

RECORD OF PROCEEDINGS

Minutes of

MIAMI TOWNSHIP BOARD OF ZONING APPEALS

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held APRIL 02, 2025 20

The Miami Township Board of Zoning Appeals met in regular session on Wednesday, April 02, 2025, at 7:00 p.m. at the Miami Township Civic Center. Chairperson Randy Merrill called the meeting to order and led the Pledge of Allegiance.

ROLL

Attending: Randy Merrill, Greg Horn, Steve Reece, Todd Munro, and Wayne Loudermilk. Also present: Township Planner Jamie Kreindler, Community Development Co-Op Wynnie Serra, and Secretary Kelly Gibson.

APPROVAL OF MINUTES

Mr. Munro made a motion to approve the previous minutes from March 05, 2025, seconded by Mr. Loudermilk. Upon the roll call, all voted "Yes."

COMMON RULES OF CONDUCT

Waived.

CONTINUED HEARINGS

None.

PUBLIC HEARINGS

LOWE'S HOME CENTERS, LLC – 5694 ROMAR DRIVE – CASE #1054

Mrs. Gibson read the Notice of Public Hearing for Case #1054. The Applicant is requesting variances from MTZR Sections 11.07C and 11.07E to allow outdoor storage per the submitted plan. Speakers for the case were sworn in by Mr. Merrill, and Mr. Merrill called for a summary of the Staff Report.

Ms. Kreindler explained that the Location is zoned "B-2" General Business District and is 14.78 acres in total size. The Property Owner is Romar SFT Property LLC, the Applicant is Lowe's Home Centers LLC, and the Representative is Bill Byers, who is the store manager at this Location. Ms. Kreindler stated that Lowe's supplies high volumes of seasonal products, such as soil, mulch, and landscaping rock, to the community. These seasonal products tend to be stored in the areas shown on the submitted site plan to serve customers as efficiently as possible.

Ms. Kreindler continued that in May 2024, the Community Development Department received a complaint about outdoor storage at the Location. Since that time, Community Development staff have been working with Lowe's to resolve the outdoor storage issue. Due to seasonal demands at the Location, staff understands that it is not practical for a big-box retailer such as Lowe's to 100% eliminate their outdoor storage uses. Staff worked with Lowe's to present a site plan that reasonably meets the needs of the business while addressing the original outdoor storage complaint and safely serving the community. The site plan was shown to the Board.

Mr. Munro asked how long the Applicant had been on the site and if the outdoor storage was planned for and approved during initial review. Ms. Kreindler stated that she is unaware of the historical site plan approval for Lowe's; however, more recently Tractor Supply had their outdoor storage approved by the Board of Zoning Appeals as a part of their initial site planning. There were no further questions for Ms. Kreindler.

Mr. Merrill asked the Applicant to present their case. Bill Byers addressed the Board and emphasized that outdoor storage is a crucial part of the Lowe's business plan, allowing for ease of access and visibility of products. Mr. Byers further stated that the parking lot is regularly maintained for appearance and safety.

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Mr. Munro asked Ms. Kreindler if the variances originated from a complaint. Ms. Kreindler stated that it did, and all cases heard this evening originated from a complaint. It was further clarified that the complainant was not present at the hearing.

There were no adjoining property owners or interested citizens in attendance. Mr. Merrill asked for the Township Staff Recommendation. Ms. Kreindler recommended approval of the variances, stating that hardship criteria are reasonably met. She additionally stated that upon approval of the new site plan, Lowe's will no longer need to return annually for temporary business zoning certificates.

The open portion of the hearing was closed, and Mr. Merrill called for discussion. Everyone agreed that the request was reasonable.

Mr. Reece made a motion to approve the variances in Case #1054. Mr. Horn seconded the motion. Upon roll call, all voted "Yes."

MCBRIDE DALE CLARION – 1093 STATE ROUTE 28 – CASE #1055

Mrs. Gibson read the Notice of Public Hearing for Case #1055. The Applicant is requesting variances from MTZR Sections 11.07C and 11.07E to allow outdoor storage at the Kroger Fuel Station and Kroger store per the submitted plan. Speakers for the case were sworn in by Mr. Merrill, and Mr. Merrill called for a summary of the Staff Report.

Ms. Kreindler introduced Ms. Wynnie Serra to the Board and announced that she would present the staff report.

Ms. Serra explained that the Location is zoned "B-2" General Business District and is approximately 20.32 acres in total size. The Property Owner is SUSO 3 Mulberry LP, and the Applicant is Macy Downey of McBride Dale Clarion. The Location is in Mulberry Square Shopping Center, which is accessed via Allen Drive and contains both a Kroger store and a fuel center.

