VILLAGE OF YELLOW SPRINGS BOARD OF ZONING APPEALS MEETING AGENDA

The Village of Yellow Springs Board of Zoning Appeals will convene on Wednesday, June 4, 2025 at 5:30 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, May 29, 2025 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, May 29, 2025.** Questions regarding the application, zoning code or procedures may be directed to the Zoning Administrator Meg Leatherman, phone (937) 767-1702 or by email to meg.leatherman@yellowsprings.gov.

5:30 CALL TO ORDER

ROLL CALL

REVIEW OF AGENDA

COMMUNICATIONS

REVIEW OF MINUTES Review of Minutes for May 7, 2025.

PUBLIC HEARINGS

1. Variance – Tammy Fox has submitted a Variance application seeking relief from fence height at 145 Kenneth Hamilton Way – Chapter 1260.01(a)(1) Fence Height of corner lots, Chapter 1278.04 Variances – Moderate Density Residential District (R-B) - Greene County Parcel #F19000100020019700

2. Variance – Jennifer Berman has submitted a Variance application seeking relief from number of Transient Guest Lodging Units within 500 ft at 309 W. Whiteman St. – Chapter 1262.08(e)(7)(B) TGL Location, Chapter 1278.04 Variances – Moderate Density Residential District (R-B) - Greene County Parcel #F19000100040007500

3. Variance – Suzanne Ordonez has submitted a Variance application seeking relief from rear yard fence height at 1436 Glen View Rd. – Chapter 1260.01(a)(4) Fence Height, Chapter 1278.04 Variances – Low Density Residential District (R-A) - Greene County Parcel #F19000100170003100

AGENDA PLANNING

ADJOURNMENT

-VILLAGE OF YELLOW SPRINGS BOARD OF ZONING APPEALS MINUTES

In Council Chambers @ 5:30 P.M.

Wednesday, May 7, 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 Scott Osterholm, Matt Raska and Dino Pallotta were present. Zoning Administrator for the Village, Meg Leatherman was also present.

COMMUNICATIONS

Katharina Seidl/Robert Brecha re: Support for Variance Kitty Jensen re: Support for Variance

REVIEW OF AGENDA

There were no changes made.

REVIEW OF MINUTES

Minutes for BZA Meeting of April 2, 2025 were reviewed. Pallotta MOVED and Raska SECONDED a MOTION TO APPROVE THE MINUTES AS WRITTEN. The MOTION PASSED 4-0 on a VOICE VOTE.

PUBLIC HEARINGS

The Chair swore in those present intending to speak.

Variance – Andrew Holyoke, on behalf of Camp Fish Swim LLC, has submitted a Variance application seeking relief from rear yard setback at 312 W. Whiteman Street. Chapter 1248.03(b) Dimensional Requirements, Chapter 1278.04 Variances. Moderate Density Residential District (R-B). Greene County Parcel #F19000100040009200.

Leatherman reviewed the variance request, first noting compliance with all notification requirements.

Leatherman noted that owners Andy and Beth Holyoke would like to renovate an existing barn into a dwelling unit and add a two-story screened in porch to the west side. The existing barn is 32'x24' (total of 768 sq ft footprint) and is presently located within the rear yard setback. The proposed porch would be 12'x15' (total of 180 sq ft footprint). The rear yard setback requirement for the R-B zone is 20ft and the owner would like to encroach 14.5 ft for a 5.5 ft rear yard setback.

Raska inquired as to any effect upon existing utilities or governmental services.

Leatherman stated that the only effect would be that the renovated structure will need to connect to utilities.

Andrew Holyoke presented a drawing of the proposed addition to the existing structure.

Pallotta received confirmation that the porch will be a tow-story structure.

Salmonson received confirmation that the property is currently held by an LLC consisting of himself and his two sisters, but that he will be the eventual property owner.

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 one foot, to allow a fence height of five feet in the front yards, calling roll on each standard:

- Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance; Salmonson: Y ; Osterholm: Y; Pallotta: Y; Raska: Y
- (2) Whether the variance is substantial; Salmonson: Salmonson: N; Osterholm: N; Pallotta N; Raska: N

- (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; Salmonson: N; Osterholm: N; Pallotta N; Raska: 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; Salmonson: N; Osterholm: N; Pallotta N; Raska: N
- (5) Whether the property owner purchased the property with knowledge of the zoning restriction; Salmonson: Y; Osterholm: Y; Pallotta Y; Raska: Y
- (6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; Salmonson: Y; Osterholm: Y; Pallotta Y; Raska: Y
- (7) Whether the existing conditions from which a variance is being sought were self-created; Salmonson: Y; Osterholm: Y; Pallotta Y; Raska: Y
- (8) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. Salmonson: Y; Osterholm: Y; Pallotta Y; Raska: Y

Raska MOVED and Osterholm SECONDED a MOTION TO APPROVE A 14.5 FOOT VARIANCE TO REAR YARD SETBACK, FOR A 5.5 FOOT SETBACK AS REQUESTED. The MOTION PASSED 4-0, ON A ROLL CALL VOTE.

AGENDA PLANNING

There is an application pending, and a BZA meeting is scheduled for June 4th.

ADJOURNMENT

There being no further business, Osterholm MOVED and Pallotta SECONDED a MOTION to adjourn. The MOTION PASSED 4-0 on a voice vote. Meeting ADJOURNED at 5:47PM.

Anthony Salmonson: Chair

Attest: Judy Kintner, Clerk



937-767-1702 YELLOW SPRINGS meg.leatherman@yellowsprings.gov 100 Dayton St. Yellow Springs, OH 45387 meg.leatherman@yellowsprings.gov

- PLANNING & ECONOMIC DEVELOPMENT.

TO:	Board of Zoning Appeals
FROM:	Meg Leatherman, Planning & Economic Development Director
REPORT DATE:	May 29, 2025
MEETING DATE:	Wednesday, June 4, 2025
RE:	BZA04-2025 – Variance – 145 Kenneth Hamilton Way – Tammy Fox

SUMMARY

Tammy Fox, property owner, submitted a Variance application (Exhibit A) seeking relief from Chapter 1260.01(a)(1), for allowance of fence height of six (6) 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 and fences are only allowed to be a height of four (4) feet in a front yard. The property is located in the Spring Meadows subdivision at 145 Kenneth Hamilton Way in the Medium Density Residential (R-B) District.

This variance request has one component:

The Village of

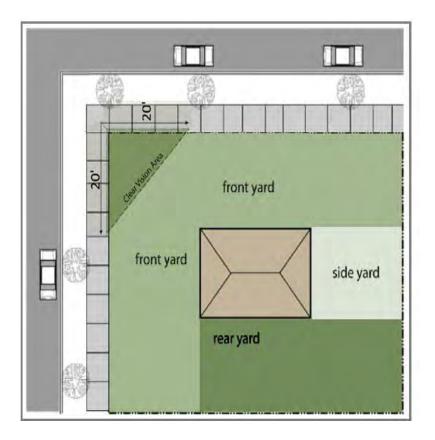
1) Variance request of two (2) feet, to allow a six (6) foot fence in the front yard.

The red dashed line in the image below shows the proposed location of the fence segment that requires a variance.





Fences in front yards must not exceed four (4) feet (VC 1260.01(a)(1)). The property is a "corner lot" and VC section 1260.01(a) requires that corner lots have two front yards. The front entrance of the home faces Kenneth Hamilton Way or west, while the side yard facing north has frontage along Snowdrop Dr. The applicant requests a six (6) foot fence in the front yard that has frontage on Snowdrop Dr.



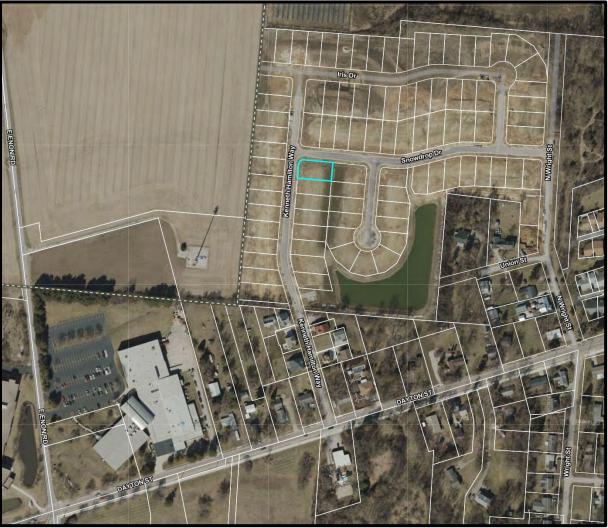
The proposed fence location is setback from the corner by more than 20 ft and public works has reviewed the request and is in agreement with the proposal.



