

VILLAGE OF YELLOW SPRINGS
BOARD OF ZONING APPEALS
MEETING AGENDA

The Village of Yellow Springs Board of Zoning Appeals will convene on
Wednesday, January 10, 2023 at 6:00 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, January 4, 2024 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, January 5, 2024.** 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 mleatherman@vil.yellowsprings.oh.us.

6:00 CALL TO ORDER

ROLL CALL

REVIEW OF AGENDA

COMMUNICATIONS

REVIEW OF MINUTES

Review of Minutes for June 14, 2023.

PUBLIC HEARINGS

- 1. Variance Request**– R-B, Moderate Density Residential District – 410 N. High Street, Darren Gilley has submitted an application for a variance seeking relief from Chapter 1248.03(b), Table 1248.03(a) regarding side yard setbacks. Greene County Parcel ID #F19000100010005100, F19000100010005200, F19000100010005300

- 2. Variance Request** – I-1, Mixed Industrial District – 845 Dayton Street, Jonathan Meier with MQ Rentals, LLC has submitted an application for a variance seeking relief from Chapter 1260.04(7), regarding size of accessory structure. Greene County Parcel ID #F19000100030005500.

AGENDA PLANNING

ADJOURNMENT

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

In Council Chambers @ 6:00 P.M.

Wednesday, June 14, 2023

CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Anthony Salmonson, Acting Chair.

ROLL CALL

Anthony Salmonson, Acting Chair, members Scott Osterholm and Matt Raska (via ZOOM) were present. Zoning Administrator for the Village, Meg Leatherman, was also present.

COMMUNICATIONS

There were no Communications.

REVIEW OF AGENDA

There were no changes made.

REVIEW OF MINUTES

Minutes for BZA Meeting of March 28, 2023 were reviewed. Osterholm MOVED and Raska SECONDED a MOTION TO ADOPT THE MINUTES AS WRITTEN. The MOTION PASSED 3-0 on a VOICE VOTE.

PUBLIC HEARINGS

Variance Request – R-B, Moderate Density Residential District – 602 Robinwood Road
Alex Melamed, on behalf of Robert Libecap, has submitted an application for a variance seeking relief from Chapter 1260.02(a)(2) front yard setbacks for a porch addition.
Greene County Parcel ID: F19000100010001300.

Leatherman introduced the request as follows:

Robert Libecap wishes to build a new porch at the front of his house. He is proposing a 12 x 12 foot porch with a covered roof. Because this property is a corner lot, it has two front yard lot lines, Robinwood Road and King Street. This variance request is for two variances: a six-foot variance to the south (Robinwood) and a 3-foot variance to the east (King Street), leaving 14-feet of frontage on Robinwood and 17-feet of frontage on King Street.

The property measures 8,500 sq. ft. and up to 3,400 sq. ft. of lot coverage is allowed. The current footprint is 1,414 sq. ft. With approval of the front porch, this will expand to 1,558 sq. ft., well below the lot coverage requirement.

There being no comment from BZA members, Salmonson OPENED THE PUBLIC HEARING>

Alex Melamed advocated for passage of the request.

Robert Libecap commented that his neighbors like to gather to play music and socialize, and that his porch is planned as a gathering area for these regular occurrences.

Salmonson CLOSED THE PUBLIC HEARING.

The Clerk noted that she was calling the Duncan Standards in regard first to the KING STREET variance request of three feet.

The Clerk then read the Duncan Standards as follows, 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; Salmonson: Y; Osterholm: Y; Raska: Y
- (2) Whether the variance is substantial; Salmonson: N; Osterholm: 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; 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; Raska: N

- (5) Whether the property owner purchased the property with knowledge of the zoning restriction; Salmonson: Y; Osterholm: 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; Raska: Y
- (7) Whether the existing conditions from which a variance is being sought were self-created; Salmonson: Y; Osterholm: 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; Raska: Y

Raska MOVED to APPROVE the variance as requested. Salmonson SECONDED, and the MOTION PASSED 3-0 ON A ROLL CALL VOTE.

The Clerk then noted that she was calling the Duncan Standards in regard first to the ROBINWOOD ROAD variance request of six feet.

The Clerk then read the Duncan Standards as follows, 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; Salmonson: Y; Osterholm: Y; Raska: Y
- (2) Whether the variance is substantial; Salmonson: N; Osterholm: 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; 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; Raska: N
- (5) Whether the property owner purchased the property with knowledge of the zoning restriction; Salmonson: Y; Osterholm: 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; Raska: Y
- (7) Whether the existing conditions from which a variance is being sought were self-created; Salmonson: Y; Osterholm: 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; Raska: Y

Raska MOVED to APPROVE the variance as requested. Osterholm SECONDED, and the MOTION PASSED 3-0 ON A ROLL CALL VOTE.

AGENDA PLANNING

There were no items for consideration.

ADJOURNMENT

There being no further business, Osterholm MOVED and Salmonson SECONDED a MOTION to adjourn. The MOTION PASSED 3-0 on a voice vote. Meeting ADJOURNED at 6:20PM.

Ellis Jacobs, Acting Chair

Attest: Judy Kintner, Clerk



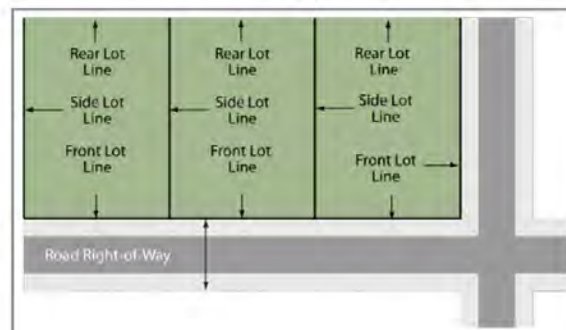
TO: Board of Zoning Appeals
FROM: Meg Leatherman, Planning & Zoning Administrator
REPORT DATE: January 3, 2023
MEETING DATE: Wednesday, January 10, 2023
RE: **BZA05-2023 - Variance– 410 N. High Street – Darren Gilley**

SUMMARY

Darren Gilley, property owner, submitted a Variance application (Exhibit A) for side yard setback relief, section 1248.03(a), and relief from the ADU standard, section 1262.08 (e)(1), that limits the livable area to 800 sq ft. Simultaneously, Mr. Gilley submitted a conditional use application (Exhibit A) to add a new Accessory Dwelling Unit (ADU) to operate a Transient Guest Lodging Unit (TGL). The Conditional Use application will be heard by the Planning Commission on January 9, 2024.

The proposal includes construction of a two-story, 2,400 square foot structure with one bedroom, one bathroom, and one living area. He intends to continue to inhabit the primary dwelling and to rent out the ADU on a short term basis. The existing single-family home is on three separate lots, all under one ownership. The lot is comprised of three lots owned by the same property owner, and considered a Non-conforming Lot of Record. As provided for in Village code section 1282.05, adjoining Non-conforming lots of record that are owned by the same property owner of record, shall be counted as a whole for the purposes of erecting accessory structures.

The property is located on the corner of Pleasant St. and N. High St. The code (1284.06) requires that corner lots have two front lot lines.



This means that a 20' setback is required along Pleasant St. and N. High St. The applicant is requesting a 5' setback along Pleasant St. Staff recommends approval of both requests, with conditions, based on the Applicable Code and Staff Findings provided below.



Vicinity Map

PROJECT DESCRIPTION

ZONING DISTRICT: Medium-Density Residential District (R-B)

APPLICANT: Darren Gilley

PROPERTY OWNER: Darren Gilley

REQUESTED ACTION: BZA05-2023 – Variance – 410 N. High Street – Darren Gilley

PARCEL ID: F19000100010005100, F19000100010005200, F19000100010005300

PUBLIC NOTICE: Adjoining property owners were mailed a notice on December 28, 2023 (Exhibit B), signs were posted on the property on December 29, 2023 (Exhibit C), and a notice was published in the paper on December 22, 2023 (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 property owner has shown practical difficulties so inequitable to justify granting a variance because the property is comprised of three lots, that are all considered one for development purposes, so there is enough space to have a larger accessory dwelling unit. The code classifies the property as a corner lot but since the improved (asphalt) portion of Pleasant St. ends at N. High St. the road doesn't function the same way as the majority of other corner lots in the Village. This characteristic also creates a rural character and aesthetic.

RECOMMENDATION

Planning Commission shall consider the application (Exhibit A) with the requirements outlined in Section Staff recommends **APPROVAL** of the application with the following conditions:

CONDITIONS OF APPROVAL:

1. Approval of Conditional Use for ADU and TGL by the Planning Commission.

Sincerely,

A handwritten signature in black ink, appearing to read 'Meg Leatherman', with a long, sweeping horizontal line extending to the right.

Meg Leatherman
Planning & Zoning Administrator
Economic Sustainability Liaison
Village of Yellow Springs

EXHIBIT LIST:

Exhibit A – Application

Exhibit B – Neighbor Notice

Exhibit C – Sign Posting

Exhibit D – YS News Notice



Board of Zoning Appeals Public Hearing Request: Variance

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

Case #: BZA 05-2023
Hearing Date: 1/10/23

F19000100010005100 d 52008 5300

Applicant Information

| | | | |
|--------------------|--|--------|---|
| Property Address: | <u>410 N High St, Yellow Springs, OH 45387</u> | | |
| Property Owner: | <u>Darren Gilley</u> | Phone: | <u>937-287-6044</u> Email: <u>darrengilley7@gmail.com</u> |
| Mailing Address: | <u>410 N High St, Yellow Springs, OH 45387</u> | | |
| Applicant Name: | <u>Darren Gilley</u> | Phone: | <u>937-287-6044</u> Email: <u>darrengilley7@gmail.com</u> |
| Applicant Address: | <u>410 N High St, Yellow Springs, OH 45387</u> | | |

Project Information

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

Description: I am requesting that the minimum yard setback on the Pleasant Street side of the property be changed from 20 feet to 5 feet. This is necessary to accommodate the ADU that I would like to construct on my property. In addition

Dimensions of Project & Total measurement of Variance requested: see site plan attached

Site Plan Attached: ☒ Stormwater Mitigation Plan Attached: ☒ NA

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.

