

XENIA TOWNSHIP BOARD OF ZONING APPEALS
PUBLIC HEARING

August 2, 2023

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, 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, Chair, Janis James, Darren Jones, Brian Secor, and Aidan Kolbe. 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 Report
Exhibit D: Agenda
Exhibit E: Public Comment

Mt. Holly Farms, 622 State Route 380, Xenia, Ohio 45385 – Conditional Use of Section 408.4.2 for Store & Lock in the B-3 District Parcel # M36000200320006800 and M36000200320005000

Dan Wilson, Mt. Holly Farms, 1855 Bellbrook Ave, Xenia, Ohio, Applicant, Under Oath, stated that he would like to acquire a Conditional Use for a Store & Lock for all of the buildings on the property except Building 9, that could potentially become an auto body shop. Mr. Wilson went on to state that the buildings had previously been used to store ODOT vehicles and salt for them. He went on to state that they have been cleaning up the property, painting the buildings and are planning to seal coat the asphalt and strip the parking lot.

Mr. Stock, Zoning Inspector, asked if Buildings 7 and 8 would be excluded from the request also.

Dan Wilson, Mt. Holly Farms, 1855 Bellbrook Ave, Xenia, Ohio, Applicant, Under Oath, stated that Building 8 would be an office building, Building 9 would potentially be an Auto Body shop, and that Building 7 would be included in the request.

Mr. Stock, Zoning Inspector, asked Mr. Wilson to show where the outdoor storage would be.

Dan Wilson, Mt. Holly Farms, 1855 Bellbrook Ave, Xenia, Ohio, Applicant, Under Oath, stated that the outdoor parking would be on the asphalted area behind screening and or fencing. He went on to state that nothing would be stored outside of this area. Mr. Wilson asked if he would be able to amend and ask for more area to be added to the request?

Mr. Stock, Zoning Inspector, stated that as of now, the area is limited to only the asphalted area requested.

Mr. Anthony, BZA, Chair, asked if he would need to come back and ask to include more area, if needed later.

Mr. Stock, Zoning Inspector, stated that Mr. Wilson is asking for a Conditional Use and a Variance. He went onto state that a Variance request is limited to a specific area and that he would need to come back and ask if he desired to extend.

Ms. Kolbe, BZA, asked if the spot in question was in existence yet.

Mr. Stock, Zoning Inspector, stated that the spot in question does not exist yet, and further stated that there has not been any discussion for screening for that area.

Mr. Anthony, BZA, Chair, stated that they were only able to decide on the asphalted areas at this time.

Ms. Kolbe, BZA, asked if the lock and store would only be for vehicles and not peoples belongings in a storage locker.

Dan Wilson, Mt. Holly Farms, 1855 Bellbrook Ave, Xenia, Ohio, Applicant, Under Oath, said that it would only be for the storage of vehicles.

Mr. Jones, BZA, asked if there were plans to add other buildings with separate bays for people's belongings.

Dan Wilson, Mt. Holly Farms, 1855 Bellbrook Ave, Xenia, Ohio, Applicant, Under Oath, said they have no plans for that at this time.

Mr. Anthony, BZA, Chair, asked Mr. Wilson to acknowledge that screening will be done within six (6) months.

Dan Wilson, Mt. Holly Farms, 1855 Bellbrook Ave, Xenia, Ohio, Applicant, Under Oath, answered Yes.

Mr. Anthony, BZA, Chair, asked Mr. Wilson to acknowledge that the gaps in the natural screening will need to be filled.

Dan Wilson, Mt. Holly Farms, 1855 Bellbrook Ave, Xenia, Ohio, Applicant, Under Oath, answered Yes.

Mr. Anthony, BZA, Chair, asked Mr. Wilson to state office hours.

Dan Wilson, Mt. Holly Farms, 1855 Bellbrook Ave, Xenia, Ohio, Applicant, Under Oath, stated that the hours of operation would be 6:00 AM to 10:00 PM, seven days a week. He went on to state that they would not be open 24 hours a day.

