

VILLAGE OF YELLOW SPRINGS
BOARD OF ZONING APPEALS
MEETING AGENDA

The Village of Yellow Springs Board of Zoning Appeals will convene on
Wednesday, April 15, 2026 at 5:00 PM.

You may express your views in writing by providing a copy to the Clerk of Council for inclusion in the record of the hearing. Please submit your letter by no later than **Thursday, April 9, 2026 for inclusion in the BZA packet: however, all letters received any time prior to the hearing will be provided to Board of Zoning Appeals members and the Zoning Administrator.** The application, as prepared by the petitioner, may be examined at the office of the Zoning Administrator on the 2nd floor of the Bryan Community Center, 100 Dayton Street, Yellow Springs, Ohio 45387 at any time during regular office hours or on the Village website at www.yso.com after **Friday, April 10, 2026.** Questions regarding the application, zoning code or procedures may be directed to the Zoning Department, Aaron Arellano, phone (937) 767-1702 or by email to aaron.arellano@yellowsprings.gov.

CALL TO ORDER

ROLL CALL

REVIEW OF AGENDA

COMMUNICATIONS

REVIEW OF MINUTES

Review of Minutes for September 24, 2025.

PUBLIC HEARINGS

Variance Request R-C; High Density Residential District—114 South Walnut Street. Kim Lamkau, property owner, has submitted an application for a variance seeking relief from Chapter 1248.03(b) for Sideyard Setback and Chapter 1264(a)(7) Accessory Buildings and Structures. Greene County Parcel #F19000100100007300.

Variance Request R-C; High Density Residential District—777 Xenia Avenue. Steve Pitchel, property owner, has submitted an application for a variance seeking relief from Chapter 1248.03(b) for front yard setback. Greene County Parcels #F19000100080013600, #F19000100080013700.

AGENDA PLANNING

ADJOURNMENT

**VILLAGE OF YELLOW SPRINGS
BOARD OF ZONING APPEALS
MINUTES**

In Council Chambers @ 5:30 P.M.

Wednesday, September 24, 2025

CALL TO ORDER

The meeting was called to order at 5:30 p.m. by Anthony Salmonson, Chair.

ROLL CALL

Anthony Salmonson, Chair, and members Dino Pallotta and Alternate Chad Runyon were present. Planning and Economic Development Director, Meg Leatherman, was present vial ZOOM due to illness. Matt Raska arrived at 5:32.

COMMUNICATIONS

The Clerk noted that neighboring property owner Rich Miller had phoned to express his agreement with the variance request.

REVIEW OF AGENDA

There were no changes made.

REVIEW OF MINUTES

Minutes for BZA Meeting of August 27, 2025 were reviewed. Pallotta MOVED and Raska SECONDED a MOTION TO ADOPT THE MINUTES AS WRITTEN. The MOTION PASSED 4-0 on a VOICE VOTE.

PUBLIC HEARING

Salmonson swore in all citizens and Leatherman.

Variance: Pamela Funderburg, property owner, has submitted a Variance application seeking relief from side setback at 250 Allen Street. Chapter 1248.03(b) Dimensional Requirements, Chapter 1278.04 Variances. Low Density Residential District (R-A). Greene County Parcel #F19000100160006200.

After delineating compliance with all noticing requirements, Leatherman introduced the hearing as follows:

The applicant proposes to construct a new garage for personal use, including vehicle storage and a small workshop. No electric or HVAC installation is planned. Under Village Code, a garage is considered an accessory structure and is permitted in the R-A District, subject to approval of an Accessory Structure application prior to Building Permit issuance.

A variance of eight feet is requested to allow placement of the garage within the side yard setback so that the garage would be two feet from the property line. This orientation would preserve driveway access to the rear yard, enabling the property owner to maintain backyard features, including existing trees.

Leatherman noted that there is an existing electric line located on the property that supplies service to the home and will need to be relocated. The property owner is aware of this and is coordinating with Ben Sparks, Village Electric Superintendent. The fees for relocating the electric service line will need to be paid prior to start of construction and the line will need to be fully relocated prior to approval of the final building permit.

Leatherman noted that due to the proximity of the proposed structure to another structure on the adjoining property, the Building Department may require construction of a firewall. If required, this will be identified when the Building Permit is obtained.

Pallotta inquired whether, if HVAC and electric were installed in the future, the structure could become an Accessory Dwelling Unit.

Leatherman noted that an ADU would require Conditional Use approval.

Salmonson OPENED THE PUBLIC HEARING.

There being no comment, Salmonson CLOSED THE PUBLIC HEARING.

The Clerk then read the Duncan Standards as applicable to the variance of three feet, to allow a side yard setback of two feet, calling roll on each standard:

- (1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance; Runyon: Y; Pallotta: Y; Raska: Y; Salmonson: Y
- (2) Whether the variance is substantial; Runyon: Y; Pallotta: Y; Raska: N; Salmonson: Y
- (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; Runyon: N; Pallotta: N; Raska: N; Salmonson: N
- (4) Whether the variance would adversely affect the delivery of governmental services such as water distribution, sanitary sewer collection, electric distribution, storm water collection, or refuse collection; Runyon: N; Pallotta: N; Raska: N; Salmonson: Y
- (5) Whether the property owner purchased the property with knowledge of the zoning restriction; Runyon: Y; Pallotta: N; Raska: N; Salmonson: Y
- (6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; Runyon: N; Pallotta: N; Raska: Y; Salmonson: Y
- (7) Whether the existing conditions from which a variance is being sought were self-created; Runyon: Y; Pallotta: Y; Raska: N; Salmonson: Y
- (8) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance; Runyon: Y; Pallotta: Y; Raska: Y; Salmonson: Y

Pallotta MOVED and Raska SECONDED a MOTION TO APPROVE A VARIANCE REQUEST OF EIGHT FEET, TO ALLOW A SIDE YARD SETBACK OF TWO FEET WITH THE CONDITION THAT PRIOR TO APPROVAL OF THE FINAL BUILDING PERMIT, THE EXISTING ELECTRIC SERVICE LINE IS REROUTED WITH APPROVAL OF VILLAGE PUBLIC WORKS. The MOTION PASSED 4-0, ON A ROLL CALL VOTE.

AGENDA PLANNING

Leatherman noted no requests.

The builder present for Funderburg and Funderburg had several questions related to the requirement to relocate the existing electric line. These were discussed with the Board and Leatherman.

Leatherman stressed that as long as the Electric Superintendent signs off on the relocation plan for the electric service line, the condition will be considered met.

ADJOURNMENT

There being no further business, Runyon MOVED and Pallotta SECONDED a MOTION to adjourn. The MOTION PASSED 4-0 on a voice vote. Meeting ADJOURNED at 5:48PM.

Anthony Salmonson, Chair

Attest: Judy Kintner, Clerk



The Village of **YELLOW SPRINGS**

— PLANNING & ECONOMIC DEVELOPMENT —

937-767-3402

aaron.arellano@yellowsprings.gov
100 Dayton St. Yellow Springs, OH 45387

TO: Board of Zoning Appeals
FROM: Aaron Arellano, Planning & Economic Development Coordinator
REPORT DATE: Wednesday April 8, 2026
MEETING DATE: Wednesday April 15, 2026
RE: **BZA02-2026 – Variance – 114 S Walnut St. – Kim Lemkau**

SUMMARY

Kim Lemkau, property owner, has submitted a Variance application (Exhibit A) seeking relief from the required 10-foot setback; Chapter 1248.03(b) and from the required 800 square foot maximum accessory structure size; Chapter 1260.04(a). The property is located at 114 S. Walnut St. in the High Density Residential (R-C) District.

