

GRANVILLE VILLAGE COUNCIL
AGENDA
January 3, 2024
7:30 P.M.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **CITIZENS COMMENTS**
6. **OLD BUSINESS**
 - A. **APPEAL HEARING DELIBERATION** FOR THE OCTOBER 12, 2023 DECISION OF THE BOARD OF ZONING AND BUILDING APPEALS TO GRANT A CONDITIONAL USE PERMIT FOR 228 EAST ELM STREET AS A SHORT-TERM RENTAL
7. **NEW BUSINESS**
 - A. **RESOLUTION NO. 2024-01** A RESOLUTION TO AWARD THE BID FOR THE BRYN DU BARN RENOVATION PROJECT TO ROBERTSON CONSTRUCTION SERVICES, INC AND TO AUTHORIZE THE VILLAGE MANAGER TO ENTER INTO A CONTRACT THERETO
 - B. **RESOLUTION NO. 2024-02** A RESOLUTION TO AUTHORIZE THE VILLAGE MANAGER TO ADVERTISE FOR BIDS FOR VARIOUS VILLAGE PROJECTS AND ITEMS THROUGHOUT THE YEAR 2024
 - C. **RESOLUTION NO. 2024-03** A RESOLUTION TO APPOINT MEMBERS TO VARIOUS BOARDS, COMMISSIONS AND COMMITTEES ESTABLISHED PURSUANT TO THE CHARTER OF THE VILLAGE OF GRANVILLE AND THE OHIO REVISED CODE
 - D. **ORDINANCE NO. 01-2024** AN ORDINANCE ADOPTING THE PERMANENT ZONING OF INSTITUTIONAL DISTRICT (ID) FOR THE PROPERTY OWNED BY DENISON UNIVERSITY THAT IS APPROXIMATELY 31.317 +/- ACRES LOCATED ALONG NEW BURG STREET

8. REVIEW AND APPROVAL OF MINUTES

Minutes from the Village Council Meeting of December 20, 2023

9. COMMITTEE / COMMISSION / BOARD REPORTS

Granville Community Foundation (Olbur)

Granville Recreation District (Johnson)

Planning Commission (Mickelson)

Granville Arts Commission (Keethler Ball)

Bryn Du Commission (Demarest)

Open Space Committee (Mickelson)

Tree & Landscape Commission (Koehler)

Union Cemetery (Koehler)

Environmental Sustainability Committee (Mickelson)

10. OTHER COUNCIL MATTERS

11. OTHER STAFF MATTERS

12. MEETING ANNOUNCEMENTS

January 8	Planning Commission	6:00 P.M.
January 9	Tree & Landscape	7:00 P.M.
January 11	BZBA Meeting	5:30 P.M.
January 15	Arts Commission	7:00 P.M.
January 17	Council Meeting	7:30 P.M.
January 22	Planning Commission	6:00 P.M.
January 25	Bryn Du Commission	7:00 P.M.

13. EXECUTIVE SESSION- Pursuant to O.R.C. 121.22(G) (3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

14. ADJOURNMENT



Application No. 2023-177
Permit No. _____

Conditional Use Application

Date Received: _____

Hearing Date: 9/14/23 ^{tabled} → 10/12/23

The applicant shall submit a copy of this form, along with other required supplementary materials, to the Village of Granville Planning & Development Department. Conditional uses shall be allowable only upon review and approval by the Board of Zoning and Building Appeals as exceptions to the strict application of this Zoning Ordinance. Because of the uniqueness or special nature of a conditional use with respect to location, design, size and method of operation, each such use that comes before the review of the Board shall be considered individually.

- 1) Name of Applicant or Agent Ryan Hottle and Sarah Straley
Address 228 E Elm St., Granville
Telephone (Home) (740) 258-8450 Ryan; (630) 621-5156 Sarah (Business) _____
(Fax) _____ (Email) ry.hottle@gmail.com; thesarahstraley@gmail.com
- 2) Name of Property Owner Ryan Hottle and Sarah Straley
Address same as above
Telephone (Home) _____ (Business) _____
(Fax) _____ (Email) _____
- 3) Location/Address of Property 228 E Elm St.
- 4) Existing Zoning District Village Residential District
- 5) Existing Use of Property Single-family Home
- 6) Nature of Conditional Use Requested (Please address ALL criteria of Chapter 1145.03. If more space is necessary, please attach a piece of paper): _____
Ryan Hottle and Sarah Straley request a short-term rental permit for their property at 228 E Elm St.
The home will be rented temporarily until Ryan and Sarah move their family to Granville.
They will co-host the short term rental with their neighbors and parents, Vee and Larry Hottle,
who are long-time residents of Granville. They are in good standing with the village and will keep a close eye on the rental's guests.
- 9) Such additional information as may be required by the Zoning Ordinance or requested by the Board of Zoning and Building Appeals to review the application.

Ryan Hottle & Sarah Straley
Signature of Property Owner or Applicant

8.29.23
Date

*If the applicant is not the property owner, a separate letter will need to be submitted indicating that the property owner is aware of and approves of the conditional use requested for their property.

I certify that the information and facts provided on and with this application are true and correct.

Ryan Hottle and Sarah Straley

8.29.23

Applicant

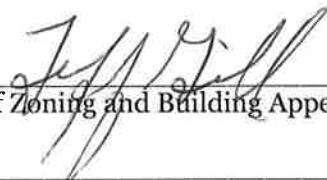
Date

(To be completed by the Planning & Development Department)

Approved _____ Disapproved _____

Conditions _____

Date of Decision _____


Board of Zoning and Building Appeals Chairperson

10-12-23
Date

Director, Planning & Development

Date

Village Manager

Date

Conditional Use Permit Fee \$ _____

Date Paid _____

Receipt # _____

Postage & Advertising Fee \$ _____

Date Paid _____

Receipt # _____

CHAPTER 1145
Conditional Uses

<p>1145.01 Purpose.</p> <p>1145.02 Application procedure.</p>	<p>1145.03 Criteria for approval.</p> <p>1145.04 Review procedure.</p>
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CROSS REFERENCES

Defined - see P. & Z. 1135.01

Approval by Board of Zoning and Building Appeals

Commission - see P. & Z. 1139.04

1145.01 PURPOSE.

Certain uses more intensely affect the surrounding area in which they are located than permitted uses in the same zoning district, and yet if properly controlled and regulated, these uses can be compatible within the zoning district. To provide this necessary control, such uses shall be designated as conditional uses and allowable only upon review and approval by the Board of Zoning and Building Appeals as exceptions to the strict application of this Zoning Ordinance. Because of the uniqueness or special nature of a conditional use with respect to location, design, size and method of operation, each such use that comes before the review of the Board shall be considered individually.

1145.02 APPLICATION PROCEDURE.

(a) Application Fee. The applicant shall pay a fee sufficient to cover costs of administration, advertising, review, publishing and reporting of the case, as established by the current ordinance.

- (b) Contents of Application. The application must include the following:
- (1) Name, address and phone number of applicant(s); names and signatures of property owner(s) or designee.
 - (2) The address and legal description of the property in question.
 - (3) Description of existing uses of all parts of the lot or property; proposed conditional use or other change and the present zoning district in which the current use is located; the provisions of the Zoning Ordinance which are applicable.

- (4) A statement of the relationship of the proposed use to adjacent land use in terms of traffic, parking, noise and other nuisances and general compatibility.
- (5) A statement responding to the criteria for approval of such application.
- (6) A list of property owners within 200 feet of the property on which the conditional use is to be considered, taken from a current County Auditor tax list or the County Treasurer's mailing list.
- (7) Eight copies of the plot plan showing:
 - i. Boundaries and dimensions of the lot and the size and location of all proposed or existing structures. The application shall also include a map which shows all adjacent properties, including zones, with the approximate location of existing structures.
 - ii. Traffic access, traffic circulation, existing and proposed utilities, parking, tree locations, landscaping, signs, refuse and service areas and other such information relevant to the proposed use.
 - iii. The nature of any special conditions or circumstances.
- (8) Such additional information as may be required by this Zoning Ordinance or requested by the Board of Zoning and Building Appeals to review the application.

1145.03 CRITERIA FOR APPROVAL.

The Board of Zoning and Building Appeals shall make the following determinations with respect to an application for a conditional use permit:

- (a) The proposed use is a conditional use within the zoning district and the applicable development standards of this Zoning Ordinance are met.
- (b) The proposed use is in accordance with all current land use and transportation plans for the area and is compatible with any existing land use on the same parcel.
- (c) The proposed use will not create an undue burden on public facilities and services such as streets, utilities, schools and refuse disposal.
- (d) The proposed use will not be detrimental or disturbing to existing neighboring uses, and will not entail a use, structure or condition of operation that constitutes a nuisance or hazard to any persons or property.
- (e) The proposed use will not significantly diminish or impair established property values within the surrounding areas.
(Ord. 15-08. Passed 1-7-09.)

1145.04 GENERAL PROCEDURE.

- (a) Please refer to Chapter 1139 for the review procedure.

(b) Issuance of Conditional Use Permit. Upon approval of the Board of Zoning and Building Appeals, and with such conditions attached by the Board as may be necessary to secure the objectives of this Zoning Ordinance, to protect the character of the surrounding properties and neighborhood affected by the proposed use, and to mitigate the impact of the use, the Zoning Inspector shall issue a conditional use permit to the applicant. Such permit shall authorize one particular conditional use and such permit shall automatically expire if, for any reason, the conditional use shall not be commenced within one (1) year or, if construction or renovation is included as part of such conditional use, such construction or renovation is not begun within two years. Such permit shall expire if a conditional use is discontinued for more than two years.

(c) In approving a conditional use permit, the conditions imposed by the Board may include, but shall not be limited to, the following requirements or conditions;

- (1) Regulation of locations, setbacks, yard requirements, and configurations of structures and of uses of interior and exterior space, including a condition that any such requirements be greater than the minimum regulations required by this Zoning Code;
- (2) Off-street parking requirements be greater than the minimum required by this Zoning Ordinance or other applicable Ordinances, including conditions relating to access points and traffic management provisions, or other provisions that impact vehicular and pedestrian access, and the locations and design of parking facilities, and that parking areas and other parts of the lot be screened from adjoining lots or from the street by walls, fences, trees, shrubs or other planting, or other devices;
- (3) Exterior features or the appearance of any structure be modified, the structures be cleaned and painted, and the direction and intensity of outdoor lighting or signs be changed, or other requirements relating to maintenance of the site, the structures thereon, and landscaping;
- (4) The size, number of occupants, method and times of operation, and extent of the facilities be limited;
- (5) Actions be taken to control or eliminate smoke, dust, radiation, vibration, gas, noise, or odor.

(d) Appeals. Appeals from the decisions of the Board of Zoning and Building Appeals may be had as provided in Chapter 1139.
(Ord. 15-08. Passed 1-7-09.)



Board of Zoning and Building Appeals
September 14th, 2023

Finding of Fact:
228 East Elm Street
VRD/AROD
Conditional Use Permit – Short Term Rental

Sarah Straley and Ryan Hottle
Applicant Name

#2023-177
Application Number

228 East Elm Street
Address of Property Affected

September 14, 2023 at 5:30 pm
Date and Time of Meeting

As above
Mailing Address (If Different Than Address of Affected Property)

Request: The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a short-term rental. The property is zoned Village Residential District (VRD), and is located within the Architectural Review Overlay District (AROD).

Findings: The Board of Zoning & Building Appeals found the request to be consistent with The Granville Codified Ordinance referencing Chapter 1159, Village Residential District (VRD); Chapter 1182, Short-Term Rental Operations; and Chapter 1145, Conditional Uses and hereby gives their approval of the application, as indicated below.

Standards and Criteria: See attached information

Voting on Application:

Motion: Table the application as presented in order to hear further testimony & to clarify various topics with legal counsel

Moved: Menzer

Seconded: Kemper

Yeas: 4

Nays: 1



Board of Zoning and Building Appeals
September 14th, 2023

Board Chair, Jeff Gill

Board Vice-Chair, Neal Zimmers

Board Member, Larry Burge

Board Member, Kenneth Kemper

Board Member, Drew Menzer

Application #2023-177;



Board of Zoning and Building Appeals
September 14th, 2023

228 East Elm Street
VRD & AROD
Conditional Use Permit

- Applicant:** Sarah Straley and Ryan Hottle
139 E Jeffrey Place
Columbus, Ohio 43214
- Property Location:** The property is located at 228 East Elm Street and is zoned Village Residential District (VRD), and is located within the Architectural Review Overlay District (AROD).
- Request:** The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a short-term rental.
- Staff Review:** Listed below, referencing Chapter 1159, Village Residential District (VRD); Chapter 1182, Short-Term Rental Operations; and Chapter 1145, Conditional Uses.

- 1) 1159.02 Permitted and Conditional Uses.
- (a) *Permitted Uses.*
 - (1) *Single-family dwellings and accessory uses incidental thereto, such as garages.*
 - (b) *Conditional Uses.*
 - (1) *Clubs, sororities, fraternities, lodges and meeting places for other organizations, not including any use that is customarily conducted as a gainful business.*
 - (2) *Home Occupations.*
 - (3) *Nonprofit educational civic, religious, and social uses which serve and are compatible with other permitted uses in this District.*
(Ord. 15-08. Passed 1-7-09.)

Applicant's property is currently a single-family dwelling. Applicant is requesting a Conditional Use Permit to utilize the property as a short-term rental. Refer to Section 1182.03 below for short-term rental requirements.



Board of Zoning and Building Appeals

September 14th, 2023

- 2) Chapter 1182, Short Term Rental Operations (Ord. 24-20. Passed 1-6-21.)

Section 1182.03, Zoning Districts; Density; Limitations.

Short-term rental operations shall be permitted only in the following Zoning Districts, and with the density and use limitations set forth below.

No short-term rental operation shall be conducted in any accessory building.

(c) *Village Residential District*

- (1) *Short-term rental operation is a Conditional Use in the Village Residential District, and subject to the provisions of Chapter 1145 of the Planning and Zoning Code in addition to the provisions of this chapter. **Applicant is applying for a Conditional Use Permit to utilize the property as a short-term rental operation, meeting this requirement as the property is zoned VRD.***
- (2) *A short-term rental property in the Village Residential District shall have a short-term rental host whose primary residence is located in the Village of Granville or Granville Township. **The host will be the applicant's parents who reside within the Village, in the property directly to the West of the proposed short-term rental.***
- (3) *A short-term rental operation in the Village Residential District shall not be configured so as to convert a conforming single-family dwelling into a non-conforming two-family or multi-family dwelling. **Applicant's property is an existing single-family dwelling. It is not the intent of the Applicant to convert the existing structure into a two or multi-family dwelling.***
- (4) *Subject to the grandfathering/phase-in provisions of this chapter, the number of short-term rental properties in the Village Residential District shall not exceed five percent (5%) of the total number of residential properties in the Village Residential District. **According to documents created by the Village's previous Planning and Development Director, Darryll Wolnik, there is one (1) existing permitted short-term rental within the Village Residential District. Current code allows for five percent (5%), of residential properties, or 15 (fifteen) homes to be utilized as short-term rentals. Should this Conditional Use be viewed favorably and gain approval, it will be the second approved in the VRD, leaving 13 available spots for short-term rentals.***

Planners note: Planning Staff is aware there are a number of unpermitted short-term rentals in the district. Staff is working



Board of Zoning and Building Appeals
September 14th, 2023

to calculate the current number of existing short-term rentals in the Village, both permitted and unpermitted.

3) Section 1145.03, Criteria for Approval.

The Board of Zoning and Building Appeals shall make the following determinations with respect to an application for a conditional use permit:

- (a) *The proposed use is a conditional use within the zoning district and the applicable development standards of this Zoning Ordinance are met. **As indicated above under Items 1 and 2, the proposed use is a conditional use within the Village Residential District (VRD), per Chapter 1182.03(c).***
- (b) *The proposed use is in accordance with all current land use and transportation plans for the area and is compatible with any existing land use on the same parcel. **As presented, the intended use is in accordance with all current land use and transportation plans for the location.***
- (c) *The proposed use will not create an undue burden on public facilities and services such as streets, utilities, schools and refuse disposal. **The proposed use will not increase the burden on public utilities, streets, schools or refuse disposal as the use will remain analogous to the property's historic use.***
- (d) *The proposed use will not be detrimental or disturbing to existing neighboring uses, and will not entail a use, structure or condition of operation that constitutes a nuisance or hazard to any persons or property. **The proposed use is in keeping with prior use of the property, and should not be found detrimental or disturbing to the existing neighborhood; please refer to Applicant's provided narrative.***
- (e) *The proposed use will not significantly diminish or impair established property values within the surrounding areas. (Ord. 15-08. Passed 1-7-09.) **The proposed short-term rental use will be operated in a way as to not significantly diminish or impair established property values within the surrounding area; please refer to Applicant's provided narrative.***

4) Staff Comments:

The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a short-term rental. The proposed Conditional Use meets all applicable Village Zoning Code requirements.



Board of Zoning and Building Appeals
September 14th, 2023

If approved, the Conditional Use will allow the Applicant to pursue the required Short-Term Rental Permit through the Planning Department in accordance with the recently adopted Chapter 1182, Short-Term Rental Operations, Staff has provided a copy of Chapter 1182 for your reference.

Dear Neighbors,

In reference to a letter from the Village of Granville Planning Department dated September 1, 2023, we would like to share that we are delighted to have recently purchased our new home at 228 East Elm Street from our dear friend Margaret Gjessing, whom we've known for over 30 years. The timing may not have been perfect, but the allure of buying a home next to my childhood home, alongside my parents, Larry and Vee, was an opportunity too precious to let go.



Our 4-year-old son, Bodhi, will be next door to his Mimi and Papa. The thought of him attending Granville Elementary in a few years, growing up surrounded by family and the same nurturing community that shaped me, is truly heartwarming. Our older son, Gram, is a freshman at Worthington High School and we would like to keep him in this school district. Once he graduates high school, our plan is to move into 228 East Elm Street and make it our primary residence.

We cherish this neighborhood and, until we settle down here, we see the merit in using our property as an AirBnB. We are committed to being very particular about who we allow to stay. We intend to observe strict quiet hours between 9 pm and 8 am and will only accept guests with 4–5-star reviews, ensuring that the peace and tranquility of the neighborhood are preserved. This venture not only helps offset some of the costs associated with homeownership but also allows us to block out time for frequent visits. These visits ensure that the house remains in tip-top shape and gives us the opportunity to continue ongoing restoration and improvements. We are dedicated to continually renovating and enhancing the property, which we believe will not only benefit us, but will also elevate the overall property values in the area. Plus, it provides a cozy haven for our families, including my brother's family, to create memorable reunions.

Both my mom, Vee Hottle, and my wife Sarah will serve as vigilant co-hosts. Their proximity, with Vee living next door at 224 East Elm Street, guarantees immediate resolution of any issues. This will ensure that our guests and neighbors coexist harmoniously.

We've invested our hearts, time, and resources into this home — from refinishing the wood floors and updating the interiors to planning landscaping projects for the fall.

If you have any thoughts, concerns, or just wish to share a cup of coffee, we're here. We genuinely look forward to getting to know each one of you better.

With warm regards,

Ryan Hottle and Sarah Straley Hottle

September 7, 2023

To: Board of Zoning and Building Appeals

From: Keith G. McWalter, 223 East Elm Street, Granville

Re: 228 East Elm Street; Application #2023-177 for a Conditional Use Permit by Ryan Hottle and Sarah Straley

Dear Board Members,

My wife and I have lived in our home at 223 East Elm Street for the last 15 years, and as we will be unable to attend the hearing on September 14, we submit this letter in opposition to the granting of a Conditional Use Permit for the use of the house at 228 East Elm Street as a short-term rental.

The relevant Village ordinance states, in Section 1182.0, that “Maintenance of Granville’s existing residential neighborhoods is essential to its continued vitality and economic strength,” and that the purpose of the ordinance is to “minimize adverse impacts of the transient and semi-commercial character of short-term rental operations on adjacent residential uses.”

While we have no doubt of the good intentions of the applicants, who are relatives of existing neighbors on East Elm Street, the problem with any short-term rental of a multi-bedroom house is that “adverse impacts” to the surrounding homeowners are hard to predict, let alone control. We’ve all read and heard about formerly beautiful residential neighborhoods that have been turned into Airbnb ghettos by the conversion of former family residences into short-term rental properties, and though the ordinance reflects a valiant attempt to limit these impacts by requiring local management and monitoring police “calls for service,” no amount of pre-screening or after-the-fact police response can eliminate the chance of unneighborly behavior for a night, a week, or a month on the part of transient occupants potentially drawn from online platforms.

And there is no need to venture down that slippery slope on a block that already has an apartment house on one end (203 East Elm), a grandfathered bed-and-breakfast in the middle (221 East Elm), and is saddled with serving as a bypass for traffic avoiding Broadway en route to Route 661. Put differently, if the permit were granted, over 25% of the properties on our block would be permitted for other than single-family residential use.

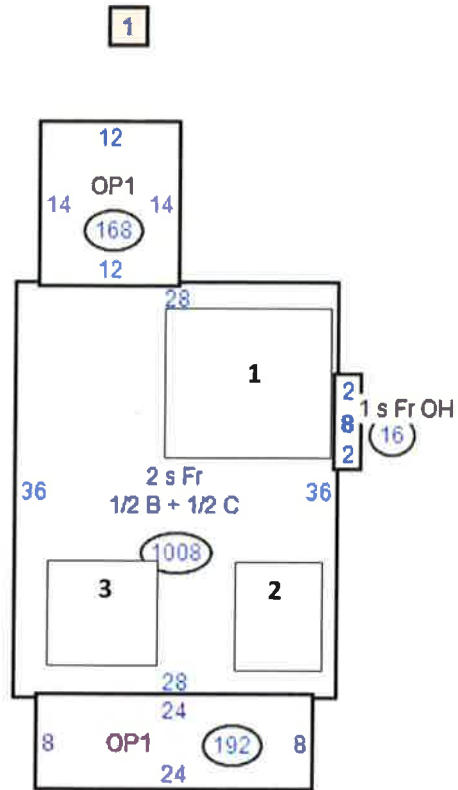
Of the criteria for approval or disapproval of a Conditional Use Permit, two stand out in their relevance to this case: “(d) The proposed use will not be detrimental or disturbing to existing neighboring uses”; and “(e) The proposed use will not significantly diminish or impair established property values within the surrounding areas.”

We submit that neither of these criteria can be definitively established to have been met in this case, and we therefore urge the Board to decline the application.

Very truly yours,


Keith and Courtney McWalter

Floor Plan – 228 E Elm St.



There are three bedrooms and one full bath on the second floor. Each bedroom will have a king bed. All three bedrooms will be available for rent as a whole house short-term rental.

1. Master bedroom – Northeast corner
2. Bedroom 2 – Southeast corner
3. Bedroom 3 – Southwest corner

Source: <https://www.lickingcountyohio.us/>

Site Plan – 228 E Elm St.



Two main parking spots will be available to guests in the garage behind the house. If necessary, two additional parking spots are available behind the garage.

Source: <https://www.lickingcountyohio.us/>

Granville Board of Zoning & Building Appeals
Minutes for Meeting
September 14, 2023
5:30 p.m.

Call to Order: Mr. Gill called the meeting to order at 5:30p.m.

Members Present: Mr. Gill, Mr. Menzer, Mr. Burge, Mr. Kemper and Mr. Zimmers

Member Absent: none

Staff Members Present: Debra Yost, Long Range Planner; Jenn Rubal, Zoning Administrator

Also present were: Jeanetta Pyle, Vee Hottle, Ryan Hottle, Sarah Hottle, Larry Hottle, Daryl Tulimieri, Riina Teliver, Carolyn Johnson, Bob Johnson and Tim Klingler

Citizen comments: none

New Business:

- a. **Application #2023-177**, submitted by Sarah Straley and Ryan Hottle for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a short-term rental. The property is zoned Village Residential District (VRD), and is located within the Architectural Review Overlay District (AROD).

