

JOINT MEETING – Scioto Township Board of Trustees, Scioto Township Zoning Commission, Scioto Township Board of Zoning Appeals (BZA), April 11, 2017

A Joint meeting of the Scioto Township Board of Trustees and Zoning Boards was called to order by Trustee Chair Struckman at 7:00 p.m. Trustees Brill and Struckman were in attendance. Representing the Zoning Commission were Weatherhead, Roese, Jahn, Hamilton, Fisher, Scott and representing the Board of Zoning Appeals were Kulich, Lowry, Braskett, Swisher.

Motions were made to waive the reading of the respective Board's prior meeting minutes.

Trustee motion was by Brill with a second by Struckman. Vote was unanimous, motion carried.

Zoning Commission motion was by Roese with a second by Hamilton. Vote was unanimous, motion carried.

BZA motion was by Lowry with a second by Swisher. Vote was unanimous, motion carried.

Kulich asked Archer about the BZA powers of correcting map errors on the official Zoning map. Per Archer, it is within the BZA's powers, as per Section 12.03 of the Scioto Township Zoning Resolution. Kulich then made a motion to change the Zoning map from PURD to AG on the Earl Borders property on SR 104 and to change the Zoning map from R-3 to R-1 on the Tom Weatherhead property on SR 762. Swisher seconded the motion. Vote: Kulich-yes, Lowry-yes, Braskett-yes, Swisher-yes. Motion carried.

Discussion then turned to Divergences. Archer stated Divergence is only allowed in Special Use and Planned Districts. Brill stated concern about using Divergence in the Special Use district since it is not a planned district.

Kulich requested a definition of separation of powers of the Zoning Commission and the BZA.

Archer stated the Zoning Commission has the power to recommend a divergence to the Board of Trustees but only in Planned or Special Use districts, but the developer must prove that the divergence will benefit the development. The BZA still has the power of appeal on all other Zoning districts and their decision can only be overturned by the Court of Appeals. Lowry said he wants to make sure the public is served fairly and equally. Hamilton asked how much of a divergence can be given. Archer replied the property owner still has to prove the divergence will benefit the development.

Jahn questioned if the divergence wording should be the same in all districts. Archer replied that this is something the Zoning Commission could look into.

Weatherhead asked for an explanation of the Power of Attorney section on the Zoning form. Archer stated the form was approved by the Trustees to keep people from taking power over property that they did not have.

With no other matters to come before the Boards, meeting was adjourned as follows:

Trustees - Brill moved to adjourn. Struckman seconded the motion. Vote was unanimous, meeting adjourned.

Zoning Commission – Jahn moved to adjourn. Fisher seconded the motion. Vote was unanimous, meeting adjourned.

BZA – Lowry moved to adjourn. Swisher seconded the motion. Vote was unanimous, meeting adjourned.