

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Zoning Appeals

DAYTON LEGAL BLANK, INC., FORM NO. 10148

July 25,

2017

Held _____ 20 _____

The hearing was called to order by Chairman Cox at 6:07 p.m. on July 25, 2017 at the Etna Township Administration Building. The roll call showed members Kathy Johnston, Trent Stepp, Rick Cox, Greg Reis, and Mark Schaff present, along with Clerk Laura Brown.

The application was for an Area Variance, VA-17-04, submitted by Gene Johnson for 12958 National Road, property owner Harvey Blevins. The nature of the variance was from Section 907 General Business District (GB), Section D. General Requirements to allow for a decrease in the required lot width and setbacks.

Chairman Cox explained the process of the hearing. The applicant, Gene Johnson and Zoning Inspector John Singleton were sworn in.

John Singleton reviewed the written Staff Report that was provided. The property owner would like to split the lot into two parcels to sell the eastern building to an employee. The buildings are already constructed. To proceed with the lot split variances are needed. The area between the two buildings is 4 ft. so to split the properties a side yard setback from 40 ft. to 2 ft. is needed. The rear setback does not meet the current code which is also 40 ft. The east property would need a variance from 40 ft. to 32 ft. on the east side and 40 ft. to 2 ft. on the west side; 40 ft. to 35 ft. for the rear; and 40 ft. to 35 ft. in the front. The western property would need a variance from 40 ft. to 2 ft. on the east side. The properties will need variances on lot width from 200 ft. to 127.40 ft. for the west parcel and 115.64 ft. for the east parcel. Each building receives separate utility bills along with water and sewer.

Gene Johnson is representing Harvey Blevins. Travis Rice is the Production Manager and has taken over the business and wishes to purchase this building.

The eastern building is 200 sq. ft. and was built in 2000. The building is currently being used as for storage until they move to the other building. After the move it could be leased. The buildings will be consolidated into the one on the west side. The west building has two apartments on the upper level. There are recorded access easements for cross access between the two buildings. There will be shared parking for both buildings with the eastern building only having eight spots on that property. The parking requirements are determined by the use of the building. The parking for the current use, manufacturing, is one space for every two employees on the largest shift.

After reviewing the plans submitted the front setbacks were discussed. The front parking lot is in the ODOT right-of-way for the east property. The building on the western property was built in the 1950's. The eastern building was not built for future expansion.

Trent Stepp discussed the Standards for 'Practical Difficulties' and on this variance the applicant caused the setbacks by the way the building was constructed. The building was built as an accessory structure.

In 2004 the setbacks in General Business were 30 ft. for the front and no setback for the rear with 25 ft. for the side yards so they would have been in compliance at that time.

Trent Stepp discussed taking a property that is conforming and making it two non-conforming lots.

Kathy Johnston moved to close the public testimony at 6:47 p.m. The motion was seconded by Greg Reis and passed by unanimous affirmative vote.

The board discussed the setbacks that are needed for the variance. Chairman Cox requested a new survey with the outlines of the buildings with the setbacks. The setbacks that the applicant is asking for are not working with the documents provided. The applicant requested the board make a decision this evening because of time constraints. The applicant is aware that they are proceeding at their own risk if the new survey does not match the variance.

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Exhibit one is the survey map from J&J Surveying for 12958 National Road dated 6/26/17.
Exhibit two is the survey from J&J Surveying Services for the east property with a legal description of .714 acres.
Exhibit three is the survey from J&J Surveying Services for the west property with a legal description of .788 acres.

