

VILLAGE OF YELLOW SPRINGS
PLANNING COMMISSION
AGENDA

The Village of Yellow Springs Planning Commission will meet in regular session on Wednesday, May 23, 2012 at 7:00 PM in Village Council Chambers on the second floor of the Bryan Community Center, 100 Dayton Street, Yellow Springs, Ohio 45387

7:00 CALL TO ORDER

ROLL CALL

REVIEW OF AGENDA

7:05 REVIEW OF MINUTES –January 9, 2012

7:08 REPORTS

1. Council Update
2. Bike Enhancement Committee
3. Village Staff Report

COMMUNICATIONS

Planning Commissioner's Journal

Tim Tobey re: Northern Gateway Project

7:15 CITIZENS' COMMENTS

7:20 OLD BUSINESS

7:20 NEW BUSINESS/PUBLIC HEARING

Public Hearing Regarding Conditional Use Permits for the Following:

1. 101 South Walnut St. (Corner Cone), Greene County Parcel ID # F19000100100005800
2. 111 Corry St. (corner of Xenia Ave.), Greene County Parcel ID #s F19000100100004900, F19000100100023900 and F19000100100005200
3. 4 Xenia Ave. (the BP gas station), Greene County Parcel ID #s F19000100100004100 and F19000100100004000

8:55 AGENDA PLANNING

Review of Village Property Still Under Township Zoning

Planning Commission 2012 Goals (Review of Visioning and Council Goals as Part of Process)

Parks Master Plan

9:00 ADJOURNMENT

**VILLAGE OF YELLOW SPRINGS
PLANNING COMMISSION MINUTES**

In Village Council Chambers

January 9, 2012

CALL TO ORDER

Chair Matt Reed called the meeting to order at 7:01 p.m.

ROLL CALL

Matt Reed, Tim Tobey, John Struewing, Alternate Chris Till, and Council Representative Lori Askeland were present. Village Manager Mark Cundiff was also present. Absent was member Bill Bebko.

REVIEW OF AGENDA

There were no changes made.

REVIEW OF MINUTES

Struewing MOVED and Till SECONDED a MOTION to APPROVE the Minutes of November 14, 2011 AS WRITTEN. The MOTION PASSED 5-0.

REPORTS

Council Update. Askeland reported briefly on the following Council business; Council has passed a temporary budget, and continues work on the 2012 budget. Boards and Commissions will be revisited with an eye to making achieving quorum more feasible.

Askeland noted that Cundiff has accepted a position with the City of Sidney, and Council is working on a transition plan.

Askeland noted also that the Village is awaiting Power Purchase Agreements from AMP for a possible wind farm participation, still awaiting information from Melink regarding the solar farm project, and that the TRC will begin regular meetings this week.

In answer to a question from Reed, Askeland estimated the time needed to bring in a permanent Village Manager at five to six months. Reed also asked whether there had been any consideration of postponing the zoning code rewrite due to the search, and Askeland stated that Council had agreed to continue to move forward with the zoning code at this time.

Cundiff added that Brad Schwab will be involved in the rewrite, as will Assistant Planner Ed Amrhein.

Bike Enhancement Committee. Tobey reported that the group will meet this Wednesday, and will meet with Kristin Eggeman, who will have a budget for their SRTS project. This figure will let the BEC submit a grant request for STRS.

Village Staff Report. Cundiff reported on the following matters:

CBE Update – The Ordinance accepting the annexation of the Dayton-Yellow Springs Road right-of-way was approved on December 5th, and the annexation became effective on January 5, 2012.

The Village solicited quotes from engineering firms to do the design work of the intersection improvements, and received responses from six firms.

Total cost of the design work will be less than \$15,000, so no Council action is needed. Village Staff meet with ODOT and CR representatives to discuss the project. The meeting centered around getting the design engineer to address comments made during the Stage 2 Plan Review while preparing the Stage 3 Plans.

At this point, an early spring 2013 bid date looks likely. However, intersection improvements will take place this summer. Staff continues to meet with representatives of Community Resources to keep everyone up-to-date on the project and will continue to meet monthly until the project is completed.

Zoning Code Update RFQ/RFP – Due to scheduling issues, the kick-off meeting with LSL Planning had to be pushed to after the 1st of the New Year. This meeting is now scheduled for January 12th, and the consultant will be in town on both the 12th and 13th interviewing those stakeholders identified by the TRC.

AMP Wind Power Project – AMP made the Village aware of a potential wind power project back in October, but has not yet sent the Power Purchase Agreement subscription packets. AMP apparently is still negotiating with the developer of the wind farm, so it is not certain when the Village would be receiving the PPA.

AMP Bio-Mass Project – The Village received information from AMP on November 8th about the possibility of participating in a 2.4 MW Biogas Plant constructed “behind the meter” in Napoleon, Ohio. This plant would burn waste product generated by a Campbell’s Tomato Soup manufacturing facility. If interested, a response was needed by November 10th.