The Village of YELLOW SPRINGS meg.leatherman@yellowsprings.gov 100 Dayton St. Yellow Springs, OH 45387

937-767-1702

- PLANNING & ECONOMIC DEVELOPMENT



Vicinity Map

PROJECT DESCRIPTION

ZONING DISTRICT: Medium Density Residential (R-B) **APPLICANT:** Tammy Fox **PROPERTY OWNER:** Tammy Fox REQEUSTED ACTION: BZA04-2025 - Variance to fence height for 6 foot fence in front yard PUBLIC NOTICE: Adjoining property owners were mailed a notice on May 22, 2025 (Exhibit B), signs were

posted on the property on May 23, 2025 (Exhibit C), and a notice was published in the paper on May 23, 2025 (Exhibit D).



-PLANNING & ECONOMIC DEVELOPMENT-

YELLOW SPRINGS

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) <u>Variance Standards</u>. 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;

The Village of

(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. A higher front yard fence is needed for privacy and the encroachment is only for six feet into the front yard, outside of the utility easement area.

STAFF RECOMMENDATION

Staff recommends approval of the variance. The Board shall consider the application (Exhibit A) with the requirements outlined in Section 1278.04.



The Village of YELLOW SPRINGS

937-767-1702 meg.leatherman@yellowsprings.gov 100 Dayton St. Yellow Springs, OH 45387

- PLANNING & ECONOMIC DEVELOPMENT-

Sincerely, m feathe

Meg Leatherman Planning & Economic Development Director Village of Yellow Springs

EXHBIT 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

Date:

Date:

Case #:	READ	1-2025	
Hearing	Date:	6/4/25	

	Applica	ant Information		
Property Address: Property Owner: Mailing Address: Applicant Name:	145 Kenneth Ham. Tammy Fox 145 Kenneth Hamit	Phone: 937813553 tm V=24, YS Phone:	5 Email: 1 fox 2013. tf@gmai 453877	. com
Applicant Address:	Sane_			

Escription: Install fence on property behind house directly

eF Dimensions of Project & Total measurement of Variance requested: _ + vaniance

corner lot has two front yards, front yards only allow 4ft fence, applicant wants 6 ft fence, request is for 2 ft variance

Site Plan Attached:

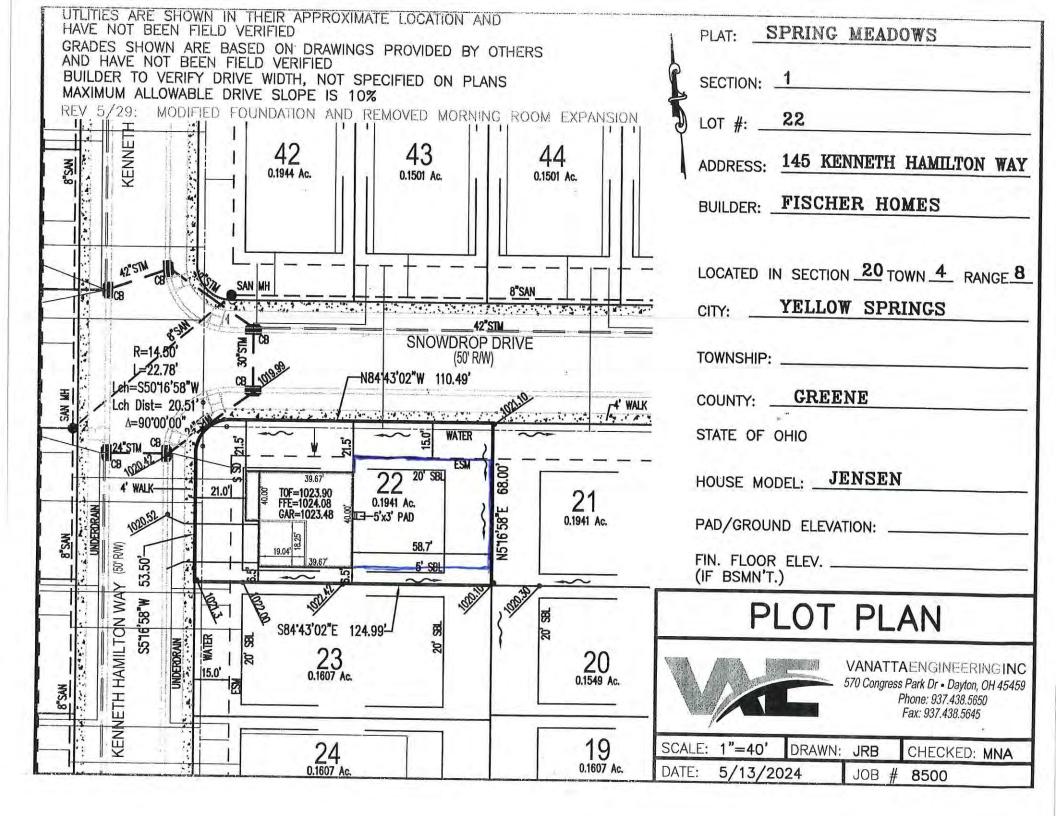
I understand that approval of this application does not constitute approval for any administrative review, conditional use permit, variance, or exception from any other Village regulations which are not specifically the subject of this application. I understand that I remain responsible for satisfying 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:	terman
A	C C
Applicant Signatur	

	FOR OFFICE USE ONLY	
Zoning Fee: \$ 200,00	Payment Type: Check Cash Card	Approved 🗆 Denied 🗆
Other fees: \$	Zoning District: R-B	Permit Number: BZA04-2025
Pald	1	
Total \$ 205.00	Zoning Official Name and Title	Date



Payment processed succesfully! 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 Tammy L Fox,

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

Payment Details

Account # :	0000000
Statement # :	37fe8f7e-aba8-4c5e-9fb4-bb2f844d2052
Amount :	200.00
Transaction Amount	: \$200.00
Processing Fee:	\$5.00
Total Amount:	\$205.00
Authorization Code:	7121713
Transaction Date:	5/1/2025 11:14:54 AM
Card Holder :	Tammy L Fox
Card :	VISA ending with 2211

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 – Tammy Fox has submitted a Variance application seeking relief from fence height at 145 Kenneth Hamilton Way – Chapter 1260.01(a)(1) Fence Height of corner lots, Chapter 1278.04 Variances – Moderate Density Residential District (R-B) - Greene County Parcel #F19000100020019700



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

DATE: Wednesday June 4th, 2025

TIME: 5:30 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 <u>clerk@yellowsprings.gov</u>, or by calling 937-767-9126. Please submit your letter by no later than **Thursday**, **May 29th**, **2025 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 <u>www.yellowspring.gov</u> after Friday, May 30th, 2025. Questions regarding the applications, zoning code or procedures may be directed to the Zoning Administrator Meg Leatherman, phone (937) 767-1702 or by email to meg.leatherman@yellowsprings.gov .

EXHIBIT A





Still hungry?

Jim Zehner, left, and Carl Moore celebrated one year of free meals from "Who's Hungry?" on Wednesday, May 14. Along with the hot meal that's typically served every Monday and Wednesday, 3–6 p.m., Moore and Zehner served birthday cake. The program started out with meals once a week and grew to

twice a week, and has since fed hundreds of local folks at no cost. Expenses have continued to rise, however, and the program is in need of donations. Local fundraisers to benefit "Who's Hungry?" are set at host restaurant MAZU this weekend and June 22 at In Salon. Donations may be made online at yscf.org/whos-hungry.

New van

CONTINUED FROM THE FRONT PAGE

a challenge, she said, to coordinate who among attendees will drive.

"Having the van alleviates that issue of trying to figure out who's going to drive," Dean said. "Sometimes people have driven when they didn't really want to be the driver, so this helps take that stress away."

And the van opens up possibilities for new kinds of events, too: On a warm and sunny day last week, 11 local residents - and one reporter - filed into the white van which, at present, bears only the Senior Center's logo; in the future, it will be decked with a colorful design of cheerful daisies on a bright blue field, created by artist Nancy Mellon.

As the van wove its way through and around the village, historian Kevin McGruder gave a wide-ranging tour that pointed out and contextualized sites of interest to the past, present and future of Yellow Springs: the buildings of Antioch College, the homes of Omar Circle, the historical names on headstones in Glen Forest Cemetery, the in-progress Spring Meadows neighborhood, and many others.

It was a tour that, on foot, would likely have taken several hours to complete. By van, passengers were treated to a wealth

of local history, lively discussion and connection with their seat mates — all within about 75 minutes.

"That's what the shuttle is about - helping neighbors connect and be part of life more easily, and have fun with it," Libecap said.

The shuttle van will also be a crucial asset to the Senior Center, Mullin said, when the center eventually moves to its new location near Antioch College.

