

Minutes – APPROVED**Bethel Township Board of Zoning Appeals****July 23, 2020 – 6:30 p.m.****Regular Meeting****Township Meeting Room, 8735 S. Second Street – Brandt, Tipp City, Ohio**

BZA Member(s) Present: Board members: Debbie Fisher, Jeff Butt, Darrin Anderson, Steve Owens, Randy Perkins

Member(s) not present: Judy Poettinger

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

Case: V-07/08/09-20: A request from JDALAND LLC, 6535 E Ross Rd, New Carlisle OH 45344, to rezone two parcels from an 81.244-acre A-2 parcel to R-1AAA, Single Family Residential, and located at 7515 SR 202, Tipp City, OH, 45371. ZA-03-20 = A-1 Parcel #1 – 5.392 acres/ZA-04-20 = R-1AAA Parcel #2 – 2.575 acres/Remainder A-2 Parcel – 73.277 acres. Rezoning contingent on approval of a variance for frontages for both new parcels and a variance on acreage for the 5205 Winterhill parcel being modified for a driveway for the new parcel.

The minimum frontage requirement is 175 feet. Parcel #1 will have ~20 feet of access to the alley in West Charleston. The Winterhill access for Parcel #2 will be 30 feet.

The 5205 Winterhill parcel is presently 1.4 acres and would be resized to 1.27 acres. Two acres is the minimum for R-1AAA parcels without sewer access.

The 81-acre property is identified as Miami County Parcel ID #A01-077400. The 5205 Winterhill property is identified as Miami County Parcel ID # A01-084724.

Mr. Caskey read the report and noted that Mr. Dan Landes was present for questions.

Mr. Landes said the report was accurate.

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

None.

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

None.

Motion:

Mr. Anderson moved to approve Case V-07-20.

Mr. Perkins seconded.

VOTE:

Mr. Perkins – Yes
 Mr. Butt – Yes
 Mr. Owens – Yes
 Mr. Anderson – Yes
 Ms. Fisher – Yes

Case V-07-20 approved 5 – 0.

Mr. Anderson moved to approve Case V-08-20.

Mr. Owens seconded.

VOTE:

Mr. Perkins – Yes
 Mr. Butt – Yes
 Mr. Owens – Yes
 Mr. Anderson – Yes
 Ms. Fisher – Yes

Case V-08-20 approved 5 – 0.

Mr. Anderson moved to approve Case V-09-20.

Mr. Perkins seconded.

VOTE:

Mr. Perkins – Yes
 Mr. Butt – Yes
 Mr. Owens – Yes
 Mr. Anderson – Yes
 Ms. Fisher – Yes

Case V-09-20 approved 5 – 0.

Rezoning to take effect in five days.

Case CU-01-20: A request from JC Snediker, 6165 St. Rt. 201, Tipp City, OH 45371, for a conditional use on his parcel at the same address that will allow him to use the parcel and existing barn for an events venue. The parcel is zoned A-2. The property is identified as Miami County Parcel ID #A01-059130.

Ms. Fisher asked if the applicant had anything to add. Mr. Snediker stated the report was accurate and provided a statement of what he intended to do on the parcel. He also noted that he has had six free events at the location and nobody noticed or complained. He wants to be a good neighbor.

Mr. Owens asked about parking. Mr. Snediker said it would be limited to the driveway and circular grass area in the front.

Ryan Lostutter, 6161 SR 201, said he had to drop the sale price of his house that week by \$25,000 because of the conditional use request at Snediker's. He said he has called Mr. Snediker about noise many times.

Tina Nicewander, 6425 SR 201, said she has heard loud music and will not hesitate to call the Sheriff. She also said taxes paid by the venue do not matter but parking and being a considerate neighbor should.

Dan Snediker, 6165 SR 201, said Mr. Snediker has invested a lot of time and money to upgrade the property.

Robert Stang, 7060 SR 571, stated parties were fine and keeping it mostly farming is great, but wonders if the septic can handle it.

Mr. Snediker said there were two septic systems on the parcel and they have already been approved. He also can use Port-a-potties.

Richard Geiger, 6795 Agenbroad, said traffic, noise, people, and cars will create disturbances to the neighbors.

Anthony Snider, 7333 Studebaker, has no problem with the venue.

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

Mr. Anderson asked if Mr. Snediker would limit hours and capacity. Mr. Snediker said he would limit hours to 10 p.m., capacity to 100, and days to three.

Motion:

Mr. Anderson moved to approve Case CU-01-20 with an 11 p.m. end time, maximum of 110 people, and parking only in the designated area.

Mr. Owens seconded.

VOTE:

Mr. Perkins – Abstain

Mr. Butt – No

Mr. Owens – Yes

Mr. Anderson – Yes

Ms. Fisher – No

Case CU-01-20 Denied 2 – 2.

Old Business

Approval of minutes from May 2020

Moved: Mr. Anderson
Second: Mr. Butt

VOTE:

Mr. Butt – Yes
Mr. Owens – Yes
Mr. Anderson – Yes
Ms. Fisher – Yes
Mr. Perkins – Yes

Approved 5 – 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 Mr. Anderson.

Seconded by Mr. Perkins.

VOTE:

Mr. Butt – Yes
Mr. Owens – Yes
Mr. Anderson – Yes
Ms. Fisher – Yes
Mr. Perkins – Yes

Meeting adjourned at 7:36 p.m.