

RECORD OF PROCEEDINGS

Etna Township Board of Zoning Appeals

Minutes of

Meeting

January 25

2006

DAYTON LEGAL BLANK CO., FORM NO. 10148

Held
~~Regular Meeting~~

19

The regular meeting was called to order by Chairman Cox at 7:02 p.m. on January 25, 2006 at the Etna Township Hall. The meeting was audio and video taped for township records.

Roll Call: Mr. Johnson, Mrs. Rogers, Mr. Cox, Mr. Goll, Mrs. Weber, and Laura Brown present.

The purpose of this meeting is to present a decision from the December 29, 2005 adjudicatory hearings.

Only the four Board of Zoning Appeals members that were in attendance at the hearings on December 29, 2005 are permitted to vote. The Thompson's case is the case that will be heard first. This is only for the Board of Zoning Appeals to render their decision. All public testimony has been heard at the previous meeting. Only questions from the Board of Zoning Appeals will be heard.

David Goll has a question for Dallas or Steve, Etna Township Zoning Inspectors. In the written documents it says the Zoning Inspector was out within one lot of the property as recent as June 2004. Why was there never anything written up on this before? Steve stated he was not here at that time. Dallas was not sworn in at the first hearing. Steve was the Zoning Inspector handling the violation.

Cheri Rogers stated that based on the verbal and written evidence that we did hear at the hearing, it is apparent that prior to June 30, 2005 the Etna Township Zoning Office was consistent in their interpretation of our zoning regulations with regards to the construction of fences. It is our duty as a Board to decide appeals where there is an alleged error in the interpretation made by the Zoning Inspector; however, at the time this fence was constructed it was the Zoning Inspector's interpretation that the fence was not in any violation of any zoning regulations. Therefore, since it is evident that this consistency spanned multiple years, and several Zoning Inspectors, I would like to make a motion that the appeal be approved since the fence was constructed prior to June 30, 2005 when the change in Zoning Inspectors brought about a change in the zoning resolution interpretation. David Goll Seconded

Roll call: Motion passed 4-0.

Motion passes, the Thompson's appeal has been approved.

David Goll stated that this decision only applies to the zoning regulations of Etna Township and has nothing to do with any deed restrictions within your subdivision.

Jeff Johnson moved to close the hearing at 7:10. David Goll Seconded. Motion passed 4-0.

Approved as read 2/28/06

Laura Brown
Laura Brown, Clerk

Approved as corrected/amended _____

Frederick Cox 2/28/06
Frederick Cox, Chairman