

## RECORD OF PROCEEDINGS

Minutes of

Etna Township Board of Zoning Appeals

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

June 23,

2015

Held

20

**VA-15-03**

The hearing was called to order by Chairman Cox at 7:00 p.m. on June 23, 2015 at the Etna Township Administration Building. The roll call showed members Cheri Rogers, Trent Stepp, Rick Cox, Claudette VanDyne, and Mark Schaff present, along with Clerk Laura Brown.

The Area Variance VA-15-03 from Section 909 Light Manufacturing District (M-1), item C General Requirements and item 1 height limit submitted by Jobes Henderson for ProLogis for parcel # 010-017688-00.001. The nature of the variance is to increase the height limit from thirty-five feet to fifty-five feet and reduce the lot frontage from 250' to 167'.

Chairman Cox explained the process of the hearing. The applicant, Brian Marsh with ProLogis, Township Administrator, Rob Platte, Eugene Shaffer, Christina Eddy, and Philip Eddy were sworn in.

Rob Platte provided a written staff report and PowerPoint presentation.

ProLogis has been evaluating the feasibility of keeping the ProLogis Park 70 site as one large parcel or split it into two parcels to allow for the future sale of each parcel independently if needed. While the 41.5 acre parcel would result in more than adequate frontage, the remaining 54.5 acre parcel can only feasibly have 167' of frontage. A request is also being submitted to increase the maximum building height to 55'. A previous variance was granted to the entire Etna Corporate Park to increase the maximum building height to 45 feet, so the requested variance is in addition to that variance. Which is what the current maximum is now for this site. A subsequent request to increase the maximum height for the Ascena extension was granted for a 75' maximum.

Variance #1 is to increase the maximum allowable height from 45 feet to 55 feet. The applicant has stated that the needs of their customers require a higher inside clear ceiling height, which in turn requires a higher outside building height. This is becoming a common need in the industrial park/distribution facility market.

Variance #2 is to reduce the required frontage for the 54.5 acre parcel to 167'. The applicant has expressed a need to be able to split the two proposed buildings onto their own lot, in the event that customer wishes to purchase a facility outright. The split does not change the layout of the site, which as currently planned is permitted by zoning, and creates no visual distinction in the site.

Staff recommends that the Board of Zoning Appeals approve the requested area variances because the Standards for 'Practical Difficulty' (Section 512.B) have been met.

Trent Stepp verified that Interstate 70 is not considered for frontage calculations.

Brian Marsh with ProLogis explained the frontage request. When they requested the forty-five foot height variance most of the companies were good with that. Today companies are looking at fifty-two to fifty-three foot building heights. The drainage will run to the south and into the existing which runs under the freeway. At this time all the storm retention is not installed.

**Public Comments –**

Christina Eddy of 9790 Tollgate Road has concerns with the height variance because they live next to the property. They will have to look at these buildings. She also has concerns with drainage. Christina Eddy stated they have had drainage issues prior to development.

Philip Eddy of 9790 Tollgate Road inquired on the setback requirements from residential to commercial. Rob Platte stated the setback requirements are thirty feet for side yard setbacks. Rick Cox explained that Licking County Planning Commission handles the storm water and drainage concerns.

Brian Marsh explained that all the drainage is approved by Licking County Planning Commission. The water can't go off the land any faster than it does prior to development. ProLogis has agreed to route water from the cemetery lot over into their lot along with water from the Mayflower Subdivision to help improve drainage in the area at no cost to anyone. The landscaping around the pond has not been designed. The property for the pond was sold to ProLogis by the Carpenter Family.

Eugene Shafer of 11719 National Road has concerns with the fifty-five foot building regarding how it will affect his property. He has concerns with lighting and drainage.

Cheri Rogers moved to close the public testimony portion of the hearing at 7:26 p.m. The motion was seconded by Claudette VanDyne and passed 5-0.

