



**XENIA TOWNSHIP
GREENE COUNTY, OHIO
XENIA TOWNSHIP BOARD OF ZONING APPEALS**



NOTICE OF APPEAL FOR AREA VARIANCE

Only the property owner, or their legal, authorized agent, can make an appeal to the Board of Zoning Appeals, therefore, I hereby appeal to the Board of Zoning Appeals the refusal of a Zoning Certificate (attached hereto) by the Xenia Township Zoning Inspector for the following property:

Name of Property Owner: AARON WHITE Phone: 937-369-7269

Address of Property: 772 MURRAY HILL DR City: XENIA Zip: 45385

Acreage of Property: 7,280 SQ FT Parcel Number: M36000200310006800

Owner Address: 772 MURRAY HILL DR City: XENIA State: OH Zip: 45385

The specific variance requested for this parcel to avoid unnecessary hardship is:

SEE ATTACHED LETTER FROM CONTRACTOR IN RESPONSE TO
EXCEEDING 15% MAXIMUM IMPERVIOUS MATERIAL. MONEY HAS ALREADY
BEEN INVESTED FOR ARCHITECTURAL DRAWINGS BASED ON EXISTING PROPERTIES
ON THIS STREET.

An area variance is an exception to the regulations of the Xenia Township Zoning Resolution. The applicant shall submit on a separate piece(s) of paper the answers to the following Duncan Standard.

In 1986 the Ohio Supreme Court oversaw the case of Duncan vs Middlefield. This case was due to the plaintiff, Duncan, requesting an **area variance** that was denied by the local Board of Zoning Appeals Board. Due to this case the Ohio Supreme Court has prescribed seven guidelines to follow in making the decision of granting an area variance. These seven guidelines are referred to as the Duncan Criteria and are listed as follows:

1. Whether the property in question will yield a reasonable return or whether there can be beneficial use of the property without the variance
2. Whether the variance is substantial
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance
4. Whether the variance would adversely affect the delivery of government goods
5. Whether the property owner purchased the property with knowledge of the zoning requirements
6. Whether the property owner's predicament can feasibly be obviated through some other method than a variance
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance

The applicant shall submit on a separate piece(s) of paper the answers to the Xenia Township Zoning Resolution Standards.

1. Conditions and Circumstances: What special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.
2. Property Rights: What literal interpretation of the provisions of the Zoning District's would deprive the applicant of property rights commonly enjoyed by other properties in the same district under the terms.
3. No Special Privilege: Why will granting the variance requested not confer on the applicant any special use or privilege denied by this Resolution to other lands, structures, or building in the same district.
4. Harmony with Locality: Why will the variance requested not alter the essential character of the locality

THIS APPLICATION IS ACCOMPANIED BY A FEE IN THE AMOUNT OF THREE HUNDRED DOLLARS (\$300.00) FOR THE PURPOSE OF DEFRAYING EXPENSES OF PUBLISHING NOTICES IN THE NEWSPAPER AND MAILING COSTS AND RECORDING FEES.

I hereby grant permission to the Xenia Township Zoning Commission, the Xenia Township Board of Trustees, Greene County Regional Planning Commission staff, Appropriate Greene County Department staff, and any other persons necessary to gather pertinent information regarding subject property to enter upon the premises. I understand a sign will be placed on my property for the purpose of identifying the property. I understand the decision of the Board of Zoning Appeals is final, and if the decision is unsatisfactory, I may appeal the decision with the Court of Common Pleas. No refunds will be given for applications for a zoning amendment, rezoning, conditional use, or variance. An application for reconsideration shall not be accepted for consideration more than once during any consecutive twelve-month period.

 Applicant(s) [Owner or Lessee] Signature(s)

STATE OF OHIO, GREENE COUNTY, §:

The undersigned, being first duly sworn, says that he/she is the Owner
 (owner or lessee)
 named in the foregoing application and states that all the facts stated in said application are true as he believes.

 Applicant(s) Signature(s)

Sworn to before me by the said Aaron White and by him/her subscribed in my presence this 2nd day of April, 2021.
 My Commission expires 12-15-2024.



RYAN RAMSEY
 Notary Public, State of Ohio
 My Commission Expires 12-15-2024

 Notary

Revised 2020.04

Melissa Krause

From: Aaron White <quazar800@yahoo.com>
Sent: Wednesday, April 7, 2021 1:59 PM
To: Melissa Krause
Subject: Re: Required Duncan Questions
Attachments: Resized_Resized_Screenshot_20191216-115631_Pinterest.jpeg

Hi Melissa,

I'm not terribly tech savvy and I'm doing this from my phone , so please bear with me.

1. Whether the property in question will yield a reasonable return or whether there can be beneficial use of the property without the variance.

The proposed changes will dramatically increase the value of my property.

2. Whether the variance is substantial.

There are several other properties in the neighborhood that are at or above 19% coverage. The increase of 2% coverage is not substantial. Further, it has come to my knowledge that this summer (2021) the zoning board will be increasing the coverage limit to 20%. My proposal is for 1% above that.

- 1.
2. 3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

The proposed changes to my property will not only improve the curb appeal of my own home, but potentially increase property values of surrounding homes. It is my hope that my fellow neighbors will be encouraged to update their properties as well.

1. 4. Whether the variance would adversely affect the delivery of government goods.

It will not.

1. 5. Whether the property owner purchased the property with knowledge of the zoning requirements.

I had no prior knowledge.

1. 6. Whether the property owner's predicament can feasibly be obviated through some other method than a variance.

I don't know.

1. 7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

I believe that the proposed changes are in spirit with the requirements as it will not negatively affect my neighbors and will improve the overall appeal of the neighborhood.

Further, I have attached a picture of the inspiration for this project. While this is not my home it is very similar and illustrates the overall look I'm attempting to achieve

On Apr 7, 2021 1:08 PM, Melissa Krause <mkrause@xeniatownship.org> wrote:

1. Whether the property in question will yield a reasonable return or whether there can be beneficial use of the property without the variance
2. Whether the variance is substantial
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7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance

Here are the seven (7) questions that need to be answered by 4:00 PM April 8, 2021.

As per our conversation, we will process the request as soon as I receive the \$300.00 payment for the BZA, without the answers to the questions we will have to cancel the BZA and no refund will be made.

Thank You,

Missy Krause

Administration Assistant

Xenia Township

937-372-0859

TO: Xenia Township Board of Zoning Appeals, Xenia Township Trustees, Concerned Residents of Murray Hill Dr.

On behalf of Aaron White, property owner at 772 Murray Hill Dr, I request that a variance be granted pertaining to The Zoning Resolution limiting the total coverage of impervious materials to 15% of property. The project submitted for zoning approval is for the addition of a covered porch on the front of house. As part of the project, new vinyl siding will also be added to complete the exterior renovations previously started and will create a major increase in curb appeal and the future resale value of the home.

Conditions and Circumstances: As shown on the attached document, all lots in the immediate vicinity of Mr. Whites property already exceed the 15% as does Mr. Whites. The covered porch as drawn and submitted, will add an additional 3% of area to his already calculated 19% bringing his new, if approved, total to 22%. This total sq ft is still equal to or below many houses in the immediate area and several others on the same street as shown in the chart.

Property Rights: As stated above, the purpose of the project is to increase curb appeal and resale value, in addition to the ability for Mr. White and future homeowners the ability to sit on there front porch and enjoy the outdoors without being burnt up by the sun.

No Special Privilege: It is our opinion, that if accepted, we are not receiving special favor due to the number of property owners already exceeding not only the 15% requirement, but also the final calculated number for this property once the project is complete. We feel it is fair and just to be afforded the same allowances as other neighboring property owners.

Harmony with Locality: As to the essential character of the locality, there are several homes presently on the street that have a covered porch and a few with enclosed porches. What we have proposed to build is in good taste from a design perspective and will add value not only to Mr. White's property, but to the whole neighborhood.

Additionally, we feel it is also important to note that as part of this project, out of concern for increased runoff from the added roof, all downspouts from the porch roof will be directed to a drywell or rain garden. The final details are yet to be decided but will be one of two options presented here.

