



**Bethel Township Board of Trustees  
September 23, 2025 at 6:00 P.M.**

**Public Hearing & Special Business Meeting Agenda**

- I. **CALL TO ORDER** Time: \_\_\_\_\_ Presiding: \_\_\_\_\_  
Roll call: Administrator Smith: \_\_\_\_\_ Fire Chief Cahill: \_\_\_\_\_ Fiscal Officer Ross: \_\_\_\_\_  
Trustee vanHaaren: \_\_\_\_\_ Trustee Reese: \_\_\_\_\_ Trustee Dick: \_\_\_\_\_  
Assistant to the Fiscal Officer Fortunato: \_\_\_\_\_
- II. **PLEDGE OF ALLEGIANCE**
- III. **PUBLIC HEARING #1**  
A Public Hearing scheduled for September 23, 2025 by the Bethel Township Trustees, Miami County for Case ZA-04-25: A request from David Baumgardner of Hemi Properties LTD, 7114 US 40, Tipp City, OH 45371, to re-zone Miami County Parcel ID# A01-052250 to B-2 Office/Residential District.  
A. Comments by the applicant  
B. Comments by public  
C. Closure of public comments  
D. Closure of the public hearing
- IV. **PUBLIC HEARING #2**  
A Public Hearing scheduled for September 23, 2025 by the Bethel Township Trustees, Miami County for Case ZA-04-25: A request from George Hardy, 9415 S. Mann Rd, Tipp City, OH 45371, to re-zone Miami County Parcel ID# A01-013500 to R-1AAA.  
A. Comments by the applicant  
B. Comments by public  
C. Closure of public comments  
D. Closure of the public hearing
- V. **ACTION ITEMS**  
A. **RESOLUTION #25-09-078:** A RESOLUTION APPROVING CASE ZA-04-25: A REQUEST FROM DAVID BAUMGARDNER, 7114 US 40, TIPP CITY, OH 45371, TO RE-ZONE MIAMI COUNTY PARCEL ID# A01-052250 FROM I-1 LIGHT INDUSTRIAL TO B-2 OFFICE/RESIDENTIAL DISTRICT  
Motioned by Trustee \_\_\_\_\_ Seconded by Trustee \_\_\_\_\_  
Vote: Trustee Dick: \_\_\_\_\_ Trustee vanHaaren: \_\_\_\_\_ Trustee Reese: \_\_\_\_\_  
B. **RESOLUTION #25-09-079:** A RESOLUTION APPROVING CASE ZA-05-25: A REQUEST FROM GEORGE HARDY, 9415 S. MANN RD, TIPP CITY, OH 45371, TO RE-ZONE MIAMI COUNTY PARCEL ID# A01-013500 FROM R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO R-1AAA RESIDENTIAL DISTRICT  
Motioned by Trustee \_\_\_\_\_ Seconded by Trustee \_\_\_\_\_  
Vote: Trustee Dick: \_\_\_\_\_ Trustee vanHaaren: \_\_\_\_\_ Trustee Reese: \_\_\_\_\_

V. **ADJOURNMENT** motioned by Trustee \_\_\_\_\_ Seconded by Trustee \_\_\_\_\_  
Vote: Trustee Dick: \_\_\_\_\_ Trustee vanHaaren: \_\_\_\_\_ Trustee Reese: \_\_\_\_\_  
Time: \_\_\_\_\_

## Case ZA-04-25

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A request from David Baumgardner of Hemi Properties LTD, 7114 US 40, New Carlisle, OH 45344, to re-zone Miami County Parcel ID# A01-052250 to B-2 Office/Residential District. This is a 1.979 acre parcel currently zoned I-1 Light Industrial.

