

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Zoning Appeals

DAYTON LEGAL BLANK, INC., FORM NO. 10148

June 28,

2016

Held

20

The hearing was called to order by Chairman Cox at 6:00 p.m. on June 28, 2016 at the Etna Township Administration Building. The roll call showed members Kathy Johnston, Trent Stepp, Rick Cox, Claudette VanDyne, and Mark Schaff present, along with Clerk Laura Brown.

The application is for Area Variance VA-16-02 submitted by Michael and Kathy Wallace for property owner Robert and Melinda Collins for Smoke Road, parcel # 010-018084-01.000 north of 8997 Smoke Road. The nature of the variance is from Section 912 Agricultural, Item C. General Requirements, to reduce the side yard setbacks from thirty feet to twenty feet.

Chairman Cox explained the process of the hearing. The applicant, Kathy Wallace, and Township Administrator, Rob Platte, were sworn in.

Rob Platte presented a written Staff Report. The Area Variance request is from Section 912 C.4. to allow for a decrease in the required side yard setback from 30' to 20' for parcel #010-018084-01.000. The applicant has proposed the construction of a 60' wide residence on the property. The parcel is 100' wide, therefore a 60' wide residence centered on the property would necessitate a 20' side yard setback.

The applicant inquired with the Zoning Department as to the requirements for a dwelling on the property. We discussed the nature of a legal non-conforming lot and setback difficulties that would be faced in order to obtain a highest and best use for the parcel, namely a dwelling that meets the 1800 square foot dwelling bulk requirement. The applicant is looking to purchase the parcel and construct a home. We discussed the possibility of rotating the home by 90 degrees in an effort to meet the side yard setbacks, but doing so would be out of character for the neighborhood, which is predominantly front-facing homes.

The staff recommends that the Board of Zoning Appeals approve the requested area variance because the Standards for 'Practical Difficulty' have been met. The basis of the recommendation comes from the variance request's compliance with the Comprehensive Plan, current zoning of the property, and the surrounding uses and conditions. Staff finds the spirit/intent of the Zoning Resolution to be met.

The applicant was present for any questions and feels Rob Platte covered everything.

Public Comments - none

Claudette VanDyne moved to close the public testimony portion of the hearing at 6:13 p.m. The motion was seconded by Kathy Johnston and passed by unanimous affirmative vote.

Claudette VanDyne moved to approve Case VA-16-02, for applicant Michael and Kathy Wallace for property owner Robert and Melinda Collins for Smoke Road, parcel # 010-018084-01.000 north of 8997 Smoke Road to reduce the side yard setbacks from thirty feet to twenty feet because the Standards for 'Practical Difficulty' (Section 512.B) have been met. The motion was seconded by Kathy Johnston. The motion passed by unanimous affirmative vote.

Kathy Johnson moved to adjourn at 6:15 p.m. The motion was seconded by Trent Stepp and passed by unanimous affirmative vote.



Laura Brown, Clerk



Rick Cox, Chairman



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Members: Rick Cox-Trent Stepp-Kathy Johnston-Mark Schaff-Claudette VanDyne
Alternate Member: Cheri Rogers

FINAL ORDER

The Etna Township Board of Zoning Appeals held an adjudicatory hearing on June 28, 2016 at 6:00 p.m. at the Etna Township Administration Building for Area Variance VA-16-02 submitted by Michael and Kathy Wallace for property owner Robert and Melinda Collins for Smoke Road, parcel # 010-018084-01.000 north of 8997 Smoke Road.


The nature of the variance was from Section 912 Agricultural, Item C. General Requirements, to reduce the side yard setbacks from thirty feet to twenty feet.

The Board moved to approve Case VA-16-02, for applicant Michael and Kathy Wallace for property owner Robert and Melinda Collins for Smoke Road, parcel # 010-018084-01.000 north of 8997 Smoke Road to reduce the side yard setbacks from thirty feet to twenty feet because the Standards for 'Practical Difficulty' (Section 512.B) have been met. The motion passed by unanimous affirmative vote.

Rick Cox



Trent Stepp



Kathy Johnston



Mark Schaff

Claudette VanDyne