



Zoning Certificate

Xenia Township

8 Brush Row Rd
Xenia, OH 45385
937.372.0859 PH
937.372.3343 Fax



Certificate Number: 2024135

ADDRESS:	2187 SR 235		
PARCEL NO.:	M36000100060001900	ZONING:	A
ISSUED TO:	CLAUDIA WILLIAMS 2187 SR 235 XENIA OH 45385		
PERMIT TYPE:	Board of Zoning Appeals		
DETAILS	CU RURAL ENTERTAINMENT & HHOSPATALITY		
PERMIT DATE:	08/07/2024		
FEE:	300.00	EXPIRE DATE:	08/07/2025

It is hereby certified that the above use as shown on the plats and plans submitted with the application conforms with all applicable provisions of the Xenia Township Zoning Resolution. The issuance of this Permit does not allow the violation of Xenia Township Zoning Resolutions or other governing Regulation.

The applicant is responsible for obtaining a building permit (if required) prior to commencing work on the proposed improvement. A final zoning inspection must be scheduled by the applicant.

This Zoning Certificate will be forwarded to Greene County Building Regulations and Greene County Engineers Office, if SM4 is applicable. You will need to contact one or both Departments for further instructions.

APPROVED BY:

DATE:

Zoning Inspector

08/07/2024



**XENIA TOWNSHIP
GREENE COUNTY, OHIO
XENIA TOWNSHIP BOARD OF ZONING APPEAL
NOTICE OF APPEAL FOR CONDITIONAL USE VARIANCE**

Only the property owner, or their legal, authorized agent, can make an appeal to the Board of Zoning Appeals, therefore, I hereby appeal to the Board of Zoning Appeals the refusal of a Zoning Certificate (attached hereto) by the Xenia Township Zoning Inspector for the following property:

Name of Property Owner: Claudia L. Williams Phone: [REDACTED]
Address of Property: 2187 SR-235 City: Xenia Zip: 45385
Acreage of Property: 41.8850 Parcel Number: M36000100060001900
Owner Address: 2187 SR-235 City: Xenia State: OH Zip: 45385

The specific variance requested for this parcel to avoid unnecessary hardship is:
See Attached.

An area variance is an exception to the regulations of the Xenia Township Zoning Resolution. The applicant shall submit on a separate piece(s) of paper the answers to the following Duncan Standard.

In 1986 the Ohio Supreme Court oversaw the case of Duncan vs Middlefield. This case was due to the plaintiff, Duncan, requesting a **conditional use variance** that was denied by the local Board of Zoning Appeals Board. Due to this case the Ohio Supreme Court has prescribed seven guidelines to follow in making the decision of granting an area variance. These seven guidelines are referred to as the Duncan Criteria and are listed as follows:

1. Whether the property in question will yield a reasonable return or whether there can be 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 government goods
5. Whether the property owner purchased the property with knowledge of the zoning requirements
6. Whether the property owner's predicament can feasibly be obviated through some other method than a variance
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance

The applicant shall submit on a separate piece(s) of paper the answers to the Xenia Township Zoning Resolution Standards.

1. Conditions and Circumstances: What special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.



CONDITIONAL USE VARIANCE APPLICATION RESPONSES

2187 SR-235, Xenia, OH 45385



AUGUST 7, 2023

CLAUDIA WILLIAMS, OWNER

Mailing: 1166 Dayton Yellow Springs Road, #117, Fairborn, OH 45324
(937) 369-3068

The conditional use variance we are seeking is to temporarily convert our owner-occupied farmhouse into a haunted house as part of our Rural Entertainment and Hospitality event. This conversion is intended to generate income during the fall season. It's important to note that this request is for a temporary and seasonal use of the 1900 historic farmhouse.

We are seeking a conditional use variance that would allow us to utilize our property in a manner that aligns with the seasonality of our Rural Entertainment and Hospitality activities, while preserving our ability to return to our farmhouse as our primary residence outside of this seasonal period.

