

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Zoning Appeals

DAYTON LEGAL BLANK, INC., FORM NO. 10148

August 22,

2017

Held

20

The hearing was called to order by Chairman Cox at 6:02 p.m. on August 22, 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-17-05, from Section 907 General Business District (GB), D. General Requirements and Section 1027 Principal Structure Limitation submitted by Rodney Farris for 8920 East Main Street. Chairman Cox explained the process of the hearing. The applicant Rodney Farris and John Singleton were sworn in.

John Singleton provided a written Staff Report. Mr. Farris was issued Zoning Permits for all the new structures. The property has a residence and a business on one property creating two principle structures on one lot. The business use and new structure created a non-conforming use. John Singleton reviewed the situation with the Licking County Prosecutor's office who recommended the applicant file for a variance.

Rodney Farris stated he wants to store items in the building to keep the property looking nice.

The board discussed the non-conforming issues with the property. The Licking County Prosecutor's Office recommended approving the variance request to fix the non-confirming issues that were not created by Mr. Farris.

Kathy Johnston moved to close the public testimony portion of the hearing at 6:17 p.m. The motion was seconded by Greg Reis and passed by unanimous affirmative vote.

Mark Schaff moved to accept the recommendation of the Licking County Prosecutors Office. The motion died from lack of a second.

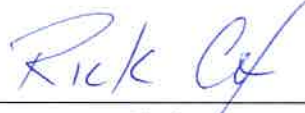
The property drawing was submitted as Exhibit 1.

Trent Stepp moved to approve Case VA-17-05 for applicant Rodney Farris for 8920 East Main Street, from Section 907 General Business District (GB), Section D, General Requirements to reduce the required lot width from 400 feet to 164, reduce the west side yard setback from forty feet to 15 feet comprised of the existing principle business structure and extending seventy feet north and to comply with Section 1025 Principal Structure Limitation the existing dwelling shall be permitted to remain and any future expansions will be required to meet all setbacks and Zoning requirements because the Standards for 'Practical Difficulty' (Section 512.B) have been met. The motion was seconded by Greg Reis. The roll call on the motion was as follows: Johnston, yes; Stepp, yes; Cox, yes; Reis, yes; and Schaff, yes; motion passed 5-0.

Kathy Johnston moved to adjourn at 6:41 p.m. The motion was seconded by Greg Reis 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 August 22, 2017 at the Etna Township Administration Building for an Area Variance, VA-17-05, from Section 907 General Business District (GB), D. General Requirements and Section 1027 Principal Structure Limitation submitted by Rodney Farris for 8920 East Main Street.

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 Case VA-17-05 for applicant Rodney Farris for 8920 East Main Street, from Section 907 General Business District (GB), Section D, General Requirements to reduce the required lot width from 400 feet to 164, reduce the west side yard setback from forty feet to 15 feet comprised of the existing principle business structure and extending seventy feet north and to comply with Section 1025 Principal Structure Limitation the existing dwelling shall be permitted to remain and any future expansions will be required to meet all setbacks and Zoning requirements because the Standards for 'Practical Difficulty' (Section 512.B) have been met. The motion passed 5-0.

Handwritten signature of Rick Cox in blue ink.

Rick Cox

Handwritten signature of Kathy Johnston in blue ink.

Kathy Johnston

Handwritten signature of Greg Reis in blue ink.

Greg Reis

Handwritten signature of Mark Schaff in blue ink.

Mark Schaff

Handwritten signature of Trent Stepp in blue ink.

Trent Stepp

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The hearing was called to order by Chairman Cox at 6:42 p.m. on August 22, 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-17-06, from Section 1103 Paving submitted by Gary Allen for 181 Humphries Drive. Chairman Cox explained the process of the hearing. The applicant Gary Allen and John Singleton were sworn in.

John Singleton provided a written Staff Report. The applicant requested to expand his parking area using asphalt grindings. This area will be for additional parking and to allow for an area to have boat and RV storage. This property has a variance approved previously for designated areas. The original variance was for boat storage and was required to be screened so the asphalt grindings would not be seen.

The Board discussed the area the applicant is requesting to have the asphalt grindings and if there are any buffering requirements.

Gary Allen of 181 Humphries Drive is the owner of HTF Auction Services. Mr. Allen discussed the lot coverage and the previous variance. The property was rezoned from Manufacturing to General Business after he purchased the property. They are planning on fencing the property. Blue Water Marina only leased the left half of the property. The neighboring properties have gravel and grindings. Mr. Allen stated the two adjacent properties provided letters of support. The applicant has met with the Licking County Soil and Water. The current auction use takes up the parking along the building and the other areas.