This is two separate variance requests:

1. Variance request to reduce the required minimum total side yard setback by (5) five feet.
2. Variance request of 432 sq ft to allow the proposed ADU structure to exceed the maximum allowed size of 800 sq. ft. (1,232 sq ft proposed)

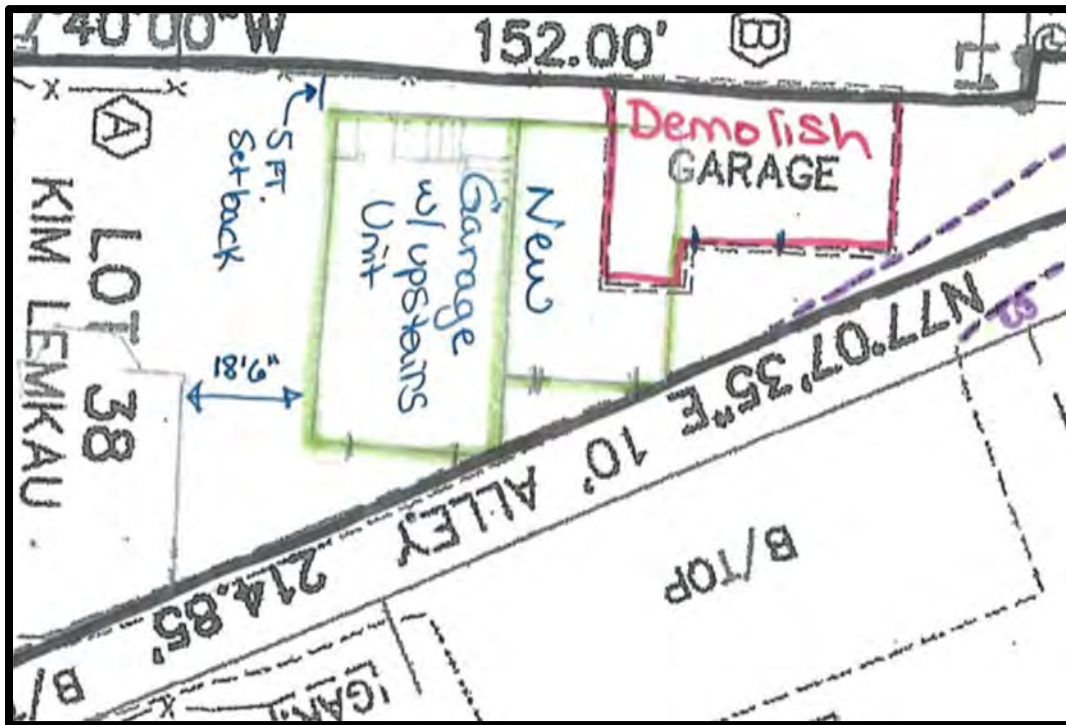
These variances are being requested due to the unusual nature of the triangular lot shape.

The owner plans to demolish the existing non-conforming barn that currently extends two inches over the south lot line. The request is being made to build a structure that will accommodate two vehicles. Due to the unusual lot configuration, the owner has proposed two single-garage bays. The owner plans to construct a living unit above the garage area that includes one bedroom, one bathroom, a kitchen, a living room, and a laundry closet.

Rear Lot Line Definition

“**Lot line, rear** – In the case of a triangular lot, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten feet long, lying furthest from the front lot line and wholly within the lot. A through lot has no rear lot line.”

The red outline in the image below shows the current garage that will be demolished. The green outline shows the proposed location for the new garage with an upstairs unit.



Should the Variance be approved by the Board, the owners would need to complete additional steps prior to starting construction. The applicant will be required to obtain Conditional Use approval from Planning Commission for construction of an ADU. In addition, a New Construction application is required to be reviewed by staff and subsequently a building permit.



Vicinity Map

PROJECT DESCRIPTION

ZONING DISTRICT: High Density Residential (R-C)

APPLICANT: Kim Lemkau

PROPERTY OWNER: Kim Lemkau

REQUESTED ACTION: Variance – Total Side Yard Setback & Maximum ADU Allowed Size

PARCEL ID: F19-0001-0010-0-0073-00

PUBLIC NOTICE: Adjoining property owners were mailed a notice on March 31, 2026 (Exhibit B), signs were posted on the property on April 3, 2026 (Exhibit C), and a notice was published in the YS News on April 3, 2026 (Exhibit D).

APPLICABLE CODE & STAFF FINDINGS

1260.04(a) Accessory Buildings and Structures.

(1) Accessory buildings or garages shall be considered to be part of the principal building and subject to all setback requirements of the principal building, if structurally and architecturally integrated into the building or if attached by an enclosed breezeway or similar enclosed structure not greater than ten feet in length. Detached accessory buildings shall be located at least ten feet from any principal building.

Finding: The proposed structure will be 18 feet and 6 inches away from the principal building.

(5) An accessory building or structure designed for and containing a vehicle entrance to be accessed from an existing publicly dedicated and commonly used alley may be located on the rear lot line, if parking space plans have been approved by the Zoning Administrator.

Finding: The newly proposed garage will contain vehicle entrances off of an alley.

1278.04 VARIANCES. The Board's power to grant variances from the dimensional provisions of the zoning code, including by way of example, lot size, width, setbacks, parking requirements and height, shall be in harmony with the intent and purposes of the code, as provided below.

(a) Variance Standards. Variances from the terms of the code shall be granted only where the applicant shows that the strict application of a zoning requirement causes practical difficulties in the use of the property. The factors to be considered and weighed by the Board in determining whether a property owner has encountered practical difficulties in the use of the property include, but are not limited to:

- (1) Whether the property in question will yield a reasonable return or whether there can be any 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 governmental services such as water distribution, sanitary sewer collection, electric distribution, storm water collection, or refuse collection;
- (5) Whether the property owner purchased the property with knowledge of the zoning restriction;
- (6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
- (7) Whether the existing conditions from which a variance is being sought were self-created; and
- (8) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

(b) The Board shall determine, after weighing the factors described above and any other factors the Board deems relevant, whether the property owner has shown practical difficulties so inequitable as to justify granting a variance to the property owner.

Finding: The proposal has practical difficulties so inequitable as to justify a variance. The irregular triangular lot shape makes constructing a new and usable conforming garage difficult.

RECOMMENDATION

The Board of Zoning Appeals shall consider the application (Exhibit A) with the requirements outlined in Section 1278.04. Staff recommends **APPROVAL** of the application with the following conditions:

CONDITIONS OF APPROVAL:

1. Obtain Conditional Use approval from Planning Commission prior to construction of ADU

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Arellano", with a stylized flourish at the end.

Aaron Arellano

Planning & Economic Development Coordinator
Village of Yellow Springs

EXHIBIT LIST:

Exhibit A – Application
Exhibit B – Neighbor Notice
Exhibit C – Yard Sign Posting
Exhibit D – YS Newspaper Notice



Board of Zoning Appeals Public Hearing Request: Variance

Planning & Zoning Department
100 Dayton St, 2nd Floor
Yellow Springs, OH 45387
(937) 767-1702

[FOR OFFICE USE ONLY]

Case #: 08A02-2026

Hearing Date: ~~March 15, 2026~~ April 15, 2026

Applicant Information

Property Address:	114 S Walnut St, Yellow Springs, OH 45387		
Property Owner:	Kim Lemkau	Phone:	714-785-5876
Mailing Address:	114 S Walnut St, Yellow Springs, OH 45387		
Applicant Name:	Kim Lemkau	Phone:	714-785-5876
Applicant Address:	114 S Walnut St, Yellow Springs, OH 45387		
		Email:	gosellemom@gmail.com
		Email:	gosellemom@gmail.com

Project Information

Description: Demolition of existing barn that is two inches over the lot line that our vehicles do not fit into and build a garage with living unit above that includes one bedroom, one bathroom, a kitchen, a living room, and a laundry closet. Requesting the variances listed below due to the unusual shaped triangular lot shape - causing the need to have two single-garage bays.

Dimensions of Project & Total measurement of Variance requested: Requesting variance to reduce the required minimum total side yard setback by (5) five feet (from 10 ft to 5 ft). Also requesting a variance to allow the ADU to exceed the maximum allowed size (1,232 sq ft proposed on main floor vs 800 sq ft allowed).

Site Plan Attached: ☒

I understand that approval of this application does not constitute approval for any administrative review, conditional use permit, variance, or exception from any other Village regulations which are not specifically the subject of this application. I understand that I remain responsible for satisfying requirements of any private restrictions of covenants appurtenant to the property.