Mr. Gill *swore in* Ryan Hottle, Tim Klingler, Daryl Tulimieri, Riina Teliver, Jeanetta Pyle, Vee Hottle, Jenn Rubal and Debra Yost.

Discussion:

Ryan Hottle, for 228 East Elm Street, part owner (resided at 159 East Jeffrey Place, Columbus, Ohio), was applying to use a short-term rental as an AirBnB; he hoped to pay for the property with AirBnB income; supervision would be by Ryan Hottle, Sarah Hottle and Vee Hottle; he intended to move to Granville after his son graduated from high school in 3+ years; he considered a permanent rental, but AirBnB advantages outweighed a permanent rental, as they would be able to spend time in the Elm Street house themselves to take care of maintenance; he had three other AirBnB's in Ohio and had "super host" status with AirBnB; he spoke to Bruce Westall and Lisa Westall (adjacent neighbors) and contacted others on the block; he was aware of those who were not in favor of his request but believed he could run the AirBnB responsibly; he believed most renters would be in the house for a weekend, but thought there would be quite a bit of "down time"; he was aware of the parking objection, would "ban all parties whatsoever", and guessed he would probably block off the holidays for his family.

Jenn Rubal stated the maximum number of AirBnB's in each Village district was 15, and the number in the Village Residential District was well below the maximum; some AirBnB's were not actually permitted, but there had been no complaints with AirBnB's.

Mr. Zimmers asked about estimating compatibility on the block. **Debra Yost** explained most of the block was single-family residential except for the Robbins Hunter Museum. Mr. Gill noted there was only one permitted AirBnB in the Village Residential District. **Debra Yost** explained a Conditional Use Permit would allow the applicant to apply for short-term rental permission, but if negative information was collected, the application could be rejected; Conditional Use could be withdrawn after justification and meeting with the applicant, and then revoked, but it had not been done.

Jeanetta Pyle, 123 South Pearl Street, was concerned about the house becoming an AirBnB; she thought the block was one of the nicest in the Village. Per criteria c and d, she noted parking, noise and having unknown people in the neighborhood would impact the block. She referenced sections of the Village Code: Per 1185.12, there could be no noxious noise. Per 1183.03, one parking space was allowed per sleeping room, but Mr. Gill stated that was not a basis they could rule on. Per an article entitled "Do Short-Term Rentals Make Good Neighborhoods?" from _____, she read what people didn't like about AirBnB's; she believed an AirBnB would definitely impact her. **Debra Yost** clarified exactly what an AirBnB was.

Vee Hottle, 224 East Elm Street, described her plans [as host] to be right next door, and her experience with exerting authority when needed; she would have a shared driveway with Ryan Hottle, and was sure he would write up the lease agreement responsibly and would look at renters' previous profiles; she confirmed there would be off-street parking with a 2-car garage and a parking space straight back the driveway (shared between her property and 228 East Elm Street); she would be the host and around basically all year.

Daryl Tulimieri, 133 South Pearl Street, stated several opposing neighbors could not be at the hearing. He stated (per Granville Code) the application didn't meet Code (Section 1182.03) as the "operator must be a Granville resident" which the Hottles were not. **Debra Yost** stated she would have to look more closely at the Code, and have the Village Law Director look at it. **Daryl Tulimieri** stated (per Ohio law) to manage an AirBnB, the manager must have a realtor license. **Jenn Rubal** read the section pertaining to short-term rentals and definitions of "operator" and "owner".

Ryan Hottle stated he was 98% finished with preparing the property for rental, and hoped to start renting as soon as possible.

Mr. Gill didn't feel comfortable deciding on the application at the meeting, and suggested tabling it so the Law Director could weigh in on the situation. **Ryan Hottle** agreed to having the decision tabled. Mr. Gill stated he saw a flaw in the procedure.

Daryl Tulimieri named the properties already grandfathered from current regulations in the same block, both having commercial uses. He complimented the character of the neighborhood and knowing the neighbors; he didn't relish having a stream of people he didn't know. He wondered how likely it would be for the property to remain a rental property because of a revenue stream, and noted the applicant had other AirBnB's.

Bob Johnson, 218 East Elm Street, had stayed at AirBnB's, and the history of no complaints in the Village was good; he believed the Hottles were responsible and suggested designating the short-term rental period for only a specific length of time, and establishing a maximum allowable number of people.

Ryan Hottle stated he was spending 10-20% of his time managing his AirBnB's from his own home.

Riina Teliver, 133 South Pearl Street, stated neighbors who were out of town had asked the hearing be delayed; she admitted living in Granville because of community and neighboring, and believed an AirBnB would change the character of the neighborhood and the community.

Tim Klingler, 202 East Elm Street, compared a short-term rental to someone owning a house and renting it long-term. **Jenn Rubal** stated any time longer than 30 days would be a long-term rental. **Tim Klingler** stated the Hottles were excellent neighbors and he would expect them to continue to be so, and added short-term rental residents would only be living there for a short term; he trusted renters to do the right thing, and if they didn't, he would complain to people who could do something about it. He stated the shared driveway concern should only belong to those directly affected.

Daryl Tulimieri searched for AirBnB's and speculated there were 10 in the VRD district; he requested the board know exactly how many short-term rentals there actually were.

Mr. Gill stated there needed to be a legal review of questions put before the board. Mr. Menzer was in favor of tabling the application as the board needed clarity. Mr. Burge stated he could make a rational/fair decision at the hearing. Mr. Kemper and Mr. Zimmers were in favor of tabling the application.

Mr. Menzer moved the application be tabled in order to get clarity. Mr. Kemper seconded. Mr. Zimmers noted tabling would entail more testimony from those who were out of town that evening. **Roll Call Vote:** Kemper (yes), Menzer (yes), Burge (no), Zimmers (yes) and Gill (yes). Motion **carried** 4-1. Mr. Gill noted the application would be considered at the October 12, 2023 BZBA meeting.

Findings of Fact Approval:

There were none to approve.

Review and approval of minutes from August 10, 2023 BZBA meeting:

Mr. Kemper moved the minutes from the August 10, 2023 BZBA meeting be approved. Mr. Zimmers seconded. **Roll Call Vote:** Kemper (yes), Burge (yes) and Zimmers (yes). Motion **carried** 3-0.

Other Board/Law Director/Staff Matters:

Debra Yost reported:

- Continued to work on low head dam removal
- Village was moving into the Design Development phase of the downtown signalization upgrades
- **Jenn Rubal** was chairing a sustainability committee
- The Mill District (between Cedar and Thread and the fire station) would likely be a topic at the October 12, 2023 meeting

Mr. Gill noted the key issue about the evening's application was if the ordinance said the owner must be an occupant of the Village or Township; he added, if the property was on AirBnB, what was the Staff code enforcement rule? He believed the enforcement issue was as bad as the ownership issue. **Debra Yost** mentioned conversation at the State level about regulating what a property owner could do.

Meeting Announcements:

October 12, 2023 - no Burge

November 9, 2023

December 14, 2023

Adjournment:

Mr. Kemper moved the meeting be adjourned. Mr. Gill adjourned the meeting at 6:48pm.

 10-12-23

Chairman, Jeff Gill Date Approved

Submitted by: Debra Yost and Cathy Klingler

Village of Granville
 141 East Broadway
 Granville, Ohio 43023

Check type of mail or service:

- Certified
- COD
- Delivery Confirmation
- Express Mail
- Insured
- Recorded Delivery (International)
- Registered
- Return Receipt for Merchandise
- Signature Confirmation



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 certificate of mailing,
 or for additional
 copies of this bill)
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 Date of Receipt

Article Number	Addressee (Name, Street, City, State, & ZIP Code)	Postage	Fee	Handl Charg
1. 2023-177				
2. 220 E Elm Street Sarah Staley				
3. Ryan Hoffe BZBA 9/14/23				
4.				
5.				
6.				
7.				
8.				

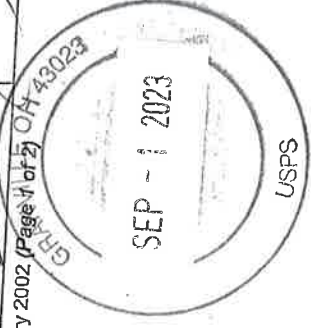
Total Number of Pieces Listed by Sender: 23
 Total Number of Pieces Received at Post Office: 23

Postmaster, Per (Name of receiving employee)

PS Form 3877, February 2002 (Page 1 of 2) OH 43023

See Privacy Act Statement on Reverse

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FILE COPY

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Jeanetta Pyle Trustee
123 South Pearl Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Ms. Pyle,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

The Board of Zoning and Building Appeals will consider this application at **5:30 p.m. on Thursday, September 14th, 2023** in the Village Council Chambers, 141 East Broadway. You are invited to attend this meeting to ask any questions or make any comments related to this application. The file for this property is also available for public review in the Village Offices at 141 East Broadway.

If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Bruce and Lisa Westall
232 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Mr. and Mrs. Westall,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Keith and Courtney McWalter
223 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Mr. and Mrs. McWalter,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Johnni and Joseph Beckel
221 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Mrs. And Mr. Beckel,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Larry and Velma Hottle
224 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Mr. and Mrs. Hottle,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at jrubal@granville.oh.us.

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Licking County Historical Society
P.O. Box 183
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit


Dear Licking County Historical Society,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,


Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

John Mathis and Brede Margareta Trustee
233 East Broadway
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Mr. Mathis and Ms. Margareta,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

**VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT**

September 1, 2023

Granville Public Library
217 East Broadway
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Granville Public Library,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

United States of America
203 East Broadway
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Property Owner,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Granville Public Library Association
217 East Broadway
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Granville Public Library Association,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

William and Mary Hoekstra
PO Box 221
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Mr. and Mrs. Hoekstra,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at jrubal@granville.oh.us.

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Tim and Catherine Klingler
202 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Mr. and Mrs. Klingler,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Leman Beall Trustec
PO Box 497
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Property Owner,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Robert and Carolyn Johnson
218 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Mr. and Mrs. Johnson,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Victor and Renee Terebuh
923 Newark Granville Road
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Mr. and Mrs. Terebuh,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Michael and Ashlin Caravana
209 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Mr. and Mrs. Caravana,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Charles and Helen Williams
235 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Mr. and Mrs. Williams,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Daryl Tulimieri and Riina Tehver
133 South Pearl Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit


Dear Mr. Tulimieri and Ms. Tehver,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,


Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

**VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT**

September 1, 2023

Philip and Margaret Selzer
237 South Hanover Street
Carlisle, Pennsylvania 17013

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Mr. and Mrs. Selzer,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Historic Buxton Inn LLC
PO Box 10
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Property Owner,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

The Board of Zoning and Building Appeals will consider this application at **5:30 p.m. on Thursday, September 14th, 2023** in the Village Council Chambers, 141 East Broadway. You are invited to attend this meeting to ask any questions or make any comments related to this application. The file for this property is also available for public review in the Village Offices at 141 East Broadway.

If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Pat Torrence
117 South Pearl Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Ms. Torrence,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

September 1, 2023

Centenary Methodist Church
102 East Broadway
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit

Dear Property Owner,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 159 East Jeffrey Place, Columbus, Ohio 43214

Name	Salutation	Address 1	City	State	Zip
Ryan Hottle and Sarah Straley	Mr. Hottle and Ms. Straley	139 East Jeffrey Place	Columbus	Ohio	43214
Jeanetta Pyle Trustee	Ms. Pyle	123 South Pearl Street	Granville	Ohio	43023
Bruce and Lisa Westall	Mr. and Mrs. Westall	232 East Elm Street	Granville	Ohio	43023
Keith and Courtney McWalter	Mr. and Mrs. McWalter	223 East Elm Street	Granville	Ohio	43023
Johnni and Joseph Beckel	Mrs. And Mr. Beckel	221 East Elm Street	Granville	Ohio	43023
Larry and Velma Hottle	Mr. and Mrs. Hottle	224 East Elm Street	Granville	Ohio	43023
Licking County Historical Society	Licking County Historical Soci	P.O. Box 183	Granville	Ohio	43023
John Mathis and Brede Margareta Truste	Mr. Mathis and Ms. Margaret	233 East Broadway	Granville	Ohio	43023
Granville Public Library	Granville Public Library	217 East Broadway	Granville	Ohio	43023
United States of America	Property Owner	203 East Broadway	Granville	Ohio	43023
Granville Public Library Association	Granville Public Library Assoc	217 East Broadway	Granville	Ohio	43023
William and Mary Hoekstra	Mr. and Mrs. Hoekstra	PO Box 221	Granville	Ohio	43023
Tim and Catherine Klingler	Mr. and Mrs. Klingler	202 East Elm Street	Granville	Ohio	43023
Leman Beall Trustee	Property Owner	PO Box 497	Granville	Ohio	43023
Robert and Carolyn Johnson	Mr. and Mrs. Johnson	218 East Elm Street	Granville	Ohio	43023
Victor and Renee Terebuh	Mr. and Mrs. Terebuh	923 Newark Granville Road	Granville	Ohio	43023
Michael and Ashlin Caravana	Mr. and Mrs. Caravana	209 East Elm Street	Granville	Ohio	43023
Charles and Helen Williams	Mr. and Mrs. Williams	235 East Elm Street	Granville	Ohio	43023
Daryl Tulimieri and Riina Tehver	Mr. Tulimieri and Ms. Tehver	133 South Pearl Street	Granville	Ohio	43023
Philip and Margaret Selzer	Mr. and Mrs. Selzer	237 South Hanover Street	Carlisle	Pennsylv	17013
Historic Buxton Inn LLC	Property Owner	PO Box 10	Granville	Ohio	43023
Pat Torrence	Ms. Torrence	117 South Pearl Street	Granville	Ohio	43023
Centenary Methodist Church	Property Owner	102 East Broadway	Granville	Ohio	43023

Village of Granville
141 East Broadway
Granville, Ohio 43023

Check type of mail or service:

- Certified
- COD
- Delivery Confirmation
- Express Mail
- Insured
- Recorded Delivery (International)
- Registered
- Return Receipt for Merchandise
- Signature Confirmation

Addressee (Name, Street City, State & ZIP Code)

Affix Stamp H
(If issued as a
certificate of ma
or for additional
copies of this bill
Postmark and
Date of Receipt



1. Article Number
2023-177

2. 228 East Elm Street

3. Ryan Hottel & Sarah Straley

4. Conditional use permit
short term rental

5. B2B 10/12/23

Postage
Fee
H
C

		Postmaster, Per (Name of receiving employee)	Postage	Affix Stamp H (If issued as a certificate of ma or for additional copies of this bill Postmark and Date of Receipt)		
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						



Total Number of Pieces Listed by Sender: 23

Total Number of Pieces Returned at Post Office: 23

PS Form 3877, February 2002 (Page 1 of 2)

Complete by Typewriter, Ink, or Ball Point Pen

See Privacy Act Statement on Reverse

VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Jeanetta Pyle Trustee
123 South Pearl Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Ms. Pyle,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Bruce and Lisa Westall
232 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Mr. and Mrs. Westall,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Keith and Courtney McWalter
223 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Mr. and Mrs. McWalter,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Johnni and Joseph Beckel
221 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

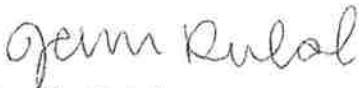
Dear Mrs. And Mr. Beckel,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at jrubal@granville.oh.us.

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Larry and Velma Hottle
224 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Mr. and Mrs. Hottle,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at jrubal@granville.oh.us.

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Licking County Historical Society
P.O. Box 183
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Licking County Historical Society,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

**VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT**

October 3, 2023

John Mathis and Brede Margareta Trustee
233 East Broadway
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Mr. *and Mrs. Mathis*,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Granville Public Library
217 East Broadway
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Granville Public Library,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

United States of America
203 East Broadway
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Property Owner,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Granville Public Library Association
217 East Broadway
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Granville Public Library Association,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

William and Mary Hoekstra
PO Box 221
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Mr. and Mrs. Hoekstra,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at jrubal@granville.oh.us.

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Tim and Catherine Klingler
202 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Mr. and Mrs. Klingler,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

VILLAGE OF
G GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Leman Beall Trustee
PO Box 497
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Property Owner,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Robert and Carolyn Johnson
218 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Mr. and Mrs. Johnson,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

**VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT**

October 3, 2023

Victor and Renee Terebuh
923 Newark Granville Road
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Mr. and Mrs. Terebuh,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at jrubal@granville.oh.us.

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Michael and Ashlin Caravana
209 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

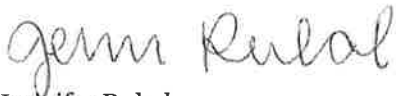
Dear Mr. and Mrs. Caravana,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Charles and Helen Williams
235 East Elm Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Mr. and Mrs. Williams,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

The Board of Zoning and Building Appeals will consider this application at **5:30 p.m. on Thursday, October 12th, 2023** in the Village Council Chambers, 141 East Broadway. You are invited to attend this meeting to ask any questions or make any comments related to this application. The file for this property is also available for public review in the Village Offices at 141 East Broadway.

If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Daryl Tulimieri and Riina Tehver
133 South Pearl Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Mr. Tulimieri and Ms. Tehver,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

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If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at jrubal@granville.oh.us.

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

**VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT**

October 3, 2023

Philip and Margaret Selzer
237 South Hanover Street
Carlisle, Pennsylvania 17013

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Mr. and Mrs. Selzer,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

The Board of Zoning and Building Appeals will consider this application at **5:30 p.m. on Thursday, October 12th, 2023** in the Village Council Chambers, 141 East Broadway. You are invited to attend this meeting to ask any questions or make any comments related to this application. The file for this property is also available for public review in the Village Offices at 141 East Broadway.

If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Historic Buxton Inn LLC
PO Box 10
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Property Owner,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

The Board of Zoning and Building Appeals will consider this application at **5:30 p.m. on Thursday, October 12th, 2023** in the Village Council Chambers, 141 East Broadway. You are invited to attend this meeting to ask any questions or make any comments related to this application. The file for this property is also available for public review in the Village Offices at 141 East Broadway.

If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Pat Torrence
117 South Pearl Street
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Ms. Torrence,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

The Board of Zoning and Building Appeals will consider this application at **5:30 p.m. on Thursday, October 12th, 2023** in the Village Council Chambers, 141 East Broadway. You are invited to attend this meeting to ask any questions or make any comments related to this application. The file for this property is also available for public review in the Village Offices at 141 East Broadway.

If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

G VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

October 3, 2023

Centenary Methodist Church
102 East Broadway
Granville, Ohio 43023

RE: 228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley; Conditional Use Permit (previously tabled)

Dear Property Owner,

The Village of Granville has received a request from Ryan Hottle and Sarah Straley, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD) and is located within the Architectural Review Overlay District (AROD).

The Board of Zoning and Building Appeals will consider this application at **5:30 p.m. on Thursday, October 12th, 2023** in the Village Council Chambers, 141 East Broadway. You are invited to attend this meeting to ask any questions or make any comments related to this application. The file for this property is also available for public review in the Village Offices at 141 East Broadway.

If you have any questions, please feel free to contact the Village Planning staff at (740) 587-3997, or by email at [jrupal@granville.oh.us](mailto:jrubal@granville.oh.us).

Sincerely,



Jennifer Rubal
Zoning Administrator

cc: Ryan Hottle and Sarah Straley, 228 East Elm Street, Columbus, Ohio 43214

Dear Members of the Council,

I hope this letter finds you well. I am writing to discuss our application for a short-term rental permit for our property in Granville.

While we have been both touched and concerned by the feedback from our neighbors, we genuinely appreciate the support we have received from many of them. For those with reservations, we have made earnest efforts to address their concerns. We have implemented several measures, including adding restrictions on the number of occupants, setting quiet hours, ensuring off-street parking, and having an available host nearby.

We believe that short-term rentals, when managed responsibly, can coexist harmoniously within a community. A property on Maple Street, which has been a short-term rental for years, is testament to this. This property is well-maintained and integrates seamlessly into the neighborhood's character. Inspired by such examples, we are confident in our ability to achieve a similar standard with our property, having made many improvements to enhance its quality and safety.

There are some transformations occurring in and around the village that could significantly alter the community's essence. The proposed asphalt plant by the Shelly Company and the increased drilling from the aquifer for Intel's semiconductor chip fabrication are among the concerns. In contrast, our Airbnb aims to be a positive addition to the community, enhancing its aesthetic appeal and providing a well-maintained property.

It's noteworthy that there have been no complaints or police calls related to any short-term rental in the village. This fact reinforces our confidence in ensuring a peaceful and respectful rental operation. Our foremost concern now is not the permitting process itself, as we are confident that the existing rules and procedures clearly support our application. Instead, our primary focus is on fostering and maintaining good relationships within our neighborhood. We genuinely want to ensure the comfort and peace of mind of our neighbors and are committed to doing everything in our capacity to be considerate and responsible neighbors.

In conclusion, we cordially request the approval of our application. Our dedication to the wonderful character of Granville remains unwavering, and we pledge to contribute positively to our community.

Thank you for your consideration.

Warm regards,

Ryan Hottle

October 11, 2023

To: Granville Board of Zoning and Building Appeals

From: Larry A. Hottle, 224 East Elm Street, Granville, OH

Re: 228 East Elm Street, Application #2023-177 for a Conditional Use Permit

Dear Board Members,

My wife, Vee, and I have lived at 224 East Elm Street for the last 33 years and raised our two children there. We are submitting this letter in favor of granting a Conditional Use Permit for the use of 228 East Elm Street as a short-term rental. The application was tabled after the first hearing on September 14.

During the first hearing, opponents made generalized, conclusionary statements unsupported by any facts specific to the neighborhood in question. There has been no showing that there will be adverse impacts on our residential neighborhood. There has been no showing of harm.

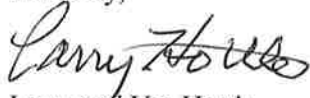
There has been a suggestion that the neighborhood will be turned into an "Airbnb ghetto." How so? What is the cause and effect? There is none.

Opponents stated that traffic bypassing Broadway is a problem on East Elm Street. This is irrelevant to the issue at hand.

In its Short-Term Rental policy, the Village of Granville recognizes "the place STRs occupy in the fabric of a vibrant community." In its statement, the Village reinforces the idea that a neighborhood's strength lies in its diversity which builds vibrancy and resilience. Historically, Village residences have been used for diverse purposes, for example: 212 East Elm was used as Welsh Hills School, 202 East Elm was used as a long-term rental, and many residences have/had a shop or office at the residence, such as: 218 East Elm 205 South Prospect, and 203 West Elm. Strong communities are collages of authentic diversity.

While we acknowledge concerns of neighbors who have objected, these objections are not reasonable grounds to deny the permit.

Sincerely,

A handwritten signature in black ink that reads "Larry Hottle". The signature is written in a cursive, slightly slanted style.

Larry and Vee Hottle

RE: Application 2023-177

Letter from Vice Chair of BZBA, Neal
Zimmers

In my experience both as a judge and practicing attorney I know that it is important to look at provisions of statutory sections as a whole, including the overall stated purpose, not just the language of individual clauses or sub-sections. Because particulars often clash or contradict each other it is necessary to determine the overall intent of the statutory provisions.

Village Council's intent in enacting Chapter 1182 could not be clearer. The "PURPOSE CLAUSE" Section 1182.01 clearly and definitively states that the purpose of the Chapter is [that]... "Maintenance of Granville's existing residential neighborhoods is essential..." (Copy attached)

There is a significant reason that uses are "conditional" as opposed to "permitted." Accordingly, in considering applications for Conditional Use for Airbnb's, the key factor for us to consider is the "(m)aintenance of the existing residential neighborhood."

Airbnb has become a major business throughout the country. It has expanded from primarily owner-occupied residences to a significant growth in very profitable investor-owned properties. Granville is no exception.