Thank you for your time and consideration on this matter,

Respectively,

Jeremy Hutchison

HB Electric and Construction



Send

Save



wuuzzz

Follow

Top 10 Incredible Home Exterior Makeover

Maybe you already feel bored with the outer appearance of your home and maybe you want an exterior renovation of your home. Making More

Read it



Home



Following



Notifications



Saved



112.00'

112.00'

EXISTING HOUSE

10'-0" +/-

8'-0"

20'-0" +/-

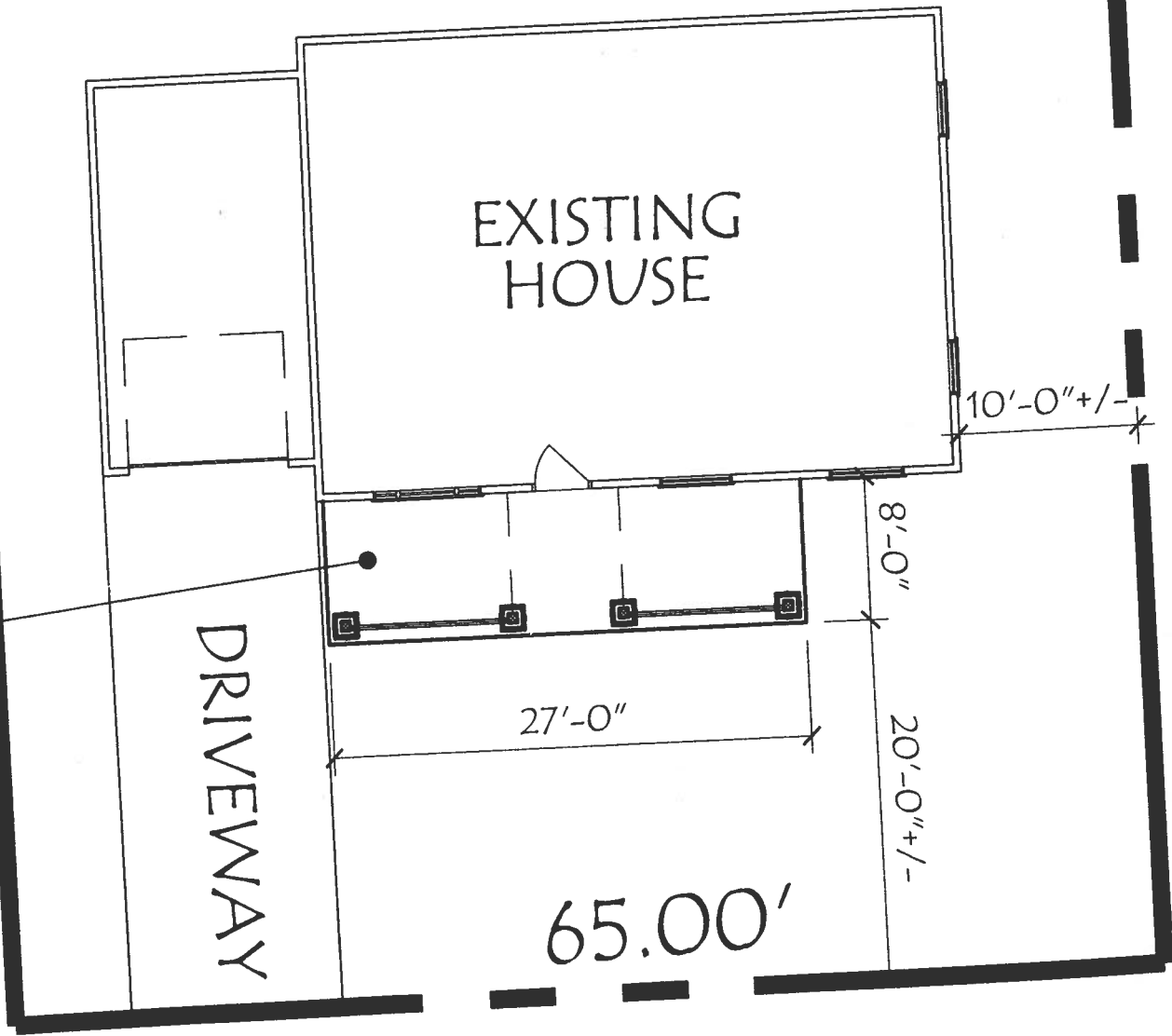
27'-0"

65.00'

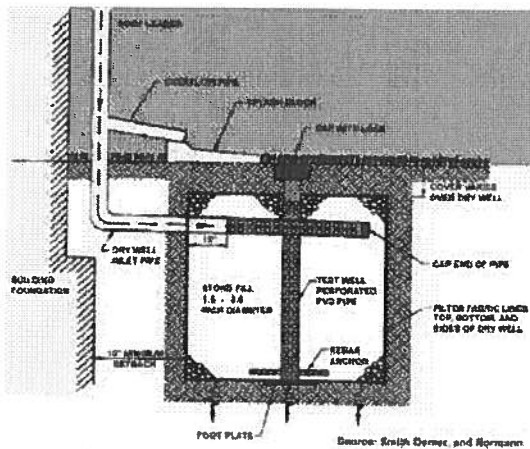
DRIVEWAY

W
RED
IO

772 MURRAY HILL DRIVE



BMP 6.4.6: Dry Well / Seepage Pit



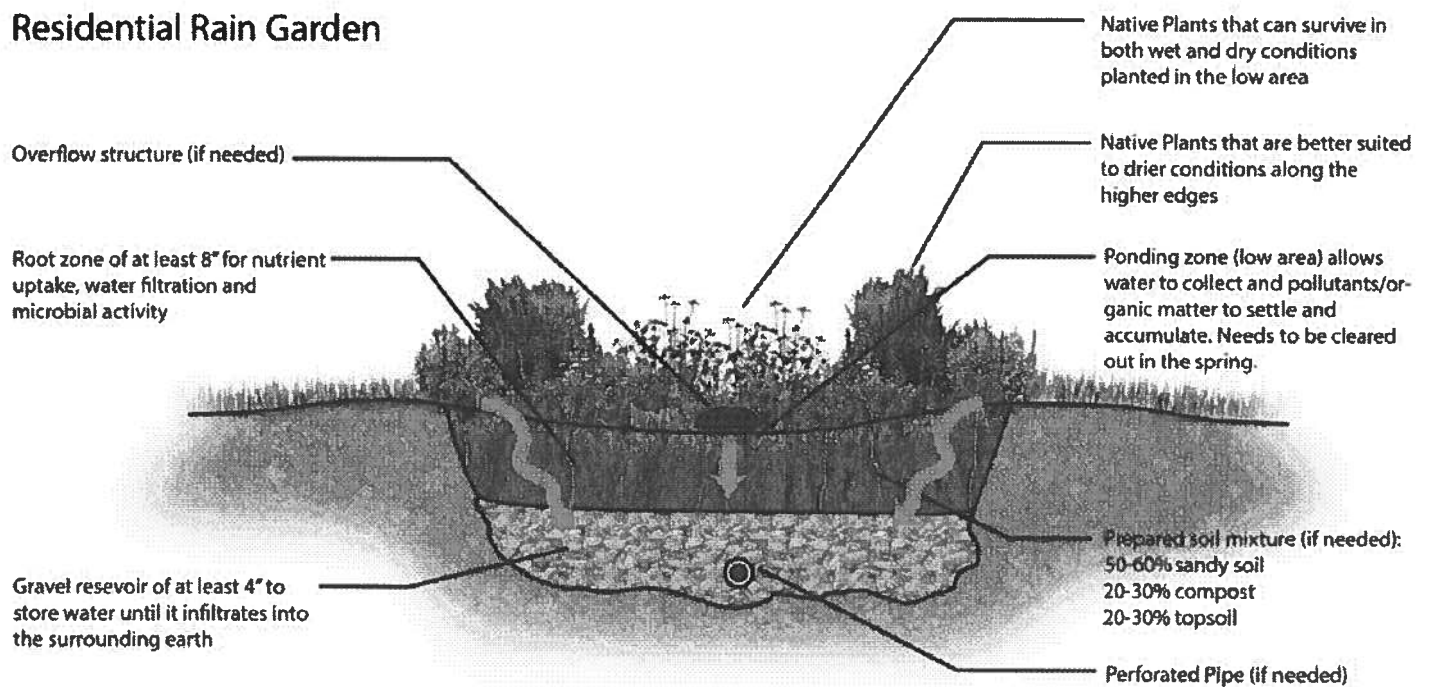
A Dry Well, or Seepage Pit, is a variation on an Infiltration system that is designed to temporarily store and infiltrate rooftop runoff.

