

June 1<sup>st</sup>,

2011

Held

20

The Etna Township Zoning Commission met on June 1<sup>st</sup>, 2011 in the Etna Township Administration Building for the purpose of conducting a regular meeting. The meeting was audio recorded for the township records. The meeting was called to order at 7:00 p.m. by Chairman Essex. The Pledge of Allegiance was recited. The roll call showed the following members present: Randy Snider, Freddie Latella, Trent Stepp, Bill Young, Robert Essex, and clerk Laura Brown. Alternate Jim VanDyne was in the audience.

Bill Young moved to adopt the agenda. The motion was seconded by Randy Snider and passed without objection.

**Zoning Commission Announcements and Comments - None**

Freddie Latella moved to waive the public reading and approve the minutes from the May 18<sup>th</sup>, 2011 meeting. The motion was seconded by Bill Young and passed without objection.

**Public Hearings**

Bill Young moved to open the public hearing at 7:10 p.m. on the map amendment submitted by Tricia Kilcoyne for the property at 8282 National Road. The applicant is requesting a rezoning from Local Business (LB) to General Business (GB). The motion was seconded and passed without objection.

Chairman Essex reviewed the application. The property owner letters were sent out with the incorrect hearing date. The Licking County Prosecutor's Office was notified and the adjacent property owners were notified via telephone. The letters were corrected and mailed out. The Zoning Commission is fine with the procedure and moved forward with the hearing. Chairman Essex reviewed the recommendation from Licking County Planning Commission to deny the rezoning.

Chris Harkness presented an overview of the amendment. The property is surrounded by Local Business zoning, highly residential areas, agricultural, and educational uses. The current, past and future plans do not support this rezoning. In the Local Business District there are forty-two (42) uses listed and the General Business District allows for two hundred and seventy-seven (277) uses. The proposed use for a car lot is not a desirable or needed use. The staff recommends denial of the proposed zoning map amendment.

**Public Comments**

John Wright of 68 Nichole Court is the lessee for the business at 8282 National Road and he explained the business he desires for this location. The business currently does car repair and John Wright would like to sell the cars at this location also. They currently have a car lot on Creek Road. John Wright stated in 1997 or 1998 the property owner's were told the intersections were rezoned to General Business. Only 50% of the cars being sold are from repairs and the other half are from trade-ins or cars purchased at auctions.

David Waldeck of 8279 National Road stated he was under the assumption that within a four hundred (400) foot radius at the intersections was commercial. He feels general business is good for the community. The current business keeps a clean lot and does not make any noise.

Freddie Latella discussed the uses permitted in a General Business District.

Mark Schaff of 7461 National Road supports the recommendations from Chris Harkness to deny the request. Watkins Road is only a two lane road and also leads to the high school. Mark Schaff discussed the many uses in the General Business District such as liquor stores.

Roger Digel-Barrett of 533 Ballman Road discussed the businesses he runs out of his home. He feels this car lot would benefit the high school students.

Robert Essex discussed the number of uses in the General Business District. It is not consistent with the recommended Future Land Use Plan. Trent Stepp discussed the overall long term use in the General Business District and has concerns with those uses.

Randy Snider has concerns with the intersection and how close the business sits to the road and with traffic control.

Freddie Latella moved to close the public hearing at 7:48 p.m. The motion was seconded by Bill Young and passed without objection.



DAYTON LEGAL BLANK, INC. FORM NO. 10148

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Freddie Latella moved to deny the map amendment submitted by Tricia Kilcoyne for the property at 8282 National Road requesting a rezoning from Local Business (LB) to General Business (GB). The motion was seconded by Bill Young and passed 5-0.

**Draft Etna Township Comprehensive Plan**

Bill Young moved to open the public hearing on the draft Etna Township Comprehensive Plan at 7:52 p.m. The motion was seconded by Randy Snider and passed without objection.

Chairman Essex provided an overview of the Land Use Plan.

Ryan Edwards with the Licking County Planning Commission introduced himself.

Robert Collins of 9339 York Road discussed the manufacturing designation. He spoke with property owner Diana Brown and stated she is against the M1. He is against the manufacturing and he would like it to remain agricultural.

Roger Digel-Barrett of 533 Ballman Road discussed the acreage in the township that is already available for industrial uses. He does not support industrial for the State Route 158 location. He would like to see the rural atmosphere remain.

David Goll of 8995 York Road stated this is a Future Land Use Map. The property located on the east end designated for M1 that is now agriculture does not have to be rezoned to M1. The property owners can leave it agricultural. This allows the property owner to develop the land as M1 if they choose to. This designation would make it difficult for a developer to rezone the properties for residential use.

Mark Schaff of 7461 National Road clarified the area on the east side of the township. The current Zoning Map has this area as agricultural. The Future Land Use Map recommends M1 for this area. He feels this will be destructive. He discussed the plan recommending the township remain a rural atmosphere. He did not agree with the remarks made by David Goll. He feels the Land Use Plan over the past five years gives legal standing. This document has to be referenced. The past three Land Use Plans show the community said they wanted a rural atmosphere. This will immediately affect farmers wishing to participate in the program (Agriculture Easement Program) and discriminates against farmers.