Applicant Signature: [Signature]

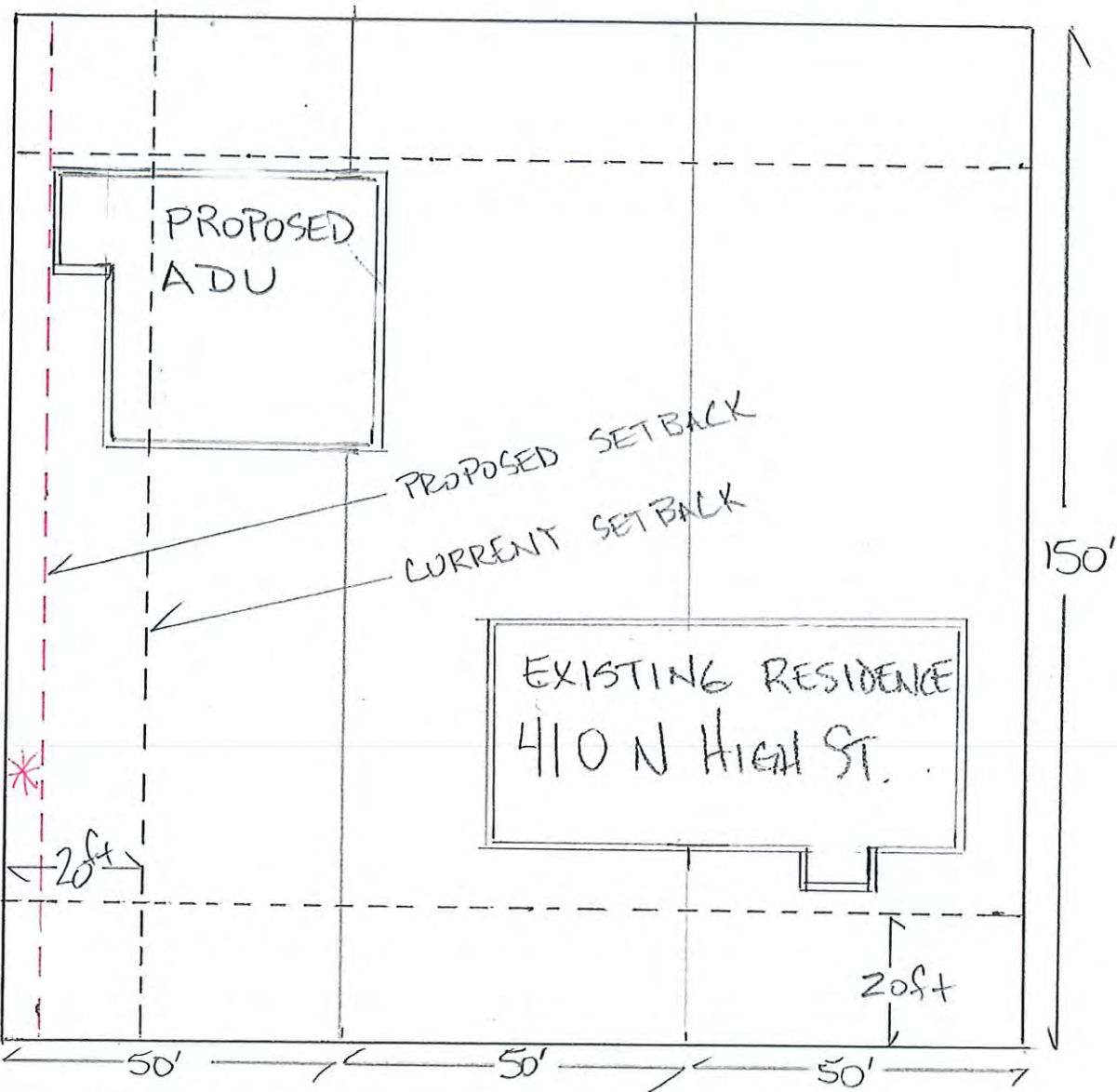
Date: 1/28/2023

| FOR OFFICE USE ONLY | | |
|------------------------------|--|---|
| Zoning Fee: \$ <u>200.00</u> | Payment Type: <input type="checkbox"/> Check <input type="checkbox"/> Cash <input type="checkbox"/> Card | Approved <input type="checkbox"/> Denied <input type="checkbox"/> |
| Other fees: \$ <u>—</u> | Zoning District: <u>R-B</u> | Permit Number: <u>BZA 05-2023</u> |
| Total \$ <u>200.00</u> | Zoning Official Name and Title | Date |

I would like to request a sq footage increase to 2400 sq ft

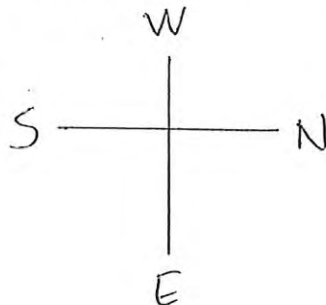
CURRENT ZONING = R-B
410 NORTH HIGH STREET

5ft.



N. High St.

* PROPOSED VARIANCE ON SET BACK FROM 20' TO 5'
ON PLEASANT STREET



TRANSFERRED
PER 319.20 O.R.C.

11 OCT 19 AM 9:56

9 254.00
FEE EXEMPT

GREENE COUNTY AUDITOR

2011 OCT 20 AM 8:07

28-
ERIC C. SEARS
GREENE CO. RECORDER
XENIA, OH.

3543

FIDUCIARY'S DEED

Know All Men By These Presents:

That DAVID E. TROLLINGER, Executor of the Estate of the Marvin E. Trollinger, deceased, grants with fiduciary covenants, to DARREN REID GILLEY, Grantee, whose tax-mailing address is 410 N. High St., Yellow Springs, OH 45387, all right, title and interest of the Grantor, in and to the following REAL PROPERTY: **aka DARREN GILLEY*

Situate in the Village of Yellow Springs in the County of Greene and State of Ohio;

Being all of Lot Nos. Eight (8), Nine (9), and Ten (10) of Nickoson's Addition to the Village of Yellow Springs, Ohio, which said plat is recorded in Volume 3, Page 61, nka New Cabinet 31, Page 388A, Greene County Deed Records.

Which said plat is subject to existing easements as indicated and to new easements to include five feet (5') at rear of all lots for overhead and underground utility service.

By the acceptance of this deed the grantee covenants for himself, their heirs and assigns, that intoxicating liquors shall not be sold on said premises.

Being the same premises conveyed by L. C. Nickoson and C. B. Nickoson, husband and wife, to Earl C. Williams and Enid M. Williams, by deed dated June 23rd, 1952, and recorded in Volume 232, Page 111 of the Deed Records of Greene County, Ohio.

Prior Instrument Reference: Deed Records Volume 2409, Page 573 of the Deed Records of Greene County, Ohio.

Parcel ID No.: F19-1-1-51; F19-1-1-52; and F19-1-1-53

IN WITNESS WHEREOF the undersigned have set his hand this 14 day of October, 2011.

David E. Trollinger, Executor
DAVID E. TROLLINGER, Executor of the
Estate of the Marvin E. Trollinger, deceased

STATE OF OHIO,
COUNTY OF GREENE, SS:

BE IT REMEMBERED, that on this 14 day of October 2011, 2011, before me, the subscriber, a Notary Public, in and for said County and State, personally came DAVID E. TROLLINGER, Executor of the Marvin E. Trollinger Estate, the Grantor in the foregoing deed, and acknowledged the signing thereof to be his voluntary act and deed.



TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my official seal on this day and year last aforesaid.
JULIE L. CARROLL, Notary Public
in and For the State of Ohio
My Commission Expires March 2015

Julie L. Carroll
Notary Public

This instrument prepared by: David L. Phipps, Attorney at Law, 53 W. Main St., Xenia, OH 45385-0697

Description Check

Greene County Engineer's Tax Map Dept.

- ☒ Legally Sufficient As Described
☐ Legally Sufficient With Corrections Noted
☐ Legally Insufficient, New Survey Required

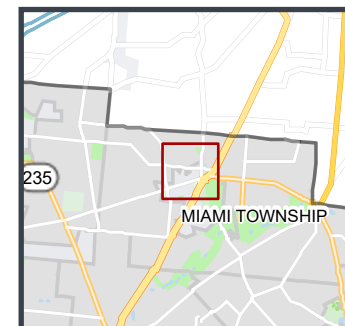
By [Signature]

Date 10/18/11
















For F19-1-1-51, 52, 53

VOL 318 | PG 971

127.00



Greene County Legend

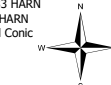
- | | | | |
|---|----------------------|---|---------------|
|  | Interstate Highway |  | Parcel Number |
|  | US Highway |  | Lot Number |
|  | State Route |  | Schools |
|  | Local Roads |  | Parks |
|  | Parcel Boundary |  | Cemetery |
|  | Corporation Boundary |  | Shopping |
|  | Topography |  | Buildings |
| | |  | Hydrography |

1 inch = 40 feet

DISCLAIMER:

The data and maps provided herein may not be construed as a legal document or legal representation. Any person or entity who relies on this data does so solely at their own risk. The data provided was prepared by Greene County in accordance with Section 5713.09 of the Ohio Revised Code. Neither Greene County, Ohio nor its employees or officers warrant the accuracy, reliability, or timeliness of any of the data provided herein. This data is provided "as is" without warranty of any kind, and assumes no legal responsibility for the information it contains.

Spatial Reference
 NAD 1983 HARN StatePlane Ohio South FIPS 3402 Feet
 GCS: GCS North American 1983 HARN
 Datum: North American 1983 HARN
 Projection: Lambert Conformal Conic
 Central Meridian: -82.5000
 Latitude of Origin: 38.0000
 Longitude of Origin: 0.0000
 False Easting: 1,968,500.0000
 False Northing: 0.0000
 Central Parallel: 0.0000
 Standard Parallel: 37.7333
 Standard Parallel 2: 40.0333
 Scale Factor: 0.0000
 Azimuth: 0.0000
 Map Units: Foot US



**PUBLIC HEARING****VILLAGE OF YELLOW SPRINGS PLANNING COMMISSION**

Notice is hereby given that:

- 1) Conditional Use Application** – Darren Gilley has submitted a Conditional Use application for an Accessory Dwelling Unit and Transient Guest Lodging at 410 N. High Street – Chapter 1248 Residential Districts, Chapter 1262.08 (e)(1) Conditional Use – Specific Requirements – Accessory Dwelling Units, Chapter 1262.08(e)(7) Conditional Use – Specific Requirements – Transient Guest Lodging - Low Density Residential District (R-A), **Greene County Parcel #F19000100010005100, F19000100010005200, F19000100010005300**



A PUBLIC HEARING WILL BE HELD ON THIS PETITION BY THE VILLAGE OF YELLOW SPRINGS PLANNING COMMISSION ON:

DATE: Tuesday, January 9, 2024

TIME: 6:00 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@yso.com, or by calling 937-767-9126. Please submit your letter by no later than **Thursday, January 4, 2024 for inclusion in the Commission packet: however, all letters received any time prior to the hearing will be provided to the Commission 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.yso.com after Friday, January 5, 2024. 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 mleatherman@yso.com.