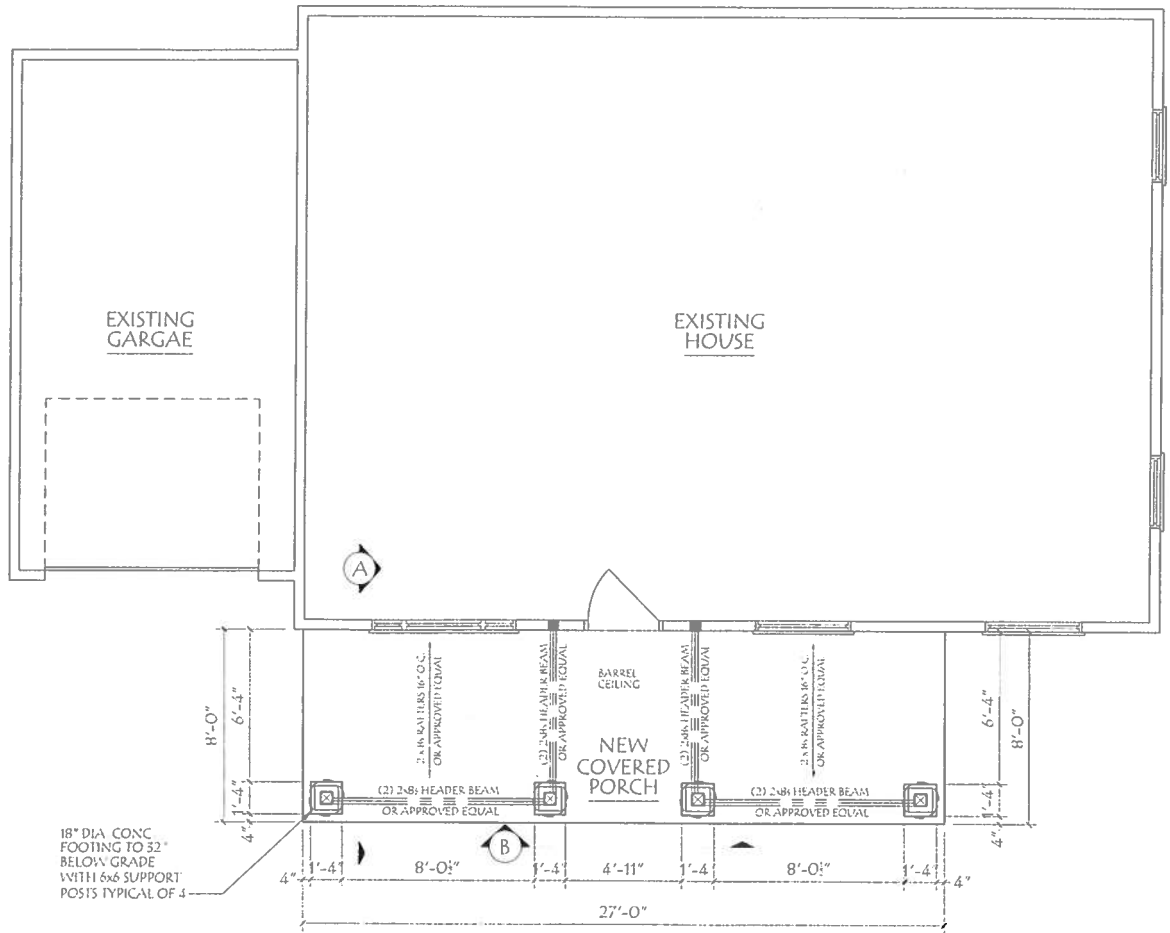
Key Design Elements	Potential Applications
<ul style="list-style-type: none"> • Follow Infiltration System Guidelines in Appendix C • Maintain minimum distance from building foundation (typically 10 feet) • Provide adequate overflow outlet for large storms • Depth of Dry Well aggregate should be between 18 and 48 inches • At least one observation well; clean out is recommended • Wrap aggregate with nonwoven geotextile • Maintenance will require periodic removal of sediment and leaves from sumps and cleanouts • Provide pretreatment for some situations 	<p>Residential: Yes Commercial: Yes Ultra Urban: Yes Industrial: Limited Retrofit: Yes Highway/Road: No</p>
	Stormwater Functions
	<p>Volume Reduction: Medium Recharge: High Peak Rate Control: Medium Water Quality: Medium</p>
	Water Quality Functions
	<p>TSS: TP: 85% 85% NO3: 30%</p>

Other Considerations

- **Protocol 1. Site Evaluation and Soil Infiltration Testing** and **Protocol 2. Infiltration Systems Guidelines** should be followed, see Appendix C

Residential Rain Garden





MAIN FLOOR PLAN

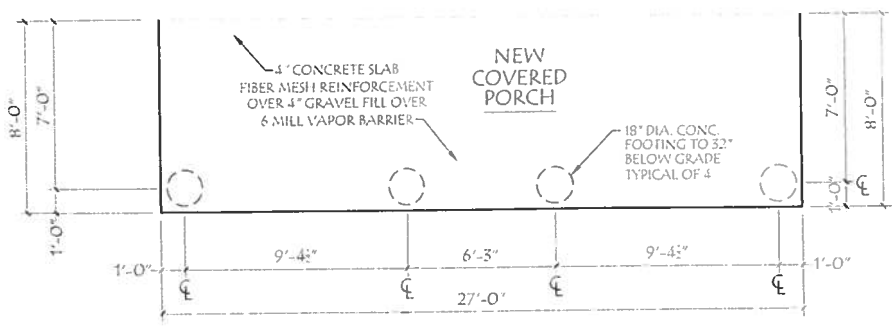
SCALE: 1/4"=1'-0"

1. DIMENS
STUDS 1
2. WOOD
UP TO 6
3-1/2"x8
3. STEEL L
ANGLE 1
ANGLE 1
4. CLOSET
5. VENTS. f
6. WOOD f
MANUF.
DEPART.
TRUSSES
7. DESIGN 1
WIND *
8. DEFLECT
EXPOSED
9. LUMBER
FOR 2"x6
SHALL BE
PARALL.
10. TRUSS LL
& E = 1.50
MSR YEL
& E = 1.50
SPRUCE -
11. SMOKE E
LOCAL R
12. CONCRE
CONCRE
FLOORS &
13. WALL BR
STRUCTU
WIDE O S
RE CUT F
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14. SIDE LOA
MEMBER
THRU BO
THE BEA
15. PRESSURE
WALLS A
16. STRUCTU
SOLID BL



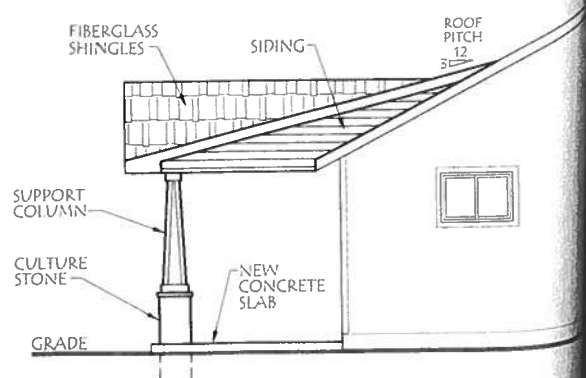
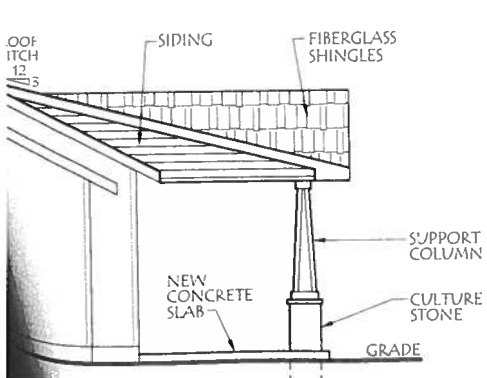
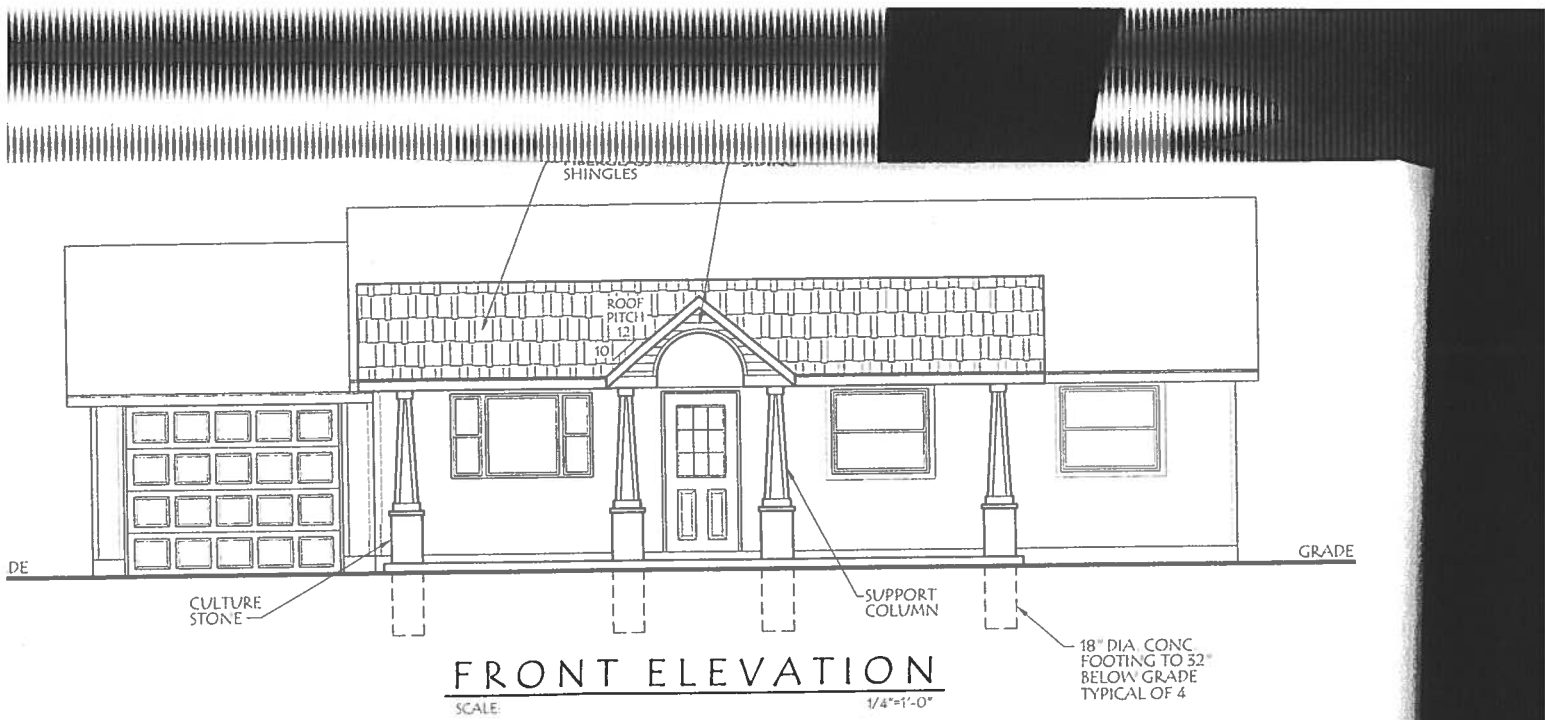
EXISTING GARGAE