### **GENERAL INFORMATION:**

|                           |  |
|---------------------------|--|
| Applicant/Property Owner: | David Baumgardner / Hemi Properties LTD  |
| Property Address:         | 7114 US 40, New Carlisle, OH 45344   |
| Current Zoning:           | I-1 Light Industrial   |
| Location:                 | 4 <sup>th</sup> parcel to the east of State Route 201 on the south side of US 40   |
| Existing Land Use:        | Residential/Business   |
| Bethel Land Use Plan:     | Commercial   |
| Surrounding Land Use      | North A-1-Domestic Agriculture<br>South A-2-General Agriculture<br>East A-2-General Agriculture<br>West A-2-General Agriculture/R-1AAA Single-Family Residential |
| Road Frontage:            | 149'   |
| Exhibits:                 | A – Bethel Township Zoning Map<br>B – GIS Aerial Vicinity Map<br>C – Street View<br>D – Application  |

### **SPECIAL INFORMATION:**

|                                     |                                       |
|-------------------------------------|---------------------------------------|
| Fire Department Information/Review: | N/A                                   |
| Miami County Health District:       | N/A                                   |
| County Planning Department:         | Unanimous recommendation for approval |
| Bethel Twp Zoning Commission:       | Unanimous recommendation for approval |

Exhibit A – Bethel Township Zoning Map

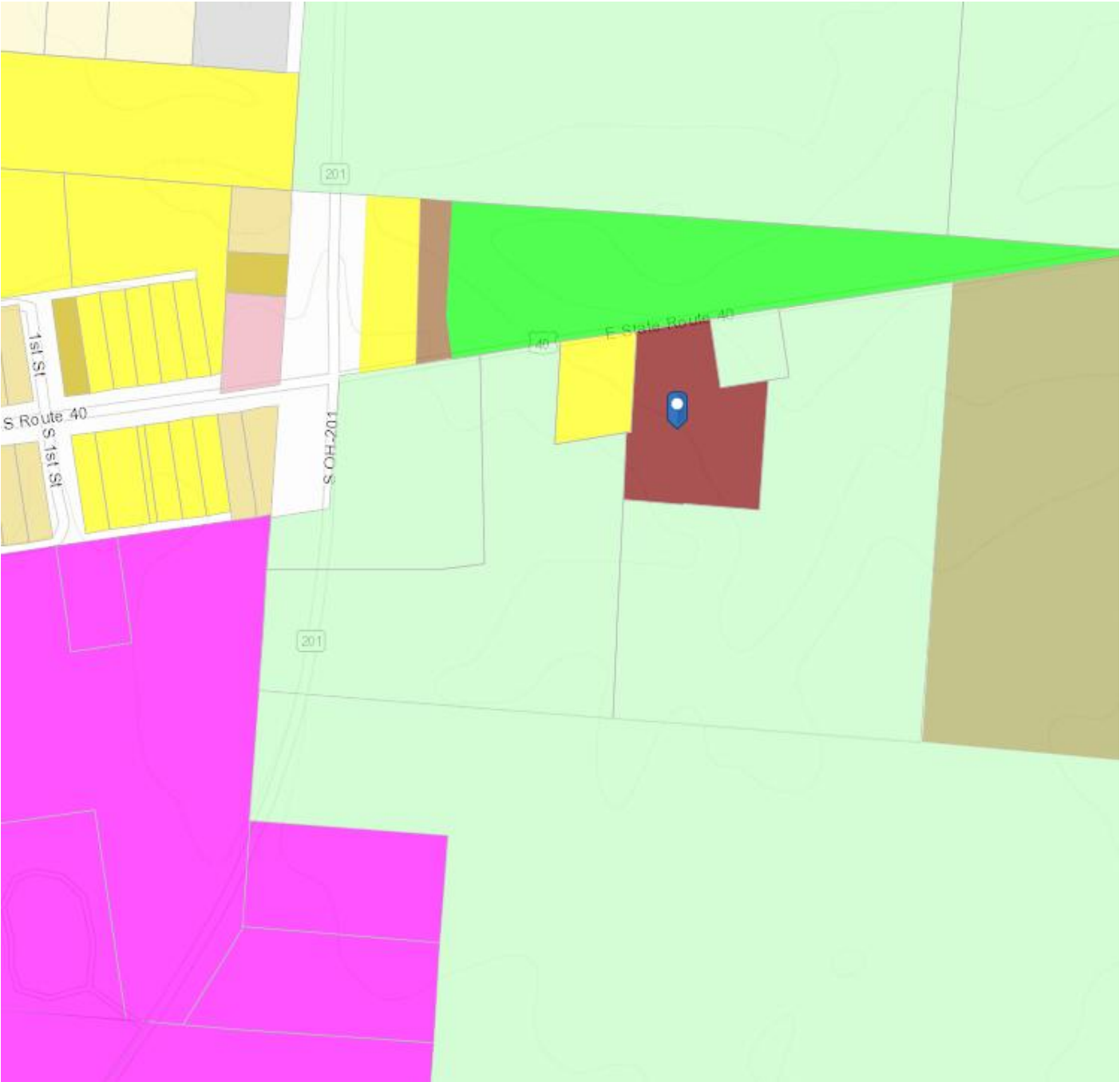


Exhibit B – GIS Aerial Vicinity Map





**Exhibit C – Street View**





**BETHEL TOWNSHIP TRUSTEES**  
**BETHEL TOWNSHIP ZONING DEPARTMENT**  
 8735 SOUTH SECOND STREET – BRANDT, TIPP CITY, OHIO 45371  
 PHONE: 937.845.8472 FAX: 937.845.7316

## APPLICATION FOR ZONING AMENDMENT

App. No.: ZA-04-25

**SECTION I: PROPERTY INFORMATION**

|   |       |                            |
|---|-------|----------------------------|
| Property Location: <u>7114 E. STATE RT 40</u> |       | Acreage: <u>1.87</u>       |
| Section:                                      | Town: | Range:                     |
| Subdivision Name and Lot No.:                 |       | Parcel: <u>A01-052250</u>  |
