



OXFORD BOARD OF ZONING APPEALS

Meeting Minutes

Tuesday, October 22, 2024

[Link for website video here](#)

Meeting procedure: The Board of Zoning Appeals is a quasi-judicial Board. Our primary function is to hear testimony and issue decisions. Unlike other City boards and commissions, we only hear relevant, sworn testimony from the Applicant, his/her duly appointed agent or attorney, and any other person with standing to testify in a particular matter. The Applicant has the right to cross-examine any testimony given. Our hearings are open to public attendance, but public comment, opinion and discussion are not considered testimony and will not be heard.

Please wait until you are recognized by the Chair, state your name and address so that your comments may be properly recorded. Applicants are to limit their testimony to fifteen (15) minutes, including any information presented by his/her duly appointed agent or attorney. This time limit may be extended if the Board requests or approves further testimony. Other persons with standing are encouraged to testify and ask questions about the nature of the appeal, but must be acknowledged by the Chair prior to speaking.

Roll Call

Philip Russo, Chair

D. Chadwick Smith, Vice Chair

Matt Wyatt

Steve Chaffin, Secretary

Baljinnyam Dashdorj

Time: 11:02

A regular meeting of the Oxford Board of Zoning Appeals was called to order by Chair Philip Russo on Tuesday, October 22, 2024 at 6:30 p.m.

Members in attendance were Philip Russo, D. Chadwick Smith, Baljinnyam Dashdorj, Steve Chaffin and Matt Wyatt

Mr. Dashdorj arrived at the meeting at 6:48 pm

Members excused: None

Staff Members in Attendance

Mr. Zachary Moore, City Planner/GIS Coordinator, Mr. Benjamin Mazer, Assistant Law Director, Ms.

Eunike Miller, Administrative Assistant

Staff Members Excused

Mr. Sam Perry, Director, Community Development

Approval of August 27, 2024 Minutes of the Regular Meeting

Time: 11:48

Mr. Chaffin made a motion to amend the minutes on page 4 to add the reason why he voted no with the following statement: "Mr. Chaffin stated that the applicant failed to provide evidence by preponderance of practical difficulties exists to grant the variance."

Mr. Smith wanted to know if adding comments after a yes or no vote was a normal procedure for this Board.

Mr. Mazer commented the minutes are not intended to be a verbatim summary of what happens as reflected in the Ohio Case Law. A general summary of actions taken is appropriate for minutes.

Motion – To amend the minutes with Mr. Chaffin’s statement

(Roll Call) 1st Mr. Chaffin

2nd Motion was not seconded

Motion – To approve the minutes as written

(Roll Call) 1st Mr. Chaffin

2nd Mr. Wyatt

AYE: Mr. Smith, Mr. Wyatt (2)

NAY: Mr. Chaffin (1)

ABS: Mr. Russo (1)

Mr. Russo abstained from voting since he was not present at the August meeting.

New Business

BZA-2024-03

Time: 15:02

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1. BZA-2024-03, 417 E Withrow Street, VARIANCE, to Section 1143.07(c) maximum lot coverage, Scott Webb, Architect, Applicant/Agent

Mr. Mazer informed the Board that the applicant voluntarily withdrew the case from the agenda tonight. The applicant intends to potentially proceed with the case at the next meeting.

BZA-2024-05

Time: 15:45

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2. BZA-2024-05, 315 University Avenue, VARIANCE to Section 1143.07(d)(5)(B) minimum roof pitch, Scott Webb, Architect, Applicant/Agent

Mr. Moore was sworn in by Mr. Mazer. Mr. Moore proceeded with presenting the staff report to the board. After the presentation, Mr. Moore answered questions from the Board.

Mr. Webb, Architect, spoke on behalf of the property owner and answered questions from the Board.

Motion – To Enter into Deliberation

(Roll Call) 1st Mr. Wyatt

2nd Mr. Smith

AYE: Mr. Smith, Mr. Chaffin, Mr. Wyatt, Mr. Russo (4)

NAY: None (0)

ABS: Mr. Dashdorj (1)

Mr. Dashdorj arrived late at the meeting. Mr. Mazer, Assistant Law Director, suggested Mr. Dashdorj abstain from voting since he missed the bigger portion of Mr. Moore's presentation.

Comments from the Public

There were no comments from the public related to this case.

Mr. Webb requested to table the case to the next meeting when a full Board is able to vote on this variance request.

Mr. Mazer, Assistant Law Director, offered a comment on the procedure. Mr. Mazer stated there are two options: (1) Mr. Dashdorj missed the large portion of the staff's presentation but heard the applicant's full presentation. Mr. Dashdorj confirmed that he read the staff report. In light of this, Mr. Dashdorj could vote

on the case, explained Mr. Mazer. (2) Table the case to the next meeting.
Mr. Mazer emphasized deferring to the applicant of which option he would choose.

Motion – To Table the Case to the Next Meeting

(Roll Call) 1st Mr. Chaffin 2nd Mr. Russo

AYE: Mr. Smith, Mr. Chaffin, Mr. Wyatt, Mr. Russo (4)

NAY: None (0)

ABS: Mr. Dashdorj (1)

Motion – To Close Deliberation

(Roll Call) 1st Mr. Chaffin 2nd Mr. Smith

AYE: Mr. Smith, Mr. Chaffin, Mr. Wyatt, Mr. Russo (4)

NAY: None (0)

ABS: Mr. Dashdorj (1)

Public Comment

Time: 1:18:19

Mr. Jeff Zeske, Oxford resident, expressed his concern about the bike path that runs next to his newly built house. Mr. Zeske stated the contractor did not do the grating and the seeding as they were supposed to. Mr. Zeske also presented the signatures of those who are affected by this issue.

Mr. Russo explained to Mr. Zeske that this Board does not handle issues like this. Mr. Russo advised Mr. Zeske to reach out to the City Manager's office with his concerns.

Motion to Adjourn Meeting at 7:48 p.m.

Time: 1:27:31

(Roll Call) 1st Mr. Chaffin 2nd Mr. Wyatt

AYE: Mr. Smith, Mr. Chaffin, Mr. Wyatt, Mr. Russo (4)

NAY: None (0)

ABS: Mr. Dashdorj (1)