"When we have our new building, we need people to feel comfortable that they can still pop downtown for things and come back to the Senior Center," she said.

As the Senior Center navigates the logistics of the new service, Mullin stressed that the van will not replace the Transportation Program's already established services, which have seen increased use since 2020.

"It's an enhancement; it's augmenting the services we already provide," Mullin said, adding that the Senior Center is also exploring ways to collaborate with other local organizations on the use of the van.

And the shuttle service itself is likely to be augmented as the Senior Center discovers during the pilot phase what needs the service can best fill. To that end, the Senior Center has established a web page with a link to a survey, which folks are encouraged to fill out ahead of the June 2 launch and beyond, at ysseniors.org/survey.html.

Among the data sought in the survey are common transportation challenges, village events and locations that would be useful for shuttle routes, frequency of ride needs and how much folks would be willing to pay for rides.

"We really want that feedback," Libecap said. "But we believe - just like in that baseball movie — that if we build it, then people will come."

Mullin said the Transportation Program as a whole helps address the often difficult transition away from driving that many seniors make. Providing means to not only get to basic services, but also to build community by connecting with friends and neighbors, is indispensable, she said.

"There's so much mounting evidence about socialization correlated to health and longevity," she said.

And the shuttle service, Libecap added, aims to stay true to the heart of the center's values, as established by Wesley Matthews.

"It's our mission statement," he said. "To enhance the dignity and quality of life for seniors in Yellow Springs and Miami Township and to foster interaction among them with the total community."

For more information on the Senior Center's shuttle service, and to fill out the survey, go to ysseniors.org/shuttle.html.

Contact: chuck@ysnews.com

MEMORIALS

Barry Dillon

It is with a wounded heart I write of my brother, Barry Dillon's passing.

Barry was one of many a unique fixture in Yellow Springs for many years: serving the community, along with Sue Andrew, fresh organic produce, then working for the Village Crew and helping dig out residents from the blizzard of '78. He was a true Man among Men and is sorely missed. Even though he had moved to Georgia, his heart was always in Yellow Springs.

A Celebration of Life will be held Friday, June 13, 6–8 p.m., at John Bryan State Park. All are invited to come to the Day Lodge and reminisce and honor him.

-Royce Dillon

Jonny Ellison

A Celebration of Life for Jon "Jonny" Ellison, who died Aug. 29, 2024, will be Saturday, May 24, 2025, from 2-6 p.m., at The Landing, Littleton & Rue Funeral Home and Crematory, in Springfield, Ohio. Remembrances and remarks will start at 4 p.m.

Sandra Love

The Celebration of Life for Sandra Love, who died Aug. 31, 2024, at the age of 84, will take place Saturday, June 7, 2025, at the Unitarian Universalist Fellowship of Yellow Springs. Doors will open at 1 p.m., and the service will begin at 2 p.m. Light refreshments and snacks will be served.

The family welcomes anyone who wishes to attend and looks forward to hearing stories and memories of their much loved wife and mom.

Harold Wright

A celebration of life for Harold Paul Wright will be Sunday, June 15, 1-3 p.m., at the Day Lodge in John Bryan State Park. Wright died in the comfort of his Yellow Springs home at age 93 on July 4, 2024. Those in attendance will be welcome to share remembrances as time allows.

Denny Powell

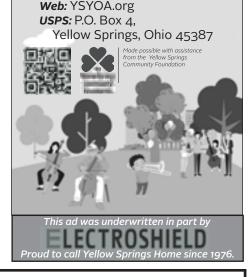
Miami Township Fire-Rescue will celebrate the life and service of Chief Denny Powell, on Saturday, May 31, 2025, beginning at 2 p.m., at Greene County Expo Center, 120 Fairgrounds Road, Xenia.

Chief Powell, who died April 15, 2025, served with the department for 36 years.

In lieu of flowers, and in accordance with Denny's wishes, donations may be made to the American Heart Association, at heart.org. For more information about the celebration of life, contact Acting Asst. Chief Nathaniel Ayers, at 937-767-7842.

All are welcome to join and celebrate Denny's many accomplishments, as well as share stories. Those with stories to share are asked to contact Retired Chief Colin Altman, at caltman800@gmail.com.





Email: YSYOAmusic@gmail.com

CONTACT US:

AT THE SENIOR CENTER

Holiday closing

The Senior Center will close Monday,

below — call Maggie at the center at 937-12 and older. 767-5751, email info@ysseniors.org or go to

Wristbands are on sale at the Children's Center and Senior Center, or at the 10-11 a.m. welcome activity the day of the event, with 10% of the proceeds going back to each nonprofit.

May 26, in observance of the Memorial Day holiday. All classes and events that usually occur on Mondays will not take place.

Two raffles to benefit Senior Center

The Senior Center is selling raffle tickets for two separate prizes, at \$10 a ticket, with the drawing to be held during the June 14 Street Fair. Proceeds will benefit the Senior Center.

One prize is a five-course meal, with wines, for four people, prepared by Chef Susan Neff. The meal will be planned with the winner to accommodate their schedule and dietary needs. The value of the meal is \$350.

The other prize is a Martin C1K Ukulele valued at \$500, donated by Bob and Susie Swaney of Jailhouse Suites. This concertsized model features top, back and sides crafted of solid Hawaiian koa, a wood native to Hawaii and a favorite of island players. A soft-sided carrying case is included.

Mobility equipment available on loan

Did you know that the YS Senior Center loans out mobility equipment for free? The center has wheelchairs, transport chairs, rollators, knee rovers and walkers with and without wheels. Call 937-767-5751 to borrow an item.

Volunteers needed

The senior center has many opportunities for all interests and talents to become involved as a volunteer. Examples include becoming a Friday Super Shopper, a Front-Desk "Smooth Operator" or a NASCAR (Nice and Safe Caring, Amiable [d]River) volunteer. For more information, go online to www.ysseniors. org/volunteer or contact Maggie at 937-767-5751 or by email at mdean@ysseniors.org.

Activities

The Senior Center offers a variety of weekly in-person and online activities available through the Zoom video-conference website. Links are listed on the center's online calendar, at ysseniors.org/calendar.html. To register for events - unless otherwise noted in the announcements MyActiveCenter.com.

• FLASH MOB: Those interested in learning the choreography for the Senior Center's annual flash mob should attend the weekly line dance class at 11:30 a.m. Friday, May 23.

The flash mob event, choreographed by Lynn Hardman, will begin at 1 p.m. Wednesday, May 28, on Short Street downtown.

The event is in celebration of National Senior Health & Fitness Day, which promotes regular physical activity. This year's theme is "Flip the Script on Aging."

• DAYTON DRAGONS GAME: The Senior Center has reserved a group of seats together for the Dayton Dragons baseball game at 7 p.m. Thursday, May 29. Seating options for participants who can't manage steps will be available.

Tickets are \$15 and first-come firstserved. Transportation will not be provided. Contact info@ysseniors.org to buy tickets.

• ETHICAL WILLS: Artie Isaac will present information on ethical wills on Friday, May 30, at 10 a.m. Ethical wills are not a legal document or about material items; they are a way to convey one's values, stories and important information to loved ones. Registration is required, as space is limited.

• BINGO: Play Bingo for cash prizes on Friday, May 30, from 4-5:30 p.m. Cards cost 25¢ per card each round. There is no limit on the number of cards one plays. Participants must be at least 21 years of age. Registration is required.

• FUNDRAISING EVENT AT YOUNG'S: The Senior Center and YS Community Children's Center will co-host a FUNdraising event at Young's Dairy on Saturday, May 31. The event will begin at 10 a.m. at Cowtherine's Carousel with welcome remarks, and the event will continue all day. There are three ticket options:

- Three tickets for \$24.95
- Five tickets for \$32.95

--- "Mooitall" all-day-access wristbands: \$20.50, for ages 5–11, and \$27.50, for ages

JACKSON LYTLE & LEWIS FUNERAL HOME To honor your beloved pets we also provide Paws 📽 to 🕊 Cherish PET CREMATION SERVICES 937-767-7310 | 322 Xenia Ave. | jacksonlytle.com LOCAL OWNERSHIP 🔊 REMODELED & UPDATED FACILITY

• UKULELE CONCERT: The Senior Center's Ukulele Class will host a "Peace, Love, and Understanding Sing-Along" ukulele concert Sunday, June 1, at 2 p.m., in the Great Room. A number of favorite peace-related songs will be featured.

• BRUNCH BUNCH: Miguel's Tacos, in Yellow Springs, is the destination for this month's Brunch Bunch excursion, 11 a.m. Tuesday, June 3. The group meets the first Tuesday of each month to explore local and nearby restaurants and build community through sharing food. Register with Maggie at 937-767-5751, or email info@ ysseniors.org, one week prior if possible, so group reservations can be made. Meet at Miguel's.

