

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Zoning Commission

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held July 11, 2007
20

PUD – Trustees/MSI

The Etna Township Zoning Commission met in the Etna Township Hall on July 11, 2007 for the purpose of conducting regular meeting. The meeting was audio taped for the township records. The meeting was called to order at 7:00 p.m. by Chairperson Dunlap with the following members present: Mr. Stepp, Mrs. Munce, Mrs. Taylor, Mrs. Dunlap, Mr. Van Dyne, and Clerk Laura Brown. The board of Trustees called their meeting to order with Gary Burkholder and Paul George present. Barbara Digel-Barrett and Dick Knapp arrived during the meeting. The pledge of allegiance was recited.

Jim VanDyne moved to adopt the agenda with flexibility. Trent Stepp seconded. Motion passed 5-0. Gary Burkholder moved to adopt the board of Trustees agenda. Paul George seconded. Passed 2-0.

Erin Prosser with MSI Design presented the proposed planned unit development text. The opinions from Don Brosius and the Prosecutor's office were reviewed. The definitions were updated with the biggest change being the conservation subdivision. Both Don Brosius and the Prosecutor commented on the process. The process of a recommendation from the Zoning Commission to the Trustees is a good way for the township to go. Erin Prosser explained the process and the difference between a minor and a major modification. The minor modification would be approved by the Zoning Commission. The Zoning Commission must provide a recommendation to the Board of Trustees regarding a major modification. This process is for modification of a preliminary plan approval and for the final development plan. According to the Ohio Revised Code the change of zoning happens at preliminary and is a legislative act and is subject to referendum. Once they get their zoning the final plan it is a check mark. As long as everything matches the developer can move forward. This is an administrative act and is not subject to referendum.

Erin Prosser stated items appeared in multiple places and she placed it in one section regarding process. Erin explained on page three the process starting with the concept stage which is recommended, it is not required but encouraged. The preliminary development application is the stage of the process that constitutes the rezoning of the property and is a legislative function of the township and subject to referendum. Gary Burkholder discussed the one year limitation on the approval of the preliminary plan. Erin stated this is a type A planned unit development. The process for both the PRD2 and PRD3 is in the front on the section. A discussion regarding the time limit regarding the property reverting back to the original zoning if the planned unit development is not started in three years this is found on page 35 Expiration of Final Development Plan Approval. The current zoning resolution expiration date is after five years.

Erin Prosser discussed the open space requirements. The net developable acreage for PRD 2 was increased to twenty percent net developable acreage for open space and PRD 3 is fifteen percent. This increase was because for a planned unit development the Ohio Revised Code state you are required multiple uses. The increase is to justify open space as a use. They discussed net developable open space and gross developable open space. The definition of net developable area explains the net area left after deducting from a planned unit development tract's gross acreage. The area that remains is what you base the units and the open space from.

Erin Prosser will provide a break out box regarding density and open space requirement and how to calculate it when she provides the final copy. Erin Prosser reviewed page 20 item e regarding the conveying of the open space. Erin will provide more information regarding the home owners association.

Erin discussed retention and detention ponds. Gary Burkholder asked if ponds could be treated as ditch petitions but Erin stated only if they are part of the drainage. Gary Burkholder discussed the detention pond at the Preserve of Royal Oaks. They will add more language to the ponds.

Erin will add accessory structures to the plan. The group discussed item 14 on page 22 minimum side yards. After discussion Erin will place a minimum of thirty feet because they are not adopting the text tonight.

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Zoning Commission

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held July 11, 2007 20

Tina Taylor discussed the landscaping on page twenty three. They discussed whether the rear yard should be landscaped. Grass, deck or patio is not classified as landscaping.

Section 1304 PRD-3 has the densities of less than three dwelling units per acre. This was to block the borders from annexation. Language that states if located next to a municipality was discussed. Erin discussed what school district they attend when they annex to the municipality. The win-win agreement regarding schools does not apply for Etna Township. Erin discussed writing the PRD-3 at 1.5 units per acre with a density bonus if you are next to a municipality you could match that municipalities density up to 3 units. Erin would leave the PRD-2 at one unit per acre with a density bonus. She will make a list of items. She will revise and the boards can adjust if they feel necessary.

Erin will make the changes and email a word document. She will not attend another meeting. Dee Dunlap suggested another joint meeting with the Trustees to review. It was discussed to hold a joint meeting on August 1st with the Trustees to review the revised planned unit development text.

The group discussed how to add the new text to the zoning resolution. It was discussed leaving the old planned unit development text in the book as an appendix.

Erin reviewed the conservation district. With the conservation district the area needs to be shown on the district map. This will have to be included in the zoning book. The language was Don Brosius' recommended language. This area will be east of Smoke Road. Erin changed the process to match the other process in the PRD2 and PRD3. The open space requirement is fifty percent gross acreage. Erin did remove at least fifteen percent of the minimum be suitable for active recreation purposes. This has one dwelling unit per acre. Don Brosius requested the maintenance language be changed. Erin added standards to the PRCD Development Plan Standards Section 1707. The minimum lot size is twelve thousand square feet. It was discussed that the forty-five feet in height requirement was to allow for a barn. The current zoning resolution requires thirty five feet for the height requirement.

The meeting was recessed at 9:35 p.m. The meeting reconvened from recess at 9:50 p.m.

Dick Knapp moved to approve the contract with MSI Design to complete the Commercial PUD for Etna Township for \$7,000. Gary Burkholder seconded. Motion passed 3-0.

Paul George moved to adjourn the Trustees meeting at 10:20 p.m. Gary Burkholder seconded. Motion passed 3-0.

Jim VanDyne moved to waive the public reading and to approve the minutes from the June 6th, 2007 meeting. Tina Taylor seconded. Motion passed 5-0.

Jim VanDyne moved to waive the public reading and to approve the minutes from the June 20th, 2007 meeting. Trent Stepp seconded. Motion passed 5-0.

Old Business

A. Buffering - The Zoning Commission will finish buffering at the July 18, 2007 meeting.

The Zoning Commission discussed the property on the corner of Watkins Road and State Route 40 that has the mobile home park zoning. This will be discussed at the July 18, 2007 meeting.

Dee Dunlap adjourned the meeting at 10:25 p.m.

Approved August 1, 2007

Approved as corrected/amended

Laura Brown

Dee Dunlap

Laura Brown, Clerk

Dee Dunlap, Chairperson