

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Zoning Appeals

DAYTON LEGAL BLANK, INC., FORM NO. 10148

February 26,

2019

Held _____

20 _____

Regular Meeting

The meeting was called to order by Chairman Reis at 7:06 p.m. on February 26, 2019 at the Etna Township Hall. The meeting was audio taped for township records. The roll call showed members Mark Schaff, Greg Reis, Eric Nickolas, and Trent Stepp present, along with Clerk Laura Brown. Sarah Benoit was excused.

The public meeting is to approve the minutes from the January 29 hearings and to sign the final order.

Trent Stepp moved to waive the public reading and to approve the minutes and sign the final order from the January 29, 2019 hearing for the Gary Allen appeal and the 2019 Organizational Meeting as presented. The motion was seconded by Mark Schaff and passed by unanimous affirmative vote.

Trent Stepp moved to adjourn at 7:07 p.m. The motion was seconded by Eric Nickolas and passed by unanimous affirmative vote.



Laura Brown, Clerk



Greg Reis, Chairman

February 26,

2019

Held

20

ADJUDICATORY HEARING

The hearing was called to order by Chairman Reis at 6:05 p.m. on February 26, 2019 at the Etna Township Administration Building. The meeting was audio taped for the township records. The roll call showed members Mark Schaff, Greg Reis, Eric Nickolas, and Trent Stepp present, along with Clerk Laura Brown. Sarah Benoit was excused.

The nature of the hearing is to consider an area variance request submitted by Boro Cvetanovski for 9354 Hazelton-Etna Road from Article 9, Section 907 D General Requirements in a General Business District (GB).

Chairman Reis explained the process of the hearing. The Zoning Inspector John Singleton and applicant Boro Cvetanovski were sworn in.

John Singleton reviewed the staff report. The applicant is seeking a variance from the front yard minimum setback of forty feet to five feet so he can expand his business to add a detail shop on the south side of his building. The parcels in question were full sized lots until the State Route 310 Widening Project took approximately fifty foot of the lots. Had State Route 310 not been widened the applicant would not need a variance. This will leave a setback from the edge of pavement of approximately twenty-five feet.

This would be out of the states right-of-way and will not affect the flow of traffic. The property owner was reimbursed for the property when the state took it for the widening of the road.

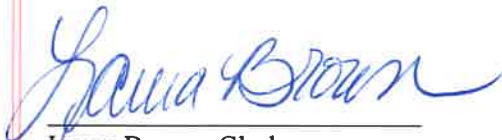
The applicant was present for questions. The applicant will purchase the property to the south if the variance is granted and the lots will be merged. The side yard setback will meet the requirements after the property is purchased and merged.

Trent Stepp moved to close the public testimony portion of the hearing at 6:16 p.m. The motion was seconded by Mark Schaff and passed by unanimous affirmative vote.

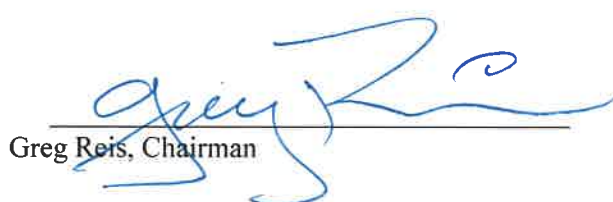
The board discussed the hardship on the property owner which was caused by the widening of State Route 310.

Trent Stepp moved to approve area variance request VA-19-01 submitted by Boro Cvetanovski for 9354 Hazelton-Etna Road from Article 9, Section 907 D General Requirements in a General Business District (GB) to reduce the front yard setbacks from forty (40) feet to five (5) feet because the Standards for 'Practical Difficulty' (Section 512.B.) have been met. This variance will be for 9354 Hazelton-Etna Road (parcel # 010-023496-00.000) and the current 9364 Baltimore Street (parcel #010-018408-00.000) which will be merged into 9354 Hazelton-Etna Road after purchasing the property. The motion was seconded by Mark Schaff. The roll call was as follows: Mark Schaff, yes; Eric Nickolas, yes; Greg Reis, yes; and Trent Stepp, yes; the motion passed 4-0.

Eric Nickolas moved to adjourn at 6:19 p.m. The motion was seconded by Trent Stepp and passed by unanimous affirmative vote.



Laura Brown, Clerk



Greg Reis, Chairman



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

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

Members: Sarah Benoit-Eric Nickolas-Greg Reis-Mark Schaff-Trent Stepp

FINAL ORDER

The Etna Township Board of Zoning Appeals held an adjudicatory hearing on February 26, 2019 at the Etna Township Administration Building for an area variance request submitted by Boro Cvetanovski for 9354 Hazelton-Etna Road from Article 9, Section 907 D General Requirements in a General Business District (GB).

The board moved to approve area variance request VA-19-01 submitted by Boro Cvetanovski for 9354 Hazelton-Etna Road from Article 9, Section 907 D General Requirements in a General Business District (GB) to reduce the front yard setbacks from forty (40) feet to five (5) feet because the Standards for 'Practical Difficulty' (Section 512.B.) have been met. This variance will be for 9354 Hazelton-Etna Road (parcel # 010-023496-00.000) and the current 9364 Baltimore Street (parcel #010-018408-00.000) which will be merged into 9354 Hazelton-Etna Road after purchasing the property. The motion passed 4-0.