This Conditional Use application is for a non-owner-occupied Airbnb investment property in a residential neighborhood. The applicants stated they are in the business of investing and operating several other Airbnb's. They stated that they someday hope to live in Granville.

BZBA has opposition testimony from neighbors who fear detrimental effects on the residential nature of the immediate area, as well as from neighbors stating that the investor and prospective managers are trustworthy nice people.

The particular neighborhood at issue is a prime residential area that has experienced the conversion of many residences to short-term rentals both on the first block of South Pearl and the 200 block of East Elm. Several are investor-owned and not owner-occupied. If additional short-term rentals are to be approved there, it seems imperative that they be "owner-occupied" in order to preserve the remaining existing residential nature of the neighborhood.

It is in BZBA's purview to take Council's intent into consideration in this and other future applications by investors.

I feel the objections of many neighbors citing concerns on deterioration of the residential nature of their neighborhood are superior to the claims of the applicant. Therefore, pursuant to the written intent of Chapter 1182 the application should be denied.

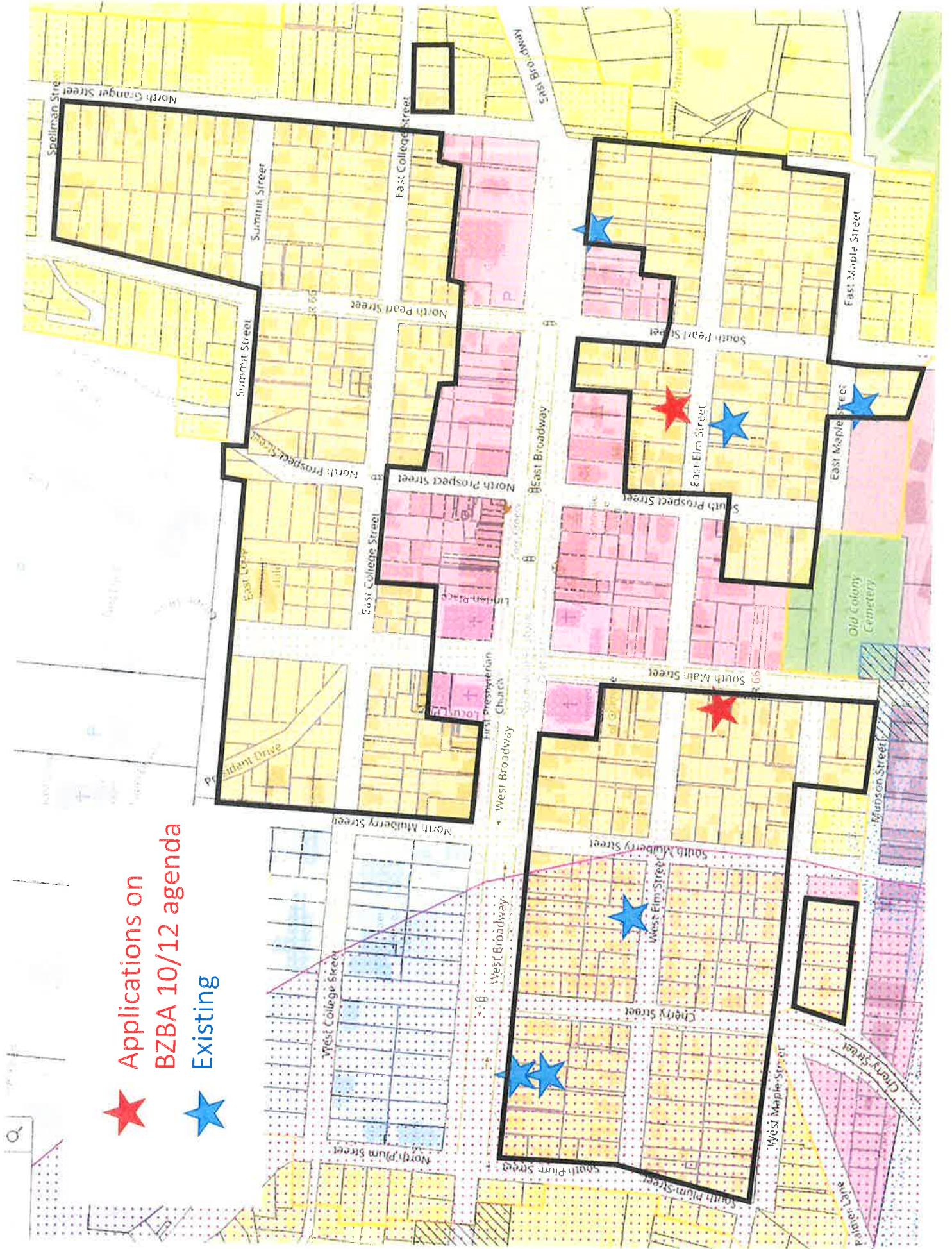
CHAPTER 1182

SHORT-TERM RENTAL OPERATIONS

1182.01 PURPOSE

This chapter regulates the operation of short-term rental properties in the Village of Granville. The provisions of this chapter are necessary to prevent unreasonable burdens on services and unreasonable impacts on residential neighborhoods posed by short-term rental operations. Special regulation of these uses is necessary to ensure that they will be compatible with surrounding uses and will not act to harm and alter the neighborhoods in which they are located. Maintenance of Granville's existing residential neighborhoods is essential to its continued vitality and economic strength. It is the intent of this chapter to benefit the general public by minimizing adverse impacts of short-term rental operations on the local housing supply at all income levels, and to minimize adverse impacts of the transient and semi-commercial character of short-term rental operations on adjacent residential uses.

- ★ Applications on BZBA 10/12 agenda
- ★ Existing



VILLAGE OF
GRANVILLE
PLANNING DEPARTMENT

October 16, 2023

Ryan Hottle and Sarah Straley
228 East Elm Street
Granville, Ohio 43023

RE: **228 East Elm Street; Application #2023-177; Ryan Hottle and Sarah Straley;
Conditional Use Permit**

Dear Mr. Hottle and Ms. Straley,

In accordance with the Granville Codified Ordinances, you are hereby notified the Granville Board of Zoning and Building Appeals has **approved** your application for a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental, at their October 12, 2023 meeting.

Per section 1139.06 of the Codified Ordinances, the **date of this letter** will commence the start of the 10-day waiting period for an appeal. Appeals can be made by notifying the Village Clerk of Council of the appeal, including the name and address of the person filing the appeal, the reason for the appeal, and payment of the one hundred fifty-dollar (\$150.00) fee to appeal.

If no appeal is filed by 4:30 p.m. on **Friday, October 27th, 2023**, final notification containing the approved variance application will be mailed to you on **Monday, October 30, 2023**.

Should you have any further questions after reviewing this information, please do not hesitate to contact me at 740-587-3997 or by email at jrubal@granville.oh.us.

Sincerely,



Jenn Rubal
Zoning Administrator

VRD/AROD
Zoning District(s)

#2023-177
Application Number

cc: Jeanetta Pyle, 123 South Pearl Street, Granville, Ohio 43023
Bruce and Lisa Westall, 232 East Elm Street, Granville, Ohio 43023
Keith and Courtney McWalter, 223 East Elm Street, Granville, Ohio 43023
Johnni and Joseph Beckel, 221 East Elm Street, Granville, Ohio 43023
Larry and Velma Hottle, 224 East Elm Street, Granville, Ohio 43023
Licking County Historical Society, PO Box 183, Granville, Ohio 43023
John and Margaretta Mathis, 233 East Broadway, Granville, Ohio 43023
Granville Public Library, 217 East Broadway, Granville, Ohio 43023
United States of America, 203 East Broadway, Granville, Ohio 43023
William and Mary Hoekstra, PO Box 221, Granville, Ohio 43023
Tim and Catherine Klingler, 202 East Elm Street, Granville, Ohio 43023
Leman Beall, PO Box 497, Granville, Ohio 43023

Robert and Carolyn Johnson, 218 East Elm Street, Granville, Ohio 43023
Victor and Renee Terebuh, 923 Newark Granville Road, Granville, Ohio 43023
Michael and Ashlin Caravana, 209 East Elm Street, Granville, Ohio 43023
Charles and Helen Williams, 235 East Elm Street, Granville, Ohio 43023
Daryl Tulimieri and Riina Tehver, 133 South Pearl Street, Granville, Ohio 43023
Philip and Margaret Selzer, 237 South Hanover Street, Carlisle, Pennsylvania, 17013
Historic Buxton Inn LLC, PO Box 10, Granville, Ohio 43023
Pat Torrence, 117 South Pearl Street, Granville, Ohio 43023
Centenary Methodist Church, 102 East Broadway, Granville, Ohio 43023



Board of Zoning and Building Appeals
October 12th, 2023

Finding of Fact:
228 East Elm Street
VRD/AROD
Conditional Use Permit – Short Term Rental

Sarah Straley and Ryan Hottle
Applicant Name

#2023-177
Application Number

228 East Elm Street

October 12, 2023 at 5:30 pm (previously tabled)

Address of Property Affected

Date and Time of Meeting

As above

Mailing Address (If Different Than Address of Affected Property)

Request: The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a short-term rental. The property is zoned Village Residential District (VRD), and is located within the Architectural Review Overlay District (AROD).

Findings: The Board of Zoning & Building Appeals found the request to be consistent with The Granville Codified Ordinance referencing Chapter 1159, Village Residential District (VRD); Chapter 1182, Short-Term Rental Operations; and Chapter 1145, Conditional Uses and hereby gives their approval of the application, as indicated below.

Standards and Criteria: See attached information

Voting on Application:

Motion: Approval as presented.

Moved: Menzer

Seconded: Kemper

Yeas: 3

Nays: 1



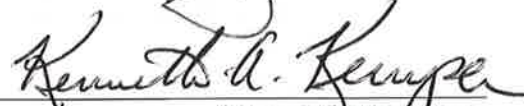
Board of Zoning and Building Appeals
October 12th, 2023


Board Chair, Jeff Gil

absent
Board Member, Larry Burge


Board Member, Drew Menzer


Board Vice-Chair, Neal Zimmers


Board Member, Kenneth Kenper



Board of Zoning and Building Appeals
October 12th, 2023

Application #2023-177;
228 East Elm Street
VRD & AROD
Conditional Use Permit

- Applicant:** Sarah Straley and Ryan Hottle
228 East Maple Street
Granville, Ohio 43023
- Property Location:** The property is located at 228 East Elm Street and is zoned Village Residential District (VRD), and is located within the Architectural Review Overlay District (AROD).
- Request:** The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a short-term rental.
- Staff Review:** Listed below, referencing Chapter 1159, Village Residential District (VRD); Chapter 1182, Short-Term Rental Operations; and Chapter 1145, Conditional Uses.
- 1) 1159.02 Permitted and Conditional Uses.
 - (a) *Permitted Uses.*
 - (1) *Single-family dwellings and accessory uses incidental thereto, such as garages.*
 - (b) *Conditional Uses.*
 - (1) *Clubs, sororities, fraternities, lodges and meeting places for other organizations, not including any use that is customarily conducted as a gainful business.*
 - (2) *Home Occupations.*
 - (3) *Nonprofit educational civic, religious, and social uses which serve and are compatible with other permitted uses in this District.*
(Ord. 15-08. Passed 1-7-09.)
- 1182.03 Zoning Districts; Density; Limitations.
- (b) *Village Residential District.*
-



Board of Zoning and Building Appeals

October 12th, 2023

- (1) *Short-term rental operation is a Conditional Use in the Village Residential District, and subject to the provisions of Chapter 1145 of the Planning and Zoning Code in addition to the provisions of this chapter.*

Applicant's property is currently a single-family dwelling. Applicant is requesting a Conditional Use Permit to utilize the property as a short-term rental. Refer to Section 1182.03 below for short-term rental requirements.

- 2) Chapter 1182, Short Term Rental Operations (Ord. 24-20. Passed 1-6-21.)

Section 1182.03, Zoning Districts; Density; Limitations.

Short-term rental operations shall be permitted only in the following Zoning Districts, and with the density and use limitations set forth below.

No short-term rental operation shall be conducted in any accessory building.

- (c) *Village Residential District*

- (1) *Short-term rental operation is a Conditional Use in the Village Residential District, and subject to the provisions of Chapter 1145 of the Planning and Zoning Code in addition to the provisions of this chapter. **Applicant is applying for a Conditional Use Permit to utilize the property as a short-term rental operation, meeting this requirement as the property is zoned VRD.***
- (2) *A short-term rental property in the Village Residential District shall have a **short-term rental host** whose primary residence is located in the Village of Granville or Granville Township. **Planning Staff will ensure that the proposed host has a primary residence located within the Village of Granville or Granville Township. Should the application be submitted without the host having a primary residence located within Village of Granville or Granville Township, Planning Staff would be unable to approve the application.***
- (3) *A short-term rental operation in the Village Residential District shall not be configured so as to convert a conforming single-family dwelling into a non-conforming two-family or multi-family dwelling. **Applicant's property is an existing single-family dwelling. It is not the intent of the Applicant to convert the existing structure into a two or multi-family dwelling.***
- (4) *Subject to the grandfathering/phase-in provisions of this chapter, the number of short-term rental properties in the Village Residential District*
-



Board of Zoning and Building Appeals

October 12th, 2023

shall not exceed five percent (5%) of the total number of residential properties in the Village Residential District. **To Planning Staff's knowledge, there are six (6) existing Short-Term Rentals in the Village Residential District:**

- **Two (2) are grandfathered;**
- **Two (2) are permitted;**
- **One (1) is unpermitted, but could be permitted;**
- **One (1) is unpermitted, and would not be able to be permitted, as it is in an accessory structure**

Should this Conditional Use be viewed favorably and gain approval, it will be the fifth approved in the VRD, leaving 10 available spots for short-term rentals.

3) Section 1145.03, Criteria for Approval.

The Board of Zoning and Building Appeals shall make the following determinations with respect to an application for a conditional use permit:

- (a) *The proposed use is a conditional use within the zoning district and the applicable development standards of this Zoning Ordinance are met. **As indicated above under Items 1 and 2, the proposed use is a conditional use within the Village Residential District (VRD), per Chapter 1182.03(c).***
- (b) *The proposed use is in accordance with all current land use and transportation plans for the area and is compatible with any existing land use on the same parcel. **As presented, the intended use is in accordance with all current land use and transportation plans for the location.***
- (c) *The proposed use will not create an undue burden on public facilities and services such as streets, utilities, schools and refuse disposal. **The proposed use will not increase the burden on public utilities, streets, schools or refuse disposal as the use will remain analogous to the property's historic use.***
- (d) *The proposed use will not be detrimental or disturbing to existing neighboring uses, and will not entail a use, structure or condition of operation that constitutes a nuisance or hazard to any persons or property. **The proposed use is in keeping with prior use of the property, and should not be found detrimental or disturbing to the existing neighborhood; please refer to Applicant's provided narrative.***
- (e) *The proposed use will not significantly diminish or impair established property values within the surrounding areas. (Ord. 15-08. Passed 1-7-09.) **The proposed short-term rental use will be operated in a way as to not***



Board of Zoning and Building Appeals

October 12th, 2023

significantly diminish or impair established property values within the surrounding area; please refer to Applicant's provided narrative.

4) *Staff Comments:*

The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a short-term rental. The proposed Conditional Use meets all applicable Village Zoning Code requirements.

If approved, the Conditional Use will allow the Applicant to pursue the required Short-Term Rental Permit through the Planning Department in accordance with the recently adopted Chapter 1182, Short-Term Rental Operations, Staff has provided a copy of Chapter 1182 for your reference.

Granville Board of Zoning & Building Appeals
Minutes for Meeting
October 12, 2023
5:30 p.m.

Call to Order: Mr. Gill called the meeting to order at 5:30p.m.

Members Present: Mr. Gill, Mr. Menzer, Mr. Kemper and Mr. Zimmers

Member Absent: Mr. Burge

Staff Members Present: Debra Yost, Long Range Planner; Jenn Rubal, Zoning Administrator; Herb Koehler, Village Manager

Also present were: Graham Hickey, Ryan Hottle, Vee Hottle, Larry Hottle, Tim Klingler, Margie Hickey, Courtney McWalter, Keith McWalter, Bruce Westall, Bob Johnson, Charles Williams, Brian Hennis, Hunter Prendergast and Daryl Tulimieri.

Citizen comments: none

In the discussions regarding Applications #2023-177 and #2023-192, CUP stands for Conditional Use Permit, STR stands for short-term rental, and VRD stands for Village Residential District.

Old Business:

a). Application #2023-177, submitted by Sarah Straley and Ryan Hottle, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a short-term rental. The property is zoned Village Residential District (VRD), and is located within the Architectural Review Overlay District (AROD).

Mr. Gill *swore in* Ryan Hottle, Vee Hottle, Tim Klingler, Keith McWalter, Bruce Westall, Bob Johnson, Brian Hennis, Hunter Prendergast, Daryl Tulimieri, Debra Yost and Jenn Rubal.

Discussion:

Mr. Gill noted the exhibits: a letter from Ryan Hottle, a letter from Larry and Vee Hottle, a letter from Neal Zimmers and Jenn Rubal's map of the Village Residential District (VRD).

Mr. Zimmers noted [per Denison University] available Airbnb's in the VRD, albeit more than the map showed (namely one on North Pearl Street). **Jenn Rubal** stated the one he referred to was in the Village Business District (VBD).

Mr. Zimmers submitted his view on the issue in writing as an exhibit, namely:

- It was important to look at the entire statute of the section of the Village Code and especially the overall intent
- Village Council's purpose clause stated the intent of "maintenance of Granville's existing residential neighborhoods is essential"
- Conditional uses were different from permitted uses

- The applicant's intent and objectors' views
- If more STR's were to be allowed, he believed Village Council's intent should be focused on
- His intent was to vote the application be denied.

Mr. Menzer explained the difference between an Airbnb and a bed and breakfast with regard to owner occupation. **Debra Yost** confirmed if the owner lived in the property, it became a bed and breakfast function, which would need a CUP.

Mr. Menzer moved the application be taken off the table. Mr. Kemper seconded. **Roll Call Vote:** Kemper (yes), Menzer (yes), Zimmers (yes) and Gill (yes). Motion **carried** 4-0.

Mr. Menzer asked about a homeowner leaving when a house was to be rented; he tried to clarify the situation per the intent of Ryan Hottle as the owner of a proposed STR.

Mr. Gill clarified a CUP was needed for a STR or a bed and breakfast, and used the same criteria; he stated it was currently not a requirement for an owner to be a resident of Granville.

Ryan Hottle, owner of 228 East Elm Street, resident at 159 West Jeffrey Place, Columbus, Ohio, read the letter he sent to "Members of the Council".

In regard to his previous statement (on September 14, 2023) about there having been no complaints related to any STR's in the Village, Mr. Gill questioned the source of Mr. Hottle's information. **Ryan Hottle** stated who had said it at the September 14, 2023 meeting. Mr. Menzer read from the minutes for the September 14, 2023 BZBA meeting.

Mr. Zimmers asked how the STR would be a "positive contribution to the community". **Ryan Hottle** stated he had invested in improvements to the property, landscaped, cleaned gutters and done general maintenance, and would continue to maintain the property.

Larry Hottle denied the opportunity to say anything in addition to the letter he submitted.

Bob Johnson, 218 East Elm Street, made a statement about no lack of deterioration of neighborhoods where there were Airbnb's; he believed Ryan Hottle, as owner/operator, was working at the highest level of Airbnb; he believed Airbnb's produced more business for communities. Mr. Zimmers believed Bob Johnson's statement exemplified the intent of the Village of Granville everyday for one's own home. **Bob Johnson** stated the number of STR's in the VRD was well below the maximum number allowed in the district.

Tim Klingler, 202 East Elm Street, asked about the intent of a person applying for a CUP, and was an intended 3-year plan for moving into the house specifically part of the BZBA's consideration. Mr. Gill stated that was yet to be discussed; it was an assertion but not a stipulation.

Keith McWalter, 223 East Elm Street, asked about a limit of STR's in the VRD. Mr. Gill clarified the limit was 5% of the homes in the district which equated to 15 homes. **Keith McWalter** described the block, which included a boarding house, a bed and breakfast and a potential STR; he asked if it was desired to preserve resident-oriented space close to downtown. He referenced Mr. Zimmers' intent of the purpose, noting the block was over-endowed with short-term properties.

Vee Hottle, 224 East Elm Street, stated she would be the host of the STR if it were allowed, and she shared a driveway with 228 East Elm Street. Mr. Gill stated he heard the concerns about density. **Vee Hottle** stated Ryan Hottle purchased the house with the intent to move there in 3 years; it could be a STR or a long-term rental; a STR would be occupied 3-4 days per month but corrections could easily be made when unoccupied. Mr. Gill acknowledged what was assumed might not happen. **Vee Hottle** compared a STR and a long-term rental in regard to access to the house. Mr. Zimmers acknowledged the home would be empty 2/3 of every month, and a long-term rental would give stability to the neighborhood and maintain the residential nature. **Vee Hottle** stated Ryan Hottle came to the house frequently, and often worked remotely from there.

Darryl Tulimieri, 133 South Pearl Street, asked if the BZBA had determined if Ryan Hottle met requirements for a STR. Mr. Gill replied Ryan Hottle had done so.

Bruce Westall was denied coming to the podium per a time issue and no new information to share.

Mr. Gill explained the applicant was entitled to apply for a CUP, and the BZBA could allow more STR's if they desired, but asked the board if it was appropriate to determine whether the permit would be a good idea.

Mr. Zimmers stated the particular block was being transformed to a STR neighborhood, and believed additional STR's should be owner occupied per the nature of the neighborhood and the intent of the purpose clause in the Village Code. Mr. Zimmers moved the application be denied.

Mr. Menzer saw the purpose clause differently, and explained why he felt the cap was low for STR's. He believed the residential feel of neighborhoods was being kept low, and added it would be difficult to find a better fitting application based on the proximity of the parents, Ryan Hottle sometimes living/working there, and the intent to move there in 3 years. He appreciated the concern of density, and wouldn't want a pocket of town to be an Airbnb street, but didn't believe that was happening; he believed the applicant in regard to moving to Granville. He would be open to putting a time frame on a CUP, and saw the purpose of the Village Code as keeping a low number of STR's. Mr. Gill gave his opinions on if another such application for the specific block of East Elm Street would come to the BZBA. Mr. Zimmers didn't think Village Council expected there to be 15 empty houses when they put the cap of 15 in the VRD.

Criteria for Approval (1145.03) were reviewed:

The Board of Zoning and Building Appeals shall make the following determinations with respect to an application for a Conditional Use Permit:

- a. The proposed use is a conditional use within the zoning district and the applicable development standards of the Zoning Ordinance are met. All four (4) stated *True*, as it was discussed at the September 14, 2023 meeting.
- (b) The proposed use is in accordance with all current land use and transportation plans for the area and is compatible with any existing land use on the same parcel. Three (3) stated *True*, one (1) stated *False*.
- (c) The proposed use will not create an undue burden on public facilities and services such as streets, utilities, schools and refuse disposal. All four (4) stated *True*.

(d) The proposed use will not be detrimental or disturbing to existing neighboring uses, and will not entail a use, structure or condition of operation that constitutes a nuisance or hazard to any persons or property. Two (2) stated *True*, two (2) stated *False*.

(e) The proposed use will not significantly diminish or impair established property values within the surrounding areas. Three (3) stated *True*, one (1) *passed*.

Mr. Zimmers moved Application #2023-177 be denied. There was no second so the motion died. Mr. Menzer wanted to put a condition of a time limit on the approval. Mr. Gill asked Ryan Hottle how he would feel about a limit of 3 years before he would need to be residing at 228 East Elm Street. **Ryan Hottle** refused to agree to the condition.

