

DAYTON LEGAL BLANK, INC., FORM NO. 10148

March 2,

2005

Held \_\_\_\_\_,

(YEAR)

**Organizational Mtg**

The Etna Township Zoning Commission met in the Etna Township Hall on March 2, 2005 for the purpose of conducting a regular meeting. The meeting will be audio taped for the township records.

The meeting was called to order at 7:00 p.m. by Chairman Bravard with the following members present: Mr. Kerner, Mrs. Taylor, Mr. Colburn, Mr. Van Dyne, Chairman Bravard, and Clerk Laura Brown.

**Announcements**

Mr. Kerner notified the Zoning Commission that Senate Bill 18 would be passed into law without the governor's signature. There are strong measures being taken to rescind it. The general assembly will be addressing the concerns.

Chairman Bravard stated that Licking County Soil and Water Conservation District some time in Spring will have a workshop on ponds.

Chairman Bravard read the letter dated February 16, 2005 from Brent Shenk regarding the Section 1329 of the Etna Township Zoning Resolution.

Mr. VanDyne moved that we adopt the agenda with flexibility. Colburn seconded. Roll call: Motion passed 5-0. Mr. Kerner added under new business item e, Section 1009. Mr. Bravard added under new business item d, Joseph Olson rezoning. Mr. Colburn added under new business item f, commission pay scale.

Mr. Kerner made a motion to waive the public reading and approval of the minutes from the meeting on 2/16/05. Mrs. Taylor seconded. Roll call: Motion passed 5-0.

Mr. VanDyne made a motion to table the public reading and approval of the minutes from the meeting on 2/23/05. Mrs. Taylor seconded. Roll call: Motion passed 5-0.

Mr. Bravard turned the gavel over to clerk Laura Brown for the election of officers for 2005 and 2006 chairman and vice-chairman.

Mr. VanDyne nominated Michael Kerner. Colburn seconded. Mr. Kerner nominated Dan Bravard. VanDyne seconded.

Mr. Kerner stated that he did not feel he could do the board justice to be the chair because of the traveling he will be doing.

Mrs. Brown asked if the board had any more nominations.

Mr. Kerner moved to close the nominations. Colburn seconded.

Roll call for Mr. Kerner to be the chairman. Kerner, no; Taylor, abstain; Colburn, no; VanDyne, yes; and Bravard, no.

Roll call for Mr. Bravard to be the chairman. Kerner, yes; Taylor, abstain; Colburn, yes; VanDyne, yes; and Bravard, yes.

Mrs. Brown asked the board for nominations for the seat of vice-chairman.

Mr. VanDyne nominated Vince Colburn for vice-chairman. Bravard seconded.

Mr. Bravard nominated Mike Kerner for vice-chairman. VanDyne seconded.

## RECORD OF PROCEEDINGS

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Mrs. Brown asked if the board had any more nominations.

Mr. VanDyne moved to close the nominations. Colburn seconded.

Roll call for Mr. Colburn to be the vice-chairman. Kerner, yes; Taylor, abstained; Colburn, yes; VanDyne, yes; and Bravard, no.

Roll call for Mr. Kerner to be the vice-chairman. Kerner, yes; Taylor, abstained; Colburn, yes; VanDyne, no; and Bravard, yes.

The roll call was a tie.

Mr. VanDyne made a motion that we roll call again. We will ask the board to state Mr. Colburn or Mr. Kerner for position of vice-chairman.

Roll call: Kerner, Kerner; Taylor, abstain; Colburn, abstain; VanDyne, Colburn; and Bravard, Kerner. Mr. Kerner will be the vice-chairman.

Mr. Colburn made a motion to continue with the previous established TRC rotation. Bravard seconded. Taylor and Colburn for March, April, May. Roll call: passed 5-0.

Mr. Kerner moved to adopt Robert's Rule of Order to precede the zoning resolution. Bravard seconded. Roll call: passed 5-0.

#### **Royal Oaks, Tim Rini**

Tim Rini, the land development director for DiYanni homes. The land company is DBI Land Company (DiYanni Brothers Inc. Land Company.) Mr. Rini presented the Zoning Commission with a handout regarding Royal Acres, Preserve at Royal Oaks.