I, the undersigned do hereby certify that I am the applicant, and the information and statements given on this application, drawings, and specifications are to the best of my/our knowledge, true and correct. I understand that the Village is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of this Zoning permit as determined by the Village. I further certify that I am the Owner, or the lessee, or agent, fully authorized by the owner to make this submission. I certify that statements made to me about the time required to process this application are general estimations and not binding. Further, I understand that it may be necessary for the Village to request additional information and clarification after I have submitted this application and accompanying documentation.

I hereby certify, under penalty of perjury, that all the information provided on this application is true and correct.

Owner Signature: _____ Date: _____

Applicant Signature: _____ Date: _____

FOR OFFICE USE ONLY

Zoning Fee: \$ <u>200</u>	Payment Type: ☒ Check ☐ Cash ☐ Card	Approved ☐ Denied ☐
Other fees: \$ _____	Zoning District: <u>R-C</u>	Permit Number: _____
Paid 3/4		
Total \$ <u>200</u> <u>AA</u>	Zoning Official Name and Title	Date

351

VACATED
ALLEY

39

JND
5.14'
R

PT. LOT 37

D.V., 500, PG. 123

BLDG. N77°40'00"W

152.00'

FENCE

35.25'

(A)

LOT 38
KIM LEMKAU
D.N. 2024011981

Existing
Main
House

86.50'

Demolish
GARAGE

New
Garage
w/ upstairs
Unit

5 FT.
Setback

18'0"

10' ALLEY

B/TOP

BLDG.

