

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Zoning Commission

DAYTON LEGAL, BLANK, INC., FORM NO. 10148

Held June 21, 2006  
20

Accessory Bldg, fleet storage, Survey, and Fences

The Etna Township Zoning Commission met in the Etna Township Hall on June 21, 2006 for the purpose of conducting a regular meeting. The meeting was audio 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. Van Dyne, Chairman Kerner, and Clerk Laura Brown. Mr. Colburn was absent.

Jim VanDyne moved that we adopt the agenda with flexibility. Dunlap seconded. Motion passed without objection. Jim VanDyne added under New Business A. Cameron Chase and B. Fence Section.

The Zoning Commission members have received the letter from Dick Knapp and a copy of the memo from Mike Kerner to the Trustees regarding Don Brosius and the Planned Unit Development section.

Jim VanDyne made a motion to waive the public reading and to approve the minutes from the meeting on May 17, 2006. Dunlap seconded. Motion passed without objection.

Jim VanDyne made a motion to waive the public reading and to approve the minutes from the meeting on June 7, 2006. Taylor seconded. Motion passed without objection.

**Old Business**

**A. The zoning commission discussed Accessory Buildings.**

Jim VanDyne moved to add the amendment below as read. Taylor seconded. Roll Call: Dunlap, yes; Taylor, yes; Kerner, yes; and VanDyne, yes. Motion passed 4-0.

Add Section 1032 Accessory Structures

In any residential district, the total area covered by accessory structures on any lot of record shall not exceed 1% of the total lot area. Area of the structure will be determined by using its outside dimensions.

There shall be no more than 3 accessory structures allowed per acre on any given lot of record.

Accessory structures shall not exceed 12 feet in height. Minimum setback requirements shall be at least 1/2 height of the structure. E.g. a building 10 ft. in height will have a minimum setback of 1/2 of 10 feet (5 feet) from property lines. Accessory structures shall be clear of any easements of record where structures are prohibited.

EXCEPTION: Detached private garages as defined on page 2-6 of this resolution will be limited to 1.5% of the total lot area. Minimum setback requirements for detached garages shall be 1/2 the height of the structure.

**B. The Zoning Commission discussed Fleet Storage.**

Jim VanDyne moved to add the amendment below as read. Taylor seconded. Roll call: Dunlap, yes; Taylor, yes; Kerner, yes; and VanDyne, yes. Motion passed 4-0.

Add Fleet Storage to the definition section of the Zoning Resolution.

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Fleet Storage – Outdoor storage of 6 or more commercial vehicles and/or industrial equipment.

In Section 909 – Local Business to add under Conditionally Permitted Uses, Item E Fleet Storage.

In Section 910 – General Business to add under Conditionally Permitted Uses, Item J Fleet Storage.

Amend Section 912 – Light Manufacturing District (M-1) to add under Conditionally Permitted Uses, Item A. Fleet Storage.

Under Section 912 – Light Manufacturing District (M-1) to delete Fleet Storage under Permitted Uses, Item Y.

The above text amendments will be scheduled for July 19, 2006. The public hearing will be recessed to wait for the non-binding recommendation from LCPC.

**C. Hartford Survey from LCPC**

The Zoning Commission discussed the survey and made changes for Etna Township. An updated copy will be given to the Zoning Commission on July 5, 2006. The commission discussed how you would monitor how many copies went out, possibly tagging them with the township seal or placing a serial number on each one. Mike Kerner asked if it is the responsibility of the township to provide jobs for the township, is this something that a rural township should provide. Mike Kerner will draft a question regarding jobs and Tina Taylor will word a question regarding square footage in regards to big box retail under the development section of the survey.

**New Business**

**A. Cameron Chase**

Jim VanDyne discussed the trees along Tom Dixon’s property that have been planted on M/I Homes property. The trees will grow big enough to be over on his property. Tom Dixon also has a problem with a broken tile and it is putting water in his barn. It was discussed that he can cut or trim the part of the tree that is on his property.

The Zoning Commission discussed Sections 1022 on erosion and 1033 surface drainage. Jim VanDyne will write a letter to the Trustees regarding violation of Sections 1022 and 1033.

**B. Fence Section**

The Zoning Commission discussed the fence amendment and to have the setback measured from the road right-of-way instead of the center of the road.

**Public Comments**

Claudette VanDyne asked where the planned commercial district is. Mike Kerner read from a memo he sent to the Trustees. The district that was sent to Brosius is for the Planned Unit Development District for the township not the commercial district.

The Zoning Commission recessed from 8:55 to 9:10 p.m.

Neil Ingle discussed the fence violation in Cumberland Trail and the zoning resolution in regards to fences. He stated there are no other issues with fences in the front yard. Dee Dunlap stated not everyone lives in a subdivision. Neil Ingle stated to have two regulations one for rural and one for subdivisions.

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**Fences con't**

Jim VanDyne moved to accept the below text amendment as read. Dunlap seconded. Roll call: Dunlap, yes; Taylor, yes; Kerner, yes; and VanDyne, yes. Motion passed 4-0.

To remove fences from the definition of Structure and to add a definition for a fence and to add fence in two places in Section 300, and to add Section 1032 Fences and Hedges with the modification to add fence in Section 1008 Setback Requirements for Corner Buildings and to change Section 1032 to Section 1034.

Structure: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, and billboards.

Fence: An enclosure or barrier, such as wooded posts, wire, iron, etc. used as a boundary, means of protection, privacy screening or confinement, but not including hedges, shrubs trees, or other natural growth.

Section 1008 Setback Requirements for Corner Buildings: On a corner lot the principal building, its accessory structures including fences shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located.

Section 300 Zoning Permits Required

No building, fence, or other structure shall be erected, moved, added to, structurally altered, nor shall any building, fence, structure, or land be established or changed in use without a permit therefore, issued by the zoning inspector. Zoning permits shall be issued only in conformity with the provisions of this resolution unless the zoning inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use or variance or from the Board of Township Trustees approving a planned unit development district, as provided by this resolution.

Section 1034 Fences and Hedges: In any residential district, front and side yard fences shall be of wood, vinyl, synthetic wood, stone, brick, wrought iron, or aluminum. No wire or chain link fencing will be permitted in front or side yards. Fences or hedges in front and side yards must not exceed 2 ½ feet in height measured from grade level. That portion of a fence extending from a line even with the back of the dwelling to the rear property line and extending across the back of the property to the side property line may be of wood, vinyl, synthetic wood, stone, brick, wrought iron, or chain link and shall not exceed 6 feet in height. Hedge height in front or side yards shall not exceed 2 ½ feet in height. Front yard set back shall be a minimum of 25' measured from the road right-of-way of the road.

Front yard fences and hedges on corner lots must comply with Sections 1009 and 1010 of this resolution. Where agriculture property abuts residential property, Ohio Line Fence Law as specified by ORC Chapter 971 shall apply."

Meeting adjourned at 9:20 p.m.

Approved July 5, 2006

Laura Brown  
Laura Brown, Clerk

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

Michael A Kerner  
Mike Kerner, Chairman