PUBLIC HEARING

VILLAGE OF YELLOW SPRINGS BOARD OF ZONING APPEALS

Notice is hereby given that:

- 1) Variance Request**– R-B, Moderate Density Residential District – 410 N. High Street, Darren Gilley has submitted an application for a variance seeking relief from Chapter 1248.03(b), Table 1248.03(a) regarding side yard setbacks. **Greene County Parcel ID #F19000100010005100, F19000100010005200, F19000100010005300**

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BLACK
LIVES
MATTER

VARIANCE
REQUEST INVOLVING
THIS PROPERTY
WILL BE HEARD

JANUARY 10 6:00 PM
LIVE on CHANNEL 5 & WWW.YSO.COM
CALL (937) 767-9126

GET FOUND. advert@ysnews.com • 937-767-7373

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937-319-4500
ryan.carpe@edwardjones.com
www.edwardjones.com/ryan-carpe

— Public Notice —

PUBLIC HEARING

VILLAGE OF YELLOW SPRINGS BOARD OF ZONING APPEALS

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Meg Leatherman, Zoning Administrator

— Public Notice —

PUBLIC HEARING

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Meg Leatherman, Zoning Administrator



Kim Williams Rea

Kim Williams Rea, age 69, passed away surrounded by family on Dec. 14, 2023, after a four-year battle with pancreatic cancer.

Kim was preceded in death by her father, Donald Williams. She is survived by her mother, Gene Williams; husband, Christopher Rea; son, Jeremy (Ananda) Rea, of Fairborn; daughter, Amber (Brad) Hurak, of Cincinnati; and granddaughters, Alice Rea and Maren and Laine Hurak. She is also survived by brother Rhon (Vickie) Williams, of Manhattan Beach, California; sister Jill (Ed) Bokros, of Chelsea, Michigan; and brother Ray (Pam) Williams, of Lexington, Kentucky.

Kim was born in Akron and raised in Beavercreek, where she graduated from Beavercreek High School in 1972. Kim and Chris met while working at Shoppersmith in Vandalia during summer break, and were married in 1981. They lived for the past 30 years in Yellow Springs.

She earned her Bachelor of Science in education from Bowling Green State University in 1975 and her master's degree in Elementary Principalship from Wright State University in 1981. Having taught children in the classroom from preschool through third grade for over 45 years, and in recent years specializing in tutoring children with dyslexia, Kim's passionate dedication as an educator will be remembered by family, friends and students alike. She also shared her strong and abiding faith in God with everyone who knew her by remaining ever grateful and always finding the positive side of any situation. Even with the struggles of cancer, Kim continued to enjoy time and travel with her husband, and made a lasting impact on the lives of her beloved granddaughters.

Visitation and funeral service were held in Kim's memory on Wednesday Dec. 20, 2023, at Pleasant Grove Missionary Church, where Kim was an active member. She will be laid to rest in Dayton National Cemetery at a later date.

FRANTZ CONCRETE & REMODELING

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YELLOW SPRINGS BOARD OF EDUCATION

PUBLIC NOTICE

NOTICE OF REQUEST FOR QUALIFICATIONS FOR DESIGN PROFESSIONAL SERVICES

The Yellow Springs Exempted Village School District Board of Education is accepting qualifications from design professionals to provide services for its Districtwide Improvements Project. The Project will include the design, construction, and renovation of multiple buildings in Yellow Springs, Ohio 45387.

Interested firms may request an RFQ from Jacob McGrath, Treasurer at jmcgrath@ysshchools.org, or go to www.ysshchools.org/construction.

Qualifications will be accepted until 12:00 p.m. local time, January 3, 2024.

OBITUARIES

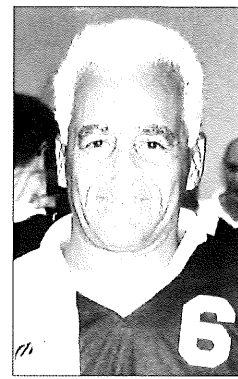
Robert Kingsley Perry Jr.

Robert Kingsley Perry Jr. passed away in his residence on Dec. 7, 2023, at the age of 87, from complications of a stroke.

He was born on April 22, 1936, to Robert Kingsley Perry and Francis Elizabeth Wells. Mr. Perry lived in Yellow Springs his entire life and worked at Kettering Research and Analytics College as a facility manager. He also spent time with Home, Inc. and Village Council. He loved Yellow Springs and the people, but his family was always most important. He also enjoyed volleyball, bowling and camping.

Mr. Perry was preceded in death by his wife of 64 years, Yvonne E. Montgomery; his son Kingsley E. Perry, of Yellow Springs; two brothers, Robert Lee and Donald Woodford, both of Yellow Springs; and his parents.

He leaves behind a son, Mark A. Perry, and daughter, Deneen Y. Perry, both of Yellow Springs; two sisters, Margaret G. Perry Bellinger, of Maryland, and Patricia L. Perry, of Yellow Springs; eight grandchildren, Maria Leisinger, Dorian Benning, Kingsley O'Neal Perry, Kyoto M. Perry, Brandon Frye, Natasha Y. Perry, Levi A. Perry and Devon E. Perry; five great-grandchildren, Mayla Royalston, Kyndall Perry, Malik Royalston, Naomi Perry and Lilly Maddox; and a host of nieces, nephews and cousins. The Perry family would like to thank Hospice for their help and care for Mr. Perry in his last days.



A memorial service will be held Saturday, Jan. 13, 2024, at noon, at Jackson Lytle & Lewis Funeral Home, Yellow Springs. In lieu of flowers, donations may be made to Hospice of Dayton in memory of Kingsley Perry. Condolences may be forwarded to his family by visiting jacksonlytle.com.

Joyce White Sandberg

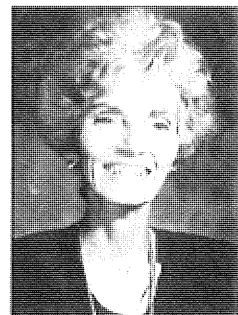
Joyce White Sandberg was unstoppable. She was fiercely loyal to her family and friends. She was a skilled carpenter who also loved to paint. She enjoyed dancing and was a talented decorator who could turn any ordinary home into a work of art. She loved the water, and usually had a swimming pool wherever she lived.

In her younger days, she enjoyed going on ski trips and the movies with her friends in Utah. Later in life, she enjoyed deer hunting and camping in the mountains. She was involved in her children's activities, attending many ball games and dance recitals. Her family bowled together and spent Sundays going to a movie or taking a drive in the country.

After retiring from civil service at Wright-Patterson Air Force Base, she did not quit working. She went on to work as a realtor in Tipp City, Ohio, for a few years and at a hair salon in New Carlisle, as a receptionist. The salon is where she met her late husband, Lyle Sandberg. After they married, they went on many trips to the East Coast, the Gulf Shores of Florida and Europe.

She loved everything there is to love about the beach. Her favorite pastime was gardening. She was awarded Gardener of the Year in Tipp City, Ohio. She enjoyed driving and occasionally drove all the way to Naples and St. Pete Beach, alone, to visit her friends Pat and Phyllis and her eldest daughter, Jodie. She resided with her youngest daughter, Jeri Leyer, and her family. She enjoyed the occasional breakfast with her son, Jimmy, and his wife, Patty, in Centerville.

Joyce loved Christmas, and Christmas Eve was always celebrated at her home. She would often invite strangers, who had nowhere to go or no family to celebrate the holidays with, over on Christmas Eve. She made cookies for neighborhood children. That is the kind of woman she was.



Joyce was born in Ogden, Utah, on April 23, 1934, and died at home in Waynesville at the age of 89, Dec. 12, 2023. She was preceded in death by her husband, Lyle Sandberg; her parents, Arthur and Cleo Shively; and her great-granddaughter Brooke. She is survived by her children, Jimmy White (Patty), Jodie White and Jeri Leyer (Jim); and stepsons, Jay, Jud and Jan Sandberg (Annabelle). Grandchildren include Jessica Cushman, Casey Leyer (Amanda), Tim Meyers, Becky Amato (Mike), Justin Sandberg (Vanessa), Adam Sandberg (Lisa) and Josh Sandberg (Robyn). Great-grandchildren include Braxton Maiolo Leyer, Sydney Leyer, Penelope Leyer, Jaron, Weston, Beau and Isabella Sandberg; and Colin and Ava Amato.

A celebration of life was hosted by the family Thursday, Dec. 21, at Soraya Farms Clubhouse in Centerville.

Lorine Watkins

Lorine Ashley Watkins, 79, of Yellow Springs, Ohio, passed away Friday, Dec. 8, 2023, in her residence. She was born June 5, 1944, in Cleveland, Ohio, to Monroe Pelton Ashley Sr. and Virginia Ethel Ashley. Lorine was the third oldest of six siblings.

Her academic achievements include a Bachelor of Arts degree in education from Wilberforce University and studies toward a master's in education at the University of Dayton. She began her teaching career as a substitute teacher in the Yellow Springs Schools system, then became the lead teacher at the Miami Child Development Center, Head Start Program in Xenia, Ohio.

In 1970 she began teaching in the Springfield City Schools System, where she spent 34-plus years teaching kindergarten, first grade and Readiness First Reading.

She attended First Baptist Church of Yellow Springs, and was a "Lila" and "Silver Star" member of Alpha Kappa Alpha Sorority, Inc. She was also a Life Member in both the local and national Wilberforce University Alumni Associations. Her professional growth led her to be a member of Delta Kappa Gamma Education Honors Society.

