planner II

*The intent of these regulations is to ensure that private access points are chosen that are both safe for the property owner and the traveling public. With that in mind, the proposed driveway does not appear to pose a safety concern given that both sight stopping distance and intersection spacing are met. The driveway spacing variance being considered is a minor consideration for safety, especially considering the proposed driveway is going to be used for one (1) single-family residential structure. The proposed location is an access location for an existing lot of record which does not currently have access to it. This location is outside of the left-turn lane taper for the Mink Street – Worthington Road intersection. The applicant's parcel, based on deed research, appears to have been created in 1981. This parcel is one of the last undeveloped lots in a primarily residential area of Mink Street. There are homes on both sides of Mink Street and even a smaller subdivision (Cole Estates) just south of this property. A residential driveway in this location would fit the character of the surrounding area and makes sense from a planning standpoint.*

2. Applicants for a variance from these standards must provide proof of unique or special conditions that make strict application of the provisions impractical. This shall include proof that:

- a. Indirect or restricted access cannot be obtained;
- b. No engineering or construction solutions can be applied to mitigate the condition;
- c. No alternative access is available from a street with lower functional classification than the primary roadway.

*Given the close proximity to the neighboring driveway to both the north and south, it would appear that indirect and/or engineering solutions could be applied through the use of a shared easement of access. However, the applicant's parcel is an existing parcel that currently does not have an access location to it. If this lot were being created today through a lot split, then possible indirect access options such as a shared driveways would likely be required. However, given the circumstances of an existing parcel and the minor safety concerns involved, requiring shared access would be a potential difficulty on the property owner.*

*The lot in question only has frontage on Mink Street, which is a Major Collector roadway. Thus there are no alternative options for access on a roadway with a lower functional class.*

3. Under no circumstances shall a variance be granted, unless not granting the variance would deny all reasonable access, endanger public health, welfare or safety, or cause an exceptional and undue hardship on

the applicant. No variance shall be granted where such hardship is self-created.

*Not granting this variance would deny all reasonable access to the proposed lot of record, that otherwise has no access to it currently. By granting this variance, there does not appear to be an increase in the endangerment of public health, safety, or welfare to the traveling public. Additionally, by not granting this variance, it would cause undue hardship upon the applicant given the fact that they have a piece of property that cannot be accessed directly for residential purposes.*

4. Emergency access-point drives shall not require a variance from spacing requirements for driveways or roads provided that they are limited to use by emergency equipment only.