The Board discussed the definition of asphalt. John Singleton provided a definition for asphalt. The board discussed the requirements in the Zoning Resolution which requires asphalt or concrete. The board discussed the previous hearings with Ascena who requested gravel instead of asphalt or concrete. The Blue Water Marina was the first request for asphalt grindings.

Gary Allen stated the areas that are grindings now is all parking. The new request is for storage area.

The board discussed having the millings there if the property is sold or the use changes.

Gary Allen discussed the previous final order not stating where the property designates the grindings being located. The final order did not reference a map. The application from Blue Water Marina defined what they were asking for and the final order set that in stone.

The current zoning regulations would allow paving of the entire property without a variance. The applicant would like to use the right side (eastern portion) for storage and the left side for parking. The grinding area would be the fenced in and used for storage only.

Rick Cox asked if the applicant would be willing to pave the parking lot area. The applicant has looked into tar and chipping the parking area but it is an expensive process.

Kathy Johnston moved to close the public testimony portion of the hearing at 7:23 p.m. The motion was seconded by Trent Stepp and passed by unanimous affirmative vote.

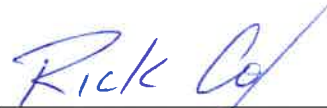
Greg Reis moved to deliberate (in private) at 7:26 p.m. The motion was seconded by Kathy Johnston. The roll call was as follows: Johnston, yes; Stepp, no; Cox, yes; Reis, yes; and Schaff, yes; the motion passed 4-1. The Board returned from deliberations at 8:01 p.m.

Trent Stepp move to approve Case VA-17-06 for applicant Gary Allen, HTF Industries for 181 Humphries Drive from Section 1103 Paving regarding the driveways, aisles, and other circulation areas shall permit paving of blacktop millings because the Standards for 'Practical Difficulty' (Section 512.B) have been met. The motion was seconded by Greg Reis. The roll call was as follows: Johnston, no; Stepp, yes; Cox, yes; Reis, yes; and Schaff, no; motion passed 3-2. This will apply to the entire property.

Trent Stepp moved to adjourn at 8:05 p.m. The motion was seconded by Kathy Johnston 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 an Adjudicatory Hearing on August 22, 2017 at the Etna Township Administration Building.

The application was for an Area Variance, VA-17-06, from Section 1103 Paving submitted by Gary Allen for 181 Humphries Drive. The Applicant is requesting to modify current variance VA-10-02 to use blacktop milling.

Findings of Fact

On May 17, 2010 Variance VA10-02 was approved for recycled asphalt and gravel base to be used in place of concrete or asphalt pavement. The Variance VA10-02 contained a map showing the areas approved submitted with the application.

On July 31, 2017 Etna Township received the Area Variance Application to modify the current variance.

The areas with the asphalt grinding that were approved in VA10-02 are existing parking areas.

The map provided with the application on July 31, 2017 show the request for additional storage area on the eastern portion of the property to allow for boat and RV storage using asphalt grindings "blacktop millings" The applicant will fence in the storage area.


Conclusions of Law


The Board of Zoning Appeals approved Case VA-17-06 for applicant Gary Allen, HTF Industries for 181 Humphries Drive from Section 1103 Paving regarding the driveways, aisles, and other circulation areas shall permit paving of blacktop millings because the Standards for 'Practical Difficulty' (Section 512.B) have been met. The motion passed 3-2. This will apply to the entire property.


Rick Cox


Kathy Johnston


Greg Reis


Mark Schaff


Trent Stepp

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

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The meeting was called to order by Chairman Cox at 8:05 p.m. on August 22, 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 July 25, 2017 adjudicatory hearing for Area Variance VA-17-04 submitted by Gene Johnson for 12958 National Road.

Kathy Johnston moved to waive the public reading and to approve the minutes and sign the final order from the July 25, 2017 adjudicatory hearing. The motion was seconded by Mark Schaff. The roll call was as follows: Johnston, yes; Stepp, yes; Cox, yes; Reis, yes; and Schaff, yes; motion passed.

Trent Stepp moved to close the public meeting at 8:06 p.m. The motion was seconded by Greg Reis and passed by unanimous affirmative vote.



Laura Brown, Clerk



Rick Cox, Chairman