Lorine is survived by her husband of 58 years, Thomas E. Watkins Sr.; two sons, Thomas E. Watkins Jr. (Vanessa), of Riverdale, Georgia, and DuShawn L. Watkins (Brette), of College Park, Georgia; sisters LaVerne Holmes, of Macedonia, Ohio, Sherran Cephus (Billy), of Cleveland



Heights, Ohio, and Rose Embry (John), of Shaker Heights, Ohio; and a host of nieces, nephews, other relatives and friends.

Service was held on Saturday, Dec. 16, 2023, at First Baptist Church, 600 Dayton St., Yellow Springs, Ohio, with the Rev. William Randolph officiating and the Rev. Dr. John E. Freeman eulogist. Interment at Glen Forest cemetery, Yellow Springs, Ohio. Arrangements entrusted to Marlan Gary Funeral Home Springfield Chapel. You may send your condolences to TheChapelofpeace.com.

DOWNTOWN YELLOW SPRINGS

Intersection of Xenia Ave & Short St.

ARRIVE @ 11:30 p.m.

NEW YEARS EVE BALL DROP

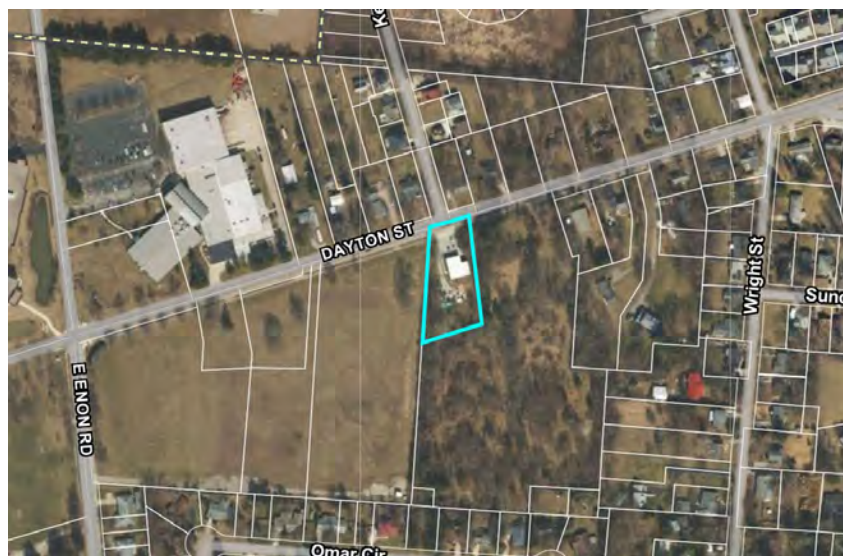
This space donated by Jackson Lytle & Lewis Funeral Home

TO: Board of Zoning Appeals
FROM: Meg Leatherman, Planning & Zoning Administrator
REPORT DATE: January 3, 2023
MEETING DATE: Wednesday, January 10, 2023
RE: **BZA06-2023 – Variance to allowable size of Accessory Structure –845 Dayton Street – MQ Rentals, LLC**

SUMMARY

Jonathon Meier, owner of MQ Rentals, LLC, and property owner, submitted a Variance application (Exhibit A) seeking relief from the Accessory Structure standard, section 1264.04 (a)(7), that limits the size of an accessory structure to 66% of the principal building's gross floor area or 800 square feet, whichever is less. On July 12, 2022 the Planning Commission approved a Conditional Use (File #PC10-2022) for a Contractor's Office with outdoor storage (Exhibit E). The applicant is requesting an accessory structure of 2,000 sq feet in order to have a large enough building to hold all of their supplies.

The business, Rain Brothers, re-located to Yellow Springs in 2022 into the existing building on the property that was previously used as a recording studio. Rain Brothers sells water cistern systems and rain water harvesting supplies, such as rain barrels, tanks, filters, pumps, etc. Most business activity occurs within the existing structure, with some outdoor storage of equipment. The building was configured to meet the needs of a recording studio and is divided into multiple rooms that make it challenging to accommodate all aspects of the business, especially storage of supplies.



Vicinity Map



PROJECT DESCRIPTION

ZONING DISTRICT: Mixed Industrial District (I-1)

APPLICANT: Jonathon Meier

PROPERTY OWNER: MQ Rentals, LLC

REQUESTED ACTION: BZA06-2023 – Variance to allowable size of Accessory Structure –845 Dayton Street – MQ Rentals, LLC

PARCEL ID: F19000100030005500

PUBLIC NOTICE: Adjoining property owners were mailed a notice on December 28, 2023 (Exhibit B), signs were posted on the property on December 29, 2023 (Exhibit C), and a notice was published in the paper on December 22, 2023 (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. The property is zoned Mixed Industrial (I-1) and is presently used for a Light Industrial business, Rain Brothers. The code restricts the size of an accessory structure to the same allowable size in all zones throughout the Village, which is impractical since equipment for industrial uses take up more space than items associated with residential uses.

Most business activity occurs within the structure but there is currently some outdoor storage of equipment. The prior use of the building was as a recording studio and the structure is divided into multiple rooms that make it challenging to accommodate all aspects of the business, especially storage of supplies. In addition, the property and the surrounding 18 acres of land, is restricted to further development due to an on-going environmental remediation project. The restriction and environmental remediation is expected to continue for several more decades. Furthermore, the business is expanding the customer base and requires additional supply storage area to adequately advance the business.

RECOMMENDATION

The Board 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. Approval of a building permit prior to commencement of construction.

Sincerely,

A handwritten signature in black ink, appearing to read 'Meg Leatherman', with a long, sweeping horizontal line extending to the right.

Meg Leatherman
Planning & Zoning Administrator
Economic Sustainability Liaison
Village of Yellow Springs

EXHIBIT LIST:

- Exhibit A – Application
- Exhibit B – Neighbor Notice
- Exhibit C – Sign Posting
- Exhibit D – YS News Notice
- Exhibit E – PC Conditional Use Approval July 12, 2022



Board of Zoning Appeals
Public Hearing Request:
Variance

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

Case #: BZA06-2083
Hearing Date: 1/10/24

Applicant Information

| | | | |
|--------------------|---|--------|--------------|
| Property Address: | 845 DAYTON STREET | | |
| Property Owner: | MQ RENTALS, LLC | Phone: | 614-424-0572 |
| Mailing Address: | 845 DAYTON STREET | | |
| Applicant Name: | JONATHAN MEIER | Phone: | 614-424-0572 |
| Applicant Address: | 4535 MEREDITH RD., YELLOW SPRINGS 45387 | | |

Project Information

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

Description: ACCESSORY STRUCTURE OF 2000 SQUARE FEET

Dimensions of Project & Total measurement of Variance requested: 40' W x 50' L x ~~10'0"~~ 17'11" H

Site Plan Attached: ☒ Stormwater Mitigation 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.

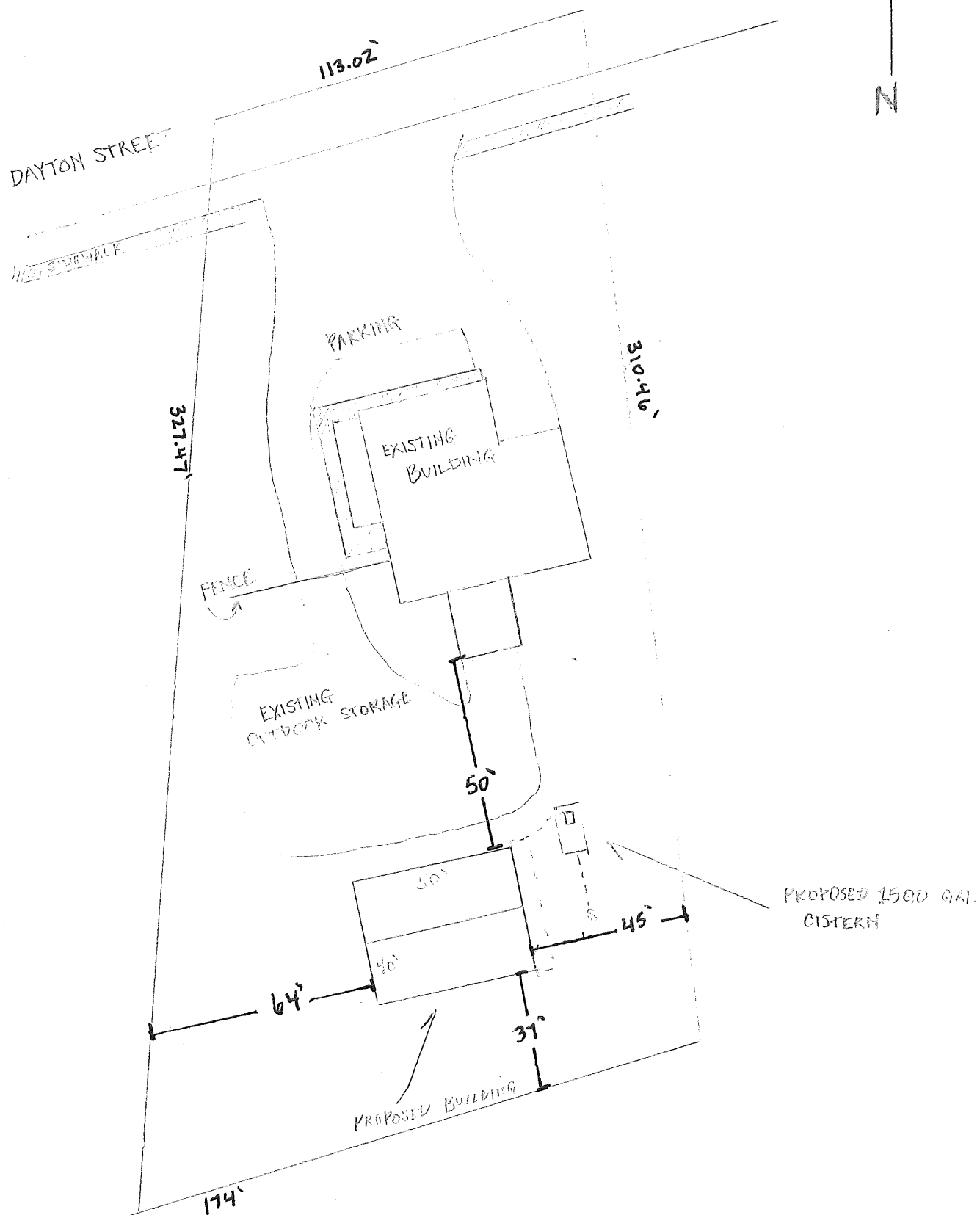
I, the undersigned do hereby certify that I am the applicant, and the information and statements given on this application, drawings, and specifications are to the best of my/our knowledge, true and correct. I understand that the Village is not responsible for inaccuracies in information presented, and 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.

