



COLERAIN TOWNSHIP BOARD OF ZONING APPEALS

Minutes

4200 Springdale Road – Cincinnati, Ohio 45251

Wednesday, February 25, 2026 – 6:00 PM

1. Meeting Called to Order
The meeting was called to Order by Board Chair Roberto at 6:00 PM.
2. Pledge of Allegiance
All recited the Pledge of Allegiance.
3. Explanation of Procedures
Board Chair Roberto gave an explanation of Procedures.
4. Roll Call
All board members are present.
5. Election of Officers
 - a. Election of Board Chair
Motion: Board Member Bartolt motioned to elect Board Member Roberto to be Board Chair. Board Member Thiemann seconded the motion.
Vote Result: Passed. Yes (5), No (0), Abstained (0)
 - b. Election of Board Vice Chair
Motion: Board Member Bartolt motioned to elect Board Member Schupp as the Board Vice Chair. Board Member Thiemann seconded the motion.
Vote Result: Passed. Yes (5), No (0), Abstained (0)
 - c. Election of Board Secretary
Motion: Board Chair Roberto motioned to elect Board Member Bartolt as Board Secretary. Board Member Owens seconded the motion.
Vote Result: Passed. Yes (5), No (0), Abstained (0)
6. Swearing in: appellants, attorneys, and all speakers in the cases
Board Chair Roberto swore in all who wished to speak.
7. Hearing of Appeals

- a. BZA-26-1: Request to allow the accessory structure to be larger square footage than the primary structure. CASE WAS TABLED FROM JANUARY MEETING

- **Staff Presentation:** Presentation given by Senior Planner, David Peters and Code Enforcement Officer, Stan Schmale
- **Details of case:** This case was heard at the January 2026 meeting and was tabled to allow the applicant to have more time to create an official site plan and to get a determination from housing court on the demolition for the second building. The intent of this case was to allow an accessory building to be larger than the primary building with new parking circulation. The Code Enforcement officer gave an update to the board on the state of the court case.
- **Staff Recommendation:** Staff recommends approval with conditions. Conditions are displayed in the agenda packet.
- **Applicant Presentation:** The applicant submitted a new site plan to the board that is in alignment with what was discussed at the January meeting.
- **Meeting attendees speak in favor or against case:** None

Motion: Board Member Bartolt motioned to close the public portion of the case. Board Member Owens seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)

Questions for the Applicant:

- **Board Member Owens:** wanted to confirm with the applicant that there will be a one-way circulation to reduce the traffic by the playground and the buffer zone will meet the buffer requirements. The applicant stated they are in agreement with the circulation and buffer setback.
- **Board Member Bartolt:** Asked staff if some of these conditions are regular zoning requirements. Staff stated yes. Mr. Bartolt asked if this would be a one-way circulation design. The applicant stated it is 2 way in the back, but the exit near building 1 is one way. Mr. Bartolt stated that the driveway along building 1 should be decreased to allow more buffer space in between the two properties. Mr. Bartolt asked if the breezeway is enclosed or not. The applicant stated there would be a two-level open breezeway that would allow people to pass through on both levels. Bartolt asked staff if they could make a condition for no windows to be on the second floor west side of the building. Staff stated yes. Mr. Bartolt asked the applicant if they would be willing to increase the side property line buffer to five feet. The applicant stated they would be amenable to increase buffer along both sides of the property to 5ft.
- **Board Member Schupp:** Asked staff if the loading in the front discussed in the previous meeting was still a thought or not. Staff responded by stating the previous response from the board was to keep some loading for ADA

purposes and a spot or two as long as the Hamilton County right of way parking goes away.

- **Board Member Thiemann:** Asked staff about the buffer setback for paved surfaces for an adjacent property. Staff stated it is 2ft for residential property.
- **Board Chair Roberto:** addressed his issues with the curb cuts, circulation, and landscape buffering.

Motion: Board Member Bartolt motioned to approve variance with the 14 conditions with a 15th condition to eliminate windows on the second floor, west-facing side. Board Member Schupp seconded the motion.

Vote Result: Passed. Yes (4), No (1), Abstained (0)

- BZA-26-2: Request to allow the operation of an Adult Use Cannabis Dispensary in
- b. the Central Plaza shopping center.

- **Staff Presentation:** Presentation given by Senior Planner, David Peters
- **Details of case:** The applicant is requesting for a conditional use to allow a Cannabis Dispensary to be placed at 9880 Colerain Ave. in the Avenue Mixed North zoning district. The proposed site is located in Central Plaza. This dispensary will operate in compliance with Ohio Revised Code and Division of Cannabis Control regulations. This property complies with the required separation distance from schools, churches, libraries, parks, playgrounds and other dispensaries. A Development Agreement was adopted by the board of Trustees.
- **Staff Recommendation:** Staff recommends approval with conditions. Conditions are presented in the Agenda Packet
- **Applicant Presentation:** The applicant explained the extent of the proposed project to the board. They currently own two operating dispensaries in the Cincinnati area and this would be the third if approved. Their average over a twelve hour period can be from 200-500 people, but more near the 200 range over that period of time.
- **Meeting attendees speak in favor or against case:**
 - **Against:** Stephanie Hardwick, owner of the Huntington Education Learning Center business located in the plaza.
 - **Concerns:** The placement of the dispensary would go against the code for being within 700ft of the Learning center. Also for the concern about selling to minors.