Virginia Schaff of 7461 National Road strongly supports Mr. Reelhorn who desires his farm remain as farmland. This designation will recommend taking control of the farmers land and giving it to the developers. She referenced the acreage already zoned for manufacturing. Only ¼ of the land already Zoned M1 is being used.

Mark Schaff of 7461 National Road stated if the Draft Land Use Plan is adopted the entire east end becomes designated as manufacturing and none of the farmers can participate in the Agriculture Easement Program. He stated the Schaff's and the Reelhorn's are interested in this program. He feels this would make the township liable for damages and stated if your land is not Agriculture you cannot participate and you will lose points on the application.

Ryan Edwards with the Licking County Planning Commission stated it is a five point question regarding the Agriculture designation of the land. The property owner would lose five points on the tier one questions and 150 points on the tier two questions.

Claudette VanDyne of 7173 Refugee Road researched the facts of the Ohio Agriculture Easement Program. She also researched the Comprehensive Planning Committee minutes. She spoke with Pat Dehring and it is five points at the county level. She spoke with Shirley or Julie with ODA and this would not tie their hands to submit an application. The property owner will lose five points on tier one. The second part of the application is essay which is 50 points. You have to have a minimum of forty acres of land to participate and only four property owners have enough. She presented the votes from the Comprehensive Planning Committee regarding this issue.

Robert Essex asked Ryan Edwards what the desire was of the Planning Committee regarding agricultural and what was the thought process regarding this area. Ryan Edwards stated the access to State Route 158 and taking traffic off of State Route 310. The Erk property was rezoned to Manufacturing. He stated 93 % from the survey valued rural atmosphere and the committee designated land as agricultural in this plan.



RECORD OF PROCEEDINGS

0039

Minutes of

Etna Township Zoning Commission

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

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Bill Young agreed with Ryan Edwards. This would help the traffic on State Route 310 by using State Route 158. Bill Young stated this area and along with some more on the 310 Corridor were actively debated during the Comprehensive Planning Committee meetings.

Jim VanDyne of 7173 Refugee Road discussed the current Future Land Use Map being residential.

Richard Reelhorn of 6653 National Road stated they lost half of the farm to the S.R. 158 bypass. He would like to keep it the way it is, agricultural. He did not appear before the Planning Committee (Comprehensive Planning Committee).

Freddie Latella stated the township has a lot of M1 not being used. The Comprehensive Plan is updated every 5-7 years. He stated Mr. Reelhorn wants his land to remain agriculture.

Trent Stepp discussed all the parcels that are being recommended and the process of 2 1/2 years. Robert Essex stated this issue was raised by the public.

The Zoning Commission discussed the options to deny the entire document or recommend approval with one change keeping the east end as agricultural.

Bill Young stated if the Reelhorn family does not ask for a rezoning it will not change, this is not the only area that current zoning and the Land Use Map do not match. If we are going to look at one area then we should like at all of them. Freddie Latella stated this is our recommendation to the Trustees.

Trent Stepp discussed the GB3 recommendation and he does not want it in the township. Robert Essex stated the public brought the manufacturing issue up.

The Zoning Commission verified the process regarding their recommendation to the Trustees.

Roger Digel-Barrett of 533 Ballman Road stated when the final vote was taken it was 6-2 and it was not the full committee. The only public input has been on this part of the plan.

Mr. Collins 9339 York Road has concerns with this area. He can provide a written statement from the Brown's.

Trent Stepp moved to close the public hearing 8:56 p.m. The motion was seconded by Bill Young and passed without objection.

Randy Snider stated the Comprehensive Planning Committee has worked 2 1/2 years and voted on this issue three times and he supports the vote.

Robert Essex moved to recommend to the Board of Trustees approval of the draft Comprehensive Plan with the modification of the Industrial Classification east of the Erk Property in the Future Land Use Plan Map to be modified to agriculture. The motion was seconded by Freddie Latella. Discussion: Randy Snider clarified that the Reelhorn property will remain agriculture as long as he owns the farm. Trent Stepp has listened to the input of the public. Chris Harkness discussed leaving the ERK property Industrial. Robert Essex stated 200 acres is appropriate and the public has only discussed these other properties. Trent Stepp stated the rezoning was done because of the current Comprehensive Planning Committee. Roll call: Randy Snider, no; Freddie Latella, yes; Robert Essex, yes; Trent Stepp, no; and Bill Young, no; motion failed 3-2.

Trent Stepp moved to recommend to the Board of Trustees to adopt the Comprehensive Plan as presented to the Zoning Commission. The motion was seconded by Bill Young. Discussion: Robert Essex discussed the options now for the commission. Trent Stepp is impressed with the plan that LCPC and the committee worked on. Roll call: Randy Snider, yes; Freddie Latella, no; Robert Essex, yes; Trent Stepp, yes; and Bill Young, yes. The motion passed 4-1.

The meeting was adjourned by Chairman Essex at 9:28 p.m.

Approved July 6th, 2011

Approved as corrected/amended \_\_\_\_\_

Laura Brown  
Laura Brown, Clerk

Robert Essex  
Robert Essex, Chairman