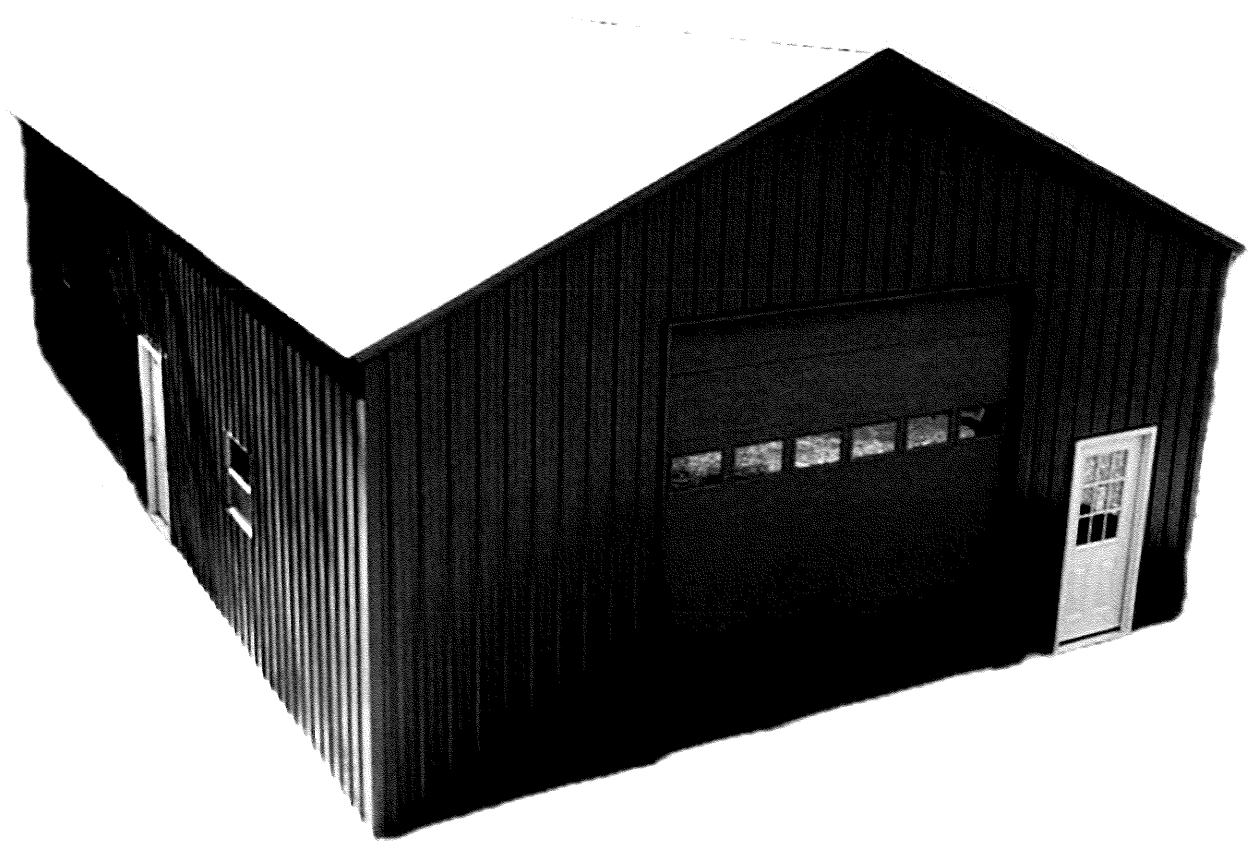
Applicant Signature: _____ Date: 12/18/23

| FOR OFFICE USE ONLY | | |
|------------------------------|---|---|
| Zoning Fee: \$ <u>200.00</u> | Payment Type: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Cash <input type="checkbox"/> Card | Approved <input type="checkbox"/> Denied <input type="checkbox"/> |
| Other fees: \$ <u>—</u> | Zoning District: <u>E-2</u> | Permit Number: <u>BZA06-2083</u> |
| Total \$ <u>200.00</u> | Zoning Official Name and Title | Date |

11



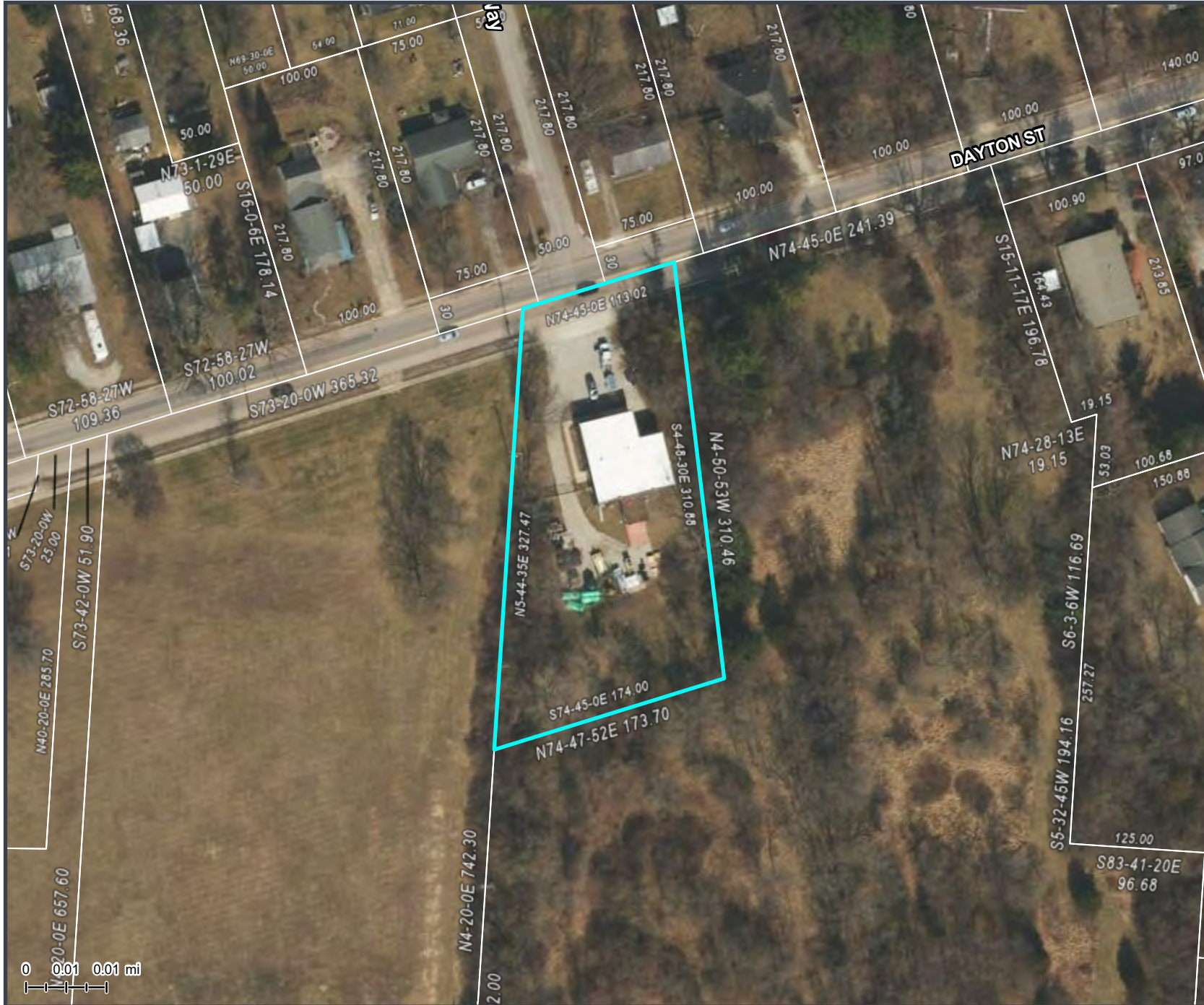
845 DAYTON STREET - PROPOSED BUILDING SITE PLAN



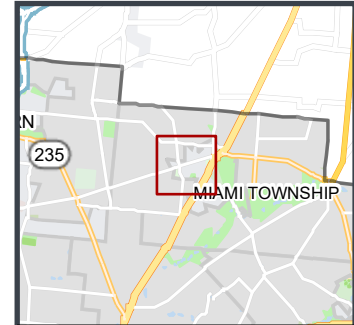


Greene County PAS

Geographic Information Management System



County Auditor David A. Graham



Greene County Legend

| | | | |
|--|----------------------|--|---------------|
| | Interstate Highway | | Parcel Number |
| | US Highway | | Lot Number |
| | State Route | | Schools |
| | Local Roads | | Parks |
| | Parcel Boundary | | Cemetery |
| | Corporation Boundary | | Shopping |
| | Topography | | Buildings |
| | | | Hydrography |

1 inch = 100 feet

DISCLAIMER:

The data and maps provided herein may not be construed as a legal document or legal representation. Any person or entity who relies on this data does so solely at their own risk. The data provided was prepared by Greene County in accordance with Section 5713.09 of the Ohio Revised Code. Neither Greene County, Ohio nor its employees or officers warrant the accuracy, reliability, or timeliness of any of the data provided herein. This data is provided "as is" without warranty of any kind, and assumes no legal responsibility for the information it contains.

