

DAYTON LEGAL BLANK CO. FORM NO. 10148

Etna Township Board of Zoning Appeals

Held

May 14,

2007

Regular Meeting

The meeting was called to order by Vice Chairperson Rogers at 7:00 p.m. on May 14, 2007 at the Etna Township Hall. The meeting was audio taped for township records.

Roll Call: Mrs. VanDyne, Mrs. Weber, Mr. Cox, Mrs. Rogers, Mr. Chew, and Laura Brown present.

The purpose of this meeting was to approve minutes and sign the final orders from the meeting on April 24, 2007 adjudicatory hearing.

Philip Chew moved to waive the public reading, approve the minutes and sign the final order from the adjudicatory hearing on April 24, 2007. Rick Cox seconded. Roll Call: Mrs. VanDyne, yes; Mrs. Weber, yes; Mr. Cox, yes; Mrs. Rogers, and Mr. Chew, yes. Passed 5-0.

Claudette VanDyne moved to adjourn the meeting. Philip Chew seconded. Roll Call: Mrs. VanDyne, yes; Mrs. Weber, yes; Mr. Cox, yes; Mrs. Rogers, and Mr. Chew, yes. Passed 5-0.

Cheri Rogers adjourned the meeting at 7:02 p.m.

Approved as read May 21, 2007

Approved as corrected/amended _____

Laura Brown
Laura Brown, Clerk

Cheri Rogers
Cheri Rogers, Vice Chairperson

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Etna Township Board of Zoning Appeals

Held

May 14,

2007

Regular Meeting

The meeting was called to order by Chairman Goll at 7:04 p.m. on May 14, 2007 at the Etna Township Hall. The meeting was audio taped for township records.

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

The purpose of this meeting was to correct the minutes from the January 23, 2007 and January 29, 2007 adjudicatory hearings.

Cheri Rogers moved to correct the minutes from the January 23, 2007 and January 29, 2007 adjudicatory hearings by changing Mr. Chew to Mr. Goll in paragraphs 3, 4, and 5. Rick Cox Seconded. Roll call: Mrs. Weber, yes; Mr. Cox, yes; Mr. Goll, yes; Mrs. Rogers, yes; and Mr. Chew, Abstained.

Cheri Rogers moved to adjourn the meeting. Philip Chew seconded. Roll Call: Mrs. Weber, yes; Mr. Cox, yes; Mr. Goll, yes; Mrs. Rogers, yes; and Mr. Chew, yes. Passed 5-0.

Cheri Rogers adjourned the meeting at 7:02 p.m.

Approved as read May 21, 2007

Approved as corrected/amended _____

Laura Brown
Laura Brown, Clerk

David Goll
~~Cheri Rogers, Vice Chairperson~~
David Goll

DAYTON LEGAL BLANK CO. FORM NO. 10148

Etna Township Board of Zoning Appeals

Held

May 14,

2007

ADJUDICATORY HEARING

The adjudicatory hearing was called to order by Chairman Goll at 7:05 p.m. on May 14, 2007 at the Etna Township Hall. The meeting was audio taped for township records. Mrs. Weber, Mr. Cox, Mr. Goll, Mrs. Rogers, Mr. Chew, and clerk Laura Brown were present.

The purpose of this hearing is to consider a variance for the required setback distance for 7503 Refugee Road submitted by David Ackerman. The nature of the variance is regarding the house setback from 40' to 35'. Chairman Goll explained the process and the principles who wanted to testify and present evidence David Ackerman, Kathleen Ackerman, Patricia Slone, and Stan Robinson were sworn in all other witnesses will be sworn in as they give their testimony.

David Ackerman of 7503 Refugee Road testified that Rona Homes has removed the old home. The measurements that Rona Homes provided showed the new home in compliance. The measurements were off and the new home will need a variance of 5'. The old house was grandfathered in regards to setbacks. The new house is bigger.

Stan Robinson testified that the original house can be replaced because of it being grandfathered. The house is bigger and now they need a variance.

David Ackerman stated the distance is measured from a survey. The first measurements Rona provided were probable from the middle of the road and not done from the survey. The house can not be moved back because of an existing garage.

Stan Robinson stated the only reason they need a variance is because the house is in the agriculture district. He feels the new house is improving the neighborhood.

Cheri Rogers moved to close the adjudicatory hearing. Philip Chew seconded. Roll Call: Michelle Weber, yes; Rick Cox, yes; David Goll, yes; Cheri Rogers, yes; and Phil Chew, yes. Motion passed 5-0. The hearing was closed at 7:14 p.m.

Cheri Rogers moved to grant the 5' variance for 7503 Refugee Road based on the fact the variance request is not substantial, it would not adversely affect the delivery of governmental services, and it would not affect the essential character of the neighboring homes and denying the variance would cause undue hardship on the property owner. Michelle Weber seconded.

Michelle Weber seconded. Roll call: Michelle Weber, yes; Rick Cox, yes; David Goll, yes; Cheri Rogers, yes; and Phil Chew, yes. Motion passed 5-0.

Philip Chew moved to adjourn. Cheri Rogers seconded. Roll call: Michelle Weber, yes; Rick Cox, yes; David Goll, yes; Cheri Rogers, yes; and Phil Chew, yes. Motion passed 5-0. The hearing was adjourned at 7:17 p.m.

Approved as read May 21, 2007

Laura Brown

Laura Brown, Clerk

Approved as corrected/amended _____

David Goll

David Goll, Chairman

final order mailed - LB