

RECORD OF PROCEEDINGS

Minutes of

Etna Township Board of Zoning Appeals

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

February 25,

2014

Held _____ 20 _____

The meeting was called to order by Chairman Cox at 6:06 p.m. on February 25, 2014 at the Etna Township Administration Building. The roll call showed members Kathy Johnston, Roger Digel-Barrett, Rick Cox, Trent Stepp, and Mark Schaff present, along with Clerk Laura Brown.

The nature of Area Variance VA-14-01 is from Article -12 Signage submitted by Kessler Sign Company for Laurel Lake Acres, National Road, Parcel 010-025964-01-00, and east of Smoke Road.

Chairman Cox explained the process of the hearing. Applicant Rodger Kessler, property owner Jim Wade, and Township Administrator Rob Platte were sworn in.

Rodger Kessler reviewed the proposed location for the sign. Jim Wade explained that due to the grade of the property and timber on the property the sign would not be visible from Interstate 70.

Rob Platte, Township Administrator, reviewed the staff report. The Area Variance request is for a sign from Sections 1208(B) of the Zoning Resolution, to allow for the installation of a billboard type sign as an on-premises sign along Interstate 70. Section 1208(B) requires a sign to be set back 12' from the public right-of-way, the maximum sign area as 32 square feet, and maximum sign height at 8'. The staff recommends that the Board of Zoning Appeals deny the requested area variance because the Standards for Area Variance (Section 512.B) have not been met.

Jim Wade stated the property is being used for agriculture and the sign would be advertising this use.

Rob Platte explained why this is considered an On-Premise Sign.

Trent Stepp discussed whether this would fall under the Off-Premise Sign, Section 1211. He was on the Zoning Commission when the sign code was approved and did not feel this was the intent of the Zoning Commission to limit a property owner from advertising with a bulletin board. Trent Stepp did feel that this is an On-Premise Sign but with the intent of the Zoning Resolution.

Mark Schaff stated this application does not meet the Zoning Resolution requirements for a variance.

Kathy Johnston moved to close the public testimony portion of the hearing at 6:36 p.m. The motion was seconded by Mark Schaff. The roll call was as follows: Kathy Johnston, yes; Roger Digel-Barrett, yes; Rick Cox, yes; Trent Stepp, yes; and Mark Schaff, yes; the motion passed 5-0.

Rick Cox discussed the practical difficulties with this property from the trees, power line tower, and grade of property.

Kathy Johnston also agreed that it does not meet the Zoning Resolution.

Trent Stepp stated the current sign is one hundred square feet with the proposed sign being three hundred twenty-seven square feet.

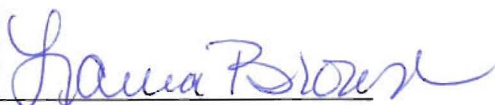
Rob Platte explained that the current sign could be used because it is a legal non-conforming sign. This sign is ten feet off the set-back.

The new sign would be a v-sign with two identical fronts.

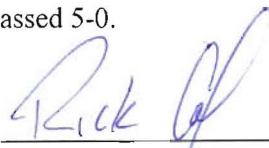
Rodger Kessler said they could adjust the sign to 8' x 24' and 192 square feet. If the sign is any smaller than that it would not be visible from Interstate 70. The sign would be 23 feet to the top of the sign.

Mark Schaff moved to accept the staff report and deny the variance request number VA-14-01 submitted by the property owner Mr. Jim Wade and the applicant Kessler Sign Company, Mr. Rodger Kessler. The motion was seconded by Roger Digel-Barrett. The roll call on the motion was as follows: Kathy Johnston, yes; Roger Digel-Barrett, yes; Rick Cox, no; Trent Stepp, no; and Mark Schaff, yes; the motion passed 3-2.

Roger Digel-Barrett moved to adjourn the hearing at 6:48 p.m. The motion was seconded by Kathy Johnston. The roll call was as follows: Kathy Johnston, yes; Roger Digel-Barrett, yes; Rick Cox, yes; Trent Stepp, yes; and Mark Schaff, yes; the motion passed 5-0.



Laura Brown, Clerk



Rick Cox, Chairman



81 Liberty Street
P.O. Box 188
Etna, Ohio 43018-0188

Phone 740/927-7717 Fax 740/927-1699

Members: Rick Cox-Roger Digel-Barrett-Kathy Johnston-Mark Schaff-Claudette VanDyne

FINAL ORDER

The Etna Township Board of Zoning Appeals held an adjudicatory hearing on February 25, 2014 at 6:06 p.m. at the Etna Township Administration Building.

The nature of Area Variance VA-14-01 is from Article -12 Signage submitted by Kessler Sign Company for Laurel Lake Acres, National Road, Parcel 010-025964-01-00, and east of Smoke Road.

Mark Schaff moved to accept the staff report and deny the variance request number VA-14-01 submitted by the property owner Mr. Jim Wade and the applicant Kessler Sign Company, Mr. Rodger Kessler. The motion was seconded by Roger Digel-Barrett. The roll call on the motion was as follows: Kathy Johnston, yes; Roger Digel-Barrett; yes; Rick Cox, no; Trent Stepp, no; and Mark Schaff, yes; the motion passed 3-2.


Rick Cox


Roger Digel-Barrett


Kathy Johnston


Mark Schaff

Trent Stepp