Cundiff conveyed to AMP staff that there was no way for Council to respond that quickly. Cundiff also received e-mail from consultant John Courtney indicating their understanding that the power to be supplied by the Napoleon Biogas Project would be subject to the availability of the unit. That means that, Yellow Springs would only receive its share of the output when the unit is operating. Courtney did not recommend participation due to that fact and the relatively small size of the project.

Cundiff then received another e-mail from AMP asking whether, if the timeline was expanded, there would be interest. Cundiff stated that he would need to receive additional information so that the Energy Board and Village Council could make informed decisions on this matter. Thus far it appears that there would only be 2 MW available to other AMP members and energy would not be produced at all times. It would be a 15 year agreement with two options on the costs. Option 1 would be a \$51.00 per KWh cost with no RECs being kept by participants, and Option 2 would be a \$53.00 per KWh with some ownership of the RECs. Both options would have a 2% price escalator per each year of the contract.

Solar Farm Update –The developers are still in the process of raising the capital needed for this project. Investors are a bit wary due to possible changes in State and Federal laws which would negatively impact the value of Renewal Energy Credits (REC).

Amphitheater Improvements –The Managing Director of CFT, Inc., a small non-profit theatre, has contacted Cundiff about the possibility of using the small amphitheater located north of the Bryan Center. They are interested in putting on a stage production there this summer, and would like to partner with the Village to make some improvements. Staff will meet with them on January 10th to discuss this

possible project.

Fiber Optic Cable Installation –A contractor has installed fiber optic lines from Wright Patterson Air Force Base to the Ohio Air National Guard base at the Springfield Airport. The line comes into the Village along Yellow Springs-Fairfield Road to US 68, and then goes north to the airport.

COMMUNICATIONS

There were no communications.

CITIZEN COMMENTS

There were no citizen comments.

OLD BUSINESS

Parks Master Plan. Tobey provided a master list of assets, and thanked Rich Miller for creating the document. Tobey noted that in addition to listing existing parks, the group listed spaces not identified as parks, or not within the village, but which are of value and use to the Village.

Cundiff agreed to forward the spread sheet to Servlet for inclusion on the website.

Tobey agreed to provide the list to Askeland, who will forward it on the Environmental Commission for review and possible further action.

Tobey noted that it is his opinion that Director of Parks and Recreation is a staffable position from the perspective of resource management and asset enhancement, and that it is not productive to take the plan further without that position in the offing.

Paul Abendroth suggested Planning Commission take the plan to Environmental Commission for their input. He also suggested linking the Tree Committee's endeavor to link trees to a GPS system to the parks plan.

NEW BUSINESS

Annexation of Dayton Yellow Springs Right of Way. Cundiff presented his rationale for establishing zoning for the newly established ROW.

The Planning Commission was made aware of the fact that there are areas of the Village for which Township zoning regulations are still in effect.

Since the Village is beginning the Zoning Code Update which likely will change the Zoning Map, Cundiff recommended that the Planning Commission allow the update process to have Village zoning established in these two areas.

Cundiff noted that a legal description of the property is likely to be needed, and that the matter cannot come before PC for a public hearing until that is determined.

Struewing asked why PC should move on the matter, given that there is no other use that could be made of the ROW other than its current use.

Struewing asserted that emphasis should be on the Glass Farm, which should be re-zoned before further development.

Cundiff asserted that this is a housekeeping matter, and should be addressed.

Struewing was adamant that the matter is not of such urgency that it needs to be addressed prior to the zoning code rewrite

AGENDA PLANNING

- Village Property Still Under Township Zoning
- 2012 Goals (Include Council Goals and PC 2011 Goals)
- Review of Visioning Goals for Follow Up
- Parks Master Plan

ADJOURNMENT

Having no further business, Tobey MOVED and Till SECONDED a MOTION to ADJOURN. The MOTION PASSED UNANIMOUSLY at 7:52p.m.

Matt Reed, Chair

Attest: Judy Kintner, Clerk

Please note: These minutes are not verbatim. A DVD copy of the meeting is available at the Yellow Springs Library during regular Library hours, and in the Clerk of Council's office between 9 and 3 Monday through Friday.

Since our last meeting, November if I remember correctly, BEC has been meeting. We should be hearing from state on the 18th regarding the SR2S matching funds. It is our understanding that there were many applicants this year, so let's hope the money comes our way. Dan C. has sent a letter to Ms. Curliss about remarking the bicycle detector markings. I think the "no bikes + skateboards" on the sidewalks need repainted as well. We are also looking at the current codes regarding cycling and comparing them to the state and national standards. A report will be generated in the next month or so.