Mr. Menzer moved Application #2023-177 be approved as presented. Mr. Kemper seconded. **Roll Call Vote:** Kemper (yes), Menzer (yes), Zimmers (no) and Gill (yes). Motion **carried** 3-1. Mr. Gill noted it was approved without a “sunset clause”.

New Business:

- a. **Application #2023-192**, submitted by Marjorie Hickey, property owner, for the property located at 211 South Main Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a short-term rental. The property is zoned Village Residential District (VRD), and is located within the Architectural Review Overlay District (AROD).

Mr. Gill *swore in* Margie Hickey, Graham Hickey, Hunter Prendergast, Brian Hennis, Jenn Rubal and Debra Yost.

Discussion:

Marjorie Hickey, 211 South Main Street, asked for a CUP for a STR; she recently tried to sell the property, but said most people interested in buying the property wanted to buy it as an investment property. She noted a carriage house was in the rear, and only the house would be a STR. Mr. Gill acknowledged variances were violated previously by her, and wondered if she should be given a CUP if the agreement was not kept earlier. **Margie Hickey** defended the change she made in the agreement about no shower or bath in the carriage house, as she did it per the contractor’s suggestion; she didn’t intentionally violate the previous variance. Mr. Gill didn’t see the BZBA allowing a CUP as a result of her past. **Margie Hickey** agreed to have a plumber block off the plumbing which hadn’t been allowed, and stated she would not be renting the rear structure (carriage house). She had built a house in Glenshire, and her sons would continue to live in the house, not in the carriage house. Regarding having had the house (211 South Main Street) for sale, she stated she decided to keep the house and not sell it; the contract was ended.

Mr. Menzer confirmed she wanted to use the house as a STR while her sons were in school. **Margie Hickey** defended why she wanted her sons to live in the house, and defended the upstairs plumbing. Mr. Menzer asked about a future owner who might un-cap the shower and have an un-licensed bed and breakfast. Mr. Gill confirmed the BZBA was reviewing a CUP for the front house, not the rear house, and the sons would be the current host managers.

Hunter Prendergast, 124 West Maple Street, asked if Ms. Hickey’s intent was to do the STR temporarily or in perpetuity. **Debra Yost** stated the applicant had one (1) year to begin the conditional use, which would expire if the conditional use were to be discontinued for more than two (2) years. If a new person bought the property [before a 2-year abandonment], the

conditional use would continue. **Hunter Prendergast** asked again if it was to be a STR temporarily or in perpetuity. Mr. Gill stated it was a moot point as there was nothing illegal concerned. **Hunter Prendergast** opposed multiple STR's in Granville, and would prefer the applicant not receive a CUP to be a STR, as he lived immediately adjacent. If the permit was granted, he expected the neighborhood to lose personality.

Brian Hennis, 128 West Maple Street, described the organization he was a part of; he quoted "STR's carry an economic benefit to travelers" and improve the area where they are located; he believed the cost of homes had increased so many could not afford them since investors were buying them; he gave the example of two (2) businesses on Main Street that had recently moved and were bought by out-of-state investors (referring to Doug and Becky Wagner's veterinary-related properties); he referenced an article about STR's bringing additional crime; he stated there was some risk in town during the 4th of July festivities, but he felt safe; he frowned upon bringing more STR's to the community because of unoccupied spaces, and people coming who were not part of the community; he opposed granting the CUP for 211 South Main Street.

Hunter Prendergast presented a few more studies about the saturation of STR's within a neighborhood pertaining to land value, adding nuisance issues and the pressure on infrastructure (solid waste).

Marjorie Hickey stated, regarding businesses that had moved, she met the new owner, a Granville resident (not out of state) who was using the businesses for Denison University students. She gave examples of people who would be coming to her home, and assured it would not be a party house; she would be working outside at her house daily, and would not allow it to deteriorate. Mr. Gill mentioned the anticipatory anxiety about trends, which was not a basis for granting or denying the request.

Mr. Menzer stated he was sympathetic of too many STR's and stories/situations; his concern was the investor who didn't have a connection to Granville and wanted to use the house in a way unlike Granville; he asked Margie Hickey if she would be ok to have capping the shower head as a condition. **Margie Hickey** responded, "Yes". Mr. Menzer stated he was considering asking that the CUP be just for her use and her ownership. Mr. Zimmers stated he was not allowed to do that. **Debra Yost** stated the CUP stayed with the property. Mr. Kemper didn't wanted to have the carriage house used for any residence. **Debra Yost** stated an accessory structure was not to be used as a residence. Mr. Gill stated he wouldn't recommend that because it couldn't be enforced; all that could be said was to take the shower out. Mr. Zimmers noted Ryan Hottle refused to concede to the condition proposed, and noted concern with where things were going with Airbnb's; if a property were sold, Granville would be stuck with whoever bought the property.

Brian Hennis admitted misidentifying who bought the previously mentioned properties on Main Street. **Marjorie Hickey** had been correct.

Criteria for Approval (1145.03) was reviewed:

The Board of Zoning and Building Appeals shall make the following determinations with respect to an application for a Conditional Use Permit:

- a. The proposed use is a conditional use within the zoning district and the applicable development standards of this Zoning Ordinance are met. All four (4) stated *True*.

(b) The proposed use is in accordance with all current land use and transportation plans for the area and is compatible with any existing land use on the same parcel. All four (4) stated *True*.

(c) The proposed use will not create an undue burden on public facilities and services such as streets, utilities, schools and refuse disposal. All four (4) stated *True*, but the continued addition of STR's could cause a problem.

(d) The proposed use will not be detrimental or disturbing to existing neighboring uses, and will not entail a use, structure or condition of operation that constitutes a nuisance or hazard to any persons or property. Three (3) stated *True*, one (1) stated *False*.

(e) The proposed use will not significantly diminish or impair established property values within the surrounding areas. All four (4) stated *True*.

Mr. Kemper moved Application #2023-192 be approved as submitted, with the condition the capping of the shower in the carriage house be rectified. Mr. Menzer seconded. Mr. Zimmers reiterated that the Village was going in the wrong direction, and saw a lack of control regarding residences which would become businesses. Mr. Gill stated he would be in favor of STR's for resident-owned properties. Mr. Zimmers stated Village Council's purpose was to maintain the residential neighborhood. Mr. Menzer noted there needed to be certain layers of trust as stated by Tim Klingler at the September 14, 2023 meeting. Mr. Gill stated he felt permits should diminish. **Roll Call Vote:** Menzer (yes), Zimmers (no), Kemper (yes) and Gill (yes). Motion **carried** 3-1.

b) Application #2023-193, submitted by Madelyn's, for the property located at 119 East Elm Street. The request is for review and approval of a variance to increase the number of permitted canopy signs on a zoned lot. The property is zoned Village Business District (VBD), and is located within the Architectural Review Overlay District (AROD).

Mr. Gill *swore in* Roger Kessler, Jenn Rubal and Debra Yost.

Discussion:

Roger Kessler, 170 Pinehurst Drive, representing the applicant, requested installation of another awning with "Madelyn's" on it.

Mr. Menzer surmised it was only one (1) more sign, totaling four (4) plus an awning with only an address on it.

Mr. Menzer moved the application be considered by acclamation. Mr. Kemper seconded. **Roll Call Vote:** Zimmers (yes), Kemper (yes), Menzer (yes) and Gill (yes). Motion **carried** 4-0.

Mr. Menzer moved Application #2023-193 be approved. Mr. Kemper seconded. **Roll Call Vote:** Zimmers (yes), Kemper (yes), Menzer (yes) and Gill (yes). Motion **carried** 4-0.

Mr. Gill noted the anxiety about STR's, and stated the BZBA needed to signal to Village Council about the density and limitation of STR's. Mr. Zimmers assured "we" need to know the intent and purpose of people applying for such CUP's.

Findings of Fact Approval:

a). Application #2023-177; 228 East Elm Street; Sarah Straley and Ryan Hottle; Conditional Use Permit. Mr. Menzer moved the Findings of Fact for Application #2023-177 be approved. Mr. Kemper seconded. **Roll Call Vote:** Zimmers (yes), Kemper (yes), Menzer (yes), and Gill (yes). Motion **carried** 4-0.

b). Application #2023-192; 221 South Main Street; Marjorie Hickey; Conditional Use Permit. Mr. Kemper moved the Findings of Fact for Application #2023-192 be approved. Mr. Menzer seconded. **Roll Call Vote:** Kemper (yes), Menzer (yes), Zimmers (yes) and Gill (yes). Motion **carried** 4-0.

c). Application #2023-193; 119 East Elm Street; Madelyn's; Canopy Sign Variance. Mr. Menzer moved the Findings of Fact for Application #2023-193 be approved. Mr. Kemper seconded. **Roll Call Vote:** Menzer (yes), Zimmers (yes), Kemper (yes) and Gill (yes). Motion **carried** 4-0.

Review and approval of minutes from September 14, 2023 BZBA meeting: Mr. Zimmers moved the minutes from the September 14, 2023 BZBA meeting be approved. Mr. Menzer seconded. Roll Call Vote: Kemper (yes), Menzer (yes), Zimmers (yes) and Gill (yes). Motion **carried** 4-0.

Motion to excuse a member's absence: Mr. Zimmers moved the absence of Mr. Burge from the October 12, 2023 BZBA meeting be excused. Mr. Menzer seconded. Roll Call Vote: Zimmers (yes), Kemper (yes), Menzer (yes) and Gill (yes). Motion **carried** 4-0.

Other Board/Law Director/Staff Matters:

Debra Yost reported:

- Anticipated the Mill District final site plan at the November 9, 2023 meeting

Meeting Announcements:

November 9, 2023

December 14, 2023

January 11, 2024

Adjournment:

Mr. Kemper moved the meeting be adjourned. Mr. Menzer seconded. Mr. Gill adjourned the meeting at 7:34pm.

Chairman, Jeff Gill

Date Approved

Submitted by: Debra Yost and Cathy Klingler



Village of Granville

Autumn Klein, Clerk of Council

141 East Broadway

Granville, Ohio 43023

(740) 587-0707 (Office); (740) 587-0128 (Fax)

CERTIFICATE OF COPY

ORIGINAL ON FILE

Re: Application #2023-177; 228 East Elm Street; Ryan Hottle and Sarah Straley; Conditional Use Permit

The State of Ohio, Licking County, Village of Granville

I, Autumn Klein, duly qualified Clerk of Council for the Village of Granville, within and for said County, and in whose custody the Files and Records of said Board of Zoning and Building Appeals are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing are copies of the original application, now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof,

WITNESS my signature, this 16th day of October, 2023.

Autumn Klein, Clerk of Council
Village of Granville

Name	Salutation	Address 1	City	State	Zip
Ryan Hottle and Sarah Straley	Mr. Hottle and Ms. Straley	228 East Elm Street	Granville	Ohio	43023
Jeanetta Pyle Trustee	Ms. Pyle	123 South Pearl Street	Granville	Ohio	43023
Bruce and Lisa Westall	Mr. and Mrs. Westall	232 East Elm Street	Granville	Ohio	43023
Keith and Courtney McWalter	Mr. and Mrs. McWalter	223 East Elm Street	Granville	Ohio	43023
Johnni and Joseph Beckel	Mrs. And Mr. Beckel	221 East Elm Street	Granville	Ohio	43023
Larry and Velma Hottle	Mr. and Mrs. Hottle	224 East Elm Street	Granville	Ohio	43023
Licking County Historical Society	Licking County Historical Soci	P.O. Box 183	Granville	Ohio	43023
John Mathis and Brede Margareta Trustee	Mr. Mathis and Ms. Margaret	233 East Broadway	Granville	Ohio	43023
Granville Public Library	Granville Public Library	217 East Broadway	Granville	Ohio	43023
United States of America	Property Owner	203 East Broadway	Granville	Ohio	43023
Granville Public Library Association	Granville Public Library Assoc	217 East Broadway	Granville	Ohio	43023
William and Mary Hoekstra	Mr. and Mrs. Hoekstra	PO Box 221	Granville	Ohio	43023
Tim and Catherine Kingler	Mr. and Mrs. Kingler	202 East Elm Street	Granville	Ohio	43023
Leman Beall Trustee	Property Owner	PO Box 497	Granville	Ohio	43023
Robert and Carolyn Johnson	Mr. and Mrs. Johnson	218 East Elm Street	Granville	Ohio	43023
Victor and Renee Terebuh	Mr. and Mrs. Terebuh	923 Newark Granville Road	Granville	Ohio	43023
Michael and Ashlin Caravana	Mr. and Mrs. Caravana	209 East Elm Street	Granville	Ohio	43023
Charles and Helen Williams	Mr. and Mrs. Williams	235 East Elm Street	Granville	Ohio	43023
Daryl Tulimieri and Riina Tehver	Mr. Tulimieri and Ms. Tehver	133 South Pearl Street	Granville	Ohio	43023
Phillip and Margaret Selzer	Mr. and Mrs. Selzer	237 South Hanover Street	Carlisle	Pennsylvan	17013
Historic Buxton Inn LLC	Property Owner	PO Box 10	Granville	Ohio	43023
Pat Torrence	Ms. Torrence	117 South Pearl Street	Granville	Ohio	43023
Centenary Methodist Church	Property Owner	102 East Broadway	Granville	Ohio	43023

1145.03 CRITERIA FOR APPROVAL. 228 E Elm

The Board of Zoning and Building Appeals shall make the following determinations with respect to an application for a conditional use permit:

- (a) The proposed use is a conditional use within the zoning district and the applicable development standards of this Zoning Ordinance are met. *all 4 true*
- (b) The proposed use is in accordance with all current land use and transportation plans for the area and is compatible with any existing land use on the same parcel. *3 true
1 NO → Neal.*
- (c) The proposed use will not create an undue burden on public facilities and services such as streets, utilities, schools and refuse disposal. *all 4 true*
- (d) The proposed use will not be detrimental or disturbing to existing neighboring uses, and will not entail a use, structure or condition of operation that constitutes a nuisance or hazard to any persons or property. *2 true - Menzer + Kumper*
- (e) The proposed use will not significantly diminish or impair established property values within the surrounding areas. *2 false - Zimmers + Gill*

(Ord. 15-08. Passed 1-7-09.)

*3 true
1 abstain → Neal.*

① Motion

~~draw~~

Neal → deny

② Motion

*draw → approve as presented
2nd → Ken*

CHAPTER 1182
Short-Term Rental Operations

<p>1182.01 Purpose. 1182.02 Definitions. 1182.03 Zoning districts; density; limitations. 1182.04 Permit required. 1182.05 Occupancy. 1182.06 Parking. 1182.07 Local contact person/ property manager. 1182.08 Application for permit. 1182.09 Short-term rental hosts and hosting platforms; requirements.</p>	<p>1182.10 Grounds for denial or non-renewal of permit. 1182.11 Objection, suspension and revocation; appeal. 1182.12 Permits non-transferable. 1182.13 Relationship to other ordinances. 1182.14 Discrimination prohibited. 1182.15 Severability. 1182.16 Grandfathering/phase-in period. 1182.99 Penalty.</p>
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1182.01 PURPOSE.

This chapter regulates the operation of short-term rental properties in the Village of Granville. The provisions of this chapter are necessary to prevent unreasonable burdens on services and unreasonable impacts on residential neighborhoods posed by short-term rental operations. Special regulation of these uses is necessary to ensure that they will be compatible with surrounding uses and will not act to harm and alter the neighborhoods in which they are located. Maintenance of Granville's existing residential neighborhoods is essential to its continued vitality and economic strength. It is the intent of this chapter to benefit the general public by minimizing adverse impacts of short-term rental operations on the local housing supply at all income levels, and to minimize adverse impacts of the transient and semi-commercial character of short-term rental operations on adjacent residential uses.

(Ord. 01-2022. Passed 2-2-22.)

1182.02 DEFINITIONS

The following words and phrases, when used in this article, shall have the meaning ascribed to them by this section:

- (a) "Accessory Building" means a building not substantially attached to, on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure; this includes, but is not limited to detached garages, barns, workshops, sheds, or other outbuildings.

- (b) "Accessory Dwelling Unit (ADU)" means a building not substantially attached to, but on the same lot with, a primary residence. An ADU must be serviced by public utilities that customarily sustain a residence; and provide for living, sleeping, cooking, and bathroom facilities. An ADU is an ancillary housing unit to the primary residence.
- (c) "Booking Service" means any mechanism for a reservation and/or payment service provided by a hosting platform that facilitates a short-term rental transaction between a short-term rental host and a prospective short-term rental guest, and for which the hosting platform collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the short-term rental transaction.
- (d) "Calls for Service Ratio" means the number of calls for service divided by the number of sleeping rooms in service at the short-term rental.
- (e) "Calls for Service" means any and all calls, including but not limited to those to law enforcement and/or the fire department, when those calls:
- (1) Result in a representative being dispatched or directed to the short-term rental;
 - (2) Allege evidence of criminal activity;
 - (3) Result in an arrest, charge or citation; or
 - (4) Find an imminent threat to the health, safety or welfare of person(s) or property.
- (f) "Director" means the director of the Village of Granville Planning Department, or his or her authorized designee.
- (g) "Dwelling" means any building, structure, or unit, on the same tax parcel, or sharing the same mailing address, which is occupied or intended for occupancy in whole or in part as a home, residence or sleeping place for one (1) or more persons.
- (h) "Employee" means any person who earns qualifying wages, commissions or other type of compensation from the owner or operator of a short-term rental property in connection with its operation or maintenance.
- (i) "Guestroom" means a room offered to the public for a fee that contains, at a minimum, provisions for sleeping and access to a full bath.
- (j) "Hosting Platform" means a person or entity that participates in the short-term rental business by providing and collecting or receiving a fee for booking services through which a short-term rental host may offer a short-term rental to a short-term rental guest. Hosting platforms usually, though not necessarily, provide booking services through an online platform that allows a short-term rental host to advertise the short-term rental through a website provided by the hosting platform and the hosting platform conducts a transaction by which potential short-term rental guest reserves a guestroom(s) and arranges or makes payment, whether the short-term rental guest pays rent directly to the short-term rental host or to the hosting platform.
- (k) "Interception device" as used in this chapter refers to the definition found in Chapter 2933.51(D) of the Ohio Revised Code.
- (l) "Manager" means the general manager, shift manager, or any person in any supervisory position regarding the operation of a short-term rental property.
- (m) "Operator" means any natural person who operates a short-term rental in a capacity to facilitate the offering of guestrooms to guests.

- (n) "Owner" means a corporation, firm, partnership, association, organization and any other group acting as a unit, or a person who has legal title to any structure or premises with or without accompanying actual possession thereof, and shall include the duly authorized agent or attorney, a purchaser, devisee, fiduciary and any person having a vested or contingent interest in the premises.
- (o) "Permanent Occupant" means a person who resides in a dwelling more than fifty-one percent (51 %) of the time during a calendar year, and the dwelling in which a person so resides shall be referred to as their primary residence.
- (p) "Primary Residence" means a dwelling which is the usual place of return for housing as documented by at least two (2) of the following: motor vehicle registration, driver's license, tax documents, lease copy or a utility bill. An owner or permanent occupant can only have one primary residence.
- (q) "Property Manager" means the owner or owner's agent of a short-term rental in the Village Business District who offers the short-term rental for temporary lodging, for a fee, for less than thirty (30) consecutive days and manages its operation.
- (r) "Short-Term Rental Guest" means a person renting temporary lodging from a short-term rental host, or through a hosting platform on behalf of the short-term rental host, for a fee, for less than thirty (30) consecutive days.
- (s) "Short-Term Rental Host" means the owner, operator, or permanent occupant of a short-term rental who offers the short-term rental for temporary lodging, for a fee, for less than thirty (30) consecutive days and manages its operation.
- (t) "Short-Term Rental Operation" means the occupancy of any room or dwelling of any short-term rental.
- (u) "Short-Term Rental" means any dwelling or guestroom that is rented in whole or in part for less than thirty (30) consecutive days for temporary lodging of persons other than the permanent occupant or owner, from which the permanent occupant or owner receives monetary compensation. A traditional bed and breakfast, which is permitted and regulated as a Home Occupation under Chapter 1181 of the Planning and Zoning Code, is not a short-term rental for purposes of this chapter. A boarding house or lodging house, a rooming house, and a hotel, motel or apartment hotel, all of which are separately defined in Section 1135.01, are not short-term rentals for purposes of this chapter. Accessory dwelling units in use prior to January 1, 1978 are considered existing non-conforming uses and are not subject to the provisions of this chapter.

All terminology used in this chapter and not specifically defined above, shall retain its meaning in conformance with the latest volume of Webster's Collegiate Dictionary. (Ord. 01-2022. Passed 2-2-22.)

1182.03 ZONING DISTRICTS; DENSITY; LIMITATIONS.

Short-term rental operations shall be permitted only in the following Zoning Districts, and with the density and use limitations set forth below.

No short-term rental operation shall be conducted in any accessory building.

- (a) Village Business District.
- (1) Short-term rental operation is a Conditional Use in the Village Business District, and subject to the provisions of Chapter 1145 of the Planning and Zoning Code in addition to the provisions of this chapter.
 - (2) A short-term rental property in the Village Business District shall have a property manager whose primary residence is located in Licking County, Ohio or a contiguous county. The property manager shall ensure compliance with Section 1182.07.

- (3) A short-term rental operation in the Village Business District shall not be configured so as to convert a conforming single-family or two-family dwelling into a nonconforming multi-family dwelling.
- (4) Subject to the grandfathering/phase-in provisions of this chapter, the number of short-term rental properties in the Village Business District shall not exceed five percent (5%) of the total number of properties on which a residential use lawfully exists in the Village Business District.
- (b) Village Residential District.
- (1) Short-term rental operation is a Conditional Use in the Village Residential District, and subject to the provisions of Chapter 1145 of the Planning and Zoning Code in addition to the provisions of this chapter.
- (2) A short-term rental property in the Village Residential District shall have a short-term rental host whose primary residence is located in the Village of Granville or Granville Township.
- (3) A short-term rental operation in the Village Residential District shall not be configured so as to convert a conforming single-family dwelling into a non-conforming two-family or multi-family dwelling.
- (4) Subject to the grandfathering/phase-in provisions of this chapter, the number of short-term rental properties in the Village Residential District shall not exceed five percent (5%) of the total number of residential properties in the Village Residential District.
- (c) Suburban Residential District.
- (1) Short-term rental operation is a Conditional Use in the Suburban Residential District, and subject to the provisions of Chapter 1145 of the Planning and Zoning Code in addition to the provisions of this chapter.
- (2) A short-term rental property in the Suburban Residential District shall have a short-term rental host whose primary residence is located in the Village of Granville or Granville Township.
- (3) A short-term rental operation in the Suburban Residential District shall not be configured so as to convert a conforming single-family dwelling into a non-conforming two-family or multi-family dwelling.
- (4) Subject to the grandfathering/phase-in provisions of this chapter, the number of short-term rental properties in the Suburban Residential District shall not exceed five percent (5%) of the total number of residential properties in the Suburban Residential District.
- (d) Planned Development Districts.
- (1) Short-term rental operation is a Conditional Use in the Planned Unit District and the Planned Commercial District, and subject to the provisions of Chapter 1145 of the Planning and Zoning Code in addition to the provisions of this chapter.
- (2) A short-term rental property in the Planned Unit District shall have a short-term rental host whose primary residence is located in the Village of Granville or Granville Township.
- (3) A short-term rental operation in the Planned Unit District shall not be configured so as to convert a conforming single-family dwelling into a non-conforming two-family or multi-family dwelling.

See ~~1145~~
Definitions
(LS)

- (4) Subject to the grandfathering/phase-in provisions of this chapter, the number of short-term rental properties in the Planned Unit District shall not exceed five percent (5%) of the total number of residential properties in the Planned Unit District, and the number of short-term rental properties in the Planned Commercial District shall not exceed five percent (5%) of the total number of residential properties in the Planned Commercial District.
(Ord. 01-2022. Passed 2-2-22.)