|   |       | Zoning District: <u>I1</u> |

**SECTION II: APPLICANT INFORMATION**

|  |                                 |                            |
|--|---------------------------------|----------------------------|
| Applicant Name: <u>David Baumgardner</u>               |                                 | Phone: <u>937-684-3190</u> |
| Address: <u>7114 E. STATE RT. 40</u>                   | City, State: <u>Newark, OH.</u> | Zip Code: <u>45344</u>     |
| Property Owner: <u>David Baumgardner / [Signature]</u> |                                 | Phone: <u>937-684-3190</u> |
| Address: <u>7114 EAST STATE RT. 40</u>                 | City, State:                    | Zip Code:                  |

**SECTION III: AREA TO BE AMENDED**

|   |
|---|
| Current Zoning: <u>I-1</u>  |
| Current Use: <u>BUSINESS</u>  |
| Proposed Zoning: <u>B-2</u>   |
| Proposed Use: <u>LANDSCAPE DESIGN / BUILD SERVICES W/ RESIDENCE</u> |
| Description of Proposed Area To Be Rezoned:                         |
| <u>7114 E STATE RT. 40</u>  |
|   |
|   |

**SECTION IV: WATER AND SANITATION INFORMATION**

PUBLIC WATER AVAILABLE? Y N PUBLIC SEWER AVAILABLE? Y N HYDRANTS WITHIN 500'? Y N  
 SANITATION TO BE APPROVED BY:

- ☐ MIAMI COUNTY HEALTH DEPARTMENT     
 ☐ OHIO E.P.A. (Pending)     
 ☐ WAIVER

Note: The Zoning Inspector may require other information such as maps, plot plans, etc. in order to process this application.

The Applicant hereby certifies under penalty of perjury that he/she has read the information contained in the foregoing application and that it is true. Applicant further understands that he/she must comply with all requirements of the Bethel Township Zoning Resolution and all applicable statutes and resolutions of the State Of Ohio and Bethel Township.

Builder/Applicant \_\_\_\_\_ Date \_\_\_\_\_  
 Only One Signature Required

 7/10/25  
 Owner \_\_\_\_\_ Date \_\_\_\_\_

# Case ZA-05-25

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A request from George Hardy, 9415 S. Mann Rd, Tipp City, OH 45371, to re-zone Miami County Parcel ID# A01-013500 to R-1AAA. This is a 1.439 acre parcel currently zoned R-3.

