

XENIA TOWNSHIP BOARD OF ZONING APPEALS
PUBLIC HEARING

September 26, 2024

THESE MINUTES ARE A SUMMARY OF THE EVENTS OF THE PUBLIC HEARING AND ARE NOT A WORD FOR WORD ACCOUNT OF THE DISCUSSIONS WHICH TOOK PLACE.

Nathan Anthony, Chairman, called the meeting to order at 6:00 p.m. and welcomed the people in attendance. He asked for roll call for attendance of the members.

Board of Zoning Appeals members present: Nathan Anthony, Chair, Virgil Ferguson, Janis James, Darren Jones, and Aidan Kolbe. Also present was Alan Stock, Xenia Township Zoning Inspector.

Mr. Anthony went over the rules of the meeting; all cell phones must be turned off, everyone must sign in and fill out an intent to speak form, if you choose to speak. The application will be read by Alan Stock, Zoning Inspector/Clerk. Because the Board of Zoning Appeals decisions are quasi-judicial, all testimony has to be sworn. Everyone must come to the podium, state their name and state they are under oath. Only facts are to be given, not opinions or emotions. Minutes are being taken electronically. Questions are to be directed to the Board only. The Board of Zoning Appeals will follow Roberts Rules of Order for procedures. The Chair reserves the right to limit public input. The Board of Zoning Appeals may approve in whole or in part, reject in whole or in part, or reschedule to another date. An applicant may also withdraw their request. The decision will become effective five days after date of decision. A decision by this Board is a final order under R.C. 2506.04. Aggrieved individuals may appeal the decision to Common Pleas Court. The audience joined the Board in the Pledge of Allegiance. Mr. Anthony administered the oath to the audience.

Mr. Anthony asked Mr. Stock if the application was lawful to be heard by the Board. Mr. Stock indicated yes, they had, and advised that the notice had been published in the newspaper and notices had been mailed to all property owners within 500' of the property. Mr. Stock stated that a sign was placed on the applicants' property. Mr. Stock explained all the exhibits for this Public Hearing. Mr. Anthony asked the Board members if they had read and considered the application—all answered yes; and he asked if they felt they should not be part of the proceeding due to some conflict of interest all answered no; and if they intend to participate in the entire procedure including voting on the questions asked—all answered yes.

Mr. Anthony asked Mr. Stock to present the proposal. Mr. Stock reviewed all the documents and Exhibits A-E.

Exhibit A: Application for Board of Zoning Appeals

Exhibit B: Proof of Public notices (Letter to Neighbors, Newspaper Notice, Sign in Yard, Website, Procedure Check List)
Exhibit C: Staff Report
Exhibit D: Agenda
Exhibit E: Public Comment

David and Tamara Chandler, owner 2600 Sutton Road, Parcel ID # M36000100080007200 - Variance in the (E) Rural Suburban Residential Estate District of Section 504 for Accessory Structure in Roadside

David Chandler, owner, 2600 Sutton Road, Under Oath, stated that they wanted to build a garage to accommodate all of their vehicles as the current one is too small, and the truck is too tall to fit in the current garage. He went on to say that his property has major drop off, trees and an electrical box where zoning would not allow for it to be built. He ended by saying that the garage will look identical to the home.

Mr. Anthony, BZA, Vice Chair, asked for Board questions.

Mr. Ferguson, BZA, asked if the garage is for Mr. Chandler's truck.

David Chandler, owner, 2600 Sutton Road, Under Oath, answered yes.

Mr. Jones, BZA, asked how far back off the road the house is.

Mr. Stock, Zoning Inspector, answered that it is roughly 270 feet.

Mr. Anthony, BZA, Vice Chair, asked if the turn around in the driveway was already paved.

David Chandler, owner, 2600 Sutton Road, Under Oath, answered yes.

Mr. Anthony, BZA, Vice Chair, opened Public Comments at 6:15 PM.

Mr. Anthony, BZA, Vice Chair, asked for comments in favor.

Tamara Chandler, owner, 2600 Sutton Road, Under Oath, stated that they have neighbors that have a garage in almost the same spot that they are requesting to have theirs. She went on to say that the garage will be a replica of their home.

Mr. Anthony, BZA, Vice Chair, asked for comments in opposition.

There was none.

Mr. Anthony, BZA, Vice Chair, closed Public Comment at 6:17 PM.

Mr. Anthony, BZA, Vice Chair, called for Board Discussion.

Ms. Kolbe, BZA, stated that had the home been placed closer to the road, the garage could have been built in the exact spot without the need of a Variance.

Mr. Stock, Zoning Inspector, answered that is correct. He further stated that the garage can not be used for any type of residential.

Mr. Anthony, BZA, Vice Chair, called for a motion.

Motion to GRANT the variance of Section 504 for Accessory Structure in Roadside in the (E) Rural Suburban Residential Estate District located at 2600 Sutton Road was made by Mr. Jones and seconded by Ms. Kolbe.

Mr. Anthony, BZA, Chair, called for a vote

Ms. James	AYE
Mr. Jones	AYE
Ms. Kolbe	AYE
Mr. Ferguson	AYE
Mr. Anthony	AYE

Variance of Section 504 for Accessory Building Set Back in the (E) Rural Suburban Residential Estate District located at 2600 Sutton Road GRANTED

There being no further business, Mr. Anthony motioned to adjourn, seconded by Ms. Kolbe.

Meeting Adjourned 6:19 P.M.

ATTEST:

Alan D. Stock, Zoning Inspector