

RECORD OF PROCEEDINGS

Minutes of

Etna Township Zoning Commission

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

August 6,

2008

Held

20

Article 10
Article 16 - Sections 1602, 1606, & 1607

The Etna Township Zoning Commission met in the Etna Township Hall on August 6th, 2008 for the purpose of conducting a regular meeting and public hearing. The entire meeting was audio taped and the public hearing was video taped for the township records. The meeting was called to order at 7:01 p.m. by Chairman Stepp with the following members present: Dan Bravard, Randy Snider, Mike Kerner, Trent Stepp, Jim VanDyne, and Clerk Laura Brown. Alternate Bill Young was in attendance for the record. The pledge of allegiance was recited.

Dan Bravard moved that we adopt the agenda. Randy Snider seconded and the motion passed without objection.

Jim VanDyne moved to waive the public reading and to approve the minutes from the July 16th, 2008 meeting. Randy Snider seconded and the motion passed without objection.

Jim VanDyne moved to waive the public reading and to approve the minutes from the July 30th, 2008 meeting. Dan Bravard seconded and the motion passed without objection.

Public Hearings

Article 10 – Supplementary Districts

Jim VanDyne moved to open public hearing at 7:05 p.m. on the text amendment to Article 10 – Supplementary District Regulations. Randy Snider seconded and the motion passed 5-0.

Chairman Stepp reviewed the recommendations from the Licking County Planning Commission and the Staff Report for conditional approval of the text amendment. In Section 1002 add "Gates shall be constructed to ensure a human being cannot crawl under the gate when it is closed. Staff recommended to change the 48" standard in Section 1002 (c) to 72" standard in Section 1003 (c). LCPC recommended adding a definition of completion of construction. In Section 1006 Required Trash Areas in the last sentence "as determined by the zoning inspector" leaves the decision to the zoning inspector and does not provide any clear guiding standards. In Section 1009 it was recommended to add a minimum separation between structures of twenty or thirty feet. This has been an issue during Technical Review Committee Meetings in the past, especially with condominium units. In Section 1013 it was recommended to add "The Township shall consult professional resources and certified industry standards in determining the appropriate distances and standards. In Section 1015 LCPC recommended rewriting as follows: No objectionable noise that constitutes a nuisance that is audible, due to volume, frequency, beat and/or duration, beyond the lot of the noise source, shall be muffled or otherwise controlled. Weather sirens and related apparatuses used solely for public safety in addition to passing motor vehicles utilizing the public roadways, construction equipment, lawn equipment, agricultural equipment, and pets are exempt. In Section 1018 it was recommend rewriting as follows: Direct or reflected glare (light trespass) from the source lot shall be detectible from any adjoining lot or street. Any lights used to illuminate outdoor areas on a lot shall be so arranged as to reflect the light away from the adjoining property and make use of fully-shielded fixtures to limit light pollution. Agricultural uses are exempt from this standard. Section 1019 they recommend defining objectionable substances. In Section 1021 add "Additionally, the Zoning Inspector may require permits from any Local, State or Federal agency with regulatory jurisdiction and required permitting procedures prior to issuing a zoning permit. It was also recommended to define "dangerous and objectionable elements." In Section 1024 it was recommended to add "with a zoning permit" in the first sentence and "after a said twelve month period the temporary structure shall be vacated and removed from the lot. In Section 1026 LCPC had concerns with this standard conflicting with the Ohio Environmental Protection Agency water quality requirement. LCPC also recommended adding Item (g) any pond located upon a lot of record being subdivided shall conform to a-f above. LCPC also recommended adding the definition of pond.

Jim VanDyne feels the detention ponds need to be mowed and maintained.

Mike Kerner felt most of the recommendations have merit.

Claudette VanDyne 7173 Refugee Road does not agree with the wording in Section 1024 Temporary Dwellings requesting extensions being considered by a variance by the Board of Zoning Appeals. It would cost the home owner \$400.00. She felt the Zoning Administrator should be able to grant extensions.

Dan Bravard moved to close the public hearing at 7:35 p.m. Mike Kerner seconded and the motion passed 5-0.

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~~Jim VanDyne moved to open the public hearing at 7:36 p.m. on the text amendment to Article 16 Sections 1602, 1606, and 1607. Randy Snider seconded and the motion passed 5-0.~~

Chairman Stepp reviewed the recommendations from the Licking County Planning Commission and the Staff Report for conditional approval of the text amendment. Licking County Planning Commission recommended adding the word "Use" after District (District/Use) in Table 16A. It was also recommended to add "Any platted residential use (after the effective date of this amendment) or any newly constructed or substantially altered multifamily dwelling in the second column (Adjoins the following Zoning District) shall provide the required buffer in the third column (The Minimum Buffer Width Shall Be) for the adjoining land use identified in the first column (When the Following Zoning District). In Table 16B LCPC questioned why a more intense land use would have less buffer material than a less intense land use and it was recommended to revise Table 16B or consider different language. LCPC stated Section 1606.2 needs clarified. In Section 1606.4 add Item (d) Any platted development shall provide a maintenance and replacement schedule in the restrictive covenants to address the maintenance and replacement of landscape materials.