PT. LOT 41

FENCE

PT. LOT 41

PT. LOT

FENCE

SPARROWS POINT

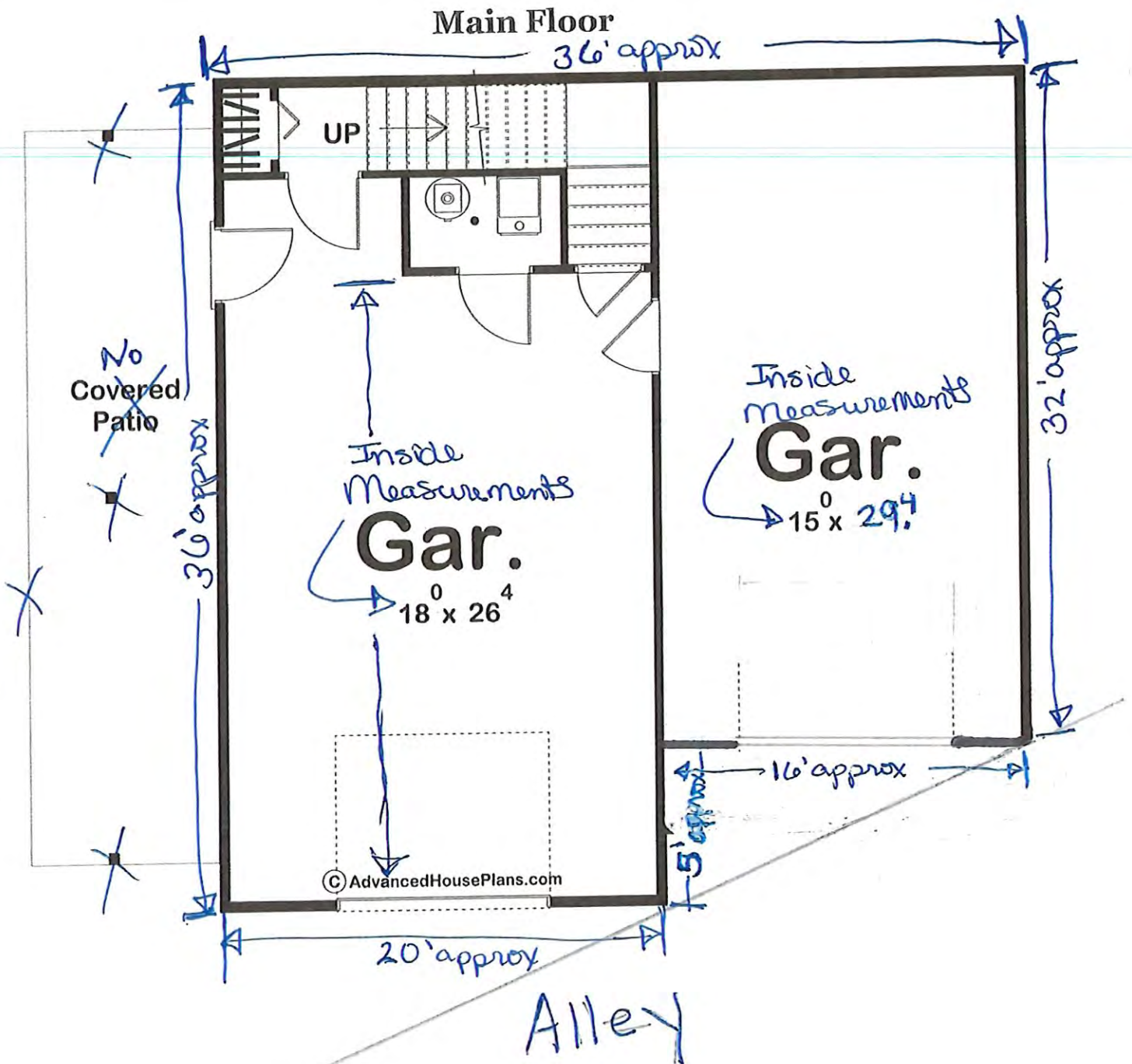
Plan #29751



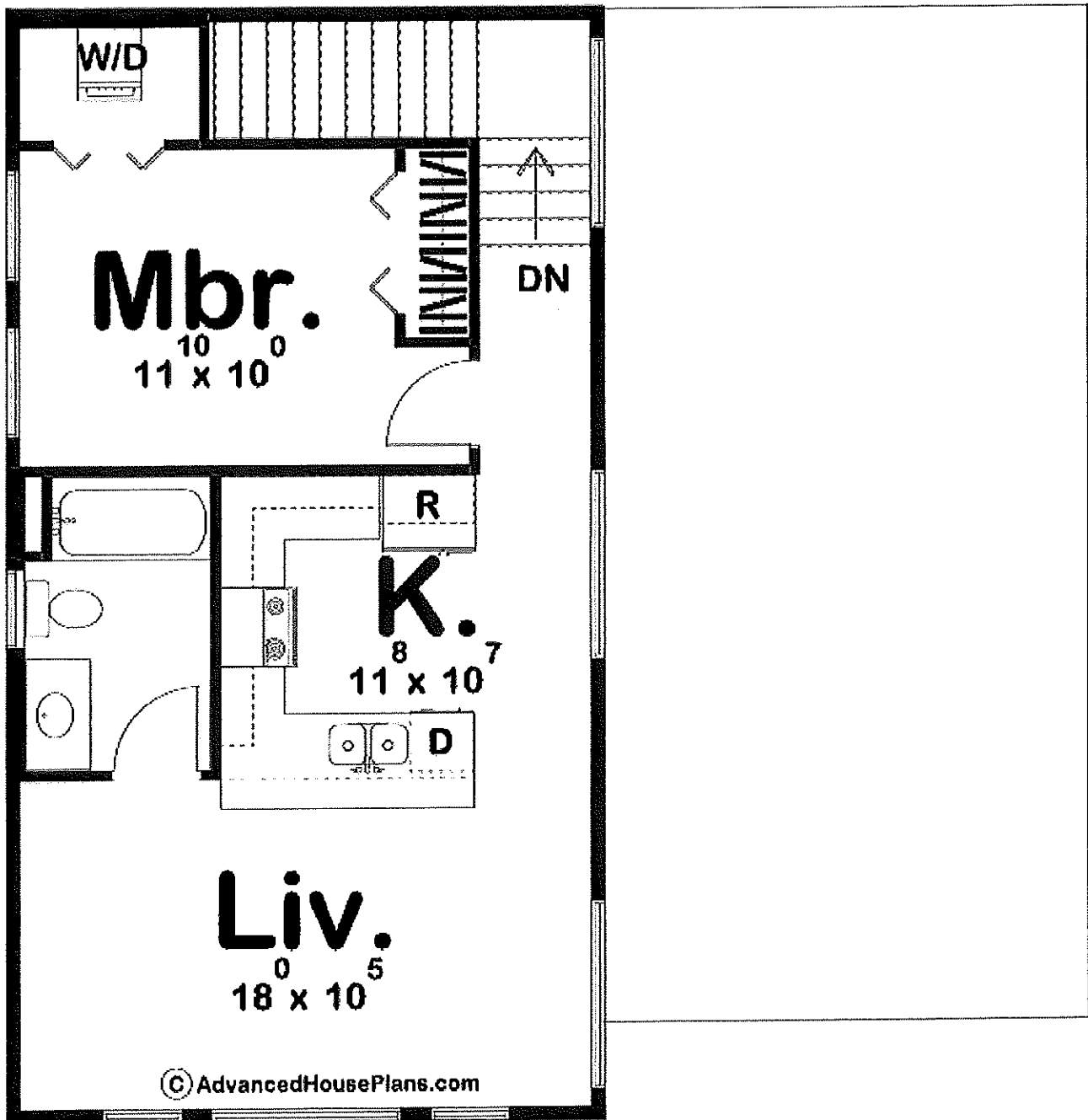
PLAN DESCRIPTION

Modern Mountain styling gives the Sparrows Point Carriage House excellent curb appeal. On the garage level, you will find 2 deep garage bays that are separated by a wall. Upstairs, there is a great efficient 1 bedroom apartment. The kitchen in the apartment has a bar-height counter. On the left side of the Sparrows Point Carriage House, there is an excellent covered patio that provides a space for outdoor entertainment.

FLOOR PLANS



Second Floor



PLAT OF SURVEY
LOT NUMBER 38 &
PART OF VACATED ALLEY
ORIGINAL PLAT OF THE
VILLAGE OF YELLOW SPRINGS
GREENE COUNTY, OHIO

BASIS OF BEARINGS:
 • WEST RIGHT-OF-WAY LINE OF WALNUT STREET -
 S12°20'00"W - SUR. 34, PAGE 222

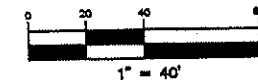
SURVEY REFERENCES:
 • ALL DEEDS, PLATS AND SURVEY RECORDS
 SHOWN ON THE FACE OF THIS SURVEY.
 • VILLAGES OF YELLOW SPRINGS ORIGINAL PLAT -
 P.C. 31, PG. 247A-B

SYMBOL LEGEND

①	FOUND 1/2" IRON PIN
②	FOUND 5/8" IRON PIN W/"HALEY-DUSA" CAP
③	FOUND 1/2" IRON PIPE
④	FOUND 3/4" IRON PIPE/ROD
⑤	FOUND 1" IRON ROD
•	SET 5/8" IRON PIN W/"HALEY-DUSA" CAP
⊗	SET MAG SPIKE

CERTIFICATION:
 I HEREBY CERTIFY THAT ALL MEASUREMENTS ARE CORRECT
 AND THAT ALL MONUMENTS WERE FOUND OR SET AS SHOWN.

Thomas E. Dusa
 Thomas E. Dusa
 Registered Surveyor
 Ohio License Number S-7143
 Field Survey Date: 11-11-2025

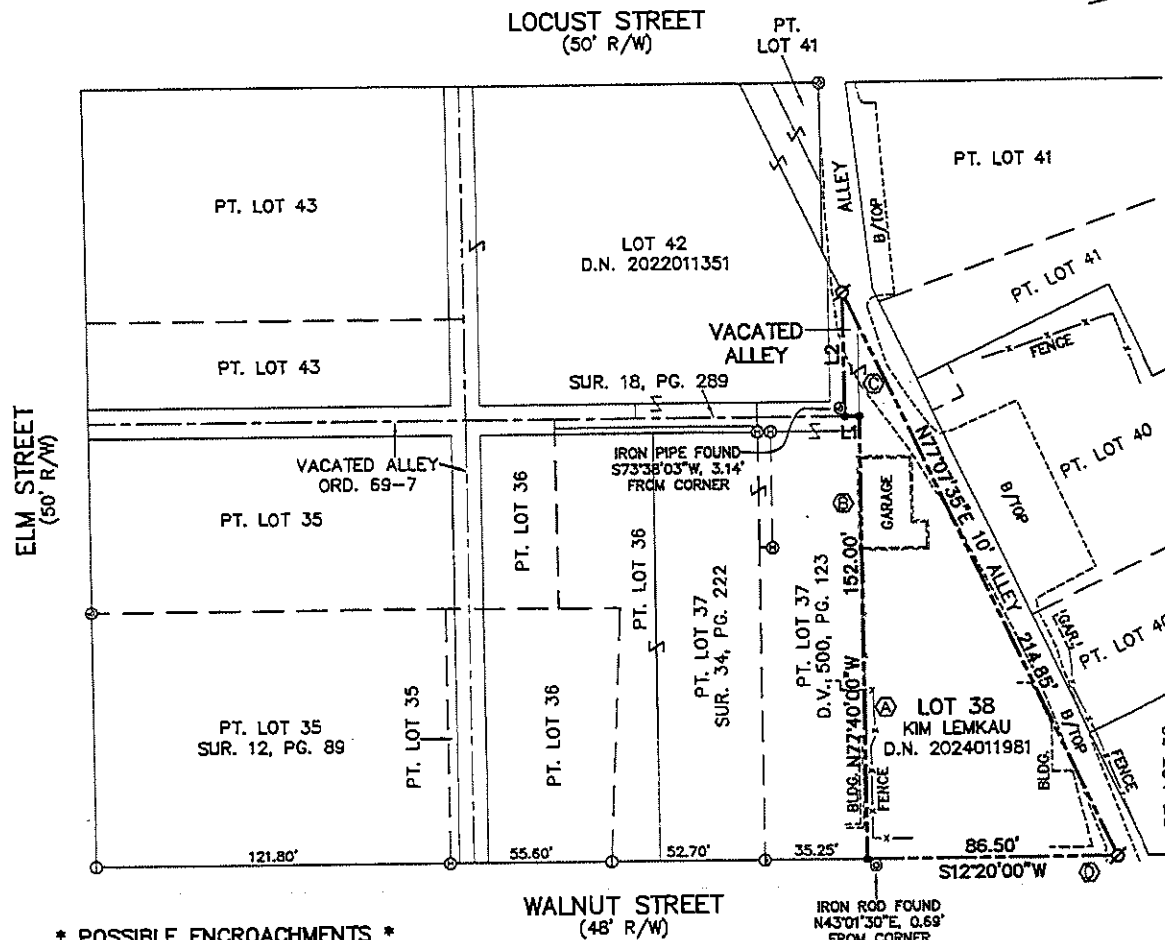


LINE TABLE

LINE	BEARING	LENGTH
L1	S12°20'00"E	5.00'
L2	N77°40'00"W	42.39'

HD Haley-Dusa
 Engineering & Surveying Group, LLC
 270 Regency Ridge Drive, Suite 203
 Dayton, Ohio 45408
 Phone: (937) 438-4300 Fax: (937) 438-2005
 Email: haley@haley-dusa.com
 Website: www.haley-dusa.com

Scale: 1"=40' Drawn: SBM Checked: TED
 Date: 12-02-2025 Job No. S5480



*** POSSIBLE ENCROACHMENTS ***

- Ⓐ ADJOINING BUILDING IS 0.5'± ONTO SUBJECT PROPERTY.
- Ⓑ BUILDING IS 0.3'± ONTO ADJOINING PROPERTY.
BUILDING EAVE IS OVER AN ADDITIONAL 0.7'±
- Ⓒ PAVEMENT IS 8.7'± ONTO SUBJECT PROPERTY.
- Ⓓ PAVEMENT IS 3.6'± ONTO SUBJECT PROPERTY.