• ANNUAL GARDEN DINNER PARTY: The YS Senior Center's annual Garden Dinner Party will be Saturday, June 28. Seating is limited, and spots go quickly for this fundraiser. Cost is \$85 per person. For more information, including a participation form, go online to ysseniors.org/ garden-dinner-party.



- Public Notice -**PUBLIC HEARING BOARD OF ZONING APPEALS**

VILLAGE OF YELLOW SPRINGS, OHIO

Notice is hereby given that:

Variance - Tammy Fox has submitted a Variance application seeking relief from fence height at 145 Kenneth Hamilton Way - Chapter 1260.01(a)(1) Fence Height of corner lots, Chapter 1278.04 Variances - Moderate Density Residential District (R-B) - Greene County Parcel **#F19000100020019700**

Variance - Jennifer Berman has submitted a Variance application seeking relief from number of Transient Guest Lodging Units within 500 ft at 309 W. Whiteman St. - Chapter 1262.08(e) (7) (B) TGL Location, Chapter 1278.04 Variances – Moderate Density Residential District (R-B) - Greene County Parcel #F19000100040007500

Variance – Suzanne Ordonez has submitted a Variance application seeking relief from rear yard fence height at 1436 Glen View Rd. - Chapter 1260.01(a) (4) Fence Height, Chapter 1278.04 Variances - Low Density Residential District (R-A) - Greene County Parcel #F19000100170003100

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

DATE: Wednesday, June 4, 2025 • TIME: 5:30 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, May 29, 2025 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, May 30, 2025.

Questions regarding the applications, zoning code or procedures may be directed to the Planning and Economic Development Director Meg Leatherman, phone 937-767-1702 or by email to meg.leatherman@yellowsprings.gov.

-Meg Leatherman, Planning and Economic Development Director



The Village of

937-767-1702 YELLOW SPRINGSmeg.leatherman@yellowsprings.gov100 Dayton St. Yellow Springs, OH 45387

- PLANNING & ECONOMIC DEVELOPMENT -

TO: **Board of Zoning Appeals** FROM: Meg Leatherman, Planning & Economic Development Director **REPORT DATE:** May 29, 2025 **MEETING DATE:** Wednesday, June 4, 2025 RE: BZA05-2025 – Variance – 309 W. Whiteman St. – Jennifer Berman

SUMMARY

Jennifer Berman & Matt Minde, property owners, submitted a Variance application (Exhibit A) seeking relief from number of Transient Guest Lodging units within 500 ft, Code Section 1262.08(7)(B). The property is located at 309 W. Whiteman St. in the Medium Density Residential (R-B) District. The owners would like to operate a Transient Guest Lodging Unit, which is Conditional Use in the R-B zone. The applicant has stated that they need the income to afford living in the Village.

There are several Transient Guest Lodging Units operating in the general vicinity. The closest one to the subject property is 128 feet away and is located at 324 W. Davis St.



Map of Transient Guest Lodging (TGL) units in Vicinity



- PLANNING & ECONOMIC DEVELOPMENT -

Presently, the Village Code 1262.08(7)(B) limits the number of Transient Guest Lodging by not allowing a transient guest lodging unit to be located closer than 500 feet from another one. The entirety of the section reads:

1262.08(7)(B) "Location. The Planning Commission shall consider the proposed location relative to its proximity to other such uses in the vicinity in order to avoid an undue concentration that could have a negative effect on the surrounding neighborhood including affordable housing concerns. In no case, can a transient guest lodging be located closer than 500 feet from another transient guest lodging, as measured from closest property line to closest property line. A transient guest lodging unit may be located in a dwelling unit, a room or rooms in a dwelling unit, or an accessory dwelling unit, but no more than one transient guest lodging permit shall be granted per property or per owner."

Below are the addresses of the existing TGLs displayed on the map above, along with the distance from the proposed TGL and approval dates:

Approved TGLs within 770 feet		
Address	Distance	Approval Date
430 W. Limestone St.	660 ft	4/8/2019
423 W. Limestone St.	683 ft	2/6/2018
325 S. High St.	770 ft	1/10/2019
225 W. Limestone St.	758 ft	9/10/2018
324 W. Davis St.	128 ft	5/12/2021
401 S. High St.	534 ft	5/23/2018
402 Phillips St.	751 ft	1/3/2018

A Transient Guest Lodging use was made Conditional in August 2019¹ and the specific limitation of not allowing one within 500 feet of another was added to the code in August 2021². All the nearby TGLs listed in the table and displayed on the map above, were approved before the 500ft limitation was in place which has created a higher concentration than what the code today would authorize. Staff is concerned that the essential character of the neighborhood could be adversely affected if another TGL is allowed in the area. Another intention for the 500 ft limitation is to maintain a healthy housing stock for long-term residents.

¹ Ordinances 2019-21 and 2019-22 approved July 15, 2019, enacted August 15, 2019

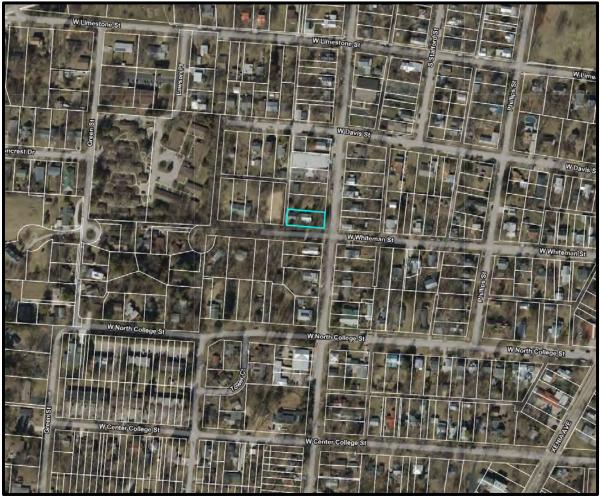
² Ordinance 2021-21 approved July 21, 2021, enacted August 21, 2021



The Village of YELLOW SPRINGS

937-767-1702 meg.leatherman@yellowsprings.gov 100 Dayton St. Yellow Springs, OH 45387

PLANNING & ECONOMIC DEVELOPMENT



Vicinity Map

PROJECT DESCRIPTION

ZONING DISTRICT: Medium Density Residential (R-B)

APPLICANT: Jennifer Berman

PROPERTY OWNER: Jennifer Berman & Matt Minde

REQEUSTED ACTION: BZA05-2025 – Variance to Number of Transient Guest Lodging Units within 500 feet **PUBLIC NOTICE:** Adjoining property owners were mailed a notice on May 22, 2025 (Exhibit B), signs were posted on the property on May 23, 2025 (Exhibit C), and a notice was published in the paper on May 23, 2025 (Exhibit D).

937-767-1702 meg.leatherman@yellowsprings.gov 100 Dayton St. Yellow Springs, OH 45387

— PLANNING & ECONOMIC DEVELOPMENT-

YELLOW SPRINGS

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) <u>Variance Standards</u>. 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;

The Village of

(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.

STAFF RECOMMENDATION

Staff recommends denial since there is an existing TGL 128 feet away and six within 770 feet. Adding one more to a highly concentrated area would substantially alter the essential character of the neighborhood and adjoining properties would suffer a substantial detriment as a result of the variance. The Board shall consider the application (Exhibit A) with the requirements outlined in Section 1278.04.