N/A

VARIANCE

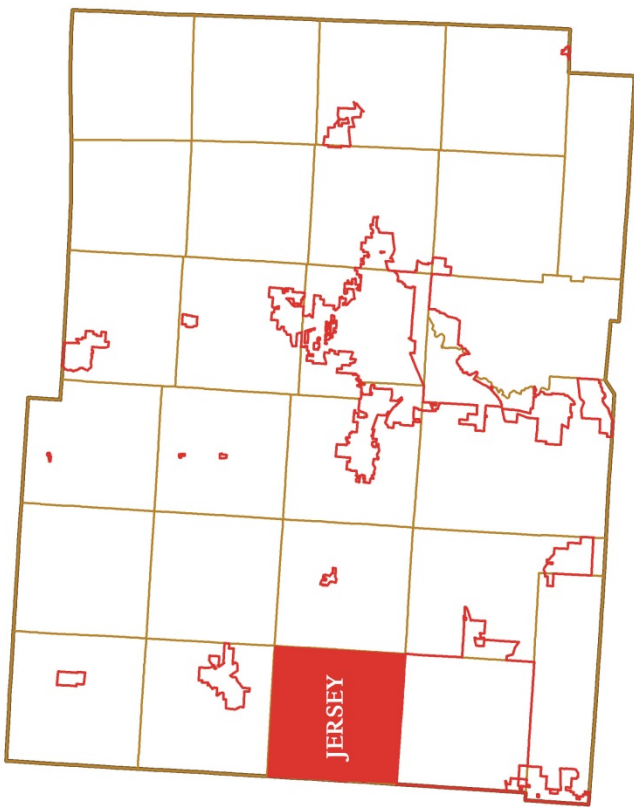
2019-033-V

Licking County Access Management Regulations

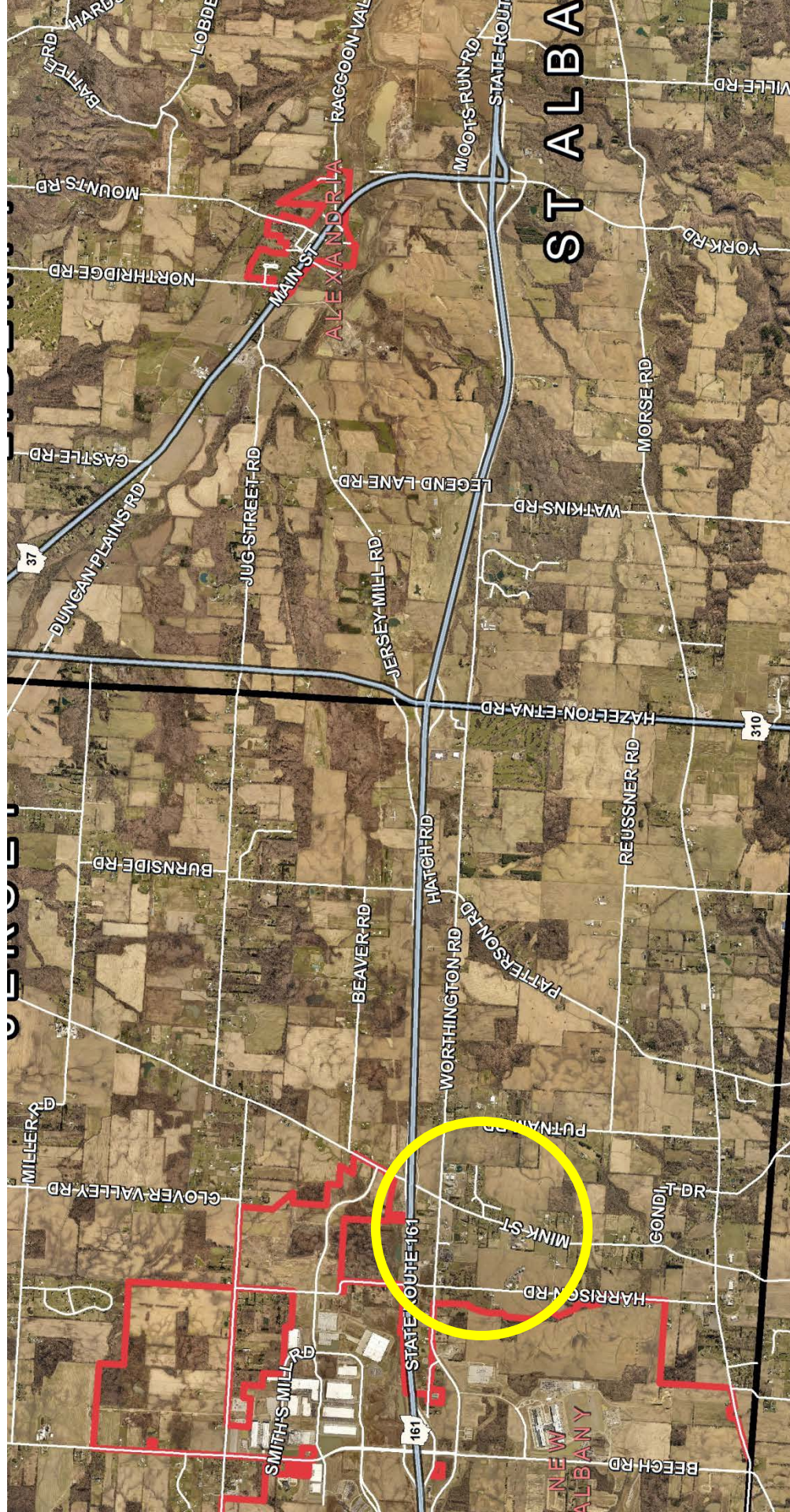
-Section 8.10, Table 14-Driveway Spacing Requirements

APPLICANT

Anthony Haag









Existing Parcel



AREA MAP



Existing Parcel







- Existing Parcel
- Existing Driveways
- Proposed Driveway

| Driveway Spacing (400') |          |
|-------------------------|----------|
| Spacing                 | Variance |
| 70' - N                 | 330'     |
| 100' - S                | 300'     |







MINK STREET LOOKING NORTH





MINK STREET LOOKING SOUTH



# STAFF REPORT

## Zoning Map Amendment

Application #: 2019-010-Z  
Meeting Date: August 26, 2019  
Prepared By: Angela Farley, Planner I

Licking Twp. Zoning Commission C/o Dale Wise,  
Chairman

Licking

S.R. 13

APPLICANT/PROPERTY OWNER

TOWNSHIP

ROAD

Zoning Map Amendment

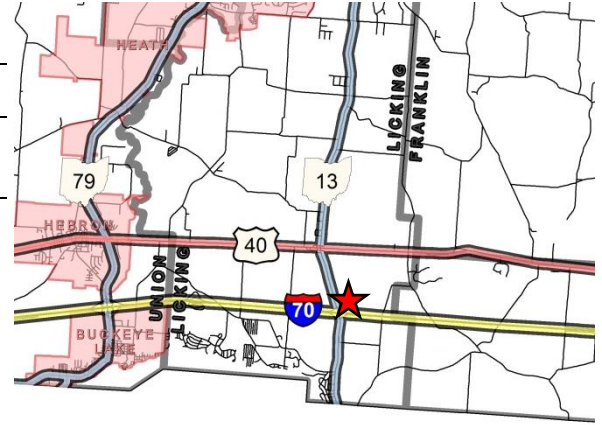
DESCRIPTION

Section 5.06: Submission to County Planning Commission; Section 12.02: Interstate Business District (IB); and Section 13.00: Industrial and Manufacturing District (I).

SECTION / REGULATION

### BRIEF SUMMARY OF REQUEST:

The Licking Township Zoning Commission is requesting a non-binding recommendation from the Licking County Planning Commission Board. The requested recommendation is based upon a zoning map amendment application the township received from Troy Hindel with Zemba Bros, Inc. The applicant is planning to develop part of the 28.97-acre parcel on the northeast side of the Interstate 70, S.R. 13 interchange. The request is to change the zoning district classification on approximately 2.5-acres, within the center of the parcel from Interstate Business (IB) to Industrial and Manufacturing District (I). The purpose of which is to allow for the construction of a "ready-mix batch plant operation" within the rezoned area.



