

**Minutes – Approved**  
**Bethel Township Board of Zoning Appeals**  
**July 25, 2019 – 6:30 p.m.**  
**Regular Meeting**  
**Township Meeting Room, 8735 S. Second Street – Brandt, Tipp City, Ohio**

**BZA Member(s) Present:** Board members: Judy Poettinger, Darrin Anderson; Steve Owens  
 Alternate: Randy Perkins

**Member(s) not present:** Debbie Fisher, Jeff Butt

**Staff Present:** Marty Caskey – Director, Planning and Zoning

With the absence of the Chair and Vice-Chair, Mrs. Poettinger brought the meeting to order at 6:36 p.m.

BZA and staff introduced themselves.

**New Business**

Case: V-06-19, V-07-19, V-08-19 and CU-06-19: A request from David Bednar, 8965 Bellefontaine Rd., New Carlisle, OH 45344, and Edward Bednar, 398 Silverdale Te., Beavercreek, OH 45440, both represented by Steven Leffel, Surveyor, to approve the following variances and conditional use to complete the rezoning of the three parcels presently zoned R-1C to R-1AAA for the purpose of combining the three parcels into two parcels:

1. 8955 Bellefontaine Road owned by Edward Bednar: A03-003500, 1.08 acres
2. No address Bellefontaine Road owned by Edward Bednar: A03-003400, 1.05 acres
3. 8965 Bellefontaine Road owned by David Bednar: A03-003300, .95 acres

The newly created north parcel (E-B) to be 2.0649 acres. The newly created south parcel (D-B) to be .9788 acres. Rezoning to be contingent on receiving variances for both newly created parcels and a conditional use for the E-B parcel.

V-06-19: Road frontage on both new parcels less than required.

V-07-19: Existing residence closer than 20 feet from the existing side property line.

V-08-19: Parcel less than two acres on D-B.

CU-06-19: On parcel E-B allowing for an existing accessory building to remain without a principal residence.

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

None.

Mrs. Poettinger asked if the applicant was available.

The applicants, Mr. David Bednar and Mr. Edward Bednar, were present to answer questions. Mr. Edward Bednar stated the report was accurate.

Mrs. Poettinger asked about the house placement. Mr. David Bednar stated the house has been there for decades and that wouldn't change. The neighbor had no objection.

Mrs. Poettinger asked if the house presently there was for sale. Mr. David Bednar stated that it was.

Mrs. Poettinger asked if the board had any questions for the applicants.

General questions were asked about the existing buildings, drainage and the driveway.

Mrs. Poettinger asked if there was anyone else in favor of the request wishing to speak.

None.

Mrs. Poettinger asked if there was anyone opposed to the request wishing to speak.

None.

Mrs. Poettinger called for separate motions for each case.

**Motion:**

Mr. Anderson moved to approve Cases V-06-19, V-07-19, V-08-19, and CU-06-19 separately.

Mr. Owens seconded for V-07-19 and V-08-19. Mr. Perkins seconded for V-06-19 and CU-06-19.

**VOTES WERE THE SAME FOR THE FOUR CASES:**

Mrs. Poettinger – Yes

Mr. Anderson – Yes

Mrs. Perkins – Yes

Mr. Owens – Yes

**Cases V-06-19, V-07-19, V-08-19, and CU-06-19 approved 4 - 0.**

Case: CU-04-19: 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 for birthday and graduation 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).

Case: CU-05-19: 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 such as fishing, kayaking, and paddle boarding 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 explained that these cases were being brought to the BZA a year after initially applied for and rejected. The applicant has provided much more specific information on the activities and hours and has agreed to abide by those conditions.

Mrs. Poettinger asked if there were any questions for Mr. Caskey

No questions.

Mrs. Poettinger asked if the applicant was available.

Mr. Perkins, a BZA member but recusing himself for his own case, spoke about the request. He provided handouts that became Exhibits in the case. Those handouts included the proposed uses, times, participants, etc., for the two conditional uses.

Mrs. Poettinger asked if the board had any questions for Mr. Perkins.

General questions were asked about the activities and participants, as well as safety and security measures.

Mrs. Poettinger asked if there was anyone else in favor of the request wishing to speak.

None.

Mrs. Poettinger asked if there was anyone opposed to the request wishing to speak.

Mr. Arthur Hatten, 5445 Rudy Road, was concerned about the commercial septic system. He stated he called the county and the Ohio EPA and the septic system is out of compliance. He said he was told the septic system for the barn had too small of a tank and was not set up for continued use.

Mr. Perkins responded that the county health department approved of the system when he did the rezoning to B-2 the year before and he pays an inspection fee for the system. If there was a necessary name change when he bought the property, he didn't know about it and no agencies have contacted him about it even with the inspections. He also noted that the BZA grants a conditional use for activities, and has nothing to do with septic or water. Those areas of an operation, business or residence are covered by the county or state agencies.

Mr. Caskey concurred that was the case and the only consideration was if the BZA would grant the ability to pursue the activities noted.

Mrs. Poettinger asked if there were any more questions or comments.

None.

Mrs. Poettinger asked for separate motions to approve the conditional uses.

**Motion:**

Mr. Anderson moved to approve Cases CU-04-19 and CU-05-19 separately.

Mr. Owens seconded each motion.

**VOTES WERE THE SAME FOR THE TWO CASES:**

Mrs. Poettinger – Yes

Mr. Anderson – Yes  
Mrs. Perkins – Abstain  
Mr. Owens – Yes

**CU-04-19 and CU-05-19 approved 3 - 0.**

**Old Business**

Approval of minutes from June 2019.

Motion to approve the June minutes by Mr. Owens.

Seconded by Mr. Anderson.

**VOTE:**

Mrs. Poettinger – Yes  
Mr. Anderson – Yes  
Mr. Owens – Yes  
Mr. Perkins – Yes

**June 2019 minutes approved 4 – 0.**

**4: Other Business**

**Communications and Reports**

BZA will have a meeting in August.

**Board of Zoning Appeals Comments**

None.

**Adjournment:**

Motion to adjourn by Mrs. Poettinger.

Seconded by Mr. Anderson.

**VOTE:**

Mrs. Poettinger – Yes  
Mr. Anderson – Yes  
Mr. Perkins – Yes  
Mr. Owens – Yes

Meeting adjourned at 7:20 p.m.