

RECORD OF PROCEEDINGS

0123

Minutes of

Meeting

Etna Township Zoning Commission

DAYTON LEGAL BLANK, INC., FORM NO. 10148

December 6, 2006

2006

Held

20

The Etna Township Zoning Commission met in the Etna Township Hall on December 20, 2006 for the purpose of conducting a regular meeting and render decisions on two text amendment applications. The hearing was audio taped for the township records.

The meeting was called to order at 7:03 p.m. by Vice Chairman Dunlap with the following members present: Mrs. Dunlap, Mrs. Taylor, Mr. Stepp, Mr. VanDyne, Mrs. Munce (arrived late), and Clerk Laura Brown. Vince Colburn was absent.

Mr. VanDyne moved that we adopt the agenda with flexibility. Taylor seconded. Roll call: Motion passed 4-0.

The December 6, 2006 minutes will be approved at the January 3, 2007 meeting after review by the Zoning Commission.

Decisions from Public Hearings

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

The Zoning Commission reviewed the opinion from the Prosecutor's office. The Zoning Commission felt the opinion would make the zoning resolution less restrictive and not more restrictive.

Jim VanDyne moved to recommend to the Board of Trustees to approve the text amendments on Section 1401 Definition of Junk Motor Vehicles and Section 1402 Notifications of Property Owner. Stepp seconded. Motion passed 4-0. The legal opinion will be part of the Trustees packet for their public hearing.

Section 1401 Definition of Junk Motor Vehicles

For the purpose of this section, "junk motor vehicle" means any motor vehicle, which meets any or all of the following:

1. Without current license plates and registration or
2. Extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor, or transmission or
3. Apparently inoperable, that is left uncovered by not being housed in an enclosed garage or accessory building ~~other suitable structure~~, in the open on private property for more than seventy-two (72) hours with the permission of the person having the right to the possession of the property, except if the person is operating a junk yard or scrap metal processing facility licensed under authority of Section 4737.05 to 4737.12 of the Ohio Revised Code; or regulated under other sections of this Zoning Resolution.

Section 1402 Notification of Property Owner

After determining that a motor vehicle fits the definitions stated in Section 1401, the zoning inspector shall notify the person having the right to the possession of the property on which the junk motor vehicle is located that a violation has occurred. The notification may be delivered in person, or may be sent by certified mail with return receipt requested. The notice shall state that within ten (10) days of receipt of the notice, the junk motor vehicle shall be covered by being housed in an enclosed garage or accessory building ~~other suitable structure~~ or shall be removed from the property.

paper jam see below JB.

Section 1402 Notification of Property Owner

After determining that a motor vehicle fits the definitions stated in Section 1401, the zoning inspector shall notify the person having the right to the possession of the property on which the junk motor vehicle is located that a violation has occurred. The notification may be delivered in person, or may be sent by certified mail with return receipt requested. The notice shall state that within ten (10) days of receipt of the notice, the junk motor vehicle shall be covered by being housed in an enclosed garage or accessory building ~~other suitable structure~~, or shall be removed from the property.

RECORD OF PROCEEDINGS

Minutes of

Etna Township Zoning Commission

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

December 8, 2006

2006

Held

20

B. Section 910 General Business regarding General Business 1, General Business - 2, and General Business 3.

Vice Chairman Dunlap read from parts of the legal opinion from the prosecutor's office. The Zoning Commission discussed their options. If the text amendment passes then all of the properties currently zoned General Business will be converted to General Business - 1 (GB1). The Zoning Commission discussed the process the property owner will have to change from General Business - 1 to General Business 2 or 3. The Zoning Commission discussed whether to charge a property owner to ask for this change. The Zoning Commission does not have the authority to regulate fees. The inequity is because the property owner has General Business Zoning and going from General Business - 1 to General Business - 2 is more like a reclassification. In all of the General Business 1, 2, and 3 the property owner will have all the same uses. The height requirement was discussed and the property owner can apply for a variance for taller buildings. Trent Stepp suggested we limit the building size to retail and wholesale only.