Spatial Reference
NAD 1983 HARN StatePlane Ohio South FIPS 3402 Feet
GCS: GCS North American 1983 HARN
Datum: North American 1983 HARN
Projection: Lambert Conformal Conic
Central Meridian: -82.5000
Latitude of Origin: 38.0000
Longitude of Origin: 0.0000
False Easting: 1,968,500.0000
False Northing: 0.0000
Central Parallel: 0.0000
Standard Parallel 2: 40.0333
Scale Factor: 0.0000
Azimuth: 0.0000
Map Units: Foot US



Created On: 1/3/2024 11:50 AM

23036
TRANSFERRED
PER 319.20 O.R.C.
7/25/2022 9:46:24 AM
360.00
Greene County Auditor

Survey Record
Greene County Surveyor's
Record No 23 Page 133
DESCRIPTION CHECK
Greene County Engineer's Tax Map Dept.
☒ Legally Sufficient As Described
☐ Legally Sufficient With Corrections Needed
☐ Legally Insufficient, New Survey Required
By: [Signature] Date: 071522
PAR ID: DIST EL9 BK 1 PG 3 PAR 55
Barcode: 1 1 9 6 0 1 5
2022014304
7/26/2022 8:38:42 AM
Eric C Sears
Greene County Recorder
DEED 34.00
Pages 1

GENERAL WARRANTY DEED

Christopher B. Hertzler, unmarried, of 402 Fairfield Rd., Yellow Springs, OH 45387, for valuable consideration paid, grant(s) with general warranty covenants, to MQ Rentals, LLC an Ohio Limited Liability Company, whose tax-mailing address is 4535 Meredith Ln YS OH the following REAL PROPERTY: 45387

Situated in Village Yellow Springs, County Greene and State of Ohio.

Situate in the State of Ohio, County of Greene and Village of Yellow Springs, in the Southwest quarter of Section 20, Town 4, Range 8 and bounded and described as follows:

Beginning at a spike in the centerline of Dayton Street at the Northwest corner of the original 3 1/4 acres of which this was a part and a corner to the property of Vernay Laboratories, Inc.; thence with the centerline of Dayton Street, N. 74° 45' E. a distance of 113.02 feet to spike in said centerline; thence with two division lines through the original tract S. 4° 48' 30" E. passing an iron pin at 40.67 feet, a distance of 310.88 feet to an iron pin; thence S. 74° 45' W. a distance of 174.00 feet to an iron pin in the line of the property of Vernay Laboratories Inc. and the West line of the original tract; thence with said property N. 5° 44' 35" E. Passing an iron pin at 284.63 feet, a distance of 327.47 feet to the beginning, containing 1.007 acres more or less, being a part of the 3 1/4 acres of the premises transferred to Frances M. Sidenstick in Volume 167 Page 599 and subject to all legal highways and easements.

Parcel # F19000100030005500

Property Address: 845 Dayton St. Yellow Springs, OH 45314

EXCEPTIONS TO THE WARRANTIES: Except as hereinbefore provided, except all easements, leases, conditions and restrictions of record, if any, and except real estate taxes for the year, and thereafter, for which taxes any adjustment has been made between the parties and which, therefore, the grantees herein assume and agree to pay.

Prior Instrument Reference: Volume 3005 Page 776 and Volume 3523 Page 552 of Deed Records of Greene County, Ohio.

Witness their hands this 8th day of July, 2022.

[Signature]
Christopher B. Hertzler, unmarried

State of Ohio, County of Greene, ss.

BE IT REMEMBERED, That on this 8th day of July, 2022, before me, a subscriber, a Notary Public in and for said state, personally came, Christopher B. Hertzler, unmarried, the Grantor(s) in the foregoing deed, and acknowledged the signing thereof to be his/her/their voluntary act and deed. No oath or affirmation was administered to the signer with regard to the notarial act.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

[Signature]
- Notary

Notary Public-State of Ohio
My Commission Expires:



CYNTHIA L. NAUCEDER
Notary Public, State of Ohio
My Commission Expires Dec. 2, 2023

This instrument was prepared by:
Peter D. Stephan, Attorney
Stephan & Stephan Law Group, LLC
1755 W. Second St
Xenia, Ohio 45385

Auditor's and Recorder's Stamps

\$180,000.00

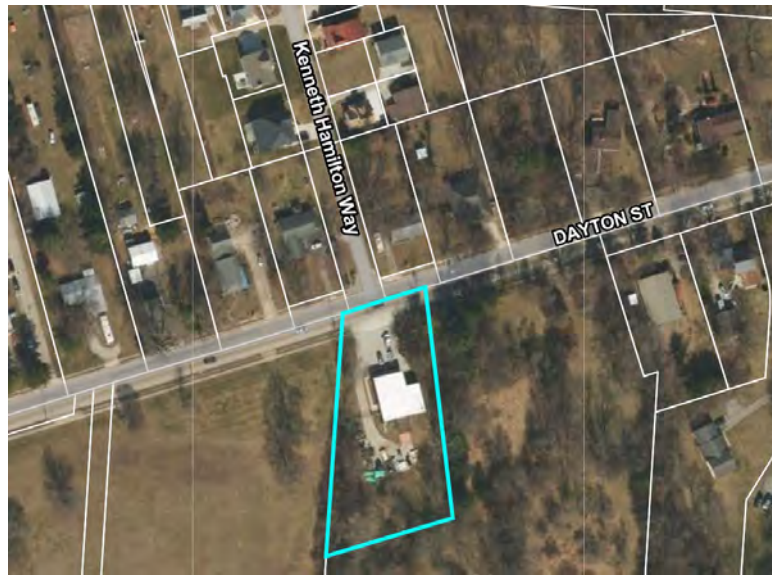


PUBLIC HEARING

VILLAGE OF YELLOW SPRINGS BOARD OF ZONING APPEALS

Notice is hereby given that:

- 1) **Variance Request** – I-1, Mixed Industrial District – 845 Dayton Street, Jonathan Meier with MQ Rentals, LLC has submitted an application for a variance seeking relief from Chapter 1260.04(7), regarding size of accessory structure. **Greene County Parcel ID #F19000100030005500.**



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

DATE: Wednesday, January 10, 2024

TIME: 6:00 p.m.

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@yso.com, or by calling 937-767-9126. Please submit your letter by no later than **Thursday, January 4, 2024 for inclusion in the Commission packet: however, all letters received any time prior to the hearing will be provided to the Commission 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.yso.com after Friday, January 5, 2024. 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 mleatherman@yso.com.

845
DAYTON STREET

A VARIANCE
REQUEST INVOLVING
THIS PROPERTY
WILL BE HEARD
JANUARY 19, 4:00 PM
IN A PUBLIC HEARING
CALL FOR NOTICE

GET FOUND. advert@ysnews.com • 937-767-7373

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Ryan P. Carpe
Financial Advisor
506 S. High St. Suite C
Yellow Springs, OH 45387
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ryan.carpe@edwardjones.com
www.edwardjones.com/ryan-carpe

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— Public Notice —

PUBLIC HEARING

VILLAGE OF YELLOW SPRINGS BOARD OF ZONING APPEALS

Notice is hereby given that:

- **Variance Request** – R-B, Moderate Density Residential District – 410 N. High Street, Darren Gilley has submitted an application for a variance seeking relief from Chapter 1248.03(b), Table 1248.03(a) regarding side yard setbacks. Greene County Parcel ID #F19000100010005100, F19000100010005200, F19000100010005300

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

DATE: Wednesday, Jan. 10, 2024 TIME: 6 p.m.

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Meg Leatherman, Zoning Administrator

— Public Notice —

PUBLIC HEARING

VILLAGE OF YELLOW SPRINGS BOARD OF ZONING APPEALS

Notice is hereby given that:

- **Variance Request** – I-1, Mixed Industrial District – 845 Dayton Street, Jonathan Meier with MQ Rentals, LLC has submitted an application for a variance seeking relief from Chapter 1260.04(7), regarding size of accessory structure. Greene County Parcel ID #F19000100030005500

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DATE: Wednesday, Jan. 10, 2024 TIME: 6 p.m.

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Meg Leatherman, Zoning Administrator



Kim Williams Rea

Kim Williams Rea, age 69, passed away surrounded by family on Dec. 14, 2023, after a four-year battle with pancreatic cancer.

Kim was preceded in death by her father, Donald Williams. She is survived by her mother, Gene Williams; husband, Christopher Rea; son, Jeremy (Ananda) Rea, of Fairborn; daughter, Amber (Brend) Hurak, of Cincinnati; and granddaughters, Alice Rea and Maren and Laine Hurak. She is also survived by brother Rhon (Vickie) Williams, of Manhattan Beach, California; sister Jill (Ed) Bokros, of Chelsea, Michigan; and brother Ray (Pam) Williams, of Lexington, Kentucky.

Kim was born in Akron and raised in Beavercreek, where she graduated from Beavercreek High School in 1972. Kim and Chris met while working at Shoppersmith in Vandalia during summer break, and were married in 1981. They lived for the past 30 years in Yellow Springs.

She earned her Bachelor of Science in education from Bowling Green State University in 1975 and her master's degree in Elementary Principals from Wright State University in 1981. Having taught children in the classroom from preschool through third grade for over 45 years, and in recent years specializing in tutoring children with dyslexia, Kim's passionate dedication as an educator will be remembered by family, friends and students alike. She also shared her strong and abiding faith in God with everyone who knew her by remaining ever grateful and always finding the positive side of any situation. Even with the struggles of cancer, Kim continued to enjoy time and travel with her husband, and made a lasting impact on the lives of her beloved granddaughters.

Visitation and funeral service were held in Kim's memory on Wednesday Dec. 20, 2023, at Pleasant Grove Missionary Church, where Kim was an active member. She will be laid to rest in Dayton National Cemetery at a later date.

FRANTZ CONCRETE & REMODELING

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YELLOW SPRINGS
BOARD OF EDUCATION

PUBLIC NOTICE

NOTICE OF REQUEST FOR
QUALIFICATIONS FOR DESIGN
PROFESSIONAL SERVICES

The Yellow Springs Exempted Village School District Board of Education is accepting qualifications from design professionals to provide services for its Districtwide Improvements Project. The Project will include the design, construction, and renovation of multiple buildings in Yellow Springs, Ohio 45387.

Interested firms may request an RFQ from Jacob McGrath, Treasurer at jmcgrath@ysshchools.org, or go to www.ysshchools.org/construction.

Qualifications will be accepted until 12:00 p.m. local time, January 3, 2024.

