

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held \_\_\_\_\_ 19\_\_\_\_

Etna Township Board of Zoning Appeals

April 26<sup>th</sup>,

2011

The adjudicatory hearing was called to order at 5:34 p.m. by Vice Chairman Cox. The roll call showed members Dallas Maynard, Rick Cox, Roger Digel-Barrett, Mark Schaff, and Clerk Laura Brown present.

Vice Chairman Cox continued the hearing from March 22, 2011 on use variance application VA-11-02.

Charlie Gang reported that Shell has already ordered the sign that is in question so the signage can't be adjusted.

Mark Schaff asked Chris Harkness if there are any compromises with these issues. Chris Harkness discussed a compromise of granting the variance for the Kroger panel with a thirteen (13) additional square foot restriction.

Mark Schaff asked Charlie Gang if the compromise for the Kroger sign is acceptable. Charlie Gang would like the variance for the entire area so when the reader board is permitted he would be ready to install the sign.

Chris Harkness explained the proposed Shell sign is 123 square feet. The Shell gas station has been issued a sign permit for 84.5 square feet. The existing Sunoco sign is 87 square feet.

Charlie Gang stated the Speedway sign is 143 or 147 square feet.

Roger Digel-Barrett is in favor of the Kroger sign. He does not think the LED signs are needed and opined that the scrolling signs are a distraction to drivers.

Rick Cox reviewed the criteria of the area variance. Chris Harkness explained that the use variance is to permit a LED sign and the area variance is to permit additional sign size.

Rick Cox closed the public testimony at 5:56 p.m.

Mark Schaff moved to approve the area variance request, with modifications, to increase the maximum sign size to 97 1/2 square feet to specifically allow the Kroger Plus panel, as presented in application VA-11-02. The motion was seconded by Roger Digel-Barrett and the motion passed 4-0.

The Board of Zoning Appeals discussed the criteria needed to grant a use variance which are the unnecessary hardship standards in the Zoning Resolution. Dallas Maynard stated the board has the right to adjudicate the case on the facts of the case and not on what the Zoning Commission is doing in the future.

Roger Digel-Barrett moved to deny the use variance request, to allow for a sign with moving and rotating lights, in application VA-11-02. The motion was seconded by Mark Schaff and the motion passed 4-0.

Dallas Maynard moved to close the hearing at 6:10 p.m. The motion was seconded by Roger Digel-Barrett and passed 4-0.

Approved as read \_\_\_\_\_

Approved as corrected/amended 5-24-11

Laura Brown  
Laura Brown, Clerk

Rick Cox  
Rick Cox, Chairman  
Vice

DAYTON LEGAL BLANK CO., FORM NO. 1014B

Held \_\_\_\_\_ 19 \_\_\_\_\_

Etna Township Board of Zoning Appeals

April 26<sup>th</sup>,

2011

The regular meeting was called to order at 6:11 p.m. by Chairman Rogers. The roll call showed members Cheri Rogers, Dallas Maynard, Rick Cox, Roger Digel-Barrett, Mark Schaff, and Clerk Laura Brown present.

Mark Schaff moved to approve the March 22, 2011 minutes as presented and to waive the public reading. The motion was seconded by Dallas Maynard. The roll call on the motion was as follows: Cheri Rogers, abstain; Dallas Maynard, yes; Rick Cox, no; Roger Digel-Barrett, no; and Mark Schaff, no. The motion failed.

Discussion: Roger Digel-Barrett recommended changes to the format of the minutes. Cheri Rogers discussed the minutes needing to be detailed for the record. Roger Digel-Barrett disagrees.

Roger Digel-Barrett moved to approve the minutes from the March 22, 2011 hearing for application VA-11-02 as corrected. The motion was seconded by Mark Schaff. The roll call on the motion was as follows: Cheri Rogers, abstain; Dallas Maynard, no; Rick Cox, yes; Roger Digel-Barrett, yes; and Mark Schaff, yes. The motion passed.

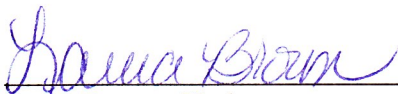
Roger Digel-Barrett moved to approve the minutes from the March 22, 2011 hearing for application VA-11-03 as corrected. The motion was seconded by Mark Schaff. The roll call on the motion was as follows: Cheri Rogers, abstain; Dallas Maynard, no; Rick Cox, yes; Roger Digel-Barrett, yes; and Mark Schaff, yes. The motion passed.

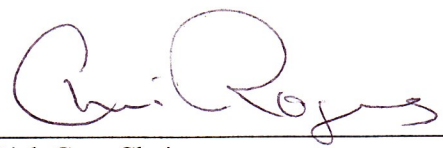
Roger Digel-Barrett moved to approve the minutes from the March 22, 2011 hearing for application VA-11-01 as corrected. The motion was seconded by Mark Schaff. The roll call on the motion was as follows: Cheri Rogers, abstain; Dallas Maynard, yes; Rick Cox, yes; Roger Digel-Barrett, yes; and Mark Schaff, yes. The motion passed.

Cheri Rogers moved to close the regular meeting at 6:33 p.m. The motion was seconded by Dallas Maynard and passed without objection.

Approved as read \_\_\_\_\_

Approved as corrected/amended 5-24-11

  
\_\_\_\_\_  
Laura Brown, Clerk

  
\_\_\_\_\_  
~~Rick Cox~~, Chairman  
Cheri ROGERS