Granting this conditional use variance would enable us to maintain the financial sustainability of our farm, support the local community, and provide a unique and culturally significant experience during Halloween and El Dia De Los Muertos, all while ensuring that our long-term plans to return to our farmhouse as our primary residence remain intact. We believe that this request strikes a balance between Rural Entertainment and Hospitality and our agricultural heritage, aligning with the goals of Xenia Township's zoning regulations.

We are dedicated to ensuring that our activities align with the law's requirements and promote the safe and responsible enjoyment of our historic farmhouse while supporting our agricultural heritage and community engagement efforts.

1. Whether the property in question will yield a reasonable return or whether there can be beneficial use of the property without the variance:

Our property has already demonstrated its potential for beneficial use through various Rural Entertainment and Hospitality activities we have conducted in the past. These include you-pick sweet corn, you-pick pumpkins, corn stalk sales, and our weekly farmer's market. These activities have not only provided a reasonable return but have also created opportunities for local farmers and artisans to showcase their goods and services. In addition to these activities, hosting a haunted house and a trunk-a-treat event aligns with our commitment to promoting our farm, and supporting our farmer's market.

2. Whether the variance is substantial:

While we acknowledge that the variance involves a significant change in land use, it's important to note that our property has already been used for Rural Entertainment and Hospitality activities successfully. Adding a haunted house and related events is a natural extension of our existing activities and will not substantially alter the essential character of the neighborhood.

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:

We have conducted various Rural Entertainment and Hospitality activities on our property, including you-pick produce, a farmer's market, and community events like trunk-a-treat. These activities have been well-received by the community, and we have actively engaged with our neighbors to ensure their concerns are addressed. We believe that granting the variance will not substantially alter the neighborhood's character, and adjoining properties will not suffer substantial detriment, given our history of responsible and community-focused Rural Entertainment and Hospitality.

4. Whether the variance would adversely affect the delivery of government goods:

We are committed to ensuring that our Rural Entertainment and Hospitality activities, including the haunted house and trunk-a-treat event, will not adversely affect the delivery of government goods and services. We have plans in place to manage traffic and safety to minimize any potential impact on local infrastructure.

5. Whether the property owner purchased the property with knowledge of the zoning requirements:

Yes, we were aware of the zoning requirements when we purchased the property. However, our decision to seek a conditional use variance is driven by our desire to enhance our property's potential through a seasonal entertainment event. This event aligns with our commitment to providing unique and engaging experiences for the community.

6. Whether the property owner's predicament can feasibly be obviated through some other method than a variance:

We have explored various options to achieve our goals, but the unique characteristics of our property, including its historical significance, make a conditional use variance the most feasible and appropriate method to allow for a seasonal entertainment event.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance:

Granting the variance would align perfectly with the spirit and intent of promoting Rural Entertainment and Hospitality in our community. Our proposed seasonal event, featuring a haunted house and other activities, is designed to engage the community and contribute positively to the local economy. Substantial justice would be done by granting the variance, as it allows us to utilize our property's potential to its fullest extent while maintaining harmony with the surrounding area.

1. Conditions and Circumstances:

Special conditions and circumstances exist that are peculiar to our land and its historical significance. Our property includes a farmhouse built in 1900 with a unique and storied history, making it suitable for hosting a haunted house event. This historic character is not applicable to other lands or structures in the same agricultural district. Additionally, our seasonal Rural Entertainment and Hospitality activities, including the haunted house, are vital for maintaining our farm's economic sustainability, which is distinct from neighboring properties."

2. Property Rights:

A strict and literal interpretation of the provisions of the Zoning District's regulations would deprive us of property rights commonly enjoyed by other properties in the same district. Many other farms in the area engage in Rural Entertainment and Hospitality activities to supplement their income and contribute to the local economy. By granting this variance, our property would enjoy the same rights to utilize our land for Rural Entertainment and Hospitality purposes during the fall season, consistent with the practices of our agricultural community.

3. No Special Privilege:

Granting the variance requested will not confer on us any special use or privilege denied by the Xenia Township Zoning Resolution to other lands, structures, or buildings in the same district. Instead, it allows us to participate in the long-standing tradition of Rural Entertainment and Hospitality and maintain our farm's viability while adhering to the same standards and guidelines set forth by the Resolution. Our proposal aligns with the principle of equal treatment under the law and promotes economic vitality within the community.