1182.04 PERMIT REQUIRED.

(a) No short-term rental host shall engage in, conduct, or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises in the Village of Granville, a short-term rental operation without obtaining a valid permit in accordance with this chapter. It shall be prima facie evidence of a short-term rental operation if a short-term rental is offered on a hosting platform, or if a short-term rental guest is found to be occupying or using a short-term rental.

(b) An application for a new permit may be submitted at any time to the Director. If the application is approved and a valid permit is issued, the permit shall take effect on the day of issuance, and shall expire two calendar years from the day of issuance. If a valid permit is issued in conjunction with and contingent upon an explicit and consensual term lease agreement, as contemplated in Section 1182.08, the permit shall take effect on the day of issuance and shall expire upon the last day of the applicant's leasehold term or at the end of two calendar years from the day of issuance, whichever occurs first.
(Ord. 01-2022. Passed 2-2-22.)

1182.05 OCCUPANCY.

In approving any permit application, the Director shall specify the maximum number of occupants allowed in each short-term rental. The maximum number of occupants in a short-term rental shall not exceed the lesser of:

- (a) Three (3) persons per off-street parking space; or
 - (b) Two (2) persons, plus two (2) persons per sleeping room.
- (Ord. 01-2022. Passed 2-2-22.)

1182.06 PARKING.

In the Village Residential District, Suburban Residential District and Planned Unit District, all off-street parking required for a short-term rental shall be located on the same lot (e.g., in the garage or driveway) as the short-term rental. In the Village Business District and Planned Commercial District, all off-street parking required for a short-term rental shall be located on the same lot (e.g., in the garage, driveway or parking lot) as the short-term rental, or parking may be leased in accordance with Section 1183.04(e) of the Planning and Zoning Code.
(Ord. 01-2022. Passed 2-2-22.)

1182.07 LOCAL CONTACT PERSON/PROPERTY MANAGER.

(a) A designated property manager, who may be the owner of the short-term rental property or the owner's agent, shall maintain a primary residence in Licking County, Ohio or a contiguous county.

(b) The property manager shall be available twenty-four (24) hours per day to ensure that the property is maintained and operated as required by this chapter and the Granville Codified Ordinances, including but not limited to:

- (1) Ensuring that the number of occupants does not exceed the limitations of Section 1182.05.
- (2) Responding to incidents of disorderly conduct, disturbing the peace, littering, vandalism or other occurrences that affect the health, safety and welfare of nearby residents.
(Ord. 01-2022. Passed 2-2-22.)

1182.08 APPLICATION FOR PERMIT.

(a) Application for a new short-term rental permit, and/or for renewal of a valid permit, shall be made to the Director, on approved forms. The Director shall establish associated permit fees and costs, with approval of the Village Manager.

(b) The application for a permit to operate a short-term rental shall contain the following information:

- (1) Name of the applicant, including mailing address, telephone number, and email address. If the applicant is a corporation, firm, partnership, association, organization or other group acting as a unit, the applicant shall provide the name of the entity set forth exactly as shown on its articles of incorporation, mailing address, telephone number, and email address of an individual who is the statutory agent, president, or managing individual, the state in which the company is incorporated or registered, and the entity or corporation number;
For properties in the Village Residential District, the Suburban Residential District and the Planned Unit District, the short-term rental host shall provide sufficient information to demonstrate compliance with the primary residency requirement as outlined in Sections 1182.02 and 1182.03.
- (2) Description of the short-term rental, including property address.
- (3) The legal owner or owners of the property, including mailing address, telephone number, and email address. If the property owner is a corporation, firm, partnership, association, organization or other group acting as a unit, the applicant shall provide the name of the entity set forth exactly as shown on its articles of incorporation as well as the mailing address, telephone number, and email address of an individual who is the statutory agent, president, or a managing individual, the state in which the company is incorporated or registered, and the entity or corporation registration number.
- (4) If an owner of the property has executed a land contract, lease agreement, management agreement, or any other agreement separating the owner from control over the property and/or the short-term rental, the applicant shall include a copy of said agreement along with the application. In order to receive a permit, such documentation must explicitly provide consent for short-term rental operations. The absence of such a clause, or the express prohibition of short-term rental operations, shall be grounds for a denial of a permit.
- (5) The descriptions and addresses of any other short-term rentals located in Village of Granville that the applicant or property owner has any interest in, including, but not limited to, ownership, licensure, or management.

- (6) Name of the short-term rental host, including mailing address, telephone number, and email address.
- (7) The number of separately rentable units, and the number of sleeping rooms in each unit in service in the short-term rental property.
- (8) The names of all hosting platforms on which the applicant has successfully been registered to list a short-term rental, documentation confirming hosting platform registration(s), and proof of general liability insurance for the short-term rental as required by Section 1182.09.
- (9) Affirmation that the short-term rental host and short-term rental are in compliance with all applicable local, state, and federal laws and regulations.
- (10) At the time of application or renewal, all of the following persons are required to provide the results of a fingerprint-based background check performed by a provider approved by the Ohio Bureau of Criminal Investigation: the applicant, the twenty-four (24)-hour emergency contact for the property as required by this chapter, and if applicable, the property manager. If the applicant is a domestic business organization other than a general partnership, then the applicant must provide a copy of the organization's articles of incorporation, articles of organization, statement of partnership authority, certificate of limited partnership, or statement of domestic qualification filed with the Ohio Secretary of State. If the applicant is a foreign business organization other than a foreign general partnership, then the applicant must provide a copy of the foreign business organization's license, registration, or qualification filed with the Ohio Secretary of State authorizing it to do business in Ohio. For all business organization applicants, an individual who is either the statutory agent, a partner, the president, or in the case of an LLC, a managing individual who is also a member, must submit to and provide the results of a BCI background check.

(c) The applicant must notify the Director of any change in information contained in the permit application within ten (10) days of the change.

(d) The Director shall serve written notice of any new or renewal application on all adjacent property owners of record not less than ten (10) business days prior to approving the application. In the event that a party with standing under applicable Ohio law objects to a new or renewal application in writing, the Director shall consider the merits of the application and the objection and either approve or deny the application in accordance with this Chapter. Any denial of an application shall state the reason(s) for the denial in writing. The Director shall serve written notice of the decision to approve or deny an application on the applicant and on any party who objected to the application in writing.

(e) Any change in ownership of the property, the dwelling or the business, change in operator, or change in identity of the short-term rental host shall void the current permit and shall require submission of a new application and the issuance of a new valid permit.

(f) If approved, a short-term rental shall be assigned an individual permit account number that the short-term rental host shall list with the short-term rental on any hosting platform. Only a valid permit shall be listed on a hosting platform. Upon a valid permit's expiration or revocation, a short-term rental host shall immediately remove the short-term rental from being listed on any hosting platform and shall not engage in any short-term rental operations. Those found to be operating with an expired or revoked permit are in violation of Section 1182.04 and are subject to the penalties as provided for in Section 1182.99.

(Ord. 01-2022. Passed 2-2-22.)

**1182.09 SHORT-TERM RENTAL HOSTS AND HOSTING PLATFORMS:
REQUIREMENTS.**

(a) The short-term rental host shall provide to the Director one form of proof of identity and, as applicable, two (2) pieces of evidence that the dwelling is the host's primary residence or two (2) pieces of evidence the host is the owner of the dwelling.

(b) One short-term rental permit shall be required for each short-term rental dwelling.

(c) If a short-term rental host is not the property owner or owner's agent, but a permanent occupant of the dwelling, the host shall provide written permission from the property owner to register the dwelling on any hosting platform for use as a short-term rental.

(d) Short-term rental hosts shall provide written notice to the short-term rental guest(s) of any known, non-obvious, or concealed condition, whether man-made or artificial, which may present a danger to the short-term rental guest(s), together with a local twenty-four (24)-hour emergency contact for the property.

(e) Short-term rental hosts must comply with Section 2933.52 of the Ohio Revised Code. Such compliance shall also include known, non-obvious or concealed surveillance equipment, including, but not limited to, digital video cameras/recorders/monitors, streaming video security cameras, audio recorders/monitors, or any other electronic means of secretly watching, listening, or recording. In the event a short-term rental host utilizes an indoor and/or outdoor interception device(s), or any specific or similar aforementioned device, the short-term rental host shall notify the short-term rental guest. In the event the short-term rental guest does not consent to the short-term rental host utilizing an indoor interception device(s), or any specific or similar aforementioned device for the duration of the short-term rental period, the short-term rental host shall deactivate the indoor interception device(s) and shall not intercept, listen, monitor, record, or like thereof, any activity inside the dwelling.

(f) Short-term rental hosts shall comply with all applicable hotel/motel/short-term rental excise tax requirements.

(g) Rentals for thirty (30) or more consecutive days by the same guest(s) are not subject to short-term rental regulations or excise taxes.

(h) All short-term rental hosts shall obtain liability insurance for each short-term rental. Each short-term rental shall at all times maintain the following insurance coverage meeting all of the following requirements:

- (1) A general liability insurance policy or certificate that shall provide the minimum coverage;
 - A. Not less than one hundred thousand dollars (\$100,000) per individual and three hundred thousand dollars (\$300,000) per occurrence. Such policy or certificate must be issued by an insurance company that is admitted to do business in the state of Ohio or by an eligible surplus lines company or risk retention group.
 - B. The policy or certificate shall provide notice of cancellation of insurance to the Director at least ten (10) days prior to cancellation.

- C. Any cancellation of insurance required by this section shall result in an automatic revocation of the respective short-term rental permit.
- (2) In the event that a hosting platform provides liability insurance to a host, such insurance would be deemed acceptable for submission provided the insurance meets the requirements of subsection (h)(1)A. above.

(i) No short-term rental host shall engage in a short-term rental operation located within the Village of Granville without listing the valid short-term rental permit number associated with the short-term rental on any medium used by the short-term rental host to advertise the short-term rental.

(j) No hosting platform shall provide, and collect a fee for, booking services in connection with any short-term rental operation located within the Village of Granville unless the short-term rental host has provided to the hosting platform a valid short-term rental permit number associated with the short-term rental being rented.

(k) Records Required.

- (1) Short-term rental hosts who engage in short-term rentals and hosting platforms that engage in booking services shall maintain and provide records documenting the following information:
- A. The short-term rental physical address;
- B. The name of the person who registered the short-term rental on the hosting platform or who listed the short-term rental using any medium; and
- C. The dates and duration of stay in a short-term rental, the number of persons who were scheduled to stay each night, and the daily rate charged for each short-term rental.
- (2) Hosting platforms and short-term rental hosts shall retain records for a period of at least four (4) years.
- (3) In order to determine whether a short-term rental host or hosting platform is in compliance with the requirements of this chapter, the Director may request that any records required to be kept by this section be provided for inspection. If such request is denied, the Director may seek an administrative search warrant from a court of competent jurisdiction authorizing said inspection.

(l) Nothing in this section shall be construed as permitting any person to obtain a permit or offer a short-term rental, where prohibited by any other provision of law. (Ord. 01-2022. Passed 2-2-22.)

1182.10 GROUNDS FOR DENIAL OR NON-RENEWAL OF PERMIT.

(a) The Director shall issue a new permit, or grant the renewal of an existing permit, except as provided in subsections (b) or (c) of this section.

(b) The Director shall deny any application for a new permit, or renewal of permit, if any of the following are shown to have occurred at or in connection with the short-term rental property:

- (1) The applicant makes a material misrepresentation of fact on the application.
- (2) The applicant or any owner of the short-term rental has been convicted of violating Section 1182.04(a).

- (3) Any owner, applicant, operator, or manager of the short-term rental has been convicted of the act of prostitution or soliciting for prostitution, or human trafficking, or an act that would constitute a felony drug abuse offense as defined in Ohio Revised Code Chapter 2925, or, within the previous ten (10) years, any misdemeanor violation of Ohio Revised Code Chapters 2925 or 3719, on the premises of the short-term rental or any other short-term rental in which that individual has any interest, including, but not limited to, ownership, licensure, or management.
- (4) The property on which the short-term rental is located, or the short-term rental host is not in good standing with the Village of Granville Income Tax Division.

(c) The Director may deny any application for a new permit, or renewal of permit, if any of the following are shown by a preponderance of the evidence to have occurred at or in connection with the short-term rental property:

- (1) The short-term rental has outstanding orders from the Granville Township Fire Department, the Village of Granville Planning Department or the Licking County Building Department that have not been corrected.
- (2) A pattern of felony drug related activity.
- (3) A pattern of prostitution related activity or evidence of human trafficking.
- (4) A pattern of gang related activity as defined in Ohio Revised Code Section 2923.41.
- (5) Calls for service ratio greater than 1:2 during a consecutive twelve-month period where at least one of the twelve months occurs within the calendar year in which an objection to the permit is lodged.
- (6) A documented history of repeated offenses of violence as defined in Ohio Revised Code Section 2901.01.
- (7) The owner, applicant, operator, or manager, or short-term rental host has not made a good faith effort to correct violations of Sections 1182.09 and 1182.10 of this chapter, or has obstructed or interfered with correction of the violations.
- (8) The owner, applicant, operator, or manager or short-term rental host has engaged in the act of prostitution or soliciting for prostitution, or an act that would constitute a felony drug abuse offense as defined in Ohio Revised Code Chapter 2925, or, within the previous ten (10) years, any misdemeanor violation of Ohio Revised Code Chapters 2925 or 3719, on the premises of the short-term rental or any short-term rental in which that individual has any interest in, including, but not limited to, ownership, licensure, or management.
- (9) The owner, applicant, operator or manager or short-term rental host maintains a nuisance or has a documented history of engaging in or allowing conduct or conditions that endanger the health, safety or welfare of neighboring residents.

(d) Evidence of unlawful conduct under subsections (b) and (c) of this section need only be that of de facto violation of law; evidence of conviction is not a prerequisite for denial except where specifically indicated.

(Ord. 01-2022. Passed 2-2-22.)

1182.11 OBJECTION, SUSPENSION AND REVOCATION; APPEAL.

(a) An adjacent property owner or a party with standing under applicable Ohio law may submit an objection to the Director regarding a new permit application, an existing permit or a renewal application, based on any activity set forth in Section 1182.10(b) or (c) that is shown to have occurred at or in connection with the short-term rental.

(b) At any time during the calendar year, the Director may suspend and/or revoke a short-term rental permit if it is determined that activity set forth in Section 1182.10(b) or (c) is shown to have occurred at or in connection with the short-term rental. In addition, suspension, revocation and/or other penalties may occur if a short-term rental unit is listed on a hosting platform without the required permit account number as required under Section 1182.08(e).

(c) Decisions of the Director may be appealed to the Board of Zoning and Building Appeals pursuant to Section 1139.04 of the Planning and Zoning Code.
(Ord. 01-2022. Passed 2-2-22.)

1182.12 PERMITS NON-TRANSFERABLE.

Short-term rental permits shall be granted solely to the Applicant and shall not be transferable to any other person or legal entity. The short-term rental permit shall include a non-transferability clause and the use shall be terminated automatically upon the sale or change of ownership of the property for which a permit has been issued.
(Ord. 01-2022. Passed 2-2-22.)

1182.13 RELATIONSHIP TO OTHER ORDINANCES.

Each short-term rental is subject to applicable hotel/motel/short-term rental excise tax and income tax ordinances, and shall comply with applicable building, electrical, plumbing, fire, health, planning and zoning code requirements as an express condition of the short-term rental permit. (Ord. 01-2022. Passed 2-2-22.)

1182.14 DISCRIMINATION PROHIBITED.

- (a) An owner, permanent occupant, short-term rental host, or operator shall not:
- (1) Decline a transient guest or short-term rental guest based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status.
 - (2) Impose any different terms or conditions based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status.
 - (3) Post any listing or make any statement that discourages or indicates a preference for or against any transient guest or short-term rental guest on account of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status. (Ord. 01-2022. Passed 2-2-22.)

1182.15 SEVERABILITY.

In the event any section or provision of this chapter shall be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of this chapter as a whole or any part thereof other than the part so declared to be invalid or unconstitutional. (Ord. 01-2022. Passed 2-2-22.)

1182.16 GRANDFATHERING/PHASE-IN PERIOD.

Any short-term rental operation that was previously approved pursuant to any other provision of the Granville Planning and Zoning Code, including but not limited to those that were previously approved as a bed and breakfast, boarding house, hotel/motel/apartment hotel, lodging house, or rooming house, shall be administratively converted to a permitted short-term rental pursuant to this chapter, PROVIDED, that an application for such conversion that includes all of the information required by Section 1182.08(b) is received by the Director on or before December 31, 2021. Any conditional use permit that was issued in connection with the prior approval shall be deemed effective as to the short-term rental operation.

The limitations on the number of short-term rental operations in each respective zoning district shall not take effect until January 1, 2022. On and after that date, no new short-term rental permit shall be issued in excess of those limitations, and available permits shall be offered to qualifying applicants in the order that all required information and application fees were received by the Director. (Ord. 01-2022. Passed 2-2-22.)

1182.99 PENALTY.

(a) Any short-term rental host who rents a short-term rental for a short-term rental operation in violation of Section 1182.09(i), or any hosting platform that provides a booking service for a short-term rental operation in violation of Section 1182.09(j), without correcting or remedying the violation in a reasonable and timely manner, shall be guilty of an unclassified misdemeanor and shall be fined not more than two hundred fifty dollars (\$250.00), in addition to any other remedies imposed by this chapter or provided by law. Each dwelling rented for a short-term rental operation in violation of these provisions shall constitute a separate offense.

(b) Any short-term rental host who rents a short-term rental for a short-term rental operation in violation of Section 1182.04(a), without correcting or remedying the violation in a reasonable and timely manner, shall be guilty of an unclassified misdemeanor and shall be fined not more than two hundred fifty dollars (\$250.00). Upon subsequent conviction, the offense shall be a misdemeanor of the third degree punishable by a fine of not more than five hundred dollars (\$500.00) or incarceration for not more than sixty (60) days, or both, in addition to any other remedies imposed by this chapter or provided by law. In addition, all gross revenue from short-term rental transactions that are unlawfully obtained in violation of Section 1182.04(a) shall be remitted to the Village of Granville, subject to local and state laws governing forfeiture. (Ord. 01-2022. Passed 2-2-22.)

October 26, 2023

To: Granville Village Council

Cc: Board of Zoning and Building Appeals; Granville Planning Department; Village Clerk of Council

From: the undersigned

Re: Appeal from BZBA decision of October 12, 2023 re 228 East Elm Street; Application #2023-177 for a Conditional Use Permit by Ryan Hottle and Sarah Straley

Dear Village Council,

We, the undersigned, all of whom are persons with standing to be heard by the Board of Zoning and Building Appeals pursuant to Section 1139.05 of the Village Codified Ordinances in connection with the above-referenced application, hereby respectfully appeal BZBA's decision of October 12, 2023 to grant a Conditional Use Permit for the use of the house at 228 East Elm Street as a "Short-Term Rental."

Pursuant to Section 1139.06 of the Ordinances, we hereby request a copy of the official record of the September 14, 2023 and October 12, 2023 sessions of the BZBA.

We have two objections, one procedural and one substantive, to the conclusion reached at the October 12, 2023 meeting of the Board.

Our procedural objection is that the October 12 meeting was not conducted in the manner prescribed by Section 1139.05(d) of the Village Ordinances, which requires, among other things, that a person "authorized to appear and be heard" before the Board may "(1) Present his or her position, arguments, and contentions; (2) ...present evidence in support of his or her position, arguments, and contentions; (3) Cross-examine witnesses purporting to refute his or her position, arguments, and contentions....," etc.

At the October 12 meeting, one person with standing to address the Board was told that he would be held to a "higher bar" ostensibly because, according to the Chair, he had submitted inaccurate information to the Board at a prior meeting. No discussion of the alleged inaccurate information was allowed, but in any event, there is simply no basis in 1139.05(d) for subjecting a person to a higher or lower "bar" to their ability to address the Board for that or any other reason. This individual was prohibited from presenting a valid contention about the qualification of the applicants and their proposed "host" (discussed below) under the Short-Term Rental ordinance.

A second person with standing to address the Board was not allowed to approach the podium on the ostensible ground that he had only a "different perspective" to offer and not, as the Chair demanded, "additional data." We submit that a "position," "argument" or "contention," which those with standing are permitted by the procedural rules to submit to the board, may or may not include or consist of mere "data."

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OCT 26 2023

VILLAGE OF GRANVILLE

Our substantive objection to the conclusion reached in this matter is that, as presented, the Short-Term Rental in question has no “host” that meets the requirements of the Village ordinance applicable to Short-Term Rentals. The applicants themselves do not meet the requirement for a “host” set forth in 1182.03(b)(2) in that their primary residence is not located in Granville, and their relatives (who were presented as putative “hosts”) do not meet the requirements of Section 1182.09(a) that the host provide “two (2) pieces of evidence that the dwelling is the host’s primary residence or two (2) pieces of evidence [that] the host is owner of the dwelling.”

In this regard, it’s important to note that the Staff Review of the ordinance submitted to BZBA in connection with the October 12th hearing cited the requirement of 1182.03(b)(2), but did not reference the additional requirements of 1182.09(a). Yet taken as a whole, the ordinance clearly requires that a “host” be either (A) the owner of the Short-Term Rental property whose primary residence is in Granville, or (B) someone other than the owner whose primary residence is the Short-Term Rental property. No one presented to the Board as a prospective host of the subject property meets either of these requirements.

Moreover, we submit that, as was articulated by BZBA Vice-Chair Neal Zimmers in the October 12 session, the spirit and intention of the Short-Term Rental ordinance is, among other things, to prevent excessive density of commercial enterprises such as short-term rentals in the Village *Residential* District (whose base-line conditional use standards, per Section 1159.02(b)(1) of the zoning ordinance, preclude “any use that is customarily conducted as a gainful business”).

On the particular block in question, there already exist a boarding house on one end (203 East Elm), and a grandfathered bed-and-breakfast in the middle (221 East Elm). Put differently, if the permit were granted for 228 East Elm, which has been a single-family, full-time residence since its creation, over 25% of the properties on our block would be permitted for commercial use, a permit that would run with the land in perpetuity.

We call on the Council to deny the subject Conditional Use Permit and thereby to uphold the purpose stated in the preamble of the Short-Term Rental ordinance; namely, “Maintenance of Granville’s existing residential neighborhoods [as] essential to its continued vitality and economic strength.”

Respectfully submitted,

Keith and Courtney McWalter
223 East Elm Street

Jeanetta Pyle
123 South Pearl Street

Daryl Tulimieri and Riina Tehver
133 South Pearl Street

Bruce and Lisa Westall
232 East Elm Street

Charles and Helen Williams
235 East Elm Street

Granville Board of Zoning & Building Appeals
Minutes for Meeting
Amended
October 12, 2023
5:30 p.m.

Call to Order: Mr. Gill called the meeting to order at 5:30p.m.

Members Present: Mr. Gill, Mr. Menzer, Mr. Kemper and Mr. Zimmers

Member Absent: Mr. Burge

Staff Members Present: Debra Yost, Long Range Planner; Jenn Rubal, Zoning Administrator; Herb Koehler, Village Manager

Also present were: Graham Hickey, Ryan Hottle, Vee Hottle, Larry Hottle, Sarah Straley, Tim Klingler, Margie Hickey, Courtney McWalter, Keith McWalter, Bruce Westall, Bob Johnson, Charles Williams, Brian Hennis, Hunter Prendergast and Daryl Tulimieri.

Citizen comments: none

In the discussions regarding Applications #2023-177 and #2023-192, CUP stands for Conditional Use Permit, STR stands for Short-Term Rental, and VRD stands for Village Residential District.

Old Business:

a). **Application #2023-177**, submitted by Sarah Straley and Ryan Hottle, property owners, for the property located at 228 East Elm Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD), and is located within the Architectural Review Overlay District (AROD).