Motion: Board Member Schupp motioned to close the public portion of the meeting.



Board Member Owens seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)

Questions for the Applicant:

- **Board Member Owens:** Asked the applicant about the License. The applicant stated they have a 10B license from the Cannabis Control. It is not licensed at the location because they need this case to be approved. They do own a cultivation license but that is separate from a retail license, which they also have.
- **Board Member Bartolt:** Asked the applicant about parking/entrance. The rear will be used for personnel and loading/trash. The front will be for customers. Mr. Bartolt was unsure if we could regulate parking or if it would hinder the use parking for other uses in the plaza. Is the merchandise secured behind a vault? The applicant stated that it is. It is not allowed to be exposed, all of its tested, it is counted for, and it is age gated to customers at the door.
- **Board Member Schupp:** Asked the applicant if they talked to someone at the state in regard to the Huntington learning center. The applicant stated they have talked to the state and their attorneys, and it does not fall under the prohibited uses by state regulations.
- **Board Member Thiemann:** What happened at the other property? The previous property fell through as the owner of the building decided not to release their current occupant from the site. Mr. Thiemann asked the applicant how far away they are from Huntington Learning center. The applicant responded, 50ft to 100ft off of what the meeting attendee stated, and the Township requires 750ft. Mr. Thiemann asked if they would be sharing the parking lot with the learning center. The applicant stated yes, but they would be serving a different customers and, with the amount of camera footage and lighting 24/7, they have seen a decrease in crime in the area. How is this learning center different from other educational facilities? The applicant stated it does not have school licensing, and it does not meet the prohibited uses laid out in the State of Ohio.
- **Board Chair Roberto:** Asked the applicant about cash action. The applicant stated majority is Debit/Credit, 15%-30% is about cash. How many people do you see a day. It could be between 200-400 people a day. At any one time would you see people in the building. Average is 15 or less. The average time to be in the facility is 5 minutes and most people do pick up orders so most of their time is getting age gated. How do they ID checked? There will be someone at the door and upon entry they will have to show ID to enter.

Motion: Board Member Bartolt motioned to approve the conditional use with the conditions presented staff. Board Member Schupp seconded the motion.



Vote Result: Passed. Yes (3), No (2), Abstained (0)

c. BZA-26-3: Case was withdrawn by the applicant.

8. Unfinished Business

9. Approval of Minutes: January 28, 2026

Motion: Board Member Bartolt motioned to approve the January 28, 2026, meeting minutes. Board Member Owens seconded the motion.

Vote Result: Passed. Yes (5), No (), Abstained ()

10. Next Meeting: March 25, 2026

11. Administrative Matters

Staff asked the board if they can propose a draft to the bylaws to update the number of consecutive years the board chair is allowed to be president for in a term.

Board Chair Roberto would also discussed to add that a chair person can make a motion.

12. Adjournment

Motion: Board Member Owens motioned to adjourn the meeting. Board Member Schupp seconded the motion.

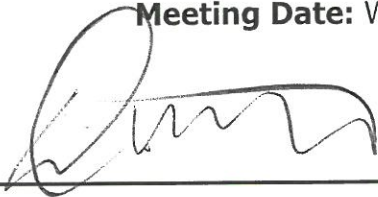
Vote Result: Passed. Yes (5), No (0), Abstained (0)

Approval of Meeting Minutes

Colerain Township Board of Zoning Appeals

4200 Springdale Road • Cincinnati, OH 45251

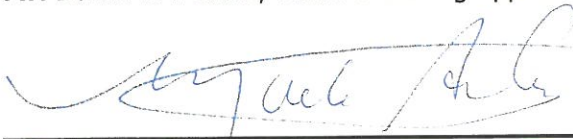
Meeting Date: Wednesday, March 25, 2026 – 6:00 P.M.



Mr. David J. Peters, Board of Zoning Appeals Administrator

3/25/26

Date



Mr. Mark Schupp, Secretary

3/25/26

Date



Mr. Ronald J. Roberto, Chairman

3/25/26

Date

Official Record Retention: Approved meeting minutes are archived in the following locations:

- A printed copy in the Colerain Township Board of Zoning Appeals Minutes Book
- A digital file on the Zoning Administration drive at **08 Board of Zoning Appeals > 05 Minutes**, labeled with the **BZZ** prefix and record number listed above
- An electronic copy in CivicClerk, associated with the relevant meeting

Meeting minutes prepared by **Ms. Juliana Petti**, Assistant Board of Zoning Appeals Administrator