4. Harmony with Locality:

The variance requested will not alter the essential character of the locality. Our farm has a history of engaging with the community through various Rural Entertainment and Hospitality activities, and the addition of a seasonal haunted house event aligns with the existing agricultural character of the area. Moreover, our commitment to responsible and community-focused Rural Entertainment and Hospitality ensures that the proposed event will be in harmony with the values and interests of the local community. By preserving our agricultural heritage while offering unique seasonal attractions, we aim to enhance the character and vibrancy of the locality.

2187 State Route 235 Conditional Use for Rural Entertainment Hospitality

Board of Zoning Appeals Procedure Checklist



Changes in the zoning text and changes in the zoning map (district change), follow the same procedure. The following checklist has been adopted from R.C. 519.12.

Item	Action	Date	Checked by
1	Initiation/Receipt of Zoning Appeal	2024.08.07	MK
2	Public Hearing date set for Board of Zoning Appeals to be set not less than twenty nor more than forty days form receipt of amendment.	2024.08.09	MK
3	Newspaper notice for Board of Zoning Appeals of Public Hearing must be published at least ten days prior to the hearing in a newspaper of general circulation in the township.	2024.08.20	MK
4	Written notice to property owners for Board of Zoning Appeals Hearing within, contiguous to, and directly across the street from the land to be rezoned must be sent at least ten days before the public hearing if ten or fewer parcel of are proposed to be rezoned.	2024.08.16	MK
5	Publiaction of date on XTWP website	2024.08.16	MK
6	Publication of date by sign posted in aplicants yard	2024.08.16	ADS
7	Township Board of Zoning Appeals public hearing	2024.09.04	ADS

Note: R.C. 5511.01 requires notification to the Ohio Department of Transportation before any amendment is approved which affects land near proposed new highways to planned improvements.

This outline and checklist of admendment procedures is provided for general use. Section 519.12 should be reviewed for specific language and current law.

LEGAL NOTICE

The Xenia Township Board Zoning Appeals, Greene County, Ohio gives notice that a Public Hearing will be held on **September 4, 2024 at 6:00 p.m.** on the application received from Bryan & Claudia Williams, owner of 2187 State Route 235, Xenia, OH 45385 (Parcel # M36000100060001900), requesting a Conditional Use of Section 400.4.13 for Rural Entertainment and Hospitality in Agricultural District. The hearing will be held at the Xenia Township Trustees' Office, 8 Brush Row Road, Xenia, OH 45385.

Interested persons may appear at this scheduled Hearing to express their opinion with respect to this requested Conditional Use for Rural Entertainment and Hospitality in Agricultural District.

XENIA TOWNSHIP BOARD ZONING APPEALS

Nathan Anthony, Chair
Alan D. Stock, Clerk
8 Brush Row Road
Xenia, OH 45385

PUB:August 20, 2024
90196575



Xenia Township

ALAN STOCK
Zoning Inspector
8 Brush Row Road
Xenia, OH 45385
(937)372-0859
FAX (937)372-3343
www.xeniatownship.org

ZONING COMMISSION
Roy Colbrunn
Terry Fife
Alan King
M. Cookie Newsom
Jeffrey Zweber

BOARD OF ZONING APPEALS
Nathan Anthony
Virgil Ferguson
Janis James
Darren Jones
Aidan Kolbe

August 22, 2023

NOTICE TO PROPERTY OWNERS OF A PUBLIC HEARING

Notice is hereby given that the Xenia Township Board of Zoning Appeals will hold a Public Hearing for consideration to issue a Conditional Use of Section 400.4.13 for Rural Entertainment and Hospitality in the Agricultural District,
2187 State Route 235, Xenia, Ohio 45385, Parcel #M36000100060001900

PUBLIC HEARING WILL BE HELD ON THIS APPLICATION BY THE XENIA TOWNSHIP BOARD OF ZONING APPEALS

DATE: September 4, 2024 TIME: 6:00 p.m.