**GENERAL INFORMATION:**

|                           |   |  |  |
|---------------------------|---|--|--|
| Applicant/Property Owner: | George Hardy  |  |  |
| Property Address:         | 9415 S. Mann Rd Tipp City, OH 45371                               |  |  |
| Current Zoning:           | R-3 Multi-Family Dwelling   |  |  |
| Location:                 | 2 <sup>nd</sup> parcel north of Singer Rd on east side of Mann Rd |  |  |
| Existing Land Use:        | Vacant  |  |  |
| Bethel Land Use Plan:     | Traditional Neighborhood  |  |  |
| Surrounding Land Use      | North   | R-1AAA Residence District                                      |  |
|                           | South   | R-3 Multi-Family Dwelling                                      |  |
|                           | East  | I-1 Light Industrial   |  |
|                           | West  | B-2 Office/Residential District/R-1AAA Residential District/R- |  |
|                           |   | 1C One-Family Residential District                             |  |
| Road Frontage:            | 176’  |  |  |
| Exhibits:                 | A – Bethel Township Zoning Map                                    |  |  |
|                           | B – GIS Aerial Vicinity Map                                       |  |  |
|                           | C – Street View   |  |  |
|                           | D – Site Plan   |  |  |
|                           | E – Survey  |  |  |
|                           | F – Testimony   |  |  |
|                           | G – Application   |  |  |

**SPECIAL INFORMATION:**

|                                     |                                       |
|-------------------------------------|---------------------------------------|
| Fire Department Information/Review: | N/A                                   |
| Miami County Health District:       | N/A                                   |
| County Planning Department:         | Unanimous recommendation for approval |
| Bethel Twp Zoning Commission:       | Unanimous recommendation for approval |

