

DECISION NO. 25-13**A DECISION BY THE TROTWOOD CITY COUNCIL
MODIFYING THE DECISION OF THE TROTWOOD PLANNING
COMMISSION IN CASE PL-2025-02 BY UNANIMOUS VOTE AT
A REGULAR MEETING HELD ON MONDAY, JUNE 2, 2025.**

Pursuant to Trotwood City Charter, Section 7-2, this matter came before the Trotwood City Council upon receipt of a *Petition for Appeal* dated April 18, 2025, filed by Zappia Motors (the "Petitioner"), located at 5242 Salem Bend Drive, through Attorney Joseph Moore. The Petitioner sought to appeal the February 25, 2025 decision of the Trotwood Planning Commission (the "Commission") in Case PL-2025-02, whereas the Commission voted to deny their application requesting to modify a previously approved Conditional Use Exception (PC-22-04) increasing the total number of vehicles that can be sold on the premises from five (5) to ten (10).

A Notice of Public Hearing scheduled for Monday, May 5, 2025 at the Trotwood Community and Cultural Arts Center was published per the requirements of Section 10-8 of the Trotwood City Charter and the Trotwood Codes of Ordinances. The petitioner and their attorney were duly informed of said public hearing and both parties were present.

Upon conclusion of the public hearing for this quasi-judicial proceeding, the Trotwood City Council moved into Council's Chambers to deliberate privately. City Council returned to the public meeting, then asked the Petitioner if they would agree to continue the proceedings to City Council's next regular meeting scheduled for June 2, 2025, to allow City Council the opportunity to view the property. Attorney Moore, on behalf of the Petitioner, agreed to the continuance.

Testimony from the public hearing held on May 5, 2025 is memorialized in the Trotwood City Council Meeting Minutes, File No. SR25-14, approved by City Council on June 2, 2025 and attached hereto and incorporated herein as Exhibit "A".

A Notice of Public Hearing scheduled for June 2, 2025 at the Trotwood Community and Cultural Arts Center was published per the requirements of Section 10-8 of the Trotwood City Charter and the Trotwood Codes of Ordinances in order to reopen the public hearing, if needed.

City Council had no additional questions or comments, and upon closing the public hearing during this quasi-judicial proceeding, the Trotwood City Council moved into Council's Chambers to deliberate privately.

Upon returning to the public meeting, a motion was made by Vice Mayor Brown to modify the decision of the Planning Commission in Case No. PL-2025-02 on February 25, 2025, and approve not more than eight (8) cars/vehicles to be displayed on the outside for sale, also conditioned upon no parking on the grass. Council Member Gales seconded the Motion. Clerk Landis took a Roll Call Vote and the Motion CARRIED by the following vote:

Aye (7): Vice Mayor Brown, Council Member Gales, Council Member Moore, Council Member Clark, Council Member Finley, Council Member Pearson, and Mayor Page

The actions of City Council on June 2, 2025 are memorialized in the Trotwood City Council Meeting Minutes, File No. SR25-15, as approved by City Council on July 7, 2025, to be attached hereto and incorporated herein as Exhibit "B".

Approved this 7th day of July, 2025.

ATTEST:

APPROVED:

KARA B. LANDIS
CLERK OF COUNCIL

YVETTE F. PAGE
MAYOR

TYNA R. BROWN
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Decision No. 25-13 approved by the Trotwood City Council at a regular scheduled meeting held on the 7th day of July, 2025, and further, that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

CLERK OF COUNCIL