

Miami Township Board of Zoning Appeals
Meeting Minutes
April 16, 2025

The meeting was **called to order** at 7:00 by Chairperson Richard Silliman.

Attending: Members - Richard Silliman, Chair, Amy Achor, Eli Hurwitz, David Neuhardt and Joseph Giardullo

Also in Attendance: Bryan Lucas (Zoning Administrator), Eric Bee, Steve Wirrig and other residents

Mr. Silliman **reviewed the agenda.**

Mr. Hurwitz **made a motion** to accept the meeting minutes from November 20, 2024, seconded by Mr. Neuhardt. Motion carried with 4 votes in favor, Mr. Giardullo abstained.

Mr. Silliman **opened the hearing** for Case # 2025-002-BZA.

Ms. Achor stated that she is acquainted with the applicant Eric Bee, but feels she can be impartial to this case.

Mr. Lucas introduced Case # 2025-002-BZA including the following information:

Case # 2025-002-BZA – An Agritourism Permit has been requested by The Arthur Morgan Institute for Community Solutions dba. Agraria Center for Regenerative Practice to add several community discussions, farm to table dinners, U Pick produce activities, agricultural workshops, youth educational programs and farm walks. The property in question is 131 E. Dayton Yellow Springs Road, Yellow Springs, Ohio 45387 – Parcel F16-0001-0005-0-0002-00.

Notification of Public Hearing: A public hearing notification was provided by posting on the township's website at least 10 days prior to the hearing. Notification was also in the Yellow Springs News on April 4 and April 11. Letters were sent to all owners of record adjacent and within 300 feet of premises in question.

Staff Analysis: The property in question is in zoning district A1 Agricultural. Agritourism is a permitted use in this district. The property does meet the definition of a farm as it is over 10 acres in size. The applicant has provided a description of the 6 activities that it plans to implement if awarded this permit. Collectively they meet all of the requirements of agritourism including educational, cultural, entertaining, recreational and historical. The applicant has also provided the board their intended hours of operation.

Attachments: Include agritourism application, statement from the applicant, site plan, adjacent properties list.

Mr. Lucas presented the definition of agritourism and agritourism steps within the Agricultural District A-1, from the current zoning resolution.

Mr. Silliman swore in all the participants that were planning to speak at the hearing.

Mr. Eric Bee gave a presentation on the activities that Agraria would be conducted if it were to be awarded an agritourism permit.

Ms. Achor asked questions regarding the frequency of events, music at dinner events in relationship to the neighbors. Mr. Bee responded that they were asking for 12 events per year as a maximum number, but the target for the first year was only around 6 events. Mr. Bee also replied that music would be acoustic guitar type music – nothing amplified.

Mr. Neuhardt asked a question regarding if the Farm to Table Dinners would be with food produced at the property. Mr. Bee responded that it would be from their farm activities and from other agricultural related partners.

Ms. Achor asked a question regarding the number of cars that could be parked on site. Mr. Bee responded that they could accommodate up to 35 cars and they have other limits that keep participants at a low number, including participants needing a reservation for some events.

Mr. Hurwitz made a motion to approve the agritourism permit, seconded by Mr. Neuhardt. All were in favor and motion carried.

Mr. Silliman **closed the hearing** for Case # 2025-002-BZA.

Mr. Silliman **opened the hearing** for Case # 2025-001-BZA.

Ms. Achor and Mr. Neuhardt **recused themselves from this case.**

Mr. Lucas confirmed with the applicant that he was aware there would only be a board of only 3 members deciding on this case. Mr. Wirrig affirmed.

Mr. Lucas introduced Case # 2025-002-BZA including the following information:

Case # 2025-001-BZA: A temporary use, specifically a special exception and conditional use pursuant to Section 18.5.2 Temporary Structures and Uses is requested by owner, Steve Wirring to conduct a limited run of comedy shows in the summer of 2025. The property in question is 4866 St. Rt. 68, Yellow Springs, Ohio 45387 – Parcel F16-0001-0015-0-0044-00.

Notification of Public Hearing: A public hearing notification was provided by posting on the township's website at least 10 days prior to the hearing. Notification was also in the Yellow Springs News on April 4 and April 11. Letters were sent to all owners of record adjacent and within 300 feet of premises in question.

Staff Analysis: The property in question is in zoning district A1 Agricultural. The current permitted and conditional uses for an agricultural district do not include conducting shows as a use, according to uses listed in Section 5 of the township resolution. The applicant is asking for a temporary use, specifically a special exception and conditional use to conduct

this limit run of comedy shows. This type of use has been permitted by the board of zoning appeals annually over the last several years. The conditions and parameters that were requested from this applicant last year are the same as this year, as nothing has changed from the set up, conduct and tear down of last year's shows. The applicant has provided a site layout – clearing identifying the location of activities with the closest residential dwelling 1,000 feet from the venue. The applicant has also provided a list of provisions that including a window of proposed dates of operation, hours of operation, limiting the number of tickets issued, a traffic and parking plan, lighting and noise concessions, insurance coverage and will conduct site reviews with local law enforcement and fire prevention.

Attachments: Include temporary use application, letter from the applicant, residential neighbor map and site plan.

Mr. Lucas presented verbiage from section 18.5 Board of Zoning Appeals, from the current zoning resolution.

Mr. Wirrig presented the details around the temporary use permit being requested and the importance of Mr. Chappelle to hold the shows to help the economic stimulation of the Village of Yellow Springs and the surrounding area. Mr. Wirrig also discussed the amount of residents that live near the event and their attendance to the summer shows in the past.

Mr. Giardullo asked about the economic impact to the local community. Mr. Wirrig answered by discussing the results of an independent firm that measured the impact to be significant in not only Yellow Springs, but Greene County as well.


Mr. Wirrig discussed the work done with the immediate neighbors to ensure their needs and concerns are considered.

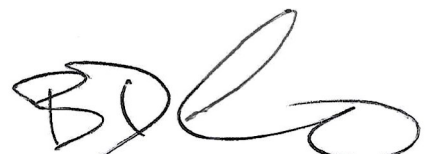
Mr. Silliman asked how many shows were being asked for. Mr. Wirrig responded 15 was the maximum number being asked, but the number could be less, like last year in 2024.

Mr. Giardullo **made a motion** to approve the temporary use permit, seconded by Mr. Silliman. All 3 members present were in favor and motion carried.

Mr. Giardullo **made a motion** to adjourn the meeting, seconded by Mr. Hurwith. All were in favor.

Meeting was adjourned by Mr. Silliman at 7:35.


Richard Silliman, Chairperson


Bryan Lucas, Zoning Administrator
(Recorder)