OBITUARIES

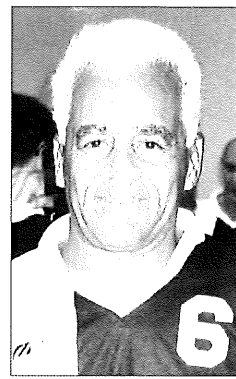
Robert Kingsley Perry Jr.

Robert Kingsley Perry Jr. passed away in his residence on Dec. 7, 2023, at the age of 87, from complications of a stroke.

He was born on April 22, 1936, to Robert Kingsley Perry and Francis Elizabeth Wells. Mr. Perry lived in Yellow Springs his entire life and worked at Kettering Research and Analytics College as a facility manager. He also spent time with Home, Inc. and Village Council. He loved Yellow Springs and the people, but his family was always most important. He also enjoyed volleyball, bowling and camping.

Mr. Perry was preceded in death by his wife of 64 years, Yvonne E. Montgomery; his son Kingsley E. Perry, of Yellow Springs; two brothers, Robert Lee and Donald Woodford, both of Yellow Springs; and his parents.

He leaves behind a son, Mark A. Perry, and daughter, Deneen Y. Perry, both of Yellow Springs; two sisters, Margaret G. Perry Bellinger, of Maryland, and Patricia L. Perry, of Yellow Springs; eight grandchildren, Maria Leisinger, Dorfan Benning, Kingsley O'Neal Perry, Kyoto M. Perry, Brandon Frye, Natasha Y. Perry, Levi A. Perry and Devon E. Perry; five great-grandchildren, Mayla Royalston, Kyndall Perry, Malik Royalston, Naomi Perry and Lilly Maddox; and a host of nieces, nephews and cousins. The Perry family would like to thank Hospice for their help and care for Mr. Perry in his last days.



A memorial service will be held Saturday, Jan. 13, 2024, at noon, at Jackson Lytle & Lewis Funeral Home, Yellow Springs. In lieu of flowers, donations may be made to Hospice of Dayton in memory of Kingsley Perry. Condolences may be forwarded to his family by visiting jacksonlytle.com.

Joyce White Sandberg

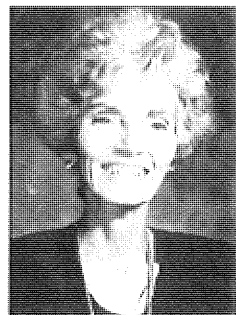
Joyce White Sandberg was unstoppable. She was fiercely loyal to her family and friends. She was a skilled carpenter who also loved to paint. She enjoyed dancing and was a talented decorator who could turn any ordinary home into a work of art. She loved the water, and usually had a swimming pool wherever she lived.

In her younger days, she enjoyed going on ski trips and the movies with her friends in Utah. Later in life, she enjoyed deer hunting and camping in the mountains. She was involved in her children's activities, attending many ball games and dance recitals. Her family bowled together and spent Sundays going to a movie or taking a drive in the country.

After retiring from civil service at Wright-Patterson Air Force Base, she did not quit working. She went on to work as a realtor in Tipp City, Ohio, for a few years and at a hair salon in New Carlisle, as a receptionist. The salon is where she met her late husband, Lyle Sandberg. After they married, they went on many trips to the East Coast, the Gulf Shores of Florida and Europe.

She loved everything there is to love about the beach. Her favorite pastime was gardening. She was awarded Gardener of the Year in Tipp City, Ohio. She enjoyed driving and occasionally drove all the way to Naples and St. Pete Beach, alone, to visit her friends Pat and Phyllis and her eldest daughter, Jodie. She resided with her youngest daughter, Jeri Laver, and her family. She enjoyed the occasional breakfast with her son, Jimmy, and his wife, Patty, in Centerville.

Joyce loved Christmas, and Christmas Eve was always celebrated at her home. She would often invite strangers, who had nowhere to go or no family to celebrate the holidays with, over on Christmas Eve. She made cookies for neighborhood children. That is the kind of woman she was.



Joyce was born in Ogden, Utah, on April 23, 1934, and died at home in Waynesville at the age of 89, Dec. 12, 2023. She was preceded in death by her husband, Lyle Sandberg; her parents, Arthur and Cleo Shively; and her great-granddaughter Brooke. She is survived by her children, Jimmy White (Patty), Jodie White and Jeri Laver (Jim); and stepsons, Jay, Jud and Jan Sandberg (Annabelle). Grandchildren include Jessica Cushman, Casey Laver (Amanda), Tim Meyers, Becky Amato (Mike), Justin Sandberg (Vanessa), Adam Sandberg (Lisa) and Josh Sandberg (Robyn). Great-grandchildren include Braxton Maiolo Laver, Sydney Laver, Penelope Laver, Jaron, Weston, Beau and Isabella Sandberg; and Colin and Ava Amato.

A celebration of life was hosted by the family Thursday, Dec. 21, at Soraya Farms Clubhouse in Centerville.

Lorine Watkins

Lorine Ashley Watkins, 79, of Yellow Springs, Ohio, passed away Friday, Dec. 8, 2023, in her residence. She was born June 5, 1944, in Cleveland, Ohio, to Monroe Pelton Ashley Sr. and Virginia Ethel Ashley. Lorine was the third oldest of six siblings.

Her academic achievements include a Bachelor of Arts degree in education from Wilberforce University and studies toward a master's in education at the University of Dayton. She began her teaching career as a substitute teacher in the Yellow Springs Schools system, then became the lead teacher at the Miami Child Development Center, Head Start Program in Xenia, Ohio.

In 1970 she began teaching in the Springfield City Schools System, where she spent 34-plus years teaching kindergarten, first grade and Readiness First Reading.

She attended First Baptist Church of Yellow Springs, and was a "Lila" and "Silver Star" member of Alpha Kappa Alpha Sorority, Inc. She was also a Life Member in both the local and national Wilberforce University Alumni Associations. Her professional growth led her to be a member of Delta Kappa Gamma Education Honors Society.

Lorine is survived by her husband of 58 years, Thomas E. Watkins Sr.; two sons, Thomas E. Watkins Jr. (Vanessa), of Riverdale, Georgia, and DuShawn L. Watkins (Brette), of College Park, Georgia; sisters LaVerne Holmes, of Macedonia, Ohio, Sherran Cephus (Billy), of Cleveland



Heights, Ohio, and Rose Embry (John), of Shaker Heights, Ohio; and a host of nieces, nephews, other relatives and friends.

Service was held on Saturday, Dec. 16, 2023, at First Baptist Church, 600 Dayton St., Yellow Springs, Ohio, with the Rev. William Randolph officiating and the Rev. Dr. John E. Freeman eulogist. Interment at Glen Forest Cemetery, Yellow Springs, Ohio. Arrangements entrusted to Marlan Gary Funeral Home Springfield Chapel. You may send your condolences to TheChapelofpeace.com.

DOWNTOWN YELLOW SPRINGS

Intersection of Xenia Ave & Short St.
ARRIVE @ 11:30 p.m.

NEW YEARS EVE BALL DROP

This space donated by Jackson Lytle & Lewis Funeral Home

Staff Report



APPLICATION NUMBER: PC10-2022
APPLICANT: Jonathan Meier
TYPE OF REQUEST: Conditional Use – Contractor’s office with outdoor storage
ZONING DISTRICT: I-1, Mixed Use Industrial
PARCEL ID #: F19000100030005500

Conditional Use Application – I-1, Mixed Use Industrial District/Gateway Overlay District –
Jonathan Meier has submitted an application for a contractor’s office with outdoor storage at 845 Dayton Street – Chapter 1252 Industrial Districts, Chapter 1262 Conditional Uses, Chapter 1256.03 Gateway Overlay District
Greene County Parcel ID #F19000100030005500



F19000100030005500 04/23/2018

BACKGROUND:

The I-1 Mixed Industrial District is intended to provide dedicated locations within the community for office, research, knowledge-based industry, services, light manufacturing and related uses that offer employment opportunities and create economic vitality for the Village and its residents.

Jonathan Meier has submitted an application for a conditional use hearing (**Exhibit A**). The property at 845 Dayton Street is the Sound Space building owned by Christopher Hertzler (**Exhibit B**). It is currently used as a recording studio. Jonathan Meier operates a business called Rain Brothers. His company installs residential and commercial rain cistern systems (www.rainbrothers.com). He intends to operate it as a contractor’s office, which is a permitted use in I-1. There will also be outdoor storage in a fenced in area at the rear of the building (**Exhibit C**). Outdoor storage in I-1 is a conditional use.

(c) Specific Conditions. Indicates requirements or conditions, as listed in [Chapter 1262](#), are applicable to specific uses.

| Table 1252.02 Schedule of Uses: Industrial Districts | | | |
|--|-----|-----|---------------------|
| Use | I-1 | I-2 | Specific Conditions |
| Table 1252.02 Schedule of Uses: Industrial Districts | | | |
| Use | I-1 | I-2 | Specific Conditions |
| Accessory Uses | | | |
| Outdoor storage related to a principal use | C | C | |
| Commercial Establishments | | | |
| Machinery and equipment sales & service | P | P | |
| Construction | | | |
| Contractors' offices and shops (not including outdoor storage) | P | P | |

1256.03 GATEWAY OVERLAY DISTRICT.

(a) Purpose. The purpose of the Gateway Overlay District is to establish and protect the character of the Village at key entry points.

(b) Applicability. The regulations of this section shall apply to all property within the specified boundaries having frontage along the following streets. However, agricultural uses and single-family dwellings are exempt from these requirements, but shall conform if the use changes to a non-agricultural or non-single-family use.

(1) U.S. 68 (Xenia Avenue), from the southern Village boundary, north to Allen Street;

(2) **Dayton/Yellow Springs Road, from the western Village boundary, east to Kenneth Hamilton Way (including the south side of Dayton/Yellow Springs Road;** and

(3) U.S. 68 (Xenia Avenue), from the northern Village boundary, south to Corry Street.

(c) Permitted Uses. All permitted and conditional uses allowed in the underlying zoning district shall be allowed within the overlay district, except for the following:

(1) Mini-warehousing and self-storage facilities; and

(2) Sexually oriented businesses.

Mr. Meier proposes outdoor storage at the rear of the property in a fenced in area. Staff does not interpret his outdoor storage area as a “mini-warehousing or self-storage facility.”