PLACE: Xenia Township Board of Trustees Office, 8 Brush Row Road, Xenia Ohio 45385

This notice is for the purpose of giving you and every other neighbor an opportunity to appear or to express your opinion at the hearing in support or in opposition to this consideration for this matter. You may come in person or authorize anyone else to represent you, or you may express your views in writing, but the letter must be received by the Board, in care of Alan Stock by mail at 8 Brush Row RD, Xenia, Oh 45385 or email astock@xeniatownship.org before the date of hearing.

The Hearing on this matter is not limited to those receiving copies of this notice. If you know of any neighbor or affected property owner who for any reason has failed to receive a copy of this notice, it would be appreciated if you would inform them of this hearing. Additional information concerning this request may be obtained during normal office hours at the Xenia Township Trustees' Office or online at www.xeniatownship.org or email astock@xeniatownship.org

XENIA TOWNSHIP BOARD OF ZONING APPEALS
Nathan Anthony, Chair
Alan Stock, Clerk
8 Brush Row Road
Xenia, OH 45385

2187 SR 235 Mailing List

Name	Address	Mailing Address	
WILLIAMS BRYAN D & CLAUDIA L	2187 SR 235	2187 SR 235	XENIA OHIO 45385
WILLIAMS BRYAN D & CLAUDIA L	2185 SR 235	2185 SR 235	XENIA OHIO 45385
WILLIAMS BRYAN D & CLAUDIA L	2189 SR 235	2189 SR 235	XENIA OHIO 45385
JACOBSON SUSAN R	407 LUDLOW RD	407 LUDLOW RD	XENIA OHIO 45385
GOESSL NICHOLAS H TRUSTEE	427 LUDLOW RD	427 LUDLOW RD	XENIA OHIO 45385
GRAVELY JAMES W & DONNA M	455 LUDLOW RD	455 LUDLOW RD	XENIA OHIO 45385
MILLER RYAN L & AMANDA L	505 LUDLOW RD	505 LUDLOW RD	XENIA OHIO 45385
PARTEE TERRY L & BRENDA L	531 LUDLOW RD	531 LUDLOW RD	XENIA OHIO 45385
FLESHMAN RAYMOND L TRUSTEE	541 LUDLOW RD	PO BOX 340791	BEAVERCREEK OH 45434
HARNER JEAN ANN	1889 HILLTOP RD	1887 HILLTOP RD	XENIA OHIO 45385
HARNER NICOLE RENEE	2005 HILLTOP RD	2005 HILLTOP RD	XENIA OHIO 45385
MILLER RONALD L	2019 HILLTOP RD	2019 HILLTOP RD	XENIA OHIO 45385
SPRADLIN WILLIAM T & SUSAN K	2033 HILLTOP RD	2033 HILLTOP RD	XENIA OHIO 45385
ABATE ALICE M	2145 HILLTOP RD	2145 HILLTOP RD	XENIA OHIO 45385
STROOP AARON TRUSTEE	2165 HILLTOP RD	131 ROBERT LN	XENIA OHIO 45385
CHARLES MICHELLE R	2165 HILLTOP RD	2165 HILLTOP RD	XENIA OHIO 45385
FISHER DONALD J & BARBARA J	2093 HILLTOP RD	2093 HILLTOP RD	XENIA OHIO 45385
BROWN MAURICE & CHAYSE BROWN	2113 HILLTOP RD	2113 HILLTOP RD	XENIA OHIO 45385
HUMPHREYS SONORA & RONALD WOODROW	2131 HILLTOP RD	2131 HILLTOP RD	XENIA OHIO 45385
DELL JONATHAN LOREN	2124 HILLTOP RD	2124 HILLTOP RD	XENIA OHIO 45385
STRAYER RICHARD & CONNIE	2108 HILLTOP RD	2108 HILLTOP RD	XENIA OHIO 45385
MODLER RICHARD A	2136 SR 235	1421 LEMCKE DR	BEAVERCREEK OH 45434

ATTENTION XENIA TOWNSHIP RESIDENTS:
Xenia Township will be holding two (2) BZA's on September 4, 2024

The Xenia Township Board Zoning Appeals, Greene County, Ohio gives notice that a Public Hearing will be held on September 4, 2024 at 6:00 p.m. on the application received from Bryan & Claudia Williams, owner of 2187 State Route 235, Xenia, OH 45385 (Parcel # M36000100060001900), requesting a Conditional Use of Section 400.4.13 for Rural Entertainment and Hospitality in Agricultural District. The hearing will be held at the Xenia Township Trustees' Office, 8 Brush Row Road, Xenia, OH 45385.

