



Zoning Certificate

Xenia Township

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



Certificate Number: 2024188

ADDRESS: **1055 N BICKETT
WILBERFORCE OH 45384**

PARCEL NO.: **M36000200280000500** ZONING: **IG**

ISSUED TO: **WILBERFORCE UNIVERSITY
1055 N BICKETT
WILBERFORCE OH 45384**

PERMIT TYPE: **Board of Zoning Appeals**

DETAILS **VAR FOR # OF PARKING SPACES**

PERMIT DATE: **12/06/2024**

FEE: **300.00** EXPIRE DATE: **12/06/2025**

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 **12/06/2024**



XENIA TOWNSHIP
GREENE COUNTY, OHIO
XENIA TOWNSHIP BOARD OF ZONING APPEALS

RECEIVED

DEC 06 2024

NOTICE OF APPEAL FOR AREA VARIANCE XENIA TOWNSHIP
TRUSTEES

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: Wilberforce Univ. Phone: 937-708-5704
Address of Property: 1055 N. Bickett RD. City: Wilberforce Zip: 45384
Acreage of Property: _____ Parcel Number: _____
Owner Address: 1055 N. Bickett RD. City: Wilberforce State: OH Zip: 45384

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

The University does not need 14 parking spaces per building as required, as most students do not own cars. Attached is a schematic that shows the number of cars that park on the campus daily and the number of available parks.

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 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:

- 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.
2. Property Rights: What literal interpretation of the provisions of the Zoning District's would deprive the applicant of property rights commonly enjoyed by other properties in the same district under the terms.
3. No Special Privilege: Why will granting the variance requested not confer on the applicant any special use or privilege denied by this Resolution to other lands, structures, or building in the same district.
4. Harmony with Locality: Why will the variance requested not alter the essential character of the locality

THIS APPLICATION IS ACCOMPANIED BY A FEE IN THE AMOUNT OF THREE HUNDRED DOLLARS (\$300.00) FOR THE PURPOSE OF DEFRAYING EXPENSES OF PUBLISHING NOTICES IN THE NEWSPAPER AND MAILING COSTS AND RECORDING FEES. ***NO REFUND WILL BE ISSUED FOR ANY REASON***

I hereby grant permission to the Xenia Township Zoning Commission, the Xenia Township Board of Trustees, Greene County Regional Planning Commission staff, Appropriate Greene County Department staff, and any other persons necessary to gather pertinent information regarding subject property to enter upon the premises. I understand a sign will be placed on my property for the purpose of identifying the property. I understand the decision of the Board of Zoning Appeals is final, and if the decision is unsatisfactory, I may appeal the decision with the Court of Common Pleas. No refunds will be given for applications for a zoning amendment, rezoning, conditional use, or variance. An application for reconsideration shall not be accepted for consideration more than once during any consecutive twelve-month period.

 Applicant(s) [Owner or Lessee] Signature(s)

STATE OF OHIO, GREENE COUNTY, §:

The undersigned, being first duly sworn, says that he/she is the Vann Newkirk
 (owner or lessee)
 named in the foregoing application and states that all the facts stated in said application are true as he believes.



VICKI L. CARDIFF
 Notary Public
 State of Ohio
 My Comm. Expires
 December 2, 2026

 Applicant(s) Signature(s)

Sworn to before me by the said _____ and by him/her subscribed in my presence this 5th day of NOVEMBER, 2024.
 My Commission expires 12-2, 2026

 Notary

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

Wilberforce University is a small University with only a handful of students who drive cars and park on campus. As a result, there is no need to expand the existing or add new parking spaces. Hence, there will be no variance in the existing property usage.

2. Whether the variance is substantial.

There will be no variance.

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.

Since there is no need for new parking spaces, there will be no impact on adjoining properties.

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

There is no need for additional parking spaces. Hence, there will be no impact on the delivery of government goods.

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

The property was purchased in the early 1970s. At the time of purchase many of the current zoning requirements did not exist and were not in force. For that reason, there was no knowledge of the current zoning requirements.

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

There is no need for a variance as there is no need to expand the existing or add new parking lots.

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

There is no need for a variance as there is no need to expand the existing or add new parking lots.

