

Zoning issue gains life of its own

By Scott Rawdon

BALTIMORE – A Chinese puzzle has nothing in complexity over a Liberty Township zoning application, which has gained a life of its own.

Liberty Township Trustee Tim Linkhorn said more people voted to approve the zoning change than deny it, yet for the moment it remains denied. Former township Board of Zoning Appeals clerk Deb Barte asked to change less than an acre of her property to R-1 residential zoning to match the rest of the property. Currently, the property contains multiple zonings. She said previously she has no plans for building on the property any time soon, but the zoning change would unify the property and correct a problem from long ago.

The voting process has been complicated: During an earlier Liberty Township Zoning Commission meeting, two zoning commission members abstained from voting on the change, two voted against it, and one voted in favor. The abstentions caused confusion over whether the zoning commission turned down or approved the R-1 application because there was no majority vote from all the members.

Regardless, the zoning change was presented to the trustees as a recommended denial by the township zoning commission. Overturning a recommendation of the township zoning commission requires a unanimous vote from the trustees.

During the June 2 trustees meeting, Linkhorn and Trustee Nancy Montell voted in favor of Barte's zoning change, and Trustee Ivan Ety voted against the change. Barte's zoning change

remained denied because the trustees' vote was not unanimous.

But, township clerk Dan Alt said the Fairfield County Prosecutor's Office is reviewing the validity of the township zoning commission's denial of Barte's zoning change request because the two abstentions made it impossible for there to be a majority vote.

Linkhorn said Fairfield County Regional Planning Commission, on which he serves as Liberty Township representative, unanimously recommended the zoning change. "Regional planning didn't have a problem with it," he said, however, regional planning's recommendation is not binding to the township.

Adding to the complexity, the minutes from the June 2 trustees meeting say, "Trustee Linkhorn moved to approve regional planning's recommendation of the rezoning of this property from R-R to R-1." Ety mentioned Monday that regional planning's recommendation is not binding to the township and the minutes should not reflect the trustees' vote as representing regional planning's opinion. He suggested re-voting on the issue.

"It was an improper vote as far as I'm concerned," said Ety after the meeting.

The county prosecutor's office will review this issue in addition to the question of the planning commission members' abstentions, and decide whether the trustees should vote again.

Ety said previously that Barte's application for R-1 zoning was turned down several times in the past.

According to the minutes from the June 2 meeting, former trustee

Dave L. Keller stated his objection to Barte's zoning request, saying the entire township should allow one and a half acres as a buildable lot or two acres, but not both. Barte believes Keller's objection to the rezoning is a personal vendetta. "It's a payback," she said, because he was denied a zoning request.

Linkhorn said he believes Keller's zoning request was different than Barte's.

Township Zoning Administrator Tom Spring said the Ohio Township Association informed him the Ohio General Assembly passed a bill, which is sitting on the governor's desk, containing a provision to remove the requirement for trustees to reach a unanimous decision to overturn a zoning commission recommendation. It is effective 90 days after the governor signs it.

In other township news:

- Resident Dempsey Ohlinger, member of the Ohioans for Responsible Rural Development citizen's group, believes he was denied the opportunity to talk to the trustees when he arrived at the meeting after the

citizens' comment period and had not signed the sign-in sheet.

He believes the township BZA improperly charged ORRD \$500 for an application to appeal the

approval of the Roshon Estates--a proposed 100-acre development slated for construction near the intersection of Stoudertown Road

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ATTENTION VILLAGE OF HEBRON RESIDENTS

The Village of Hebron is spraying for mosquitoes at approximately 9 p.m. on Monday evenings until further notice. Anyone with respiratory problems should shut their windows and remain inside during the spraying.

Information on the control agent is available from the village administrator.

Mike McFarland, Administrator

ATTENTION LICKING TOWNSHIP RESIDENTS

Zoning Commission Openings

The Licking Township Board of Trustees is seeking two interested candidates for volunteer positions with the Licking Township Zoning Commission serving as alternate members.

Interested residents may call 740-323-2680 with any questions or to apply, or send a letter of interest to: Licking Township Board of Trustees, P.O. Box 222, Jacksontown, OH 43030. Letters should be received by July 3, 2008. Applicants must be at least 18 years of age, and have resided in Licking Township for at least one year. A person interested in this position should possess good analytical skills and be able to discuss and explain complex issues within a public forum.

Currently, the Licking Township Zoning Commission meets at 6:30 p.m. on the second and fourth Wednesday of each month at the Licking Township Fire Station, 9384 Jacksontown Road. Interested persons are encouraged to attend a Zoning Commission meeting prior to indicating your interest. Alternate members of the Licking Township Zoning Commission receive a \$10 stipend for each attended meeting.

By the Order of the Licking Township Board of Trustees.

Jill Linn, Fiscal Officer

LICKING TOWNSHIP

Fire Prevention Officers

Michael Briggs

740-323-1917

Brian Davis

740-522-1091

Zoning Inspector

Joe Walker

740-323-4350

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Dredging dependent on funding and priorities

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down to "funding and priorities." The state only budgets \$3.7 million for Ohio dredging, period. There are more than 100 Ohio water channels. Since 1997, the state has allocated \$29,000 less per year for dredging. "The point is, we have a limited amount of cash," he said.

In so many words, West said it would be a long time before the state would dredge south of CR 79, if ever. He said he couldn't guarantee a dredge, even if the bridge were removed. It would

cost residents about \$500,000 to dredge it themselves.

Ohio Representative Dan Dodd said the canal would still have sediment issues without dredging, but removing the bridge would solve many problems.

Buckeye Lake Area Civic Association President Merv Bartholow said that if the canal in question were dredged, some residents want an island built from previously dredged mud to be removed as well. As the island deteriorates, it only adds to the sediment in the canal.

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