

XENIA TOWNSHIP BOARD OF ZONING APPEALS
PUBLIC HEARING

September 14, 2022

THESE MINUTES ARE A SUMMARY OF THE EVENTS OF THE PUBLIC HEARING AND ARE NOT A WORD FOR WORD ACCOUNT OF THE DISCUSSIONS WHICH TOOK PLACE.

Nathan Anthony, Acting Chairman, called the meeting to order at 6:00 p.m. and welcomed the people in attendance. He asked for roll call for attendance of the members.

Board of Zoning Appeals members present: Nathan Anthony Interim Chair, Darren Jones, Janis James and Brian Secor. Also present was Alan Stock, Xenia Township Zoning Inspector, and Ashley Caldwell Greene County Prosecutor's Office, legal counsel for the Township.

Mr. Anthony went over the rules of the meeting; all cell phones must be turned off, everyone must sign in. The application will be read by Alan Stock, Zoning Inspector/Clerk, because the Board of Zoning Appeals decisions are quasi-judicial, all testimony has to be sworn. Everyone must come to the podium; state their name and state they are under oath. Only facts are to be given, not opinions or emotions. Minutes are being taken electronically. Questions are to be directed to the Board only. The Board of Zoning Appeals will follow Roberts Rules of Order for procedures. The Chair reserves the right to limit public input. The Board of Zoning Appeals may approve in whole or in part, reject in whole or in part, or reschedule to another date. An applicant may also withdraw their request. The decision will become effective five days after date of decision. A decision by this Board is a final order under R.C. 2506.04. Aggrieved individuals may appeal the decision to Common Pleas Court. The audience joined the Board in the Pledge of Allegiance. Mr. Anthony administered the oath to the audience

Mr. Anthony asked Mr. Stock if the application was lawful to be heard by the Board. Mr. Stock indicated yes, they had, and advised that the notice had been published in the newspaper and notices had been mailed to all property owners within 500' of the property. Mr. Stock stated that a sign was placed on the applicants' property. Mr. Stock explained all the exhibits for this Public Hearing. Mr. Anthony asked the Board members if they had read and considered the application—all answered yes; and he asked if they felt they should not be part of the proceeding due to some conflict of interest all answered no; and if they intend to participate in the entire procedure including voting on the questions asked—all answered yes.

Mr. Anthony asked Mr. Stock to present the proposal. Mr. Stock reviewed all the documents and Exhibits A-E.

Exhibit A: Application for Board of Zoning Appeals

Exhibit B: Proof of Public notices (Letter to Neighbors, Newspaper Notice, Sign in Yard, Website, Procedure Check List)
Exhibit C: Staff Findings
Exhibit D: Agenda
Exhibit E: Public Comment

**PONY EXPRESS ENTERPRISES, 893 LOWER BELLBROOK ROAD – CONDITIONAL USE
VETERINARY ANIMAL HOSPITAL OR CLINIC PARCEL #M36000200240000200**

David Montgomery, Esq. 40 North Main Street, 2700 Stratache Tower, Dayton, Ohio, Under Oath, stated that the Conditional Use is needed for the sale of the property to continue to be ran as a Veterinary Clinic. He went on to state that the current Conditional Use was required to go through the Duncan Standards criteria, same as the new Conditional Use is doing. He further stated that the intent is to continue the existing operations at the Clinic with no foreseeable plans to alter or expand the facility. He stated that nothing is planned to change that relates to public service or impact of the community.

Zander Carraway, Director of Acquisitions, Inspire Veterinary Partners, Under Oath, stated that they have no intentions of doing anything differently with the Veterinary Clinic. He went on to state that the current owner and staff will be staying with the clinic. He went on to say that his company purchases clinics that are already established and that they continue that by bringing in their expertise. He further stated that they do not have plans to make changes that will affect the property or building.

Mr. Anthony, BZA, asked for any comments in opposition of the request.

There was no one in opposition.

Mr. Anthony, BZA, asked for comments in favor of the request.

Laura Smith, 915 Lower Bellbrook Road, Under Oath, stated that she was happy to hear that this will stay a Veterinary Clinic. She went on to ask what will happen to the 20 acres behind the clinic.

Alan Stock, Zoning Inspector, stated that the front parcel is 7.021 acres and that the rear parcel is also owned by Pony Express. He further stated that the applicant would need to answer the question regarding the rear parcel.

Mr. Anthony, BZA, closed the haring for public comments.

Mr. Anthony, BZA, asked for questions from the Board.

Mr. Jones, BZA, asked if there were conditions that was placed on the present Conditional Use.

Alan Stock, Zoning Inspector, stated that there were not conditions placed on the current Conditional Use.

Mr. Anthony, BZA, asked for the applicant to explain the intent of the second parcel.

Zander Carraway, Director of Acquisitions, Inspire Veterinary Partners, Under Oath, stated he does not know why the parcel are two, but that they are only purchasing the front seven (7) acre parcel.

Mr. Anthony, BZA, called for a motion.

Motion for approval for the Conditional Use for Veterinary Animal Hospital or Clinic was made by Mr. Jones and seconded by Ms. James.

Mr. Anthony called for a vote

Ms. James	AYE
Mr. Jones	AYE
Mr. Secor	AYE
Mr. Anthony	AYE

Request for Conditional Use for Veterinary Animal Hospital or Clinic was granted with no conditions.

Meeting Adjourned 6:27 P.M.

ATTEST:

Alan D. Stock, Zoning Inspector