Sincerely,

Jeathe

Meg Leatherman Planning & Economic Development Director Village of Yellow Springs



The Village of YELLOW SPRINGS

937-767-1702 meg.leatherman@yellowsprings.gov 100 Dayton St. Yellow Springs, OH 45387

- PLANNING & ECONOMIC DEVELOPMENT -

EXHBIT LIST:

Exhibit A – Application

- Exhibit B Neighbor Notice
- Exhibit C Yard Sign Posting
- Exhibit D YS Newspaper Notice

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Board of Zoning Appeals Public Hearing Request: Variance Planning & Zoning Department 100 Dayton St, 2nd Floor Yellow Springs, OH 45387 (937) 767-1702

EXHIBIT A

Hearing Date: 0 * and Mart Minde Applicant Information **Property Address:** Whiteman St. Property Owner: Phone: 937971 Email: 841 ODASE Mailing Address: Whiteman St Applicant Name: Phone: 9379718477 Matim Email: bernan Ca Applicant Address: Yellow Springs off 12- 14 man st. 4538 **Project Information** like to convert our space to a short-term rental apt. would Description: to use it as a studio for my an rent unoccupied wanted taxes we need to general attached to our garag DO Dimensions of Project & Total measurement of Variance requested: 13 0 above 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:	
	D
Applicant Signature:	D

	FOR OFFICE USE ON	ILY
Zoning Fee: \$ 200	Payment Type: 💢 Check 🗆 Cash 🗆	Card Approved 🗆 Denied 🗆
Other fees: \$	Zoning District:	Permit Number: BZA05-2025
57	888	
Total \$ 200 6	Zoning Official Name a	and Title Date





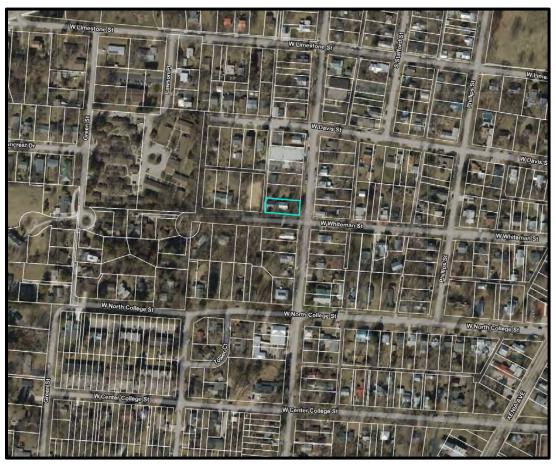
-Public Notice-

PUBLIC HEARING

VILLAGE OF YELLOW SPRINGS BOARD OF ZONING APPEALS

Notice is hereby given that:

Variance – Jennifer Berman has submitted a Variance application seeking relief from number of Transient Guest Lodging Units within 500 ft at 309 W. Whiteman St. – Chapter 1262.08(e)(7)(B) TGL Location, Chapter 1278.04 Variances – Moderate Density Residential District (R-B) - Greene County Parcel #F19000100040007500



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

DATE: Wednesday June 4th, 2025

TIME: 5:30 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 <u>clerk@yellowsprings.gov</u>, or by calling 937-767-9126. Please submit your letter by no later than **Thursday**, **May 29th**, **2025** 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.yellowspring.gov after Friday, May 30th, 2025. Questions regarding the applications, zoning code or procedures may be directed to the Zoning Administrator Meg Leatherman, phone (937) 767-1702 or by email to meg.leatherman@yellowsprings.gov.

EXHIBIT C





Still hungry?

Jim Zehner, left, and Carl Moore celebrated one year of free meals from "Who's Hungry?" on Wednesday, May 14. Along with the hot meal that's typically served every Monday and Wednesday, 3–6 p.m., Moore and Zehner served birthday cake. The program started out with meals once a week and grew to

twice a week, and has since fed hundreds of local folks at no cost. Expenses have continued to rise, however, and the program is in need of donations. Local fundraisers to benefit "Who's Hungry?" are set at host restaurant MAZU this weekend and June 22 at In Salon. Donations may be made online at yscf.org/whos-hungry.

New van

CONTINUED FROM THE FRONT PAGE

a challenge, she said, to coordinate who among attendees will drive.

"Having the van alleviates that issue of trying to figure out who's going to drive," Dean said. "Sometimes people have driven when they didn't really want to be the driver, so this helps take that stress away."

And the van opens up possibilities for new kinds of events, too: On a warm and sunny day last week, 11 local residents - and one reporter - filed into the white van which, at present, bears only the Senior Center's logo; in the future, it will be decked with a colorful design of cheerful daisies on a bright blue field, created by artist Nancy Mellon.

As the van wove its way through and around the village, historian Kevin McGruder gave a wide-ranging tour that pointed out and contextualized sites of interest to the past, present and future of Yellow Springs: the buildings of Antioch College, the homes of Omar Circle, the historical names on headstones in Glen Forest Cemetery, the in-progress Spring Meadows neighborhood, and many others.

It was a tour that, on foot, would likely have taken several hours to complete. By van, passengers were treated to a wealth

of local history, lively discussion and connection with their seat mates — all within about 75 minutes.

"That's what the shuttle is about — helping neighbors connect and be part of life more easily, and have fun with it," Libecap said.

The shuttle van will also be a crucial asset to the Senior Center, Mullin said, when the center eventually moves to its new location near Antioch College.

"When we have our new building, we need people to feel comfortable that they can still pop downtown for things and come back to the Senior Center," she said.

As the Senior Center navigates the logistics of the new service, Mullin stressed that the van will not replace the Transportation Program's already established services, which have seen increased use since 2020.

"It's an enhancement; it's augmenting the services we already provide," Mullin said, adding that the Senior Center is also exploring ways to collaborate with other local organizations on the use of the van.

And the shuttle service itself is likely to be augmented as the Senior Center discovers during the pilot phase what needs the service can best fill. To that end, the Senior Center has established a web page with a link to a survey, which folks are encouraged to fill out ahead of the June 2 launch and beyond, at ysseniors.org/survey.html.

AT THE SENIOR CENTER

Among the data sought in the survey are common transportation challenges, village events and locations that would be useful for shuttle routes, frequency of ride needs and how much folks would be willing to pay for rides.

"We really want that feedback," Libecap said. "But we believe - just like in that baseball movie — that if we build it, then people will come."

Mullin said the Transportation Program as a whole helps address the often difficult transition away from driving that many seniors make. Providing means to not only get to basic services, but also to build community by connecting with friends and neighbors, is indispensable, she said.

"There's so much mounting evidence about socialization correlated to health and longevity," she said.

And the shuttle service, Libecap added, aims to stay true to the heart of the center's values, as established by Wesley Matthews.

"It's our mission statement," he said. "To enhance the dignity and quality of life for seniors in Yellow Springs and Miami Township and to foster interaction among them with the total community."

For more information on the Senior Center's shuttle service, and to fill out the survey, go to ysseniors.org/shuttle.html.

Contact: chuck@ysnews.com

MEMORIALS

Barry Dillon

It is with a wounded heart I write of my brother, Barry Dillon's passing.

Barry was one of many a unique fixture in Yellow Springs for many years: serving the community, along with Sue Andrew, fresh organic produce, then working for the Village Crew and helping dig out residents from the blizzard of '78. He was a true Man among Men and is sorely missed. Even though he had moved to Georgia, his heart was always in Yellow Springs.

A Celebration of Life will be held Friday, June 13, 6–8 p.m., at John Bryan State Park. All are invited to come to the Day Lodge and reminisce and honor him.

-Royce Dillon

Jonny Ellison

A Celebration of Life for Jon "Jonny" Ellison, who died Aug. 29, 2024, will be Saturday, May 24, 2025, from 2-6 p.m., at The Landing, Littleton & Rue Funeral Home and Crematory, in Springfield, Ohio. Remembrances and remarks will start at 4 p.m.

Sandra Love

The Celebration of Life for Sandra Love, who died Aug. 31, 2024, at the age of 84, will take place Saturday, June 7, 2025, at the Unitarian Universalist Fellowship of Yellow Springs. Doors will open at 1 p.m., and the service will begin at 2 p.m. Light refreshments and snacks will be served.

The family welcomes anyone who wishes to attend and looks forward to hearing stories and memories of their much loved wife and mom.

Harold Wright

A celebration of life for Harold Paul Wright will be Sunday, June 15, 1-3 p.m., at the Day Lodge in John Bryan State Park. Wright died in the comfort of his Yellow Springs home at age 93 on July 4, 2024. Those in attendance will be welcome to share remembrances as time allows.

Denny Powell

Miami Township Fire-Rescue will celebrate the life and service of Chief Denny Powell, on Saturday, May 31, 2025, beginning at 2 p.m., at Greene County Expo Center, 120 Fairgrounds Road, Xenia.

Chief Powell, who died April 15, 2025, served with the department for 36 years.

In lieu of flowers, and in accordance with Denny's wishes, donations may be made to the American Heart Association, at heart.org. For more information about the celebration of life, contact Acting Asst. Chief Nathaniel Ayers, at 937-767-7842.

All are welcome to join and celebrate Denny's many accomplishments, as well as share stories. Those with stories to share are asked to contact Retired Chief Colin Altman, at caltman800@gmail.com.





below — call Maggie at the center at 937-The Senior Center will close Monday,

12 and older.

Wristbands are on sale at the Children's Center and Senior Center, or at the 10-11 a.m. welcome activity the day of the event, with 10% of the proceeds going back to each nonprofit.

767-5751, email info@ysseniors.org or go to

May 26, in observance of the Memorial Day holiday. All classes and events that usually occur on Mondays will not take place.

Holiday closing

Two raffles to benefit Senior Center

The Senior Center is selling raffle tickets for two separate prizes, at \$10 a ticket, with the drawing to be held during the June 14 Street Fair. Proceeds will benefit the Senior Center.