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

The University does not have a need for 14 parking spaces for each of the proposed buildings. Most of the students at Wilberforce do not own or drive cars. Hence, there are no special conditions and circumstances that are particular to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.

2. Property Rights: what literal interpretation of the provisions of the Zoning District's would deprive the applicant of property rights commonly enjoyed by other properties in the same district under the term.

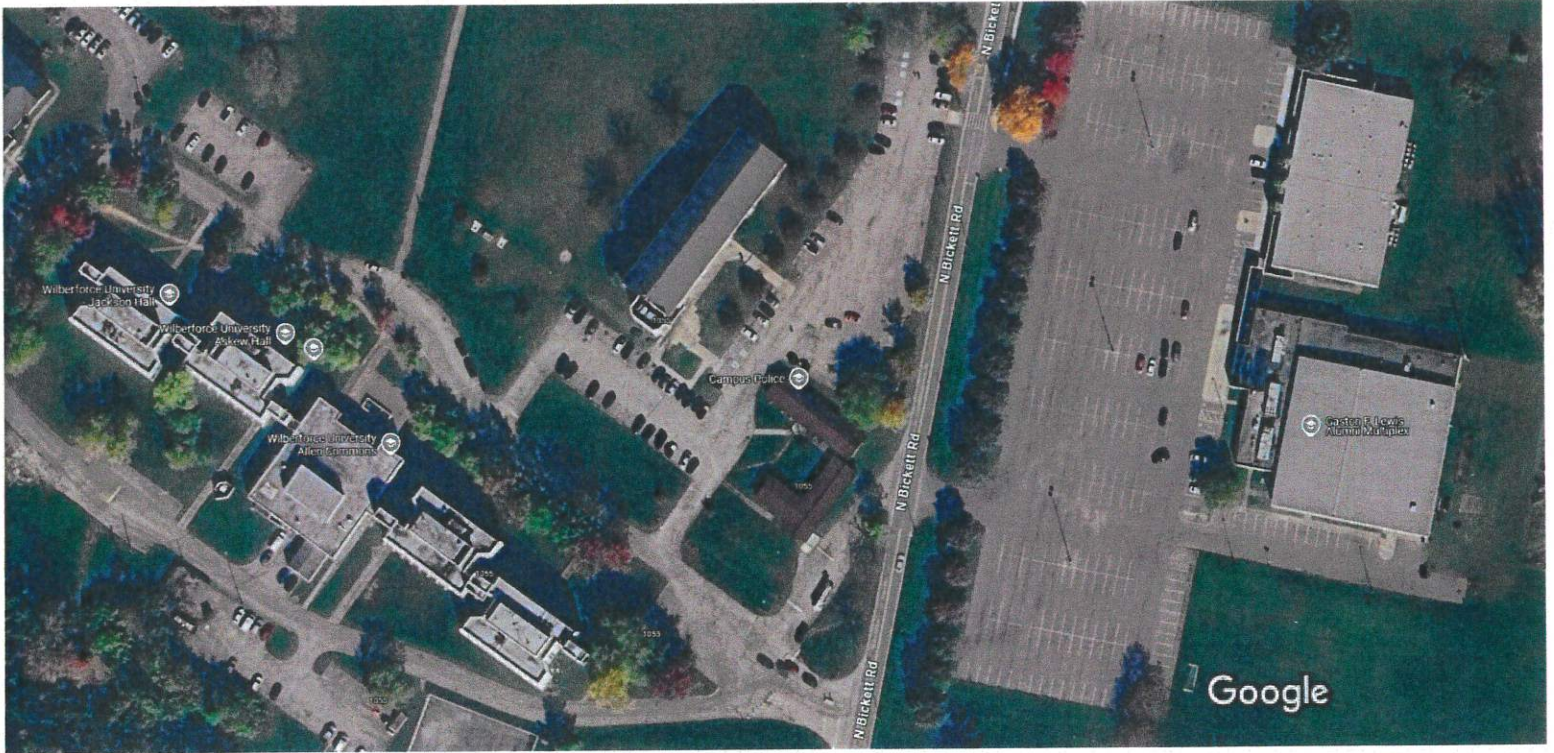
Not Applicable.