EXISTING HOUSE

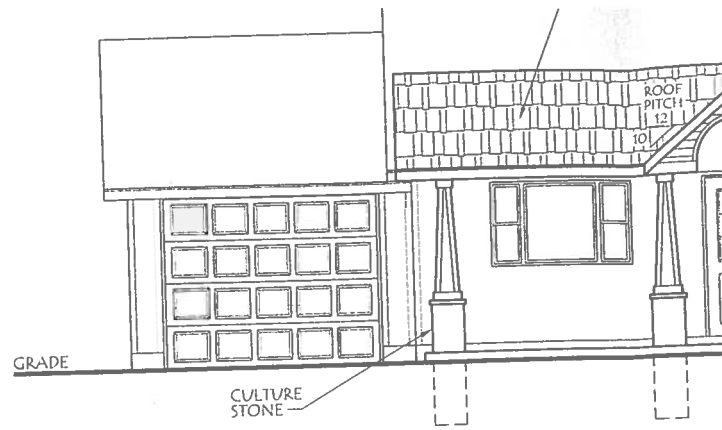


FOUNDATION/PIER PLAN

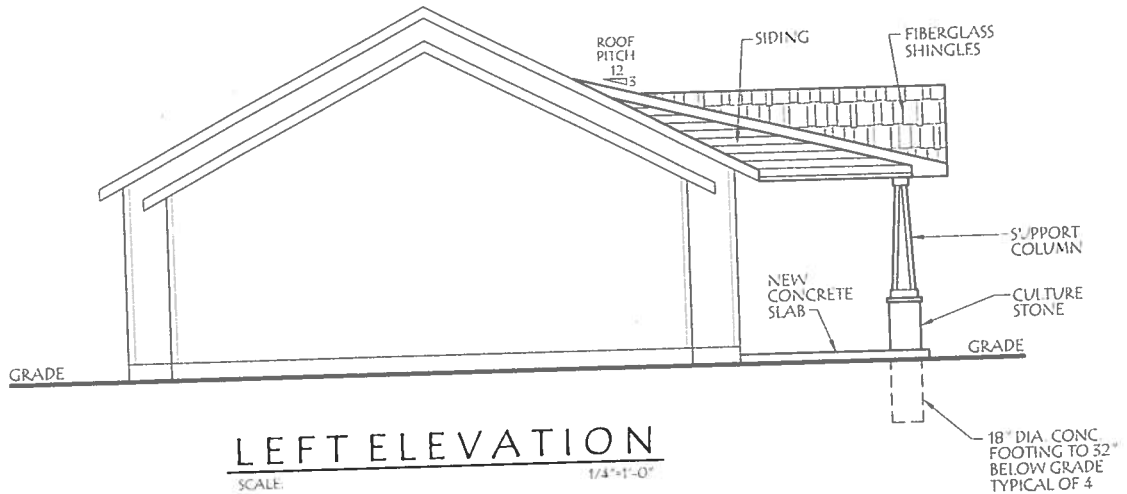
SCALE: 1/4"=1'-0"



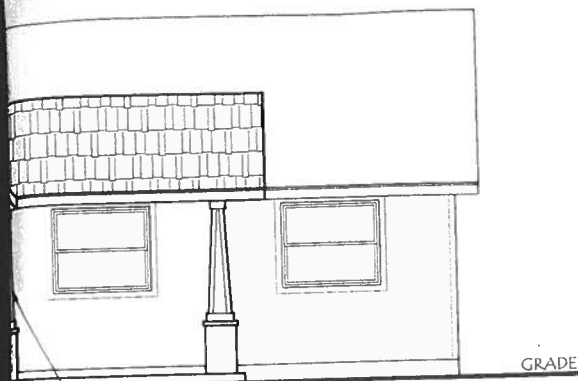
2. SLOPE GRADE AWAY FROM BUILDING TO PROVIDE POSITIVE DRAINAGE.
3. USE 3500 P.S.I. @ 28 DAYS CONCRETE IN SLABS AND MINIMUM OF 2500 IN FOOTER.
4. ALL SOLE PLATES SHALL BE ANCHORED WITH 1/2"x6" BOLTS W/2" WASHERS 8'-0" ON CENTERS INTER-MEDIATE 12" FROM ENDS MAX.
5. ALL FOOTERS ARE 8"x16" (UNLESS NOTED ON DRAWINGS) WITH 2 #4 CONTINUOUS STEEL RE-BARS.



FRONT E
SCALE:



LEFT ELEVATION
SCALE: 1/4"=1'-0"



SUPPORT COLUMN

18" DIA. CONC. FOOTING TO 32" BELOW GRADE TYPICAL OF 4

ATION
1/4"=1'-0"

FIBERGLASS SHINGLES

SIDING

ROOF PITCH
12
30

SUPPORT COLUMN

CULTURE STONE

NEW CONCRETE SLAB

GRADE

GRADE

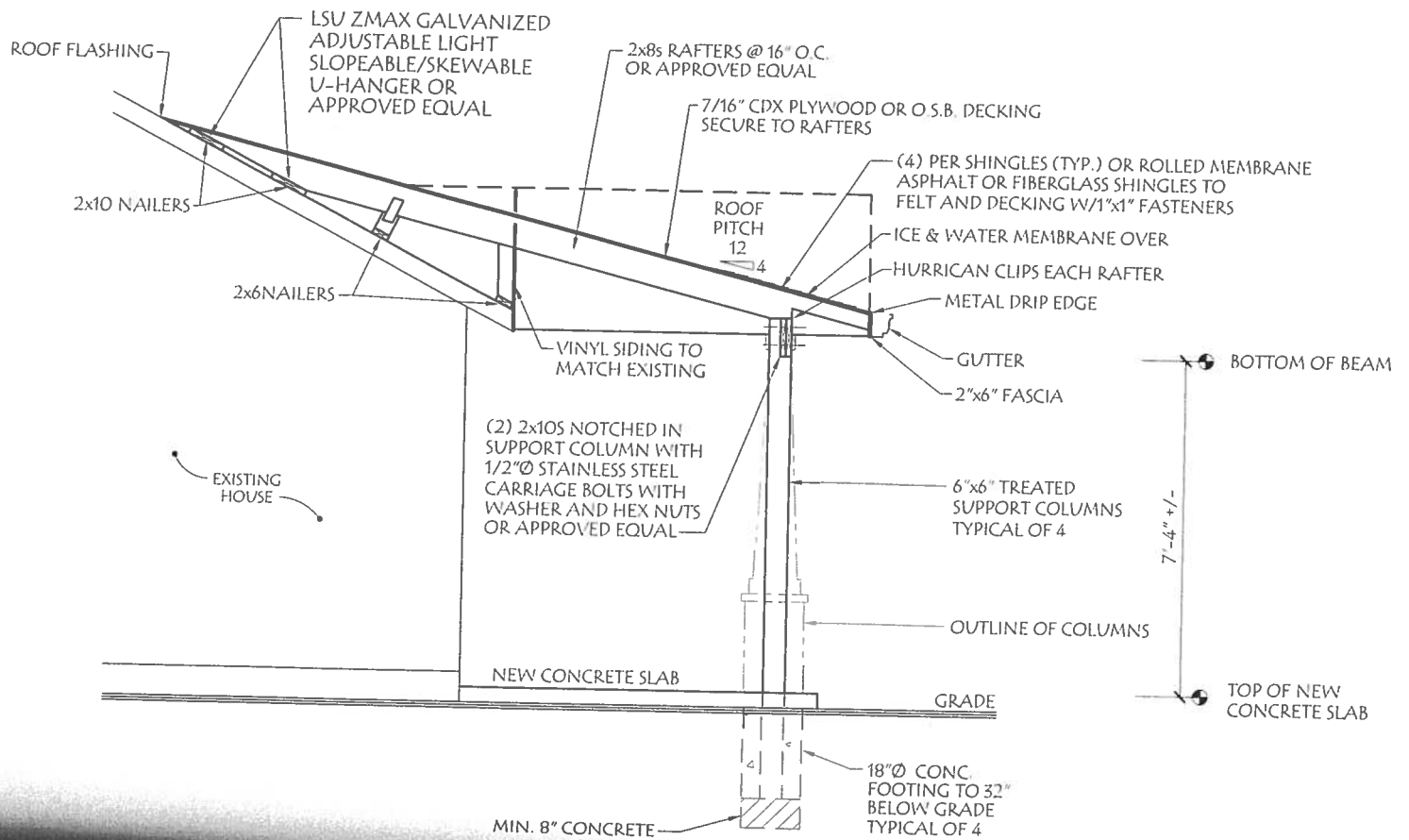
18 DIA CONC. FOOTING TO 32" BELOW GRADE TYPICAL OF 4