One prize is a five-course meal, with wines, for four people, prepared by Chef Susan Neff. The meal will be planned with the winner to accommodate their schedule and dietary needs. The value of the meal is \$350.

The other prize is a Martin C1K Ukulele valued at \$500, donated by Bob and Susie Swaney of Jailhouse Suites. This concertsized model features top, back and sides crafted of solid Hawaiian koa, a wood native to Hawaii and a favorite of island players. A soft-sided carrying case is included.

Mobility equipment available on loan

Did you know that the YS Senior Center loans out mobility equipment for free? The center has wheelchairs, transport chairs, rollators, knee rovers and walkers with and without wheels. Call 937-767-5751 to borrow an item.

Volunteers needed

The senior center has many opportunities for all interests and talents to become involved as a volunteer. Examples include becoming a Friday Super Shopper, a Front-Desk "Smooth Operator" or a NASCAR (Nice and Safe Caring, Amiable [d]River) volunteer. For more information, go online to www.ysseniors. org/volunteer or contact Maggie at 937-767-5751 or by email at mdean@ysseniors.org.

Activities

The Senior Center offers a variety of weekly in-person and online activities available through the Zoom video-conference website. Links are listed on the center's online calendar, at ysseniors.org/calendar.html. To register for events - unless otherwise noted in the announcements MyActiveCenter.com.

• FLASH MOB: Those interested in learning the choreography for the Senior Center's annual flash mob should attend the weekly line dance class at 11:30 a.m. Friday, May 23.

The flash mob event, choreographed by Lynn Hardman, will begin at 1 p.m. Wednesday, May 28, on Short Street downtown.

The event is in celebration of National Senior Health & Fitness Day, which promotes regular physical activity. This year's theme is "Flip the Script on Aging."

• DAYTON DRAGONS GAME: The Senior Center has reserved a group of seats together for the Dayton Dragons baseball game at 7 p.m. Thursday, May 29. Seating options for participants who can't manage steps will be available.

Tickets are \$15 and first-come firstserved. Transportation will not be provided. Contact info@ysseniors.org to buy tickets.

• ETHICAL WILLS: Artie Isaac will present information on ethical wills on Friday, May 30, at 10 a.m. Ethical wills are not a legal document or about material items; they are a way to convey one's values, stories and important information to loved ones. Registration is required, as space is limited.

• BINGO: Play Bingo for cash prizes on Friday, May 30, from 4-5:30 p.m. Cards cost 25¢ per card each round. There is no limit on the number of cards one plays. Participants must be at least 21 years of age. Registration is required.

• FUNDRAISING EVENT AT YOUNG'S: The Senior Center and YS Community Children's Center will co-host a FUNdraising event at Young's Dairy on Saturday, May 31. The event will begin at 10 a.m. at Cowtherine's Carousel with welcome remarks, and the event will continue all day. There are three ticket options:

- Three tickets for \$24.95
- Five tickets for \$32.95

--- "Mooitall" all-day-access wristbands: \$20.50, for ages 5–11, and \$27.50, for ages

JACKSON LYTLE & LEWIS FUNERAL HOME To honor your beloved pets we also provide Paws 📽 to 🕊 Cherish PET CREMATION SERVICES 937-767-7310 | 322 Xenia Ave. | jacksonlytle.com LOCAL OWNERSHIP 🔊 REMODELED & UPDATED FACILITY

• UKULELE CONCERT: The Senior Center's Ukulele Class will host a "Peace, Love, and Understanding Sing-Along" ukulele concert Sunday, June 1, at 2 p.m., in the Great Room. A number of favorite peace-related songs will be featured.

• BRUNCH BUNCH: Miguel's Tacos, in Yellow Springs, is the destination for this month's Brunch Bunch excursion, 11 a.m. Tuesday, June 3. The group meets the first Tuesday of each month to explore local and nearby restaurants and build community through sharing food. Register with Maggie at 937-767-5751, or email info@ ysseniors.org, one week prior if possible, so group reservations can be made. Meet at Miguel's.

• ANNUAL GARDEN DINNER PARTY: The YS Senior Center's annual Garden Dinner Party will be Saturday, June 28. Seating is limited, and spots go quickly for this fundraiser. Cost is \$85 per person. For more information, including a participation form, go online to ysseniors.org/ garden-dinner-party.



- Public Notice -**PUBLIC HEARING BOARD OF ZONING APPEALS**

VILLAGE OF YELLOW SPRINGS, OHIO

Notice is hereby given that:

Variance - Tammy Fox has submitted a Variance application seeking relief from fence height at 145 Kenneth Hamilton Way - Chapter 1260.01(a)(1) Fence Height of corner lots, Chapter 1278.04 Variances - Moderate Density Residential District (R-B) - Greene County Parcel **#F19000100020019700**

Variance - Jennifer Berman has submitted a Variance application seeking relief from number of Transient Guest Lodging Units within 500 ft at 309 W. Whiteman St. - Chapter 1262.08(e) (7) (B) TGL Location, Chapter 1278.04 Variances – Moderate Density Residential District (R-B) - Greene County Parcel #F19000100040007500

Variance – Suzanne Ordonez has submitted a Variance application seeking relief from rear yard fence height at 1436 Glen View Rd. - Chapter 1260.01(a) (4) Fence Height, Chapter 1278.04 Variances - Low Density Residential District (R-A) - Greene County Parcel #F19000100170003100

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

DATE: Wednesday, June 4, 2025 • TIME: 5:30 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, May 29, 2025 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, May 30, 2025.

Questions regarding the applications, zoning code or procedures may be directed to the Planning and Economic Development Director Meg Leatherman, phone 937-767-1702 or by email to meg.leatherman@yellowsprings.gov.

-Meg Leatherman, Planning and Economic Development Director



937-767-1702 YELLOW SPRINGSmeg.leatherman@yellowsprings.gov100 Dayton St. Yellow Springs, OH 45387

- PLANNING & ECONOMIC DEVELOPMENT-

TO:	Board of Zoning Appeals
FROM:	Meg Leatherman, Planning & Economic Development Director
REPORT DATE:	May 29, 2025
MEETING DATE:	Wednesday, June 4, 2025
RE:	BZA07-2025 – Variance – 1436 Glen View Rd – Susanne Ordonez

SUMMARY

Susanne Ordonez, property owner, submitted a Variance application (Exhibit A) seeking relief from rear yard fence height, Code Section 1260.01(A)(4). The property is located at 1436 Glen View Rd. in the Low Density Residential (R-A) District. The owner would like to construct 8-foot fencing in the rear to prevent deer from coming into the yard.

This variance request has one component:

The Village of

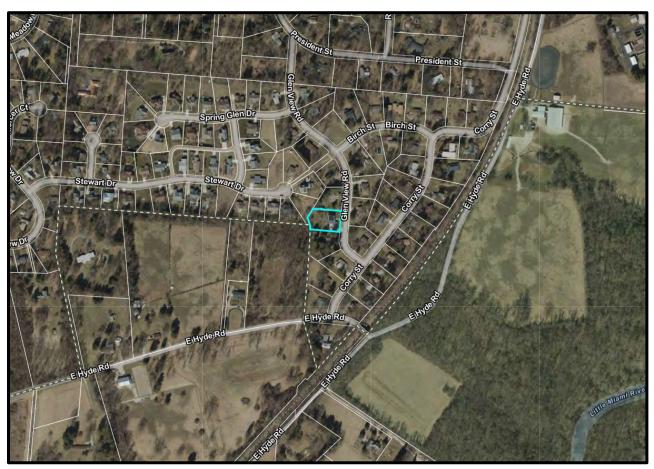
1) Variance request of two (2) feet, to allow an eight (8) foot fence in the rear yard.

The rear of the subject property adjoins a lot that includes the Birch III stormwater retention area that includes a berm. The berm makes the grade higher than the subject property and allows easier access for the deer to enter the subject property. The red dashed line in the image below shows the proposed location of the fence segment that requires a variance.





Village Code 1260.01(A)(4) only allows a fence height of eight feet and reads "Within a side or rear yard in a Residential District, no fence or wall shall be permitted to exceed a height of six feet, measured from the natural grade to the uppermost portion of the fence."



Vicinity Map

PROJECT DESCRIPTION

ZONING DISTRICT: Low Density Residential (R-A)

APPLICANT: Susanne Ordonez

PROPERTY OWNER: Susanne Ordonez & Raul Ordonez

REQEUSTED ACTION: BZA07-2025 - Variance seeking relief from rear yard fence height

PUBLIC NOTICE: Adjoining property owners were mailed a notice on May 22, 2025 (Exhibit B), signs were posted on the property on May 23, 2025 (Exhibit C), and a notice was published in the paper on May 23, 2025 (Exhibit D).



