

BEAVERCREEK BOARD OF ZONING APPEALS  
WORK SESSION MEETING, March 9, 2022, 6:00 PM

PRESENT: Mr. Althoff, Mr. Archibald, Mr. Bhatla, Mr. Essman, Mr. Rust

ABSENT: None

Chairman Archibald called the meeting to order followed by roll call.

Mr. Bhatla MOVED approval of the agenda, seconded by Mr. Essman. Motion PASSED by majority voice vote.

## **DISCUSSION ITEMS**

### **BZA Procedures**

Stephen McHugh, City Attorney, stated he was going to go over some general guidelines and procedures for the Board tonight. He discussed the jurisdiction of the Board of Zoning Appeals, and the two types of variances.

Counsel McHugh reviewed the seven Duncan Standards. He discussed several examples of cases and asked how the Board of Zoning Appeals thought the court ruled on the cases. There was a discussion on each case between Counsel McHugh and the Board members.

Counsel McHugh explained the Board of Zoning Appeals is a quasi-judicial administrative body and they are often referred to as the lowest court in Ohio. He stated they are to make decisions and the City of Beavercreek is setup that if an appeal is filed it is then heard by City Council.

There was a discussion between Counsel McHugh and the Board members regarding the BZA members doing their own review and inspection of an applicant's property prior to the hearing.

Sarah Sparks, Associate of City Attorney, explained it is crucial for the Board to discuss and build a record why a case should be approved or denied based on the standards in the Zoning Code. She discussed personal opinions, and explained when a recusal is necessary from a case.

## **ADJOURNMENT**

Mr. Bhatla MOVED adjournment at 7:47 p.m., seconded by Mr. Althoff. Motion PASSED by majority voice vote.

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Melissa Gillaugh  
Deputy Clerk