Greg Reis moved to approve the area variance request for Case VA-17-04, for applicant Gene Johnson for 12958 National Road, from Section 907 General Business District (GB), D. General Requirements to reduce the required lot width from 200 ft. to 127.40 ft. for the west parcel and to 115.64 ft. for the east parcel, and the lot area from one acre (43,560 sq. ft.) to .788 acres for the west parcel and to .714 acres for the east parcel; and the side yard setbacks from 40 ft. to 32 ft. for the east side of the eastern parcel and 2 ft. on the west side of the eastern parcel and from 40 ft. to 2 ft. on the east side of the western parcel; and the front yard setbacks from 40 ft. to 35 ft. for the east parcel; and the rear yard setbacks from 40 ft. to 35 ft. for the east parcel because the Standards for 'Practical Difficulty' (Section 512.B) have been met.

Note: Exhibit #1 From Raymond J. Wood reflects a sketch of these variances. The motion was seconded by Trent Stepp. Discussion: This variance was for a lot split to create two parcels. The roll call on the motion was Kathy Johnston, yes; Trent Stepp, no; Rick Cox, yes; Greg Reis, yes; and Mark Schaff, yes; motion passed 4-1.

Kathy Johnston moved to adjourn at 7:23 p.m. The motion was seconded by Trent Stepp and passed by unanimous affirmative vote.


 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-Kathy Johnston-Greg Reis-Mark Schaff-Trent Stepp
Alternate Member: Cheri Rogers

FINAL ORDER

The Etna Township Board of Zoning Appeals held adjudicatory hearing on July 25, 2017 at the Etna Township Administration Building for an Area Variance, VA-17-04, submitted by Gene Johnson for 12958 National Road, property owner Harvey Blevins.

The nature of the variance was from Section 907 General Business District (GB), Section D. General Requirements to allow for a decrease in the required lot width and setbacks.

The Board moved to approve the area variance request for Case VA-17-04, for applicant Gene Johnson for 12958 National Road, from Section 907 General Business District (GB), D. General Requirements to reduce the required lot width from 200 ft. to 127.40 ft. for the west parcel and to 115.64 ft. for the east parcel, and the lot area from one acre (43,560 sq. ft.) to .788 acres for the west parcel and to .714 acres for the east parcel; and the side yard setbacks from 40 ft. to 32 ft. for the east side of the eastern parcel and 2 ft. on the west side of the eastern parcel and from 40 ft. to 2 ft. on the east side of the western parcel; and the front yard setbacks from 40 ft. to 35 ft. for the east parcel; and the rear yard setbacks from 40 ft. to 35 ft. for the east parcel because the Standards for 'Practical Difficulty' (Section 512.B) have been met. Note: Exhibit #1 From Raymond J. Wood reflects a sketch of these variances. Discussion: This variance was for a lot split to create two parcels. The motion passed 4-1.


Rick Cox


Kathy Johnston


Greg Reis


Mark Schaff


Trent Stepp

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for 8-22-17 Meeting
0109
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2017

Held _____ 20 _____

The meeting was called to order by Chairman Cox at 7:24 p.m. on July 25, 2017 at the Etna Township Administration Building. The roll call showed members Kathy Johnston, Trent Stepp, Rick Cox, Greg Reis, and Mark Schaff present, along with Clerk Laura Brown.

The meeting was to approve the minutes from the June 20, 2017 adjudicatory hearing for Area Variance, VA-17-01, submitted by Joe Wagner for Sunburst Pools for 12981 National Road.

Mark Schaff discussed the need for a definition of asphalt and requested Chairman Cox address this need. Mr. Singleton is discussing this issue with the Zoning Commission. Mark Schaff asked Chairman Cox to be the voice for the Board of Zoning Appeals on this subject with the Zoning Commission, Trustees, and the Licking County Prosecutor's Office.

Kathy Johnston moved to waive the public reading and to approve the minutes and sign the final order from the June 20, 2017 adjudicatory hearing. The motion was seconded by Mark Schaff. The roll call was as follows: Johnston, yes; Stepp, abstain; Cox, yes; Reis, yes; and Schaff, yes; motion passed.

Kathy Johnston moved to close the public meeting at 7:29 p.m. The motion was seconded by Trent Stepp and passed by unanimous affirmative vote.



Laura Brown, Clerk



Rick Cox, Chairman