| PERMITTED USES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | CONDITIONAL USES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | COMPREHENSIVE PLAN                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SURROUNDING USES & ZONES                                                                                                                                                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Interstate Business (IB)</b> <ul style="list-style-type: none"> <li>Agriculture</li> <li>Gasoline Filling Station and Service Station</li> <li>Motor Vehicle General Repair</li> <li>Motels</li> <li>Truck Stops with or without restaurants</li> <li>Self-operating truck washes</li> <li>Drive-Thru Restaurants</li> <li>Gift Shops</li> <li>Farm Market</li> <li>Restaurants</li> <li>Shopping Centers</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Interstate Business (IB)</b> <ul style="list-style-type: none"> <li>Special Event</li> <li>Entertainment outdoor-commercial</li> <li>Watercraft and recreational vehicle sales or service</li> <li>Public garages</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Plan</b> <ul style="list-style-type: none"> <li>Licking Township Comprehensive Plan</li> <li>Adopted: 2002</li> </ul> <b>Future Land Use Map</b> <ul style="list-style-type: none"> <li>Future Land Use Map land use designation for the parcel in question is commercial.</li> </ul> <b>Plan Descriptions of Commercial and Manufacturing/Industrial</b> <ul style="list-style-type: none"> <li>See below for descriptions of these land uses from the Licking Township Comprehensive Plan.</li> </ul> | <b>Uses</b> <ul style="list-style-type: none"> <li>Commercial, Office Space, construction Lay-down yard, parking</li> <li>Agriculture</li> </ul> <b>Zoning Districts</b> <ul style="list-style-type: none"> <li>Interstate Business District (IB)</li> <li>Residential District (R)</li> </ul> |
| <b>Industrial and Manufacturing District (I)</b><br><i>Any uses permitted in an "R" district or a "B" district shall be permitted in an "I" district.</i> "B" districts are presumed to include General Business (GB), Interstate Business (IB), and Buckeye Lake Business (BLB). <ul style="list-style-type: none"> <li><i>Any normal industrial or manufacturing use, providing such use is not noxious, dangerous or offensive by reason of emission of odor, dust, smoke, gas, noise, fumes, flames or vibration, except specifically prohibited herein.</i></li> <li>Agriculture</li> <li>Residential</li> <li>Church, school, fire station, etc.</li> <li>Hospital</li> <li>Professional Offices</li> <li>Lodge Hall</li> <li>Gas Station</li> <li>Motor Vehicle and Farm Sales</li> <li>Builder Supply in an enclosed facility</li> <li>Daycare</li> <li>Motels/Hotels</li> <li>Restaurants</li> <li>Marinas</li> </ul> | <b>Industrial and Manufacturing District (I).</b> <i>Any uses permitted in an "R" district or a "B" district shall be permitted in an "I" district.</i> "B" districts are presumed to include General Business (GB), Interstate Business (IB), and Buckeye Lake Business (BLB). <ul style="list-style-type: none"> <li>Golf Course</li> <li>Public Swimming Pool,</li> <li>Nursing Homes</li> <li>Watercraft /Recreational vehicle sales</li> <li>Ag/construction equipment repair</li> <li>Self-storage facility</li> <li>Veterinary Hospital</li> <li>Radio/Television Broadcasting</li> <li>Recreational Vehicle Storage</li> <li>Commercial and Public Entertainment Facilities</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                |

## Staff Recommendation: NON-BINDING RECOMMENDATION OF DENIAL

Staff Recommendation and Basis: To provide the Licking Township Zoning Commission a non-binding recommendation of **DENIAL** for the proposed map amendment (2019-010-Z). The basis for this recommendation is that the proposed zoning map amendment is not in conformance with the Licking Township Comprehensive Plan and good planning practices, and is not compatible with the existing and future land uses in the area.

## PLANNING CONSIDERATIONS

### Situational Conditions:

- Parcel Number:** 041-120090-00.000
- Address:** 10077 Jacksontown Road (S.R. 13)

CWH



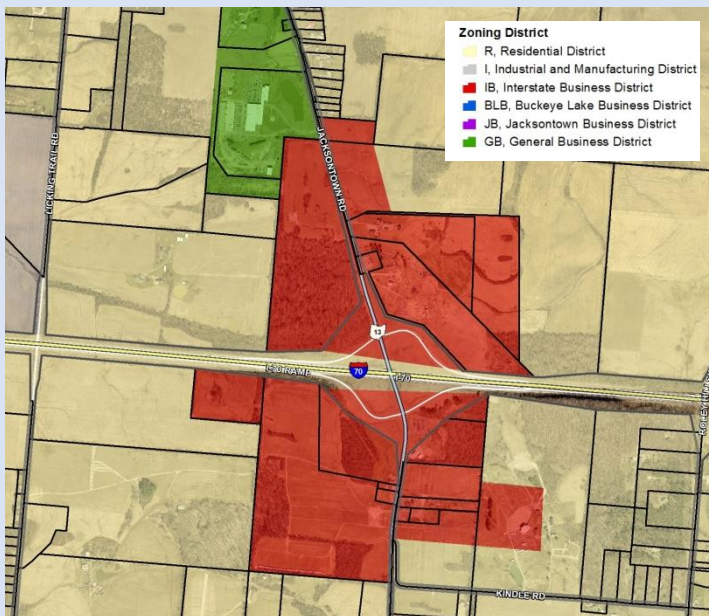


# STAFF REPORT

## Zoning Map Amendment

Application #: 2019-010-Z  
Meeting Date: August 26, 2019  
Prepared By: Angela Farley, Planner I

- **Acres:** 28.97 (2.5-acres +/- proposed to be rezoned)
- **Owner:** SMZ Development Company, LLC
- **Deed Instrument No:** 201801110000792
- **Access/Driveway:** Based on the aerial image, the parcel has two access points on SR 13. One driveway is shared with the old gas/automobile repair station (also owned by SMZ Development Company, LLC). The other access is to the north of the old gas/automobile repair station, also off of SR 13, and is solely on the 28.97-acre parcel.
- **Structures:** The 2.5-acres to be rezoned contains an existing radio tower structure.
- **Use:** Commercial, office space, construction Lay-down yard, and parking.
- **Physical Features of the Land:** The parcel is bounded by SR 13 (Jacksontown Road) to the west, Interstate 70 to the south, and agriculture to the north and east.
- **Floodplain:** This parcel does not contain floodplain.
- **Topography:** Based upon the Licking County contour data, slope in the area proposed to be rezoned is approximately 3.3% to 5%.