Exhibit A – Bethel Township Zoning Map

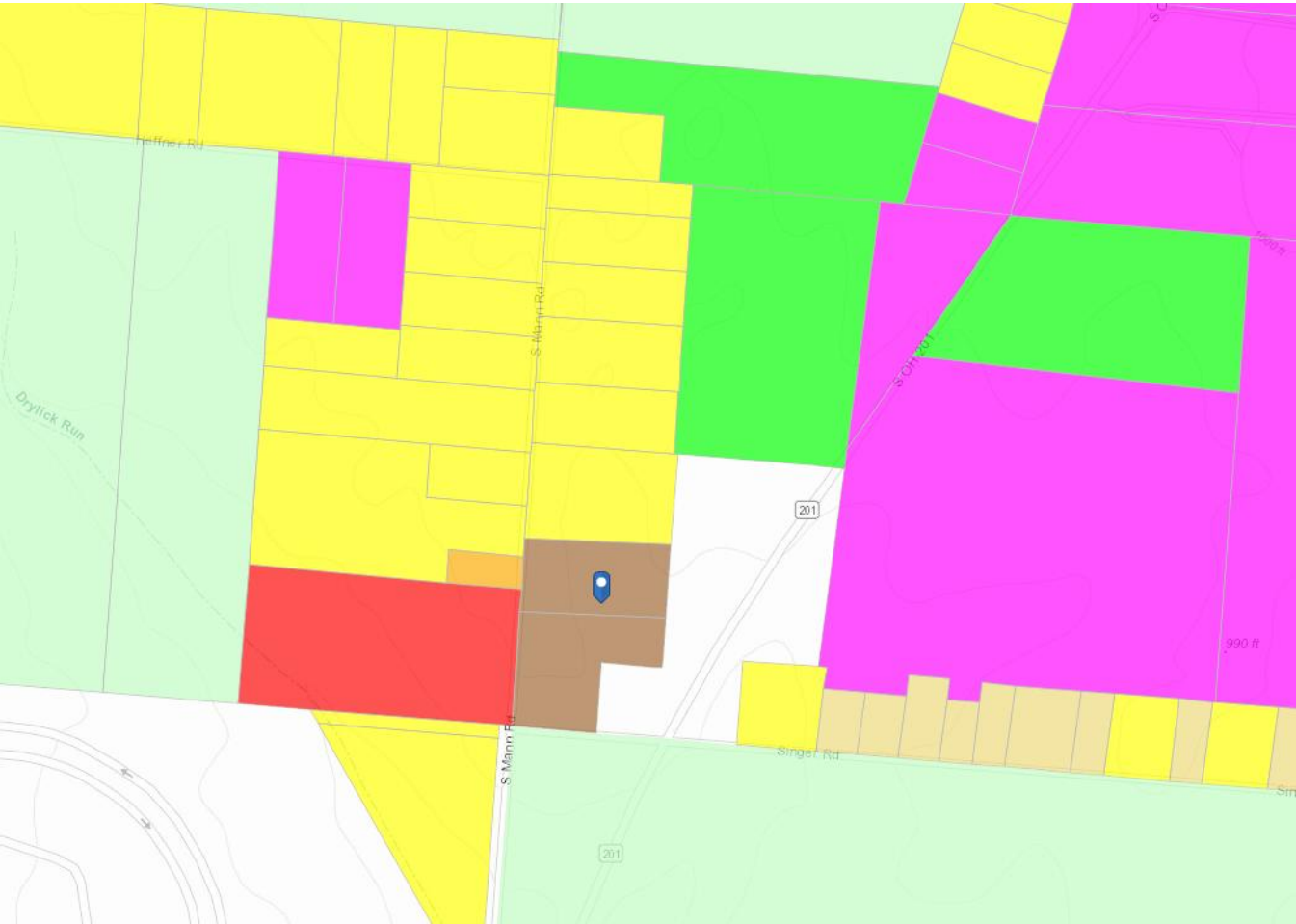




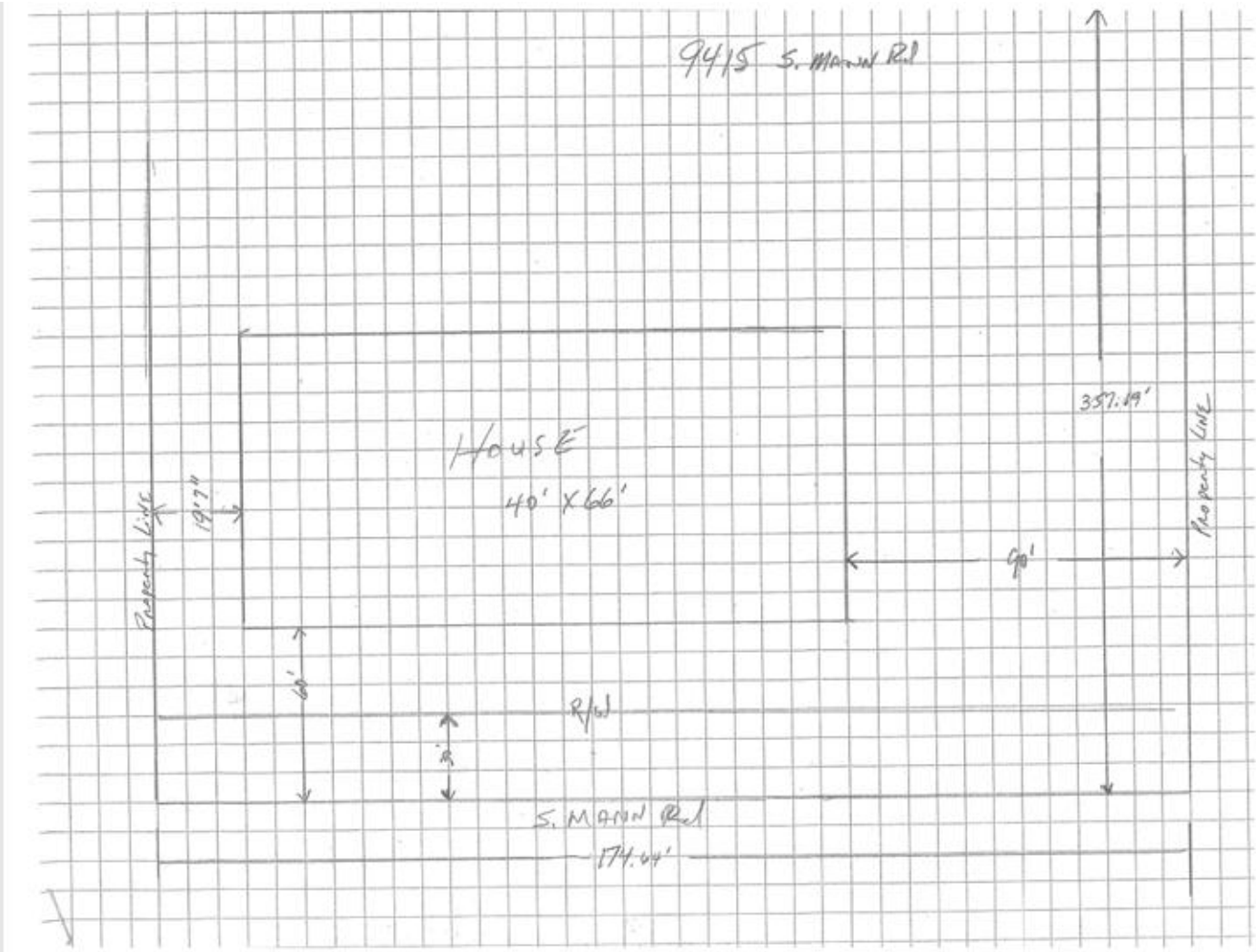
Exhibit B – GIS Aerial Vicinity Map



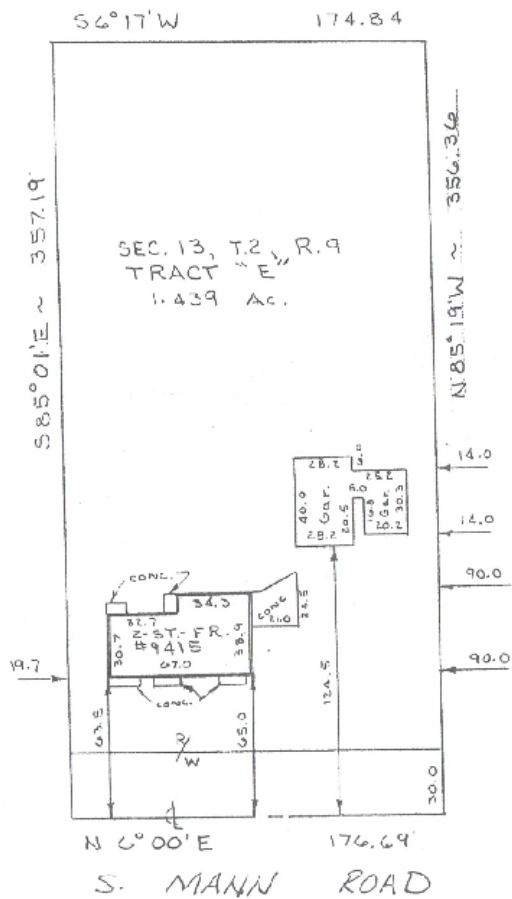
Exhibit C – Street View



Exhibit D – Site Plan



## Exhibit E – Survey



CLIENT: Timothy W. & Jane E. Risner

STREET ADDRESS: 9415 S. Mann Road

CITY OR VILLAGE:

TOWNSHIP: Bethel

COUNTY: Miami

STATE: Ohio

CITY LOT NUMBER:

PLAT NAME:

PLAT LOT NUMBER: Sec 13, T2, R9

PLAT BOOK:

PAGE:

Survey made for and at the instance of

Monroe Federal and

Title Insurance Co. of Minnesota

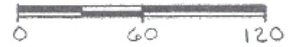
We certify that this survey shows the improvement or improvements as located on the premises described; that the improvement or improvements are entirely within lot lines and that there are no encroachments upon the premises described, by the improvement or improvements of adjoining premises.

By W. J. K. 2  
Registered Surveyor

Mortgage Location Survey prepared in accordance with Chapter 4733-38 Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 Ohio Administrative Code.



## Drive Not Built



SHAW, WEISS &amp; DE NAPLES

PROFESSIONAL CORPORATION

Consulting Engineers

DAYTON, OHIO/CINCINNATI/VIRGINIA BEACH/KANSAS CITY

SCALE 1" = 60'

DRAWN DALL

**CHECKED**

DATE 6-14-91

JOB NO. 91-1395



George Hardy  
6575 E. Walnut Street  
Tipp City, Ohio 45371

August 13, 2025

**9415 S. Mann Road Zoning Variance**

I purchased this property for the purpose of constructing a new home for my youngest daughter and her husband.

My wife and I live in Brandt, at west end of Walnut Street ( that I built in 2014 ). I have been building and remodeling homes for the last 25 years in Miami and Clark County.

I need the following Variances:

**Front Yard Set Back:** We will be building a new house on existing foot print of old house. House is 40 feet deep and 66 feet long, with a 5 foot front porch. I am requesting a 30 foot set back from R/W instead of required 50 feet. This property is on septic and the current septic is in back yard. In addition to that there needs to be an area set aside for new leach field in the event current leach field fails ( Ohio Rules for septic systems).