Mr. Gill *swore in* Ryan Hottle, Vee Hottle, Tim Klingler, Keith McWalter, Bruce Westall, Bob Johnson, Brian Hennis, Hunter Prendergast, Daryl Tulimieri, Debra Yost and Jenn Rubal.

Discussion:

Mr. Gill noted the exhibits: a letter from Ryan Hottle, a letter from Larry and Vee Hottle, a memorandum from Neal Zimmers and Jenn Rubal's map illustrating the known STR's within the Village Residential District (VRD).

Mr. Zimmers stated he was concerned there are too many Airbnb's in the VRD and that he had seen a Denison listing of available STR's in the VRD which showed many more than appeared on the map. He pointed out one on North Pearl St. around the corner from Broadway. Jenn Rubal stated the one he referred to was located within the Village Business District (VBD).

Mr. Zimmers stated his view on the issue and submitted his memorandum as an exhibit for the record.

Mr. Menzer explained the difference between an Airbnb and a bed and breakfast with regard to owner occupation. **Debra Yost** confirmed if the owner lived in the property, it became a bed and breakfast function, which would also necessitate a CUP.

Mr. Menzer moved the application be taken off the table. Mr. Kemper seconded. **Roll Call Vote:** Kemper (yes), Menzer (yes), Zimmers (yes) and Gill (yes). Motion **carried** 4-0.

Mr. Menzer asked about a homeowner leaving when a house was to be rented; he tried to clarify the situation per the intent of Ryan Hottle as the owner of a proposed STR.

Mr. Gill clarified a CUP was needed for a STR or a bed and breakfast, and used the same criteria; he stated it was currently not a requirement for an owner to be a resident of Granville.

Ryan Hottle, owner of 228 East Elm Street, resident at 159 West Jeffrey Place, Columbus, Ohio, read the letter he sent to “Members of the Council”.

In regard to his previous statement (on September 14, 2023) about there having been no complaints related to any STR’s in the Village, Mr. Gill questioned the source of Mr. Hottle’s information. **Ryan Hottle** stated who had said it at the September 14, 2023 meeting. Mr. Menzer read from the minutes for the September 14, 2023 BZBA meeting.

Mr. Zimmers questioned how a mostly vacant STR property could be construed as a positive contribution to the neighborhood as Mr. Hottle had asserted. **Ryan Hottle** stated he had invested in improvements to the property, landscaped, cleaned gutters and done general maintenance, and would continue to maintain the property.

Larry Hottle was asked if he had anything to add beyond the letter he submitted. He stated that he did not.

Bob Johnson, 218 East Elm Street, made a statement about no lack of deterioration of neighborhoods where there were Airbnb’s; he believed Ryan Hottle, as owner/operator, was working at the highest level of Airbnb; he believed Airbnb’s produced more business for communities. **Bob Johnson** stated the number of STR’s in the VRD was well below the maximum number allowed in the district.

Tim Klingler, 202 East Elm Street, asked about the intent of a person applying for a CUP, and if the intended 3-year plan for moving into the house specifically part of the BZBA’s consideration. Mr. Gill stated that was yet to be discussed; it was an assertion but not a stipulation.

Keith McWalter, 223 East Elm Street, asked about a limit of STR’s in the VRD. Mr. Gill clarified the limit was 5% of the homes in the district which equated to 15 homes. **Keith McWalter** described the block, which included the boarding house (apartments at 203 East Elm Street), a bed and breakfast and the potential STR; he asked if it was desired to preserve resident-oriented space close to downtown. He referenced Mr. Zimmers’ *statement on the intent of the Purpose Clause of the Village Ordinance*, noting the block was over-endowed with short-term properties.

Vee Hottle, 224 East Elm Street, stated she would be the host of the STR if it were allowed, and she shared a driveway with 228 East Elm Street. Mr. Gill stated he heard the concerns about density. **Vee Hottle** stated Ryan Hottle purchased the house with the intent to move there in 3

years; it could be a STR or a long-term rental; a STR would be occupied 3-4 days per month but corrections could easily be made when unoccupied. Mr. Gill acknowledged what was assumed might not happen. **Vee Hottle** compared a STR and a long-term rental in regard to access to the house. *Mr. Zimmers said the home would be empty 2/3 of every month, and a long-term rental would give more stability to the neighborhood and maintain the residential nature.* **Vee Hottle** stated Ryan Hottle *has come* to the house frequently, and *has* worked remotely from there.

Darryl Tulimieri, 133 South Pearl Street, asked if the BZBA had determined if Ryan Hottle met requirements for a STR. Mr. Gill replied Ryan Hottle had done so, per review by Village Legal Counsel.

Bruce Westall raised his hand after panel discussion. He was asked by Mr. Gill if he had any new information to add, to which he said he might be able to add a new perspective. Mr. Gill noted perspectives were being considered for forty-five minutes, and the Board should focus on any new substantive input. Mr. Westall waved back at the chair from his seat, and the discussion of the panel continued.

Mr. Gill stated the applicant met the qualifications to apply for a Conditional Use Permit, and that a closer look following a variety of statements made at the previous BZBA meeting, it was clear that the BZBA could allow more Short-Term Rentals within the Village Residential District, and in fact, there were only four permitted STR's in the Village Residential District. He stated the questions remaining for the Board was how to consider the criteria in light of whether or not the particular STR in this location is a good idea or not.

Mr. Zimmers stated the particular block was being transformed to a STR neighborhood, and believed any additional STR's should be owner occupied per the nature of the neighborhood and the intent of the Purpose Clause in the Village Code. Mr. Zimmers moved the application be denied.

Mr. Menzer saw the purpose clause differently, and explained that he felt the cap for STRs was set intentionally, and appropriately, low by Village Council. He believed the residential feel of neighborhoods was being supported by the low STR cap, and added it would be difficult to find a better fitting application based on the proximity of the parents, Ryan Hottle sometimes living/working there, and the intent to move there in 3 years. He appreciated the concern of density, and wouldn't want a pocket of town to be an Airbnb street, but didn't believe that was happening; he believed the applicant in regard to moving to Granville. He would be open to putting a time frame on a CUP, and saw the purpose of the Village Code as keeping a low number of STR's. Mr. Gill gave his opinions on if another such application for the specific block of East Elm Street would come to the BZBA. Mr. Zimmers didn't think Village Council expected there to be 15 empty houses when they put the cap of 15 in the VRD.

Criteria for Approval (1145.03) were reviewed:

The Board of Zoning and Building Appeals shall make the following determinations with respect to an application for a Conditional Use Permit:

- a. The proposed use is a Conditional Use within the zoning district and the applicable development standards of the Zoning Ordinance are met. All four (4) stated *True*, as it was discussed at the September 14, 2023 meeting.

(b) The proposed use is in accordance with all current land use and transportation plans for the area and is compatible with any existing land use on the same parcel. Three (3) stated *True*, one (1) stated *False*.

(c) The proposed use will not create an undue burden on public facilities and services such as streets, utilities, schools and refuse disposal. All four (4) stated *True*.

(d) The proposed use will not be detrimental or disturbing to existing neighboring uses, and will not entail a use, structure or condition of operation that constitutes a nuisance or hazard to any persons or property. Two (2) stated *True*, two (2) stated *False*.

(e) The proposed use will not significantly diminish or impair established property values within the surrounding areas. Three (3) stated *True*, one (1) *passed*.

Mr. Zimmers moved Application #2023-177 be denied. There was no second so the motion died. Mr. Menzer wanted to put a condition of a time limit on the approval. Mr. Gill asked Ryan Hottle how he would feel about a limit of 3 years before he would need to be residing at 228 East Elm Street. **Ryan Hottle** said he would not support the condition.

Mr. Menzer moved Application #2023-177 be approved as presented. Mr. Kemper seconded. **Roll Call Vote:** Kemper (yes), Menzer (yes), Zimmers (no) and Gill (yes). Motion **carried** 3-1. Mr. Gill noted it was approved without a “sunset clause”.

New Business:

- a. **Application #2023-192**, submitted by Marjorie Hickey, property owner, for the property located at 211 South Main Street. The request is for review and approval of a Conditional Use Permit to allow the property to be utilized as a Short-Term Rental. The property is zoned Village Residential District (VRD), and is located within the Architectural Review Overlay District (AROD).

Mr. Gill *swore in* Margie Hickey, Graham Hickey, Hunter Prendergast, Brian Hennis, Jenn Rubal and Debra Yost.

Discussion:

Marjorie Hickey, 211 South Main Street, asked for a CUP for a STR; she recently tried to sell the property, but said most people interested in buying the property wanted to buy it as an investment property. She noted a Carriage House was in the rear, and only the house would be a STR. Mr. Gill noted there would be questions about granting the applicant a CUP given previous violations of stated restrictions and guidelines from the BZBA. There was discussion of how previously granted qualifications had been over-stepped, and remedial action to be taken if the current application would be approved. **Margie Hickey** defended the change she made in the agreement about no shower or bath in the Carriage House, as she did it per the contractor’s suggestion; she didn’t intentionally violate the previous conditions of her earlier variance. Mr. Gill didn’t see the BZBA allowing a CUP as a result of her past. **Margie Hickey** agreed to have a plumber block off the plumbing which hadn’t been allowed, and stated she would not be renting the rear structure (Carriage House). She had built a house in Glenshire, and her sons would continue to live in the house (at 211 South Main Street), not in the Carriage House. Regarding having had the house (211 South Main Street) for sale, she stated she decided to keep the house and not sell it; the contract was ended. ***She said she wanted to keep it as an investment property and felt the income from the proposed STR would make it work.***

Mr. Menzer confirmed she wanted to use the house as a STR while her sons were in school. **Margie Hickey** defended why she wanted her sons to live in the house, and defended

the plumbing installed in the Carriage House. Mr. Menzer asked about a future owner who might un-cap the shower and have an un-licensed bed and breakfast. Mr. Gill confirmed the BZBA was reviewing a CUP for the front house, not the Carriage House.

Hunter Prendergast, 124 West Maple Street, asked if Ms. Hickey's intent was to do the STR temporarily or in perpetuity. **Debra Yost** stated the applicant had one (1) year to begin the conditional use, which would expire if the Conditional Use were to be discontinued for more than two (2) years. If a new person bought the property [before a 2-year abandonment], the Conditional Use would continue (and run with the property) but the new owner must reapply for a STR. **Hunter Prendergast** asked again if it was to be a STR temporarily or in perpetuity. Mr. Gill responded that it would be in perpetuity unless a condition was imposed. **Hunter Prendergast** opposed multiple STR's in Granville, and would prefer the applicant not receive a CUP to be a STR, as he lived immediately adjacent. If the permit was granted, he expected the neighborhood to lose personality.

Brian Hennis, 128 West Maple Street, described the organization he was a part of; he quoted an article from which claimed STRs are a benefit to travelers, but not to the community in which they are located; he believed the cost of homes had increased; he gave the example of two (2) businesses on Main Street that had recently moved and were bought by out-of-state investors (referring to Doug and Becky Wagner's veterinary-related properties); he referenced an article about STR's bringing additional crime; he stated there was some risk in town during the 4th of July festivities, but he felt safe; he frowned upon bringing more STR's to the community because of unoccupied spaces, and people coming who were not part of the community; he opposed granting the CUP for 211 South Main Street.

Hunter Prendergast presented a few more studies about the saturation of STR's within a neighborhood pertaining to land value, adding nuisance issues and the pressure on the Village's infrastructure.

Marjorie Hickey stated, regarding businesses that had moved (again, referring to the properties previously owned by Doug and Becky Wagner), she met the new owner, a Granville resident (not out of state) who was using the businesses for Denison University students. She assured it would not be a party house; she resides locally and would not allow the property to deteriorate. Mr. Gill mentioned the anticipatory anxiety about trends, which was not a basis for granting or denying the request.

Mr. Menzer stated he was sympathetic of too many STR's and stories/situations; his concern was the investor who didn't have a connection to Granville and wanted to use the house in a way unlike Granville; he asked Margie Hickey if she would be ok to have capping the shower head as a condition. **Margie Hickey** responded, "Yes". Mr. Menzer stated he was considering asking that the CUP be just for her use and her ownership. Mr. Zimmers stated we were not allowed to do that. **Debra Yost** stated the CUP stayed with the property. Mr. Kemper didn't want to have the Carriage House used for any residence. **Debra Yost** stated an accessory structure was not to be used as a residence. Mr. Gill stated he wouldn't recommend that because it couldn't be enforced; all that could be said was to take the shower out. Mr. Zimmers noted Ryan Hottle refused to concede to a proposed condition, and noted concern with where things were going with Airbnb's; if a property were sold, Granville would be stuck with whoever bought the property.

Brian Hennis admitted misidentifying who bought the previously mentioned properties on Main Street. **Marjorie Hickey** had been correct.

Criteria for Approval (1145.03) was reviewed:

The Board of Zoning and Building Appeals shall make the following determinations with respect to an application for a Conditional Use Permit:

a. The proposed use is a Conditional Use within the zoning district and the applicable development standards of this Zoning Ordinance are met. All four (4) stated *True*.

(b) The proposed use is in accordance with all current land use and transportation plans for the area and is compatible with any existing land use on the same parcel. All four (4) stated *True*.

(c) The proposed use will not create an undue burden on public facilities and services such as streets, utilities, schools and refuse disposal. All four (4) stated *True*, but the continued addition of STR's could cause a problem.

(d) The proposed use will not be detrimental or disturbing to existing neighboring uses, and will not entail a use, structure or condition of operation that constitutes a nuisance or hazard to any persons or property. Three (3) stated *True*, one (1) stated *False*.

(e) The proposed use will not significantly diminish or impair established property values within the surrounding areas. All four (4) stated *True*.

Mr. Kemper moved Application #2023-192 be approved as submitted, with the condition the capping of the shower in the Carriage House be rectified. Mr. Menzer seconded. Mr. Zimmers reiterated that the Village was going in the wrong direction, and saw a lack of control regarding residences which would become businesses. Mr. Gill stated he would be in favor of STR's for resident-owned properties. Mr. Zimmers stated Village Council's purpose of the Ordinance's restrictions was to maintain the residential character of the neighborhoods. Mr. Menzer noted there needed to be certain layers of trust as stated by Tim Klingler at the September 14, 2023 meeting. Mr. Gill added that further permits might be granted, but could not foresee the fifteen allowed under the ordinance being granted, given the general community feelings as they have been expressed thus far. **Roll Call Vote:** Menzer (yes), Zimmers (no), Kemper (yes) and Gill (yes). Motion **carried** 3-1.

b) Application #2023-193, submitted by Madelyn's, for the property located at 119 East Elm Street. The request is for review and approval of a variance to increase the number of permitted canopy signs on a zoned lot. The property is zoned Village Business District (VBD), and is located within the Architectural Review Overlay District (AROD).

Mr. Gill *swore in* Rodger Kessler, Jenn Rubal and Debra Yost.

Discussion:

Rodger Kessler, 170 Pinehurst Drive, representing the applicant, requested installation of another awning with "Madelyn's" on it.

Mr. Menzer surmised it was only one (1) more sign, totaling four (4) plus an awning with only an address on it.

Mr. Menzer moved the application be considered by acclamation. Mr. Kemper seconded. **Roll Call Vote:** Zimmers (yes), Kemper (yes), Menzer (yes) and Gill (yes). Motion **carried** 4-0.

Mr. Menzer moved Application #2023-193 be approved. Mr. Kemper seconded. **Roll Call Vote:** Zimmers (yes), Kemper (yes), Menzer (yes) and Gill (yes). Motion **carried** 4-0.

Mr. Gill noted the anxiety about STR's, and stated the BZBA needed to signal to Village Council about the density and limitation of STR's. Mr. Zimmers assured "we" need to know the intent and purpose of people applying for such CUP's.

Findings of Fact Approval:

a). Application #2023-177; 228 East Elm Street; Sarah Straley and Ryan Hottle; Conditional Use Permit. Mr. Menzer moved the Findings of Fact for Application #2023-177 be approved. Mr. Kemper seconded. **Roll Call Vote:** Zimmers (yes), Kemper (yes), Menzer (yes), and Gill (yes). Motion **carried** 4-0.

b). Application #2023-192; 221 South Main Street; Marjorie Hickey; Conditional Use Permit. Mr. Kemper moved the Findings of Fact for Application #2023-192 be approved. Mr. Menzer seconded. **Roll Call Vote:** Kemper (yes), Menzer (yes), Zimmers (yes) and Gill (yes). Motion **carried** 4-0.

c). Application #2023-193; 119 East Elm Street; Madelyn's; Canopy Sign Variance. Mr. Menzer moved the Findings of Fact for Application #2023-193 be approved. Mr. Kemper seconded. **Roll Call Vote:** Menzer (yes), Zimmers (yes), Kemper (yes) and Gill (yes). Motion **carried** 4-0.

Review and approval of minutes from September 14, 2023 BZBA meeting: Mr. Zimmers moved the minutes from the September 14, 2023 BZBA meeting be approved. Mr. Menzer seconded. **Roll Call Vote:** Kemper (yes), Menzer (yes), Zimmers (yes) and Gill (yes). Motion **carried** 4-0.

Motion to excuse a member's absence: Mr. Zimmers moved the absence of Mr. Burge from the October 12, 2023 BZBA meeting be excused. Mr. Menzer seconded. **Roll Call Vote:** Zimmers (yes), Kemper (yes), Menzer (yes) and Gill (yes). Motion **carried** 4-0.

Other Board/Law Director/Staff Matters:

Debra Yost reported:

- Anticipated the Mill District final site plan at the November 9, 2023 meeting

Meeting Announcements:

November 9, 2023
December 14, 2023
January 11, 2024

Adjournment:

Mr. Kemper moved the meeting be adjourned. Mr. Menzer seconded. Mr. Gill adjourned the meeting at 7:34pm.



Chairman, Jeff Gill

Date Approved

Submitted by: Debra Yost, Jenn Rubal and Cathy Klingler with amendments provided by Board Members Mr. Gill, Mr. Menzer, and Mr. Zimmers

To: Autumn Klein, Clerk Granville Village Council
FROM: Larry Hottle
DATE: 12/14/23
RE: Appeal of BZBA decision - 228 E. Elm

Enclosed are our comments for Council. Please provide these to Council Members prior to the meeting of 12/20/23.

Thank you.

Best regards,

Larry Hottle

ENCLOSURE: 3 page letter to Village Council.

December 14, 2023

To: Granville Village Council

From: Ryan Hottle and Sarah Straley 139 E. Jeffery Place, Columbus, Franklin County, Ohio; Larry and Vee Hottle, 224 East Elm Street, Granville, OH

Re: Appeal from BZBA decision of October 12, 2023 re 228 East Elm Street; Application #2023-177 for a Conditional Use Permit by Ryan Hottle and Sarah Straley

Dear Village Council,

My wife, Vee, and I have lived at 224 East Elm Street for the past 33 years. We, along with the applicants, are submitting this letter in response to an appeal of October 26, 2023 (McWalter et. al.) of BZBA's approval granting a Conditional Use Permit for 228 E. Elm St.

This letter contains ten points in rebuttal to objections made in the appeal letter as well as those presented at BZBA's October 12th hearing by Neal Zimmers, Keith McWalter, and other objectors. Mr. Zimmers read his written statement at the beginning of BZBA's October 12th hearing while Mr. McWalter spoke at the 10/12 meeting, submitted the 10/26 letter appealing BZBA's 3-1 vote to approve the application, and also submitted a 9/7 letter of objection prior to the initial September 14th hearing.

Below are our points of rebuttal:

Point 1. BZBA discussed Application #2023-177 at two hearings. The first hearing was held on September 14th during which consideration of the application was tabled to allow extra time to review statements about Granville's code and Ohio law. Objector Daryl Tulimieri stated, "According to Ohio Department of Commerce, in order to manage a property one needs to have a real estate license ... according to Ohio Law, the Hottles are not able to lawfully manage that property." [Granville BZBA hearing September 14, 2023, recorded transcript, 36.5 minutes – 37 minutes], a statement which was patently false.

The second hearing was held on October 12th during which the BZBA voted to approve the application. Prior to the October 12th hearing, Village staff and Granville's Village Law Director investigated Mr. Tulimieri's objections, and BZBA Chair Jeff Gill summarized their findings as follows: "*All of your questions were given to staff and Village Law Director, and they are satisfied that this is an appropriate finding.*" [BZBA 10-12-2023 hearing transcript, minute 43].

Point 2. Despite statements during BZBA's hearing of October 12th that the application had been reviewed both by Village staff and Granville Village Law Director, who were "*entirely satisfied,*" [BZBA 10-12-2023 hearing transcript, minute 43], the appeal letter of October 26 nevertheless continued to question the application's validity [McWalter et. al. appeal letter of 10/26, paragraphs 7, 8, and 9.]

Point 3. The applicants, Ryan and Sarah, sought advice from and worked closely with Granville Village staff to complete the rigorous application process. The owners of 228 E. Elm (Ryan and Sarah) and host/operator (Vee Hottle) listed in the application satisfy required criteria: owners of the property reside in a contiguous county (Franklin), and the operator/host lives in Granville (224 E. Elm Street). Applicable definitions are as follows: *1182.07 (a) A designated property manager, who may be the owner of the short-term rental property or the owner's agent, shall maintain a primary residence in Licking County, Ohio, or a contiguous county. 1182.03(b) (2) A short-term rental property in the Village*

Residential District shall have a short-term rental host whose primary residence is located in the Village of Granville or Granville Township.

Point 4. Mr. Zimmers, who cast the sole vote against the application, wrote his minority opinion and read it at the beginning of the October 14th hearing. In it, he explains his interpretation of the “intent” of Granville Village Council that houses should be “owner-occupied” in residential neighborhoods. Later during the October hearing, he stated verbally that Village Council does not want houses to be “empty” and “it’s a question of maintaining the residential neighborhood, people there 24/7, in their homes, working with their neighbors.” Perhaps unintentionally, Mr. Zimmers’ statement strikes an ironic tone, since multiple homes on the 200 block of E. Elm Street sit empty when residents leave for several months each year, especially during winter, including those of some opponents listed on the appeal letter.

Point 5. Mr. Zimmers repeatedly mischaracterized Ryan and Sarah’s intent in buying 228 E. Elm, calling them “...investors” and “investor-owners.” Ryan and Sarah did *not* purchase 228 E. Elm as an investment property but as a future family home, next door to Ryan’s parents. In fact, Ryan grew up at the house next door at 224 E. Elm and attended grades K-12 in Granville, experiencing first-hand the quality of Granville schools.

To further explain this important point, we would like to offer additional background in some detail. Vee and Larry’s family moved to Granville Township in 1988 when Ryan, our older son, was 5 years old and started kindergarten in Granville. Our first residence was just south of Granville Village on Louise Drive. Vee wanted to move into the village to be closer to the schools, and we were finally able to purchase our current house at 224 E. Elm in 1990. At that time, we were living next to Margret and Raymond Gjessing at 228 E. Elm. Because houses in Granville come up for sale infrequently and this particular house is next door to the house where he grew up, Ryan purchased it when it recently came up for sale based on its proximity to extended family and to enable Bodhi, Ryan and Sarah’s son, now 5 years old, to attend Granville schools.

Simply buying a house in today’s market is difficult enough, but for Ryan, Sarah, and their family it’s even more difficult. It would be far easier if they could move to Granville immediately. Because they cannot move immediately, Ryan and Sarah applied for a short-term rental to have some chance to defray the high costs of the mortgage until they can move in. In addition, the short-term rental format will allow them to use the home on days when it is not occupied, allowing them to continue to improve the property or to use it for family gatherings.

Point 6. Opponents claim to understand the “overall intent” or “spirit” of Granville Village Council’s Chapter 1182. As stated above, Mr. Zimmers’ interpretation of the “intent” of Granville Village Council is that houses should be “owner-occupied” in residential neighborhoods. In his 9/7 letter, Mr. McWalter interprets the “spirit” of the code as controlling density of “non-residential” properties. Mr. Gill advised that changing the code is the Village Council’s prerogative, not BZBA’s.

