

DAYTON LEGAL BLANK CO., FORM NO. 10148

Etna Township Board of Zoning Appeals

Held

July 21,

2008

ADJUDICATORY HEARING

The adjudicatory hearing was called to order by Chairman Goll at 6:31 p.m. on July 21, 2008 at the Etna Township Hall. The meeting was audio and video taped for township records. Michelle Weber, Rick Cox, David Goll, Cheri Rogers, Philip Chew, and clerk Laura Brown were present.

The purpose of this hearing is to consider a variance VA08-05 concerning Reserves A and B in the Etna Corporate Park submitted by Signs Now for Southgate Corporation. The nature of the variance is to change the allowable size of the sign from 32 square feet to 64 square feet and to increase the maximum allowable height from 6 feet to 14 feet each. There are two signs.

Chairman Goll explained the process and the principles who wanted to testify and present evidence were sworn in all other witnesses will be sworn in as they give their testimony.

Gary Krinn with Signs Now, Russell Boren with Southgate, and Chris Harkness Zoning Administrator were sworn in.

Gary Krinn explained the sign was up for many years. The wind or vandalism damaged the signs. Signs Now were contracted by Southgate to construct the new signs.

Chris Harkness reviewed the variance. One of the signs was pre-existing. This sign is smaller than the pre-existing. The signs are located further back on National Road than required. Chris did recommend approval of the variance.

Cheri Rogers moved to close the public testimony portion of the public hearing at 6:43 p.m. Rick Cox seconded and the motion passed 5-0.

Cheri Rogers moved to grant variance VA-08-05 to increase the size from our regulated 32 square feet of the signs to 64 square feet and the height from 6 feet to 14 feet for the two signs proposed based on the fact that all the criteria were met from Section 513.

Rick Cox motioned to adjourn the meeting. Michelle Weber seconded and the motion passed 5-0.

Meeting adjourned at 6:47 p.m.

Approved as read Aug 4, 2008

Approved as corrected/amended _____

Laura Brown
 Laura Brown, Clerk

David P. Goll
 David Goll, Chairman

Held

July 21,

2008

ADJUDICATORY HEARING

The adjudicatory hearing was called to order by Chairman Goll at 6:48 p.m. on July 21, 2008 at the Etna Township Hall. The meeting was audio and video taped for township records. Michelle Weber, Rick Cox, David Goll, Cheri Rogers, Philip Chew, and clerk Laura Brown were present.

The purpose of this hearing is to consider conditional use permit CU-08-03 and variance VA-08-06 for the property located on the south side of Refugee Road parcel number 01001807201003 submitted by Southwest Licking Youth Football Association. The nature of the conditional use permit and variance is for recreational sports team and league and off street parking.

Chairman Goll explained the process and the principles who wanted to testify and present evidence were sworn in all other witnesses will be sworn in as they give their testimony. Chris Weber and Chris Harkness were sworn in.

Chris Weber 91 3rd Avenue represented Southwest Licking Youth Football Association. They are requesting an area or green space for practice for the football players and cheerleading squads. They are also asking to leave the parking areas gravel. Mr. Weber reviewed the site plan which is not a final drawing.

Chris Harkness reviewed the staff report provided. The drawing proposes three field areas with 152 parking spaces. There are two access points.

Chris Weber stated there would be up to 6 teams practicing with both football and cheer teams. Each team has approximately twenty or less kids. Practice would be from 6 to 8 p.m. from early August to late October. The entrance would be gated. No lighting is planned at this time. In the future they would have one field for games that would be on Saturday or Sunday afternoons.

Chris Harkness stated the use is an adequate use for the property and area. Chris discussed the buffering needs for the property to the west. The township does have required buffering the applicant would have to follow; for example a 3 ½ buffering around parking spaces with 6 or more parking spaces are.

Chris Weber stated they would pave or concrete an apron from the road approximately twenty to thirty feet into the parking lot.

Chris Harkness stated the staff recommends to approve the use and to provide heavy buffer to screen the neighbor to the west and the required buffering along the parking areas (vehicular use areas).

Chris Weber stated to avoid foot traffic across Refugee Road the lot will be gated when not in use. At this time the property would be used for practice only. In the future one field would be used for a game.

The league is planning on using port-a-johns that would be located on the parking lot side of the field.

Chris Weber discussed an AEP beautification grant that would be used to protect the power poles and a safe barrier for the poles.

Kyle Weigel 8831 Refugee Road was sworn in. He is the property owner along the west boundary of this property. There are deed restrictions on this property for residential use only. He would prefer residential on this property.

Chris Harkness stated he was aware of the deed restrictions. The deed restrictions are a civil matter and should not be considered by the board. The township does not enforce deed restrictions. The board can consider his concern about it being a residential property. The property is currently zoned agricultural.

Kyle Weigel stated the street is a buffer for the current park. The trash is an issue with the current park. He has concerns with the driveways from both facilities being close together and traffic. He has concerns with the use. If this is going to be used for practice or games, there are lights, pa systems, concessions and so on for games. The property is eleven acres for three fields and the density is too much. The field on the south that may be a game field is twenty five feet from his boundary. He felt the buffering needs to be on the west, south, and east of the field. Across the street the gate is never locked. Section 523 in the Zoning Resolution stated all structures and activity areas should be located at least one hundred feet from all property lines. Such developments should be located adjacent to non-residential uses such as churches, parks, industrial, or commercial uses. He is also concerned with the trash. He would like to see a schedule for maintenance of the port-a-johns.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 1014B

Etna Township Board of Zoning Appeals

Held

July 21,

2008

Kyle Weigel would rather see paved lots versus the gravel lots. The gravel lot across the street is not maintained. He would like to see an earth and berm plus fencing and trees for the buffering.