**Notes:** Property to south ( 9445 ) from R/W is 33 feet,  
Property to north ( 9367 ) fro R/W is 37 feet ( same side of S.  
Mann Road. Properties across street ( 9410 and 9420 ) from  
R/W is 46 feet.  
There is also a garage facing a dirt road at 9333 S. Mann Road



that is less than 50 feet, but maybe that is considered a side yard.

Side Yard Setback: Edge of footer is 19,7 feet ( according to attached survey). I asking that you approve a variance of .3 foot .

Road Frontage: I only have 176.69 feet of road frontage property, I have houses on both side of my property. Keep in mind there was a house there, that I took down ( that was beyond repair).

Minimum lot size for septic: Lot size is 1.439 acres with an existing septic system. There is no way to add land, due to homes surrounding property .

Notes: On S. Mann Road there are 21 homes, that are less than 2.12 acres in size. That would equal, average lot size of 1.14 acres per home.

Notes: House to north ( 9367) lot size 1.86 acres, House to south (9445) lot size is 1.76 acres.

I am asking you to approve these variances , so I can take what was an eyesore and build a new home on this property. This property is not a build and sell. My daughter and son in law will be living there, in their for ever home.



**BETHEL TOWNSHIP TRUSTEES**  
**BETHEL TOWNSHIP ZONING DEPARTMENT**  
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 PHONE: 937.845.8472 FAX: 937.845.7316

## APPLICATION FOR ZONING AMENDMENT

App. No.: ZA-05-25

**SECTION I: PROPERTY INFORMATION**

|  |       |                             |
|--|-------|-----------------------------|
| Property Location: <u>9415 S. Mann Rd, Tipp City, Ohio</u> |       | Acreage: <u>1.439</u>       |
| Section:   | Town: | Range:                      |
| Subdivision Name and Lot No.:                              |       | Parcel: <u>A01-013500</u>   |
|  |       | Zoning District: <u>R-3</u> |

**SECTION II: APPLICANT INFORMATION**

|                                     |                                     |                            |
|-------------------------------------|-------------------------------------|----------------------------|
| Applicant Name: <u>George Hardy</u> |                                     | Phone: <u>937-675-7099</u> |
| Address: <u>6575 E. Walnut St.</u>  | City, State: <u>Tipp City, Ohio</u> | Zip Code: <u>45371</u>     |
| Property Owner: <u>George Hardy</u> |                                     | Phone:                     |
| Address:                            | City, State:                        | Zip Code:                  |

**SECTION III: AREA TO BE AMENDED**

|  |
|--|
| Current Zoning: <u>R-3</u>                     |
| Current Use: <u>VACANT</u>                     |
| Proposed Zoning: <u>R-1AAA</u>                 |
| Proposed Use: <u>Single Family Residential</u> |
| Description of Proposed Area To Be Rezoned:    |
|  |
|  |
|  |

**SECTION IV: WATER AND SANITATION INFORMATION**

PUBLIC WATER AVAILABLE? Y N PUBLIC SEWER AVAILABLE? Y N HYDRANTS WITHIN 500'? Y N  
 SANITATION TO BE APPROVED BY:

- ☐ MIAMI COUNTY HEALTH DEPARTMENT     
 ☐ OHIO E.P.A. (Pending)     
 ☐ WAIVER

Note: The Zoning Inspector may require other information such as maps, plot plans, etc. in order to process this application.

The Applicant hereby certifies under penalty of perjury that he/she has read the information contained in the foregoing application and that it is true. Applicant further understands that he/she must comply with all requirements of the Bethel Township Zoning Resolution and all applicable statutes and resolutions of the State Of Ohio and Bethel Township.

Builder/Applicant

Date

Owner

Date



**RESOLUTION #25-09-078**

**A RESOLUTION APPROVING CASE ZA-04-25:  
A REQUEST FROM DAVID BAUMGARDNER, 7114 US 40, TIPP CITY, OH 45371, TO RE-ZONE MIAMI COUNTY  
PARCEL ID# A01-052250 FROM I-1 LIGHT INDUSTRIAL TO B-2 OFFICE/RESIDENTIAL DISTRICT**

The Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio met in special session on the 23rd day of September, 2025 with the following Trustees being present: Kama Dick, Julie Reese, and Beth vanHaaren.