### Existing Zoning District:

#### Interstate Business District (IB)

- **Minimum Lot Standards**
  - **Lot Area:** minimum 1.6-acres, exclusive of right-of-way
  - **Lot Width/Frontage:** minimum 200-feet throughout the lot
  - **Setbacks**
    - Front: 50-feet in depth from road right-of-way or

30-feet from the centerline of the road; whichever is a greater distance from the centerline.

- Side: minimum 40-feet
- Rear: minimum 50-feet
- **Structure Height Limit:** 2.5 stories or 35-feet from the top of the first floor joists to the tallest part of the roof
- **Minimum Bulk:**
  - 1,200 SF

### Purpose of IB District

*The purpose of the IB District is to encourage the establishment of the areas for highway business only. This district is specifically designed to serve the motoring public. IB Districts are generally associated with interchange areas along the major limited-access highways of Interstate 70 and SR-13. In part, these regulations are established to support and implement the general business development strategy of the Licking Township Comprehensive Plan, adopted in May 2002.*

### Proposed Zoning District:

#### Industrial and Manufacturing District (I)

- **Minimum Lot Standards**

#### Minimum Lot Standards

- **Lot Area:** None; although the proposed 2.5-acres to be rezoned cannot be split from the parent parcel without road frontage.
- **Lot Width/Frontage:** None
- **Setbacks**
  - None
- **Structure Height Limit:** None
- **Minimum Dwelling Bulk:**
  - None

### Purpose of I District

None specified.

### Comprehensive Plan & Future Land Use Map:

- **Commercial**

Fifty-five percent of the survey respondents do not want any more commercial development in Licking Township at this time. If future commercial development is deemed necessary, it should be concentrated on US 40 and SR 13 between I-70 and Jacksontown.

#### ➤ Local Business

*Local business development should serve general convenience needs of the immediate surrounding area. Such development should be pedestrian in nature and should enhance a*



# STAFF REPORT

## Zoning Map Amendment

Application #: 2019-010-Z  
Meeting Date: August 26, 2019  
Prepared By: Angela Farley, Planner I

*central business district. Parking should be provided in the back of the building, with storefronts close to the street.*

### ➤ **General Business**

General business uses are intended to serve a more regional market area. General commercial business is likely to serve residents of the area as well as persons who are visiting or passing through the area. Commercial development at any location should be of a comprehensive, compact, and unified nature. Strip commercial establishments should be prohibited. Access management principles (such as acceleration and deceleration lanes), landscaping and screening, and design standards should all be considered before any such development is permitted.

### • **Industrial/Manufacturing**

*The purpose of a planned manufacturing area is to encourage the development of manufacturing establishments that are clean, quiet, and free of elements which would create a nuisance or are hazardous (such as noise, vibration, smoke, gas, fumes or other obnoxious conditions). They should also have reasonable access to arterial thoroughfares and have adequate utilities. A township Technical Review Committee should be established to review all new construction projects.*

## PLANNING ANALYSIS

### Access & Roadway:

- Road Classification
  - Jacksontown Road (State Route 13) is an Ohio Department of Transportation ODOT roadway. Therefore, all driveway access points are approved and permitted by ODOT.

### Utilities:

- There are no public water and wastewater utilities at this site to serve the existing or proposed parcels. Therefore, the parcel will be served by on-site septic and well systems.
- As per Kevin Eby, Director of Licking County Water & Wastewater, a water main will be constructed to the ODOT District 5 complex by the end of 2019.
- Also as per Kevin Eby, the sanitary sewer line that was recently installed ends approximately 200-feet north of the lot in question, 850-feet + to the area to be rezoned.
- Water and sanitary sewer lines are or will soon be

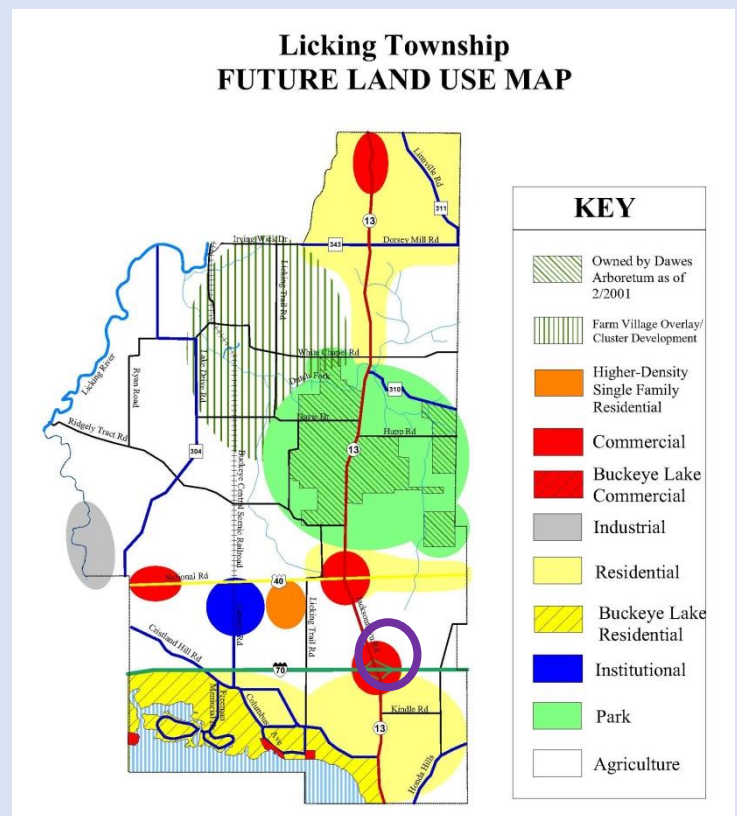
closer than they have ever been to the Interstate 70, State Route 13 interchange, making it an attractive location for future development.