Jim VanDyne moved to close the public hearing at 8:00 p.m. Mike Kerner seconded and the motion passed 5-0.

Zoning Commission Action on Public Hearing

Article 16 - Mike Kerner moved to add the word "use" after district in Table 16A (District/Use). Jim VanDyne seconded. Roll call: Bravard, no; Snider, yes; Kerner, yes; Stepp, yes; and VanDyne, yes; passed 4-1.

The Zoning Commission chose not to add the text "Any platted residential use (after the effective date of this amendment) or any newly constructed or substantially altered multifamily dwelling in the second column (Adjoins the following Zoning District) shall provide the required buffer in the third column (The Minimum Buffer Width Shall Be) for the adjoining land use identified in the first column (When the Following Zoning District). The Zoning Commission did not make any changes to Table 16B. In Section 1606.2 Overlap it was decided to change it as follows: When any portion of a parcel edge is subject to more than one set of landscape requirements as set forth in this Article and other related Articles, the most stringent requirement will control that edge. In Section 1606.4 add Item (d) Any platted development shall provide a maintenance and replacement schedule in the restrictive covenants to address the maintenance and replacement of landscape materials. It was decided to add the vehicular use or parking area back into Table 16A. A definition for vehicular use area will be added when the Zoning Commission updates the definition section during the Planned Unit Development text amendments.

Jim VanDyne moved to recommend to the Board of Trustees to approve the changes in Article 16 the recommended changes from Licking County Planning Commission and Zoning Commission in Sections 1602, 1606, and 1607. Mike Kerner seconded. Dan Bravard, no; Randy Snider, yes; Mike Kerner, yes; Trent Stepp, yes; and Jim VanDyne, yes. Motion passed 4-1.

Article 10 - The Zoning Commission agreed to add under Section 1002 in Item (c) and Section 1003 in Item (c) Gates shall be constructed to ensure a human being cannot crawl under the gate when it is closed. In Section 1002 Item (c) change the fence height to 72". The definition of Completion of Construction will be added when the definition section is updated. In Section 1006 the words as determined by the Zoning Inspector will be removed. In Section 1009 add "In addition, each structure upon a single lot of record shall provide a minimum separation between structures of thirty (30) feet." In Section 1013 change the last sentence to read "Such hazards shall be kept removed from adjacent activities to a distance in compliance with the West Licking Fire District Code." Replace Section 1015 Noise with the following: No objectionable noise that constitutes a nuisance that is audible, due to volume, frequency, beat and/or duration, beyond the lot of the noise source, shall be muffled or otherwise controlled. Weather sirens and related apparatuses used solely for public safety in addition to passing motor vehicles utilizing public roadways, construction equipment, lawn equipment, agricultural equipment, and pets are exempt. Replace Section 1018 Glare with the following: Direct or reflected glare (light trespass) from the source lot shall not be detectible from any adjoining lot or street. Any lights used to illuminate outdoor areas on a lot shall be so arranged as to reflect the light away from the adjoining property and make use of fully-shielded fixtures to limit light pollution. Agricultural uses are exempt from this standard. The definitions of Objectionable Substances will be added later and it was decided not to define Dangerous and Objectionable Elements. In Section 1021 add "Additionally, the Zoning Inspector may require permits from any Local, State, or Federal agency with regulatory jurisdiction and required permitting procedures prior to issuing a zoning permit.

RECORD OF PROCEEDINGS

0235

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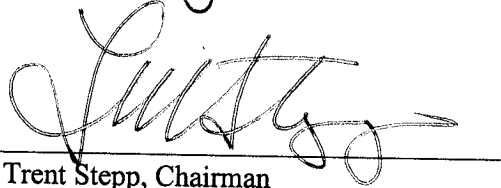
In Section 1024 in the first sentence add the words "with a zoning permit". Change it from 12 months to 18 months and add "after a said eighteen month period the temporary structure shall be vacated and removed from the lot. In Section 1026 add Item (g) Any pond located upon a lot of record being subdivided shall conform to a-f above. The definition of pond will be defined later.

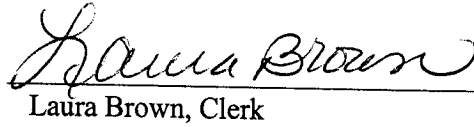
Dan Bravard moved to recommend approval to the Board of Trustees on the text amendments to Article 10 including the revisions based on Licking County Planning Commission recommendations. Randy Snider seconded. Roll call: Dan Bravard, yes; Randy Snider, yes; Mike Kerner, yes; Trent Stepp, yes; and Jim VanDyne, yes. Motion passed 5-0.

Trent Stepp adjourned the meeting at 9:45 p.m.

Approved Aug 20th, 2008

Approved as corrected/amended _____


Trent Stepp, Chairman


Laura Brown, Clerk