3. No Special Privilege: Why will granting the variance requested not confer on the applicant any special use of privilege denied by this Resolution to other lands, structures, or building in the same district.

The University does not have a need for 14 parking spaces for each of the proposed buildings. Most of the students at Wilberforce do not own or drive cars. Hence, there are no special conditions and circumstances that are particular to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.

4. Harmony with Locality: Why will the variance requested not alter the essential character of the locality.

The University does not have a need for 14 parking spaces for each of the proposed buildings. Most of the students at Wilberforce do not own or drive cars. Hence, there are no special conditions and circumstances that are particular to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.



Imagery ©2024 Airbus, Maxar Technologies, USDA/FPAC/GEO, Map data ©2024 50 ft



Alumni Parking lot
 Multiplex 317 Reg 7 Handicap

Henderson Hall Parking lot
 (side) 36

Stokes building Parking lot
 5 Handicap 54 Reg

Front of Henderson
3 Handicap 7 Reg
 Wright Hall (side lot)

16
 front of Union

7

6

Wilberforce University

4.6 ★★★★★ (47)

University ·

Overview

Reviews

About



Directions



Save



Nearby



Send to phone



Share



1055 N Bickett Rd, Wilberforce, OH 45384



Imagery ©2024 Airbus, Maxar Technologies, Map data ©2024 Google 50 ft



Wolfe Admin Upper lot
 641 reg 4 Handy cap
 Wolfe Admin Lower lot
 58 reg 2 Handy cap
 44

Wilberforce University

4.6 ★★★★★ (47)

University · 📍

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Directions



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Nearby



Send to phone



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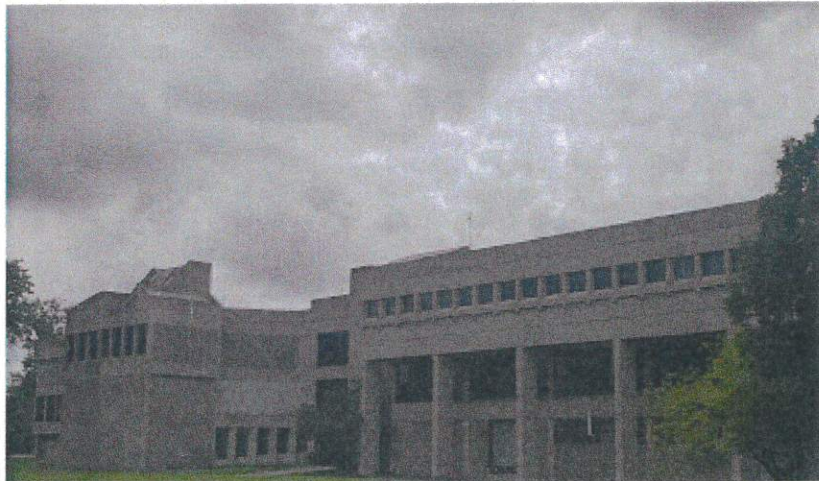


1055 N Bickett Rd, Wilberforce, OH 45384

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Imagery ©2024 Airbus, Maxar Technologies, Map data ©2024 Google 50 ft



Wilberforce University

4.6 ★★★★★ (47)

University ·

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Nearby



Send to phone



Share



1055 N Bickett Rd, Wilberforce, OH 45384

LLC side parking lot
 413
 parking lot across from
 Jackson Hall
 24
 LLC Front parking
 2 Handicap
 11 regular parking

8



Imagery ©2024 Airbus, Maxar Technologies, Map data ©2024 Google 50 ft



Jackson Hall Rear Parkinglot

23

Facilities + Cafe parking lot

35

Wilberforce University

4.6 ★★★★★ (47)

University · 📍

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Nearby



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1055 N Bickett Rd, Wilberforce, OH 45384

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Parking on campus

Year	Available Parking Spaces	Parking Passes Sold (<i>students, faculty, and staff</i>)	Spaces Remaining	Per. Parks Utilized
19-20	711	134	577	19%
20-21	711	Pandemic no passes sold	Unk.	Unk.
21-22	711	160	551	23%
22-23	711	205	506	29%
23-24	711	155	556	22%
24-25*	711	129*	582	18%

* Passes sold as of September 26, 2024



Wilberforce University Variance to Section 513, Off Street Loading Regulations and Section 514, Off Street Parking Regulations

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	2024.12.06	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.	2024.12.04	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.	2024.12.20	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.	2024.12.18	MK
5	Publiaction of date on XTWP website	2024.12.17	MK
6	Publication of date by sign posted in aplicants yard	2024.12.20	MK/AS
7	Township Board of Zoning Appeals public hearing	2025.01.02	AS

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.