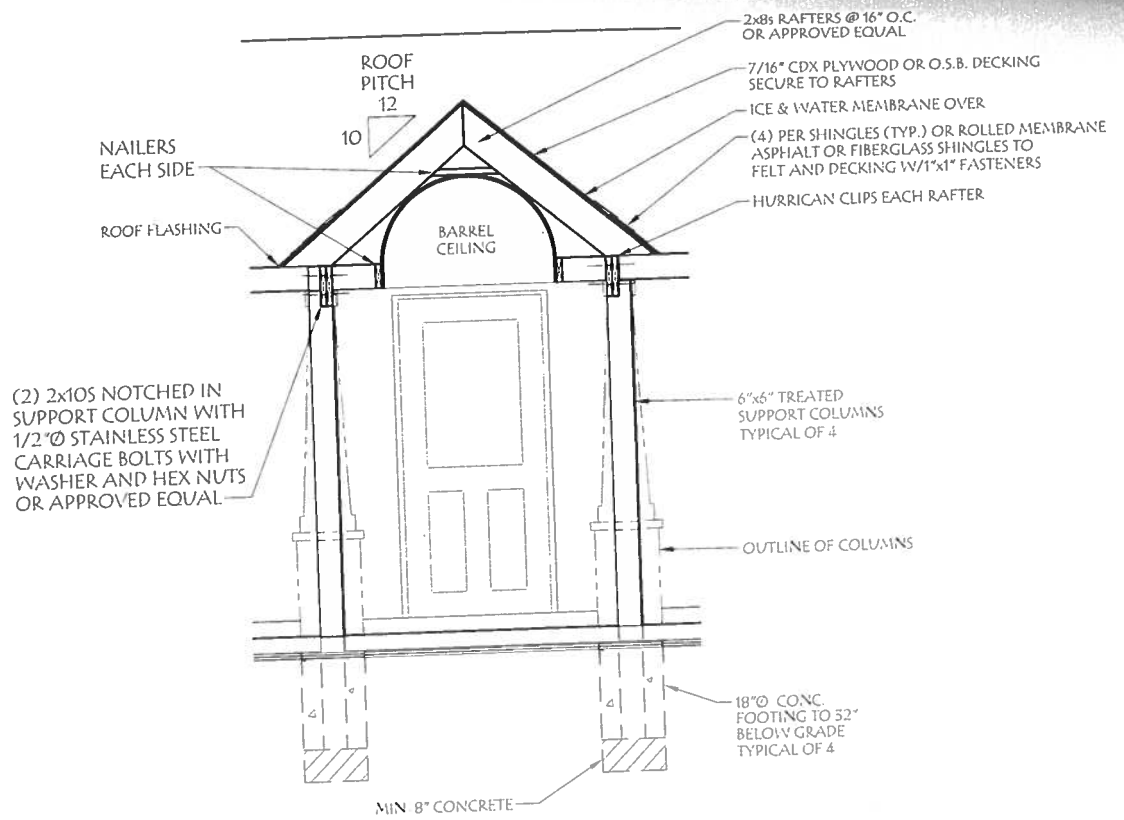
RIGHT ELEVATION

SCALE

1/4"=1'-0"

18. TIES EACH TIE SHALL BE METAL TIES SHALL BE 1/2" IN DIAMETER. METAL TIES SHALL BE PLACED WITHIN 1" OF THE SURFACE. PROVIDED INCLUDE MIN. CLEAR AIR SP
19. TRUSSES SHALL BE HAVING UPLIFT R
20. DECK RAILING, CRL 200 SERIES R/ ALUMINUM POST CRL 200 SERIES R/
21. STAIR RAILING ON CRL 100 SERIES FL
22. COMMERCIAL VV VISTAWALL MOD
23. STAIRWAY RAILING CRL GLASS/VEDGI





SECTION "B"

1/2"=1'-0"

**NEW CONSTRUCTION, ADDITIONS, ACCESSORY STRUCTURE
ZONING CERTIFICATE APPLICATION**

Xenia Township
8 Brush Row Rd., Xenia OH 45385
Phone: 937-372-0859 · Fax: 937-372-3343 · www.xeniatownship.org

PROPERTY AND CONTACT INFORMATION

Name of Property Owner: AARON WHITE Phone: 937-369-7269
Address of Property: 772 MURRAY HILL DR City: XENIA Zip: 45385
Owner Email Address: quazar800@yahoo.com Parcel Number: _____
Name of Contractor: HB ELECTRIC & CONSTRUCTION Phone: 937-522-5489
Contractor Email Address: hbeco2@gmail.com

PROPOSED CONSTRUCTION

Proposed Building Use: PORCH ROOF

☐ New Construction ☒ Addition ☐ Accessory Structure

NEW BUILDINGS AND ADDITIONS

Total Floor Space: 2116 sq. ft. Total Living Area: N/A sq. ft. Height to Peak of Roof: 10 ft.

Property Line Setbacks: FRONT 20' ft. REAR N/A 41 ft. SIDE < 10' ft. SIDE < 10' ft.

Other Information Required:

- ◆ Plot plan of property including existing buildings, proposed buildings, well, septic.
- ◆ Copy of construction drawings.
- ◆ The building must be staked for inspection of setbacks.
- ◆ New construction must have proof of Board of Health Septic Approval and driveway permit

Total Amount of lot covered by a non-permeable surface may not exceed 15% of the total area of the lot

FEES:

RESIDENTIAL:	SINGLE FAMILY \$150	TWO FAMILY \$200
ACCESSORY STRUCTURE:	0-100 SQ FT \$ 50.00	OVER 100 SQ FT \$75.00
ADDITIONS:	0-200 SQ FT \$50.00	OVER 200 SQ FT \$100.00

I hereby certify that all of the information supplied in this application and attachments are true and correct to the best of my knowledge, information and belief. I hereby consent to the inspection of the subject property and of any buildings or structures to be constructed thereon by the Township Zoning Inspector. I hereby acknowledge that I understand that if the construction or use described in the zoning certificate has not begun or been substantially pursued within one year from the date of issuance, said zoning certificate shall become null and void.