The Zoning Commission discussed NAICS Code under Wholesale Trade 424520 Livestock Merchant Wholesalers and under Public Administration 922140 Correctional Institutions. The Zoning Commission discussed having live stock versus processing the animals. Jim VanDyne stated they are state regulated that few people want to have them. Zanesville and Mt. Vernon are the closest ones and they sell once a week with an average of 350 animals a day. The Zoning Commission decided to leave the livestock code in. After discussion the Zoning Commission decided to remove the 922140 Correctional Institutions code.

Trent suggested limiting to wholesale and retail. The Zoning Commission discussed. Tina Taylor moved to recess at 8:00 to draft the motion. VanDyne seconded. Passed 5-0. The Zoning Commission was back from recess at 8:26.

The Zoning Commission reviewed the motion and decided to make more adjustments.

Dee Dunlap moved to recess at 8:30. Munce seconded. Passed 5-0. The Zoning Commission was back from recess at 8:45.

The Zoning Commission discussed whether a Sheriff's office is considered a correctional institution. The police station could fall under governmental buildings. It was decided to go ahead and remove the correctional institution.

Trent Stepp moved to recommend to the Board of Trustees to approve the text amendment as described below. Taylor seconded. Motion passed 5-0. The Zoning Commission should attend the public hearing in January and it should be January 16.

To add the building size limits to Section 910 General Business by adding General Business - 1 (GB1), General Business - 2 (GB2), and General Business - 3 (GB3). The Zoning Commission recommends that property owners prior to the date this text amendment becomes effective are exempt from any fees for reclassification of their currently zoned General Business property to General Business - 2 or General Business - 3 and recommends removing NAICS code 922140 Correctional Institutions. All current General Business properties on the Etna Township Zoning Map will automatically become General Business - 1.

The Licking County Planning Commission recommended the Zoning Commission receive a legal opinion. The Zoning Commission obtained the legal opinion and will be part of the packet provided the Trustees for their public hearing. The Zoning Commission is addressing the issue of buffering at their next meeting. The commission feels the buffering needs to be changed in all the districts in the Zoning Resolution to be consistent. The Zoning Resolution currently has buffering requirements in Sections 913, 914, 1012, 1108, and 1313.

Section 910 General Business Districts (GB1, GB2, and GB3)

Building Size Limits:

General Business - 1 (GB1):

Building size limits - Buildings containing Wholesale Trade or Retail Trade permitted uses in Section 910 shall contain no more than 65,000 gross square feet of floor area per parcel in GB-1 district. Buildings containing all other permitted uses in Section 910 shall have no limit on building size.

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Zoning Commission

DAYTON LEGAL BLANK, INC., FORM NO. 10148

December 5, 2006

2006

Held

20

General Business - 2 (GB2):

Building size limits - Buildings containing Wholesale Trade or Retail Trade permitted uses in Section 910 shall contain no more than 130,000 gross square feet of floor area per parcel in GB-2 district. Buildings containing all other permitted uses in Section 910 shall have no limit on building size.

General Business - 3 (GB3):

Building size limits - No limit on building size in the GB-3 district.

Permitted Uses: Within the General Business Districts (GB1, GB2, and GB3) the following uses, according to their North American Industrial Classification System (NAICS) code number, may be permitted in strict compliance with the approved district standards.

The full text of the listings in the 2002 NAICS or subsequent edition as specifically referenced and subsequently adopted shall be used to define the uses permitted within the GB district as set forth below and is hereby adopted as part of Section 910.

Uses not specifically authorized by the express terms of this article of the Zoning Resolution shall be prohibited.

