

XENIA TOWNSHIP BOARD OF ZONING APPEALS
PUBLIC HEARING

August 12,2020

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; Doug Cope, Darren Jones, Janis James. Also present was Alan Stock, Xenia Township Zoning Inspector and Melissa Krause, Xenia Township Administration Assistant.

Mr. Jacobson went over the rules of the meeting; he asked all attendees to suppress any background noise in their location as it would be heard by all. The application will be read by Melissa Krause, Administration Assistant, 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 recorded. 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. Jacobson administered the oath to the conference attendees.

Mr. Jacobson asked Mrs. Krause if the application was lawful to be heard by the Board. Mrs. Krause advised that the notice had been published in the newspaper and notices had been mailed to all property owners within 500' of the property. Mrs. Krause stated that a sign was placed on the applicants' property. Mrs. Krause 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; 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. Jacobson asked Mrs. Krause to present the proposal.

820 Hoop Road – Request for Area Variance of Section 504 Accessory Building Setback

Robert Eastep, 820 Hoop Road, Xenia, Ohio stated that they are requesting a variance for setback because they are extremely limited on where they can place a shed because of flooding. He stated that the areas behind and to the right of the barn floods. He went on to say that the flooding happens during heavy rains, that they have a beautiful yard most of the year with the exceptions of when there is a lot of rain in a short amount of time. He stated that in August 2018 was the worst flooding they have had.

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

Mr. Cope asked how long they have lived on the property.

Mr. Eastep replied that they had been there 14 years.

Mr. Cope asked if the flooding has gotten worse over the years or if it has always flooded the 14 years they have been there. Mr. Cope went on to state that Greene County Engineer may need to look at the creek and runoff, that there may be a bigger problem to cause the creek to flood.

Mr. Eastep replied that it has not gotten worse, that it only floods when there are heavy rains in a short amount of time and that it recedes quickly. He also stated that August 2018 was bad and took a couple days to recede. He went on to say that the first flood happened the first or second year that they lived there, that it does not always flood as there is not flash floods every year, there have been years that there is not flooding.

Mr. Cope stated that he was concerned there was a bigger problem with water running off in the creek. He suggested that the Greene County Engineer clean the culvert, clean the creek, or enlarge the culvert to help alleviate the problem.

Mr. Eastep stated that a bigger culvert pipe had been placed under Hoop Road a few years ago.

Mr. Cope asked if that made the flooding less frequent.

Mr. Eastep replied that the culvert was placed prior to August 2018, and the flooding was bad.

Mr. Jacobson asked if there were any questions, there were none.

Mr. Jacobson asked if anyone else would like to speak, there was none.

Mr. Jacobson asked if there were any discussions needed by the Board Members, there was none.

Motion of approval for the store and lock conditional use was made by Mr. Jones and was seconded by Ms. James.

Mr. Jacobson – Aye

Mr. Cope – Aye

Ms. James – Aye

Mr. Jones – 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