REQUIREMENTS:

Section 1262 of the Zoning Code highlights the requirements for Conditional Uses.

(a) The proposed use will be consistent with the intent and purposes of this zoning code and the vision, goals and recommendations of the ***Yellow Springs Comprehensive Plan and Vision: Yellow Springs and Miami Township.***

(b) The proposed use will comply with all applicable requirements of this code, except as specifically altered in the approved conditional use.

The proposed use complies with the zoning code requirements.

(c) The proposed use will be compatible with the character of the general vicinity.

The business will be located in the I-1, Mixed Use Industrial District and has been operating as a recording studio for many years.

- (d) The area and proposed use will be adequately served by essential public facilities and services, as applicable, such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools. The applicant or landowner will be required to install public utilities, streets or other public infrastructure as required by the Village, state or other agencies to applicable specifications. Dedication of said public infrastructure may be required.
The building is served by essential public facilities and services.
- (e) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operations, including, but not limited to, hours of operation, that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor or other characteristic not comparable to the uses permitted in the zoning district.
His proposed hours of operation will be 8AM to 4PM with customers visiting by appointment. He expects semi-truck deliveries 4 to 6 times per year, with smaller delivery trucks (FedEX/UPS) daily (Monday through Friday). His business operation will not cause any excessive noise, smoke, fumes, glare or odors.
- (f) The proposed use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
This use will not impede development of surrounding properties.
- (g) The proposed use will not block sight lines from the right of way to existing signs or windows on the front or side of a building.
The proposed use will not block sight lines.

It is staff's opinion that the proposed use as a contractor's office with outdoor storage meets the requirements of Section 1262 of the Zoning Code.

PLANNING COMMISSION DUTIES

Section 1262 gives the Planning Commission the power to hear and decide applications for conditional use permits to allow proper integration into the community.

The Planning Commission may approve, modify, or deny any application. If the Commission approves the permit, it may impose time limitations and/or require that one or more things are done before the request is initiated.

RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** the outdoor storage for a contractor's office.

If you have any questions or if I can be of assistance please feel free to contact me at (937) 767-1702 or dswinger@vil.yellowsprings.oh.us.

EXHIBIT A



Planning Commission Hearing Request: Conditional Use

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 #: PC10-2022

Hearing Date: 7/12/2022

Applicant Information

| | | | |
|-------------------|--|--------|---|
| Property Address: | <u>845 DAYTON ST.</u> | | |
| Property Owner: | <u>CHRIS HEITZLER</u> | Phone: | <u>937-416-3253</u> Email: <u>SAVINGSPLACEINC@GMAIL.COM</u> |
| Applicant Name: | <u>JONATHAN MEIER</u> | Phone: | <u>614-424-0572</u> Email: <u>CATCHINGTHERAIN@GMAIL.COM</u> |
| Mailing Address: | <u>4536 MURRETH RD. YELLOW SPRINGS, OH 45387</u> | | |

Project Information

Current Use: RECORDING STUDIO

Proposed Project/Use: CONTRACTOR OFFICE WITH OUTDOOR STORAGE BEHIND BUILDING WITHIN FENCE

Total off-street parking accommodation? 4 SPOTS

Do you plan to install a sign(s)? YES (ON BUILDING)

Site Plan Attached (Required): ☒ 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: 5/26/22

| FOR OFFICE USE ONLY | | |
|------------------------------|---|---|
| Zoning Fee: \$ <u>100.00</u> | Payment Type: <input type="checkbox"/> Check <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Card | Approved <input type="checkbox"/> Denied <input type="checkbox"/> |
| Other fees: \$ _____ | Zoning District: _____ | Permit Number: _____ |
| [Signature] Zoning Admin | | |
| Total \$ <u>100.00 pd.</u> | Zoning Official Name and Title | Date <u>6/13/2022</u> |

6/13/22

EXHIBIT B



AGENT AUTHORIZATION FORM

THIS FORM IS NOT NECESSARY FOR AGENTS APPOINTED PURSUANT TO R.C. 1701.07, R.C. 1703.041 or RC 1705.06. Please print a copy of such appointment from sos.ohio.gov or send a PDF or link.

I/WE, (PRINT PROPERTY OWNER NAME(s)) Chris Hertzler,
AS THE OWNER(S) OF THE REAL PROPERTY AT:(address and permanent
parcel number): 845 Dayton Street F19-0001-0003-0-0055-00

DO HEREBY AUTHORIZE (PRINT AGENT'S NAME & TITLE), Johnathan Meier,
TO ACT AS MY/OUR AGENT, TO COMPLETE ANY APPLICATION OR OTHER
DOCUMENTS NECESSARY AND TO APPEAR ON MY/OUR BEHALF BEFORE ANY
ADMINISTRATIVE OR LEGISLATIVE BODY CONSIDERING THIS APPLICATION
FOR THE VILLAGE OF YELLOW SPRINGS, AND TO ACT IN ALL RESPECTS AS
MY/OUR AGENT IN MATTERS PERTAINING TO REPRESENTATION AS
OUTLINED IN VILLAGE CODE SECTION 1262.02(D).

THE AGENT IS (check one): architect attorney contractor engineer

real estate agent tenant/occupant x other:
Buyer (describe)

I/WE AGREE TO ADVISE THE VILLAGE OF YELLOW SPRINGS IMMEDIATELY IN
THE EVENT OF REVOCATION OF THIS AUTHORITY.

Date: 5/31/22 Chris Hertzler Chris Hertzler
Signature of Property Owner Print Name

Date: _____
Signature of Property Owner Print Name

STATE OF OHIO :
COUNTY OF Greene

This instrument was acknowledged before me this 31 day of May, 20
22 by _____
1

No oath or affirmation was administered for this notarial act.



AUNDRIAD JAMES
Notary Public, State of Ohio
My Comm. Expires 11/05/2022

Notary Public

EXHIBIT C



DAYTON STREET

DRIVEWAY

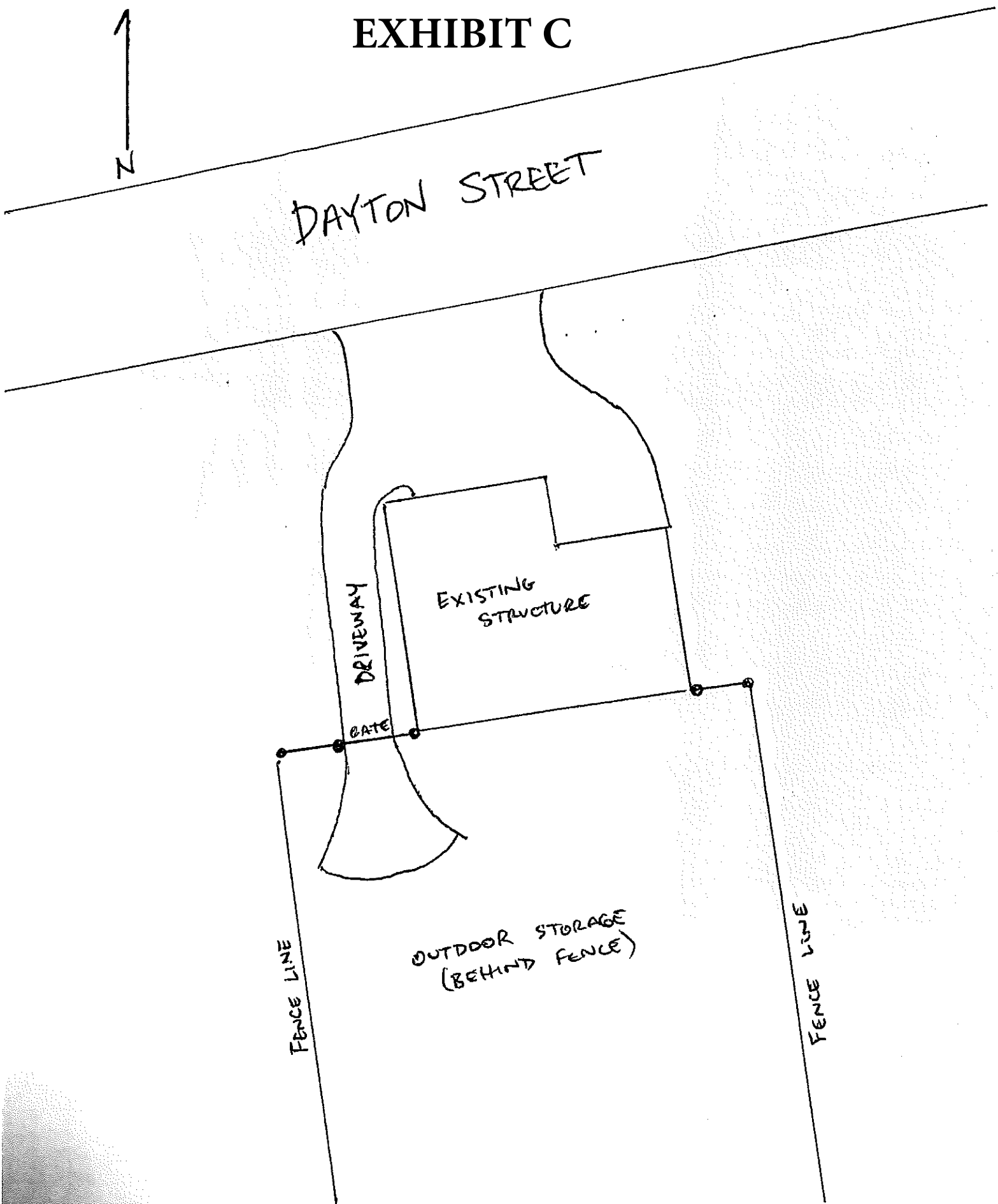
EXISTING
STRUCTURE

GATE

OUTDOOR STORAGE
(BEHIND FENCE)

FENCE LINE

FENCE LINE



Click to select a feature

DAYTON STREET
N74-45-0E 113.02

EXISTING STRUCTURE

DRIVEWAY
GATE

OUTDOOR STORAGE
(BEHIND FENCE)

N5-44-35E 327.47

S4-48-30E 310.88

N4-50-53W 310.46

S74-45-0E 174.00

N74-47-52E 173.70

DAYTON ST