As stated by Ms. Serra, Kroger is requesting variances from Miami Township Zoning Resolution (MTZR) Sections 11.07C and 11.07E to allow outdoor sales, storage, and display at the Location's store and fuel center. Kroger's fuel center supplies products such as ice, snacks and drinks, and windshield washer fluid accompanied by a kiosk with an attendant. Additionally, Kroger would like to sell seasonal items such as mulch, salt, and firewood in parking spaces adjacent to the fuel center, which is reflected in the submitted site plan. The Kroger storefront tends to store, display, and sell seasonal items such as plants, furniture, firewood and more.

The site plan was shown to the Board, and Ms. Serra stated that all outdoor storage would comply with both pedestrian and vehicular traffic requirements.

Mr. Merrill asked the Applicant to present their case. Macy Downey addressed the Board and stated that an attendant is on-site during business hours and is responsible for keeping things tidy. Additional requested storage would not interfere with typical parking needs.

There were no adjoining property owners or interested citizens in attendance, including the complainant. Mr. Merrill asked for the Township Staff Recommendation. Ms. Serra recommended approval of the variances, stating that the hardship criteria had been met.

The open portion of the hearing was closed, and Mr. Merrill called for discussion. Everyone agreed that the request was reasonable.

Mr. Reece made a motion to approve the variances in Case #1055. Mr. Loudermilk seconded the motion. Upon roll call, all voted "Yes."

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MCBRIDE DALE CLARION – 6388 BRANCH HILL GUINEA RD – CASE #1056

Mrs. Gibson read the Notice of Public Hearing for Case #1056. The Applicant is requesting multiple variances as follows:

- Variances from MTZR Sections 10.06C and 10.06E to allow outdoor storage at the Kroger Fuel Station and Kroger store per the submitted plan.
- Variances from MTZR Section 24.01Q and Page 10-5 (Note 3) to allow cart corral covers in front of the principal structure.

Speakers for the case were sworn in by Mr. Merrill, and Mr. Merrill called for a summary of the Staff Report.

Ms. Kreindler explained that the Location is zoned “B-1” Neighborhood Business District and is 8.27 acres in total size. The Property Owner is OT Realty Enterprises II LLC, and the Applicant/Representative is Macy Downey of McBride Dale Clarion. At the Location, there is an existing Kroger store and fuel center. The site plan was shown to the Board, and it was explained that Kroger is requesting the above variances due to shopper preferences and overall ease and accessibility at the site. Ms. Kreindler also stated that the request is not excessive. It was pointed out that the outdoor signage on the cart corral covers is a simple Kroger logo and lacks impactful commercial messaging.

Mr. Merrill asked the Applicant to present their case. Macy Downey addressed the Board and stated that the cart corral covers protect carts from the elements and are not permanent structures.

There were no adjoining property owners or interested citizens in attendance, including the complainant. Mr. Merrill asked for the Township Staff Recommendation. Ms. Kreindler recommended approval of the variances, stating that the hardship criteria had been met, and the requests were not found to be excessive or negatively impactful.

The open portion of the hearing was closed, and Mr. Merrill called for discussion. Everyone agreed that the request was reasonable.

Mr. Horn made a motion to approve the variances in Case #1056. Mr. Loudermilk seconded the motion. Upon roll call, all voted “Yes.”

OLD BUSINESS

None.

NEW BUSINESS

EAGLE CUSTOM HOMES INC – 373 BRIDGE STREET – CASE #1057

Ms. Kreindler stated that the application is complete. The Applicant is requesting a 5’ side setback reduction variance to build a detached garage.

Mr. Loudermilk made a motion to set the case for public hearing on May 07, 2025. Mr. Reece seconded the motion. Upon roll call, all voted “Yes.”

EDDIE & LINDA PARKER – 753 MCLELLAND RD – CASE #1058

Ms. Kreindler stated that the application is complete. The Applicant is requesting a variance to increase the height allowed for an accessory garage.

Mr. Horn made a motion to set the case for public hearing on May 07, 2025. Mr. Loudermilk seconded the motion. Upon roll call, all voted “Yes.”

HUTTON ST 21, LLC – 6055 BRANCH HILL GUINEA PIKE – CASE #1059

Ms. Kreindler stated that the application is complete. The Applicant is requesting a variance to

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construct a second monument sign along the Branch Hill Guinea Pike frontage for Wawa.

Mr. Reece made a motion to set the case for public hearing on May 07, 2025. Mr. Loudermilk seconded the motion. Upon roll call, all voted "Yes."

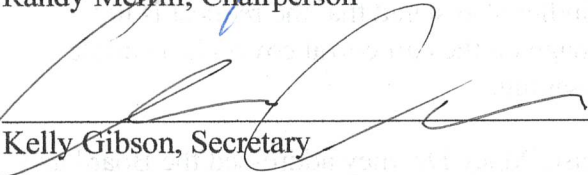
ADJOURNMENT

There being no further business, the meeting was adjourned.

Respectfully Submitted,



Randy Merrill, Chairperson



Kelly Gibson, Secretary

CC: Board of Zoning Appeals Members, BZA File