



BUILDING BOARD OF APPEALS AGENDA:

September 16, 2026
Oxford Courthouse
118 W High St
5:30 PM

Call to Order

Approval of Agenda

Swearing in of Board Members

Approval of Minutes

1. Approval of Minutes from July 11, 2023

Old Business

New Business

1. Mock Appeal Hearing Cases — Walkthrough of Case Procedures

Adjournment



**MINUTES
OXFORD BOARD OF APPEALS BUILDING/HOUSING
COURTHOUSE
TUESDAY, JULY 11, 2023 AT 4:00 PM**

Approval of Agenda

The meeting was called to order by Dan Haizman, Chair at 4:03 pm.
Those members present: Paul Allen, Marilyn Heflin, Dan Haizman, Timothy Meloy, John Detherage, Alternate and Scott Otto
Those members excused: David DeWitt
Staff members present: Sam Perry, Derick Snodderly, Christopher Conard and Rebecca Kolb

Motion – To Approve the Agenda
(Voice Vote) 1st Mr. Allen 2nd Mr. Meloy
AYE # 5
NAY # 0
ABS # 0

Swearing in New Board Member

New Board member Marilyn Heflin was sworn in by Christopher Conard, Law Director.

Approval of Minutes from February 22, 2023

1. February 22, 2023 Meeting Minutes
Motion – To Adopt Approval of Minutes from Feb. 22, 2023
(Voice Vote) 1st Mr. Meloy 2nd Mr. Allen
AYE # 5
NAY # 0
ABS # 0

Revisions to Rules of Procedure

1. Rules of Procedure

Motion – To Adopt Revisions to Rules of Procedure
(Voice Vote) 1st Mr. Allen 2nd Mr. Meloy
AYE # 5
NAY # 0
ABS # 0

Motion – To Adopt Set Date and Time for Future Meetings
(Voice Vote) 1st Mr. Allen 2nd Ms. Heflin
AYE # 5
NAY # 0
ABS # 0

Mr. Perry advised the Board that the Rules of Procedure had not been updated for many years. The most significant changes being proposed are the upcoming meeting schedule and no longer requiring the Chair to sign the decision letter. Mr. Perry advised that if the proposed revisions are approved, the Board should then decide on a set date and time for upcoming meetings. If there are no cases to come before the Board for that month, staff will email the Board to cancel the meeting.

Mr. Allen made a motion to hold all future meetings of this Board on the third Wednesday of each month at 5:30 pm. The motion was seconded by Ms. Heflin. All were in favor.

Old Business

New Business

1. Appeal of Code Enforcement Officer Decision, 204 North Main, 204 North Main LLC, Jeff Savage, Owner

Motion – To Grant Appeal Waiving Required Minimum Ceiling Height
(Voice Vote) 1st Mr. Allen 2nd Ms. Heflin
AYE # 0
NAY # 5
ABS # 0

Mr. Perry indicated that the appeal being heard tonight was to waive the required minimum ceiling height in two downstairs bedrooms. The requirement being seven feet. The current heights range from 6 feet, 6 inches to 6 feet, 9 inches, with a support beam at 5 feet, 10 inches. He reviewed two floor plans included in the packet, one dated 1996 from the city rental file and another recently supplied by the appellant. The Community Development Department was alerted to conditions at the address after the Fire Department was called there by the tenants. The owner is in the process or has already remedied the other concerns raised by the Fire Department by other means. Mr. Perry reviewed the inspection process. He stated that the minimum ceiling height requirement in the Oxford Property Maintenance Code is a safety benefit to both the tenants as well as emergency personnel. He noted that the owner indicated in the appeal letter dated June 20, 2023, that he has explored the possibility of adding a fully interconnected fire alarm system as well as a fully monitored alarm system.

Mr. Allen asked for a clarification on the occupancy of the subject property. Mr. Perry indicated

the maximum permitted occupancy is four occupants for Unit A and four occupants for Unit B. Mr. Meloy asked if the maximum permitted occupancy of a unit was based on square footage of the bedrooms or the number of bedrooms. Mr. Perry responded that it is based on the square footage.

Ms. Heflin asked if the units used fossil fuel.

Derick Snodderly, Code Enforcement Officer was sworn in by Mr. Haizman. He indicated that the units do use fossil fuel. He discussed the separation of units that had previously been in place and gave an overview of his inspection of the units.

Mr. Allen inquired as to the number of kitchens currently in the unit and Mr. Snodderly that there is one.

