

RECORD OF PROCEEDINGS

Minutes of

Etna Township Zoning Commission

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

April 5,

2006

~~Skube~~ 9161 Refugee Rd.

20

Section 300, 1032, 909, 911 Text Amendments

The Etna Township Zoning Commission met in the Etna Township Hall on April 5, 2006 for the purpose of conducting a regular meeting and to hold public hearings for a rezoning application submitted by Don and Tony Theresa Skube and text amendments on Section 300 Zoning Permits required, Section 1032 Fences and Hedges, Section 909 Local Business and Section 911 Accommodation Business District. The hearing was audio and video taped for the township records.

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

Jim VanDyne moved that we adopt the agenda with flexibility. Colburn seconded. Roll call: Motion passed 5-0.

Vince Colburn made a motion to waive the public reading and to approve the minutes for the special meeting on March 8, 2006. Dunlap seconded. There was no discussion. Roll call: Motion passed 4 yes and 1 abstain. Jim was out of town for the meeting.

Jim VanDyne made a motion to waive the public reading and to approve the minutes for the regular meeting on March 15, 2006. Dunlap seconded. There was no discussion. Roll call: Motion passed 5 - 0.

While waiting for 7:10 to start the meeting Mike Kerner reviewed the rezoning application.

**Public Hearings**

Jim VanDyne moved to open the public hearing at 7:10 p.m. Dunlap seconded. Roll call: Motion passed 5-0.

Jim VanDyne moved to leave the text amendment to the Zoning Resolution in Section 300 Zoning Permits Required and Section 1032 Fences and Hedges in recess. Dunlap seconded. Discussion: The commission is waiting for clarification on legal opinion. Roll call: Motion passed 5-0.

Mike Kerner read the staff report and Licking County Planning Commissions letter of recommendation.

Vince Colburn moved to open the public hearing for the Donald and Tony Theresa Skube rezoning application. VanDyne seconded. Roll call: Motion passed 5-0.

Mike Kerner continued with the staff report and recommendation from Licking County Planning Commission. Mike Kerner verified with Don Skube that the area has sewer and water. Don Skube of 9161 Refugee Road stated they are on a leach bed but was told by Mike Waller that they can tie onto the sewer. The Licking County Planning Commission and staff report recommends denial because the proposed zoning would be considered spot zoning. The size of the parcel is of adequate size if utilized as it is currently configured however the applicant stated the reason for the request is to gain an additional building site therefore the size of the parcel is not of adequate size to serve this purpose. The infrastructure in a form of road ways is not in place to allow these parcels to be subdivided.

Bob Toliver of 6823 Gillette Rd, Reynoldsburg stated that his sister and brother-in-law want to build a nice home on 2 ½ acres on the back of the lot. If sewer is not available he has checked with Licking County about septic system. The R1 zoning is only one house away. He feels eventual the back will be rezoned for residential and a road will go in behind the property.

Lonnie Bowman of 9732 Smoke Road stated it is possible to tie in to water and sewer but not practical.

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~~Held~~  
~~Claudette VanDyne asked if the Zoning Commission was still considering a~~  
~~Planned Commercial District. Mike Kerner stated they are still working on it.~~

Tina Taylor moved to vote on the text amendment tonight. Dunlap seconded.  
Roll call: Motion passed 5-0.

Vince Colburn moved to recommend to the Trustees to accept and approve the amendments below: Taylor seconded.

Under Section 909 Local Business District (LB) general requirements to add: Building bulk requirements: Retail or mixed use buildings containing retail uses, total usable floor space shall not exceed 25,000 square feet as measured around the outer perimeter of the building.

Under Section 911 Accommodation Business District (AB) general requirements to add: Building bulk requirements: Retail or mixed use buildings containing retail uses, total usable floor space shall not exceed 15,000 square feet as measured around the outer perimeter of the building.

Discussion: Dee Dunlap asked why the AB is less footage than the LB. The commission did not come up with anything that would need larger square footage.

Roll call: Dunlap, yes; Taylor, yes; Colburn, yes; Kerner, yes; and VanDyne, no. Passed 4-1.

**Liberty Township and NAICS Codes**

The Zoning Commission discussed which codes they would like to see in our township.

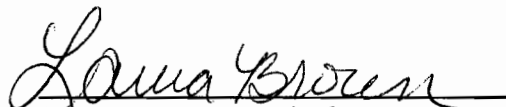
Dee Dunlap and Tina Taylor stated they researched the two zoning codes and felt Berkshire was difficult to follow.

Mike Kerner will call Scott Sanders with Delaware Regional Planning regarding the Concord Zoning Resolution and will let the Zoning Commission know. Dee Dunlap asked if he would email them the response. Vince Colburn said the zoning resolution is not for easy reading and we may want to go with Berkshire to save the township from a law suit.


The commission discussed the fence text amendment. The text amendment needs to be updated to add the motion to remove fence from the definition of structure. This was done at the previous meeting before the passing of the text amendment. It did not go to LCPC with this section in the proposed text amendment.

Jim VanDyne moved to adjourn the meeting at 9:00 p.m. Taylor seconded.  
Roll call: Mrs. Dunlap, yes; Mrs. Taylor, yes; Mr. Colburn, no; Chairman Kerner, yes; and Mr. VanDyne, yes. Motion passed 4-1.

Approved APRIL 19, 2006

  
Laura Brown, Clerk

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

  
Michael Kerner, Chairman