Clearly the intent of Chapter 1182 is to provide for allowing STR’s to operate if they meet criteria defined in the code. Instead, opponents simply choose to ignore the positive impact of STR’s as described on the Village’s website: *“Short-Term Rentals are operated out of an individual’s home, often an unused space or extra rooms/floors, but sometimes encompass entire homes. Recognizing the place STR’s occupy in the fabric of a vibrant community, the Village of Granville does not wish to keep STR’s from operating.”* [<https://www.granville.oh.us/shortterm-rentals>]

Point 7. Vee and Sarah hand-delivered a letter to all neighbors on the mailing list provided by BZBA, as soon as that list became available. This letter describes Ryan and Sarah’s future plans of moving to

Granville and invites any neighbors to stop by with any questions or concerns. One neighbor, Bob Johnson, accepted the invitation, stopped by to discuss the proposal, and then spoke at both hearings in support of the application. Other neighbors wrote to BZBA and/or spoke in support at hearings. The objectors are a minority of the neighbors among those on BZBA's mailing list (5 households objecting out of a total of 23 households on the mailing list).

Point 9. Several people listed at the end of the 10/26 appeal letter did not attend BZBA's September hearing. Likewise, several other people listed at the end of the appeal did not attend BZBA's October hearing. Two people listed on the appeal letter attended neither hearing. Furthermore, the appeal letter has no signatures (at least the copies provided to us have no signatures).

Point 10. We agree with Mr. Zimmers when he describes the role of fear: "*BZBA has opposition testimony from neighbors who fear detrimental effects on the residential nature of the immediate area...*". [Mr. Zimmers' written statement presented at the October 12th hearing, paragraph 6]. It is an **unfounded fear** based on subjective feelings.

Three examples of such unfounded and unreasonable fears expressed by opponents are as follows:

- (1) During the September 14th hearing, to Mr. Gill's question, "What kind of events or activities do you think would potentially create a negative [situation (inaudible)]?" Ms. Pyle expressed "grave concern" about "...having people in the neighborhood who are not your neighbors coming and going - you know, there's no relationship with these people." [BZBA hearing transcript 9-14-2023, minutes 22 – 23]. This fear is unreasonable. Many people walk on public sidewalks through our neighborhood every day, perhaps to use the bike path, visit the library, post office, shops, restaurants, or museums, and these people are not necessarily "neighbors" in the sense that they reside in our neighborhood.
- (2) Likewise, Mr. Tulimieri stated, "I am concerned about having a steady stream of people who we don't know coming through the neighborhood. I have had knocks on my door late at night from somebody that I didn't know." [BZBA 9-14-2023 hearing transcript, minute 45], as if having an STR down the block would increase the frequency of such occurrences. This fear is also unreasonable and unfounded.
- (3) In his letter of September 7, Mr. McWalter states: "We've all read and heard about formerly beautiful residential neighborhoods that have been turned into Airbnb ghettos by the conversion of former family residences into short-term rental properties..." [McWalter, 9/7/23, paragraph 3]. This is another unfounded, unreasonable fear. There is no cause and effect, no "slippery slope" [McWalter, 9/7, paragraph 4].

While we acknowledge concerns of neighbors who have voiced opposition, their objections are not reasonable grounds to deny, and we respectfully request Village Council to affirm BZBA's 3-1 vote to approve the application.

Sincerely,


Larry Hottle, Vee Hottle, Ryan Hottle and Sarah Straley

From: Jennifer Rubal <jrubal@granville.oh.us>
Sent: Tuesday, October 10, 2023 1:21 PM
To: 'Jeff Gill' <knapsack@windstream.net>; 'yaak@roadrunner.com' <yaak@roadrunner.com>; 'Neal Zimmers' <nz@zimmers-law.com>; 'Drew Menzer' <drewthemenzer@gmail.com>; 'kemperken1947@gmail.com' <kemperken1947@gmail.com>
Cc: Debi Walker Yost <dwalkeryost@granville.oh.us>
Subject: FW: BZBA Packet for Thursday 10/12

Hi all,

Attached is a copy of the Short-Term Rental Chapter 1182, there are some mark ups with key words and phrases that we think pertain most to Application #2023-177 that was tabled last month.

To provide clarity on the ownership/residency questions, please note below that the Village Residential District has no specific provisions related to where the owner resides.

(b) Village Residential District

(1) Short-term rental operation is a Conditional Use in the Village Residential District, and subject to the provisions of Chapter 1145 of the Planning and Zoning Code in addition to the provisions of this chapter.

(2) A short-term rental property in the Village Residential District shall have a short-term rental host whose primary residence is located in the Village of Granville or Granville Township.

(3) A short-term rental operation in the Village Residential District shall not be configured so as to convert a conforming single-family dwelling into a non-conforming two-family or multi-family dwelling.

(4) Subject to the grandfathering/phase-in provisions of this chapter, the number of short-term rental properties in the Village Residential District shall not exceed five percent (5%) of the total number of residential properties in the Village Residential District.

To further help us understand the roles associated with Short Term Rentals, we offer the following:

1182.03(b)(2) states “A short term rental property in the Village Residential District shall have a short-term rental host whose primary residence is located within the Village of Granville or Granville Township.” In this case, one could view Vee and Larry Hottle as the Short-Term Rental Host.

1182.02(s) defines Short-term rental host as “the owner, operator or permanent occupant of a short-term rental who offers the short-term rental for temporary lodging, for a fee, for less than 30 consecutive days and manages its operation.” Although Vee

and Larry are not the owners of the property, one could classify them as the operators of the Short-Term Rental.

Lastly, 1182.02(m) defines Operator, as “any natural person who operates a short-term rental in a capacity to facilitate the offering of guest rooms to guests.” One might view Vee and Larry as Operators of the Short-Term Rental.

Also, a gentle reminder from our Law Director, it is important that the Board make determination on the Criteria of 1145 Conditional Uses only, and understand that the contents of the Short-Term Rental Application will be further reviewed administratively by the Planning Staff. Remember that the Conditional Use Permit allows the applicant to submit a Short-Term Rental Application. Staff will perform additional in-depth reviews based on the applications information prior to granting the Short-Term Rental Permit.

See you on Thursday!

Jenn

BY:

RESOLUTION NO. 2024-01

A RESOLUTION TO AWARD THE BID FOR THE BRYN DU BARN RENOVATION PROJECT TO ROBERTSON CONSTRUCTION SERVICES, INC AND TO AUTHORIZE THE VILLAGE MANAGER TO ENTER INTO A CONTRACT THERETO

WHEREAS, bids were received for the Bryn Du Barn Rehabilitation Project on December 22, 2023, and

WHEREAS, Northpoint Ohio Architecture has reviewed the one bid received and has recommended that the contract for the Bryn Du Barn Rehabilitation Project be awarded to Robertson Construction Services, Inc. as the lowest and best bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF GRANVILLE, OHIO that:

Section I: The bid award for the Bryn Du Barn Rehabilitation Project, as per specifications, be awarded to Robertson Construction Services, Inc. for a total contract price of \$1,514,000.00

Section II: The Village Manager is hereby authorized on behalf of the Village of Granville to enter into a contract with Robertson Construction Services, Inc. for the Bryn Du Barn Rehabilitation Project.

Section III: This resolution shall take effect immediately upon passage.

Passed this 3rd day of January, 2024.

Mayor, Melissa Hartfield

Attest:

Autumn Klein, Clerk of Council

Approved as to Form:

William Mattes, Law Director

By:

RESOLUTION NO. 2024-02

A RESOLUTION TO AUTHORIZE THE VILLAGE MANAGER TO ADVERTISE FOR BIDS FOR VARIOUS VILLAGE PROJECTS AND ITEMS THROUGHOUT THE YEAR 2024

WHEREAS, the Village of Granville has various projects throughout the year that require a bid process; and

WHEREAS, the Village Manager requests the authority to seek bids for projects listed below, as needed; and

WHEREAS, all projects listed below were approved by Council as part of the 2024 budget process; and

WHEREAS, Village Council will review and approve the awarding of all contracts for any projected listed below that are bid.

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Granville, Ohio that:

Section I: The Village Manager is hereby authorized on behalf of the Village of Granville to advertise for bids, consistent with the laws of the State of Ohio, during the year 2024 for the following projects:

Street Improvement Projects (Paving & Concrete Repairs)
Lime Chemicals
Sludge Hauling
Lime Sludge Storage Building
Weaver Dr/River Rd Pedestrian Path
Thornwood Crossing Pedestrian Path Connector
Wet Well Lining at Erinwood

Section II: This Resolution shall take effect and be in full force from and after the date of its passage, the earliest period allowed by law.

Passed this 3rd day of January, 2024.

Melissa Hartfield, Mayor

ATTEST:

Autumn Klein, Clerk of Council

APPROVED AS TO FORM:

William Mattes, Law Director

BY:

RESOLUTION NO. 2024-03

**A RESOLUTION TO APPOINT MEMBERS TO VARIOUS BOARDS,
COMMISSIONS AND COMMITTEES ESTABLISHED PURSUANT TO
THE CHARTER OF THE VILLAGE OF GRANVILLE AND THE OHIO
REVISED CODE**

WHEREAS, Section 2.08 of the Charter of the Village of Granville bestows upon Village Council the responsibility to appoint the members of all boards and commissions created by or pursuant to the Charter; and

WHEREAS, Section 2.11 of the Charter of the Village of Granville authorizes Village Council to establish such *ad hoc* and standing committees of Council as it deems necessary and advisable, and to appoint the members thereof; and

WHEREAS, pursuant to these Charter provisions, currently established boards, commissions and committees include the Planning Commission; the Board of Zoning and Building Appeals; the Bryn Du Commission; the Granville Arts Commission; the Tree & Landscape Commission; Environmental Sustainability Committee the Planning & Zoning Committee; the Economic, Finance & Personnel Committee; and the Lights, Safety, Streets & Utilities Committee; and

WHEREAS, in addition, various sections of the Ohio Revised Code bestow upon Village Council the responsibility to appoint representatives to broader boards, commissions and committees; and

WHEREAS, pursuant to these Revised Code sections, these broader boards, commissions and committees include the Granville Foundation; the Union Cemetery Board; the Open Space Committee; and the Granville Recreation District; Granville Education Foundation; and

WHEREAS, Village Council is greatly assisted in making these important appointments by the efforts of the Village Manager, staff and residents in identifying, screening, interviewing and recommending qualified and dedicated volunteers from the Granville community.

NOW, THEREFORE, be it resolved by the Council of the Village of Granville, Ohio, that:

Section I: To the Granville Planning Commission, Council hereby appoints to a term expiring on December 31, 2025.

Section II: To the Bryn Du Commission, Council hereby appoints to a term expiring on December 31, 2025.

Section III: To the Granville Arts Commission, Council hereby appoints to a term expiring on December 31, 2025.

Section IV: To the Tree & Landscape Commission, Council hereby appoints to a term expiring on December 31, 2025.

Section V: To the Planning & Zoning Committee, Council hereby appoints terms to expire on December 31, 2025.

Section VI: To the Economic, Finance & Personnel Committee, Council hereby appoints terms expiring on December 31, 2025.

Section VII: To the Lights, Safety, Streets & Utilities Committee, Council hereby appoints to terms expiring on December 31, 2025.

Section VIII: To the Granville Community Foundation, Council hereby appoints to a term expiring on December 31, 2025.

Section IX: To the Union Cemetery Board, Council hereby appoints to a term expiring on December 31, 2025.

Section X: To the Open Space Committee, Council hereby appoints to a term expiring on December 31, 2025.

Section XI: To the Environmental Sustainability Committee, Council hereby appoints to a term expiring on December 31, 2025.

Section XII: To the Granville Recreation District, Council hereby appoints to a term expiring on December 31, 2025.

Section XIII: To the Granville Education Foundation, Council hereby appoints to a term expiring on December 31, 2025.

This Resolution shall take effect and be in force immediately upon passage.

Passed this 3rd day of January, 2024.

Melissa Hartfield, Mayor

ATTEST:

Autumn Klein, Clerk of Council

APPROVED AS TO FORM:

William Mattes, Law Director

BY:

ORDINANCE NO. 01-2024

AN ORDINANCE ADOPTING THE PERMANENT ZONING OF INSTITUTIONAL DISTRICT (ID) FOR THE PROPERTY OWNED BY DENISON UNIVERSITY THAT IS APPROXIMATELY 31.317 +/- ACRES LOCATED ALONG NEW BURG STREET

WHEREAS, the Village Council, through Ordinance No. 25-2023, accepted the annexation of certain real properties totaling approximately 31.317 +/- acres located along New Burg Street, owned by Denison University; and

WHEREAS, the property owner, Denison University, has requested the property be zoned Institutional District as permanent zoning; and

WHEREAS, it is recognized that institutions such as a university have special needs and land use requirement. Denison University forms an integral part of the community and it is the intent of the Institutional District is to provide for the protection and whereas necessary, the continued growth of that university and other similar institutions, and to protect and enhance compatibility and relationships to adjacent uses; it is not to unduly restrict or to discourage the continued vitality of Denison University; and

WHEREAS, specific attention shall be focused on such institutional development that may significantly affect traffic or parking activity within the Village; and

WHEREAS, the Granville Planning Commission, after conducting a public hearing on the permanent zoning proposal, recommended that property owned by Denison University along New Burg Street be zoned Institutional District; and

WHEREAS, the Granville Planning Commission believes that the Denison University Property along New Burg Street is suitable for the zoning classification of Institutional District (ID).

NOW, THEREFORE, BE IT ORDAINED by the Council of Granville, Ohio that:

Section I: Upon the recommendation of the Planning Commission and after a public hearing by Village Council, the proposal to rezone the Denison University property located along New Burg Street to Institutional District is hereby approved and the property is zoned in accordance with Section II of this Ordinance.

Section II: The official zoning map of the Village of Granville, Ohio, is hereby amended and revised to designate the permanent zoning classification of Institutional District for the property located New Burg Street, owned by Denison University. Said property is described on Exhibit A and shown on the map Exhibit B, which are attached hereto and made a part hereof.

Section III: The Village Manager is hereby authorized and directed to make this change on the zoning map maintained under Section 1155.02 of the Codified Ordinances.

Section IV: This Ordinance shall take effect and be in full force and effect upon the earliest date allowed by law.

Passed this 17th day of January, 2024.

Mayor Melissa Hartfield

ATTEST:

Autumn Klein, Clerk of Council

APPROVED AS TO FORM:

William Mattes, Law Director

**31.317 ACRE ANNEXATION DESCRIPTION
FROM THE TOWNSHIP OF GRANVILLE
TO THE VILLAGE OF GRANVILLE**

Situated in the Township of Granville, County of Licking, State of Ohio; also being a part of Lots 1 and 2, Township 2, Range 13; also being a 31.3233 acre tract (31.317 acres as surveyed) as conveyed to Denison University as described in Deed Book 686 Page 455; being more particularly described as follows:

Beginning at a northwesterly corner of said 31.3233 acre tract, said point being a common corner of Lot 14 of Carmarthen Woods II Subdivision, Section 1 as recorded in Plat Book 13 Page 223 and the southwesterly corner of a 10.4 acre tract as conveyed to Jennifer L. Welsh as recorded in Instrument No. 201704250008479 Parcel 1, said point also being along the division line between said Lot 1 and Lot 2; said point also being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

Along a northerly line of said 31.3233 acre tract and the southerly line of said 10.4 acre tract, **South 86° 16' 21" East for a distance of 1292.87'** to a 1" iron pipe found; thence,

Along a westerly line of said 31.3233 acre tract and the easterly line of said 10.4 acre tract, **North 03° 49' 53" East for a distance of 174.00'** to a point along the centerline of New Burg Road; thence,

Along the northerly-most line of said 31.3233 acre tract, **South 55° 21' 00" East for a distance of 46.58'** to a point, said point being the northeasterly corner of said 31.3233 acre tract, said point also being the northwesterly corner of a 54 acre tract as conveyed to Denison University of Granville, Ohio as described in Deed Book 237 Page 171; said point also being along a division line between the Township of Granville and the Village of Granville; thence,

Along the easterly line of said 31.3233 acre tract, also being along the easterly line of said Lot 2 and then along the easterly line of said Lot 1, also being along the westerly line of said 54 acre tract and then along a portion of the westerly line of Chapin Place subdivision as recorded in Plat Book 13 Page 99, also being along a division line between the Township of Granville and the Village of Granville, **South 03° 49' 59" West for a distance of 1297.30'** to a 5/8" iron pin found at the southeasterly corner of said 31.3233 acre tract, said point also being along the westerly line of Lot 4 of said Chapin Place subdivision, said point also being the northeasterly corner of a 10.11 acre tract as conveyed to Stephen E. Walters and Jennifer L. Walters as described in Instrument No. 201506300013334; thence,

Along the southerly line of said 31.3233 acre tract and the northerly line of said 10.11 acre tract, also being along a division line between the Township of Granville and the Village of Granville, **South 80° 26' 19" West for a distance of 835.41'** to the southwesterly corner of said 31.3233 acre tract, said point also being the northwesterly corner of said 10.11 acre tract, said point also being the northerly-most corner of a 0.5236 acre tract as conveyed to Christopher Richard Masters and Catherine D. Masters as described in Instrument No. 199710030001745 Parcel 2, said point also being the northeasterly corner of a 2.00 acre tract as conveyed to Christopher Richard Masters and Catherine D. Masters as described in Instrument No. 199710030001745 Parcel 1; thence,

Along a westerly line of said 31.3233 acre tract, also being along the easterly line of said 2.00 acre tract and then along the easterly line of a 0.843 acre tract as conveyed to Kimberlee Mae Manley as described in Instrument No. 201808140016816, **North 17° 07' 23" West for a distance of 286.08'** to a 5/8" iron pin found at the northerly-most corner of said 0.843 acre tract, said point being the northeasterly terminus of the southeasterly right-of-way line of Miller Avenue (40' right-of-way); thence,

Along a westerly line of said 31.3233 acre tract, also being along the easterly terminus of Miller Avenue and then along Lot 7 of Miller's First Addition subdivision as recorded in Plat Book 5 Page 219 and then along the easterly line of a 1.92 acre tract as conveyed to John S. Gordon and Janet F. Gordon as described in Official Record 844 Page 18 and then along the easterly line of Lot 5 of Carmarthen Woods II Subdivision, Section II as recorded in Plat Book 13 Page 364 and then along an easterly line of said Lot 14 of said Carmarthen Woods II Subdivision, Section 1, **North 17° 28' 41" West for a distance of 1149.77'** to the point of beginning, containing 31.317 acres of land, more or less.

Basis of Bearings is the State Plane Coordinate System, Ohio South Zone (NAD83-2011) with the easterly lines of Lot 1 and Lot 2 being South 03° 49' 59" West as determined by a GPS survey utilizing CORS Stations "OHLI" and "COLB".

The total length of the annexation perimeter is 5082.02', of which 2,418.79' are contiguous with existing Village of Granville Corporation Lines, being 48% +/- contiguous.



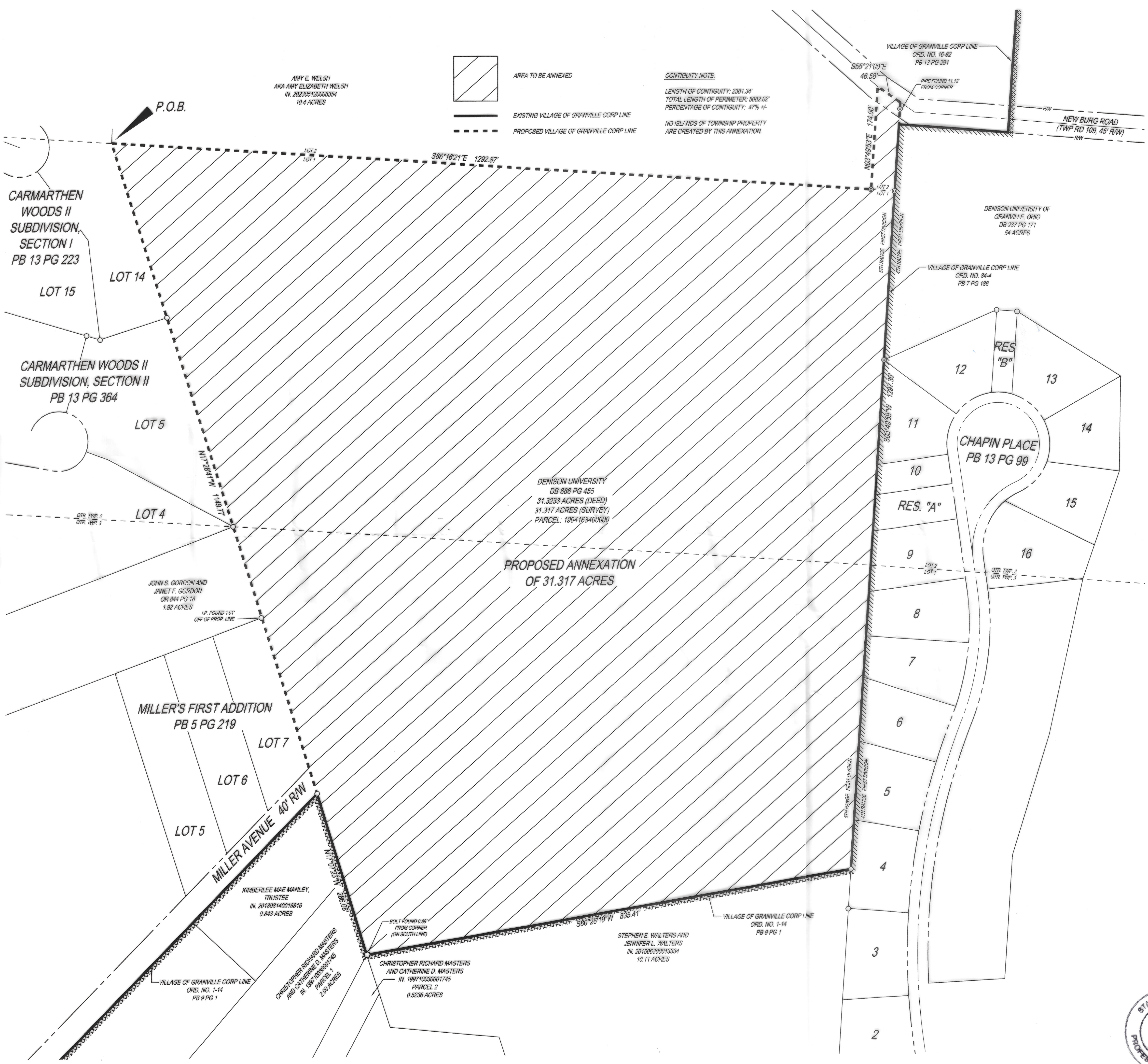
Michael L. Keller

2/03/2023

Michael L. Keller

Date

Professional Surveyor, Ohio License No. 7978



LEGEND

- 5/8" CAPPED IRON PIN SET
- 5/8" IRON PIN FOUND
- 1" IRON PIPE FOUND
- ▲ NAIL SET
- ▲ NAIL FOUND
- ▲ RR SPIKE SET
- MONUMENT (HIGHWAY OR CONCRETE)
- ◆ BENCHMARK

OWNER: DENISON UNIVERSITY
 PARCEL NUMBER: 1904163400000

IN WITNESS THERE OF THIS 2 DAY OF August, 2023

DAVID ENGLISH, CHIEF FINANCIAL OFFICER AND VICE PRESIDENT FOR FINANCE AND MANAGEMENT

WITNESS: *Cynthia J. Burston*

STATE OF OHIO, COUNTY OF LICKING
 BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED THE ABOVE NAMED DAVID ENGLISH WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED ON BEHALF OF THE DENISON UNIVERSITY FOR THE USES AND PURPOSES THEREIN EXPRESSED.