[Signature]
Applicant Signature

11 MAR 2021
Date

Email: hbeco2@gmail.com

Do you want copy emailed to Greene County Building Regulations? ☒ Yes ☐ No

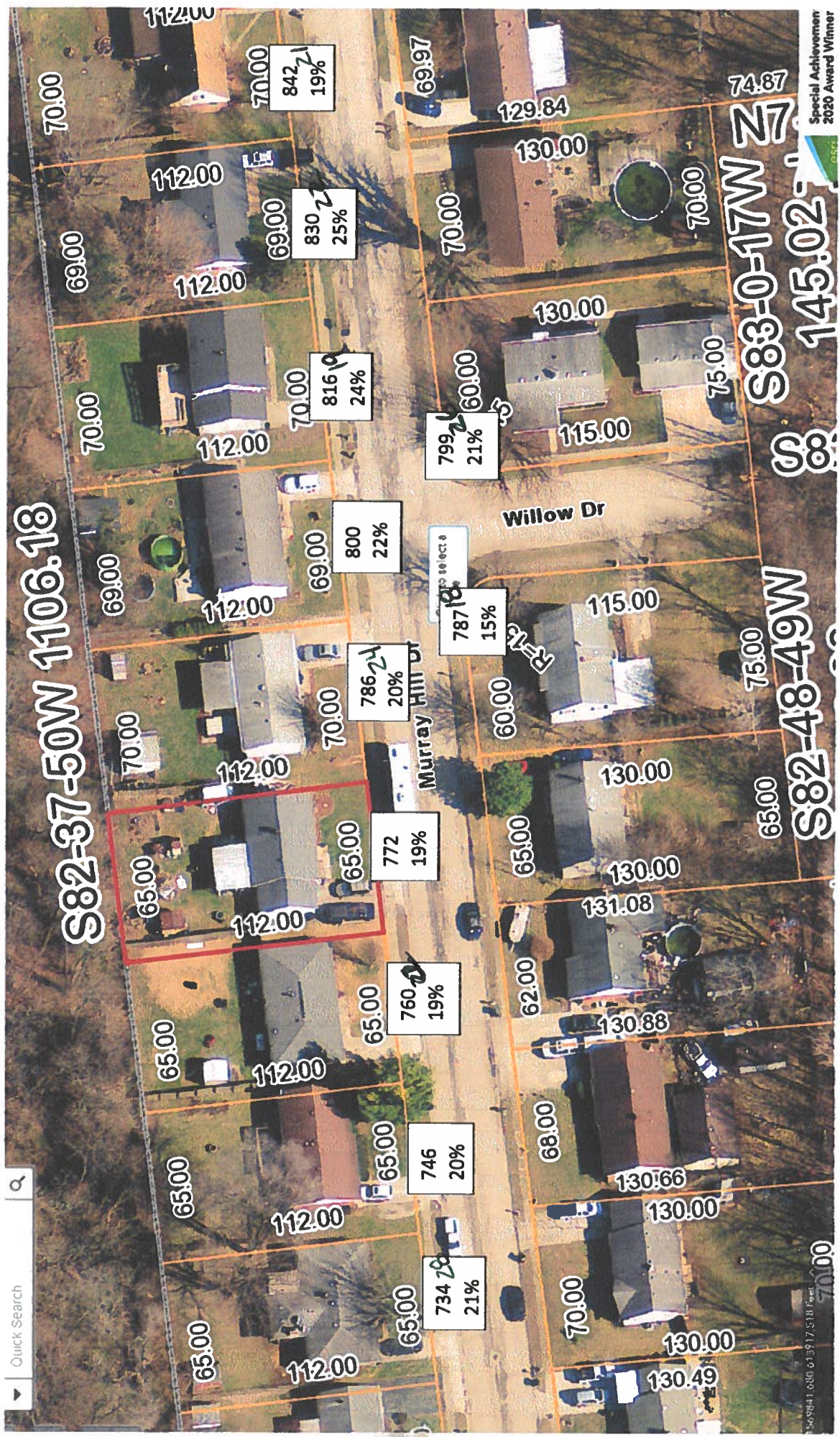
NOTE: REFUSAL OF THIS CERTIFICATE MAY BE APPEALED BY FILING AN APPLICATION WITHIN 20 DAYS OF DENIAL

This application has been APPROVED ~~REJECTED~~ for issuance of a Zoning Certificate by the Xenia Township Zoning Inspector.

[Signature]
Xenia Township Zoning Inspector

221.3.18
Date

9 : 35
Time



Quick Search



Special Achievement
2020 Award Winner



Murray Hill	County Site Information			W/O Stoop Sq. Ft.
	Property Sq. Ft.	Impenetrable Sq. Ft. (sheds not included)	Percentage	
772	White	7280	1381	19.00%
786		7840	1556	19.85%
800		7728	1670	21.61%
816		7840	1888	24.08%
830		7728	1914	24.77%
842		7840	1466	18.70%
760		7280	1412	19.40%
746		7280	1484	20.38%
734		7280	1552	21.32%
787		approx - 9525	1452	15.24%
799		approx - 9525	1988	20.87%
				1960



Board of Zoning Appeals Procedure Checklist

772 MURRAY HILL VARIANCE TO LOT COVERAGE

Changes in the zoning text and changes in the zoning map (district change), follow the same procedure. The following checklist has been adopted from R.C. 519.12.

Item	Action	Date	Checked by
1	Initiation/Receipt of Zoning Appeal	2021.04.07	MK
2	Public Hearing date set for Board of Zoning Appeals to be set not less than twenty nor more than forty days from receipt of amendment.	2021.05.05	MK
3	Newspaper notice for Board of Zoning Appeals of Public Hearing must be published at least ten days prior to the hearing in a newspaper of general circulation in the township.	2021.04.22	MK
4	Written notice to property owners for Board of Zoning Appeals Hearing within, contiguous to, and directly across the street from the land to be rezoned must be sent at least ten days before the public hearing if ten or fewer parcel of are proposed to be rezoned.	2021.04.21	MK
5	Publication of date on XTWP website	2021.04.21	MK
6	Publication of date by sign posted in applicants yard	2021.04.22	MK
7	Township Board of Zoning Appeals public hearing	2021.05.05	

Note:

R.C. 5511.01 requires notification to the Ohio Department of Transportation before any amendment is approved which affects land near proposed new highways to planned improvements.

This outline and checklist of admendment procedures is provided for general use. Section 519.12 should be reviewed for specific language and current law.





LEGAL NOTICE

The Xenia Township Board Zoning Appeals, Greene County, Ohio gives notice that a Public Hearing will be held on May 5, 2021 at 6:00 p.m. on the application received from John Fite, owner of 1693 Winchester Road, Xenia, OH 45385 (Parcel #M36000200350004400), requesting a Variance of Section 504 for Accessory Building Set Back. The hearing will be held at the Xenia Township Trustees' Office, 8 Brush Row Road, Xenia, OH 45385.

Interested persons may appear at this scheduled Hearing to express their opinion with respect to this requested Variance to Setbacks for Accessory Buildings.

PUB: April 22, 2021
90119348

LEGAL NOTICE

The Xenia Township Board Zoning Appeals, Greene County, Ohio gives notice that a Public Hearing will be held on May 5, 2021 at 6:00 p.m. on the application received from Aaron White, owner of 772 Murray Hill Drive Xenia, OH 45385 (Parcel # M36000200310006800), requesting a Variance of Section 400.7 for Maximum Percentage of Lot Coverage. The hearing will be held at the Xenia Township Trustees' Office, 8 Brush Row Road, Xenia, OH 45385.

Interested persons may appear at this scheduled Hearing to express their opinion with respect to this requested Variance to Maximum Percentage of Lot Coverage.

PUB: April 22, 2021
90119347

OFFICIAL BALLOT

SPECIAL ELECTION - May 4, 2021

GREENE COUNTY, OHIO

PROPOSED TAX LEVY (RENEWAL)

Xenia Community City School District

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of the Xenia Community City School District, for the purpose of **constructing, renovations and improvements to school buildings and providing equipment and furnishings**, at a rate not exceeding 1.3 mills for each one dollar of valuation, which amounts to \$0.13 for each one hundred dollars of valuation, for 5 years, commencing in 2021, first due in calendar year 2022.

FOR THE TAX LEVY

AGAINST THE TAX LEVY

PUB: April 22/29, 2021
90117455

OFFICIAL BALLOT

SPECIAL ELECTION - May 4, 2021

GREENE COUNTY, OHIO

PROPOSED TAX LEVY (ADDITIONAL)

Bellbrook-Sugarcreek Local School District

A majority affirmative vote is necessary for passage

Shall a levy be imposed by the Bellbrook-Sugarcreek Local School District, for the purpose of **providing for the emergency requirements of the school district**, in the sum of \$3,220,000 per year, and a levy of taxes to be made outside of the ten-mill limitation estimated by the county auditor to average 4.9 mills for each one dollar of valuation, which amounts to \$0.49 for each one hundred dollars of valuation, for 7 years, commencing in 2021, first due in calendar year 2022?

FOR THE TAX LEVY

AGAINST THE TAX LEVY

PUB: April 22/29, 2021
90117447

OFFICIAL BALLOT

SPECIAL ELECTION - May 4, 2021

GREENE COUNTY, OHIO

PROPOSED TAX LEVY (SUBSTITUTE)

Fairborn City School District

A majority affirmative vote is necessary for passage

OFFICIAL BALLOT

SPECIAL ELECTION - May 4, 2021

GREENE COUNTY, OHIO

PROPOSED BOND ISSUE

Xenia Community City School District

A majority

Shall a levy be imposed by the Bellbrook-Sugarcreek Local School District, for the purpose of **providing for the emergency requirements of the school district**, in the sum of \$3,220,000 per year, and a levy of taxes to be made outside of the ten-mill limitation estimated by the county auditor to average 4.9 mills for each one dollar of valuation, which amounts to \$0.49 for each one hundred dollars of valuation, for 7 years, commencing in 2021, first due in calendar year 2022?

PUB: April 22/29, 2021
90117452

SECTION 00 1

**ELIZABETH M
HVAC REPLA
1400 Brush Ro
Wilberforce, OH**

Sealed bids for State University Building force, Ohio 453 vide labor and HALL & SUN CAPITAL PRO are to send the pointonedeign make sure that

Bids will be taken thereof, a ments:

1A

Bids will be put by Central State LOCAL TIME.