### Compatibility of Zoning Districts:

- With regard to the permitted and conditionally permitted land uses, the Interstate Business District (IB) and the Industrial and Manufacturing District (I) are not likely to be compatible.
- The Interstate Business District outlines a whole host of uses that would cater to the motoring public such as gas stations, hotels, and restaurants.
- The Manufacturing District has virtually no standards and allows for every use in "B" and "R" districts. By allowing for the manufacturing use within and surrounded by Interstate Business, it opens up the area to allow for virtually any use that may end up adjacent to a desired use for the area such as a truck stop.

### Vision of Future Land Use Plan:

- Based on the Licking Township Comprehensive Plan, Future Land Use Map, the LCPC staff believes that the proposed zoning district is not appropriate. The area immediately surrounding the SR 13, Interstate 70 interchange is shown as commercial. The proposed concrete batch plant use is not a commercial element.





# STAFF REPORT

## Zoning Map Amendment

Application #: 2019-010-Z  
Meeting Date: August 26, 2019  
Prepared By: Angela Farley, Planner I

- The proposal is to rezone a 2.5-acre +/- island within the existing Interstate Business zoned land. With utilities inching closer and closer to the parcel (within a few hundred feet of reaching it), there is the possibility of this parcel being developed into a more desirable use that is better suited for an area such as this.
- Staff believes that the proposed district is not in character with the area as this area has more potential for the types of development desired from the comprehensive plan.
- There is also a danger in rezoning a portion of a site that is entirely surrounded by another zoning classification. Not only could this be viewed as spot zoning but, there is no guarantee that the proposed use or any future use will stay within the proposed bounds.
- Should the township approve the rezoning, it sets a new precedent within the area to allow for more rezonings to manufacturing/industrial.
- As per the Licking Township Comprehensive plan, in a rural environment where central water and sewer are not available, the need to properly manage the use of land is critical. The same can be said for a rural area with a central water and sewer system at its doorstep, such as this site. Commercial development, the desire of the township, is much more possible with public utilities being more attainable, as they are here.

### Property Available in Zoning District:

- There are hundreds of acres of undeveloped land zoned for Industrial between Lancer Road, Interstate 70, Licking Trails Road, and U.S. Route 40.

### Staff Recommendations:

- Should the rezoning be permitted by the township, it is recommended that a survey be completed and recorded for the area to be rezoned. Without a described location and boundary, there is the possibility that the area to be rezoned may "float" around on the existing parcel or increase in size. This will not be a lot split but rather, a recording of the area to be rezoned.
- Licking Township should consider revising their manufacturing district to put some standards in place. This will enable a proposed rezoning to manufacturing to be more thoughtfully considered in the future and will limit the possibility of unintentionally allowing for undesirable uses.