Interested persons may appear at this scheduled Hearing to express their opinion with respect to this requested Conditional Use for Rural Entertainment and Hospitality in Agricultural District.

The Xenia Township Board Zoning Appeals, Greene County, Ohio gives notice that a Public Hearing will be held on September 4, 2024 at 6:00 p.m. on the application received from Carley Neiswender, Owner, of 786 Hoop Road, Xenia, OH 45385 (Parcel # M36000200301005800), requesting a Conditional Use of Section 402.4.7/8 Short-Term Dwelling Unit Rental/Bed And Breakfast Hybrid in the Residential District. The hearing will be held at the Xenia Township Trustees' Office, 8 Brush Row Road, Xenia, OH 45385.

Interested persons may appear at this scheduled Hearing to express their opinion with respect to this requested Conditional Use for Short-Term Dwelling Unit Rental/Bed And Breakfast Hybrid in the Residential District.

XENIA TOWNSHIP BOARD ZONING APPEALS

Nathan Anthony, Chair

Alan D. Stock, Clerk

8 Brush Row Road

Xenia, OH 45385



2187 STATE ROUTE 235 SIGN PLACEMENT

2024.08.16



September 4, 2024

STAFF REPORT FOR PUBLIC HEARING AREA VARIANCE 2187 SR 235,
SECTION 401.04.13 RURAL ENTERTAINMENT and HOSPITALITY

2187 SR 235 M36000100060001900

Zoned AG, Agricultural District

OVERVIEW of XENIA TOWNSHIP (XTWP) ZONING



Zoning in Xenia Township is based upon its adopted Zoning Resolution (established 1959, updated last 2019) and revolves around two basic concepts, Area and Use. Area looks at road frontage, area usually in units of acres, and setback from property lines. Use is determined by the District Intent and Purpose and split into two major areas, Permitted Principal Uses, and then Conditional Uses. Permitted Principal Uses require no further special Zoning permission while any Conditional Uses require a special, Public Hearing of a quasi-court called the Board of Zoning Appeals (BZA). Public Hearings for BZA matters are separately decided and do not include input from either the Zoning Commission or the Board of Trustees. The Township works in cooperation with Greene County Building Regulations, Greene County Health District, and Greene County Soil and Water Conservation District. XTWP does not have a Property Maintenance Code and is working on updating its Future Land Use Document.

Xenia Township Trustees and Xenia Township Trustees alone have 100% of the rights and responsibilities to create, maintain, and establish all Zoning Maps and text that governs the Zoning Resolution. All other parties merely make zoning text and map suggestions and recommendations. The current Trustees have stated publicly they would rather allow landowners to use their property as they see fit if it complies with the Zoning Resolution.

THE DUNCAN CRITERIA

In 1986 the Ohio Supreme Court oversaw the case of Duncan vs Middlefield. This case was due to the plaintiff, Duncan, requesting an area variance that was denied by the local Board of Zoning Appeals Board. Due to this case the Ohio Supreme Court has prescribed seven guidelines to follow in making the decision of granting an area variance. These seven guidelines are referred to as the Duncan Criteria and are listed as follows with the applicant's response:

<p>1. Whether the property in question will yield a reasonable return or whether there can be beneficial use of the property without the variance</p> <p>The Petitioner has established a reasonable return can be realized without the Variance.</p>	<p>Our property has already demonstrated its potential for beneficial use through various Rural Entertainment and Hospitality activities we have conducted in the past. These include you-pick sweet corn, you-pick pumpkins, corn stalk sales, and our weekly farmer's market. These activities have not only provided a reasonable return but have also created opportunities for local farmers and artisans to showcase their goods and services. In addition to these activities, hosting a haunted house and a trunk-a-treat event aligns with our commitment to promoting our farm, and supporting our farmer's market.</p>
<p>2. Whether the variance is substantial</p> <p>The Variance would not be a substantial change to already established activities on the property.</p>	<p>While we acknowledge that the variance involves a significant change in land use, it's important to note that our property has already been used for Rural Entertainment and Hospitality activities successfully. Adding a haunted house and related events is a natural extension of our existing activities and will not substantially alter the essential character of the neighborhood.</p>

<p>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</p> <p>The Variance would not inconsistently alter the neighborhood.</p>	<p>We have conducted various Rural Entertainment and Hospitality activities on our property, including you-pick produce, a farmer's market, and community events like trunk-a-treat. These activities have been well-received by the community, and we have actively engaged with our neighbors to ensure their concerns are addressed. We believe that granting the variance will not substantially alter the neighborhood's character, and adjoining properties will not suffer substantial detriment, given our history of responsible and community-focused Rural Entertainment and Hospitality.</p>
<p>4. Whether the variance would adversely affect the delivery of government goods</p> <p>The Petitioner's answer has satisfied this question.</p>	<p>We are committed to ensuring that our Rural Entertainment and Hospitality activities, including the haunted house and trunk-a-treat event, will not adversely affect the delivery of government goods and services. We have plans in place to manage traffic and safety to minimize any potential impact on local infrastructure.</p>
<p>5. Whether the property owner purchased the property with knowledge of the zoning requirements</p> <p>The Petitioner's answer has satisfied this question.</p>	<p>Yes, we were aware of the zoning requirements when we purchased the property. However, our decision to seek a conditional use variance is driven by our desire to enhance our property's potential through a seasonal entertainment event. This event aligns with our commitment to providing unique and engaging experiences for the community.</p>
<p>6. Whether the property owner's predicament can feasibly be obviated through some other method than a variance</p> <p>The Petitioner's answer has satisfied this question.</p>	<p>We have explored various options to achieve our goals, but the unique characteristics of our property, including its historical significance, make a conditional use variance the most feasible and appropriate method to allow for a seasonal entertainment event.</p>
<p>7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance</p> <p>The Petitioner's answer has satisfied this question.</p>	<p>Granting the variance would align perfectly with the spirit and intent of promoting Rural Entertainment and Hospitality in our community. Our proposed seasonal event, featuring a haunted house and other activities, is designed to engage the community and contribute positively to the local economy. Substantial justice would be done by granting the variance, as it allows us to utilize our property's potential to its fullest extent while maintaining harmony with the surrounding area.</p>

Conditional Use for Rural Entertainment and Hospitality

The Xenia Township Zoning Resolution by definition allows for "**Rural Entertainment and Hospitality**: A private business enterprise for the purpose of offering a venue for a fee for non-public events on agricultural property that includes non-agriculturally related activities such as: barn dances, weddings, receptions, official or formal ceremonies, social gatherings, family reunions, campfires, picnics or retreats. Such activities shall take place between the hours of 9:00 a.m. and 11:00 p.m., not more than twelve (12) days a month, and for no more than three (3) consecutive days.

While the Zoning Resolution allows it, it is by a case-by-case basis allowable only if the Board of Zoning Appeals grants permission with guidelines. SECTION 400 - A - AGRICULTURAL DISTRICT, 400.4 Conditional Uses, 13. Rural Entertainment and Hospitality

STAFF REPORT

The Petitioner owns three (3) parcels side by side.

- One is zoned “half” B-2, Neighborhood Business District, and “half” “Ag”, Agricultural District, and is 4.951 acres combined use. It has one (1) barn and one (1) commercial venue building.
- An adjacent parcel is all “AG”, Agricultural, and is 5.141 acres. It has a residential structure and a barn.
- The parcel with the Conditional Use request is adjacent to the other two (2) and is all “AG”, Agricultural, with 41.885 acres. It has a residential structure and a barn.

According to Greene County GIS, the home to be used was built pre 1900 and is unoccupied.

