

**Minutes****Bethel Township Board of Zoning Appeals****February 28, 2006 – 7:00 P.M.****Regularly Scheduled Meeting****Firehouse, 8735 S. Second Street – Brandt, Tipp City, Ohio**

**Zoning Commission Member(s) Present:**                    **Broerman, Bush, Sheldon, Turner,  
Vice-Chairperson Underwood**

**Zoning Commission Member(s) Absent:**                    **Chairperson Wells -excused**

**Staff Present: Gebhart – Director of Planning & Zoning**

Vice Chairman Underwood called the meeting to order at 7:00 pm.

Mr. Underwood started by having the members of the Zoning Commission and Township Staff present introduce themselves.

Robert Bush - Commission Member - 5635 Studebaker Road  
Ed Broerman - Commission Member - 5260 E. St. Rt. 571  
Judy Sheldon – Commission Member – 4905 Rudy Road  
Polly Turner – Commission Member – 6435 Scarff Road  
Jesse Underwood – Commission Member – 5010 Eastland Drive

Mike Gebhart –Bethel Township Director of Planning & Zoning

Mr. Underwood discussed the purpose and the powers of the Zoning Commission as outlined in the Chapter 519 of the Ohio Revised Code. He described the process that the evenings events would take place in. He stated that he would start with the reading of the application, which would be followed by comments from the applicant. At that time he would call for anyone wishing to address the Commission in support of the application. He would next call for anyone wishing to speak in opposition to the proposed zoning. Mr. Underwood stated that anyone wishing to speak would need to come to the podium, state their name and address before making any comments. He also instructed the audience that comments must be addressed to the Commission, and that there would be no questioning between members of the audience to each other. All questions would come from the Commission members. At the end of this process, Mr. Underwood stated, that a motion would be placed on the floor and voted on by the Zoning Commission.

Mr. Underwood stated that there will be four (4) cases heard tonight.

Mr. Underwood stated that the Commission would be deviating from the agenda for the purpose of nominating and electing the Bethel Township Zoning Commission officers for 2007. Mr. Underwood asked for nominations from the floor.

Bob Bush nominated Jesse Underwood for Chairman and Ed Broerman for Vice-Chair.

Judy Sheldon seconded the motion.

Mr. Broerman – abstain  
 Mr. Bush – Yea  
 Mrs. Sheldon – Yea  
 Mrs. Turner - Yea  
 Mr. Underwood – abstain

Motion passed 3-0.

**Mr. Underwood will be the Chairperson of the Zoning Commission for 2007.  
 Mr. Broerman will be the Vice-Chairperson of the Zoning Commission for 2007.**

Mr. Underwood acknowledged that each member of the Commission had received an informational packet from Township Staff including an agenda. He stated that the approval of minutes would be at the end of the meeting.

Mr. Underwood read the request:

**Case #ZA-05-07 (formerly Case #ZA-09-06), a request from Richard & Carol Ratermann, 6495 Bethelville Road, New Carlisle, Ohio. The applicants would like to subdivide and rezone an approximate 1.276-acre parcel from an existing 21.892-acre parcel of land zoned A-2 General Agriculture to R-1AAA at 6495 Bethelville Drive, New Carlisle, Ohio. This parcel of land will be joined with an existing 0.717-acre parcel of land zoned R-1AAA One Family Residential known as Lot #25 of Bethel Township Beautilawn Subdivision. The remaining 20.616-acres will remain zoned A-2 Domestic Agriculture. The parcel in question is located at 6495 Bethelville Drive, New Carlisle, Ohio, Miami County, Bethel Township, Town 2 Range 9, Section 10.**

Mr. Underwood asked for comments from the applicant.

Richard Ratermann of 6495 Bethelville Road spoke.

Mr. Underwood asked for comments from Commission members.

Mr. Bush made a comment about the size of drainage tile that the Ratermann's would be putting in. He also made a comment concerning the turn around radius for fire engines not being the Ratermann's problem.

Mr. Bush also asked Mr. Ratermann how far the new house would sit from overhead power lines? Mr. Ratermann indicated that they would sit away from any power lines.

