

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Etna Township Board of Zoning Appeals

Held

October 18,

2007

ADJUDICATORY HEARING

The adjudicatory hearing was called to order by Chairman Goll at 7:35 p.m. on October 18, 2007 at the Etna Township Hall. The meeting was audio and video taped for township records. Mr. Cox, Mrs. VanDyne, Mr. Goll, Mrs. Rogers, Mr. Johnson, and clerk Laura Brown were present.

The purpose of the hearing was to consider variance number VA07-8 submitted by Carrie Wesp for Maronda Homes for the properties located at 108, 110, 112, 114 Dusky Willow Drive. The nature of the variance was the rear of the condo unit will be eight inches into the setback requirement. This hearing was recessed to gather more information on September 25, 2007.

Rick Cox moved to reopen the testimony portion and the adjudicatory hearing from September 25, 2007. Jeff Johnson seconded. Roll call: Rick Cox, yes; Claudette VanDyne, yes; David Goll, yes; Cheri Rogers, yes; and Jeff Johnson, yes; motion passed 5-0.

Chairman Goll swore in Chris Scheeres with R.D. Zande and Associates. He is overseeing the project. The houses have been staked. They will develop the plot plans. They inherited the project from Civil and Environmental Consultants. Chris stated when they find areas of trouble they will bring them to the township's attention. Chris presented the old plans, building layouts and preliminary plot plans to the board. The plan with drawing number 230937 is Exhibit 2, the preliminary plan job 688635 is Exhibit 3, and the drawing with Interstate 70 noted is Exhibit 4. The buildings needing the variance are noted as buildings 27, 28, 29, and 30 on Exhibit 3.

Chris stated the front twenty foot that is required for a parking space is important. To lessen the twenty foot in the front yard would be a detriment to the project. The variance is only for eight inches.

The board discussed if this is the side yard or the rear yard. Stan Robinson addressed Section 1011 Yard Requirements for Multi-Family Dwellings in the zoning resolution. The buildings needing the variance have not been built. Jeff Johnson verified that the plan will meet the criteria on page 9-6 under the lot areas, width and depth requirements. The board decided that the entire development will meet the requirements.

Rick Cox moved to close the testimony portion of the hearing at 8:05 p.m. Jeff Johnson seconded. Roll call: Rick Cox, yes; Claudette VanDyne, yes; David Goll, yes; Cheri Rogers, yes; and Jeff Johnson, yes; motion passed 5-0.

Cheri Rogers moved to grant the variance request #VA07-08 for the 8" into the rear setback requirement for buildings 27, 28, 29, and 30 based on the fact that the evidence presented supports the conclusions that the standards and conditions imposed by subsection 4 of Section 513 have been met by the applicant. Claudette VanDyne seconded. Discussion: Rick Cox suggested a condition be placed on the variance that a foundation certification be required. Also it was decided to grant a foot so they will not be back for another variance once the footer has been installed. Rick Cox, no; Claudette VanDyne, no; David Goll, no; Cheri Rogers, no; and Jeff Johnson, no; motion failed 0-5.

Rick Cox moved to grant the variance request #VA07-08 for one foot into the rear setback requirement for buildings 27, 28, 29, and 30 based on the fact that the evidence presented supports the conclusions that the standards and conditions imposed by subsection 4 of Section 513 have been met by the applicant in addition we are requiring that a foundation certification be submitted to the Zoning Inspector prior to framing to assure compliance with the setback. Cheri Rogers seconded. Roll call: Rick Cox, yes; Claudette VanDyne, yes; David Goll, yes; Cheri Rogers, yes; and Jeff Johnson, yes; motion passed 5-0.

Rick Cox moved to adjourn at 8:12 p.m. Jeff Johnson seconded.

Approved as read 10/23/07 RB

Laura Brown, Clerk

Approved as corrected/amended

David Goll, Chairman

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 101AB

Etna Township Board of Zoning Appeals

Held October 18, 2007 19

Public Hearing

The public hearing was called to order by Chairman Goll at 8:14 p.m. on October 18, 2007 at the Etna Township Hall. The meeting was audio and video taped for township records. Mr. Cox, Mrs. VanDyne, Mr. Goll, Mrs. Rogers, Mr. Johnson, and clerk Laura Brown were present.

The purpose of the hearing was to approve minutes from the September 25, 2007 adjudicatory hearings.

Cheri Rogers moved to waive the public reading and to approve the minutes from the adjudicatory hearings for VA07-8 submitted by Carrie Wesp for Maronda Homes for properties 108, 110, 112, 114 Dusky Willow Drive (Part one) and for L07-13 submitted by Tim Fitzpatrick and Cynthia Farley-Fitzpatrick along with the final order. Rick Cox seconded. Roll call: Rick Cox, yes; Claudette VanDyne, yes; David Goll, yes; Cheri Rogers, yes; and Jeff Johnson, yes; motion passed 5-0.

Rick Cox moved to close the hearing. Claudette VanDyne seconded. Roll call: Rick Cox, yes; Claudette VanDyne, yes; David Goll, yes; Cheri Rogers, yes; and Jeff Johnson, yes; motion passed 5-0.

Approved as read 10/18/07

Approved as corrected/amended _____

Laura Brown
Laura Brown, Clerk

David Goll
David Goll, Chairman

Final order mailed