Mike Kerner stated that four options have been discussed. The R-3 we cannot do. The PUD we cannot do. A variance or comply with the present zoning and build the houses that fit the lots.

#### **Steve Holloway, Board of Zoning Appeals**

In Section 517, Notice to Parties in Interest of our zoning resolution requires the notices to be mailed by certified mail with return receipt. The Board of Zoning Appeals is having difficulties with the certified letters being returned. They are delivered during the day while citizens are at work and they are intimidating. The Board of Zoning Appeals would like to send the notices using the Certificate of Mailing process with the post office. The letters will be recorded in a book and the post master will verify the letters were mailed. The Board of Zoning Appeals feels that more mail will be delivered by this process. It is not a requirement in the Ohio Revised Code.

Vince Colburn made a motion to have the Board of Zoning Appeals send the Zoning Commission a letter requesting the change of certified mail to certificate of mailing. Taylor seconded. Motion passed 5-0.

The Board of Zoning Appeals would like to implement placing yard signs in the property of the owner requesting the hearing. The board can do this without a resolution but feels it is important enough to have it added to the zoning resolution. The board feels the yard signs would notify more residents than the paper and the letters. The Zoning Commission may want to look into yard signs also. The Board of Zoning Appeals would like four signs. When the property owner turns in the application the zoning office will give them a sign.

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0259

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~~Held~~  
~~Possible the Board would charge a deposit that would be refunded after the~~  
sign is turned back in. (YEAR)

**OLD BUSINESS**

Set back line amendment. The Board of Zoning Appeals would like to see the size of the shed defined. The Zoning Commission would like to regulate the set back. The Zoning Commission is waiting for a response from the Trustees.

The Zoning Commission discussed parking lot issues with Dallas Maynard.

**NEW BUSINESS**

Mr. VanDyne made a motion to send Jerry Brems the thank you letter for attending the special meeting. Taylor seconded. Roll call: Motion passed 5-0.

The Zoning Commission is interested in attending the seminar in Licking County with Brent Shenk. The soil and water is going to hold a seminar regarding ponds. Chairman Bravard will send a letter to soil and water regarding the seminar on ponds and to Brent Shenk regarding the zoning seminar.

Dallas Maynard discussed the new McDonalds going in at 70 and 310. Mr. Maynard had some questions regarding the permit fees for the McDonalds and BP gas station and Duke Store. The 18 by 32 trash enclosure would be construed as an accessory building; therefore Mr. Maynard does not know what to charge them.

The Zoning Commission discussed the fee scheduled and appointed Mike Kerner and Tina Taylor to work with Dallas Maynard on updating the fee schedule. The Zoning Commission suggested that Mr. Maynard survey the other townships on their fee schedules.

Joseph Olson has submitted a new application for the rezoning of Columbia Road. The Zoning Commission feels that Mr. Olson needs to submit a fee and make arrangements with the Trustees on a refund of the \$400.00 for the first hearing.

Dallas Maynard asked the Zoning Commission for a flow chart. Jim VanDyne gave Dallas Maynard a copy of the flow chart that the Zoning Commission uses with the files. Dallas Maynard would like a flow chart for his process.

Section 1009 Visibility at Intersections. Mike Kerner wanted the Zoning Commission to clarify where you can put a sign. Mr. Kerner feels that the zoning resolution needs to be re-written. Mr. Maynard explained his interpretation of this section.

Vince Colburn made a motion to submit to the Trustees to have the wages raised to \$45.00 for the chairman and \$40.00 for the commission members. Bravard seconded.

Mr. VanDyne would like to research the budget before the Zoning Commission requests a raise for the commission.

Mr. Colburn withdrew his motion, Chairman Bravard accepted the withdraw.

Mike Kerner made a motion to ask the Trustees to review the wage schedule and make any adjustments. VanDyne seconded. Roll Call: Passed 5-0.

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Dallas Maynard wants a check off list for what is required for rezoning applications. Chairman Bravard recommends that Dallas Maynard makes a checklist for the zoning office and have Laura Brown type the form.

The meeting was adjourned at 9:42 p.m.

Approved

04/06/05

*Laura Brown*

Laura Brown, Clerk

Approved as corrected/amended \_\_\_\_\_

*Dan Bravard*

Dan Bravard, Chairman