Permitted Uses: NAICS Codes and Titles

Wholesale Trade

Codes	Titles
423110	Automobile and Other Motor Vehicle Merchant Wholesalers
423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers
423130	Tire and Tube Merchant Wholesalers
423140	Motor Vehicle Parts (Used) Merchant Wholesalers
423210	Furniture Merchant Wholesalers
423220	Home Furnishing Merchant Wholesalers
423310	Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers
423320	Brick, Stone, and Related Construction Material Merchant Wholesalers
423330	Roofing, Siding, and Insulation Material Merchant Wholesalers
423390	Other Construction Material Merchant Wholesalers
423410	Photographic Equipment and Supplies Merchant Wholesalers
423420	Office Equipment Merchant Wholesalers
423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers
423440	Other Commercial Equipment Merchant Wholesalers
423450	Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers
423460	Ophthalmic Goods Merchant Wholesalers
423490	Other Professional Equipment and Supplies Merchant Wholesalers
423510	Metal Service Centers and Other Metal Merchant Wholesalers
423520	Coal and Other Mineral and Ore Merchant Wholesalers
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers

RECORD OF PROCEEDINGS

Minutes of

Etna Township Zoning Commission

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

December 6, 2006

2006

Held

423620	Electrical and Electronic Appliance, Television, and Radio Set Merchant Wholesalers
423690	Other Electronic Parts and Equipment Merchant Wholesalers
423710	Hardware Merchant Wholesalers
423720	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers
423730	Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers
423740	Refrigeration Equipment and Supplies Merchant Wholesalers
423810	Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers
423820	Farm and Garden Machinery and Equipment Merchant Wholesalers
423830	Industrial Machinery and Equipment Merchant Wholesalers
423840	Industrial Supplies Merchant Wholesalers
423850	Service Establishment Equipment and Supplies Merchant Wholesalers
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers
423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers
423920	Toy and Hobby Goods and Supplies Merchant Wholesalers
423940	Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers
423990	Other Miscellaneous Durable Goods Merchant Wholesalers
424110	Printing and Writing Paper Merchant Wholesalers
424120	Stationery and Office Supplies Merchant Wholesalers
424130	Industrial and Personal Service Paper Merchant Wholesalers
424210	Drugs and Druggists' Sundries Merchant Wholesalers
424310	Piece Goods, Notions, and Other Dry Goods Merchant Wholesalers
424320	Men's and Boys' Clothing and Furnishings Merchant Wholesalers
424330	Women's, Children's, and Infants' Clothing and Accessories Merchant Wholesalers
424340	Footwear Merchant Wholesalers
424410	General Line Grocery Merchant Wholesalers
424420	Packaged Frozen Food Merchant Wholesalers
424430	Dairy Product (except Dried or Canned) Merchant Wholesalers
424440	Poultry and Poultry Product Merchant Wholesalers
424450	Confectionery Merchant Wholesalers
424460	Fish and Seafood Merchant Wholesalers
424470	Meat and Meat Product Merchant Wholesalers
424480	Fresh Fruit and Vegetable Merchant Wholesalers
424490	Other Grocery and Related Products Merchant Wholesalers
424510	Grain and Field Bean Merchant Wholesalers
424520	Livestock Merchant Wholesalers
424590	Other Farm Product Raw Material Merchant Wholesalers

RECORD OF PROCEEDINGS

0127

Minutes of

Etna Township Zoning Commission

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

December 6, 20th JB

2006

424610	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers	20
424690	Other Chemical and Allied Products Merchant Wholesalers	
424810	Beer and Ale Merchant Wholesalers	
424820	Wine and Distilled Alcoholic Beverage Merchant Wholesalers	
424910	Farm Supplies Merchant Wholesalers	
424920	Book, Periodical, and Newspaper Merchant Wholesalers	
424930	Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers	
424940	Tobacco and Tobacco Product Merchant Wholesalers	
424990	Other Miscellaneous Nondurable Goods Merchant Wholesalers	
425110	Business to Business Electronic Markets	
425120	Wholesale Trade Agents and Brokers	