ATTENTION XENIA TOWNSHIP RESIDENTS:

XENIA TOWNSHIP BOARD OF ZONING APPEALS WILL BE HOLDING TWO (2) PUBLIC HEARINGS ON JANUARY 2, 2025 STARTING AT 6:00 PM

The Xenia Township Board Zoning Appeals, Greene County, Ohio gives notice that a Public Hearing will be held on January 2, 2025 at 6:00 p.m. on the application received from Wilberforce University, 1055 N. Bickett Rd, Wilberforce, OH 45384 (Parcel #M36000200280015500), requesting a Variance of Section 513, Off Street Loading Regulations and Section 514, Off Street Parking Regulations in the Institutional and Government 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 Variance for Accessory Building In The Required Interior Yard in the Residential District.

XENIA TOWNSHIP BOARD ZONING APPEALS

Nathan Anthony, Chair

Alan D. Stock, Clerk

8 Brush Row Road

Xenia, OH 45385

Wilberforce University Neighbors

Name	Address	Mailing Address
Wilberforce University	1055 N Bickett Rd	1055 N Bickett Rd Wilberforce, OH 45384
Ryan & Amy Stover	1077 US 42	1077 US 42 Xenia, OH 45385
Double JM3 Farms	Bickett Rd	33800 Schwartz Rd Avon, OH 44011
Theopilus Adegboruwa	858 N Bickett Rd	858 N Bickett Rd Xenia, OH 45385
Sharon Sproull	862 N. Bickett Rd	862 N. Bickett Rd Xenia, OH 45385
Deborah Forsythe	890 N Bickett Rd	355 Placid Ct Xenia, OH 45385
Lester Ball	902 N Bickett Rd	902 N Bickett Rd Xenia, OH 45385
Andrew Brenner	918 N. Bickett RD	7922 W. Chester Rd West Checter, OH 45069
Truman Harris	930 N Bickett Rd	930 N Bickett Rd Xenia, OH 45385
John Howard	1267 US 42	1267 US 42 Xenia, OH 45385
Sharon Vogel	996 Stover Dr	996 Stover Dr Wilberforce, OH 45384
Willie Houston	986 Stover Dr	PO Box 160 Wilberforce, OH 45384
Shirley Snitko	976 Stover Dr	976 Stover Dr Wilberforce, OH 45384
Phillip McNally	966 Stover Dr	1030 Harbour Dr Stafford, VA 22554
Scott Heineman	956 Stover Dr	956 Stover Dr Wilberforce, OH 45384
Bonnie Nickerson	946 Stover Dr	946 Stover Dr Wilberforce, OH 45384
Woodrow Day	936 Stover Dr	PO Box 141 Wilberforce, OH 45384
Deborah Troha	924 Stover Dr	924 Stover Dr Wilberforce, OH 45384
Patricia Greene	914 Stover Dr	PO Box 235 Wilberforce, OH 45384
William Blocker	902 Stover Dr	902 Stover Dr Wilberforce, OH 45384
Lee Warren	890 Stover Dr	890 Stover Dr Wilberforce, OH 45384
Clyde Sidberry	880 Stover Dr	43 W Second St Xenia, OH 45385
Curtis Ransom	887 Stover Dr	PO Box 190875 Dallas, TX 75219
Jeffrey Cardwell	899 Stover Dr	69 N Monroe Dr #2 Xenia, OH 45385
Christopher Ortlieb	911 Stover Dr	911 Stover Dr Wilberforce, OH 45384
Anita Futrell	919 Stover Dr	919 Stover Dr Wilberforce, OH 45384
John Gradolph	929 Stover Dr	PO Box 492 Wilberforce, OH 45384
Judith Walker	949 Stover Dr	949 Stover Dr Wilberforce, OH 45384
Jeffrey Harris	957 Stover Dr	957 Stover Dr Wilberforce, OH 45384
Jon Chamness	967 Stover Dr	541 Water St Peterstown, WV 24963
Leigh Richardson	989 Stover Dr	989 Stover Dr Wilberforce, OH 45384



