

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Zoning Appeals

DAYTON LEGAL BLANK, INC., FORM NO. 10148

October 27,

2015

Held

20

The hearing was called to order by Chairman Cox at 7:15 p.m. on October 27, 2015 at the Etna Township Administration Building. The roll call showed members Kathy Johnston, Rick Cox, Claudette VanDyne, and Mark Schaff present, along with Clerk Laura Brown. Trent Stepp was excused.

The nature of Area Variance VA-14-05 is from Article - 9 District Regulations, Section 902 Medium-Low Density Residential District (R-2), Item C General Requirements and Article 11 Parking submitted by the Full Gospel Sons Church of God for 159 Cedar Park Blvd. The Board closed the public testimony portion of the variance hearing at 8:26 p.m. on November 25, 2014.

Jim Dorenbusch representing the applicant withdrew Variances D and E.

Variance a

A variance for the front yard requirement as applied to a corner lot is requested. Due to this lot having street frontage on three sides it is to utilize the front yard of thirty foot along each road. Currently the existing structure does not conform along the west and several of the adjacent properties appear to not have a thirty foot front yard. Granting a variance to utilize the fifteen foot side yard along the west and east sides of the property will allow the site to be in compliance with its current structure and also allow it to conform to the setbacks currently being utilized elsewhere in the subdivision.

Claudette VanDyne moved to approve VA-14-05 for the Full Gospel Sons Church of God located at 159 Cedar Park Blvd. from Section 902.C.2 - Medium-Low Density Residential District (R-2) General Requirements of the R-2 District to reduce the front yard setbacks to 20 feet because the Standards for 'Practical Difficulties' (Section 512.B) have been met. The motion was seconded by Kathy Johnston. The roll call on the motion was as follows: Kathy Johnston, yes; Rick Cox, yes; Claudette VanDyne, yes; and Mark Schaff, yes; the motion passed 4-0.

Variance b

The church requests a variance to waive a dedicated loading space as the church will not be receiving regular deliveries. In the case that deliveries do need to occur they would be scheduled during non-service hours and could utilize other parking and drive facilities that are shown on the plans.

Kathy Johnston moved approve VA-14-05 for the Full Gospel Sons Church of God located at 159 Cedar Park Blvd. to waive the requirement of a dedicated loading space because the Standards for 'Practical Difficulties' (Section 512.B) have been met. The motion was seconded by Claudette VanDyne. The roll call on the motion was as follows: Kathy Johnston, yes; Rick Cox, yes; Claudette VanDyne, yes; and Mark Schaff, yes; the motion passed 4-0.

Variance c

The church requests a variance to allow for parking to be located directly off of the edge of pavement of the streets along the east and west side of the property. This will allow the church to maintain a larger green space/yard on site and allow the parking to be located further from the residential properties.

Mark Schaff stated for the record the staff recommendation is to deny the reduction in the required setback for parking areas from 4 feet from the edge of the right-of-way to 0 feet because the Standards for 'Practical Difficulties' (Section 512.B) have not been met.

Claudette VanDyne discussed the modifications to the parking areas on the site plans and does not like to see the parking right on the road because of safety reason.

Kathy Johnston moved to re-open the public testimony portion of the hearing at 7:25 p.m. The motion was seconded by Mark Schaff. The roll call on the motion was as follows: Kathy Johnston, yes; Rick Cox, yes; Claudette VanDyne, yes; and Mark Schaff, yes; the motion passed 4-0.

Jim Dorenbusch representing the applicant explained the change in design regarding the parking. At the last hearing it was discussed changing it from backing into the road to parallel parking. To place the parking into the green space would require more paving with the aisle ways and along the road is better for the environment.

Rob Platte, Township Administrator, explained that the new design does not meet the parking requirement in the Zoning Resolution and recommends all the on-site parking be located on the property. Claudette VanDyne discussed concerns when plowing the snow in the winter.

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Jim Dorenbusch discussed the parking requirements and the opinion of Mr. Stepp at the previous meeting. Chairman Cox explained the Board of Zoning Appeals is approving the location not the number of parking spaces. The issue of the number of spaces is between the Zoning Inspector and the applicant.

The issue with the number of the parking spaces cannot be determined during a conditional use hearing therefore the opinion of Trent Stepp during this hearing does not change the ruling of the Zoning Inspector. The plan will need to be submitted for a zoning permit and then if a variance is needed one could be requested at that time.

Jim Dorenbusch and John Antritt were sworn in at the November meeting.

John Antritt of 11 Third Ave asked that Rob Platte clarify what he said. Rob Platte feels the parking can be reconfigured to allow for on-site parking in the open space on the southwest corner of the property.

Jim Dorenbusch stated the lot size is fifty feet wide in the southwest corner and does not feel this is wide enough for on-site parking. Rob Platte has not laid the site out and his opinion of the site plan presented the parking can fit on site and a variance is not needed. The proposed plan does not meet the zoning.

Kathy Johnston moved to close the public hearing at 7:42 p.m. The motion was seconded by Claudette VanDyne. The roll call on the motion was as follows: Kathy Johnston, yes; Rick Cox, yes; Claudette VanDyne, yes; and Mark Schaff, yes; the motion passed 4-0.

Claudette VanDyne move to deny VA-14-05 for the Full Gospel Sons Church of God located at 159 Cedar Park Blvd. to reduce the required setback for parking areas from 4 feet from the edge of the right-of-way to 0 feet because the Standards for 'Practical Difficulties' (Section 512.B) have not been met. The motion was seconded by Mark Schaff. The roll call on the motion was as follows: Kathy Johnston, yes; Rick Cox, no; Claudette VanDyne, yes; and Mark Schaff, yes; the motion passed 3-1.

Kathy Johnston moved to close the hearing at 7:54. The motion was seconded by Claudette VanDyne. The roll call on the motion was as follows: Kathy Johnston, yes; Rick Cox, yes; Claudette VanDyne, yes; and Mark Schaff, yes; the motion passed 4-0.

Laura Brown

Laura Brown, Clerk

Rick Cox

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 October 27, 2015 at 7:15 p.m. at the Etna Township Administration Building.

The nature of Area Variance VA-14-05 is from Article - 9 District Regulations, Section 902 Medium-Low Density Residential District (R-2), Item C General Requirements and Article 11 Parking submitted by the Full Gospel Sons Church of God for 159 Cedar Park Blvd. The Board closed the public testimony portion of the variance hearing at 8:26 p.m. on November 25, 2014.

Variance a

The Board approved VA-14-05 for the Full Gospel Sons Church of God located at 159 Cedar Park Blvd. from Section 902.C.2 - Medium-Low Density Residential District (R-2) General Requirements of the R-2 District to reduce the front yard setbacks to 20 feet because the Standards for 'Practical Difficulties' (Section 512.B) have been met.

Variance b

The Board approved VA-14-05 for the Full Gospel Sons Church of God located at 159 Cedar Park Blvd. to waive the requirement of a dedicated loading space because the Standards for 'Practical Difficulties' (Section 512.B) have been met.

Variance c


The Board denied VA-14-05 for the Full Gospel Sons Church of God located at 159 Cedar Park Blvd. to reduce the required setback for parking areas from 4 feet from the edge of the right-of-way to 0 feet because the Standards for 'Practical Difficulties' (Section 512.B) have not been met.



Rick Cox

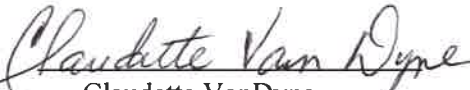


Kathy Johnston



Mark Schaff

Trent Stepp



Claudette VanDyne