Trustee \_\_\_\_\_ **moved for the adoption** of the following resolution:

**WHEREAS**, a request has been made by David Baumgardner, 7114 US 40, Tipp City, OH 45371, to re-zone Miami County Parcel ID# A01-052250 from I-1 Light Industrial to B-2 Office/Residential District; **AND**

**WHEREAS**, the owner is proposing to re-zone for the purpose of utilizing the parcel to offer landscape design/build services with a residence; **AND**

**WHEREAS**, the Miami County Planning Commission unanimously recommended approval of the proposed rezoning; **AND**

**WHEREAS**, the Bethel Township Zoning Commission recommended approval of the proposed rezoning. **THEREFORE**

**BE IT RESOLVED**, by the Board of Trustees of Bethel Township, Miami County, that Zoning Case ZA-04-25, a request from David Baumgardner, 7114 US 40, Tipp City, OH 45371, to re-zone Miami County Parcel ID# A01-052250 from I-1 Light Industrial to B-2 Office/Residential District be approved.

Trustee \_\_\_\_\_ **seconded** the motion and the Board voted as follows upon roll call:

|              |                        |       |       |
|--------------|------------------------|-------|-------|
| <b>Vote:</b> | Trustee Kama Dick      | _____ | _____ |
|              | Trustee Julie Reese    | _____ | _____ |
|              | Trustee Beth vanHaaren | _____ | _____ |

**Attest:** \_\_\_\_\_  
Rhonda Ross, Fiscal Officer  
Bethel Township, Miami County, Ohio



**RESOLUTION #25-09-079**

**A RESOLUTION APPROVING CASE ZA-05-25:  
A REQUEST FROM GEORGE HARDY, 9415 S. MANN RD, TIPP CITY, OH 45371,  
TO RE-ZONE MIAMI COUNTY PARCEL ID# A01-013500  
FROM R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO R-1AAA RESIDENTIAL DISTRICT**

The Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio met in special session on the 23rd day of September, 2025 with the following Trustees being present: Kama Dick, Julie Reese, and Beth vanHaaren.

Trustee \_\_\_\_\_ **moved for the adoption** of the following resolution:

**WHEREAS**, a request has been made by George Hardy, 9415 S. Mann Rd, Tipp City, OH 45371, to re-zone Miami County parcel ID# A01-013500 from R-3 to R-1AAA; **AND**

**WHEREAS**, the owner is proposing to re-zone for the purpose of constructing a new home for his daughter and her husband; **AND**

**WHEREAS**, the rezoning is contingent on the Bethel Township Board of Zoning Appeals approval for all variances requested

1. V-17-25: A variance for a 30' front yard setback. *Bethel Township Zoning Resolution section 5.05 minimum front yard setback is 50'*
2. V-18-25: A variance for a 19' side yard setback. *Bethel Township Zoning Resolution section 5.05 minimum side yard setback is 20'*
3. V-19-25: A variance for a 1.439 acre R-1AAA lot. *Bethel Township Zoning Resolution section 5.05 minimum lot size with on-site septic is 3 acres*
4. V-20-25: : A variance for 176' of road frontage. *Bethel Township Zoning Resolution section 5.05 minimum road frontage is 200'*; **AND**

**WHEREAS**, the Bethel Township Board of Zoning Appeals voted to approve all variances requested; **AND**

**WHEREAS**, the Miami County Planning Commission unanimously recommended approval of the proposed rezoning; **AND**

**WHEREAS**, the Bethel Township Zoning Commission recommended approval of the proposed rezoning. **THEREFORE**

**BE IT RESOLVED**, by the Board of Trustees of Bethel Township, Miami County, that Zoning Case ZA-05-25, a request from George Hardy, 9415 S. Mann Rd, Tipp City, OH 45371, to re-zone Miami County parcel ID# A01-013500 from R-3 Multi-Family Residential District to R-1AAA Residential District be approved.

Trustee \_\_\_\_\_ **seconded** the motion and the Board voted as follows upon roll call:

|              |                        |       |       |
|--------------|------------------------|-------|-------|
| <b>Vote:</b> | Trustee Kama Dick      | _____ | _____ |
|              | Trustee Julie Reese    | _____ | _____ |
|              | Trustee Beth vanHaaren | _____ | _____ |

**Attest:** \_\_\_\_\_  
Rhonda Ross, Fiscal Officer  
Bethel Township, Miami County, Ohio