IN WITNESS WHEREOF I HAVE HEREUNTO SET HAND AND AFFIXED BY OFFICIAL SEAL THIS 2 DAY OF August, 2023.

BY: *D. English*

MY COMMISSION EXPIRES: 12.16.2025



THE WITHIN MAP MADE A PART OF THE PETITION OF ANNEXATION FILED WITH THE BOARD OF COMMISSIONERS OF LICKING COUNTY, OHIO, ON 2023, UNDER SECTION 709.023 OF THE REVISED CODE OF OHIO, IS SUBMITTED AS AN ACCURATE MAP OF THE TERRITORY IN SAID PETITION DESCRIBED UNDER THE REQUIREMENTS OF SAID SECTION 709.023 OF THE REVISED CODE OF OHIO.

July K. Hattie
 REPRESENTATIVE OR AGENT FOR PETITIONER

THE BOARD OF COUNTY COMMISSIONERS OF LICKING COUNTY, OHIO, HAVING RECEIVED A PETITION BEARING THE SIGNED NAMES AND ADDRESSES OF THE PARTIES INTERESTED IN THE ANNEXATION TO THE VILLAGE OF GRANVILLE, OHIO, OF THE TERRITORY SHOWN HEREON AND HAVING GIVEN DUE CONSIDERATION TO THE PAYER OF SAID PETITION, DO HEREBY GRANT THE SAME.

PETITION RECEIVED Aug. 8, 2023

PETITION APPROVED Sept. 14, 2023

Justin E. Buhl
 LICKING COUNTY COMMISSIONER

David J. ...
 LICKING COUNTY COMMISSIONER

Mike Hill
 LICKING COUNTY COMMISSIONER

THE COUNCIL FOR THE VILLAGE OF GRANVILLE, OHIO, BY ORDINANCE NO. _____, PASSED _____, 2023, AND APPROVED BY THE MAYOR ON _____, 2023, DID ACCEPT THE TERRITORY SHOWN HEREON FOR ANNEXATION TO THE VILLAGE OF GRANVILLE, OHIO, A MUNICIPAL CORPORATION.

 MAYOR, VILLAGE OF GRANVILLE

ATTEST

 CLERK, VILLAGE OF GRANVILLE

TRANSFERRED THIS _____ DAY OF _____, 2023, UPON THE DUPLICATES OF THIS OFFICE.

CONTAINING _____ ACRES

TRANSFER FEE _____

 LICKING COUNTY AUDITOR

RECEIVED FOR RECORD _____, 2023, AT _____ (AM - PM) AND RECORDED _____, 2023 IN PLAT ORDINANCE, PETITION, ETC. IN INSTRUMENT NUMBER _____

PLAT FEE _____

ORDINANCE ETC. FEE _____

 LICKING COUNTY RECORDER

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, OHIO SOUTH (NAD83-2011), WITH THE EASTERLY LINES OF LOT 1 AND LOT 2 BEING SOUTH 03° 49' 59" WEST AS DETERMINED BY A GPS SURVEY UTILIZING CORS STATIONS "OH1" AND "OH2".

THE PROJECT COORDINATES ARE BASED ON STATE PLANE COORDINATES AND HAVE BEEN SCALED TO GROUND BY USING A PROJECT ADJUSTMENT FACTOR OF 1.0000340163 APPLIED AT BASE POINT N 756,500.00 E 1,989,900.00 GRID AND GROUND COORDINATES ARE IDENTICAL AT THE BASE POINT.



I HEREBY CERTIFY THAT THIS PLAT IS BASED UPON A FIELD SURVEY MADE UNDER MY DIRECTION.

Michael L. Keller
 MICHAEL L. KELLER
 OHIO PROFESSIONAL SURVEYOR NO. 7978

DATE 7/28/2023

THE KLEINGERS GROUP

CIVIL ENGINEERING SURVEYING LANDSCAPE ARCHITECTURE

www.kleingers.com
 350 Worthington Rd
 Suite 14
 Westerville, OH 43082
 614.882.4311



NO.	DATE	DESCRIPTION

31.317 ACRES TO BE ANNEXED FROM GRANVILLE TOWNSHIP TO VILLAGE OF GRANVILLE LOTS 1 & 2, R. 5, 1ST DIV., TWP. 2 R. 13 W, U.S.M.L. GRANVILLE TOWNSHIP LICKING COUNTY, OHIO

PROJECT NO: 220464.001
 DATE: 7/28/2023
 SCALE: 1" = 80'

ANNEXATION PLAT

SHEET NO. **1 OF 1**

GRANVILLE VILLAGE COUNCIL
Minutes
December 20, 2023
7:30 P.M.

1. CALL TO ORDER

Mayor Hartfield called the Wednesday, December 20th Council meeting to order at 7:30pm.

2. PLEDGE OF ALLEGIANCE

3. OATH OF OFFICE, COUNCILMEMBER LEITHAUSER

Law Director Mattes swore in Councilmember elect Joe Leithauser

4. ELECTION OF MAYOR AND VICE MAYOR

Councilmember Mickelson nominated Melissa Hartfield to continue to serve as Mayor, second by Vice Mayor Johnson

Motion carried by a vote of 7-0

Mayor Hartfield thanked other Councilmembers for their support. She stated that she has told the community that this is one of the strongest Councils that she can recall and she is honored to be a part of it, thankfully we have all these good people in place to face what we are facing.

Councilmember Keethler Ball stated that this past year has been very challenging and that she has done a great job leading Council and being a spokesperson for Granville in a strong way.

Law Director Mattes swore in Melissa Hartfield as Mayor.

Councilmember Olbur nominated Jeremy Johnson to continue to serve as the Vice Mayor, second by Councilmember Demarest

Councilmember Olbur stated that the leadership that Council has in place now should continue especially where we are going and he is a great sidekick to what the Mayor is doing.

Law Director Mattes swore in Jeremy Johnson as Vice Mayor.

Motion carried by a vote of 7-0

5. OATH OF OFFICE OF MAYOR AND VICE MAYOR

6. ROLL CALL

Clerk Klein conducted roll call. Those present were Councilmember Demarest, Councilmember Keethler Ball, Councilmember Leithauser, Councilmember Mickelson, Councilmember Olbur, Vice Mayor Johnson, Mayor Hartfield, Manager Koehler and Law Director Mattes

7. APPROVAL OF AGENDA

Councilmember Mickelson moved to approve the agenda, second by Councilmember Olbur

Motion passed by a vote of 7-0

8. CITIZENS COMMENTS

There were no comments from citizens

9. PUBLIC HEARINGS -7:37pm

- A. **ORDINANCE NO. 25-2023 AN ORDINANCE ACCEPTING A PETITION FOR THE ANNEXATION TO THE VILLAGE OF CERTAIN REAL PROPERTY LOCATED ALONG NEW BURG STREET TOTALING 31.317 +/- ACRES IN GRANVILLE TOWNSHIP, OWNED BY DENISON UNIVERSITY**

Manager Koehler shared the slide demonstration the annexation process and illustrated that Council is at the last step where they will deliberate on the passage of the ordinance and if it does pass after the thirty-day appeal period it will then be recorded in the county offices.

This annexation carries with it a number of provisions, it is anticipated by both parties that the property will be developed under the Institutional zoning guidelines and while the property would be located within the Institutional District and would not be subject to the Village's Tree Preservation Code the property owner, Denison, has agreed to comply with such Code for this project. In terms of roadways, within the project area the Village will not be responsible for the maintenance or clearing of roadways. The purpose of this project is specifically for and limited to housing of staff and faculty members, there shall not be any changes in the permitted use unless approved by Council. There is a limit to seventy-seven units with the first phase being between twenty-four and thirty units. The property owner shall upon approval of the annexation will place the property on the tax rolls in Licking County.

In regards to the traffic concerns, as directed by Council staff has held four joint meetings with Denison, the school district, the Township and us and then one additional meeting separate with one of the representatives for the residents who had concerns about the traffic. The District has made a number of changes to improve traffic flow and have committed to others after the roundabout is complete in 2024. We continue to meet about every other month and will continue to do that as the roundabout project is underway.

There were no comments from citizens, Mayor Hartfield closed the public hearing.

B. ORDINANCE NO. 26-2023 AN ORDINANCE TO APPROVE THE PRELIMINARY AND FINAL DEVELOPMENT PLANS FOR KARL SCHNEIDER, ON BEHALF THE MILL DISTRICT LLC, FOR THE PROPERTY LOCATED AT 520, 530, 540, 560, AND 580 SOUTH MAIN STREET GRANVILLE, OHIO

Manager Koehler stated that Council modified some portions of Code earlier this year that re-establishes the vernacular for what we are calling commercial window operations. There is a plan under this Mill District design to have a fast casual restaurant with a pickup window. A pickup window is food service window thru which prepaid or preordered items may be picked up with no point of sale or kiosk, but it is not by our definition a drive through window. A drive thru window which is currently in Code is also synonymous with drive in or drive up is a traditional food service window where there is a point of sale and there are menu boards and an opportunity to place an order while in line like the Wendy's and Arby's that we have along St. Rt. 16. A service window is where non-food and non-beverage items may be picked up. There are a few of those in the Village, like the banks and CVS.

A pick-up window is a Conditional Use which means that has to be approved by the Board of Zoning and Building Appeals and is only allowed in the Gateway District. The pickup window must be at the rear or side of the structure, screening is required in the drive aisle, there is a limit of one window and one drive aisle per pickup window. Vehicle stacking must be confined to the subject property, the hours may be limited by Planning Commission but they can't exceed eighteen hours a day. One pickup window permitted per one parcel and only one pickup window permitted within a five-hundred-foot radius window to window. A traffic study is required and a one in this case has been completed.

The South Main corridor brings with it some inherent non-conformances with current Code and this development did require a number of variances which

were granted by BZBA but those variances would have been required no matter what would have been proposed there just because of the nature of the property.

Mayor Hartfield stated that she wanted to touch on the size of the building for perspective. This building is not to exceed 11,995 square feet. The IGA is 29,000 square feet. The Granville Mill, just the retail part is 7,000 square feet. The fire station that sits directly to the left of this building is 14,000 square feet, only first floor. This building is smaller than our fire station. The River Road complex is 15,000 square feet, first floor only on two and three quarter acres. This is 11,900 on four and a half acres with a possibility facing River Road of another 6,000 square feet. I wanted people to have that in their minds eye when you think about how big this are.

There were no comments from citizens, Mayor Hartfield closed the public hearing.

C. **ORDINANCE NO. 27-2023** AN ORDINANCE TO AUTHORIZE THE VILLAGE MANAGER TO EXECUTE A CONTRACT PROVIDING FOR THE SALE OF WATER TO THE VILLAGE OF ALEXANDRIA

Manager Koehler stated that this contract is only for a year this time around because of all of the water initiatives that are ongoing on this side of the county.

There were no comments from citizens, Mayor Hartfield closed the public hearing. **7:50pm**

10. OLD BUSINESS

A. **ORDINANCE NO. 25-2023** AN ORDINANCE ACCEPTING A PETITION FOR THE ANNEXATION TO THE VILLAGE OF CERTAIN REAL PROPERTY LOCATED ALONG NEW BURG STREET TOTALING 31.317 +/- ACRES IN GRANVILLE TOWNSHIP, OWNED BY DENISON UNIVERSITY

Councilmember Demarest introduced and made a motion to adopt Ordinance No. 25-2023, second by Councilmember Mickelson

Mayor Hartfield called for a roll call vote. Councilmember Demarest (yes), Councilmember Keethler Ball (yes), Councilmember Leithauser (yes), Councilmember Mickelson (yes), Councilmember Olbur (yes), Vice Mayor Johnson (yes), Mayor Hartfield (yes)

Councilmember Mickelson said that she is really excited to see this happen, she thinks that it is a good thing for the Denison community and Village community.

Councilmember Olbur asked when the roundabout was projected to be completed.

Manager Koehler stated that it is supposed to be completed before school starts next fall.

Vice Mayor stated that he appreciates the effort of staff, Denison, the school and the Township on addressing the traffic issues, it is a really important part and it is a model of what can happen when we all work together.

Motion passed by a vote of 7-0

- B. **ORDINANCE NO. 26-2023** AN ORDINANCE TO APPROVE THE PRELIMINARY AND FINAL DEVELOPMENT PLANS FOR KARL SCHNEIDER, ON BEHALF THE MILL DISTRICT LLC, FOR THE PROPERTY LOCATED AT 520, 530, 540, 560, AND 580 SOUTH MAIN STREET GRANVILLE, OHIO

Councilmember Mickelson introduced and made a motion to adopt Ordinance No. 26-2023, second by Councilmember Olbur

Mayor Hartfield stated that there are going to be a lot of nice features, the Planning Commission did a nice job.

Councilmember Mickelson stated that there was good give and take.

Mayor Hartfield stated that she loves the rain garden in the front, the parking in the back, the building is going to have architectural depth and height so that it doesn't look like a trip mall. It has a lot of attention to detail as we would expect.

Councilmember Mickelson stated that it also has good pedestrian access.

Councilmember Olbur stated that it is going to be good to have something that is going to help with our economic planning to bring more businesses here that will help our community as well.

Mayor Hartfield called for a roll call vote. Councilmember Keethler Ball (yes), Councilmember Leithauser (yes), Councilmember Mickelson (yes), Councilmember Olbur (yes), Councilmember Demarest (yes), Vice Mayor Johnson (yes), Mayor Hartfield (yes)

Motion passed by a vote of 7-0

- C. **ORDINANCE NO. 27-2023** AN ORDINANCE TO AUTHORIZE THE VILLAGE MANAGER TO EXECUTE A CONTRACT PROVIDING FOR THE SALE OF WATER TO THE VILLAGE OF ALEXANDRIA

Councilmember Keethler Ball introduced and made a motion to adopt Ordinance No. 27-2023, second by Councilmember Mickelson

Mayor Hartfield called for a roll call vote. Councilmember Leithauser (yes), Councilmember Mickelson (yes), Councilmember Olbur (yes), Councilmember Demarest (yes), Councilmember Keethler Ball (yes), Vice Mayor Johnson (yes), Mayor Hartfield (yes)

D. APPEAL HEARING OF THE OCTOBER 12, 2023 DECISION OF THE BOARD OF ZONING AND BUILDING APPEALS TO GRANT A CONDITIONAL USE PERMIT FOR 228 EAST ELM STREET AS A SHORT-TERM RENTAL

Question presented on Appeal: Did the Board of Zoning and Building Appeals err in granting a conditional use permit?

Mayor Harfield asked for the Court Reporter to start transcribing the hearing. The Court Reporter's transcript is considered the official transcript. What follows are the notes of the Clerk of Council which serve only as meeting minutes.

Mayor Hartfield called for a roll call vote to enter into the appeal hearing. Councilmember Mickelson (yes), Councilmember Olbur (yes), Councilmember Demarest (yes), Councilmember Keethler Ball (yes), Councilmember Leithauser (yes), Vice Mayor Johnson (here), Mayor Hartfield (here)

All members present.

Mayor Hartfield stated that at this time we are going to call the case. This is an appeal hearing for the October 12, 2023 of the decision of the Board of Zoning and Building Appeals to grant a conditional use permit for 228 East Elm Street as a short-term rental and did the Board of Zoning and Building Appeals err in granting a conditional use permit. She then turned it over to the Law Director to provide information about the case.

The appeal hearing started at 7:58pm.

Law Director Mattes stated that as a preliminary matter he would move for submission of the entire record as to attached to the current Council packet which is the entire record required for appeal pursuant to Granville Village Code. He asked that Council formally accept that for the records.

Mayor Hartfield stated that Council would accept into evidence the entire record as attached to the Council Packet.

Mayor Hartfield stated that regarding this hearing and in regards to who may or may not speak during the hearing, this is a hearing that is open to the public but

it's not a public hearing. Any party to the original hearing before the Board of Zoning and Building Appeals can be sworn in, any person who claimed a right but was not permitted to appear and be heard at the hearing before the Board of Zoning and Building Appeals but only after Council determines his/her exclusion was in error. She asked those that are going to be testifying tonight to take on oath.

Clerk Klein swore in those testify in the appeal hearing.

Mayor Hartfield asked Manager Koehler to give a brief overview of the Code.

Manager Koehler stated that this section of Code dates back to 2020 when it came a priority of Council to come up with the legislation to manage short-term rentals within the Village of Granville. Our Code at the time only directly regulated bed and breakfasts and they have a whole separate definition than a short-term rental. Throughout the summer of 2020 staff developed the initial of the short-term rental which passed late in 2020. We began implementation in 2021 and staff found some areas of that Code that was cumbersome to implement and other portions of its residents were concerned about a short-term rental operation that dated back decades that they now found were not compliant with the new Code.

Early in 2022 staff brought to Council two significant revisions to the Code. One was grandfathering non-conforming operations that predate the Zoning Code and two is one that may come up tonight which is the contrasting definitions of property owners and host. Property owners were specifically defined to support short-term rental in only the Business District the downtown area and requiring hosts separately, as a separate definition in every other area. Downtown Business District defined a property owner which essentially allowed that property manager not to have to reside in the Village or the Township, simply in Licking County. Whereas a host in the more residential districts had to be someone more local. In terms of implementation this has had a studded start and stop implementation based on things happening with the State. A couple of pieces of legislation that was potentially coming down from the State that would limit any municipalities to manage short-term rental codes. We have started processing short-term rental applications which is why you have this matter before you regarding the conditional use approval. I have sworn in to answer questions as necessary.

Mayor Hartfield turned the matter over to the appellant. 8:08pm.

Keith McWalters, 223 East Elm Street testified on behalf of the appellants.

Debi Walk-Yost, Village Planner and Manager Koehler provided answers.

Daryl Tulimieri, 133 South Pearl Street, testified on behalf of the appellants.

Ryan Hottle, 159 East Jeffrey Place, Columbus, Ohio testified on behalf of the appellee.

Larry Hottle, 224 East Elm Street testified on behalf of the appellee.

Mayor Hartfield made a clarification regarding why neighbors have a right to appeal the decision of the Board of Zoning and Building Appeals.

Daryl Tulimieri, 133 South Pearl Street, offered a correction to a statement that he made that is in the record from the minutes of the September hearing.

Law Director Mattes asked Mayor Hartfield to close all evidence in this matter and to take the matter under advisement.

Mayor Hartfield stated that at the conclusion Council can affirm, remand, reverse, or modify the decision of the Board of Zoning and Building Appeals. The decision has to be announced at the next regularly scheduled meeting and that decision must be formalized within forty-five days.

Vice Mayor Johnson asked the Village Planner to provide clarification on the definition of "host" in the Village Residential District.

Debi Walker-Yost, Village Planner read an email into record as new evidence dated October 10, 2023. The email was accepted into evidence by Mayor Hartfield.

There was discussion among Councilmembers regarding definitions in the Code.

Mayor Hartfield closed the appeal hearing. 9:02pm

11. NEW BUSINESS

- A. **RESOLUTION NO. 2023-55** A RESOLUTION TO AUTHORIZE THE VILLAGE MANAGER TO AUCTION OR ADVERTISE FOR BIDS THE SALE OF SURPLUS EQUIPMENT

Councilmember Mickelson introduced and made a motion to adopt Resolution No. 2023-55, second by Councilmember Olbur

Motion passed by a vote of 7-0

B. RESOLUTION NO. 2023-56 A RESOLUTION TO AWARD THE LIME SLUDGE HAULING CONTRACT TO WING ENVIRONMENTAL

Councilmember Olbur introduced and made a motion to adopt Resolution No. 2023-56, second by Councilmember Demarest

Motion passed by a vote of 7-0

12. REVIEW AND APPROVAL OF MINUTES

Minutes from the Village Council Meeting of December 6, 2023

Motion by Councilmember Mickelson to approve the minutes, second by Councilmember Keethler Ball

Motion passed by a vote of 7-0

13. MAYOR'S COURT REPORT

Vice Mayor Johnson made a motion to approve the Mayor's Court report, second by Councilmember Mickelson

Motion passed by a vote of 7-0

14. MANAGER'S REPORT

Motion by Councilmember Mickelson to approve the Manager's report, second by Councilmember Keethler Ball

Motion passed by a vote of 7-0

15. COMMITTEE / COMMISSION / BOARD REPORTS

Granville Community Foundation (Olbur) – No Report

Granville Recreation District (Johnson) – No Report

Planning Commission (Mickelson) stated that there was an application for the Denison annexation, there was an application that was approved for the One Love Café and bike shop that will be on South Main Street in front of the old Granville Lumber. They have done an amazing job repurposing that building. They are going to try doing a meeting once a month and see how that goes.

Granville Arts Commission (Keethler Ball) – No Report

Bryn Du Commission (Demarest) thanked everyone who was able to come to Bruce's retirement party. One of the ways that they honored him was to name the

Artist in Residence building as the Cramer House. Athena begins to take on her new responsibilities.

Open Space Committee (Mickelson) – No Report

Tree & Landscape Commission (Koehler) – No Report

Union Cemetery (Koehler) – No Report

Environmental Sustainability Committee (Mickelson) stated Kristy Hawthorne presented and that was well received. At the Federal level they are working to streamline the permit process, maybe not such a good thing but keep an eye on that. There is also a study being done by the Ohio EPA and ODNR an inventory of all of the water surface and subsurface in the 15th county area with Licking County being ground zero because they want to know where the water is. Amazon is helping with a grant with the US EPA for the Moots Run Raccoon Valley area, looking at land use and water qualities, they have a project they would like to complete so they have put some money into that. The committee chair will present at a future meeting about the goals and aspirations of the committee. We are working to appoint a secretary.

16. OTHER COUNCIL MATTERS

Committee Assignments Discussion. Each Councilmember provided their preferences on Boards, Commissions, and Committee assignments.

Councilmember Keethler Ball: Planning Commission, Planning & Zoning Committee, Arts Commission, Economic, Finance & Personnel Committee and the Old Academy Building Committee.

Laura Mickelson: Planning Commission, Sustainability Committee, Open Space

Councilmember Olbur: Community Foundation, Economic Development

Councilmember Demarest: Bryn Du Commission, Union Cemetery, Open Space, Planning & Zoning Committee

Vice Mayor Johnson: Granville Recreation District, Planning & Zoning Committee, Economic, Finance & Personnel

Councilmember Leithauser: Granville Recreation District, Granville Education Foundation

17. OTHER STAFF MATTERS

Manager Koehler stated that this will be the last live streaming of Council meetings, it is not a requirement but the audio recordings will be posted on the website promptly.

The Council retreat will be Saturday, February 24th, the start time is 8:30am. It will be at the Bryn Du Mansion in the Carriage House.

- 18. EXECUTIVE SESSION-** Pursuant to O.R.C. 121.22(G) (3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

Vice Mayor Johnson made a motion to enter into executive session, second by Councilmember Mickelson

Mayor Hartfield called for a roll call vote. Councilmember Olbur (yes), Councilmember Demarest (yes), Councilmember Keethler Ball (yes), Councilmember Leithauser (yes), Councilmember Mickelson (yes), Vice Mayor Johnson (yes), Mayor Hartfield (yes)

Motion passed by a vote of 7-0 9:22pm

Motion to leave executive session by Councilmember Demarest, second by Councilmember Olbur

Mayor Hartfield called for a roll call vote. Councilmember Demarest (yes), Councilmember Keethler Ball (yes), Councilmember Leithauser (yes), Councilmember Mickelson (yes), Councilmember Olbur (yes), Vice Mayor Johnson (yes), Mayor Hartfield (yes)

Motion passed by a vote of 7-0 9:34pm

- 19. ADJOURNMENT 9:34pm**

Motion by Councilmember Demarest to adjourn, second by Vice Mayor Johnson

Motion passed by a vote of 7-0

Minutes submitted by: Autumn Klein, Clerk of Council

Minutes approved by: Herb Koehler, Village Manager