Bethel Township, Miami County, Ohio Board of Zoning Appeals
Thursday, October 22, 2026 – 7:30 P.M. Minutes
Covenant of Life Church, 6805 US 40, Tipp City, Ohio

Call to Order: Time: 731PM Presiding: Ms. Nikki O'Quinn

Roll call: Ms. Hughes: Here Mr. Leskowich: Here Ms. O'Quinn: Here
Mr. Staudter: Absent Mr. Swinderman: Here Mr. Baker: Here
Mr. Mannheim: Absent
Staff in attendance: Mr. Franklin, Zoning Administrator & Ms. Fortunato, Zoning Secretary

New Business

Review of BZA procedures (opening statement)

Case: CU-11-26: The applicant, Keating, Muething & Klekamp PLL c/o Thomas M. Tepe, Jr. Esq., is requesting a conditional use for a motor freight depot or trucking transfer terminal, self-storage buildings and storage yards, excluding wrecking and dismantling of motor vehicles, and truck and heavy equipment service at 4110, 4130 &4160 Lisa Dr., Tipp City, OH, Parcel ID#s A01-087281, -82, -83.

Atty. Griggs introduced himself as Special Counsel to Bethel Township. He stated there were two new members on the BZA who were not at the previous hearing and asked both of them (Mr. Swinderman and Mr. Baker) if they had familiarized themselves with Case# CU-11-26 (heard at the previous hearing) and if they were willing to participate with the case. Both responded yes.

Motion to enter into private deliberation by Ms. O'Quinn Seconded by Ms. Hughes

Vote: Ms. Hughes: yes Mr. Leskowich: yes Ms. O'Quinn: yes
Mr. Staudter: abs Mr. Swinderman: yes Mr. Baker: yes
Mr. Mannheim: abs

The Board entered private session at 739PM. The Board exited private session at 850PM.

Motion to enter into the record exhibits A-D for Case CU-11-26 by Ms. O'Quinn Seconded by Ms. Hughes

Vote: Ms. Hughes: yes Mr. Leskowich: yes Ms. O'Quinn: yes
Mr. Staudter: abs Mr. Swinderman: yes Mr. Baker: yes
Mr. Mannheim: abs

Ms. O'Quinn announced that the Board will render a written decision on CU-11-26 at its 11/19/26 meeting.

Motion to close the public hearing for CU-11-26 by Ms. O'Quinn Seconded by Ms. Hughes

Vote: Ms. Hughes: yes Mr. Leskowich: yes Ms. O'Quinn: yes
Mr. Staudter: abs Mr. Swinderman: yes Mr. Baker: yes
Mr. Mannheim: abs

At this time, Mr. Franklin gave a brief history of how we arrived with the cases being heard this evening. He showed a power point including an example of a letter he sent to all the businesses in Wiley Park and others in the township. These letters were an effort to have all businesses obtain the proper zoning certificates from the township for their businesses and be in compliance with the Bethel Township Zoning Resolution. He went over the standards the Board was to utilize when deciding conditional use cases.

Case: A-02-26: A request from Jason McCoy to appeal the decision of the Bethel Township Planning & Zoning Administrator. Parcel address is 4150 Gibson Dr. Tipp City, OH, Parcel ID# A01-085385. On July 24, 2026, the applicant submitted application #ZC-22-26 to obtain a zoning certificate to operate a contractor's yard. The application was denied due to unpermitted structures (violations) on the property. Per Bethel Township Zoning Resolution Article 2, Section 2.07(D) (3) (c) Zoning Certificate, If the application is denied, the applicant may submit a revised application and sketch plan for review in accordance with the review procedure, or the applicant may appeal the decision to the Board of Zoning Appeals in accordance with Section 2.05 A. 1, Administrative Review, of this Zoning Resolution.

-Mr. Franklin stated this certificate was denied at the time because the owner had accessory buildings on the property that were not approved.
-Mr. Griggs told the Board the burden of proof was on the applicant to show the official decision was improper.

Motion to take from the table Case A-02-26 by Ms. O'Quinn. Seconded by Ms. Hughes.

Vote:	Ms. Hughes: yes	Mr. Leskowich: yes	Ms. O'Quinn: yes
	Mr. Staudter: abs	Mr. Swinderman: yes	Mr. Baker: yes
	Mr. Mannheim: abs		

Applicant statement:
Atty. Alexander Johnson stated 1. The applicant is entitled to his zoning certificate and 2. The Bethel Township Zoning Administrator exceeded his authority when he denied it.