Mr. Anthony, BZA, Chair, asked Mr. Wilson about his plans for lighting.

Dan Wilson, Mt. Holly Farms, 1855 Bellbrook Ave, Xenia, Ohio, Applicant, Under Oath, stated that he did not want to disrupt anyone in the area, and that he wants a clean, safe visible arear. He went on to say that he would do the lighting by the requirements mandated by Xenia Township.

Mr. Anthony, BZA, Chair, asked Mr. Wilson about acquiring a Knox Box for emergency personnel.

Dan Wilson, Mt. Holly Farms, 1855 Bellbrook Ave, Xenia, Ohio, Applicant, Under Oath, stated that he would acquire a Knox Box. He went on to state that the gates will be electronic and that a code would be put in for emergency vehicles.

Mr. Anthony, BZA, Chair, asked Mr. Wilson about the size and placement of signage.

Dan Wilson, Mt. Holly Farms, 1855 Bellbrook Ave, Xenia, Ohio, Applicant, Under Oath, stated that he would follow Zoning Regulations.

Mr. Anthony, BZA, Chair, asked Mr. Wilson to show where employee parking would be.

Dan Wilson, Mt. Holly Farms, 1855 Bellbrook Ave, Xenia, Ohio, Applicant, Under Oath, showed on the map where employee parking would be. He further stated that there would be no overnight parking in that area.

Ms. Kolbe, BZA, asked how many vehicles he would be able to accommodate.

Dan Wilson, Mt. Holly Farms, 1855 Bellbrook Ave, Xenia, Ohio, Applicant, Under Oath, stated that he did not have an exact number, but the number would be closer to 20 than it would be to 100.

Mr. Anthony, BZA, Chair, asked Ms. James if she had any questions, she did not.

Mr. Anthony, BZA, Chair, asked Mr. Secor if he had any questions, he did not.

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

There was none.

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

Mike Moore, 97 Country Place, Xenia, Ohio, Under Oath, stated that he was in favor of this request.

Mr. Anthony, BZA, Chair, closed the hearing for public comments.

Mr. Anthony, BZA, Chair, asked for any comments from the Board.

Mr. Jones, BZA, asked how far back screening needed to be.

Mr. Stock, Zoning Inspector, explained the Zoning Regulations for screening and then showed the existing fence on the map and stated that Mr. Wilson would need a taller fence in some spots, and would also need to fill in some areas of the natural screening that is bare.

Mr. Anthony, BZA, Chair, called for a motion.

Motion to grant the Conditional Use of Section 408.4 for a Store & Lock for buildings except Buildings 8 and 9, and to grant a Variance to Section 408.4. b for outdoor storage located at for 622 State Route 380 was made by Mr. Jones and seconded by Mr. Secor with the conditions:

1. Designate a number for each building that will be used for Store & Lock (attached)
2. Designate areas for Outdoor Storage (attached)
3. Place a screening Fence with in six (6) months
4. Fill any gaps in the existing natural screening with natural screening
5. Submit a lighting diagram to insure no external effects onto neighboring properties
6. Maintain reasonable hours of operation; 6:00 AM to 10:00 PM Seven (7) days a week
7. Place a Knox Box
8. Obtain a separate "Change of Use" certificate for each building as they become operational
9. Obtain a separate Sign certificate for each sign
10. Obtain an Annual Operating Permit yearly

Mr. Anthony, BZA, Chair, called for a vote

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

Conditional Use of Section 408.4 for a Store & Lock to all buildings except Buildings 8 and 9 and to grant a Variance to Section 408.4. b for Outdoor Storage for 622 State Route 380 GRANTED

There being no further business, the Board adjourned.
Meeting Adjourned 6:48 P.M.

ATTEST:

Alan D. Stock, Zoning Inspector