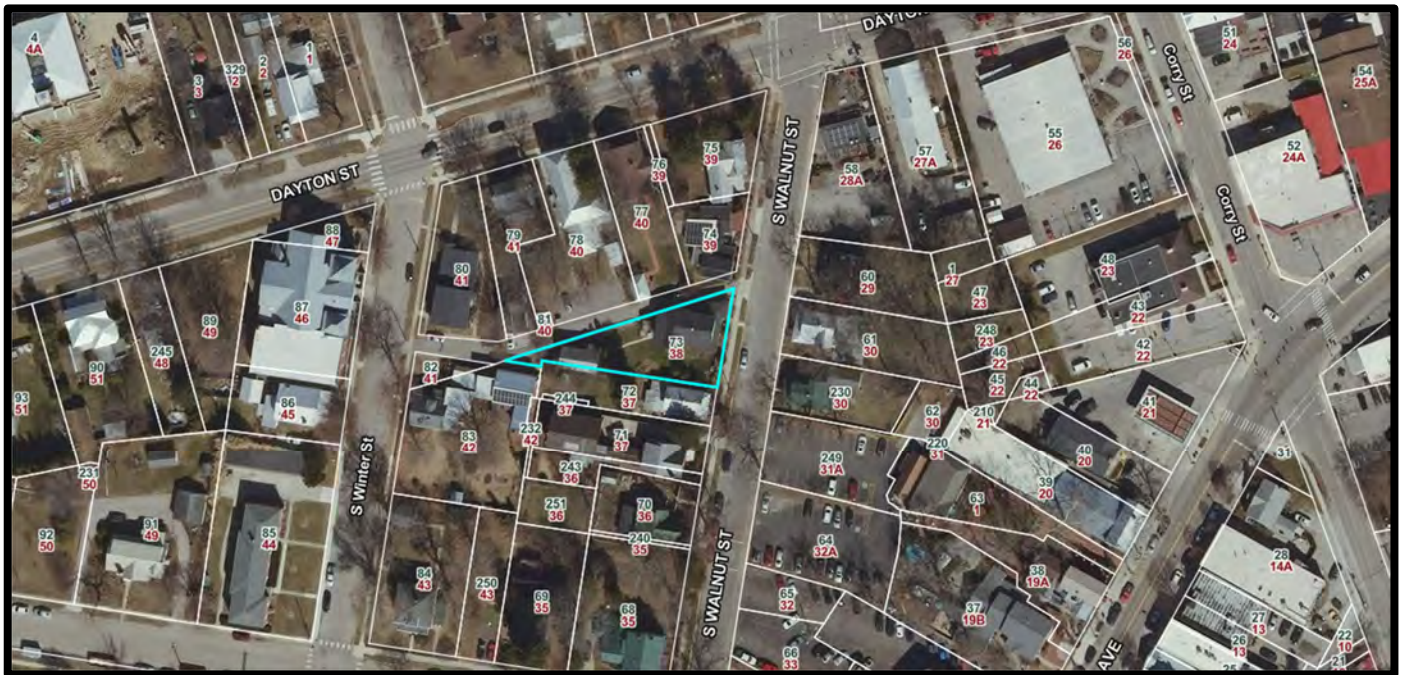
-Public Notice-

PUBLIC HEARING

VILLAGE OF YELLOW SPRINGS BOARD OF ZONING APPEALS

Notice is hereby given that:

Variance Request – R-C; High Density Residential District—114 South Walnut St. Kim Lamkau, property owner, has submitted an application for a variance seeking relief from Chapter 1248.03(b) for side yard setback and Chapter 1264(a)(7) Accessory Buildings and Structures. Greene County Parcel #F19000100100007300



**A PUBLIC HEARING WILL BE HELD ON THIS PETITION BY
THE VILLAGE OF YELLOW SPRINGS BOARD OF ZONING
APPEALS ON:**

DATE: Wednesday, April 15, 2026

TIME: 5:00 p.m.

**LOCATION: John Bryan Center, Second Floor – Council Chambers
100 Dayton St.**

This notice provides you and every other interested party the opportunity to have input at the hearing. You may express your views in writing for inclusion in the record of the hearing by providing a copy to the Clerk of Council at clerk@yellowsprings.gov, or by calling 937-767-9126. Please submit your letter by no later than **Thursday, April 9, 2026 for inclusion in the Board packet: however, all letters received any time prior to the hearing will be provided to the Board members and the Zoning Administrator.** The applications, as prepared by the petitioners, may be examined at the office of the Zoning Administrator on the 2nd floor of the Bryan Community Center, 100 Dayton Street, Yellow Springs, Ohio 45387 or on the Village website at www.yellowsprings.gov after Friday, April 10th, 2026. Questions regarding the applications, zoning code or procedures may be directed to the Planning & Economic Development Coordinator Aaron Arellano, phone (937) 767-3401 or by email to aaron.arellano@yellowsprings.gov .

**VARIANCE
REQUEST INVOLVING
THIS PROPERTY
WILL BE HEARD**

APRIL 15 5:00 PM
LIVE on CHANNEL 5 & WWW.YSO.COM
CALL (937) 767-9126

— *Public Notice* —

PUBLIC HEARING BOARD OF ZONING APPEALS

VILLAGE OF YELLOW SPRINGS, OHIO

Notice is hereby given that:

Variance Request – R-C; High Density Residential District—114 South Walnut St. Kim Lamkau, property owner, has submitted an application for a variance seeking relief from Chapter 1248.03(b) for Sideyard Setback and Chapter 1264(a)(7) Accessory Buildings and Structures. **Greene County Parcel #F19000100100007300**

**A PUBLIC HEARING WILL BE HELD ON THIS PETITION
BY THE VILLAGE OF YELLOW SPRINGS
BOARD OF ZONING APPEALS ON:**

DATE: Wednesday, April 15, 2026 • TIME: 5 p.m.

**LOCATION: John Bryan Center, Second Floor,
Council Chambers, 100 Dayton St.**

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Please submit your letter by no later than **Thursday, April 9, 2026** for inclusion in the Board packet. However, all letters received any time prior to the hearing will be provided to the board members and the Planning and Economic Development Director. The applications, as prepared by the petitioners, may be examined at the office of the Planning and Economic Development Director on the 2nd floor of the Bryan Community Center, 100 Dayton Street, Yellow Springs, Ohio 45387 or on the Village website at yellowsprings.gov after **Friday, April 10, 2026**.

Questions regarding the applications, zoning code or procedures may be directed to the Planning and Economic Development Coordinator Aaron Arellano, phone 937-767-1702 or by email to aaron.arellano@yellowsprings.gov.

—Aaron Arellano, *Planning and Economic Development Coordinator*



The Village of **YELLOW SPRINGS**

— PLANNING & ECONOMIC DEVELOPMENT —

937-767-3402

aaron.arellano@yellowsprings.gov
100 Dayton St. Yellow Springs, OH 45387

TO: Board of Zoning Appeals
FROM: Aaron Arellano, Planning & Economic Development Coordinator
REPORT DATE: Wednesday April 8, 2026
MEETING DATE: Wednesday April 15, 2026
RE: **BZA03-2026 – Variance – 777 Xenia Ave. – Steven Pitchel**

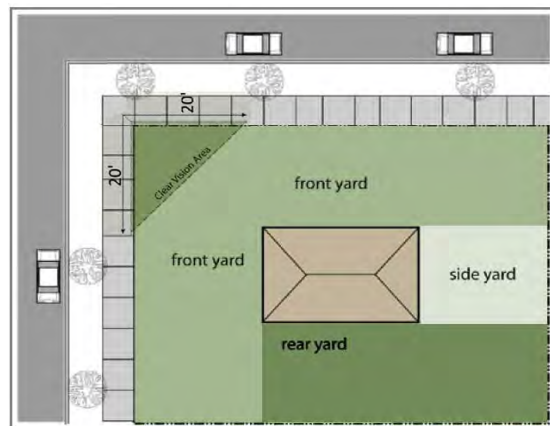
SUMMARY

Steven Pitchel, applicant, submitted a Variance application (Exhibit A) seeking relief from the front yard setback, from Chapter 1248.03(b). The property is located at 777 Xenia Ave. in the High Density Residential (R-C) District.