937-767-1702 meg.leatherman@yellowsprings.gov 100 Dayton St. Yellow Springs, OH 45387

-PLANNING & ECONOMIC DEVELOPMENT-

YELLOW SPRINGS

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;

The Village of

(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. A eight foot rear yard fence is needed to prevent deer from crossing into the property and a natural berm on the adjoining property provides more height for the deer to jump a six foot fence.



937-767-1702 meg.leatherman@yellowsprings.gov 100 Dayton St. Yellow Springs, OH 45387

- PLANNING & ECONOMIC DEVELOPMENT -

YELLOW SPRINGS

STAFF RECOMMENDATION

Staff recommends approval since the berm from the adjoining lot creates a natural feature that is outside of the control of the property owner and provides the deer with more height to enter the property. The Board shall consider the application (Exhibit A) with the requirements outlined in Section 1278.04.

Sincerely,

Meathe

Meg Leatherman Planning & Economic Development Director Village of Yellow Springs

The Village of

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

EXHIBIT A



Board of Zoning Appeals Public Hearing Request: <u>Variance</u> Planning & Zoning Department 100 Dayton St, 2nd Floor Yellow Springs, OH 45387 (937) 767-1702

Applicant Information
Property Address: Property Owner: Mailing Address: Applicant Name: Applicant Address: 1436 Clen View Rd. Yellow Springs, OH 45387 Applicant Address: 1436 Clen View Rd. Yellow Springs, OH 45387 icloud com
Project Information
Description: Would like to discourage doer from a tering pard, Which backs up to woods and trail. Rear force (property line) is at the bottom of the Birch II retention pand berry. This makes the effective force height much lower, infortunately. Dimensions of Project & Total measurement of Variance requested: Force heights 6' and 8' & in near of property and ~ 20' left side only; otherwise 6'.

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: Applicant Signature:

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5	Date:	5	15	25	_
	Date:	5	113	25	

	FOR OFFICE USE ONLY			
Zoning Fee: \$ 200	Payment Type: Check Cash Card	Approved 🗆 Denied 🗆		
Other fees: \$	Zoning District:	Permit Number:		
Total \$ 200 AA	Zoning Official Name and Title	Date		

FOR OFFICE USE ONLY] Permit #: 2025 - 50			E	Fence Application			Planning & Zoning Department 100 Dayton St, 2 nd Floor Yellow Springs, OH 45387 Posts & Wire: (937) 767-1702 https://deerbusters.com https://www.critterfence.com/deer-fence			
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Propert	ty Address: ty Owner: int Name:	1436 Glen View Raul & Susanne Susanne Ordon	Ordonez		Phone: Phone:	937 626 7785 937 672 6916	Email: Email:		nez@me.com donez@icloud.coi	m
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I hereby certify, under penalty of perjury, that all the information provided on this application is true and correct.

Applicant Signature: Date: May 15, **Owner Signature:** Date: May 15,

FOR OFFICE USE ONLY Zoning Fee: \$ 35 Payment Type:
Check |
Cash |
Card Approved 🗆 | Denied 🗆 Other fees: \$ Zoning District: SEE ATTACHED LETTER FOR CONDITIONS Total \$





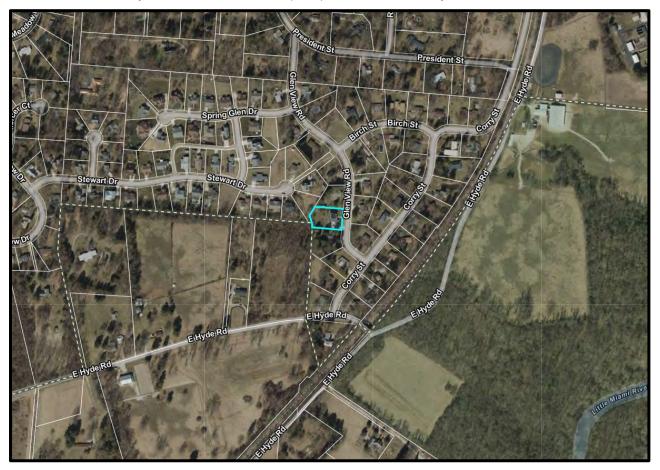
-Public Notice-

PUBLIC HEARING

VILLAGE OF YELLOW SPRINGS BOARD OF ZONING APPEALS

Notice is hereby given that:

Variance – Suzanne Ordonez has submitted a Variance application seeking relief from rear yard fence height at 1436 Glen View Rd. – Chapter 1260.01(a)(4) Fence Height, Chapter 1278.04 Variances – Low Density Residential District (R-A) - Greene County Parcel #F19000100170003100



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

DATE: Wednesday June 4th, 2025

TIME: 5:30 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 <u>clerk@yellowsprings.gov</u>, or by calling 937-767-9126. Please submit your letter by no later than **Thursday**, **May 29th**, **2025** 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.yellowspring.gov after Friday, May 30th, 2025. Questions regarding the applications, zoning code or procedures may be directed to the Zoning Administrator Meg Leatherman, phone (937) 767-1702 or by email to meg.leatherman@yellowsprings.gov.



Yellow Springs



Still hungry?

Jim Zehner, left, and Carl Moore celebrated one year of free meals from "Who's Hungry?" on Wednesday, May 14. Along with the hot meal that's typically served every Monday and Wednesday, 3–6 p.m., Moore and Zehner served birthday cake. The program started out with meals once a week and grew to

twice a week, and has since fed hundreds of local folks at no cost. Expenses have continued to rise, however, and the program is in need of donations. Local fundraisers to benefit "Who's Hungry?" are set at host restaurant MAZU this weekend and June 22 at In Salon. Donations may be made online at yscf.org/whos-hungry.

New van

CONTINUED FROM THE FRONT PAGE

a challenge, she said, to coordinate who among attendees will drive.

"Having the van alleviates that issue of trying to figure out who's going to drive," Dean said. "Sometimes people have driven when they didn't really want to be the driver, so this helps take that stress away."

And the van opens up possibilities for new kinds of events, too: On a warm and sunny day last week, 11 local residents — and one reporter — filed into the white van which, at present, bears only the Senior Center's logo; in the future, it will be decked with a colorful design of cheerful daisies on a bright blue field, created by artist Nancy Mellon.

As the van wove its way through and around the village, historian Kevin McGruder gave a wide-ranging tour that pointed out and contextualized sites of interest to the past, present and future of Yellow Springs: the buildings of Antioch College, the homes of Omar Circle, the historical names on headstones in Glen Forest Cemetery, the in-progress Spring Meadows neighborhood, and many others.

It was a tour that, on foot, would likely have taken several hours to complete. By van, passengers were treated to a wealth of local history, lively discussion and connection with their seat mates — all within about 75 minutes.

"That's what the shuttle is about — helping neighbors connect and be part of life more easily, and have fun with it," Libecap said.

The shuttle van will also be a crucial asset to the Senior Center, Mullin said, when the center eventually moves to its new location near Antioch College.

"When we have our new building, we need people to feel comfortable that they can still pop downtown for things and come back to the Senior Center," she said.

As the Senior Center navigates the logistics of the new service, Mullin stressed that the van will not replace the Transportation Program's already established services, which have seen increased use since 2020.

"It's an enhancement; it's augmenting the services we already provide," Mullin said, adding that the Senior Center is also exploring ways to collaborate with other local organizations on the use of the van.

And the shuttle service itself is likely to be augmented as the Senior Center discovers during the pilot phase what needs the service can best fill. To that end, the Senior Center has established a web page with a link to a survey, which folks are encouraged to fill out ahead of the June 2 launch and beyond, at ysseniors.org/survey.html. Among the data sought in the survey are common transportation challenges, village events and locations that would be useful for shuttle routes, frequency of ride needs and how much folks would be willing to pay for rides.

"We really want that feedback," Libecap said. "But we believe — just like in that baseball movie — that if we build it, then people will come."

Mullin said the Transportation Program as a whole helps address the often difficult transition away from driving that many seniors make. Providing means to not only get to basic services, but also to build community by connecting with friends and neighbors, is indispensable, she said.

"There's so much mounting evidence about socialization correlated to health and longevity," she said.

And the shuttle service, Libecap added, aims to stay true to the heart of the center's values, as established by Wesley Matthews.

"It's our mission statement," he said. "To enhance the dignity and quality of life for seniors in Yellow Springs and Miami Township and to foster interaction among them with the total community."

For more information on the Senior Center's shuttle service, and to fill out the survey, go to ysseniors.org/shuttle.html.

Contact: chuck@ysnews.com

MEMORIALS

Barry Dillon

It is with a wounded heart I write of my brother, Barry Dillon's passing.