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

December 20, 2024

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 Variance of Section 513, Off Street Loading Regulations and Section 514, Off Street Parking Regulations in the Institutional and Government District, 1055 N. Bickett Rd, Wilberforce, Ohio 45384, Parcel # M36000200280015500

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

DATE: January 2, 2025 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

LEGAL NOTICE

The Xenia Township Board Zoning Appeals, Greene County, Ohio gives notice that a Public Hearing will be held on **January 2, 2025 at 6:00 p.m.** on the application received from Wilberforce University, 1055 N. Bickett Rd, Wilberforce, OH 45384 (Parcel #M36000200280015500), requesting a Variance of Section 513, Off Street Loading Regulations and Section 514, Off Street Parking Regulations in the Institutional and Government 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 Variance for Accessory Building In The Required Interior Yard in the Residential District.

XENIA TOWNSHIP BOARD ZONING APPEALS

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

PUB:December 20, 2024
90201457

Wilberforce University BZA Sign Placement 2024.12.20





January 2, 2025
STAFF REPORT FOR PUBLIC HEARING AREA VARIANCE
SECTION 513/514 OFF STREET LOADING/PARKING REGULATIONS
1055 BICKETT RD, M36000200280000500
ZONED IG, INSTITUTIONAL GOVERNMENTAL 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:

<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><i>The Petitioner has not adequately answered the question and has resisted help from the Township to answer any of the Duncan Standards. The Petitioner is not seeking a usage variance, but rather an area variance.</i></p>	<p>Wilberforce University is a small University with only a handful of students who drive cars and park on campus. As a result, there is no need to expand the existing or add new parking spaces. Hence, there will be no variance in the existing property usage.</p>
<p>2. Whether the variance is substantial</p> <p><i>The Petitioner is requesting an area variance from the BZA and states there will be no variance.</i></p>	<p>There will be no variance</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><i>The Petitioner's answer reflects a lack of knowledge and study of the Zoning Resolution requirements.</i></p>	<p>Since there is no need for new parking spaces, there will be no impact on adjoining properties.</p>
<p>4. Whether the variance would adversely affect the delivery of government goods</p> <p><i>The Petitioner has not adequately answered the question and has resisted help from the Township to answer any of the Duncan Standards. *</i></p>	<p>There is no need for a variance as there is no need to expand the existing or add new parking lots.</p>

<p>5. Whether the property owner purchased the property with knowledge of the zoning requirements</p> <p>According to Dayton Daily News, the first building on the new campus, Wright Hall, was begun in 1967. The Township's Zoning Resolution for parking hasn't changed since 1968.</p>	<p>The property was purchased in the early 1970s. At the time of purchase many of the current zoning requirements did not exist and were not in force. For that reason, there was no knowledge of the current zoning requirements.</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 lacks data nor a specific plan to address parking requirements for the whole campus.</p>	<p>There is no need for a variance as there is no need to expand the existing or add new parking lots.</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 lacks data nor a specific plan to address parking requirements for the whole campus.</p>	<p>There is no need for a variance as there is no need to expand the existing or add new parking lots.</p>

* The current, approved site plan instituted changes made at the request of the Xenia Township Fire Department for additional fire hydrants and a 360-degree access to all 10 proposed buildings for emergency apparatus.

No variance in the strict application of this Resolution (600.8.5) shall be granted by the Board of Appeals unless and until the applicant submits, and the Board concurs, with the following:

<p>Conditions and Circumstances: What special conditions and circumstances exist which are particular to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.</p>	<p>The University does not have a need for 14 parking spaces for each of the proposed buildings. Most of the students at Wilberforce do not own or drive cars. Hence, there are no special conditions and circumstances that are particular to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.</p>
<p>Property Rights: what literal interpretation of the provisions of the Zoning District's would Deprive the applicant of property rights commonly enjoyed by other properties in the same district under the term.</p>	<p>Not Applicable.</p>
<p>No Special Privilege: Why will granting the variance requested not confer on the applicant any special use of privilege denied by this Resolution to other lands, structures, or building in the same district.</p>	<p>The University does not have a need for 14 parking spaces for each of the proposed buildings. Most of the students at Wilberforce do not own or drive cars. Hence, there are no special conditions and circumstances that are particular to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.</p>
<p>Harmony with Locality: Why will the variance requested not alter the essential character of the locality.</p>	<p>The University does not have a need for 14 parking spaces for each of the proposed buildings. Most of the students at Wilberforce do not own or drive cars. Hence, there are no special conditions and circumstances that are particular to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.</p>

AREA VARIANCE, SECTION 513/514 OFF STREET LOADING/PARKING REGULATIONS

SECTION 513 OFF-STREET LOADING REGULATIONS

On the same premises with every building or structure or part thereof, erected and occupied for commerce, industry, public assembly, or other uses involving the receipt or distribution by vehicles of materials or merchandise, there shall be provided and permanently maintained adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets or alleys in conformance to the following:

513.1 General Provisions

1. Screening - Off-street loading spaces that adjoin or are across a street from property zoned for any residential use, shall have a dense evergreen planting, fence, masonry wall or such other screening as determined in Article 515.
2. Entrances and Exits - Off-street loading spaces shall be provided with entrances and exits not less than twelve (12) feet in width and so located as to minimize traffic congestion.
3. Dimensions - Each off-street loading space shall be not less than ten (10) feet in width, twenty-five (25) feet in length and fifteen (15) feet in height.
4. Projections into Yards - Off-street loading space may occupy all or any part of any required rear yard space.

513.2 Amount of Loading Space Required

The minimum amounts of off-street loading space shall be provided according to the table below. An area adequate for maneuvering, ingress and egress shall be provided in addition to required loading space.

Square Feet of Gross Floor Area	Required No. of Spaces
Up to 10,000 sq. ft.	1
10,001 to 20,000 sq. ft.	2
20,001 to 40,000 sq. ft.	3
40,001 to 75,000 sq. ft.	4
75,001 to 125,000 sq. ft.	5
For each additional 50,000 sq. ft.	1 additional loading space

SECTION 514 OFF-STREET PARKING REGULATIONS

Hereafter, no building shall be erected or altered, and no land used unless there be provided adequate off-street parking space or spaces for the needs of tenants, personnel and patrons together with means of ingress or egress.

514.1 General Provisions

1. Residential off-street parking spaces shall consist of a parking strip, driveway, garage, or combination thereof and shall be located on the premises they are intended to serve.
2. Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.
3. Off-street parking existing at the effective date of this Resolution in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or new use.
4. Two or more buildings or uses may collectively provide the required off-street parking in which case the required number of parking spaces shall not be less than the sum of the requirements for the several individual uses computed separately.
5. In the instance of dual function of off-street parking spaces where operating hours of buildings do not overlap, the Board of Appeals may grant a conditional use.
6. The storage or sale of merchandise or the repair of vehicles is prohibited.
7. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use which the Board of Appeals considers as being similar in type.
8. Ingress and Egress: A suitable means of ingress or egress for vehicles to premises used for parking shall be provided, and shall open directly from and to a public street or highway. The width of any exit, or entrance, adjoining property or opposite property zoned for residential uses shall be approved by the Township Zoning Inspector prior to obtaining any permit.
9. Fencing, wheel stops, or other physical barriers shall be provided for all boundaries of the parking area except at points of ingress and egress to prevent encroachment of vehicles.

10. Pavement: All parking lots shall be surface with a hard or semi-hard dust free surface.
11. Lighting: If the parking lot is to be open for use after dark, it shall be provided with not less than two (2) lumens of light per square foot of parking lot surface. Lights shall be shielded so as not to shine directly or in any offensive manner on the adjoining residential property.
12. Screening: When a parking lot abuts a residential zone, there shall be permanently maintained along such boundary, screening as provided in Section 515.
13. Plot Plan to be Filed: Prior to constructing an accessory parking lot, the owner or person in charge of the land to be used for parking shall submit a plot plan to the Enforcing Officer or Clerk who will submit the same to the Township Zoning commission, and other agencies for their consideration and recommendations. Such plot plan shall show the boundaries of the property, location of adjacent houses, parking spaces, circulation patterns, drainage plan and construction plan for boundary walls and planting plan.