This variance request has one component:

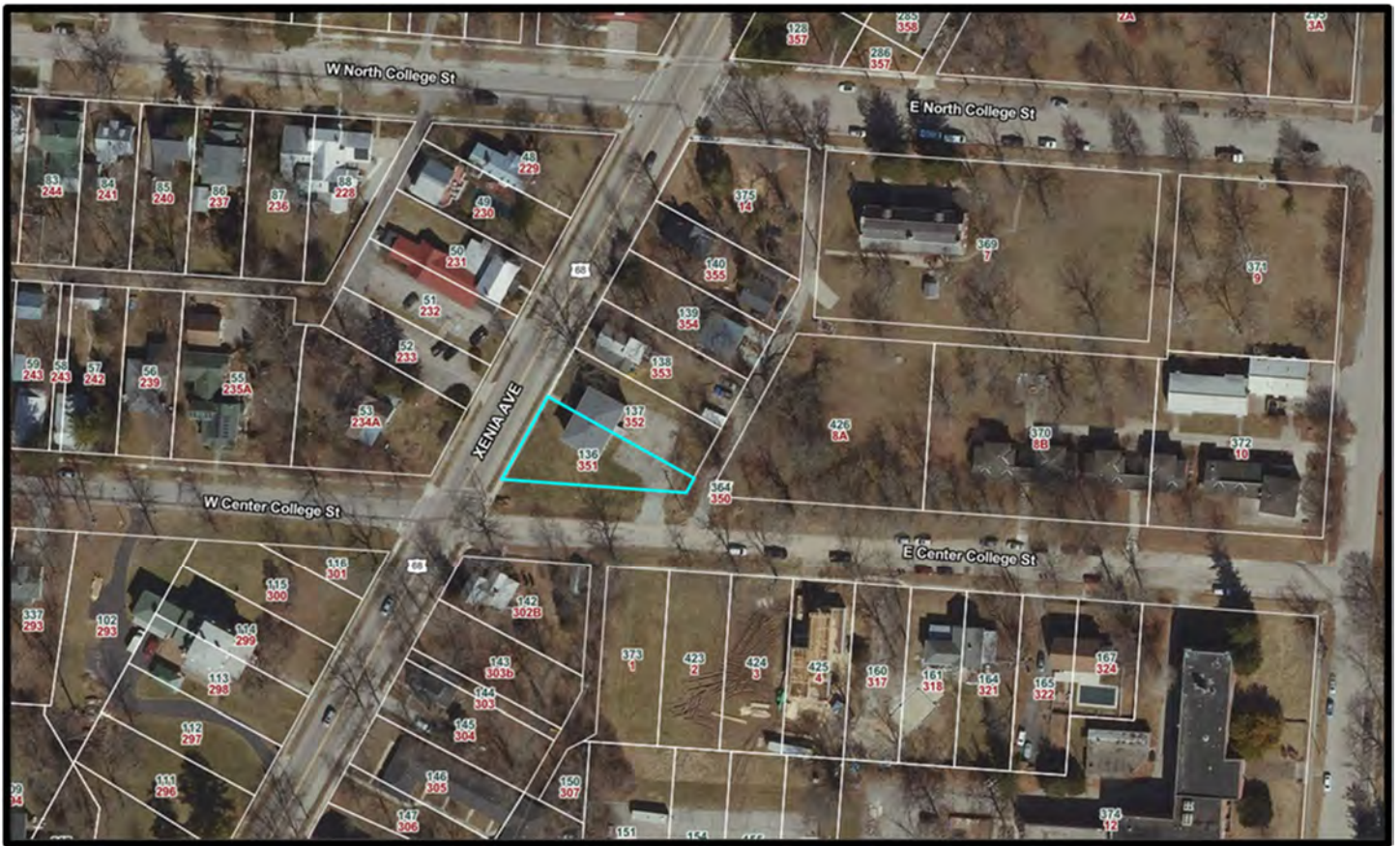
1. Variance request of (15) fifteen feet in the front yard

The property is a “corner lot” and VC section 1260.01(a) requires that corner lots have two front yards. Because of this, the property has two front yards, one frontage along Xenia Avenue and another frontage along East Center College. The setback requirement is a minimum of 20’ in any front yard in the R-C High Density Residential Zone. The applicant is seeking this variance to be able to construct a new greenhouse structure on the property.



If granted, the proposed structure would be 5 ft from the front property line along East Center College Street. The proposed greenhouse would be 18’x24’. As proposed, the required front yard setback along Xenia Avenue will be met.

Should the Variance be approved by the Board, the owners would need to complete additional steps prior to starting construction. First, a New Construction application is required to be reviewed by staff and subsequently a building permit.



Vicinity Map

PROJECT DESCRIPTION

ZONING DISTRICT: High Density Residential (R-C)

APPLICANT: Steven Pitchell

PROPERTY OWNER: 777 Xenia, LLC

REQUESTED ACTION: Variance – Front Yard Setback

PARCEL ID(s): F19-0001-0008-0-0136-00, F19-0001-0008-0-0137-00

PUBLIC NOTICE: Adjoining property owners were mailed a notice on March 31, 2026 (Exhibit B), signs were posted on the property on April 3, 2026 (Exhibit C), and a notice was published in the YS News on April 3, 2026 (Exhibit D).

APPLICABLE CODE & STAFF FINDINGS

1278.04 VARIANCES. The Board's power to grant variances from the dimensional provisions of the zoning code, including by way of example, lot size, width, setbacks, parking requirements and height, shall be in harmony with the intent and purposes of the code, as provided below.

(a) Variance Standards. Variances from the terms of the code shall be granted only where the applicant shows that the strict application of a zoning requirement causes practical difficulties in the use of the property. The factors to be considered and weighed by the Board in determining whether a property owner has encountered practical difficulties in the use of the property include, but are not limited to:

- (1) Whether the property in question will yield a reasonable return or whether there can be any 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 governmental services such as water distribution, sanitary sewer collection, electric distribution, storm water collection, or refuse collection;
- (5) Whether the property owner purchased the property with knowledge of the zoning restriction;
- (6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
- (7) Whether the existing conditions from which a variance is being sought were self-created; and
- (8) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

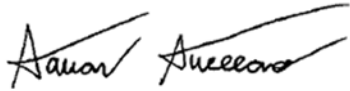
(b) The Board shall determine, after weighing the factors described above and any other factors the Board deems relevant, whether the property owner has shown practical difficulties so inequitable as to justify granting a variance to the property owner.

Finding: The proposal has practical difficulties so inequitable as to justify a variance for several reasons. Given the lot lines of the property, the setback from the road off East Center College will be larger than 5 feet. In addition, the setbacks along the main Front Yard of Xenia Avenue will be met. This variance will not affect sightlines for vehicles traveling North on Xenia Ave turning on E South College St or vehicles on E South College turning South onto Xenia Avenue.

RECOMMENDATION

The Board of Zoning Appeals shall consider the application (Exhibit A) with the requirements outlined in Section 1278.04. Staff recommends **APPROVAL** of the application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aaron Arellano', with a stylized, sweeping flourish at the end.