Excused

Sarah Benoit

Eric Nickolas

Eric Nickolas

Greg Reis

Greg Reis

Mark J. Schaff

Mark Schaff

Trent Stepp

Trent Stepp

The Final Order was approved and signed: March 12, 19

The Final Order was mailed/mailed to applicant on: mailed

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Etna Township Board of Zoning Appeals

DAYTON LEGAL BLANK, INC., FORM NO. 10148

February 26,

2019

Held

20

ADJUDICATORY HEARING

The hearing was called to order by Chairman Reis at 6:20 p.m. on February 26, 2019 at the Etna Township Administration Building. The meeting was audio taped for the township records. The roll call showed members Mark Schaff, Greg Reis, Eric Nickolas, and Trent Stepp present, along with Clerk Laura Brown. Sarah Benoit was excused.

The nature of the hearing is to consider an area variance request submitted by Vlado Veljanovski for 8836 York Road from Article 9, Section 912 C.2 Lot Area, Width, and Depth and Section 1023 Required Lot Frontage in an Agricultural District (AG).

Chairman Reis explained the process of the hearing. The Zoning Inspector John Singleton, applicants Dimche and Vlado Veljanovski, Harry Kallipolitis, John and Teena Campbell, and John Carlisle were sworn in.

John Singleton reviewed the Staff Report. The applicant would like to split the property to build three houses for his family. The application is for a reduction in road frontage from two hundred and fifty feet to fifteen feet per lot using a shared drive. Dimche Veljanovski will retain ownership of the lots after the split.

John Singleton reviewed the seven variance considerations. There is still beneficial use to the property without the variance. The property is approximately one hundred and fifty-six acres. The variance is substantial in the fact that the granting of these variances will create three (3) flag lots with approximately eighteen hundred foot long access strips. In the past this property was used for concerts and the residential use will probably be more acceptable however there are other alternatives to this. There is approximately twenty-eight hundred foot of road frontage along York Road so the two hundred and fifty foot width should not be an issue. This will not alter the character of the neighborhood. It will not create any adverse effects on governmental services. The homes can be moved and the splits could be two hundred and fifty foot in width. The intent of the Zoning Resolution will not be met in granting this variance.

The future land use plan is agriculture and residential. This would be taking a conforming lot and creating three non-conforming lots.

The Zoning Resolution requires two hundred and fifty foot of road frontage along a public road per parcel. The applicant is requesting fifteen feet per lot of road frontage.

Dimche Veljanovski is the owner of the property and stated he purchased the property to build houses for his family. He stated there are other properties on York Road that share driveways. He will do the concerts again if he can't do the houses. Chairman Reis explained that this board is here tonight to discuss his request and does not know about the other properties with shared driveways. The applicant did not speak with zoning prior to purchasing the property to see what the zoning requirements were.

John Singleton explained some of the flag lots were established pre-zoning. The township does not like to create flag lots.

The applicant purchased the property two years ago.

Dimche Veljanovski explained he did not want to cut up the property for future development for his children to develop. He will retain ownership for the time being because he owes money on the property and it is easier with the bank.

Mark Schaff inquired on the Licking County Planning Commission's approval of the flag lot. Dimche Veljanovski stated he explained what he wanted to do with the property.

Harry Kallipolitis of 310 Hawthorn Drive encourages this use but has concerns with flooding and provided drawings and videos. These are marked as Exhibit 1 for the record. There is a jurisdictional wetland on this property. He feels a flag development with a shared drive would have less of an environmental impact on the property.

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John Carlisle of 6767 Palmer Road owns property across the street from this property. He discussed the Licking County Planning Commission's and the township's standards for flag lots. Granting this variance would set a precedent for the township. The applicant can build a road to county standards and he would not need the variance. Shared roads are an issue in the township.

Vlado Veljanovski stated the north side of the property is flood zone and they are preserving the wooded areas on the property. The lot splits that are designed to keep their family more connected. This is a better use than the concerts and the neighbors have thanked him for what they are trying to do.

Eric Nickolas moved to close the public testimony portion of the hearing at 6:56 p.m. The motion was seconded by Trent Stepp and passed by unanimous affirmative vote.

The board discussed the seven standards that have to be met located on page three of the staff report. The board discussed flag lots and shared driveways. This would create an exception to the Zoning Resolution and setting a precedent. It was discussed whether all seven have to be met or just one or more have to be met. The board discussed this use being a better use of the property than the concerts. The practical difficulty is an issue.

Mark Schaff moved to deny area variance VA-19-01 submitted by Vlado Veljanovski for 8836 York Road from Article 9, Section 912 C.2 Lot Area, Width, and Depth and Section 1023 Required Lot Frontage in an Agricultural District (AG) because the Standards for 'Practical Difficulty' (Section 512.B.) have not been met. The motion was seconded by Trent Stepp. The roll call was as follows: Mark Schaff, yes; Eric Nickolas, yes; Greg Reis, yes; and Trent Stepp, yes; the motion passed 4-0.

Trent Stepp moved to adjourn at 7:03 p.m. The motion was seconded by Eric Nickolas and passed by unanimous affirmative vote.

Laura Brown, Clerk

Greg Reis, Chairman



81 Liberty Street
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Etna, Ohio 43018-0188

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

Members: Sarah Benoit-Eric Nickolas-Greg Reis-Mark Schaff-Trent Stepp

FINAL ORDER

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Excused

Sarah Benoit

Eric Nickolas

Eric Nickolas

Greg Reis

Greg Reis

Mark J. Schaff

Mark Schaff

Trent Stepp

Trent Stepp

The Final Order was approved and signed: March 12, 19

The Final Order was mailed/mailed to applicant on: Picked up 3/13/19