514.2 Amount of Off-Street Parking Spaces Required

The amount of required off-street parking spaces for new uses or buildings, additions thereto, and additions to existing buildings, shall be determined in accordance with the following minimum parking provisions:

514.2.6 Boarding House: One parking space for each sleeping room.

STAFF REPORT

Xenia Township supports the mission of, and plan for growth of, Wilberforce University.

Wilberforce University, its subcontractors, and Xenia Township has been in continuous contact as to zoning requirements for the scope of the new buildings and the phases it may take to complete the entire project mission. This included architectural site plans, building plans with the general contractor, the Xenia Township Fire Department, the Greene County Engineer, and Greene County Building Regulations.

The dormitory project consists of potentially 10 buildings, three stories high with 18 sleeping rooms per building. Kitchens and bathrooms are not necessary to include in the needed parking spaces.

A single building was approved and construction of same has started. An application for two (2) additional, for a total of three (3) dorms, have been approved through zoning.

54 off-street parking and three (3) loading parking spaces for a total of 57 spaces are needed for the approved buildings.

With the current, approved plan for the three (3) buildings, there is enough parking for 2.5 new dormitories according to the site plan. The three (3) were approved with the communicated understanding that more parking would be needed for the additional buildings, by building.

Zoning requirements change over time. When making any improvement to the parcel, the current zoning Instrument must be followed. The Township's Zoning Resolution for parking hasn't changed since 1968.

Zoning requirements for parking is based upon maximum occupancy of each building's use, not potentially fluctuating occupancy from year to year.

Dual, simultaneous usage of buildings based upon hours of usage can be considered (514.1.5) in parking requirements.

The Petitioner has not met the minimal standards for a BZA consideration 600.8.5 and 5.a

Variances: To vary the strict application of any of the requirements of this Resolution only in the case of exceptionally irregular, narrow, shallow or deep lots, or other exceptional conditions, whereby such strict application would result in practical difficulty or unnecessary hardship - not economic in nature - that would deprive the owner of the reasonable use of the land or building involved. The fact that another use would be more profitable is not a valid basis for legally granting a variance. No non-conforming use of neighboring land, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the

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issuance of a variance. No variance in the strict application of this Resolution shall be granted by the Board of Appeals unless and until the applicant submits, and the Board concurs, with the following:

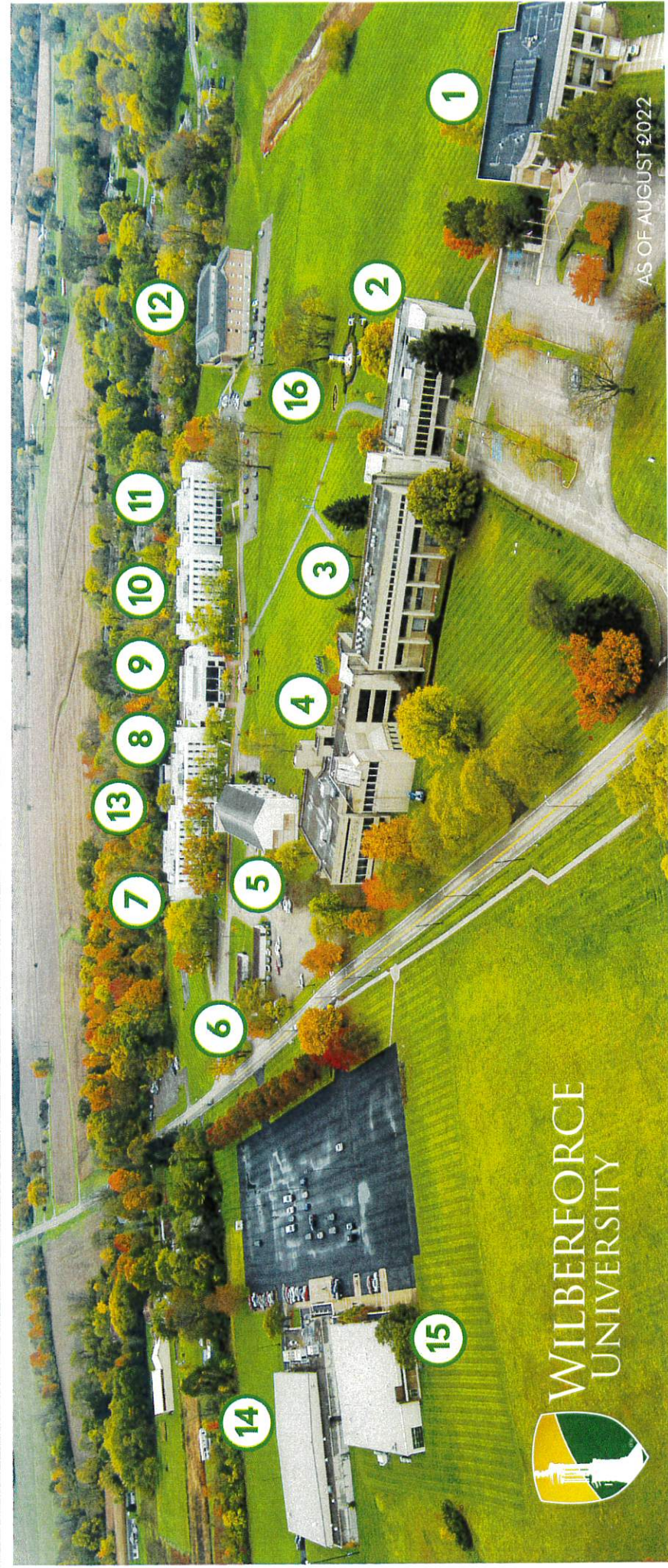
A) Conditions and Circumstances: That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.