Aaron Arellano

Planning & Economic Development Coordinator
Village of Yellow Springs

EXHIBIT LIST:

Exhibit A – Application

Exhibit B – Neighbor Notice

Exhibit C – Yard Sign Posting

Exhibit D – YS Newspaper Notice



Village of Yellow Springs

Board of Zoning Appeals Public Hearing Request: Variance

Planning & Zoning Department
100 Dayton St, 2nd Floor
Yellow Springs, OH 45387
Office: (937) 767-1702
Fax: (937) 767-3720

[FOR OFFICE USE ONLY]

Case #: BZA03-2026

Hearing Date: April 15, 2026

Applicant Information

Property Address:	777 Xenia Avenue		
Property Owner:	777 Xenia, LLC	Phone:	443-275-2108 Email: ivy@idavylc.com
Mailing Address:	P.O. Box 739, Yellow Springs, OH 45387		
Applicant Name:	Steven Pitchel	Phone:	(937) 231-6819 Email: steve@cromeYS.com
Applicant Address:	604 Xenia Avenue, Yellow Springs, OH 45387		

Project Information

I am requesting a variance on the ~~dimensional~~ requirement as outlined in (cite Zoning code section): 1248.03 (b)

Description: We would like to ask that a variance be granted at the required front yard setback along East Center College Avenue. The request is to allow for a new greenhouse structure within the required front yard setback, which still complies with the required side yard setback. Note that the main frontage of the property is along Xenia Avenue and the required front yard setback will be maintained.

Dimensions of Project & Total measurement of Variance requested: The proposed greenhouse is 18' x 24' and the variance request is to encroach 15' into the front yard setback at East Center College Street, see A0.

Site Plan Attached: ☐ Stormwater Mitigation Plan Attached: ☐

I understand that approval of this application does not imply approval for any administrative review, conditional use permit, variance, or exception from any other Village regulations which are not specifically the subject of this application. I understand that I remain responsible for satisfying requirements of any easements or private restrictions or covenants affecting the property.

I understand that the Village is not responsible for inaccuracies in information I have presented, and that inaccuracies may result in the revocation of any Zoning permit as determined by the Village. I further certify that I am an owner, or lessee, or agent fully authorized by the owner to make this application. I understand any statements made to me about the time required to process this application are general estimates and not binding. Further, I understand that it may be necessary for the Village to request additional information and clarification after I have submitted this application and accompanying documentation.

I understand this application is a public record and the property will be posted with signage by Village staff prior to any public hearings and that I am responsible for the cost of repair or replacement if such signage is damaged or removed by non-Village personnel.

I hereby certify under penalty of perjury that I am the applicant and the information and statements I have given on this application, drawings, and specifications are, to the best of my knowledge, true and correct.

Applicant Signature: [Signature] Date: 3/20/26

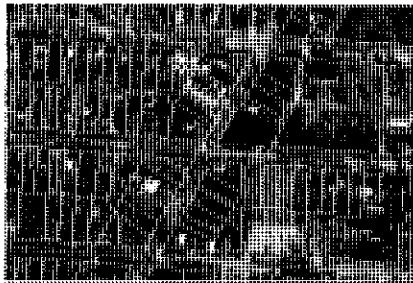
FOR OFFICE USE ONLY

Zoning Fee: \$ <u>200</u>	Payment Type: ☐ Check ☐ Cash ☒ Card	Approved ☐ } Denied ☐
Other fees: \$ _____	Zoning District: <u>R-C</u>	Permit Number: _____
<u>Paid 3/23</u>		
Total \$ <u>200</u> <u>AA</u>	Zoning Official Name and Title	Date

Symbols Legend

	NORTH ARROW		BOOK TAG
	DRAWING TITLE PLATE		WINDOW TAG
	ALUMINUM NUMBER		WALL TAG
	STEEL NUMBER		FURNISH TAG
	ALUMINUM NUMBER		SHEET SET NOTE
	STEEL NUMBER		STRUCTURAL GRID
	TITLE NUMBER		FIRE EXTINGUISHER
	STEEL NUMBER		FLOOR DRAIN
	DETAIL REFERENCE		J BOX
	PROPERTY LINE		WALL RECEPTACLE
	CEILING TAG		CENTERLINE
	CEILING TAG		
	DATUM		
	ELEVATION TAG		

Vicinity Map



604
45387

Cr

CROME
YELLOW SPRINGS

604 XENIA AVENUE
 YELLOW SPRINGS, OH

777 XENIA AVE

YELLOW SPRINGS, OH 45387

APN: F19000100080013600/7700



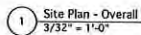
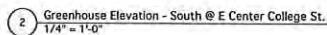
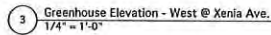
STEVEN FICHEL
LICENSE NO. 7728
EXP. 10/31/2014

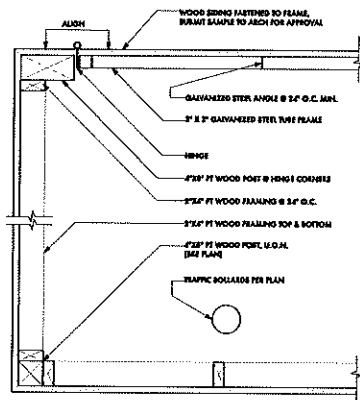
REVISIONS	
0	FOR PERMIT 11/15/24
1	REVISION 2 01/21/25
2	REVISION 3 02/19/24

COVER SHEET

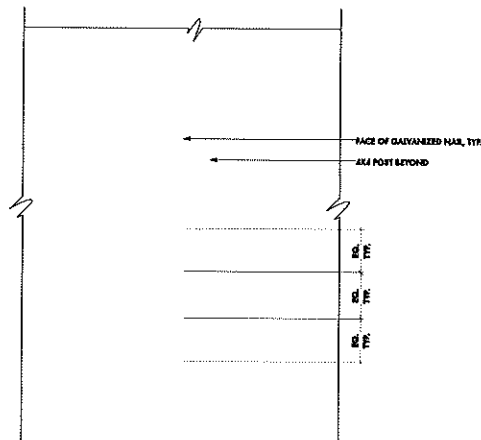
SHEET NUMBER

A0.0

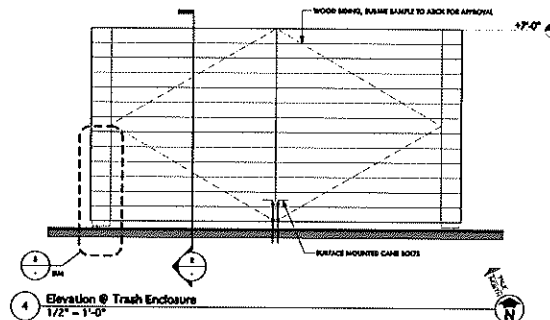




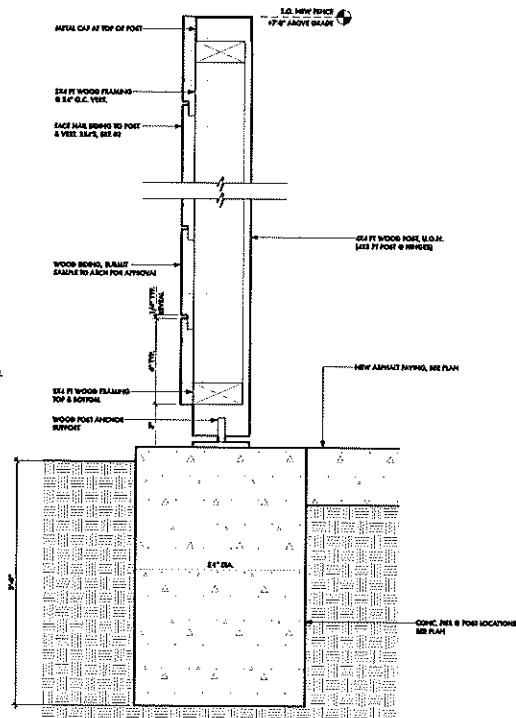
5 Plan Detail @ Trash Enclosure
1 1/2\"/>