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Trent Stepp moved to approve (VA-15-03) applicant Jobes Henderson and Associates for ProLogis for parcel #010-017688-00.001, from Section 1023 Required Lot Frontage to reduce the required frontage from 250' to 167' because the Standards for 'Practical Difficulties' (Section 512.B) have been met applicable to any future lot splits. The motion was seconded by Cheri Rogers. The roll call was as follows: Cheri Rogers, yes; Trent Stepp, yes; Rick Cox, yes; Claudette VanDyne, yes; and Mark Schaff, yes; passed 5-0.

The Board of Zoning Appeals discussed the extra ten feet. ProLogis already has a variance to allow forty-five foot building height. Rob Platte explained the building height helps make the property marketable.

Latycia Macytire of 22 Third avenue is looking into property on First Avenue and has concerns with noise. Rob Platte explained the township does not have a noise ordinance that would be enforced. A hundred foot wide buffer with fifty foot tree and fifty foot dirt mound with a row of pine trees on the top of the mound will be installed between Mayflower and ProLogis.

Brian Marsh stated along Eugene Shafer's property there will be a six foot tall privacy fence. The residential property is zoned manufacturing so there is no buffering requirements. The residential lots to the south are zoned Local Business and have a private drive. ProLogis does not use this drive and does not maintain it.

Brian Marsh stated they could live with fifty feet if that helps.

Trent Stepp moved to approve VA-15-03, applicant Jobes Henderson and Associates for ProLogis for parcel #010-017688-00.001, from Section 909 Light Manufacturing District (M-1), item C General Requirements, item 1 height limit from thirty-five feet to fifty feet, because the Standards for 'Practical Difficulties' (Section 512.B) have been met, applicable to any future lot splits. The motion was seconded by Claudette VanDyne. The roll call was as follows: Cheri Rogers, no; Trent Stepp, yes; Rick Cox, yes; Claudette VanDyne, yes; and Mark Schaff, yes; passed 4-1.

Claudette VanDyne moved to close the hearing at 7:55 p.m. The motion was seconded Trent Stepp and passed 5-0.



Laura Brown, Clerk



Rick Cox, Chairman



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Members: Rick Cox-Kathy Johnston-Mark Schaff-Trent Stepp - Claudette VanDyne  
Alternate Member: Cheri Rogers

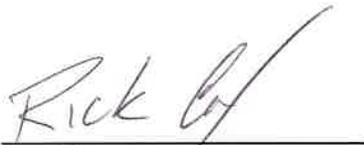
### FINAL ORDER

The Etna Township Board of Zoning Appeals held an adjudicatory hearing on June 23, 2015 at 7:00 p.m. at the Etna Township Administration Building.

The nature of Area Variance VA-15-03 was to increase the height limit from thirty-five feet to fifty-five feet and reduce the lot frontage from 250' to 167'. The application was submitted by Jobes Henderson for ProLogis for parcel # 010-017688-00.001.

The Board approved (VA-15-03) applicant Jobes Henderson and Associates for ProLogis for parcel #010-017688-00.001, from Section 1023 Required Lot Frontage to reduce the required frontage from 250' to 167' because the Standards for 'Practical Difficulties' (Section 512.B) have been met applicable to any future lot splits.

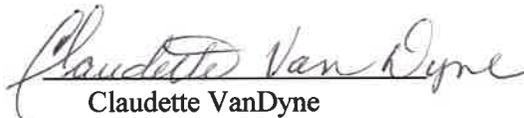
The Board approved VA-15-03, applicant Jobes Henderson and Associates for ProLogis for parcel #010-017688-00.001, from Section 909 Light Manufacturing District (M-1), item C General Requirements, item 1 height limit from thirty-five feet to fifty feet, because the Standards for 'Practical Difficulties' (Section 512.B) have been met, applicable to any future lot splits.

  
Rick Cox

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Cheri Rogers

  
Mark Schaff

  
Trent Stepp

  
Claudette VanDyne