

# RECORD OF PROCEEDINGS

Minutes of

Meeting

0209  
213

DAYTON LEGAL BLANK, INC. FORM NO. 10148

## Etna Township Board of Zoning Appeals

Held November 21, 20 2022

### VA22-06 Jonah Staten 1028 Columbus St.

The meeting was called to order at 5:09 p.m. by Vice Chairman Nickolas on November 21, 2022 at the Township Hall. The roll call showed members Sarah Benoit, Shannon Mills, Eric Nickolas, and Trent Stepp present, along with Clerk Laura Brown. Greg Reis was excused.

Vice Chairman Nickolas explained how the hearings will be conducted and the following people were sworn in: Zoning Inspector John Singleton and Jonah Staten, Jr.

Vice Chairman called the adjudicatory hearing of the Etna Township Board of Zoning Appeals to order at 5:12 p.m.

The nature of the hearing is for area variance VA-22-06 submitted by Jonah Staten for 1028 Columbus Street/9318 Hazelton-Etna Road from Article 9 District Regulations for General Business District (GB) from Section 907 General Requirements for side and rear yards and Article 12 Signage from Section 1209 Permanent Signs Permitted in Nonresidential Zoning Districts, Item C. Freestanding Signage, that all freestanding signs shall be set back a minimum of 20 feet from the public right-of-way and any adjacent lot lines.

Zoning Inspector John Singleton presented a written Staff Report. The request is regarding setbacks on the Old School Dental Building to reduce the setback for the north side of the structure, which is the rear/front yard setback. The zoning district is General Business which requires a setback of forty feet for the rear, front, and side yards. The applicant is requesting a reduction from forty feet to ten feet. This is so they can add onto the dental office for an additional fourteen rooms for patient treatment. The second variance request from forty feet to nine feet. The existing building sits at nine feet. The third variance is a reduction in the setback from twenty feet to ten feet for a free standing sign on the east side of the property along SR310 which will be outside of the clear site triangle. This property is located at the southwest corner of SR310 and US40. They recently acquired the second parcel to the east and have added a parking lot. The two lots have been merged into one parcel. The original building has been in Etna Township prior to zoning. The lot sizes in Etna Proper are sixty-five feet by one hundred and thirty feet making it impossible to building anything on them without a variance. The building is being expanded to the north. The sign location was discussed. The sign currently located north of the building will remain.

Dr. Jonah Staten Jr. presented two drawings for the record, exhibit one shows the two properties and exhibit two shows the how the building would look with the additional examination rooms. They opened about four and a half years ago with zero patients and just crossed over eleven thousand patients. They have a wait list of over seven hundred families. Mr. Staten is from this area and was also a teacher for the Southwest Licking School District. He wants to keep his business in Etna Township and does not want to relocate his business. The sign to the east will be the same sign that is located to the north.

Eric Nickolas stated he is a patient of Dr. Staten's but does not believe it will be a conflict of interest regarding this matter. There were no concerns brought forward regarding conflict of interest.

Trent Stepp moved to close the public testimony portion of this variance request at 5:24 p.m. The motion was seconded by Sarah Benoit and passed by unanimous affirmative vote.

Trent Stepp moved to approve area variance VA-22-06 submitted by Jonah Staten for 1028 Columbus Street/9318 Hazelton-Etna Road from Article 9 District Regulations for General Business District (GB) from Section 907 General Requirements for front, side and rear yards to decrease the rear/front yard setback on the northern side of the property from forty (40) feet to ten (10') feet and on the west side of the property from forty (40) feet to nine (9') feet and Article 12 Signage from Section 1209 Permanent Signs Permitted in Nonresidential Zoning Districts, Item C. Freestanding Signage, that all freestanding signs to decrease the minimum set back of 20 feet to ten (10') feet from the public right-of-way and any adjacent lot lines because the Standards for 'Practical Difficulty' from (Section 512.B. of the Zoning Resolution) have been met. The motion was seconded by Shannon Mills and passed by unanimous affirmative vote.

Eric Nickolas moved to adjourn the meeting at 5:27 p.m. Sarah Benoit seconded the motion and passed by unanimous affirmative vote.

  
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Laura Brown, Clerk

  
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Eric Nickolas, Vice Chairman



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P.O. Box 188  
Etna, Ohio 43018-0188


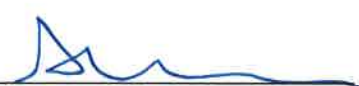

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Members: Sarah Benoit-Shannon Milles-Eric Nickolas-Greig Reis-Trent Stepp  
Alternates: Tommy Hunt

### FINAL ORDER

The Etna Township Board of Zoning Appeals held an adjudicatory hearing on November 21, 2022 to consider the Area Variance request VA-22-06 submitted by Jonah Staten for 1028 Columbus Street/9318 Hazelton-Etna Road from Article 9 District Regulations for General Business District (GB) from Section 907 General Requirements for side and rear yards and Article 12 Signage from Section 1209 Permanent Signs Permitted in Nonresidential Zoning Districts, Item C. Freestanding Signage, that all freestanding signs shall be set back a minimum of 20 feet from the public right-of-way and any adjacent lot lines.

The board moved to approve area variance VA-22-06 submitted by Jonah Staten for 1028 Columbus Street/9318 Hazelton-Etna Road from Article 9 District Regulations for General Business District (GB) from Section 907 General Requirements for front, side and rear yards to decrease the rear/front yard setback on the northern side of the property from forty (40) feet to ten (10') feet and on the west side of the property from forty (40) feet to nine (9') feet and Article 12 Signage from Section 1209 Permanent Signs Permitted in Nonresidential Zoning Districts, Item C. Freestanding Signage, that all freestanding signs to decrease the minimum set back of 20 feet to ten (10') feet from the public right-of-way and any adjacent lot lines because the Standards for 'Practical Difficulty' from (Section 512.B. of the Zoning Resolution) have been met. The motion passed by unanimous affirmative vote.

_____		
Sarah Benoit	Eric Nickolas	Shannon Mills
Excused		
_____		
Greg Reis	Trent Stepp	

The Final Order was approved and signed: Dec 13, 2022

The Final Order was mailed/mailed to applicant on: Dec 21, 2022