Retail Trade

Codes	Titles
441110	New Car Dealers
441120	Used Car Dealers
441210	Recreational Vehicle Dealers
441221	Motorcycle Dealers
441222	Boat Dealers
441229	All Other Motor Vehicle Dealers
441310	Automotive Parts and Accessories Stores
441320	Tire Dealers
442110	Furniture Stores
442210	Floor Covering Stores
442291	Window Treatment Stores
442299	All Other Home Furnishings Stores
443111	Household Appliance Stores
443112	Radio, Television, and Other Electronics Stores
443120	Computer and Software Stores
443130	Camera and Photographic Supplies Stores
444110	Home Centers
444120	Paint and Wallpaper Stores
444130	Hardware Stores
444190	Other Building Material Dealers
444210	Outdoor Power Equipment Stores
444220	Nursery, Garden Center, and Farm Supply Stores

RECORD OF PROCEEDINGS

Minutes of

Etna Township Zoning Commission

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

December 6, 20th 2006

2006

Held

445110	Supermarkets and Other Grocery (except Convenience) Stores
445120	Convenience Stores
445210	Meat Markets
445220	Fish and Seafood Markets
445230	Fruit and Vegetable Markets
445291	Baked Goods Stores
445292	Confectionery and Nut Stores
445299	All Other Specialty Food Stores
445310	Beer, Wine, and Liquor Stores
446110	Pharmacies and Drug Stores
446120	Cosmetics, Beauty Supplies, and Perfume Stores
446130	Optical Goods Stores
446191	Food (Health) Supplement Stores
446199	All Other Health and Personal Care Stores
447110	Gasoline Stations with Convenience Stores
447190	Other Gasoline Stations
448110	Men's Clothing Stores
448120	Women's Clothing Stores
448130	Children's and Infants' Clothing Stores
448140	Family Clothing Stores
448150	Clothing Accessories Stores
448190	Other Clothing Stores
448210	Shoe Stores
448310	Jewelry Stores
448320	Luggage and Leather Goods Stores
451110	Sporting Goods Stores
451120	Hobby, Toy, and Game Stores
451130	Sewing, Needlework, and Piece Goods Stores
451140	Musical Instrument and Supplies Stores
451211	Book Stores
451212	News Dealers and Newsstands
451220	Prerecorded Tape, Compact Disc, and Record Stores
452111	Department Stores (except Discount Department Stores)
452112	Discount Department Stores
452910	Warehouse Clubs and Supercenters
452990	All Other General Merchandise Stores

RECORD OF PROCEEDINGS

0129

Minutes of

Etna Township Zoning Commission

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

December *8, 2006*

2006

20

Held	Titles
453110	Florists
453210	Office Supplies and Stationery Stores
453220	Gift, Novelty, and Souvenir Stores
453310	Used Merchandise Stores
453910	Pet and Pet Supplies Stores
453920	Art Dealers
453930	Manufactured (Mobile) Home Dealers
453991	Tobacco Stores
453998	All Other Miscellaneous Store Retailers (except Tobacco Stores)
454111	Electronic Shopping
454112	Electronic Auctions
454113	Mail-Order Houses
454210	Vending Machine Operators
454311	Heating Oil Dealers
454312	Liquefied Petroleum Gas (Bottled Gas) Dealers
454319	Other Fuel Dealers
454390	Other Direct Selling Establishments

Educational Services

Codes	Titles
611110	Elementary and Secondary Schools
611210	Junior Colleges
611310	Colleges, Universities, and Professional Schools
611410	Business and Secretarial Schools
611420	Computer Training
611430	Professional and Management Development Training
611511	Cosmetology and Barber Schools
611512	Flight Training
611513	Apprenticeship Training
611519	Other Technical and Trade Schools
611610	Fine Arts Schools
611620	Sports and Recreation Instruction
611630	Language Schools
611691	Exam Preparation and Tutoring
611692	Automobile Driving Schools
611699	All Other Miscellaneous Schools and Instruction