Mr. Broerman questioned the small outbuilding. Mr. Ratermann said that building belongs to the neighboring property.

Mr. Underwood asked about the property extending into the road. Mr. Ratermann said that was to include the ditch in the property.

He asked for anyone wishing to speak from the public.

Support for the application:

None

Mr. Underwood asked if there was anyone who would like to speak against the zoning application.

Opposition against the application:

None

Mr. Underwood brought the discussion to a close on the application.

Mr. Underwood expressed his concern about the turn around at the end of Bethelville Road.

Mr. Gebhart said he would address the turn around issue for Bethelville Road. He asked the Ratermann's if they would discuss this with him after the meeting. The Ratermann's agreed. Mrs. Ratermann stated that she didn't believe they would ever develop the land any further.

A motion for the approval of the amendment was made by Mr. Broerman.

Motion was seconded by Mr. Bush.

Mr. Bush – Yea

Mrs. Sheldon – Yea

Mrs. Turner - Yea

Mr. Broerman - Yea

Mr. Underwood – Yea

Motion passed 5-0.

Mr. Underwood asked Mr. Gebhart to announce that Tuesday, March 13, 2007 would be the next meeting that everyone with cases tonight would need to attend.

Mr. Underwood read the request:

**Case #ZA-01-07, a request from Ulysses and Florence Denlinger Trust, 7254 Dayton-Brandt Rd, Tipp City, Ohio. The applicants would like to subdivide and rezone an approximate 1.50-acre parcel from an existing 80.169-acre parcel of land zoned A-2 General Agriculture to R-1AAA at 7254 Dayton-Brandt Rd, Tipp City, Ohio. The remaining 78.669-acres will remain zoned A-2 Domestic Agriculture.**

**The parcel in question is located at 7254 Dayton-Brandt Rd, Tipp City, Ohio, Miami County, Bethel Township, Town 2 Range 9, Section 9.**

Mr. Underwood asked for comments from the applicant.

Roger Denlinger of 7580 Agenbroad Road spoke.

Mr. Bush stated that he felt it was pretty cut and dry.

Mr. Underwood asked about a Conditional Use. Mr. Gebhart explained why there was a Conditional Use on the land.

Mr. Underwood asked about the street frontage. Mr. Gebhart clarified that the frontage should be about 190'.

He asked for anyone wishing to speak from the public.

Support for the application:

None

Mr. Underwood asked if there was anyone who would like to speak against the zoning application.

Opposition against the application:

None

Mr. Underwood brought the discussion to a close on the application.

A motion for the approval of the amendment was made by Mrs. Turner.

Motion was seconded by Mrs. Sheldon.

Mr. Bush – Yea

Mrs. Sheldon – Yea

Mrs. Turner - Yea

Mr. Broerman - Yea

Mr. Underwood – Yea

Motion passed 5-0.

Mr. Underwood read the request:

**Case #ZA-02-07, a request from Ulysses and Florence Denlinger Trust, 7254 Dayton-Brandt Rd, Tipp City, Ohio. The applicants would like to subdivide and rezone an approximate 1.24-acre parcel from an existing 78.669-acre parcel of land zoned A-2 General Agriculture to R-1AAA at 7254 Dayton-Brandt Rd, Tipp City,**

**Ohio. This 1.24-acre parcel of land will be sold to Robert T. Denlinger of 7350 Dayton-Brandt Road and adjoined to his two (2) existing parcels of land at that address. The remaining 77.429-acres will remain zoned A-2 Domestic Agriculture. The parcel in question is located at 7254 Dayton-Brandt Rd, Tipp City, Ohio, Miami County, Bethel Township, Town 2 Range 9, Section 9.**

Mr. Underwood asked for comments from the applicant.

Roger Denlinger of 7580 Agenbroad Road spoke. Explained that his cousin would like to buy the lot and adjoin it to his already existing lot.

Mr. Bush asked him if he would take care of having it recorded at the county?

Mr. Gebhart explained that each applicant was responsible for submitting to the recorder all documents.

Mr. Gebhart explained that the property would be adjoined to Robert Denlinger's property in front of this.