In 2023 the Petitioner applied for an Agritourism Conditional Use for a haunted house but during the course of the Public Hearing, withdrew the application because they realized they did not meet the minimal criteria. During this meeting, the BZA strongly encouraged the Petitioner to reapply for a Rural Entertainment Conditional Use.

Because this will be a very public, reoccurring event, life-safety issues must be adhered to. During the 2023 Public Hearing, the necessity of acquiring the approval by meeting the standards set forth by both the Greene County Building Regulations as well as The Xenia Township Fire Department was addressed.

Should the BZA choose to approve this Conditional Use, the BZA should discuss in depth, and set the following minimal conditions:

Before the first year’s event can be publicized

The Xenia Township Fire Department must inspect the venue and provide a written report to the zoning inspector that all requirements have been met to their satisfaction.

Greene County Building Regulations must inspect the venue and provide a written report to the zoning inspector that all requirements have been met to their satisfaction.

Additionally

The Petitioner must complete the Annual Conditional Use Compliance (CUP) Application (after the inaugural year) and provide the necessary documents, and applications, with the required fees.

The Petitioner understands and agrees to the times, number of days a month, and consecutive days as provided within the Conditional Use Definition.

Provide an annual site plan for the location of all of the activities that includes parking, traffic flow, and accommodations for emergency vehicles.

Any signage used for the event has a current, annual sign permit.

The Xenia Township Fire Department must annually inspect the venue and provide a written report to the zoning inspector that all requirements have been met to their satisfaction and include their written approval (with the annual CUP application).

Greene County Building Regulations must annually inspect the venue and provide a written report to the zoning inspector that all requirements have been met to their satisfaction and include their written approval (with the annual CUP application).

If all of the above, listed conditions are met annually, the Staff does not see this conditional use request exceeding the approved allowable language in Section 400.4.13. While the adherence to Life Safety issues is considerable, this is not a substantial variance request. The request is only asking for what is permissible, by definition, to all property owners within the Agricultural District.

Respectfully,

Alan D. Stock
Zoning Inspector



**XENIA TOWNSHIP BOARD OF ZONING APPEALS
PUBLIC HEARING AREA VARIENCE
SECTION 401.04.13 RURAL ENTERTAINMENT and HOSPITALITY
2187 SR 235 M36000100060001900**



Zoned AG, Agricultural District

September 4, 2024

6:00 P.M.

Call To Order with opening remarks, Chair Jones

- Meeting Decorum
 - All presentations and comments are to be made to the Chair. Name and Address given for the record Comments made should reflect the purpose of the Public Hearing, not the character of any individuals or institutions.
 - Decisions will be made based on the merits of the Township Zoning Resolution and discussion of merit regarding a deviating from that Resolution or granting a conditional use provided for in that Resolution based upon conditions.
- Pledge of allegiance. Raise hand for Swearing-in for all wishing to give public testimony
- Roll Call of Board Members Present
 - Nathan Anthony Absent
 - Virgil Ferguson
 - Janis James
 - Darren Jones
 - Aidan Kolbe
- Acknowledgment
 - David Morrison, Greene County Assistant Prosecutor
 - Brian Gravunder, Greene County Assistant Prosecutor
 - Alan Stock, Zoning Inspector
- Question to Board Members of preparedness or potential conflict
- Confirmation of Process and Notification, Zoning Inspector Stock
 - Reading request into minutes
 - Process Verification with Exhibit identification
- Presentation of Petitioner, 15 minutes
- Clarifying questions from the Board
- Opening Public Discussion _____
 - Those desiring clarification questions or provide a general statement
 - Those in Opposition of the Conditional Use
 - Those in Favor of the Conditional Use
 - Any final clarification questions from Board members
- Public Discussion Closed _____
- Board Members Open Discussion or Executive Session for Discussion
- Motion with potential conditions addressed by _____ Seconded by _____
- Board Vote with explanations

○ Virgil Ferguson	Y N
○ Janis James	Y N
○ Darren Jones	Y N
○ Aidan Kolbe	Y N

Meeting Adjourned: _____ pm

Meeting Continued until: _____, 2024, _____ p.m. at 8 Brush Row Rd