

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Etna Township Board of Zoning Appeals

Held March 16, 20 2021

VA21-02 Klema Zellers Lane

Prior to calling the meeting to order Chairman Reis explained the Public Hearing Requirements.

The adjudicatory hearing was called to order by Chairman Reis at 5:02 p.m. on March 16, 2021 at the Etna Township Garage. The roll call showed members Trent Stepp, Shannon Mills, Greg Reis, Tommy Hunt, and Eric Nickolas present, along with Clerk Laura Brown.

The nature of the hearing was to consider **Area Variance** request VA21-02 for the application submitted by Connie Klema for parcel 010-018372-00.046, north of 119 Zellers Lane, from Section 912(C)(6) Dwelling Bulk. This hearing was opened then immediately recessed on February 23, 2021 by the request of the applicant.

Chairman Reis explained the process of the hearing. The applicant Connie Klema along with Zoning Inspector John Singleton were sworn in.

Zoning Inspector John Singleton provided a written Staff Report. The applicant is requesting a reduction in the square footage requirements for the principal structure to construct a seven hundred and sixty-eight foot "shelter house" so they can better enjoy their property. Section 912(C) (6) has a minimum dwelling bulk requirement of eighteen hundred square feet of living space by outside dimension, exclusive of porches, garages, and cellars or basements. This is a reduction of one thousand and thirty-two feet. It appears to be a residential structure by the floor plan that was submitted. The variance stays with the property no matter who owns it. The next owner of the property may decide to change the use from a shelter house to a full-time residence.

Connie Klema of 100 Zellers Lane stated the property is owned by the Klema Family Trust known as the Klema Foundations. The property is accessible by a trail that is accessed from Zellers' Lane. A picture of the entrance was presented showing the gated access. The property was purchased and is used for education and religious purposes and provides a natural environment for trail walking, meetings, and gatherings of people who live in Zellers's Acres and other groups invited by the Trust and Klema family. The family has always intended to build a small cottage on the property designed to nestle in a wooded area and to not be invasive to the nature. The request is to permit the cottage to be less than the eighteen hundred square foot requirement with a finished square foot of seven hundred and sixty-eight.

Trent Stepp moved to close the public testimony portion of the hearing at 5:23 p.m. The motion was seconded by Eric Nickolas and passed by unanimous affirmative vote.

The board discussed the variance request and setting a precedence by granting such a large reduction in size for a principal structure. This variance will remain with the property and could in the future become a full-time residence. The board discussed how the structure will be used on the property and who will be permitted to use it. The property owner does not intend to install a driveway on the property for vehicular access.

Trent Stepp moved to approve Area Variance request VA21-02 for the application submitted by Connie Klema for parcel 010-018372-00.046 from Section 912(C)(6) Dwelling Bulk to reduce the minimum dwelling bulk from 1,800 square feet to 768 square feet because the Standards for 'Practical Difficulty' (Section 512.B.) have been met. The motion was seconded by Tommy Hunt. The roll call on the motion was as follows: Eric Nicholas; no; Tommy Hunt; yes; Greg Reis, no; Shannon Mills; no; and Trent Stepp, yes; motion failed 3-2.

Eric Nickolas moved to deny Area Variance request VA21-02 for the application submitted by Connie Klema for parcel 010-018372-00.046 from Section 912(C)(6) Dwelling Bulk to reduce the minimum dwelling bulk from 1,800 square feet to 768 square feet because the Standards for 'Practical Difficulty' (Section 512.B.) have not been met. The motion was seconded by Greg Reis. The roll call on the motion was as follows: Trent Stepp, no; Shannon Mills, yes; Greg Reis, yes; Tommy Hunt, no; and Eric Nickolas, yes; motion passed 3-2.

Public Meeting

The public meeting was to approve the minutes from the November 17, 2020 adjudicatory hearings VA-20-14 Duda for 82 Betts Drive and VA-20-15 Ryan Homes for 101 Buttonbush Drive; January 26, 2021 for VA21-01 Meeks for 28 Roga Drive, VA-20-14 Duda for 82 Betts Drive and the Organizational

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Meeting; and February 23, 2021 hearing from VA21-01 28 Roga Drive and to sign the final orders from those hearings.

The board reviewed the minutes.

Trent Stepp moved to waive the public reading and to approve the minutes and sign the final orders from the November 17, 2020; January 26, 2021; and February 23, 2021 as presented. The motion was seconded by Eric Nickolas and passed by unanimous affirmative vote.

Trent Stepp moved to adjourn the meeting at 6:01 p.m. The motion was seconded by Shannon Mills and passed without objections.



Laura Brown, Clerk



Greg Reis, Chairman



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Members: Sarah Benoit-Eric Nickolas-Greig Reis-Mark Schaff-Trent Stepp
Alternates: Tommy Hunt - Shannon Mills

FINAL ORDER

The Etna Township Board of Zoning Appeals held adjudicatory hearing on February 23, 2021 and March 16, 2021 at the Etna Township Garage to consider **Area Variance** request VA21-02 for the application submitted by Connie Klema for parcel 010-018372-00.046, north of 119 Zellers Lane, from Section 912(C)(6) Dwelling Bulk.

The Board moved to deny Area Variance request VA21-02 for the application submitted by Connie Klema for parcel 010-018372-00.046 from Section 912(C)(6) Dwelling Bulk to reduce the minimum dwelling bulk from 1,800 square feet to 768 square feet because the Standards for 'Practical Difficulty' (Section 512.B.) have not been met. The motion passed 3-2.

Tommy Hunt

Shannon Mills

Eric Nickolas

Greg Reis

Trent Stepp

The Final Order was approved and signed: April 19, 2021

The Final Order was mailed/mailed to applicant on: April 20, 2021