

XENIA TOWNSHIP BOARD OF ZONING APPEALS
PUBLIC HEARING

November 29, 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.

Darren Jones, Vice 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: Darren Jones, Vice Chair, Janis James, 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. Absent: Nathan Anthony, Chair.

Mr. Jones went over the rules of the meeting; all cell phones must be turned off, everyone must sign in and fill out an intent to speak form, if you choose to speak. 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. Jones administered the oath to the audience.

Mr. Jones 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. Jones 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. Jones 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

Brittini Long (CBCV Ventures, LLC) potential owner of 1395 US 42, Xenia, OH 45385, Parcel ID #, M36000200240007600 & M36000200240003000 - Conditional Use in the (A) Agricultural District for Commercial Recreational Facility

Brittini Long (CBCV Ventures, LLC) potential owner of 1395 US 42, Xenia, OH 45385, Under Oath, stated that she is the owner of CBCV Ventures and that she applied for a Conditional Use for a Commercial Recreational Facility and is willing to comply with all zoning and inspections necessary to open her facility. She went on to state that she does not see a problem with capacity, parking, lighting, health or fire inspections, and licensing. Ms. Long then stated that she has spoken with the neighbors and local officials to ensure that they are in good standards with the community. She stated that the property is an untouched gem and this would bring a place for all ages to enjoy. Ms. Long stated that she and her husband met playing volleyball and they have continued to play as a family. She stated that this would be a family venture and the facility will be family oriented. She stated that they have always wanted to own a sand volleyball facility, and would like to add cornhole and pickleball along with the volleyball to attract more people.

Ms. Long then stated that this project would be in phases. Phase one would be 1-4 outdoor sand volleyball courts, 4 outdoor pickleball courts, 1-2 indoor pickleball courts, 3 indoor cornhole boards, and an indoor bar/lounge area. She further stated that they will have seating for 100 people indoors and 100 people outdoors along with the addition of 100 parking spaces and a place for overflow parking. She stated that she would contact local authorities to make sure traffic flows smoothly.

Ms. Long stated that they would focus on league play in the beginning, but would offer reservations, memberships and lessons. She went on to state that Saturdays would focus on fundraising and community engagements, and they would open 3-11 PM. She went on to state that even though they will have a bar, they do not want to promote the facility as a bar and will not obtain a Sunday liquor license. She then stated that they will offer concession type foods with the hopes of attracting food trucks.

Ms. Long presented her site plan and stated that she wants a family friendly environment with an atmosphere that promotes safety and enjoyment to all, including the neighbors. She went on to state that she will have strict training of the staff for the serving policy that will be heavily enforced. She also stated that they will have security on the premises until closing time.

Ms. Long stated that phase 2 would be to evaluate the strengths and weaknesses of year one to determine the growth plan for year 2, and that phase 3 would be strategic planning to see where they could grow.

Mr. Jones, BZA, Vice Chair, asked for Board questions.

Ms. Kolbe, BZA, asked if the issue of the septic had been addressed.

Brittini Long (CBCV Ventures, LLC) potential owner of 1395 US 42, Xenia, OH 45385, Under Oath, stated that they had an inspection, but was planning to have porta potties that would be cleaned daily.

Mr. Jones, BZA, Vice Chair, asked if she would have signage.

Brittini Long (CBCV Ventures, LLC) potential owner of 1395 US 42, Xenia, OH 45385, Under Oath, stated that there is an existing sign that she would like to upgrade.

Ms. James, BZA, asked when she would like to break ground.

Brittini Long (CBCV Ventures, LLC) potential owner of 1395 US 42, Xenia, OH 45385, Under Oath, stated that they would like to start after the first of the year with an opening date in May.

Mr. Jones, BZA, Vice Chair, asked Mr. Stock if the BZA did anything with the signage.

Mr. Stock, Zoning Inspector, stated that Ms. Long would need to obtain a permit from the Township for the sign along with a change of use permit, and a yearly Conditional Use inspection. He went on to state that she would also need to obtain inspections from fire and Building Regulations and whatever is needed to obtain a liquor license.

Ms. Kolbe, BZA, asked Mr. Stock if Ms. Long needed to declare her hours of operation through the BZA.

Mr. Stock, Zoning Inspector, stated that the BZA could put a condition on the hours, if they chose to do so.

Ms. Kolbe, BZA, asked Mr. Stock if Greene County has quiet hours.

Mr. Stock, Zoning Inspector, stated that Greene County did not.

Ms. Kolbe, BZA, asked Mr. Stock what the process would be for food trucks.

Mr. Stock, Zoning Inspector, stated that they would have inspections from Greene County Health Department and would also need to obtain a Zoning Certificate.

Ms. Kolbe, BZA, asked Mr. Stock what the policy is for screening and lighting.

Mr. Stock, Zoning Inspector, stated that screening would be required for anything residential , and that the lighting would need to be made sure as to not affect the neighbors.

Mr. Jones, BZA, Vice Chair, opened Public Comments at 6:45 PM.

Mr. Jones, BZA, Vice Chair, asked for comments in favor.

There were none.

Mr. Jones, BZA, Vice Chair, asked for comments against.

There were none.

Mr. Jones, BZA, Vice Chair, closed public comment at 6:45 PM.

Mr. Jones, BZA, Vice Chair, asked for Board discussion.

There was none.

Motion to grant the Conditional Use for a Commercial Recreational Facility in the Agricultural District was made by Ms. Kolbe and seconded by Ms. James with the following conditions:

1. The establishment opens no earlier than 5:00 Am and closes no later than 12:00 Am Sunday through Saturday.

Mr. Jones, BZA, Vice Chair, called for a vote

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

Conditional Use of Section 400.4.9, for a Commercial Recreational Facility in the Agricultural District GRANTED

Meeting Adjourned 6:50 P.M.

ATTEST:

Alan D. Stock, Zoning Inspector