I was interested in the Council revisiting the Northern Gateway project. Why has this come up at this time? Is the state going to start working on the culvert under 68? What does the project look like? I've seen some drawings, but nothing put together to look at the "big picture". We at BEC have talked at length of this project and have several ideas on how best to utilize the Bryan Center's front law, without having a multiuse path cutting through it. One idea was to widen the existing sidewalk along 68 from Cemetery Street to the entrance to the Bryan Center, making it a multiuse path, and on the other side of the entrance to the LMST. Another was to utilize the existing maintenance path above the culvert, turning it into a multiuse path, taking a sharp right, going behind the Bryan center and then connecting up with the driveway between the pottery building and the Bryan center. This would leave the front yard alone, actually framing the yard, and also providing access to the path going to the amphitheatre.

How is the parking lot going to be shared with the Home Inc. development. Has consideration been given to realigning the intersection at 343, 68 + Cemetery Street? Would the state look at widening 343 to make it safer for cyclists and cars?

As a former manager was fond of saying...I don't mean to muddy the waters, but...

If you need to reach me next week, I'll be in Tennessee. I don't have access to the "novibes" email, but I can be reached at timtobey45387@gmail.com.

Cheers to all.

Tim



Planning Commission

NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Planning Commission will hold public hearings on three Conditional Use applications for the use of property in the Central Business District to host mobile vendors. The Village of Yellow Springs Codified Ordinances identifies carry-out sales, including food/restaurant sales, as a Conditional Use in Chapter 1256.03(d).

The applications have been submitted by the owners of:

1. 4 Xenia Ave. (the BP gas station), Greene County Parcel ID #s F19000100100004100 and F19000100100004000
2. 111 Corry St. (corner of Xenia Ave.), Greene County Parcel ID #s F19000100100004900, F19000100100023900 and F19000100100005200
3. 101 South Walnut St. (Corner Cone), Greene County Parcel ID # F19000100100005800

A PUBLIC HEARING WILL BE HELD ON ABOVE APPLICATIONS FOR A CONDITIONAL USE PERMIT AT:

DATE: Wednesday, May 23 **TIME:** 7:00 p.m.

LOCATION:

Council Chambers, 2nd floor, Bryan Center, 100 Dayton Street, Yellow Springs, OH 45387

This notice provides you and every other interested party the opportunity to appear or have input at the hearing. You may come in person or have someone appear on your behalf. You may express your views in writing by providing a copy to the Clerk of Council for inclusion in the record of the hearing. A copy of the permit applications may be examined at the Council Chambers, or at the office of the Village Planner, both in the Bryan Community Center, 100 Dayton Street, Yellow Springs, Ohio.

Ed Amrhein

Planning Assistant

YS News: Publish 05/10/12, Provide affidavit.



MEMORANDUM

TO: Planning Commission, Laura Curliss, Village Manager (Interim)

FROM: Ed Amrhein, Planning Assistant

DATE: May 17, 2012

RE: Conditional Use hearings, May 23, 2012

This memo will summarize the facts related to the three Conditional Use Permit applications before you tonight, and will conclude with Staff recommendations for each. The Code references pertaining to this hearing are: 1256.03(d), which identifies carry-out vending, including food, as a Conditional Use in the Central Business District (CBD); 1256.05, which sets criteria for accessory structures in the CBD; 1256.08, which requires that Conditionally approved Uses abide by parking and loading requirements; and 1256.08(d) which controls the number of required parking spaces in the CBD. 1268.03(c) sets criteria for establishment and location of parking spaces. The process and standards for granting Conditional Use Permits is detailed in Chapter 1272.

This will address site conditions and issues one site at a time.

1) 101 S. Walnut St. (Corner Cone)

For the past two winters, while the Corner Cone was closed for the season, an Indian food service has occupied the kitchen, offering a limited carry-out menu. During said operations, an enclosure of wood framing and plastic sheeting was added to the front of the ice-cream vending area beneath the building overhang. Since the seasonal re-opening of the Corner Cone this spring, the Indian carry-out food has been offered from a converted RV-style trailer located on the east side of the parking lot, just south of the Corner Cone building. The location of the mobile vendor is marked on the attached map (exhibit 'A').

The trailer is located to the rear of the parking lot, and enough parking spaces remain to meet the property's requirements for parking in the Central Business District, including an additional parking space required by the proposed Conditional Use. The trailer does not appear to obstruct either access or sight lines to any other property. There are water-line connections from the permanent structure to the trailer by means of garden hoses. No complaints have been received by this office concerning this food service operation.

Staff Recommendations:

1. That this RV-style trailer be permitted as a Conditional Use **for one year**. Upon expiration of this Permit, the owner, if desired, shall apply for a new Conditional Use Permit according to the provisions of Village Ordinances in force at that time. If granted, the Permit should be subject to the following conditions:
2. That it remain in the current location as shown on exhibit 'A'. Any request to move it to another location on the property will require a new Conditional Use application.