Barry was one of many a unique fixture in Yellow Springs for many years: serving the community, along with Sue Andrew, fresh organic produce, then working for the Village Crew and helping dig out residents from the blizzard of '78. He was a true Man among Men and is sorely missed. Even though he had moved to Georgia, his heart was always in Yellow Springs.

A Celebration of Life will be held Friday, June 13, 6–8 p.m., at John Bryan State Park. All are invited to come to the Day Lodge and reminisce and honor him.

—Royce Dillon

Jonny Ellison

A Celebration of Life for Jon "Jonny" Ellison, who died Aug. 29, 2024, will be Saturday, May 24, 2025, from 2–6 p.m., at The Landing, Littleton & Rue Funeral Home and Crematory, in Springfield, Ohio. Remembrances and remarks will start at 4 p.m.

Sandra Love

The Celebration of Life for Sandra Love, who died Aug. 31, 2024, at the age of 84, will take place Saturday, June 7, 2025, at the Unitarian Universalist Fellowship of Yellow Springs. Doors will open at 1 p.m., and the service will begin at 2 p.m. Light refreshments and snacks will be served.

The family welcomes anyone who wishes to attend and looks forward to hearing stories and memories of their much loved wife and mom.

Harold Wright

A celebration of life for Harold Paul Wright will be Sunday, June 15, 1–3 p.m., at the Day Lodge in John Bryan State Park. Wright died in the comfort of his Yellow Springs home at age 93 on July 4, 2024. Those in attendance will be welcome to share remembrances as time allows.

Denny Powell

Miami Township Fire-Rescue will celebrate the life and service of Chief Denny Powell, on Saturday, May 31, 2025, beginning at 2 p.m., at Greene County Expo Center, 120 Fairgrounds Road, Xenia.

Chief Powell, who died April 15, 2025, served with the department for 36 years.

In lieu of flowers, and in accordance with Denny's wishes, donations may be made to the American Heart Association, at heart.org. For more information about the celebration of life, contact Acting Asst. Chief Nathaniel Ayers, at 937-767-7842.

All are welcome to join and celebrate Denny's many accomplishments, as well as share stories. Those with stories to share are asked to contact Retired Chief Colin Altman, at caltman800@gmail.com.



CONTACT US: *Email:* YSYOAmusic@gmail.com *Web:* YSYOA.org *USPS:* P.O. Box 4, Yellow Springs, Ohio 45387



AT THE SENIOR CENTER

Holiday closing

The Senior Center will close Monday,

below — call Maggie at the center at 937-767-5751, email info@ysseniors.org or go to Wristbands

Wristbands are on sale at the Children's Center and Senior Center, or at the 10–11 a.m. welcome activity the day of the event, with 10% of the proceeds going back to each nonprofit.

May 26, in observance of the Memorial Day holiday. All classes and events that usually occur on Mondays will not take place.

Two raffles to benefit Senior Center

The Senior Center is selling raffle tickets for two separate prizes, at \$10 a ticket, with the drawing to be held during the June 14 Street Fair. Proceeds will benefit the Senior Center.

One prize is a five-course meal, with wines, for four people, prepared by Chef Susan Neff. The meal will be planned with the winner to accommodate their schedule and dietary needs. The value of the meal is \$350.

The other prize is a Martin C1K Ukulele valued at \$500, donated by Bob and Susie Swaney of Jailhouse Suites. This concertsized model features top, back and sides crafted of solid Hawaiian koa, a wood native to Hawaii and a favorite of island players. A soft-sided carrying case is included.

Mobility equipment available on loan

Did you know that the YS Senior Center loans out mobility equipment for free? The center has wheelchairs, transport chairs, rollators, knee rovers and walkers with and without wheels. Call 937-767-5751 to borrow an item.

Volunteers needed

The senior center has many opportunities for all interests and talents to become involved as a volunteer. Examples include becoming a Friday Super Shopper, a Front-Desk "Smooth Operator" or a NASCAR (Nice and Safe Caring, Amiable [d]River) volunteer. For more information, go online to www.ysseniors. org/volunteer or contact Maggie at 937-767-5751 or by email at mdean@ysseniors.org.

Activities

The Senior Center offers a variety of weekly in-person and online activities available through the Zoom video-conference website. Links are listed on the center's online calendar, at ysseniors.org/calendar.html. To register for events — unless otherwise noted in the announcements MyActiveCenter.com.

• FLASH MOB: Those interested in learning the choreography for the Senior Center's annual flash mob should attend the weekly line dance class at 11:30 a.m. Friday, May 23.

The flash mob event, choreographed by Lynn Hardman, will begin at 1 p.m. Wednesday, May 28, on Short Street downtown.

The event is in celebration of National Senior Health & Fitness Day, which promotes regular physical activity. This year's theme is "Flip the Script on Aging."

• DAYTON DRAGONS GAME: The Senior Center has reserved a group of seats together for the Dayton Dragons baseball game at 7 p.m. Thursday, May 29. Seating options for participants who can't manage steps will be available.

Tickets are \$15 and first-come firstserved. Transportation will not be provided. Contact info@ysseniors.org to buy tickets.

• ETHICAL WILLS: Artie Isaac will present information on ethical wills on Friday, May 30, at 10 a.m. Ethical wills are not a legal document or about material items; they are a way to convey one's values, stories and important information to loved ones. Registration is required, as space is limited.

• **BINGO**: Play Bingo for cash prizes on Friday, May 30, from 4–5:30 p.m. Cards cost 25¢ per card each round. There is no limit on the number of cards one plays. Participants must be at least 21 years of age. Registration is required.

• FUNDRAISING EVENT AT YOUNG'S: The Senior Center and YS Community Children's Center will co-host a FUNdraising event at Young's Dairy on Saturday, May 31. The event will begin at 10 a.m. at Cowtherine's Carousel with welcome remarks, and the event will continue all day. There are three ticket options:

- Three tickets for \$24.95
- Five tickets for \$32.95

—"Mooitall" all-day-access wristbands: \$20.50, for ages 5–11, and \$27.50, for ages

JACKSON LYTLE & LEWIS FUNERAL HOME To honor your beloved pets we also provide **Paws & to & Cherish** PET CREMATION SERVICES 937-767-7310 | 322 Xenia Ave. | jacksonlytle.com LOCAL OWNERSHIP © REMODELED & UPDATED FACILITY • UKULELE CONCERT: The Senior Center's Ukulele Class will host a "Peace, Love, and Understanding Sing-Along" ukulele concert Sunday, June 1, at 2 p.m., in the Great Room. A number of favorite peace-related songs will be featured.

• BRUNCH BUNCH: Miguel's Tacos, in Yellow Springs, is the destination for this month's Brunch Bunch excursion, 11 a.m. Tuesday, June 3. The group meets the first Tuesday of each month to explore local and nearby restaurants and build community through sharing food. Register with Maggie at 937-767-5751, or email info@ ysseniors.org, one week prior if possible, so group reservations can be made. Meet at Miguel's.

• ANNUAL GARDEN DINNER PARTY: The YS Senior Center's annual Garden Dinner Party will be Saturday, June 28. Seating is limited, and spots go quickly for this fundraiser. Cost is \$85 per person. For more information, including a participation form, go online to ysseniors.org/ garden-dinner-party.



- Public Notice --PUBLIC HEARING BOARD OF ZONING APPEALS

VILLAGE OF YELLOW SPRINGS, OHIO

Notice is hereby given that:

Variance – Tammy Fox has submitted a Variance application seeking relief from fence height at 145 Kenneth Hamilton Way – Chapter 1260.01(a) (1) Fence Height of corner lots, Chapter 1278.04 Variances – Moderate Density Residential District (R-B) - **Greene County Parcel #F19000100020019700**

Variance – Jennifer Berman has submitted a Variance application seeking relief from number of Transient Guest Lodging Units within 500 ft at 309 W. Whiteman St. – Chapter 1262.08(e) (7) (B) TGL Location, Chapter 1278.04 Variances – Moderate Density Residential District (R-B) - **Greene County Parcel #F19000100040007500**

Variance – Suzanne Ordonez has submitted a Variance application seeking relief from rear yard fence height at 1436 Glen View Rd. – Chapter 1260.01 (a) (4) Fence Height, Chapter 1278.04 Variances – Low Density Residential District (R-A) - **Greene County Parcel #F19000100170003100**

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

DATE: Wednesday, June 4, 2025 • TIME: 5:30 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, May 29**, **2025** 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, May 30, 2025**.

Questions regarding the applications, zoning code or procedures may be directed to the Planning and Economic Development Director Meg Leatherman, phone 937-767-1702 or by email to meg.leatherman@yellowsprings.gov.

-Meg Leatherman, Planning and Economic Development Director