ZONING - MAP AMENDMENT

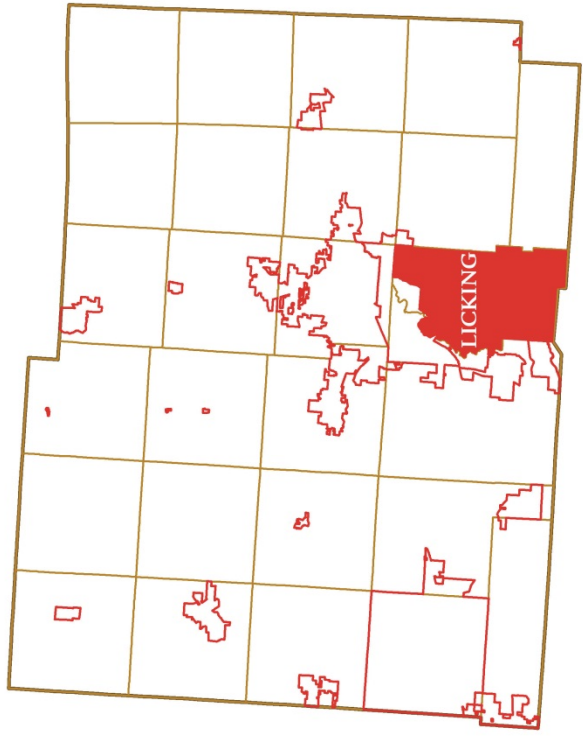
2019-010-Z

Licking Township Zoning Resolution

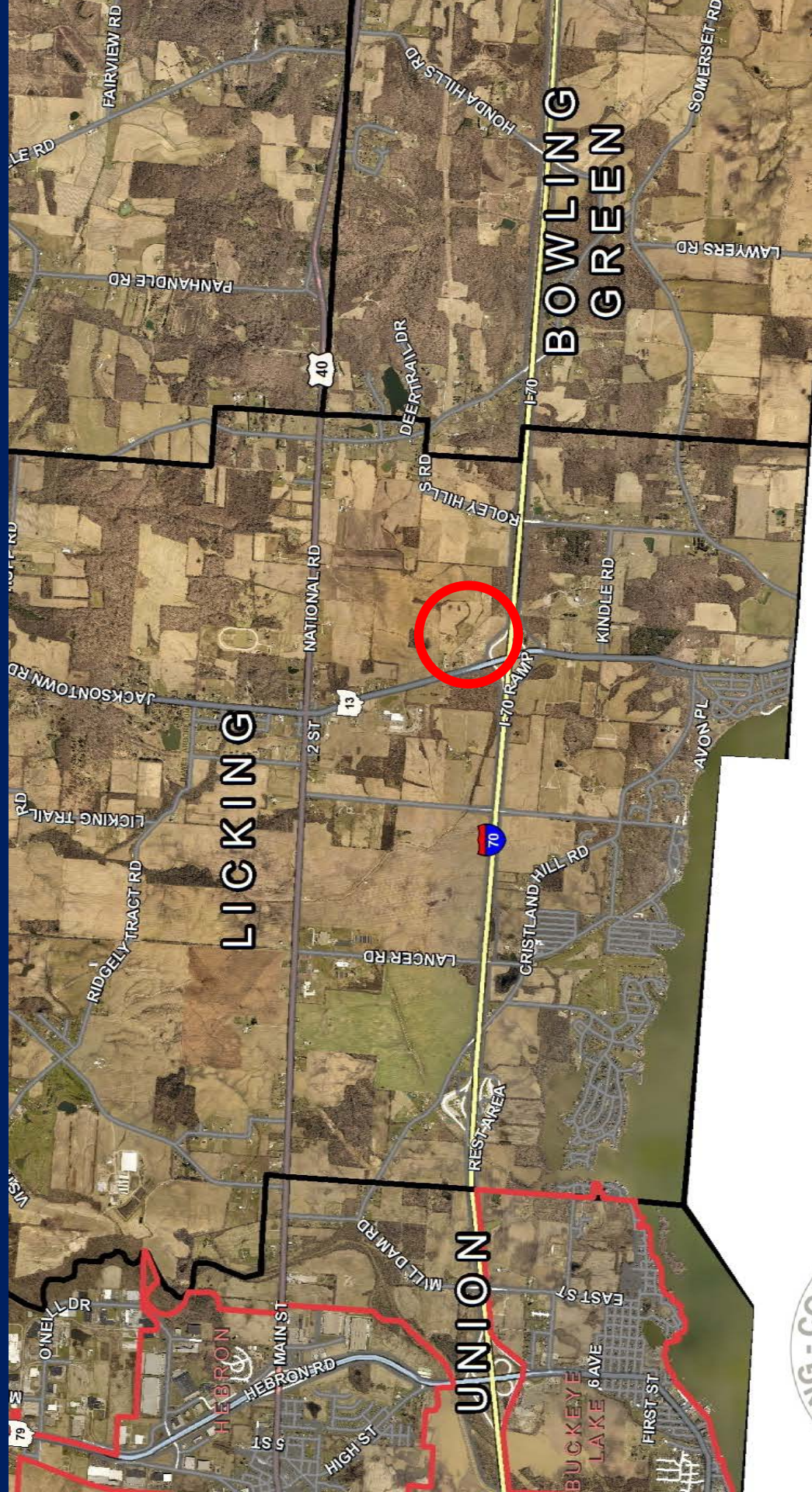
- Interstate Business District (IB) to Industrial and Manufacturing (I)
- 10077 Jacksontown Road