3. That any additional signage meets all requirements for a sign permit in the CBD, and not block sightlines to any other business or property.
4. That all items related to the Vendor's business are stored inside the trailer or off-site when the business is not operating.
5. That the Vendor's name and contact information are reported to the Village Finance Director on an annual basis, so that the Village may forward the information for tax reporting and collection purposes.
6. If Vendor moves to the principal building during the winter season, the trailer shall be removed from the premises.
7. Property owner must be able to confirm that vendor has obtained all necessary business licenses and any required certifications from the Greene County Combined Health District.

2) 111 Corry St. (Dragon Tree Tattoos & Gifts/HaHa Pizza)

The tenant of the corner shop (Dragon Tree) has occasionally allowed mobile vendors to set up and conduct business from the parking lot in front of the shop. Formerly, the additional vendors have sold dry goods (jewelry, tee-shirts) from beneath a 10-foot by 10-foot canopy at the location shown on the map attached. Recently, a mobile food vendor has been added to the mix.

The County auditor considers both businesses (Dragon Tree and HaHa) to be in the same building. Using that building footprint, the calculated number of parking spaces required is seven. One additional space is required for the proposed Conditional Use. The owner has submitted a plan showing nine parking spaces. The owner's application also excludes food vendors as a use for which he seeks approval. This office has received no complaints concerning the operations of carry-out vendors at this location. We have, however, received complaints about on-site, outdoor storage of the canopy and/or the food cart when not in operation.

Staff Recommendations:

1. To allow two vendors beneath 10'X10' canopies only, in the location approved by Planning Commission only **for a period of one year**. Upon expiration of this Permit, the owner, if desired, shall apply for a new Conditional Use Permit according to the provisions of Village Ordinances in force at that time.
2. That all required off-street parking spaces are clearly marked, and that access to them is maintained at all times, per 1268.03(c).
3. That property owner must be able to confirm that vendor has obtained all necessary business licenses and any required certifications from the Greene County Combined Health District.
4. That the Vendor's name and contact information are reported to the Village Finance Director on an annual basis, so that the Village may forward the information for tax reporting and collection purposes.
5. That the canopies and vendor equipment are to be removed from the site when not open for business.
6. That sidewalks and other public rights-of-way not be obstructed by any activity related to the vendors' business(es).

3) 4 Xenia Ave. (BP gas station)

Beginning last summer, the owners have permitted the operation of a mobile, carry-out food vendor on their lot. Originally, the vendor set up in the S.E. corner of the lot. Following comments from an adjacent business owner, the food service operation was relocated to the N.W. corner of the lot, and has proceeded to operate from that location on most weekends. No formal complaints were received by this office about the above situation.

Recently, a second food vendor has been permitted set up on the lot during weekends. The second vendor has alternated between two locations on the lot, sometimes setting up in the S.E corner, (at the original location of the first vendor), sometimes beside the first vendor, against a curb that separates the lot from the exit drive of the Post Office. Though no formal complaints have been conveyed directly to this office, we have been informed of such complaints by the Police Department. The complaints have included obstruction of the visibility of an adjacent business and the smell associated with frying food. Section 1268.06(p) stipulates that service stations must maintain a minimum of six off-street parking spaces. The proposed Conditional Uses, if approved would require two additional spaces. The owner has submitted a plan indicating seven spaces.

Staff Recommendations:

1. That **for a period of one year**, a maximum of two mobile food vendors is permitted on the lot at any one time, and only in locations approved by Planning Commission. Upon expiration of this Permit, the owner, if desired, shall apply for a new Conditional Use Permit according to the provisions of Village Ordinances in force at that time.
2. That no individual vendor be allowed to exceed 500 square feet in area, per 1256.05(a).
3. That no mobile vendor obstructs access or sightlines to any other permitted use in the CBD. This means that the vendor would not be permitted to use the space at the S.E. corner of the lot and would be required to set up next to the other vendor, against the curb adjacent to the Post Office drive. This will also require the owner to re-design the proposed layout of parking spaces.
4. That all required off-street parking spaces be clearly marked, and that access to them be maintained at all times, per 1268.03(c).
5. That any additional signage meets all requirements for a sign permit in the CBD, and not block sightlines to any other business or property.
6. That all items related to the Vendor's business are stored inside a secure structure or off-site when the business is not operating.
7. That the Vendor's name and contact information are reported to the Village Finance Director on an annual basis, so that the Village may forward the information for tax reporting and collection purposes.
8. That property owner must be able to confirm that vendor has obtained all necessary business licenses and any required certifications from the Greene County Combined Health District.

CONDITIONAL USE APPLICATION FORM
Village of Yellow Springs, Ohio

1272

As required by Section ~~125.0256~~ of the Village Zoning Code: All applications shall be in writing and filed with the Zoning Administrator at least 14 days prior to a regularly scheduled Planning Commission meeting. A public hearing will be scheduled where the Commission will render a decision on the application. Prior to approval of the application, the Planning Commission shall make an affirmative finding that pertinent provisions of the Village Zoning Code have been met or exceeded. A fee of \$35.00 must accompany this application.

