

Board of Zoning Appeals Meeting Minutes

Greenfield Township, Fairfield County, Ohio

Greenfield Township Board of Zoning Appeals Organizational Meeting, January 31, 2024

Chairman Dave Bichard called the meeting to order at 6:01 PM

Roll Call Present: Josh Arter – Yes, Elizabeth McNeese – Yes, Jeff Williamsen – Yes, Dave Bichard – Yes, Leann Racki – Yes

Also in attendance – Tom Erlenwein, Zoning Inspector

Agenda

- 2024 BZA organization
- Discussion on BZA Bylaws
- Discussion on Hardship Determination

2024 BZA Organization

Normally Josh Arter would be next in line for Chairman but due to a family illness, Josh Arter declined the appointment.

Josh Arter made a motion to appoint Jeff Williamsen as Chair. Dave Bichard second. Roll call: Josh Arter – Yes, Elizabeth McNeese – Yes, Jeff Williamsen – Abstain, Dave Bichard – Yes, Leann Racki – Yes

Jeff Williamsen made a motion to appoint Elizabeth McNeese as Vice-Chair. Dave Bichard second. Roll call: Josh Arter – Yes, Elizabeth McNeese – Abstain, Jeff Williamsen – Yes, Dave Bichard – Yes, Leann Racki – Yes

Discussion on Secretary: Normally the Fiscal Officer would take minutes. Recently Jeff Williamsen has been fulfilling that duty. It was decided that the Secretary duty would be turned back to the Fiscal Officer. It was decided to defer this until the new Fiscal Officer has been installed.

Discussion on BZA Bylaws

A copy of Liberty Township's BZA Bylaws was distributed to the Board. It was generally agreed that we should have a similar set of Bylaws. Jeff Williamsen suggested that one person on the Board review the Liberty Bylaws in detail and come back with suggested additions, deletions, or changes, for Board approval. Elizabeth McNeese was assigned that task.

Discussion on Hardship Determination

Presented to the Board Members: Duncan v Middlefield, Supreme Court of Ohio, April 11, 1986 (a guide to applying hardship and/or practical difficulties to a variance application)

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<https://www.casemine.com/judgement/us/59148da1add7b049345462cd>

Dave Bichard suggested that each Board Member read over the decision and take away their own opinion and use that in consideration of a hardship for our hearings.

Jeff Williamsen also shared a potential outline for conducting a hearing – so that we will have a consistent process. The Board reviewed the outline.

Zoning Inspector Tom Erlenwein shared that he has several anonymous complaints, six along Lancaster-Kirkersville Rd. Tom Erlenwein stated he will not pursue anonymous complaints, but that there may, in the near future, be a complaint that will have to be followed up on.

Tom Erlenwein also said he has issued a Zoning Violation letter for a vacant lot at the corner of Collins and Lithopolis Rd that appears to be conducting a business and may require a Conditional Use permit.

At the conclusion of the Organizational Meeting at 00:16:08 in the recording, the floor was opened to comment. In attendance were:

Terry Williams 1705 Ginder Rd
Elijah Dacey 1665 Ginder Rd
Liljana Veljanovski 1665 Ginder Rd
Michelle Gosel 1625 Ginder Rd
Joe Lutz 1643 Ginder Rd
Kyle Gleich 4975 Carroll-Eastern Rd
Lonnie Kosch - Trustee

(No one of the above attendees were sworn in so their testimony is hearsay)

Tom Erlenwein opened by saying he got a call from Dave Cotner (Trustee) asking what we need to do to resolve the variance denial (Dacey property, January 3rd). Tom handed out (personal & confidential) copies of email from legal counsel (Julie Donnan) that he received prior to the call from Dave Cotner. In that email, options for moving forward were offered.

Jeff Williamsen and Josh Arter questioned the timing of this apparent appeal of the decision and why it's always at the last minute and approaching the Board of Zoning Appeals where the Board is unprepared while everyone else has been working in the background.

Liljana Veljanovski stated that they (she and Elijah Dacey) were unaware of the 30-Day Appeal period and that they called Dave Cotner to see if he could help them. Liljana said they didn't want to go to the Court of Appeals and instead ask for an extension.

We were drawn back to the email from Counsel and how ambiguous the options are. It was decided that Dave Bichard and Jeff Williamsen will consult with Counsel along with Tom Erlenwein at his office tomorrow, February 1st, 2024, at 9:30 AM.

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Starting at 00:41:00 to 1:00:49 on the meeting recording - There were un-sworn and undocumented comments from the people in attendance. For that detail, please place a request for the archived recording with the Greenfield Township Fiscal Officer.

Josh Arter made a motion to adjourn. Elizabeth McNeese second. Roll Call: Josh Arter – Yes, Elizabeth McNeese – Yes, Jeff Williamsen – Yes, Dave Bichard – Yes, Leann Racki – Yes

Meeting adjourned at 7:03 PM

Minutes submitted by: Jeff Williamsen

Approved: 5/30/2024 Roll Call: Yes, Elizabeth McNeese – Yes, Jeff Williamsen – Yes, Dave Bichard – Yes, Leann Racki – Yes

(Hearing recording and evidentiary documents are available via a public records request.)