Mr. Underwood explained his concern about what would ensure the adjoining of property? Mr. Gebhart said that the back lot would be considered land locked and that before anything could be built back there, the Board of Zoning Appeals would need to grant a variance for street frontage.

Mr. Underwood asked about county tile in the area. Mr. Bush said he didn't see that as a problem.

He asked for anyone wishing to speak from the public.

Support for the application:

None

Mr. Underwood asked if there was anyone who would like to speak against the zoning application.

Opposition against the application:

None

Mr. Underwood brought the discussion to a close on the application.

A motion for the approval of the amendment was made by Mr. Broerman.

Motion was seconded by Mr. Bush.

Mr. Bush – Yea

Mrs. Sheldon – Yea

Mrs. Turner - Yea  
Mr. Broerman - Yea  
Mr. Underwood – Yea

Motion passed 5-0.

Request was read by Mr. Underwood.

**Case #ZA-03-07, a request from Scott Moniaci, 4555 E. Studebaker Road, Tipp City, Ohio. The applicant is purchasing an approximate 4.763-acre parcel of land located in front of his property at 4555 E. Studebaker Road. The applicant would like to join the 3.091-acre and 4.763-acre parcel to create a new 7.855-acre parcel of land zoned A-1 Domestic Agriculture. The parcel in question is located at 4555 E Studebaker Road, Tipp City, Ohio, Miami County, Bethel Township, Town 2 Range 9, Section 28.**

Mr. Underwood asked for comments from the applicant.

Scott Moniaci of 4555 Studebaker Road spoke.

Mr. Underwood asked about utility access. Mr. Moniaci explained that he and his neighbor each had their own primary transformer.

Mr. Underwood asked about drainage tile. Mr. Moniaci said there was none other than the drainage tile for his driveway.

Mr. Bush felt that since the land was farm preservation ground, that this is an asset to the community.

He asked for anyone wishing to speak from the public.

Support for the application:

Mr. Underwood read aloud a letter submitted by Mr. Neal Sonnenstine of 5950 St Rt 202 in support of Mr. Moniaci's request. Mr. Sonnenstine indicated that he wrote the letter of support because he would not be able to attend the meeting.

There were no other residents wishing to speak in support of the application.

Mr. Underwood asked if there was anyone who would like to speak against the zoning application.

Opposition against the application:

None

Mr. Underwood brought the discussion to a close on the application.

Mr. Underwood brought up the August 4, 2005, memo from Bill Lutz, former township administrator. Mr. Lutz stated that A-1 lots were not desirable for the area. Mr. Gebhart stated that a correction of a flag lot is paramount over the memo of August 2005.

A motion for the approval of the amendment was made by Mrs. Sheldon.

Motion was seconded by Mrs. Turner.

Mr. Bush – Yea  
Mrs. Sheldon – Yea  
Mrs. Turner - Yea  
Mr. Broerman - Yea  
Mr. Underwood – Yea

Motion passed 5-0.

Minutes from last meeting, December 28, 2006, were discussed. Mr. Underwood asked if Mr. Gebhart could bring copies of the minutes to be approved for members of the audience if they wished to see them. Mr. Gebhart said he would bring them starting with the next meeting.

A motion was made for the approval of the minutes by Mr. Broerman.

Motion was seconded by Mr. Bush.

Mr. Bush – Yea  
Mrs. Sheldon – Yea  
Mrs. Turner - Yea  
Mr. Broerman - Yea  
Mr. Underwood – Yea

Motion passed 5-0.

Mr. Underwood stated that the minutes from the July meeting were being prepared. Mr. Gebhart said that they will be ready by the next meeting. Trustee Hirt is still putting together the minutes. Mr. Gebhart added that there would be one case on the March 2007 Zoning Commission Agenda.

Mr. Broerman made a motion to adjourn.

Motion was seconded by Mrs. Sheldon.

Mr. Bush – Yea  
Mrs. Sheldon – Yea  
Mrs. Turner - Yea  
Mr. Broerman – Yea

Mr. Underwood – Yea

Motion was passed 4-0.

Meeting adjourned.

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Mr. Jesse Underwood,  
Vice-Chairperson

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Mr. Michael Gebhart,  
Commission Secretary