

Held

20

The Etna Township Zoning Commission met on April 3, 2013 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. Roll call showed the following members present: Randy Snider, Freddie Latella, Robert Essex, Gil Guttentag, Lisa Loudenslager, and clerk Laura Brown.

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

#### **Zoning Commission Announcements and Comments – None**

Gil Guttentag moved to waive the public reading and to approve the minutes from the March 20<sup>th</sup>, 2013 regular meeting. The motion was seconded by Lisa Loudenslager and passed without objection.

Randy Snider moved to waive the public reading and to approve the minutes from the March 27<sup>th</sup>, 2013 special meeting. The motion was seconded by Freddie Latella and passed without objection.

Trustee John Carlisle recommended a broader look at the amendment and for the Zoning Commission to withdraw the text amendment regarding Farm Animals and Bees. He recommended meeting with 4H representatives, the Licking County Prosecutor's Office, and Licking County Planning Commission. The Trustees do have the authority to waive or refund the \$400 dollar fee to file a Conditional Use Application with the Board of Zoning Appeals.

Freddie Latella stated he wanted to hold the public hearing to hear concerns from the residents regarding this text amendment.

Gil Guttentag stated the Zoning Commission has been meeting on this subject since June of 2012. The four hundred dollar fee was misinterpreted by the media.

Chairman Essex moved to withdraw the text amendment to the Zoning Resolution to Article -10 Supplementary District Regulations, Section 1029 Regulations of Farm Animals and Bees, amendment AM-13-02. The motion was seconded by Gil Guttentag. The roll call on the motion was Randy Snider, yes; Freddie Latella, yes; Robert Essex, yes; Gil Guttentag, yes; and Lisa Loudenslager, yes; the motion passed 5-0.

Chairman Essex explained the regulations would only apply to acres under five acres. He reviewed Ohio Revised Code Section 519.12 pertaining to what the Zoning Commission has the authority to regulate.

Chairman Essex explained the \$400 dollar fee was not per pet. The fee would only be required if a Conditional Use Permit was needed for the Board of Zoning Appeals to hear the application.

Chairman Essex explained that the Board of Zoning Appeals heard an application requesting a horse in a Subdivision.

Gil Guttentag stated in the past year the township has received numerous calls asking to have chickens, potbelly pigs, horses, to goats. A resident in a subdivision with deed restrictions would have to sue their neighbor to enforce.

#### **Public Comments**

Dan Bravard of 10252 Taylor Road saw the interview on Fox 28. He lives in an Agriculture District and has honey bees on his property. He has also had goats on his property. His daughter lives in a subdivision and is permitted eight chickens but not a rooster. He currently only has one bee hive and the neighbors have never complained.

Tom Dixon of 8467 Hazelton-Etna Road came to the meeting to hear the facts. He does agree there needs to be regulations in subdivisions. Robert Essex explained the \$400 dollar fee was only if you needed a Conditional Use Permit. The fee was to cover the cost of the Board of Zoning Appeals to hold a hearing. Tom Dixon feels 4H Projects are important.

Jim Helfrich of Pataskala feels that people move out here because they do not want to live in the City. Jim stated the government does not regulate a dog house and shouldn't regulate a bunny cage. They do not regulate cats or dogs. He has a daughter that participates in 4H. He owns two and a half acres. He

RECORD OF PROCEEDINGS

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Minutes of

Etna Township Zoning Commission

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

April 3,

2013

Held \_\_\_\_\_ 20 \_\_\_\_\_

knows of some girls participating in 4H that live in subdivisions. He doesn't feel the rabbits or chickens should be regulated. He keeps them in a coop at night and they are loose in the yard during the day.

Randy Snider discussed the complaints regarding chickens destroying their neighbor's properties.

Steve Holloway of 11047 York Road discussed the growth in Etna Township. He is the Vice President of the Licking County Planning Commission and saw the recommended text amendment. He knows how the township struggles with getting the word out to the public regarding issues. He brought this issue up to the public but can't control what the media does. He had issues with the day to day regulations of taking care of the animals. It was not only restricting but enforcing the day to day regulations. Steve Holloway is aware of two homes in Jardin Manor that have chickens. Steve does feel that your property rights need to be protected. Steve Holloway stated the Planning Commission is there to help the township with regulations.

Freddie Latella stated the Zoning Commission Agendas are on the website and the Zoning Commission was not pushing anything through. Freddie Latella did not appreciate Steve calling Six on your side. Freddie Latella stated even without the media the Zoning Commission would have looked at the information from Licking County Planning Commission. Robert Essex explained that the Zoning Commission was checking into withdrawing the amendment prior to the LCPC meeting.

Donald Smith of 10 East Woodfield read the information in the newspaper. He had concerns regarding the \$400 dollar fee. The township did explain the fee. When they moved here it was rural and feels that people move here for the rural feeling. He has noticed there has been a general rise in fees across the country. Peppertree does not have any deed restrictions on pets. He discussed the decline in bees in Ohio and feels we should encourage bee production. Robert Essex explained that going forward the large animals will be easier to regulate and the small animals will be harder to regulate. Gil Guttentag stated the township did not regulate any animals inside their own houses. The regulations were to protect property rights and not for revenue.

Sam Miklos of 10081 York Road has chickens. His neighbor lives far away. A hog farm does have an odor. The Zoning Commission explained over five acres is exempt to zoning regulations. He feels we are in an epidemic with bees. Freddie Latella explained the concern with bees within a subdivision.

Chairman Essex suggested the Zoning Commission determine if we want to work off of the same document or start fresh. Gil Guttentag suggested contacting the different groups that LCPC recommended such as 4H, LC Health Department, Ohio State Department of Agriculture, and the Licking County Prosecutor's office. Robert Essex would like to start with animal control and the Department of Health.

**Old Business**

**Article 8**

This amendment will be discussed at the next meeting.

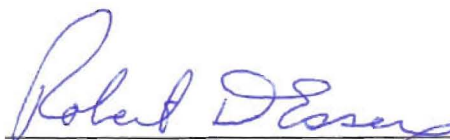
Robert Essex moved to adjourn the meeting at 8:43 p.m. The motion was seconded by Gil Guttentag and passed without objection.

Approved April 20, 2013

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



Laura Brown, Clerk



Robert Essex, Chairman