

RECORD OF PROCEEDINGS

0122

Minutes of

Meeting

Etna Township Board of Zoning Appeals

DAYTON LEGAL BLANK CO., FORM NO. 1014B

Held September 12 2006 19

The meeting was called to order by Chairman Cox at 6:00 p.m. on September 12, 2006 at the Etna Township Hall. The meeting was audio taped for township records.

Roll Call: Mr. Johnson, Mrs. Rogers, Mr. Chew, Mr. Cox, Mr. Goll, and Laura Brown were present.

The purpose of this meeting is to rule on the adjudicatory hearing from August 29, 2006 on an appeal of the Zoning Inspector's decision filed by David and Amy White of 210 Georgian Drive.

Cheri Rogers stated the adjudicatory hearing was called to specifically determine whether the Zoning Inspector acted properly in his determination that the horse at 210 Georgian Drive violates the Etna Township Zoning Resolution. Though this Board may feel for the circumstances surrounding the reason for obtaining this animal, those factors do not have relevance in the determination of appropriateness of the Zoning Inspector's actions.

Cheri Rogers moved that the appeal before this Board be denied based on the Etna Township Zoning Resolution definition of Agriculture, a permitted use in R2, specifically the inclusion of the word "pasturage," which is defined in Webster's Dictionary as "Land or a plot of land used for grazing," and also on information obtained and provided by the Whites stating that "miniature horses need an area where they can graze." It is apparent, therefore, that keeping a horse, despite its size, would fall under our Zoning definition of Agriculture which would require a 100 foot distance between its feeding area and any residential zoning district; a mandatory footage requirement that is not available at 210 Georgian Drive.

Motion was seconded by Philip Chew. Roll call: David Goll, yes; Philip Chew, yes; Rick Cox, yes; Cheri Rogers, yes; and Jeff Johnson, yes. Passed 5-0 appeal was denied. The Zoning Inspector's decision stands.

David Goll motioned to adjourn the meeting. Philip Chew seconded. Roll call: David Goll, yes; Philip Chew, yes; Rick Cox, yes; Cheri Rogers, yes; and Jeff Johnson, yes. Passed 5-0

Mr. Cox adjourned the meeting at 6:03 p.m. The final order and minutes will be approved at the September 26, 2006 meeting.

Approved as read 9/26/06 Laura Brown

Laura Brown, Clerk

Approved as corrected/amended

Frederick Cox, Chairman

Final Order Mailed: