

Liberty Township, Licking County, Ohio
Board of Zoning Appeals - Public Hearing & Meeting Minutes
March 26, 2026, 7:00 pm

Opening

- Robert Moore called the meeting to order at 7:03 pm, led the Pledge of Allegiance and stated that the meeting was being recorded.
- Melodie Bogantz, Zoning Clerk, took roll call with the following board members answering present: Aaron Jennings, Wendi Zigo, Robert Moore, & Susan Broehl. Alternates Tyler McNutt and MaLisa Spring were also present.
- Robert used a random generator to select MaLisa Spring to fill the open seat.
- Robert asked if there were any corrections or additions to the January 29, 2026 minutes. Hearing none, Robert called for a motion to approve the minutes of the January 29, 2026 meeting.
- **Susan Broehl moved to approve the January 29, 2026 minutes. Aaron Jennings seconded the motion. The motion passed with all YES votes.**
- The minutes were signed by the board.

Business

- Robert stated that the purpose of today's public hearings is for variance 2026-VAR-001 for 7931 Concord Road.
- Robert made sure that everyone had signed in.
- Robert explained the procedures for the public hearings as listed in the agenda.
- Robert swore in all who wished to speak including Woody Fox, Liberty Township Zoning Inspector.

Public Hearing for 2026-VAR-001

- **Wendi Zigo motioned to open the public hearing. Aaron Jennings seconded the motion. The motion passed with all YES votes.**
- Robert stated that the public hearing was advertised on-line and on the Administration Building door on 3/15/2026 and letters were sent to buffer property owners on 3/11/2026.
- Robert read a large portion on the application.
- The applicant, Martin Olsen did not wish to speak.
- Woody Fox, gave testimony stating the constraints of the land.
- Braden Hubbard, Martin Olsen's builder, spoke to the requested variance and the structure that the owner wants.
- The following township residents spoke to the requested variance:
 - Darren Priest of 7871 Concord Road

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- Russ Radigan of 5963 Smaller Road
- Braden Hubbard spoke to the size of the lot and the division of the land
- Martin Olson was sworn in and spoke to his application
- Melodie noted for the record that Robert read the original application and that the updated application does not call the accessory building an ADU.
- Braden Hubbard informed the Board of what an ADU is.
- Julie Donnan, township's legal counsel, asked the applicant for clarity on whether the building would be used as a dwelling unit.
- Martin Olson stated that the building requested would not be a dwelling.
- Julie Donnan explained to the Board that if the structure were to be approved and a future owner were to attempt to use the structure as a dwelling unit or an ADU, it would be considered to be a zoning violation and the Township could proceed with the zoning violation process.
- Russ Radigan asked if the accessory structure would have its own power and water and was told by Martin Olson that it would share water, sewer and electric with the house.
- Robert asked the building & owner about flooding since the building would be in the flood plain.
- Other questions were asked by the board and answered by the applicant and builder.
- The builder stated that the last photo in the original application was for inspiration only, not a what the building would actually look like.
- Woody spoke to the issue of the home being within the setback stating that it was a non-conforming lot with the house's location being non-conforming. He also stated that the zoning resolution requires only one dwelling per lot.
- It was also stated that the setback required by the zoning resolution is 100 feet and the applicant is requesting a 71 feet setback.
- **Aaron Jennings made a motion to close the public hearing at 7:34. Wendi Zigo seconded the motion. The motion passed with all YES votes.**

Decision for 2026-VAR-001

- **Susan Broehl made a motion to go into private deliberation with legal counsel at 7:34 pm. MaLisa Spring seconded the motion. The motion passed with all YES votes.**
- **Wendi Zigo made a motion to return from private deliberation at 7:58 pm. Aaron Jennings seconded the motion. The motion passed with all YES votes**
- Robert Moore stated that in considering an application for an area variance, the Board of Zoning Appeals uses a set of factors that are weighed and considered in determining

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whether the applicant has encountered practical difficulties in the use of the property. These factors include: (listed with the board's consensus on the factor)

1. Can there be any beneficial use of the property without the variance? The consensus of the board is YES.
 2. Is the variance substantial? The consensus of the board is YES.
 3. Will the essential character of the neighborhood be substantially altered, or will adjoining properties suffer a substantial detriment, because of the variance? The consensus of the board is NO.
 4. Will the variance negatively affect the delivery of governmental services (e.g., safety services, water, sewer, garbage)? The consensus of the board is YES.
 5. Did the property owner purchase the property with knowledge of, or were they on notice of, the zoning restriction? The consensus of the board is YES.
 6. Can the property owner's issue be alleviated without needing a variance? The consensus of the board is YES.
 7. For the zoning requirement seeking to be varied from, will the spirit and intent be observed, and substantial justice done, by granting the variance? The consensus of the board is NO.
- **Based on these factors, Robert Moore made a motion to deny Case No. 2026-VAR-001, for property located at 7931 Concord Road, seeking a variance from the provisions of the Liberty Township Zoning Resolution to allow an accessory structure to be built with a 71 foot setback along Smaller Road because there is beneficial use of the property without the variance, the variance is substantial, and there are other ways to alleviate the issue without the variance. Aaron Jennings seconded the motion. Robert asked if there was any discussion, hearing none, the motion passed with all YES votes.**
 - Robert stated that those in the audience were welcome to leave, if they'd like, or they could stay as the board discusses other business.

Closing

- The board discussed modifying the regularly scheduled regular month meetings as the third Thursday of the month is very busy for the township's legal counsel and it would be hard for them to attend the meetings.
- The board discussed other possible dates with the conclusion being the fourth Thursday of the month as the best day even though the meeting is highly likely to need to be rescheduled around Thanksgiving and Christmas.
- **Robert Moore made a motion for the BZA to have regularly scheduled meetings on the fourth Thursday of every month at 7:00 pm. At these meetings the BZA will**

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hear cases with verified complete applications received by the end of business on the last business day of the previous month. If there are no applications, the meeting will be cancelled. Wendi seconded the motion. The motion passed with all YES votes.

- Aaron Jennings made a motion to adjourn the meeting. Susan Broehl seconded the motion. The motion passed with all YES votes.
- The meeting was adjourned at 8:05 pm.

Approval

Approval of the minutes from the March 26, 2026, meeting of the Zoning Board of Appeals:

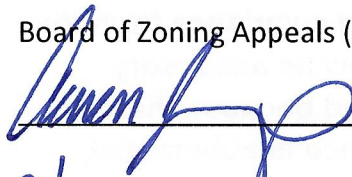
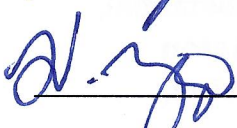
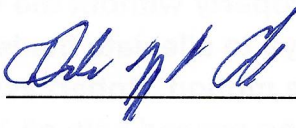
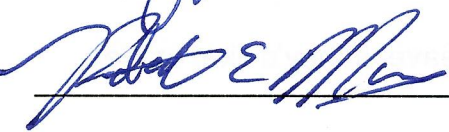
Zoning Clerk:



Date:

6/25/26

Board of Zoning Appeals (signatures and date):

<u></u>	<u>6/25/26</u>	<u>Susan Broehl</u>	<u>6/25/26</u>
<u></u>	<u>6/25/26</u>	<u></u>	<u>6-25-26</u>
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