

XENIA TOWNSHIP BOARD OF ZONING APPEALS
PUBLIC HEARING

October 28,2020

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.

We are holding this Board of Zoning Appeals meeting under the guidelines from Governor Mike DeWine and Ohio Attorney General Dave Yost, reducing exposure to the COVID-19 virus. Board of Zoning Appeals must meet quorum but may do so by face to face or teleconferencing, or a combination thereof IF the public has opportunity to share in the meeting in the same manner. Xenia Township has complied with this teleconferencing method. This meeting is being recorded.

Ed Jacobson, Chairman, called the meeting to order at 7:00 p.m. and welcomed the people in attendance. He asked for roll call for attendance of the members.

Board of Zoning Appeals members present: Ed Jacobson, Chair; Darren Jones and Nathan Anthony. Janis James was on teleconference. Also present were Alan Stock, Xenia Township Zoning Inspector and Anu Sharma, Assistant Greene County Prosecutor. Everyone in attendance was wearing masks, social distancing, had their temperature taken, and was asked the COVID screening questions.

Mr. Jacobson went over the rules of the meeting. The application will be read by Alan Stock, Zoning Inspector, because the Board of Zoning Appeals decisions are quasi-judicial, all testimony must be sworn when speaking. Everyone must state their name and state they are under oath. Only facts are to be given, not opinions or emotions. Minutes are being taken and recorded. Questions are to be directed to the Board Chair 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 O.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. Jacobson administered the oath to the attendees in the present in person and on the teleconference.

Mr. Jacobson asked Mr. Stock if the application was lawful to be heard by the Board and notices and advertisements made. Mr. Stock 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 applicant's property. Mr. Stock explained all the exhibits for this Public Hearing. Mr. Jacobson asked the Board members if they had read and considered the application—all answered yes. He asked if they felt they should not be part of

the proceeding due to some conflict of interest—all answered no. He asked if they intend to participate in the entire procedure including voting on the questions asked—all answered yes.

Mr. Jacobson 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: Application for Accessory Structure

Exhibit C: Staff Findings

Exhibit D: Proof of Public notices (Letter to Neighbors, Newspaper Notice, Sign in Yard, Website)

Exhibit E: Procedure check List and Agenda

655 N. Monroe Siding Road – Request for Area Variance of Section 504.1 Accessory Building Setback

Ryan Dotson, 655 N Monroe Siding Road, Xenia, Ohio stated that he is under oath. Mr. Dotson stated that the reason he would like to build an accessory building in the front is because the way that the land lays in his back yard it is not feasible for building. He stated that if he was to build in the back, the building would have to be placed further back in the yard and elevated four feet for proper drainage. He stated that this scenario would not serve the purpose for which he needs an accessory building and the building would stick out more being elevated. He stated that by placing the building in the front he is able to contour the land down and minimize the need to build up.

Mr. Jacobson asked what the purpose of the building would be.

Mr. Dotson stated that it would be used for storage and for lawnmowers etc.

Mr. Jacobson stated that there is already a building in the front corner.

Mr. Dotson stated that the building was there when he bought the home.

Mr. Jacobson asked what the use of the existing building is.

Mr. Dotson stated that it has a mower in it, but that the building was a livestock building, so it has stalls in it.

Mr. Jacobson asked if the old barn meets his needs.

Mr. Dotson stated that he can barely get a mower in that building because of the stalls and the dirt floor.

Mr. Jacobson asked if there were any questions from the Board.

Mr. Jones asked how long he had lived there.

Mr. Dotson answered that he has lived there for four years.

Mr. Jones stated that Mr. Dotson did not build the home.

Mr. Dotson said that he did not build the home. He further stated that there is a building in the back yard that could potentially be repaired. He said that he would like to build a new one because the old one does flood.

Mr. Anthony asked Mr. Dotson if he was planning to build as planned, size wise.

Mr. Dotson stated that the building would be 30x48.

No questions from Ms. James.

Mr. Jacobson asked if anyone else would like to speak, there was none. There was no one for opposition or in favor of the request. There were also no neighbor responses.

Mr. Jacobson called for a motion.

Motion for approval for the variance to setback was made by Mr. Anthony and seconded by Mr. Jones.

Mr. Jacobson called for a vote

Ms. James	AYE
Mr. Jones	AYE
Mr. Anthony	AYE
Mr. Jacobson	AYE

Variance to Setback GRANTED

There being no further business, the Board adjourned.
Meeting Adjourned 7:25 P.M.

ATTEST:

Alan D. Stock, Zoning Inspector

