

RECORD OF PROCEEDINGS

0121

Minutes of

December 6,

Meeting
2006

DAYTON LEGAL BLANK, INC., FORM NO. 10148

The Etna Township Zoning Commission met in the Etna Township Hall on December 6, 2006 for the purpose of conducting a regular meeting and to hold a public hearing on two text amendment applications. The hearing was held and video taped for the township records. 20

The meeting was called to order at 7:00 p.m. by Vice Chairman Dunlap with the following members present: Mrs. Dunlap, Mrs. Taylor, Mr. Stepp, Mr. VanDyne, Mrs. Munce, and Clerk Laura Brown.

Mr. VanDyne moved that we adopt the agenda with flexibility. Taylor seconded. Roll call: Motion passed 5-0.

Mrs. Dunlap discussed the widening of State Route 310. The acquisition phase has started. ODOT has already met with the South West Corner.

Mrs. Taylor made a motion to waive the public reading and to approve the minutes for the meeting on November 15, 2006. Munce seconded. There was no discussion. Roll call: Motion passed 5-0.

Public Hearings 7:05 p.m.

A. Section 910 General Business regarding General Business 1, General Business 2, and General Business 3.

Mr. Stepp moved to open the public hearing at 7:07 p.m. VanDyne seconded. Roll Call: Motion passed 5-0.

Vice Chairman Dunlap reviewed the Zoning Checklist and read the Licking County Planning Commission Staff Report and the Planning Commission's recommendation. The Planning Commission conditionally recommends Etna Township adopt the proposed text amendments. The conditions being Etna Township receive a legal opinion from their legal council in regards to the Townships working and layout of the General Business District in the zoning resolution, clarify the dwelling bulk requirements (single building vs. aggregate), and add buffering requirements in the General Business District.

Chairman Vince Colburn representing the Zoning Commission sent a letter to the Prosecutor requesting a legal opinion dated October 20, 2006. Vince also responded to some concerns from Eric Fox of the Prosecutor's office via email but the Zoning Commission has not received a written opinion.

Mr. Stepp suggested adding height restriction in regards to hotels and motels to the list to address when we rewrite the Zoning Resolution.

Public Comments

Claudette VanDyne 7173 Refugee Road verified that a property owner with General Business currently will need to rezone to General Business 2 to build a bigger building.

Mr. VanDyne discussed the fee involved in changing the district from General Business 1 to General Business 2. The change from General Business to General Business 1 will not have a fee but to rezone to General Business 2 or 3 they will have a fee. The majority of the property in the township that is currently General Business would have to rezone to fit a building larger than 65,000 square feet.

The Zoning Commission needs to add to the text amendment that the land currently zoned General Business will convert to General Business 1.

The Zoning Commission discussed notifying the property owners that currently are General Business.

The intent was aggregate not per building but per parcel. The Zoning Commission discussed their options.

Mr. VanDyne moved to close the public hearing at 7:40 p.m. Stepp seconded. Roll call: motion passed 5-0.

The Zoning Commission discussed the buffering currently in the Zoning Resolution. There are buffering requirements in M2 on page 9-14 under Screening/Buffer Yard and in M3 on page 9-16. Trent Stepp stated the buffering is something we need to address in another text amendment because buffering is not currently in the Zoning Resolution under General Business and we need buffering requirements for other districts to be consistent. Trent

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~~Stapp feels the more we change the text the harder it will be for the Trustees and want to get the square footage approved and then address buffering. The Zoning Commission could send a letter explaining why they did not add buffering at this time. The Zoning Commission may want to start reviewing buffering at the first of the year.~~

Trent Stepp moved to add the word aggregate after 65,000 and after 130,000 aggregate gross square feet. The Zoning Commission discussed the properties currently zoned General Business. The Zoning Commission discussed having a definition for aggregate.

Tina Taylor moved to add "per parcel" after square feet in GB1 and GB2 restrictions. Munce seconded. Roll all: Motion passed 5-0.

Commercial or mixed-use buildings containing uses permitted in Section 910 shall contain no more than 65,000 gross square feet per parcel of floor area in GB-1 district.

Commercial or mixed-use buildings containing uses permitted in Section 910 shall contain no more than 130,000 gross square feet per parcel of floor area in GB-2 district.

Mrs. Dunlap moved to leave the buffering restriction out of GB1, GB2, and GB3. Taylor seconded. Motion passed 5-0. When forwarding to the Trustees mention Section 1108 on page 11-2 in the letter.

The Zoning Commission would like to add buffering to the agenda as a separate topic.

Mrs. Dunlap moved to hold until December 19th for a legal opinion and consider it at the Zoning Commission meeting on December 20th. Taylor seconded. Discussion: If the Zoning Commission does not receive the opinion from the prosecutor's office by December 19th Laura Brown will notify the Trustees before their meeting. Roll call: Stepp, no; Taylor, yes; Dunlap, yes; VanDyne, yes; and Munce, yes. Passed 4-1.

B. Section 1401 Definition of Junk Motor Vehicles and Section 1402 Notifications of Property Owner.

Jim VanDyne moved to open the public hearing at 8:40. Taylor seconded. Passed 5-0.

Vice Chairman Dunlap reviewed the Zoning Checklist and read the Licking County Planning Commission Staff Report and the Planning Commission's recommendation. The Planning Commission conditionally recommends Etna Township adopt the proposed text amendments. The conditions being Etna Township receive a legal opinion from their legal council in regards to the townships authority to regulate junk motor vehicles within their zoning resolution.

Jim VanDyne moved to close the public hearing at 8:50 p.m. Stepp seconded. Passed 5-0.

Jim VanDyne moved to hold it for a legal opinion on Junk Motor Vehicles until the next Zoning Commission meeting. Stepp seconded. Passed 5-0.

Old Business

A. MSI Engineering – Trent will contact Gary Burkholder and follow-up with the Zoning Commission.

New Business

A. Section 1031 – Principal Structure Limitation will be under old business for the next meeting.

Paul George discussed the TIF for State Route 310 under public comments.

Jim VanDyne moved to adjourn the meeting at 9:05 p.m. Munce seconded. Passed 5-0.

Approved January 3, 2007

Approved as corrected/amended _____

Laura Brown
Laura Brown, Clerk

Dee Dunlap
Dee Dunlap, Vice Chairman