RECORD OF PROCEEDINGS

Minutes of

Etna Township Zoning Commission

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

December 6, 2006 *JB*

2006

Held		20
611710	Educational Support Services	

Accommodation and Food Services

Codes	Titles
721110	Hotels (except Casino Hotels) and Motels
721120	Casino Hotels
721191	Bed-and-Breakfast Inns
721199	All Other Traveler Accommodation
722110	Full-Service Restaurants
722211	Limited-Service Restaurants
722212	Cafeterias
722213	Snack and Nonalcoholic Beverage Bars
722310	Food Service Contractors
722320	Caterers
722330	Mobile Food Services
722410	Drinking Places (Alcoholic Beverages)

Other Services

NOTE: The following services are permitted only if performed completely indoors.

Exception: Parking lots permitted under 812930 and Cemeteries permitted under 81220 may be outdoors.

Codes	Titles
811111	General Automotive Repair
811112	Automotive Exhaust System Repair
811113	Automotive Transmission Repair
811118	Other Automotive Mechanical and Electrical Repair and Maintenance
811121	Automotive Body, Paint, and Interior Repair and Maintenance
811122	Automotive Glass Replacement Shops
811191	Automotive Oil Change and Lubrication Shops
811192	Car Washes
811198	All Other Automotive Repair and Maintenance
811211	Consumer Electronics Repair and Maintenance
811212	Computer and Office Machine Repair and Maintenance
811213	Communication Equipment Repair and Maintenance
811219	Other Electronic and Precision Equipment Repair and Maintenance
811310	Commercial and Industrial Machinery and Equipment (except Automotive

RECORD OF PROCEEDINGS

0131

Minutes of

Etna Township Zoning Commission

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

December 8, 20th JB

2006

	Held	
	and Electronic] Repair and Maintenance	20
811411	Home and Garden Equipment Repair and Maintenance	
811412	Appliance Repair and Maintenance	
811420	Reupholstery and Furniture Repair	
811430	Footwear and Leather Goods Repair	
811490	Other Personal and Household Goods Repair and Maintenance	
812111	Barber Shops	
812112	Beauty Salons	
812113	Nail Salons	
812191	Diet and Weight Reducing Centers	
812199	Other Personal Care Services	
812210	Funeral Homes and Funeral Services	
812220	Cemeteries and Crematories	
812310	Coin-Operated Laundries and Drycleaners	
812320	Drycleaning and Laundry Services (except Coin-Operated)	
812331	Linen Supply	
812332	Industrial Launderers	
812910	Pet Care (except Veterinary) Services	
812921	Photofinishing Laboratories (except One-Hour)	
812922	One-Hour Photofinishing	
812930	Parking Lots and Garages	
812990	All Other Personal Services	
813110	Religious Organizations	
813211	Grantmaking Foundations	
813212	Voluntary Health Organizations	
813219	Other Grantmaking and Giving Services	
813311	Human Rights Organizations	
813312	Environment, Conservation and Wildlife Organizations	
813319	Other Social Advocacy Organizations	
813410	Civic and Social Organizations	
813910	Business Associations	
813920	Professional Organizations	
813930	Labor Unions and Similar Labor Organizations	
813940	Political Organizations	
813990	Other Similar Organizations (except Business, Professional, Labor, and Political Organizations)	

