

RECORD OF PROCEEDINGS

0287

Minutes of

Meeting

Etna Township Zoning Commission

DAYTON LEGAL BLANK, INC. FORM NO. 10148

May 23,

2023

Held

20

The Etna Township Zoning Commission met on May 23, 2023, in the Etna Township Hall for the purpose of conducting a regular meeting. The meeting was called to order at 6:03 p.m. by Chair McIntyre. The Pledge of Allegiance was recited. Roll call showed the following members present: Shelly Marie Ipacs, Dave Olson, Litichia McIntyre, Adam Kelley, Steven Smith, and clerk Laura Brown.

Steven Smith moved to adopt the agenda. The motion was seconded by Dave Olson and passed without objection.

Announcements –

John Singleton reported that Sheetz was scheduled to open by the end of May and did not make that date.

Shelly Marie Ipacs reported on the Board of Trustees work session regarding Solar Farms and Framework is planning an additional public forum mid-June.

Minutes

Dave Olson moved to waive the public reading and to approve the minutes from the May 9, 2023, meeting as presented. The motion was seconded by Steven Smith and passed without objection.

New Business - None

Old Business – Work Session regarding Zoning Resolution – Article 10

The Zoning Commission discussed what the Zoning Inspector can enforce regarding noise in the Ohio Revised Code 505.172 Noise Control and what the township Trustees can regulate. John Singleton reported that the Prosecutor’s office recommends removing sections that the Zoning Office is not permitted to enforce. The township can have a supplemental document with this information for the residents. The Municipalities and Limited Home Rule Townships can enforce areas that Etna Township is not able to. There are other townships in Licking County with the same language in their Zoning Resolution as Etna Township has but they are not able to enforce them either. The Zoning Commission discussed the other townships regulations. The sections that are being proposed to be moved to a different document because they can not be enforce by the Zoning Department would be Section 1013, 1014, 1015, 1016, 1017, 1020, and 1022. John Singleton is working on re-wording Sections 1018 and 1019. Section 1021 needs to stay because the township is a member of the Municipal Separate Storm Sewer Program (MS4) and the Zoning Department can withhold Zoning Permits. John Singleton will work with the Prosecutor’s Office on re-wording.

John Singleton discussed Section 1005 Accessory Structures, Item F and G regarding fences. The school just received a variance to increase the fence height to eight feet around the stadium. The Zoning Commission discussed language to permit schools to allow for fences up to eight feet in height. In Item G regarding decorative fences in the front yard, a definition for decorative fence needs to be added to Article 2 and the Zoning Commission reviewed four examples provided by John Singleton. In Table 1005B under fences language needs added to permit the decorative fence in the front yard. In section 1607 Clear Sight Distance regulates fences to ensure safe ingress and egress on the parcel adjacent to a public road. The square footage requirements in each district restrict Tiny Homes in Etna Township.

The Ohio Revise Code permits the Board of Trustees to enforce noise but not the Zoning Inspector. Noise from barking dogs were discussed and how many doges makes it a business running a kennel.

The text amendment process was discussed and text amendments for Article 10 and Article 2 can be done together.

A definition for Decorative Fence was discussed from the four examples provided by John Singleton.

Decorative Fence: Means any fence no more than thirty (30) inches high and no more than sixteen (16) feet in length constructed so as to have eighty (80) percent visibility through the fence. It will not be intended for the purpose of preventing persons and/or domestic animals from crawling or passing through the fence, except at established gateways. A decorative fence shall not include a fence constructed of chain link material or any other type of woven fence. It is not intended or designed to enclose, screen, or separate areas, but rather to decorate, accent, or frame a feature of the landscape. The Zoning Commission discussed the length of the fence and the commission will come back to this.

Shelly Marie Ipacs moved to adjourn at 7:20 p.m. The motion was seconded by Steven Smith and passed without objection.

*Laura Brown*

Laura Brown, Clerk

*Litichia McIntyre*

Litichia McIntyre, Chair