

Violet Township Board of Zoning Appeals

February 15, 2018

Ms. Schirtzinger called the meeting to order at 7:30 p.m. and roll was called.

Members present: Mr. Dellinger, Mr. Collins, Mrs. Gillette and Ms. Schirtzinger. Also present were Kelly Sarko, Zoning Inspector and Jenn Huber, Township Legal Counsel were present.

Ms. Schirtzinger swore in those wishing to speak. It was noted for the record that Ms. Sarko had also been sworn in.

Case Number 02-VA-2018

An application for variance filed by Phil Phelps, 7490 Columbus-Lancaster Road, Carroll, Ohio. This application requests a variance from Violet Township Zoning Resolution Section 3A2-02 to allow a lot in the R-1, Single Family Residential District, which contains two acres or more in area to have less than the required frontage and no frontage on a public road or street.

Ms. Schirtzinger informed Mr. Phelps there are only four Board members present. She said that it takes a majority of three members for approval of an application and that a vote of two constitutes a denial of an application. She said the Board can continue the application until next month when there would be five members present. She asked Mr. Phelps if he wished to proceed with the application or if he wanted to continue the application. Mr. Phelps said he wanted to proceed with the application.

Ms. Sarko reported this property is located north of U.S. 33 along a private lane known as the Thorne Addition. Mr. Phelps owns two lots. There is a home on each lot.

Currently, 7480 Columbus-Lancaster Road has 4.16 acres. 7490 Columbus-Lancaster Road has .337 acres. Mr. Phelps is proposing to split a portion of the property from 7480 and tie it to 7490 Columbus-Lancaster Road.

7490 Cols-Lancaster Road will contain 2.740 acres and 7480 Cols-Lanc Road will contain 1 acre.

Per the survey included with the application, each lot will have 101.22 feet of frontage. The proposed 2.740-acre lot will have 101.22 feet of frontage and appears to be 120 feet wide beyond a line 16 feet from the frontage. (The small triangle at the northwest corner of the lot, there is a small triangle that belongs to an adjoining property owner – the triangular shaped parcel is 16 feet deep as measured north to south). Thorne Lane is not a public road. It is a private easement and appears to have been platted in November 1953.

Section 3A2-02 requires the following:

“One single-family dwelling shall be located on each lot which shall contain not less than one hundred (100) feet frontage, except those lots which are located on the termini of cul-de-sacs, which lots must have a minimum of seventy feet frontage (70) and at least one hundred (100) feet of width at the front line, and each lot must contain an area of not less than twenty thousand

(20,000) square feet. For lots that are two acres or more in area, each lot must contain at least one hundred twenty-five feet (125') of frontage and must be at least one hundred twenty-five feet (125') in width at every point measured parallel with the road frontage.

Each such lot shall front upon and have access to an improved, public road or street. Any portion of the lot lying within a public road or street shall not be included as part of the required lot area”.

A variance is required for the new configuration of 7490 Columbus-Lancaster Road

1. It does not have the required frontage (125 feet) for a lot containing 2 or more acres in area.
2. The lot does not front upon an improved public road or street.

Phil Phelps, 7490 Columbus Lancaster Road, Carroll explained the property (7480 Columbus-Lancaster Road) is a rental property. He said the leach bed for his home is on the rental property and he wants the leach bed for his septic system to be on his property.

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Mrs. Gillette asked Mr. Phelps to confirm the leach bed for 7490 is on the property 7480 Columbus-Lancaster Road. Mr. Phelps said that was correct. She asked if 7480 will have its own leach field. Mr. Phelps said it has its own septic and water.

Mr. Dellinger asked if the proposed 2 plus acre property has its own septic system and leach field. Ms. Sarko noted both have their own septic systems. Mr. Dellinger asked if there was a sewer line they would be forced to tie into. Ms. Sarko said there was no sewer line in the area.

Ms. Sarko explained that part of the rental property (the larger tract) will be split off and tied to the smaller tract. She said she refers to it as a lot line adjustment, but the County calls it a split and tie. A discussion ensued among the Board members about the acreages shown on the survey as the acreages did not appear to add up. One document states 4.16 acres and another shows 3.74 acres.

The Board discussed the nonconformity of the rental premises, 7480 Columbus Lancaster Road. Mrs. Gillette asked Mr. Phelps if he wanted to modify his application to include a variance for the lack of frontage/access to a public road or street. Mr. Phelps said yes.

Mrs. Gillette made the motion to approve Case Number 02-VA-2018, an application file by Phil Phelps, 7490 Columbus-Lancaster Road which requests a variance from Violet Township Zoning Resolution Section 3A2-02 to allow less than 125 feet of frontage and no frontage on a public road or street. Additionally, to approve a variance for 7480 Columbus Lancaster Road for no frontage on a public road or street. Mr. Dellinger seconded the motion. Roll call vote: Mrs. Gillette, yes; Mr. Dellinger, yes; Mr. Collins, yes; Ms. Schirtzinger, yes. Motion carried.

Ms. Sarko said she would contact the surveyor who prepared Mr. Phelps survey to inform him of the inconsistency.

Case Number 03-VA-2018

An application for variance filed by Molly Johnson, 12910 Stonecreek Drive, Pickerington for property located at 12910 Stonecreek Drive, owned by the Devore Group. This application requests a variance from the provisions of Violet Township Zoning Resolution Section 3AA4-05(A)(5)(b) to allow a detached accessory building to be placed at the side of the main building.

Ms. Sarko noted the applicant, Mrs. Johnson was not present.

Mr. Dellinger made the motion to continue Case 03-VA-2018 to the March 15, 2018 meeting at 7:30 p.m. at the Violet Township Administrative Offices. Mr. Collins seconded the motion. Roll call vote: Mr. Dellinger, yes; Mr. Collins, yes; Mrs. Gillette, yes; Ms. Schirtzinger, yes. Motion carried.

Mr. Collins made the motion to approve the minutes from the January 18, 2018 meeting. Mrs. Gillette seconded the motion. Roll call vote: Mr. Collins, yes; Mrs. Gillette, yes; Mr. Dellinger, yes; Ms. Schirtzinger, yes. Motion carried.

Mr. Dellinger asked Ms. Sarko about the pond at the southeast corner of the Enclave and noted the water is progressively getting deeper and was concerned if it was functioning properly. Mr. Dellinger stated it appeared the pond was over 10 feet deep and there was no fencing around it to prevent someone from falling in. Ms. Sarko said that she would forward his concerns to the Township Engineer.

Mr. Dellinger reported that he, Thomas and Cathy attended the Zoning Training conducted by Regional Planning Commission and the County Prosecutor's Office on February 6th. He said it was very informative and they discussed agendas, motions and other topics.

Mr. Dellinger made the motion to adjourn the meeting. Mrs. Gillette seconded the motion. Roll call vote: Mr. Dellinger, yes; Mrs. Gillette, yes; Mr. Collins, yes; Ms. Schirtzinger, yes. Meeting adjourned at 8:27 p.m.

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Respectfully submitted,

Don Rector, Secretary

Cathy Schirtzinger, Chair

Date: _____