RECORD OF PROCEEDINGS

Minutes of

Etna Township Zoning Commission

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

December 8, 2006 JB

2006

Held

814110 Private Households

20

Public Administration

Codes	Titles
921110	Executive Offices
921120	Legislative Bodies
921130	Public Finance Activities
921140	Executive and Legislative Offices, Combined
921150	American Indian and Alaska Native Tribal Governments
921190	Other General Government Support
922110	Courts
922120	Police Protection
922130	Legal Counsel and Prosecution
922150	Parole Offices and Probation Offices
922160	Fire Protection
922190	Other Justice, Public Order, and Safety Activities
923110	Administration of Education Programs
923120	Administration of Public Health Programs
923130	Administration of Human Resource Programs (except Education, Public Health, and Veterans' Affairs Programs)
923140	Administration of Veterans' Affairs
924110	Administration of Air and Water Resource and Solid Waste Management Programs
924120	Administration of Conservation Programs
925110	Administration of Housing Programs
925120	Administration of Urban Planning and Community and Rural Development
926110	Administration of General Economic Programs
926120	Regulation and Administration of Transportation Programs
926130	Regulation and Administration of Communications, Electric, Gas, and Other Utilities
926140	Regulation of Agricultural Marketing and Commodities
926150	Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors
927110	Space Research and Technology
928110	National Security
928120	International Affairs

NOTE: Adult Entertainment Facilities as defined in and in strict compliance with the standards in Article 15 of these regulations are permitted.

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Zoning Commission

DAYTON LEGAL BLANK, INC., FORM NO. 10148

December 8, 20th 2006

2006

~~Conditionally Permitted Uses: Within the General Business Districts (GB1, GB2, and GB3) after obtaining a valid conditional use permit in accordance with Article 5, and other provisions of these regulations, the following uses may be conditionally permitted:~~

- A. Veterinary hospital clinic, kennel, and/or cattery.
- B. Marinas.
- C. Watercraft and/or recreational vehicle storage.
- D. Radio or television broadcasting station and towers, (applies to commercial stations and equipment only).
- E. Airports - heliports (private and governmental).
- F. Recreational and Vacation Camps (Except Campgrounds) (NAICS 721214)
- G. Commercial and public entertainment fields, but not restricted to baseball fields, pool halls, swimming pools, skating rinks, golf driving ranges, miniature golf, bowling alleys.
- H. Coin operated amusement devices if they are located more than fifteen hundred (1,500) feet from any school or religious building.
- I. Single family dwellings, limited by restrictions set forth in the R-2 District.
- J. Recyclable Material Merchant Wholesalers (NAICS 423930)
- K. Other Chemical and Allied Products Merchant Wholesalers (NAICS 424690)
- L. Paint Varnish, and Supplies Merchant Wholesalers (NAICS 424950)
- M. Fleet Storage

General Requirements: Within the General Business Districts (GB1, GB2, and GB3)

Height Limit: No building shall be erected or enlarged to exceed two and one-half (2 1/2) stories or thirty-five (35) feet.

Lot Area, Width & Depth: Every lot shall have a minimum width of two hundred (200) feet and a minimum lot area of not less than one (1) acre (forty-three thousand, five hundred and sixty - 43,560 square feet) exclusive of road right-of-way and shall be in addition to any easement of record.

Front Yard: There shall be a front yard of not less than thirty (30) feet in depth.

Side Yard: There shall be a side yard of not less than twenty-five (25) feet.

Parking Requirements: Parking requirements shall be as regulated in Article 11 of these regulations.

Signs: Signs shall be as regulated in Article 12 of these regulations.

Old Business

- A. MSI Engineering - Trent contacted Chris Hermann and Gary Burkholder. A joint meeting with the Trustees and Zoning Commission is scheduled for January 17, 2007 at our regular meeting. Chris Hermann will address the earlier email before the joint meeting. Dee Dunlap will follow-up with the Trustees. Trent expects to see it the first week of January.
- B. Section 1031 - Principal Structure Limitation will remain under old business for the next meeting.

New Business

- A. Buffering - Section 913, Section 914, Section 1012, Section 1108, and Section 1313 will be placed under old business.

Dee Dunlap moved to adjourn the meeting at 9:15 p.m. VanDyne seconded. Passed 5-0.

Approved January 3rd 2007

Laura Brown
Laura Brown, Clerk

Approved as corrected/amended 43

Dee Dunlap
Dee Dunlap, Vice Chairman