Permit Number _____

Applicant Name: Yellow Springs Dairy Bar LLC

Applicant Address: 101 S Walnut St Yellow Springs OH

Property Owner: Same

Property Description: General Location in Village: corner of Dayton + Walnut St.

Parcel number: _____ Zoning District: _____

Present Use of Property: carry out food and bike rental

Description of Proposed Conditional Use: carry out food

The following information *must* accompany this application:

1. A site plan indicating the location and dimensions of all buildings; parking and loading areas; pedestrian, bicycle, and auto circulation; bicycle storage areas; open spaces and landscaping; refuse collection points; storm drainage plan; location of existing utilities and where new hook-ups will be located and; signs.
2. A map showing land use by individual parcel within 100 feet of the lot lines of the subject site.
3. A map showing significant natural features of the site including notations of existing trees over eight inches in diameter.

Please Note: no application will be processed and set for the required public hearing until the associated fee and required information has been received.

RECEIVED:

RECEIVED
VILLAGE OF
YELLOW SPRINGS

- 2 - EVMS
3 24

CONDITIONAL USE APPLICATION FORM
Village of Yellow Springs, Ohio

1272

As required by Section ~~125.0256~~ of the Village Zoning Code: All applications shall be in writing and filed with the Zoning Administrator at least 14 days prior to a regularly scheduled Planning Commission meeting. A public hearing will be scheduled where the Commission will render a decision on the application. Prior to approval of the application, the Planning Commission shall make an affirmative finding that pertinent provisions of the Village Zoning Code have been met or exceeded. A fee of \$35.00 must accompany this application.

Permit Number _____

Applicant Name: Robert Baldwin JR. / Elizabeth Staudauer

Applicant Address: 302 Allen St. Yellow Springs

Property Owner: Robert Baldwin JR

Property Description: General Location in Village: 114 Xenia Ave.

Parcel number: _____ Zoning District: CENTRAL

Present Use of Property: Retail Sales.

Description of Proposed Conditional Use: MOBILE FOOD CART / 10X10 Vendor Tent
OR.
NO FOOD

Robert F. Baldwin, 3 May 2012

The following information *must* accompany this application:

1. A site plan indicating the location and dimensions of all buildings; parking and loading areas; pedestrian, bicycle, and auto circulation; bicycle storage areas; open spaces and landscaping; refuse collection points; storm drainage plan; location of existing utilities and where new hook-ups will be located and; signs.
2. A map showing land use by individual parcel within 100 feet of the lot lines of the subject site.
3. A map showing significant natural features of the site including notations of existing trees over eight inches in diameter.

Please Note: no application will be processed and set for the required public hearing until the associated fee and required information has been received.

RECEIVED:

CONDITIONAL USE APPLICATION FORM
Village of Yellow Springs, Ohio

1272

As required by Section ~~125.0256~~ of the Village Zoning Code: All applications shall be in writing and filed with the Zoning Administrator at least 14 days prior to a regularly scheduled Planning Commission meeting. A public hearing will be scheduled where the Commission will render a decision on the application. Prior to approval of the application, the Planning Commission shall make an affirmative finding that pertinent provisions of the Village Zoning Code have been met or exceeded. A fee of \$35.00 must accompany this application.

Permit Number _____

Applicant Name: Williams & Tupper LLC

Applicant Address: 4 Xenia Ave

Property Owner: Williams & Tupper

Property Description: General Location in Village: Corner of Xenia Ave & Coory

Parcel number: _____ Zoning District: _____

Present Use of Property: C-Store & gas station

Description of Proposed Conditional Use: _____

The following information *must* accompany this application:

1. A site plan indicating the location and dimensions of all buildings; parking and loading areas; pedestrian, bicycle, and auto circulation; bicycle storage areas; open spaces and landscaping; refuse collection points; storm drainage plan; location of existing utilities and where new hook-ups will be located and; signs.
2. A map showing land use by individual parcel within 100 feet of the lot lines of the subject site.
3. A map showing significant natural features of the site including notations of existing trees over eight inches in diameter.

Please Note: no application will be processed and set for the required public hearing until the associated fee and required information has been received.

RECEIVED:

RECEIVED
123

Greene County, Ohio

Owner: HEATON TIMOTHY L ET AL
Address: 101 S WALNUT ST
Parcel No: F19000100100005800

Search Print

David Graham, County Auditor

Search Results

Map Layers

Property Information

Additional Property Information

Parcel ID F19000100100005800
 Owner Name HEATON TIMOTHY L ET AL

Property Address 101 S WALNUT ST
 Mailing Address 1415 MEADOW LN
 YELLOW SPRINGS OH 45387

Legal Description YELLOW SPRINGS ALL REPIAT
 LOT 28A .220AC TOD
 WALNUT ST

Class COMMERCIAL
 Land Use 435
 Acres

Appraised Bldg \$39,640.00
 Appraised Land \$57,500.00
 Appraised Total \$97,140
 Total Taxes \$2,351.16
 Taxes Owed \$1,175.58
 Delinq Taxes: \$0.00

Sale Date
 Sales Amount \$0.00
 Neighborhood 00326000
 Zoning

Deed Volume/Page [3118 / 0630](#)
 Survey Record /
 Cabinet Vol/Pg 36/335B
 Taxing District YELLOW SPRINGS VII

[Click Here To View Map](#)



[Click here to enlarge image](#)

[Click Here To View Additional Property Information](#)

Search Results

Map Layers

Property Information

Additional Property Information

Parcel ID F19000100100004900
 Owner Name BALDWIN ROBERT F JR TRUSTEE

Property Address 111 CORY ST
 Mailing Address 302 ALLEN ST
 YELLOW SPRINGS OH 45387

Legal Description YELLOW SPRINGS ORIGINAL
 LOT 24 (PART) .176 AC
 111-114 CORY ST

Class COMMERCIAL
 Land Use 440
 Acres

Appraised Bldg \$119,570.00
 Appraised Land \$46,000.00
 Appraised Total \$165,570
 Total Taxes \$4,007.32
 Taxes Owed \$2,003.66
 Delinq Taxes: \$0.00
 Sale Date 1/8/2004
 Sales Amount \$90,000.00
 Neighborhood 00326000
 Zoning

Deed Volume/Page 2842 / 0713
 Survey Record 035 / 0189
 Cabinet Vol/Pg 31/247A-B
 Taxing District YELLOW SPRINGS VII



[Click here to enlarge image](#)

[Click Here To View Map](#)



[Click Here To View Additional Property Information](#)

NOTES

- 1. Flat black topped apron fronting store
- 2. No outside water connections/ 110 Volt duplex protected outlet outside
- 3. Trash containers at rear lot
- 4. NO natural features

Greene County, Ohio

Owner: WILLIAMS & NIPPER LLC
Address: 4 XENIA AVE
Parcel No: F19000100100004100

Search

Print

David Graham, County Auditor

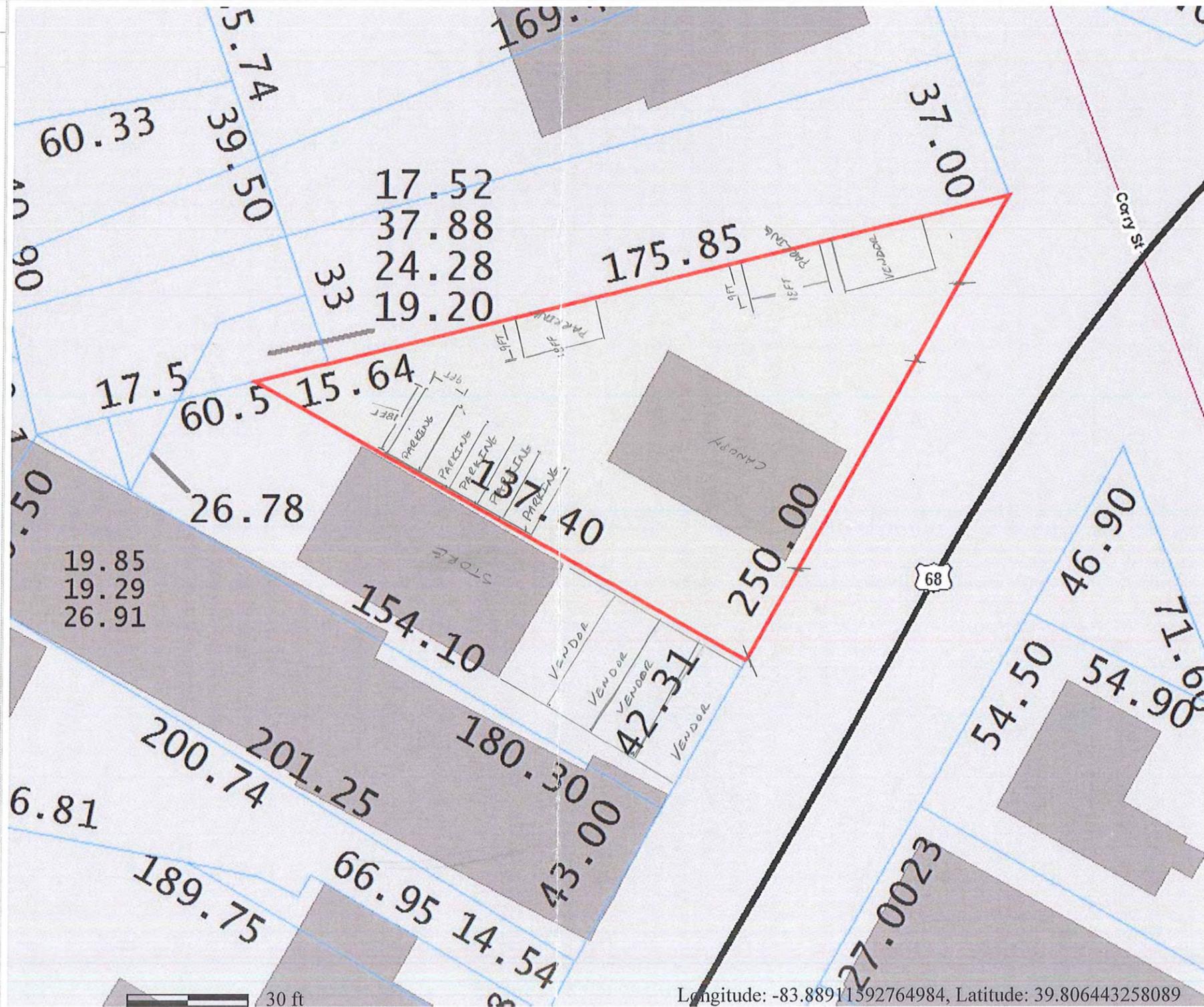
Search Results

Map Layers

Property Information

Additional Property Information	
Parcel ID	F19000100100004100
Owner Name	WILLIAMS & NIPPER LLC
Property Address	4 XENIA AVE
Mailing Address	634 ROBINWOOD DR YELLOW SPRINGS OH 45387
Legal Description	YELLOW SPRINGS ALL LOT 21 4 XENIA AV
Class	COMMERCIAL
Land Use	439
Acres	
Appraised Bldg	\$144,400.00
Appraised Land	\$56,310.00
Appraised Total	\$200,710
Total Taxes	\$5,094.79
Taxes Owed	\$3,834.69
Delinq Taxes:	\$0.00
Sale Date	1/6/2006
Sales Amount	\$570,000.00
Neighborhood	00326000
Zoning	
Deed Volume/Page	2522 / 0568
Survey Record	/
Cabinet Vol/Pg	31/247A-B
Taxing District	YELLOW SPRINGS VII

[Click Here To View Map](#)



[Click here to enlarge image](#)

[Click Here To View Additional Property Information](#)

April 18, 2012

Robert Swaney
108 South Walnut Street
Yellow Springs, Ohio 45387

Dear Mr. Swaney,

This is to inform you that the use of your property at 101 South Walnut St. (The Corner Cone) in Yellow Springs for carry-out food sales is a Conditional Use under Chapter 1256.03(d) of the Village's Codified Ordinances. As such, a Conditional Use Permit is required for continuation of this use by the carry-out food vendor on your property.

Conditional Use Permits are attached to a given property, and thus are the responsibility of the property owner to obtain, rather than the individual vendor. Conditional Use Permit applications are considered by the Village Planning Commission at their regular meetings on the second Monday of each month at 7:00 P.M. in Council chambers here at the Bryan Center. The deliberations constitute a public hearing, and invite input from the public in general and the owners of neighboring properties specifically. The application form for a Conditional Use Permit is enclosed. If I receive a completed application, with the required \$35.00 fee by Friday, April 27, I will be able to schedule the public hearing for Monday, May 14.

It may be helpful for you to review Code chapters in addition to the one listed above. You can find the Village's Codified Ordinances on line by going to www.yso.com and following links. I will be happy to provide more detailed guidance, if necessary. Pertinent chapters of the Code include 1272, which discusses both the process and the standards for granting Conditional Uses.

The other Code Chapter pertinent to this situation is 1256.08(d), which specifies the number of off-street parking spaces needed in the Central Business District. By my calculations, the location in question needs to maintain four (4) off-street spaces. Further, 1268.03(c) states "Required off-street parking spaces shall be so designed, arranged and regulated as to have individual spaces marked, to be unobstructed and to have access to an aisle or driveway, so that any automobile may be moved without moving another and so that no maneuvering directly incidental to entering or leaving a parking space shall be on any public right of

way or walkway.” As applied to locating a carry-out food vendor, this means that any Conditionally Permitted vendor may not be located on the property so as to make required and marked off-street parking spaces unavailable.

Please contact me to initiate the application process for a Conditional Use Permit. In the meantime, it is a violation of the Code to continue to permit mobile vendor operations without having a Conditional Use Permit.

I will be happy to meet with you to discuss any questions you may have regarding this letter. Please don't hesitate to contact me by any of the means listed below.

Sincerely,

Ed Amrhein
Planning Assistant

Phone: 767-3702
Fax: 767-3720
Mobile: 605-9450
E-mail: eamrhein@yso.com

Cc: Laura Curliss, Village Manager (Interim)
Planning Commission

April 18, 2012

Robert F. Baldwin, Jr.
302 Allen Street
Yellow Springs, Ohio 45387

Dear Mr. Baldwin,

This is to inform you that the use of your property at 111 Corry St. in Yellow Springs for carry-out food sales is a Conditional Use under Chapter 1256.03(d) of the Village's Codified Ordinances. As such, a Conditional Use Permit is required for continuation of this use by the carry-out food vendor on your property.

Conditional Use Permits are attached to a given property, and thus are the responsibility of the property owner to obtain, rather than the individual vendor. Conditional Use Permit applications are considered by the Village Planning Commission at their regular meetings on the second Monday of each month at 7:00 P.M. in Council chambers here at the Bryan Center. The deliberations constitute a public hearing, and invite input from the public in general and the owners of neighboring properties specifically. The application form for a Conditional Use Permit is enclosed. If I receive a completed application, with the required \$35.00 fee by Friday, April 27, I will be able to schedule the public hearing for Monday, May 14.

It may be helpful for you to review Code chapters in addition to the one listed above. You can find the Village's Codified Ordinances on line by going to www.yso.com and following links. I will be happy to provide more detailed guidance, if necessary. Pertinent chapters of the Code include 1272, which discusses both the process and the standards for granting Conditional Uses.

The other Code Chapter pertinent to this situation is 1256.08(d), which specifies the number of off-street parking spaces needed in the Central Business District. By my calculations, the location in question needs to maintain seven (7) off-street spaces. Further, 1268.03(c) states "Required off-street parking spaces shall be so designed, arranged and regulated as to have individual spaces marked, to be unobstructed and to have access to an aisle or driveway, so that any automobile may be moved without moving another and so that no maneuvering directly incidental to entering or leaving a parking space shall be on any public right of way or walkway." As applied to locating a carry-out food

vendor, this means that any Conditionally Permitted vendor may not be located on the property so as to make required and marked off-street parking spaces unavailable.

Please contact me to initiate the application process for a Conditional Use Permit. In the meantime, it is a violation of the Code to continue to permit mobile vendor operations without having a Conditional Use Permit.

I will be happy to meet with you to discuss any questions you may have regarding this letter. Please don't hesitate to contact me by any of the means listed below.

Sincerely,

Ed Amrhein
Planning Assistant

Phone: 767-3702
Fax: 767-3720
Mobile: 605-9450
E-mail: eamrhein@yso.com

Cc: Laura Curliss, Village Manager (Interim)
Planning Commission

April 11, 2012

Williams & Nipper, LLC
634 Robinwood Drive
Yellow Springs, Ohio 45387

Dear Williams & Nipper,

This is to inform you that the use of your property at 4 Xenia Ave. in Yellow Springs (the BP Station) for carry-out food sales is a Conditional Use under Chapter 1256.03(d) of the Village's Codified Ordinances. As such, a Conditional Use Permit is required for continuation of this use by the carry-out food vendors on your property.

Conditional Use Permits are attached to a given property, and thus are the responsibility of the property owner to obtain, rather than the individual vendor. Conditional Use Permit applications are considered by the Village Planning Commission at their regular meetings on the second Monday of each month at 7:00 P.M. in Council chambers here at the Bryan Center. The deliberations constitute a public hearing, and invite input from the public in general and the owners of neighboring properties specifically. The application form for a Conditional Use Permit is enclosed. If I receive a completed application, with the required \$35.00 fee by Friday, April 27, I will be able to schedule the public hearing for Monday, May 14.

It may be helpful for you to review Code chapters in addition to the one listed above. You can find the Village's Codified Ordinances on line by going to www.yso.com and following links. I will be happy to provide more detailed guidance, if necessary. Pertinent chapters of the Code include 1272, which discusses both the process and the standards for granting Conditional Uses.

The other Code Chapter pertinent to this situation is 1268.06(p), which specifies that service stations must maintain a minimum of six off-street parking spaces. Further, 1268.03(c) states "Required off-street parking spaces shall be so designed, arranged and regulated as to have individual spaces marked, to be unobstructed and to have access to an aisle or driveway, so that any automobile may be moved without moving another and so that no maneuvering directly incidental to entering or leaving a parking space shall be on any public right of way or walkway." All this means that any Conditionally Permitted vendor may

not be located on the property so as to make required and marked off-street parking spaces unavailable.

Please contact me to initiate the application process for a Conditional Use Permit. In the meantime, it is a violation of the Code to continue to permit the operation of a mobile food vendor without a Conditional Use Permit.

I will be happy to meet with you to discuss any questions you may have regarding this letter. Please don't hesitate to contact me by any of the means listed below.

Sincerely,

Ed Amrhein
Planning Assistant

Phone: 767-3702
Fax: 767-3720
Mobile: 605-9450
E-mail: eamrhein@yso.com

Cc: Laura Curliss
Planning Commission