The Petitioner has not met the minimal standards for a BZA consideration by providing data or a specific request for how many parking spaces current or future buildings should reasonably be reduced to. It is not the directive of the BZA to create a solution plan for any Petitioner.

Respectfully,

Alan D. Stock
Zoning Inspector

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C A M P U S M A P

- 1. Fredrick and Mary Wolfe Building - Admin
- 2. D. Ormonde Walker Building
- 3. King Science Building
- 4. Louis Stokes Building
1st Floor - Computer Lab | 2nd Floor - Library
- 5. John L. Henderson Hall
- 6. Music Building / Campus Police
- 7. Richard P. Wright Hall
- 8. Valentine Hall

- 9. Allen Commons - Student Union
- 10. Isabelle Askew Hall
- 11. Geraldine Jackson Hall
- 12. Living and Learning Center Hall
- 13. Physical Plant Office
- 14. Gaston F. Lewis Alumni Multiplex
- 15. Louis Stokes Health and Wellness
- 16. The Fountain - A symbol of resilience standing tall
after the Xenia tornado of 1974

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**XENIA TOWNSHIP BOARD OF ZONING APPEALS
PUBLIC HEARING AREA VARIANCE
SECTION 513/514 OFF STREET LOADING/PARKING REGULATIONS
1055 BICKETT RD, M36000200280000500
ZONED R-1, ONE-FAMILY RESIDENTIAL DISTRICT**



**January 2, 2025
7:00 P.M.**

Call To Order with opening remarks, Chair Anthony

- 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 acknowledged in previous Public Hearing this evening. Raise hand for Swearing-in for all wishing to give public testimony
- Roll Call of Board Members Present
 - Nathan Anthony
 - Virgil Ferguson
 - Janis James
 - Darren Jones
 - Aidan Kolbe
- Acknowledgment
 - 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 at _____
 - Those desiring clarification questions or provide a general statement
 - Those in Opposition of the Area Variance
 - Those in Favor of the Area Variance
 - Any final clarification from Board members
- Public Discussion Closed _____
- Board Members Open Discussion or Executive Session for Discussion
- Board Vote with Explanation

○ Motion by _____	Seconded by _____
○ Nathan Anthony, Chair	Y N
○ Virgil Ferguson	Y N
○ Janis James	Y N
○ Darren Jones	Y N
○ Aidan Kolbe	Y N

Meeting Continued until: _____, 2025, _____ p.m. at 8 Brush Row Rd

Meeting Adjourned: _____ pm