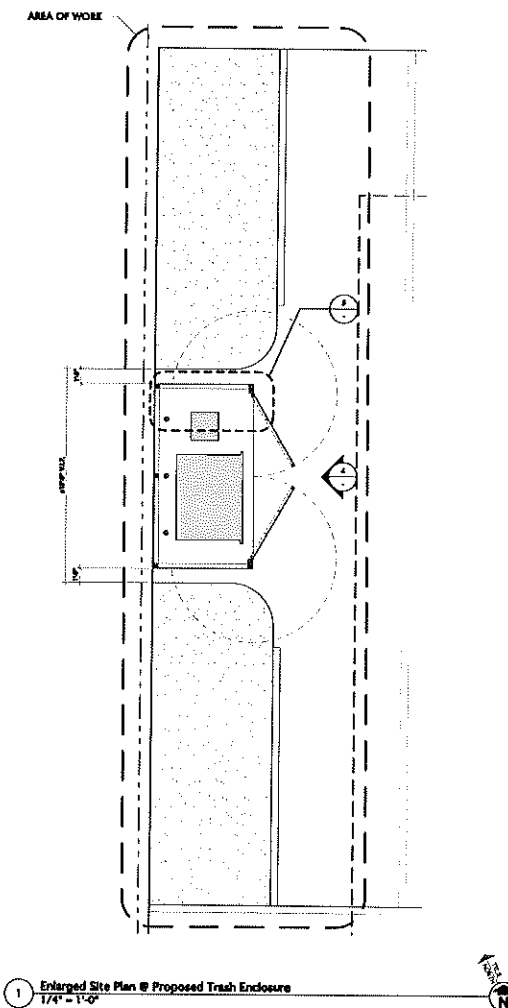
3 Elevation Detail @ Trash Enclosure
3\"/>



2 Section @ Trash Enclosure
3\"/>



Trash Enclosure Specifications	
1.	ALL MATERIALS & FINISHES ARE TO BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.
2.	BURST ALL MATERIALS & FINISH SAMPLES TO ARCHITECT FOR APPROVAL.
3.	DIMENSIONS ARE APPROXIMATE, ADJUST AS REQUIRED TO ACCOMMODATE ALL WORK PLANS ONLY.
TRASH ENCLOSURE MATERIAL SPECIFICATIONS:	
— MANUFACTURER:	WOODWORK, LLC
— PRODUCT:	COMPOSITE FENCE BOARD (2\"/>



1 Enlarged Site Plan @ Proposed Trash Enclosure
1/4\"/>

Receipt

Payment processed successfully! Thank You for your Payment. Please print this receipt for your records. An email receipt will be sent if you have provided your email.



Your payment receipt.

Dear Steven Pitchel ,

Thank You for your payment. Please click the close button to clear your cart and return to the main screen.

Payment Details

Account # :	00000000
Amount :	200.00
Transaction Amount :	\$200.00
Processing Fee:	\$5.00
Total Amount:	\$205.00
Authorization Code:	7808002
Transaction Date:	3/23/2026 2:13:38 PM
Card Holder :	Steven Pitchel
Card :	VISA ending with 4130

Please allow 2 - 3 business days for card payments to post to your account. Please contact Village of Yellow Springs at (937) 767-7202 or if you need assistance or have any questions.



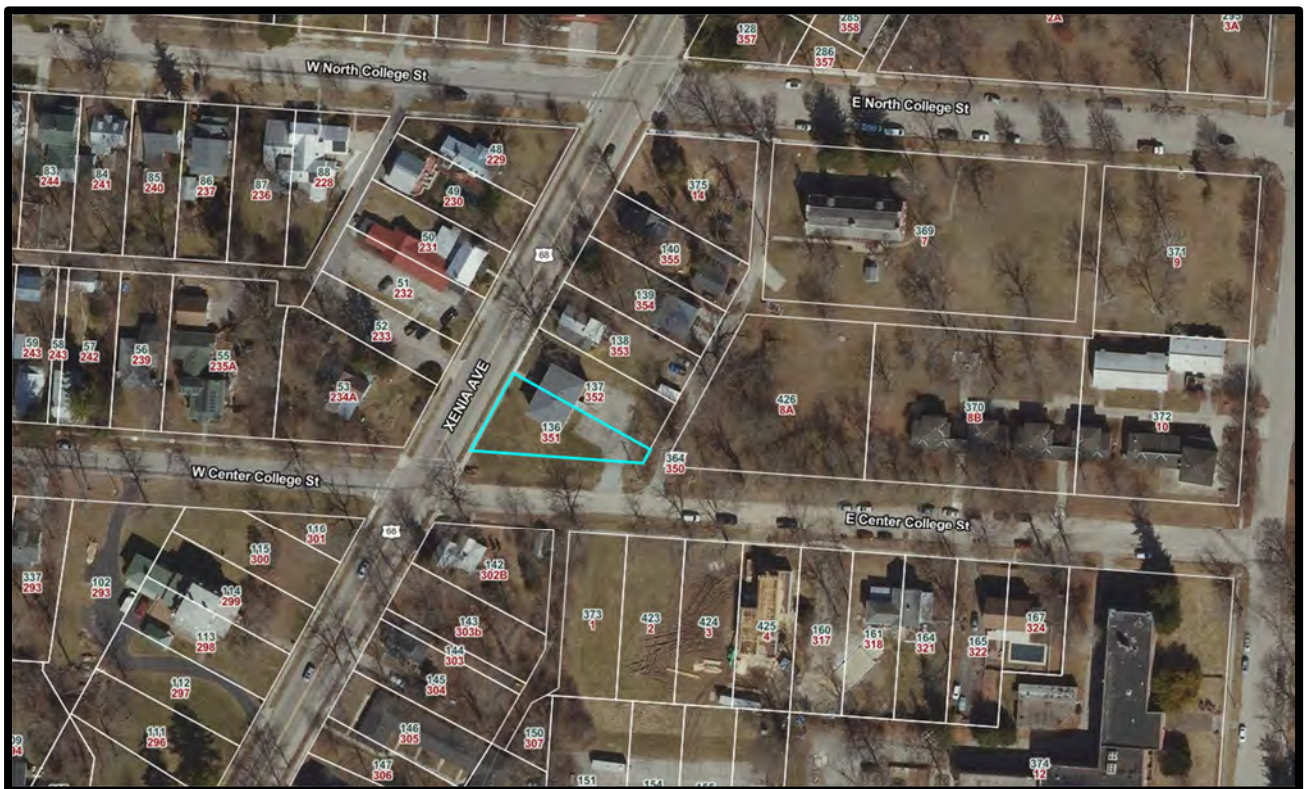
-Public Notice-

PUBLIC HEARING

VILLAGE OF YELLOW SPRINGS BOARD OF ZONING APPEALS

Notice is hereby given that:

Variance Request – R-C; High Density Residential District—777 Xenia Ave. Steve Pitchel, property owner, has submitted an application for a variance seeking relief from Chapter 1248.03(b) for front yard setback. Greene County Parcels #F19000100080013600, #F19000100080013700



**A PUBLIC HEARING WILL BE HELD ON THIS PETITION BY
THE VILLAGE OF YELLOW SPRINGS BOARD OF ZONING
APPEALS ON:**

DATE: Wednesday, April 15, 2026

TIME: 5:00 p.m.

**LOCATION: John Bryan Center, Second Floor – Council Chambers
100 Dayton St.**

This notice provides you and every other interested party the opportunity to have input at the hearing. You may express your views in writing for inclusion in the record of the hearing by providing a copy to the Clerk of Council at clerk@yellowsprings.gov, or by calling 937-767-9126. Please submit your letter by no later than **Thursday, April 9, 2026 for inclusion in the Board packet: however, all letters received any time prior to the hearing will be provided to the Board members and the Zoning Administrator.** The applications, as prepared by the petitioners, may be examined at the office of the Zoning Administrator on the 2nd floor of the Bryan Community Center, 100 Dayton Street, Yellow Springs, Ohio 45387 or on the Village website at www.yellowsprings.gov after Friday, April 10th, 2026. Questions regarding the applications, zoning code or procedures may be directed to the Planning & Economic Development Coordinator Aaron Arellano, phone (937) 767-3401 or by email to aaron.arellano@yellowsprings.gov .

**VARIANCE
REQUEST INVOLVING
THIS PROPERTY
WILL BE HEARD**
APRIL 15 5:00 PM
LIVE on CHANNEL 5 & WWW.YSO.COM
CALL (937) 767-9126



— *Public Notice* —

PUBLIC HEARING BOARD OF ZONING APPEALS

VILLAGE OF YELLOW SPRINGS, OHIO

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—Aaron Arellano, *Planning and Economic Development Coordinator*