Atty. Johnson called his first witness – Mr. Jason McCoy, owner of the business
I own and manage Snow Excellence. We are a commercial snow removal company. We have a small number of massive clients. We are very competitive and good at what we do and do not lose many contracts. The terms of the contracts include preemptive maneuvers to dangerous conditions. He explained a 'trigger' as a dangerous weather event. When a trigger occurs, his company's obligation is to mitigate the particular weather threat. Almost all of our contracts define which assets remain on the client's property. This equipment remains on the client's property until spring. We own all our own snowplows. We rely on excavators to subcontract with. We keep large amounts of salt on site. We have quite a bit of equipment we have to store somewhere. It is on I-1 zoning and we are asking to store our equipment and maintain it at the Gibson location from spring to fall. It will be stored outdoors.
Ms. O'Quinn – Who operates the equipment?
Mr. McCoy – my employees or sub-contractors.
Atty. Griggs – What was the explanation you were given for denial?
Mr. McCoy – I had three unpermitted structures on my property. Two have since been removed.
Ms. Hughes – What about the third structure?
Mr. McCoy – I have a temporary permit until March 2027 to remove the salt that is stored there and then I will try to take it down. I am working on arrangements to move it elsewhere.
Mr. Swinderman – How many plows are planning to store on ¾ of an acre?
Mr. McCoy – I believe it's 60-70 snowplows. I'm renting 10-12 trucks on ¼ of an acre from my neighbor.
Ms. O'Quinn – Do you have extra plows?
Mr. McCoy – yes – stored at our clients' facilities.
Mary Hubbard – On July 14 you said you had 197 vehicles.
Mr. Griggs – The amount of equipment is irrelevant. The issue is whether or not he is allowed a contractor's yard.

The Board called their first witness – Mr. Arthur Franklin, Bethel Township Zoning Administrator
When the applicant requested a contractor's yard I was fairly new here. I found there were unpermitted accessory structures on the property and I was advised to deny it. In the meantime, the applicant came in and took care of two of the structures and I gave him until March to get the third taken care of. The appeal was made before the accessory structures were removed.

Atty. Griggs – Was the reason for the denial because he had accessory structures?
Mr. Franklin – yes
Atty. Griggs – So was the contractor's yard request considered?
Mr. Franklin – No, the appeal was made before the accessory structures were taken down.
Atty. Griggs – So, if the ZC was applied for today, what would happen?
Mr. Franklin – I would have to review it to see if it qualified for a contractor's yard.
Atty. Johnson – Are you aware of the Bethel Township Zoning resolution that allows you to deny the ZC based on the existence of violations on the property?
Mr. Franklin – Not at this time. I didn't really get a chance to review it as a contractor's yard because of the accessory structure issue.
Att. Johnson – The conditions for the denial are no longer present, is that correct?
Mr. Franklin – Correct.
Mr. Swinderman – Did the attorney who advised you to decline the ZC give you the reason or the code?
Mr. Franklin – I don't have it.

Public speaking for or against:

None

Motion to go into private deliberations by Ms. O'Quinn. Seconded by Mr. Leskowich.

Vote:	Ms. Hughes:	yes	Mr. Leskowich:	yes	Ms. O'Quinn: yes
	Mr. Staudter:	abs	Mr. Swinderman:	yes	Mr. Baker: yes
	Mr. Mannheim:	abs			

The Board entered private session at 942PM. The Board exited private session at 1021PM.

Motion to reverse the denial of the Zoning Certificate in Case# A-02-26 by Ms. O'Quinn and remand the matter back to the Zoning Administrator to determine whether the proposed use meets the definition of a contractor's yard in the I-1 Light Industrial District. Seconded by Ms. Hughes.

Vote:	Ms. Hughes:	yes	Mr. Leskowich:	yes	Ms. O'Quinn: yes
	Mr. Staudter:	abs	Mr. Swinderman:	yes	Mr. Baker: yes
	Mr. Mannheim:	abs			

Motion to continue Case Numbers CU-12-26, CU-13-26, CU-14-26 to October 29, 2026, 630PM at the Bethel Elementary Cafeteria; continue Case Numbers CU-15-26, CU-16-26, CU-17-26 to November 5, 2026, 630PM at the Covenant of Life Church; continue Case Number CU-18-26 to November 12, 2026, 630PM and continue Case Numbers CU-11-26 and A-01-26 to November 19, 2026, 730PM at the Covenant of Life Church . Seconded by Ms. Hughes.

Vote:	Ms. Hughes:	yes	Mr. Leskowich:	yes	Ms. O'Quinn: yes
	Mr. Staudter:	abs	Mr. Swinderman:	yes	Mr. Baker: yes
	Mr. Mannheim:	abs			

Old Business

October 1, 2026 meeting minutes

Motion to approve by Ms. O'Quinn Seconded by Ms. Hughes

Vote:	Ms. Hughes:	yes	Mr. Leskowich:	yes	Ms. O'Quinn: yes
	Mr. Staudter:	absent	Mr. Swinderman:	abs	Mr. Baker: abs
	Mr. Mannheim:	absent			

October 8, 2026 meeting minutes

Motion to approve by Ms. O'Quinn Seconded by Ms. Hughes

Vote:	Ms. Hughes:	yes	Mr. Leskowich:	yes	Ms. O'Quinn: yes
	Mr. Staudter:	absent	Mr. Swinderman:	abs	Mr. Baker: abs
	Mr. Mannheim:	absent			

Adjournment: 10:43PM