

Minutes**Bethel Township Board of Zoning Appeals****July 26, 2018 – 6:30 p.m.****Regular Meeting****Township Meeting Room, 8735 S. Second Street – Brandt, Tipp City, Ohio****BZA Member(s) Present:** Debbie Fisher, Jeff Butt, Judy Poettinger, Darrin Anderson**Member(s) not present:** Steve Owens**Staff Present:** Marty Caskey – Director, Planning and Zoning

Ms. Fisher brought the meeting to order at 6:30 p.m.

BZA and staff introduced themselves.

New Business

None.

Old Business

Case: CU-02-18: A request from Randall and Amy Perkins, 5370 St. Rt. 571, Tipp City, OH 45371, for a commercial recreation facility conditional use to hold events on the recently rezoned B-2 2.001 acres located at the same address on ground presently used for residential purposes. This will allow for the use of the barn housing the preschool for parties and other events. The building was previously used as the Hidden Lake Golf Course Pro Shop. Miami County Parcel ID #A01-070560 (new parcel ID for this specific parcel and a new address number in process).

Mr. Caskey presented the staff report and asked if there were any questions for him.

Ms. Fisher asked if the applicant was available.

Mr. Perkins approached and was sworn.

Ms. Fisher asked if Mr. Perkins if he could provide insight into the potential uses for the barn.

Mr. Perkins gave some personal background and stated that the CU for the barn would be for birthday parties, graduations, weddings, etc. He stated he would have set times for events, does not have a liquor license, will have hours as well.

Ms. Fisher asked if the board had any questions.

Mr. Butt asked what the pre-school hours would be.

Mr. Perkins detailed the planned hours.

Mr. Butt asked about any outside music on either parcel.

Mr. Perkins stated he has no plans for that.

Mr. Butt asked if there would be set hours of operation.

Mr. Perkins said there could be but since he doesn't have the events lined up yet he doesn't know.

Ms. Fisher asked if there were any in attendance wanting to speak in favor of CU-02-18.

Mr. Ron Williams, 5630 Dayton-Brandt Rd., stated this was a great idea and the Perkins' are great people to do it.

Mr. Dan Berner, 7625 E. New Carlisle Rd., stated this was a great idea and the Perkins' are great people to do it. He has looked for a local place for his daughter's graduation party and couldn't find one.

Ms. Fisher asked if there were any in attendance wanting to speak against CU-02-18.

Mr. Bob Pryor, 5315 SR 571 was concerned that there could be problems with traffic, septic, liquor, safety and water. However, he was basically neutral on the issue.

Ms. Susan Flanders, 5527 SR 571, stated that she wanted to know exactly what events would be held on the property. Weddings, office parties? Family reunions? Once granted without this information, the CU would allow just about anything. She was also concerned about noise, effect on property values, drunk drivers, drugs, losing control of the property use, and traffic at the location.

Ms. Natalie Donahue, 7835 Agenbroad Rd., asked about the duration of a conditional use and if it transferred to a new owner.

Ms. Julie Reese, zoning commission member, stated she had a problem with the escalation of the commercial uses of the property after they rezoned it for the pre-school. She thought the pre-school would be a good addition to the Township, but further commercial development and use there would be detrimental to the neighborhood and be of no advantage to the Township.

Mr. Mike Gunder, 5277 SR 571, was concerned about the septic for the barn and liquor around kids.

Ms. Fisher asked if there were any more attendees wishing to speak about the first case. None.

Ms. Fisher asked if there were any questions from the board. None.

Motion:

Motion to approve Case CU-02-18 by Mr. Anderson.

Seconded by Mr. Butt.

VOTE:

Ms. Fisher – No

Mr. Butt – No

Mr. Anderson – Yes

Ms. Poettinger – No

CU-02-18 denied 3 - 1.

Case: CU-03-18: A request from Randall and Amy Perkins, 5370 St. Rt. 571, Tipp City, OH 45371, for a commercial recreation facility conditional use to hold events and other watersports activities at the lake, which is on 25.837 acres zoned A-1 and A-2 located at the same address on ground presently used for residential purposes. Miami County Parcel ID #A01-070560.

Mr. Caskey presented the staff report and asked if there were any questions for him.

Ms. Fisher asked Mr. Perkins to step up.

Mr. Perkins approached and was sworn.

Ms. Fisher asked if Mr. Perkins if he could provide insight into the potential uses for the lake.

Mr. Perkins gave noted he has many requests to use the lake from people in the area and wanted to allow it for community use. He has regular inspections on the dam to ensure there is no runoff problems. He also would only use the lake for seasonal activities such as fishing, paddleboard lessons, canoe and kayak lessons and other events. No overnight uses.

Ms. Fisher asked if the board had any questions.

Ms. Poettinger asked about restroom facilities for the lake area.

Mr. Perkins stated they can use the restrooms in the barn.

Ms. Poettinger asked if that was permitted across parcel boundaries.

Mr. Caskey stated he understood that was permitted, but actually plumbing a restroom from the lake to the barn would not be.

Ms. Fisher asked about hours of operation.

Mr. Perkins said there would be no all-night activities.

Ms. Fisher asked if there were any in attendance wanting to speak in favor of CU-03-18.

Audience members noted their previous comments were still relevant.

Ms. Fisher asked if there were any in attendance wanting to speak against CU-03-18.

Ms. Julie Reese was concerned about parking for the lake activities.

Mr. Perkins said the parking lot for the barn can be used.

Mr. Caskey noted an A-2 parcel can allow cars to park for activities.

Ms. Susan Flanders, 5527 SR 571, stated that she wanted to know exactly what events would be held on the lake. Once granted without this information, the CU would allow just about anything on the lake. She was also concerned about alcohol, drugs, traffic and noise.

Ms. Fisher called the BZA into executive session at 7:35 p.m.

The BZA came back from executive session at 7:42 p.m.

Ms. Fisher asked if there were any questions from the board.

None.

Motion:

Motion to approve Case CU-03-18 by Mr. Anderson.

Seconded by Ms. Poettinger.

VOTE:

Ms. Fisher – No

Mr. Butt – No

Mr. Anderson – No

Ms. Poettinger – No

CU-03-18 was denied 4 – 0.

Approval of minutes from June 2018.

Motion to approve the June minutes by Mr. Anderson with edit to case number on page three.

Seconded by Ms. Poettinger.

VOTE:

Ms. Fisher – Yes

Mr. Butt – Yes

Mr. Anderson – Yes

Ms. Poettinger – Yes

4: Other Business

Communications and Reports

None.

Board of Zoning Appeals Comments

None.

Adjournment:

Motion to adjourn by Mr. Butt.

Seconded by Mr. Anderson.

VOTE:

Ms. Fisher – Yes

Mr. Butt – Yes

Mr. Anderson – Yes

Ms. Poettinger – Yes

Meeting adjourned at 7:46 p.m.