APPLICANT

Licking Twp. Zoning Commission C/o Dale Wise, Chairman

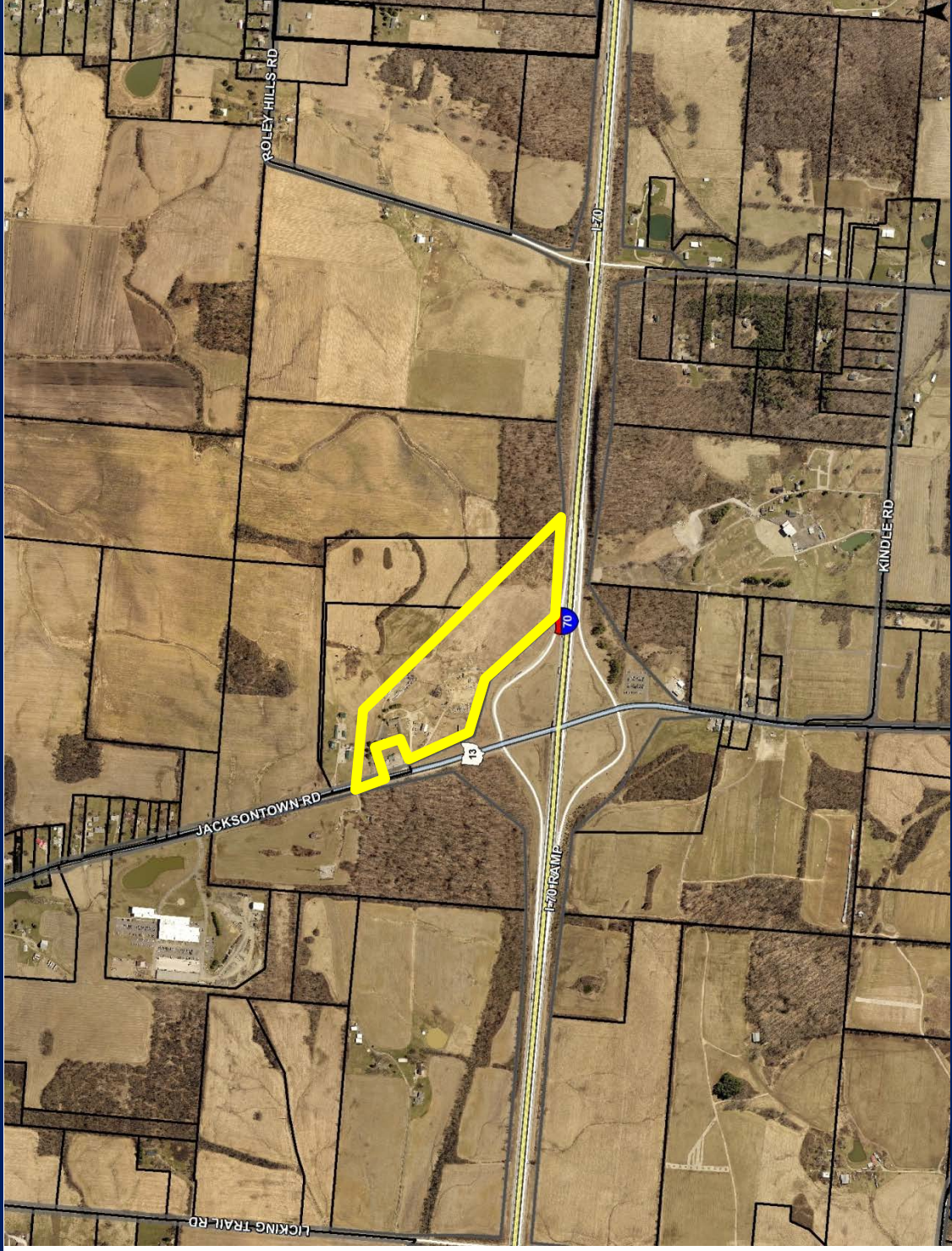








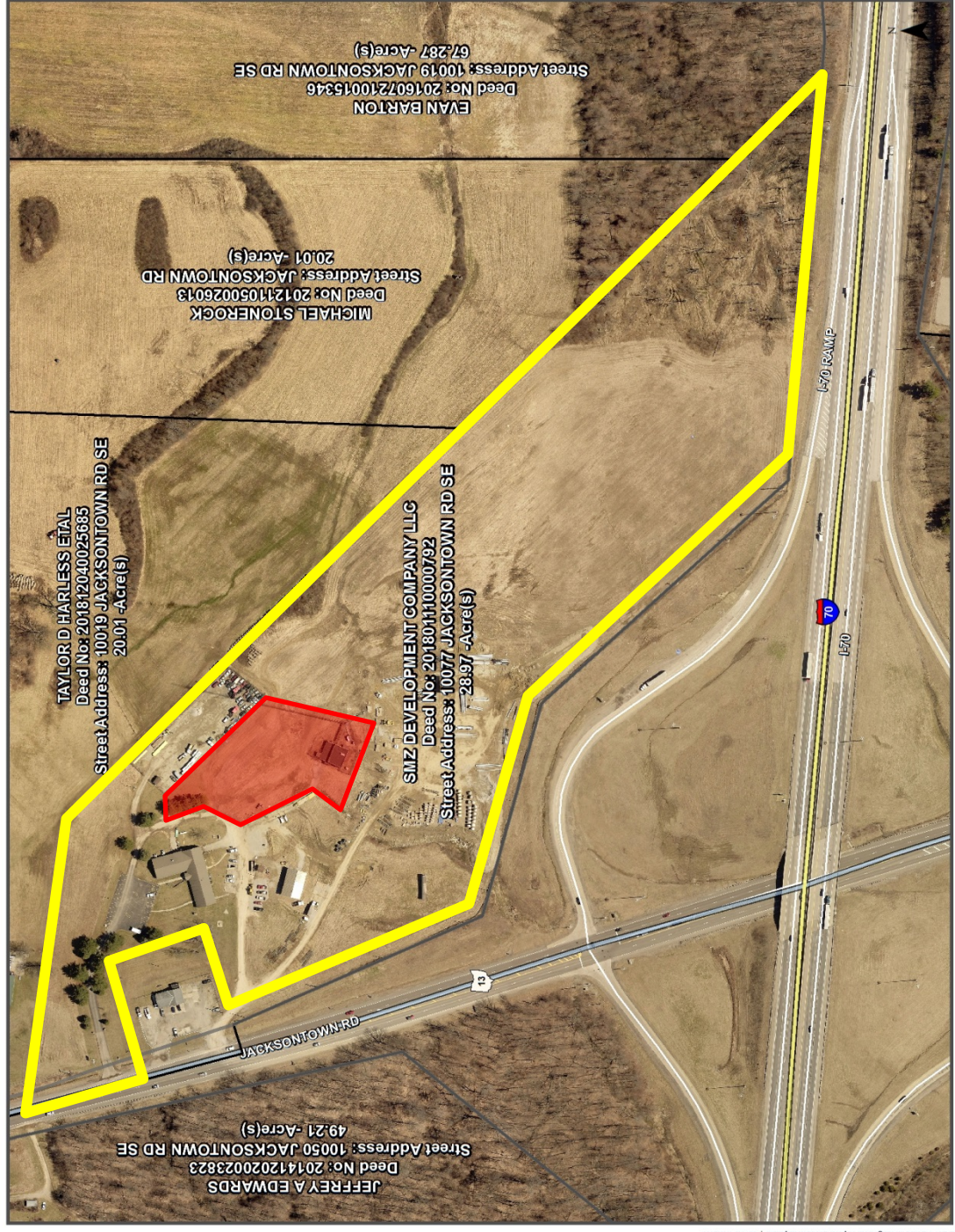
 Existing Parcel



AREA MAP



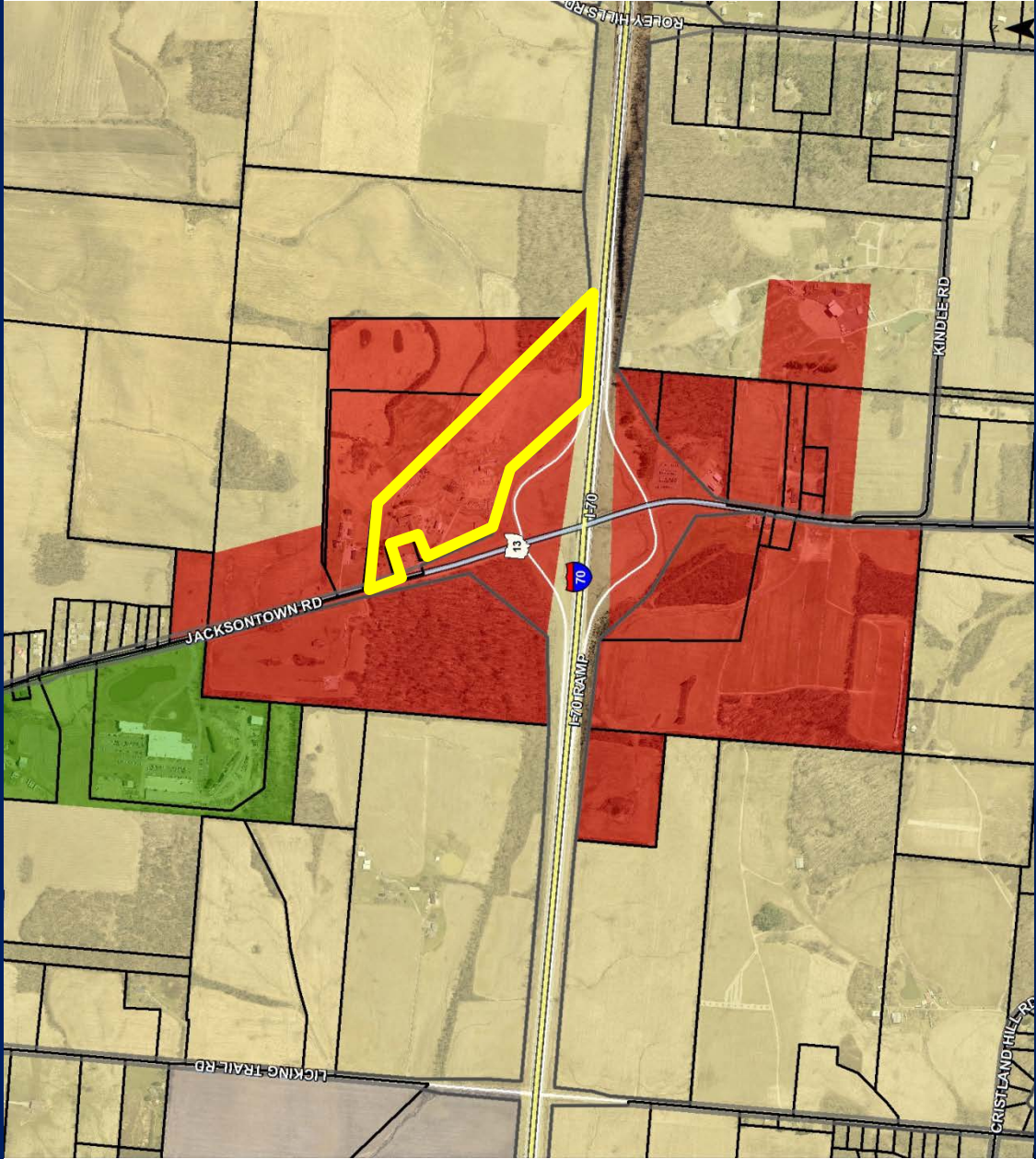
- Existing Parcel
- Proposed To Be Rezoned



SITE MAP

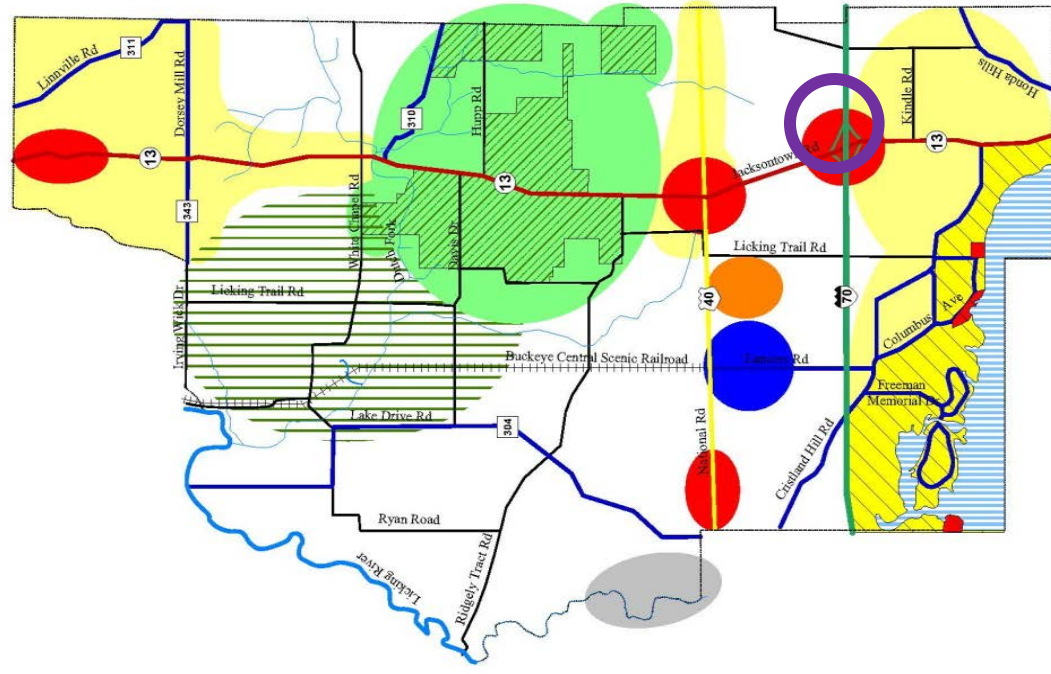


Existing Parcel



ZONING MAP





| KEY |                                          |
|-----|------------------------------------------|
|     | Owned by Dawes Arboretum as of 2/2001    |
|     | Farm Village Overlay/Cluster Development |
|     | Higher-Density Single Family Residential |
|     | Commercial                               |
|     | Buckeye Lake Commercial                  |
|     | Industrial                               |
|     | Residential                              |
|     | Buckeye Lake Residential                 |
|     | Institutional                            |
|     | Park                                     |
|     | Agriculture                              |

 **SUBJECT SITE**

**FUTURE LAND-USE MAP**