Mr. Tooman and Mr. Savage addressed the Board in a question and answer sequence. Mr. Savage, 204 N Main LLC purchased the property in 2020. The purchase was made on the strength of the previously issued rental permits and relied on the income of the two basement bedrooms. After purchase of the property, the units were inspected and rental permits issued to the current owner. Mr. Savage indicated he would be willing to remove the carpet in the basement area with some type of vinyl laminate flooring. This would gain an inch or two, but would still be under the required minimum height. Mr. Savage advised that there are two exits from the basement, those being stairways and egress windows, and that the required smoke detectors and co detectors are in place.

Mr. Allen asked if Mr. Savage had researched the Oxford Property Maintenance Code prior to purchase of the subject property and he answered no.

Mr. Meloy asked if a title search had been completed for the purchase of the subject property. Mr. Savage responded that it had been, but that he was unaware of the housing agreement in place for this property.

Fire Chief Detherage addressed the Board and indicated that he had responded to the fire call to the subject property. He shared the concern of other fire personnel responding to the property. Personnel responding to this location and encountering smoke and darkness may well sustain serious injury from hitting ones head on the low ceilings and doorways.

Mr. Allen asked how many inches a fire helmet would add to the height of emergency personnel. He offered to retrieve his helmet from his vehicle, but estimated it would add 3 to 4 inches.

Mr. Tooman addressed the Board again, reviewing an Appellant's Hearing Brief that had been submitted to the City earlier in the day. Staff emailed Board Members the brief with hard copies available at the meeting.

Ms. Heflin asked if the Housing agreement dated March 9, 2001 was recorded with the Butler County Auditor. Mr. Perry responded, yes.

Mr. Meloy asked if a building permit had been submitted to allow sleeping in the basement. Mr. Perry responded, no. Mr. Meloy asked if a building permit would be submitted to allow sleeping in the basement, would be a solution to this problem. Mr. Perry responded, no.

Mr. Allen asked if a building permit had been submitted to change the use of the rooms. Mr. Perry responded, no.

Mr. Haizman asked for further clarification on the calculation of the maximum permitted occupancy.

Mr. Haizman made a motion to close the discussion. The motion was seconded by Mr. Allen. All were in favor.

Mr. Conard gave a review of section 111.11 of the Oxford Property Maintenance Code, which states:

"the application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not

fully apply , or the requirements of this code are adequately satisfied by other means.”

After a brief open discussion and comments from the members, Mr. Allen made a motion to grant the appeal. The motion was seconded by Ms. Heflin. Ms. Heflin, Mr. Allen, Mr Haizman, Mr Meloy and Mr. Otto all verbally voted to deny the appeal.

Adjournment

Motion – To Adjourn

(Voice Vote) 1st Mr. Allen 2nd Mr. Meloy

AYE # 5

NAY # 0

ABS # 0

There being no other business on the agenda, a motion was made by Mr. Allen to adjourn the meeting. The motion was seconded by Mr. Meloy. All were in favor of the motion. The meeting adjourned at 5:12pm.

Mock Property Maintenance Code

Purpose: Walkthrough of Hearing Case Procedures

A.) Appeal Hearing Case #1

- a. Appellant appeals Property Maintenance Code Violation
 - i. Violation description: Vegetation over ten (10) inches in height in a non-managed area.
 - ii. Appellant says the area is a natural lawn.
 - iii. **PMC 302.4 Maintenance and removal of weeds.** All premises and exterior property shall be maintained free from weeds, grass and/ or plant growth in excess of ten (10) inches. All noxious weeds shall be prohibited.
 - iv. Height exceptions: Managed natural lawns which have the perimeter maintained and do not encroach on public right of ways, drainage easements, or neighboring properties. Cultivated flowers, gardens, and yards/fields used for agricultural practices. (Ord. 3725. Passed 5-2-23.)
- b. Present for discussion are; Community Development Director, Code Enforcement Officer, and Appellant.

B.) Appeal Hearing Case #2

- a. Appellant appeals Property Maintenance Code Violation
 - i. Violation description: Owner failed to have a local property agent
 - ii. Appellant says that the tenant is the local agent.
 - iii. **PMC 310.4 Agent required.** Every owner of a dwelling not residing on the premises shall appoint and designate an agent to act on owner's behalf and shall notify the code official with the telephone number of the appointed agent and the notification shall contain an acceptable of such appointment signed by the designated agent. An individual may act as his or her own agent so long as he or she is a resident of Butler County or one of its surrounding counties.
- b. Present for discussion are; Community Development Director, Code Enforcement Officer, and Appellant.