Philip Chew discussed the dust from the farm land. Kyle Weigel stated it is a few times a year. David Goll stated the parking is up front on the lot. Kyle stated with a gravel lot people park everywhere, if you have a road down the entire property people will park everywhere. Kyle Weigel supports the use across the street but this one is closer to home.

Chris Weber stated the parking issue across the street is packed. For the dust there are options to put down on the gravel. The only park along the field is for coaches and elderly/handicap people. This would be a football only facility so keeping the gate locked would be easier.

Kyle Weigel's house is probably one hundred and twenty feet off the property line. The board discussed the requirements of Section 523.

Cheri Rogers verified that these are not final plans. Chris Weber stated it is not, they only want green space. He did not feel three football fields would fit on the lot. The parking is where it is going to be located. The driveway to the east is correct under the power lines. The lines for the field are not correct. If the fields are repositioned with only two fields it would fit better. Rick Cox stated the fields are only painted stripes that can be changed.

Mary Kay Rohrkemper 8885 Refugee Road was sworn in. The biggest concern is for lights and sound. She is somewhat concerned with dust.

Bill VanHoose 8939 Refugee Road was sworn in. He discussed issues with traffic, lights, and noise. He is here to speak for the neighbors. He would like to see a privacy fence for his neighbor.

Tom Ziomek 9081 Refugee Road was sworn in. He has lived there 11 years and has seen increased traffic. His main concern is the traffic. He also has concerns with lights and noise. He discussed the drainage of the field when excavating. He also has issues with the parking.

Rick Cox reviewed the grading drawings for the property. Chris Weber stated it was his understanding it would be graded in a way that the run off would remain the same as it is now. Rick Cox stated a good gravel lot is better then a paved lot that is not maintained.

Cheri Rogers moved to close the public testimony portion of the public hearing at 8:25 p.m. Rick Cox seconded. Motion passed 5-0.

The board discussed whether two teams that are practicing would be considered a game.

Cheri Rogers moved to grant variance VA-08-06 the apron must be paved or concreted to the township's specifications and the drive thru aisles are changed to 25 feet based on the recommendation by the Zoning Administrator as per Section 513. Michelle Weber seconded. Discussion: This would include the drive along the east side of the property. Roll call: Michelle Weber, yes; Rick Cox, yes; David Goll, yes; Cheri Rogers, yes; and Philip Chew, yes.

Cheri Rogers moved to grant the conditional use application for Southwest Licking Youth Football Association CU8-03 for the property in question to be used as a practice facility with the following conditions. 1. The field(s) are to be used by the Southwest Licking Youth Football Association for practice purposes only. Any other use needs to be approved by the Board of Zoning Appeals. The parking areas are to be used by the Southwest Licking Youth Football Association for practices only any other use needs approval by the Board of Zoning Appeals. 3. Entrance to the property is to be gated and locked when not in use by the Southwest Licking Youth Football Association. 4. All port-a-johns on the premises need to be secured and on a maintenance contract. 5. A proposed landscape plan for a visual barrier along the west and south properties lines reaching a minimum height of 4 feet needs to be submitted and approved by the Board of Zoning Appeals along with the required 3 1/2 foot parking barriers. Michelle Weber seconded. Roll call: Michelle Weber, yes; Rick Cox, yes; David Goll, yes; Cheri Rogers, yes; and Philip Chew, yes.

Rick Cox motioned to adjourn the meeting. Michelle Weber seconded and the motion passed 5-0. Meeting adjourned at 9:22 p.m.

Approved as read Aug 4, 2008

Laura Brown
Laura Brown, Clerk

Approved as corrected/amended _____

David Goll
David Goll, Chairman

DAYTON LEGAL BLANK CO., FORM NO. 10148

Etna Township Board of Zoning Appeals

Held

July 21,

2008

Regular Meeting

The meeting was called to order by Chairman Goll at 9:23 p.m. on July 21st, 2008 at the Etna Township Hall. The meeting was audio taped for township records. Phil Chew, Cheri Rogers, David Goll, ~~Dallas Maynard~~, and ~~Claudette VanDyne~~ were present.

Rick Cox 40 Michelle Weber 20

The purpose of this meeting was to approve minutes and sign the final orders from adjudicatory hearings on June 24th, 2008 and July 2nd, 2008.

Rick Cox moved to waive the public reading and to approve the minutes from the June 24th, 2008 regular meeting with corrections. Michelle Weber seconded. Michelle Weber, abstain; Rick Cox, abstain; David Goll, yes; Cheri Rogers, yes; and Philip Chew, yes. Motion passed 3 yes and 2 abstain.

Rick Cox moved to waive the public reading and to approve the minutes from the ~~June 24th~~, 2008 regular meeting with corrections. Michelle Weber seconded. Michelle Weber, yes; Rick Cox, yes; David Goll, yes; Cheri Rogers, abstain; and Philip Chew, yes. Motion passed 4 yes and 1 abstain.

July 2nd 2008

David Goll moved to adjourn the meeting at approximately 9:26 p.m. Michelle Weber seconded and the motion passed 5-0.

Approved as read *Aug 4, 2008*

L/B 7/25/2008
Approved as corrected/amended _____

Laura Brown
Laura Brown, Clerk

David Goll
David Goll, Chairman

*all final orders
conceded to applicant.*