Xenia Township will be holding two (2) Board of Zoning Appeals Hearing on May 5, 2021 at 6:00 PM. They will be held at 8 Brush Row Road Xenia, Ohio

The Xenia Township Board Zoning Appeals, Greene County, Ohio gives notice that a Public Hearing will be held on May 5, 2021 at 6:00 p.m. on the application received from Aaron White, owner of 772 Murray Hill Drive Xenia, OH 45385 (Parcel # M36000200310006800), requesting a Variance of Section 400.7 for Maximum Percentage of Lot Coverage. The hearing will be held at the Xenia Township Trustees' Office, 8 Brush Row Road, Xenia, OH 45385.

The Xenia Township Board Zoning Appeals, Greene County, Ohio gives notice that a Public Hearing will be held on May 5, 2021 at 6:00 p.m. on the application received from John Fite, owner of 1693 Winchester Road, Xenia, OH 45385 (Parcel #M36000200350004400), requesting a Variance of Section 504 for Accessory Building Set Back. The hearing will be held at the Xenia Township Trustees' Office, 8 Brush Row Road, Xenia, OH 45385.

Interested persons may appear at this scheduled Hearing to express their opinion with respect to this requested Variances.



Xenia Township

ALAN STOCK
Zoning Inspector
8 Brush Row Road
Xenia, OH 45385
(937)372-0859
FAX (937)372-3343
www.xeniatownship.org

ZONING COMMISSION

Roy Colbrunn
Virgil Ferguson
Kent Harbison
Alan King
Jeffrey Zweber

BOARD OF ZONING APPEALS

Nathan Anthony
Janis James
Philip Jacobson
Darren Jones

May 5, 2021

NOTICE TO PROPERTY OWNERS OF A PUBLIC HEARING

Notice is hereby given that the Xenia Township Board of Zoning Appeals will hold a Public Hearing for consideration to issue a Variance of Section 400.7 for Maximum Percentage of Lot Coverage, 772 Murray Hill Drive, Xenia, Ohio 45385, Parcel # M36000200310006800.

PUBLIC HEARING WILL BE HELD ON THIS APPLICATION BY THE XENIA TOWNSHIP BOARD OF ZONING APPEALS

DATE: May 5, 2021 TIME: 6:00 p.m.

PLACE: Xenia Township Board of Trustees Office, 8 Brush Row Road, Xenia Ohio 45385

This notice is for the purpose of giving you and every other neighbor an opportunity to appear or to express your opinion at the Hearing in support or in opposition to this consideration for rezoning. You may come in person or authorize anyone else to represent you, or you may express your views in writing, but the letter must be received by the Board, in care of Alan Stock by mail at 8 Brush Row RD, Xenia, Oh 45385 or email astock@xeniatownship.org before the date of Hearing.

The Hearing on this matter is not limited to those receiving copies of this notice. If you know of any neighbor or affected property owner who for any reason has failed to receive a copy of this notice, it would be appreciated if you would inform them of this Hearing. Additional information concerning this request may be obtained during normal office hours at the Xenia Township Trustees' Office or online at www.xeniatownship.org or email astock@xeniatownship.org

XENIA TOWNSHIP BOARD OF ZONING APPEALS
Philip Jacobson, Chair
Alan Stock, Clerk
8 Brush Row Road
Xenia, OH 45385

ADKINS JOHN J & DIANE L VANNORS DALL	679 MURRAY HILL DR	XENIA OH 45385	
APGAR RYAN JEFFREY & WAYNE L APGAR	5482 WADSWORTH RD	DAYTON OH 45414	Land only
BROOKE JAMES A & BARBARA M	869 MURRAY HILL DR	XENIA OH 45385	
BROWN MINNIE M	3725 WILMINGTON DAYTON RD	BELLBROOK OH 45305	761
CRABILL EDWARD E	665 MURRAY HILL DR	XENIA OH 45385	
DOUBLE E PROPERTIES LLC	171 E KREPPS RD	XENIA OH 45385	720
DOWNEY TIMOTHY & SHARI	668 MURRAY HILL DR	XENIA OH 45385	
FERGUSON PHILIP M	888 MURRAY HILL DR	XENIA OH 45385	
FISHER MICHELLE F	825 MURRAY HILL DR	XENIA OH 45385	
FISHER MORRIS KAYLA D	680 MURRAY HILL DR	XENIA OH 45385	
GALPIN ROBERT A & RUBY L	787 MURRAY HILL DR	XENIA OH 45385	
GRIMES SUSIE ANN	883 MURRAY HILL DR	XENIA OH 45385	
GUTHRIE DEANNA L	841 MURRAY HILL DR	XENIA OH 45385	
HENDERSON DANIEL O	760 MURRAY HILL DR	XENIA OH 45385	
HOCHSTETTLER TORAN S	694 MURRAY HILL DR	XENIA OH 45385	
LEIGHTENHEIMER GEORGE W & TENEISHA	746 MURRAY HILL DR	XENIA OH 45385	
LEVERANCE MATTHEW J	816 MURRAY HILL DR	XENIA OH 45385	
LOPER JOSEPH D & MARY JANE	876 BLACK FOOT TRL	JAMESTOWN OH 45335	734, 800, 773, 842
LORENZ KELSEY E	705 MURRAY HILL DR	XENIA OH 45385	
MC CLELLAN T L	786 MURRAY HILL DR	XENIA OH 45385	
MEDDOCK LEONARD & MARILYN	706 MURRAY HILL DR	XENIA OH 45385	
MORGAN KALEB L	870 MURRAY HILL DR	XENIA OH 45385	
MOTTER LINDA J	855 MURRAY HILL DR	XENIA OH 45385	
NOLAND PHILIP L R	747 MURRAY HILL DR	XENIA OH 45385	
OMOLEWU ELIZABETH A	620 KINSEY RD	XENIA OH 45385	830
SHAW RHONDA J	735 MURRAY HILL DR	XENIA OH 45385	
SKAGGS MICHAEL R & ANNA M	721 MURRAY HILL DR	XENIA OH 45385	
TEMPLETON RICHARD J & DONNA J TRUSTEES	701 MT VERNON DR	XENIA OH 45385	856
WHEELER LORA B	691 MURRAY HILL DR	XENIA OH 45385	
WHITE AARON N	772 MURRAY HILL DR	XENIA OH 45385	
WILLIAMS MICHAEL & TWILA J	799 MURRAY HILL DR	XENIA OH 45385	



