

XENIA TOWNSHIP BOARD OF ZONING APPEALS
PUBLIC HEARING

January 2, 2025

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 quasijudicial, 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

Dylan & Allison Harrison, Owners 1352 Old Springfield Pike, Parcel # M36000100141018300 – Variance In The (R) Residential District Of Section 504.3 Accessory Structure In The Roadside Yard

Dylan & Allison Harrison, Owners 1352 Old Springfield Pike, Stated that they were Under Oath.

Allison Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that they need a variance to build a 30x50 pole barn. She went on to say that the house is on the back of the property with most of the land being in the front of the house and that the back of the yard is on a slope. She went on to say that they want to build a pole barn off the driveway in a wooded area that will not be seen from the road.

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

Mr. Ferguson, BZA, asked if there would be electric and water to the barn.

Dylan Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that there will be electric.

Mr. Ferguson, BZA, asked if this would be used as an In-Laws Suite.

Allison Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that it would not be.

Ms. Kolbe, BZA, asked what materials would be used for the construction of the barn.

Dylan Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that it would be a metal prefab barn.

Ms. Kolbe, BZA, asked what they planned to use the barn for.

Allison Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that they would use it for storage now and eventually would like to put a car lift in it as Mr. Harrison like to work on cars. She went on to say that they have a lot of tools to take care of their land with on where to store them now.

Ms. James, BZA, asked if working on cars would be used for personal or commercial vehicles.

Allison Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that it would be for personal vehicles.

Mr. Anthony, BZA, Chair, stated that the proposed location for the barn is the flattest spot and is out of the flood zone. He went on to ask if they intended to keep the barn hidden.

Allison Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that they intend to keep it private.

Mr. Anthony, BZA, Chair, asked if they had ideas on the color of the barn.

Dylan Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that the barn would be tan.

Ms. Kolbe, BZA, asked how much land would need to be cleared for the barn.

Dylan Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that the area is pretty clean now and that they won't be removing any big trees.

Allison Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that they have already done a little clearing of the trees but they wanted to make sure not to cut down a lot of trees because of the beauty and the nature on the land.

Ms. Kolbe, BZA, asked if their driveway was public, private, and or had an easement.

Dylan Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that it was a shared driveway.

Allison Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that they have a private shared driveway and that the barn will be off the easement.

Ms. Kolbe, BZA, asked if there is a maintenance agreement for the driveway.

Allison Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that there is a maintenance agreement for the driveway.

Mr. Anthony, BZA, Chair, opened Public Comments at 6:14 PM.

Mr. Anthony, BZA, Chair, asked for clarifying questions or general statements.

Hilary Blocker-Smith, 902 Stover Drive, Stated that she is Under Oath, asked what the Variance the Harrison's were asking for was about.

Mr. Anthony, BZA, Chair, stated that you can not build structures in the front yard without a Variance.

Hilary Blocker-Smith, 902 Stover Drive, Stated that she is Under Oath, asked if they needed a Variance even if they own the property.

Mr. Anthony, BZA, Chair, answered yes.

Hilary Blocker-Smith, 902 Stover Drive, Stated that she is Under Oath, stated that she didn't understand since it is their property.

Mr. Anthony, BZA, Chair, stated that they will need a Variance to place the barn in the front yard.

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

There were none.

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

Robert Riordan, 1354 Old Springfield Pike, Stated that he is Under Oath, stated that he has lived in his home since 1979 and that he has no reservations about the barn being built where the Harrison's requests. He went on to say that it will be tucked back out of the way and trees will screen it from the road.

Kieth Watson, 1358 Old Springfield Pike, Stated that he is Under Oath, stated that he has no objections to the placement of the barn.

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

Ms. Kolbe, BZA, asked for clarification that the individuals that were in favor share the driveway.

Dylan Harrison, Owners 1352 Old Springfield Pike, Under Oath, stated that they do all share the driveway.

Mr. Anthony, BZA, Vice Chair, closed Public Comment at 6:18 PM.

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

Ms. Kolbe, BZA, stated that this is the most logical place to put an accessory structure.

Mr. Anthony, BZA, Vice Chair, stated that there is a big slope on the property and that the house is on the back of the property.

Ms. Kolbe, BZA, stated that she had wanted to make sure that this would not disturb the neighbors so she was glad to hear from the neighbors.

Mr. Anthony, BZA, Vice Chair, asked the Board if they had any concerns over the size or color of the barn or the Staff Report.

Ms. Kolbe, BZA, asked Mr. Stock if there are restrictions on height or size for the barn.

Mr. Stock, Zoning Inspector, answered that they fall within an acceptable height.

Ms. Kolbe, BZA, stated that she didn't want it so tall as to obstruct views.

Mr. Anthony, BZA, Vice Chair, asked the Board if they had any restrictions.

Ms. Kolbe, BZA, stated that she didn't want it to be lived in.

Mr. Anthony, BZA, Vice Chair, stated that it should be for storage.

Mr. Jones, BZA, stated that he didn't care if they put electric and water to it, but that he did not want it to be an apartment.

Mr. Ferguson, BZA, stated that it should not be an In-Law Suite.

Ms. James, BZA, stated that if she were to build something in front of her house, she would not want an eyesore. She went on to say that it is pretty much a given that it will not be an eyesore.

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

Motion to grant the Variance as requested was made by Mr. Jones and seconded by Ms. James.

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

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

Variance to Section 504.3 Accessory Structure In The Roadside Yard in the (R) Residential District located at 1352 Old Springfield Pike, Parcel # M36000100141018300 **GRANTED**

There being no further business, Mr. Anthony motioned to adjourn.

Meeting Adjourned 6:21 P.M.

ATTEST:

Alan D. Stock, Zoning Inspector