

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Zoning Appeals

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held December 26, 2023

VA-23-11 Joseph Curmode 10403 Tollgate Rd.

The meeting was called to order by Chairman Stepp at 5:09 p.m. on December 26, 2023, at the Township Hall. The roll call showed members Sarah Benoit (arrived at 5:19 p.m.), Shannon Mills (Arrived at 5:09 p.m.), Trent Stepp, Tommy Hunt, and Eric Nickolas present along with Clerk Laura Brown.

Chairman Stepp explained how the adjudicatory hearings will be conducted. Zoning Inspector John Singleton, and Joseph Curmode III were sworn in.

The nature of the hearing is to consider Area Variance request VA-23-11 for the application submitted by Joseph Curmode III for 10403 Tollgate Road from Article 10-Supplementary District Regulations to increase the maximum square footage for accessory structures from 1,000 square feet to 3,920 square feet to construct a 40' x 80' foot pole barn with a 720 square foot overhang.

Zoning Inspector John Singleton reviewed the written Staff Report. The property owner would like to construct a 3,200 square foot pole building with a 720 square foot overhang to store his ATV's, side by side, mower, lawn equipment, and a general workspace for personal equipment and vehicles. A similar variance was heard earlier this year. The Licking County Prosecutor's office has provided input regarding accessory structures on larger lots. The Zoning Commission has modified the Zoning Resolution, which will be effective next month, that will require a Conditional Use Permit for accessory structures on larger lots. This request still falls under an Area Variance. The location of the proposed building on the parcel is back 20 foot from the previous applied location.

Joseph Curmode III, applicant, of 10403 Tollgate Road feels Mr. Singleton covered it all very well and is present to answer any questions from the Board.

Eric Nickolas moved to close the public testimony portion of the hearing at 5:15 p.m. The motion was seconded by Shannon Mills and passed by unanimous affirmative vote.

The board reviewed the Standards for Area Variances in Section 512 of the Zoning Resolution. The property is in a residential neighborhood with a residential home. The request is for an outbuilding to hold vehicles, tractors, and other equipment used on a residential property. The variance is not substantial with the property being five plus acres. The closest to any property line is over forty feet with the minimum setback requirement being five feet.

For the record Sarah Benoit arrived at 5:19 and the previous testimony was provided.

The structure will be located behind the home. There are similar sized buildings on similar sized lots in the area.

Eric Nickolas moved to approve Area Variance request VA-23-11 for the application submitted by Joseph Curmode III for 10403 Tollgate Road from Article 10-Supplementary District Regulations to increase the maximum square footage for accessory structures from 1,000 square feet to 3,920 square feet because the Standards for 'Practical Difficulty' (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 close the adjudicatory hearing at 5:25 p.m. The motion was seconded by Tommy Hunt and passed by unanimous affirmative vote.

Public Meeting

Chairman Stepp opened the public meeting at 5:26 p.m. For the record, all the members remain in attendance.

Sarah Benoit moved to approve the minutes from the Board of Zoning Appeals adjudicatory hearing on November 27, 2023, for VA23-09 Senflen for 7733 Refugee Road and to sign the final order. The motion was seconded by Tommy Hunt and passed by unanimous affirmative vote.

Shannon Mills moved to adjourn the meeting at 5:27 p.m. The motion was seconded by Eric Nickolas and passed by unanimous affirmative vote.



Laura Brown, Clerk



Trent Stepp, Chairman



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Members: Sarah Benoit-Shannon Mills-Kevin Newton-Eric Nickolas-Trent Stepp
Alternates: Tommy Hunt

FINAL ORDER

The Etna Township Board of Zoning Appeals held an adjudicatory hearing on December 26, 2023, to consider an Area Variance request VA-23-11 for the application submitted by Joseph Curmode III for 10403 Tollgate Road from Article 10-Supplementary District Regulations to increase the maximum square footage for accessory structures from 1,000 square feet to 3,920 square feet to construct a 40' x 80' foot pole barn with a 720 square foot overhang.

The Board moved to approve Area Variance request VA-23-11 for the application submitted by Joseph Curmode III for 10403 Tollgate Road from Article 10-Supplementary District Regulations to increase the maximum square footage for accessory structures from 1,000 square feet to 3,920 square feet because the Standards for 'Practical Difficulty' (Section 512.B. of the Zoning Resolution) have been met. The motion passed by unanimous affirmative vote.

Absent

Sarah Benoit

Shannon Mills

Tommy Hunt

Eric Nickolas

Eric Nickolas

Trent Stepp

Trent Stepp

The Final Order was approved and signed: January 30, 2024

The Final Order was mailed/mailed to applicant on: 2-21-24