Public Notification

Select or search for a feature in the map

▼

772 MURRAY HILL DR

X

Q

Select

Clear

Apply a search distance

500

Feet

Addressee Layer

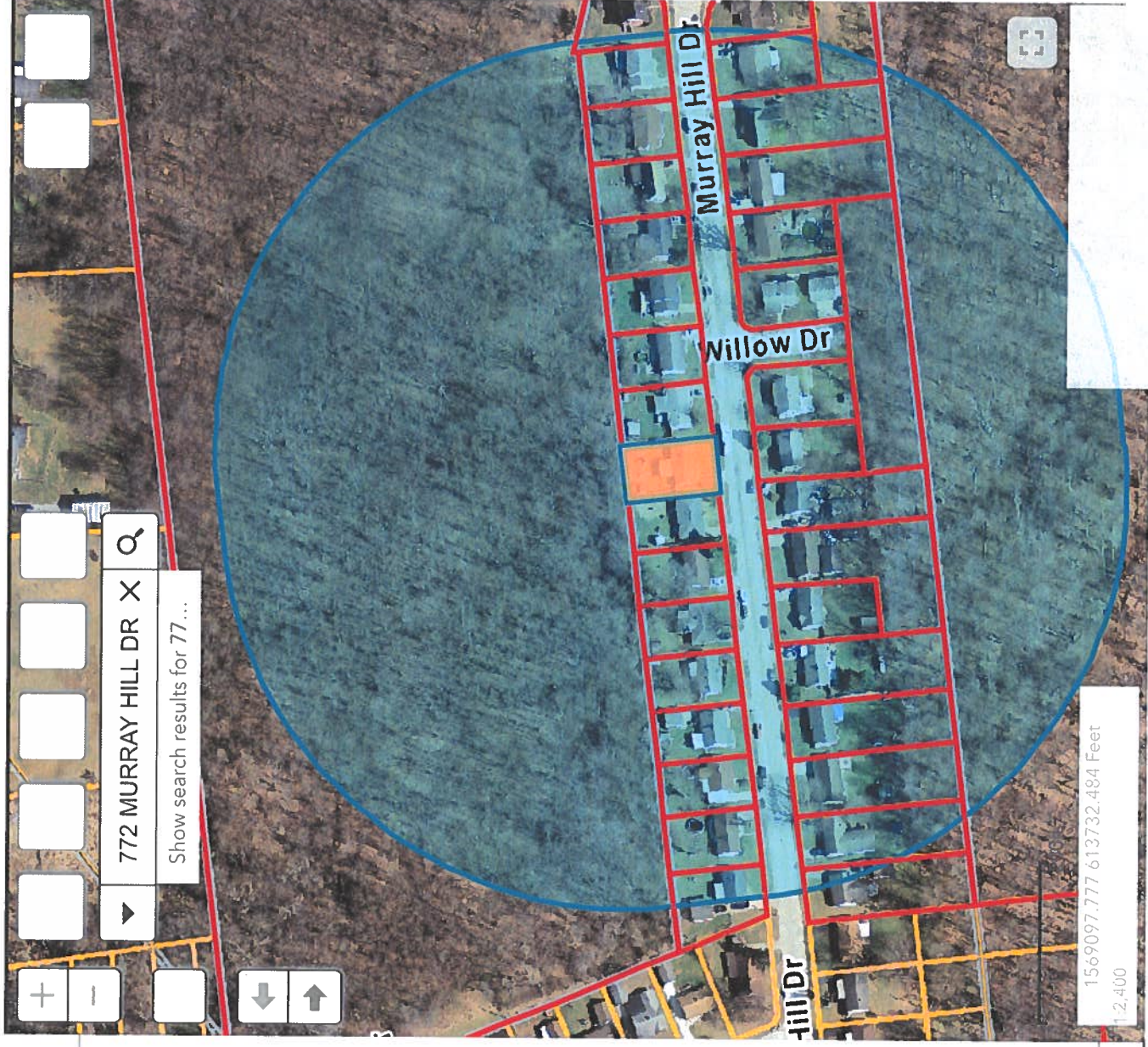
Tax Mailing Address

Format

Comma-separated values

37 addressees found; do you want to continue?

Download



May 5, 2021



**STAFF REPORT FOR PUBLIC HEARING AREA VARIANCE 772 MURRAY HILL,
SECTION 401.9 EXCEEDS 15% LOT COVERAGE
772 Murray Hill, Parcel M36000200310006800, Zoned R-1, One Family Residential District**

OVERVIEW of XENIA TOWNSHIP (XTWP) ZONING

Zoning in Xenia Township is based upon its adopted Zoning Resolution (established 1959, updated last 2019) and revolves around two basic concepts, Area and Use. Area looks at road frontage, area usually in units of acres, and setback from property lines. Use is determined by the District Intent and Purpose and split into two major areas, Permitted Principal Uses, and then Conditional Uses. Permitted Principal Uses require no further special Zoning permission while any Conditional Uses require a special, Public Hearing of a quasi-court called the Board of Zoning Appeals (BZA). Public Hearings for BZA matters are separately decided and do not include input from either the Zoning Commission or the Board of Trustees. The Township works in cooperation with Greene County Building Regulations, Greene County Health District, and Greene County Soil and Water Conservation District. XTWP does not have a Property Maintenance Code and is working on updating its Future Land Use Document.

Xenia Township Trustees and Xenia Township Trustees alone have 100% of the rights and responsibilities to create, maintain, and establish all Zoning Maps and text that governs the Zoning Resolution. All other parties merely make zoning text and map suggestions and recommendations. The current Trustees have stated publicly they would rather allow landowners to use their property as they see fit if it complies with the Zoning Resolution.

THE DUNCAN CRITERIA

In 1986 the Ohio Supreme Court oversaw the case of Duncan vs Middlefield. This case was due to the plaintiff, Duncan, requesting an area variance that was denied by the local Board of Zoning Appeals Board. Due to this case the Ohio Supreme Court has prescribed seven guidelines to follow in making the decision of granting an area variance. These seven guidelines are referred to as the Duncan Criteria and are listed as follows:

1. Whether the property in question will yield a reasonable return or whether there can be beneficial use of the property without the variance
2. Whether the variance is substantial
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance
4. Whether the variance would adversely affect the delivery of government goods
5. Whether the property owner purchased the property with knowledge of the zoning requirements
6. Whether the property owner's predicament can feasibly be obviated through some other method than a variance
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance

15% MAXIMUM PERCENT OF LOT COVERAGE R-1, ONE FAMILY, RESIDENTIAL DISTRICT

The Xenia Township Zoning Resolution includes the maximum percent of lot coverage for each District. The Resolution definition section defines lot coverage as, "The part or percentage of the lot occupied by building including accessory building". The underlining reason for lot coverage percentage is pervious and impervious material. Xenia Township largely does not have civil storm water measures in place and relies on storm water run off contained within property boundaries or road ditches so not to flood or cause heavy wet spots flowing from one property owner to the next property owner.

STAFF RECOMMENDATIONS

The petitioner's current plan is to build a covered deck in the front property.

This would increase the current impervious material (lot coverage) by 3% from 19% to 22%.

Of the five (5) surrounding properties, two are at 15%, two (2) other properties are over at 24%, and the other is over at 17%. The petitioner provided other coverage data from the block that we verified and made changes in green ink if necessary.

The proposed addition to the home does comply within the front setbacks.

The homeowner did submit a drainage plan to minimize the storm water runoff and to keep the water on the property.

Murray Hill is one of the few streets in the Township that does have curbs and gutters and stormwater run-off from the curb.

The Zoning Commission currently will be proposing to the Trustees to include ALL impervious material including swimming pools and hardened driveways. With these changes they are also proposing increasing the lot percentage to 20% impervious material. If the owner surpasses the 20% threshold, they'll need to get a calculation from a civil engineer as to how they can contain the water run-off.

Respectfully,

Alan D. Stock
Zoning Inspector

772 Murray Hill	
Lot Dimensions	7,558.10
15%=	1,133.72
Impervious Material	
house	1381
shed	80
	1,461.00
Current Percentage	19%
Requested new structure	216
Potential new total	1,677.00
percentage of previous	3%
2021.03.11	

761 Murray Hill	
Lot Dimensions	13,112.00
15%=	1,966.80
Impervious Material	
house	1435
shed	526
	1,961.00
Current Percentage	15%

773 Murray Hill	
Lot Dimensions	8,610.00
15%=	1,291.50
Impervious Material	
house	1324
shed	0
	1,324.00
Current Percentage	15%

786 Murray Hill	
Lot Dimensions	7,998.00
15%=	1,199.70
Impervious Material	
house	1623
shed	260
	1,883.00
Current Percentage	24%

787 Murray Hill	
Lot Dimensions	9,652.00
15%=	1,447.80
Impervious Material	
house	1663
shed	52
	1,715.00
Current Percentage	18%

760 Murray Hill	
Lot Dimensions	8,016.00
15%=	1,202.40
Impervious Material	
house	1633
shed	100
	1,733.00
Current Percentage	22%



XENIA TOWNSHIP BOARD OF ZONING APPEALS



- 1. PUBLIC HEARING AREA VARIENCE 1693 WINCHESTER
SECTION 504.1 ACCESSORY BUILDING IN FRONT YARD**
- 2. PUBLIC HEARING AREA VARIENCE 772 MURRAY HILL
SECTION 401.9 EXCEEDS LOT COVERAGE**

**May 5, 2021
6:00 P.M.**

- Pledge
- Roll Call of Board Members Present
 - Ed Jacobson, Chair
 - Nathan Anthony
 - Janis James
 - Darren Jones
- Roll Call
 - Steve Haller, Greene County Assistant Prosecutor
 - Alan Stock, Zoning Inspector
- Call To Order With Opening Remarks And Swearing-In For All Wishing to Give Public Testimony
- Meeting Decorum
 - All presentations and comments are to be made to the Chair. Name and Address given for the record Comments made should reflect the purpose of the Public Hearing, not the character of any individuals or institutions.
 - Decisions will be made based on the merits of the zoning discussion, not whether individuals like other individuals or institutions.
- CONFIRMATION OF PROCESS AND NOTIFICATION
 - Reading request into minutes
 - Process Verification with Exhibit identification

1. Area Variance, Accessory Building In Front Yard 1693 Winchester, M36000200350004400

- Presentation of Petitioner, 15 minutes
- Those in Opposition of Area Variance
- Those in Favor of Area Variance
- Public Discussion Closed _____
- Board Members Open Discussion or Executive Session for Discussion
- Board Vote With Explanation
 - Nathan Anthony Y|N
 - Janis James Y|N
 - Darren Jones Y|N
 - Ed Jacobson, Chair Y|N

2. Area Variance, Exceeds Lot Coverage

772 Murray Hill, Parcel M36000200310006800

- **CONFIRMATION OF PROCESS AND NOTIFICATION**
 - Reading request into minutes
 - Process Verification with Exhibit identification
- **Presentation of Petitioner, 15 minutes**
- **Those in Opposition of Area Variance**
- **Those in Favor of Area Variance**
- **Board Members Open Discussion or Executive Session for Discussion**
- **Public Discussion Closed _____**
- **Board Vote With Explanation**
 - Nathan Anthony Y|N
 - Janis James Y|N
 - Darren Jones Y|N
 - Ed Jacobson, Chair Y|N

Meeting Adjourned:

Meeting Continued until: _____, 2021, _____ p.m. at 8 Brush Row Rd