

Minutes**Bethel Township Zoning Commission****February 25, 2010 – 6:00 P.M.****Regularly Scheduled Meeting****Township Meeting Room, 8735 S. Second Street – Brandt, Tipp City, Ohio****Zoning Commission Member(s) Present: Bush, Sheldon, Underwood,
Schwieterman, Caskey, Furderer (alternate), Smith-Rich(alternate)****Alternates:****Chairman Bush****Zoning Commission Member(s) Absent: Turner****Staff Present: Ehrhart – Director of Planning & Zoning**

Mr. Bush called the meeting to order at 7:00 pm.

Mr. Bush started by having the members of the Zoning Commission and Township Staff present introduce themselves to those in attendance.

Mike Ehrhart –Bethel Township Director of Planning & Zoning

Mr. Bush stated that copies of tonight's agenda were available at the podium.

Mr. Bush 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 the Zoning Administrator would start with the reading of the application, which would be followed by comments from the applicant. At that time he would call for questions by the board, followed by questions for the applicant from the public. Next would be 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. Bush 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 or the applicant, 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. Bush stated public discussion would be closed and the commission may continue discussion, then a motion would be placed on the floor and voted on by the Zoning Commission.

Mr. Bush stated that there would be two cases on the agenda for the evening.

Mr. Bush stated that the first item on the agenda was the election of chair and vice-chair of the commission. Mr. Bush opened the floor for nominations.

Mr. Underwood nominated Mr. Bush for chairperson, seconded by Mr. Caskey.

Vote on the motion for Mr. Bush for Chairperson:

Mr. Bush - Abstain
 Mrs. Furderer - Yes
 Mr. Schwieterman - Yes
 Mr. Caskey - Yes
 Mr. Underwood – Yes

Motion Passed 5-0.

Mr. Underwood nominated Mr. Schwietherman for Vice-Chair, Seconded by Mrs. Furderer.

Vote on the motion for Mr. Schwieterman for Vice-Chairperson:

Mr. Bush - Yes
 Mrs. Furderer - Yes
 Mr. Schwieterman - Abstain
 Mr. Caskey - Yes
 Mr. Underwood – Yes

Motion Passed 5-0.

Mr. Bush stated that the first item on the agenda would be the approval of the minutes from the last Bethel Township Zoning Commission meeting on August 27, 2009.

Mr. Caskey moved to move the approval of minutes to the end of the meeting. Mr. Schwieterman seconded.

Mr. Bush - Yes
 Mrs. Furderer - Yes
 Mr. Schwieterman - Yes
 Mr. Caskey - Yes
 Mr. Underwood – Yes

Motion Passed 5-0. Approval of minutes moved to the end of the meeting.

Mr. Bush stated the first case of the evening would be Case #ZA-01-10. He asked Mr. Ehrhart to read the case and give staff's report.

Case #ZA-01-10, a request from David & Carol Baker, 6735 Scarff Rd., New Carlisle, Ohio. The applicants would like to rezone an existing 5.003 acre parcel (Parcel ID # A01-024760) located on the east side of Scarff Rd. from A-1 Domestic Agriculture to R-

1AAA Single Family Residence and split the property into two (2) parcels. The parcel of land is located at 6735 Scarff Rd., Bethel Township, Miami County, Ohio, Town 2, Range 9, Section 9.

Applicant Carol Baker, 6735 Scarff Road presented for the applicant.

Comments from the Public:

Curtis Clark, 6650 Scarff Road. Mr. Clark read the letter marked "Exhibit 3" to the audience.

Ken Bailey, 6805 Scarff Road. Mr. Bailey stated that he has lived on Scarff since 1972. He has talked to his neighbor who opposes the request due to wanting to keep the area agricultural. Mr. Bailey agrees with this statement. Mr. Bailey also reviewed the efforts that have been taken by a group of residents to improve the area.

Todd Willis, 6653 Scarff Road. Mr. Willis would like the Board to go out to area and take a look at the site and see what has been talked about at this meeting. Mr. Willis has concerns of a new driveway location in this area.

Mr. Bush stated that most of the members take the time to go out to the site prior to the meeting and review the area.

David Brown, 6605 Scarff Road. Mr. Brown shares the concerns that have already been stated here tonight.

Public Hearing Closed

Board discussion of the application.

Tina Willis, 6653 Scarff Road was asked to explain traffic issues.

Mr. Underwood stated that he did not feel this complied with the Strategic Development Plan. He stated that to change this lot to a smaller lot residential setting does not meet the standards of the SDP. The proposed width of the lot does not meet zoning code. Mr. Underwood also addressed drainage concerns.

Mr. Bailey, 6805 Scarff Road, stated that the residents had put together a program to replace the drainage tile on Scarff Road.

Mr. Underwood asked Mr. Bailey if he thought that additional residences would hinder the water problem.

Mr. Bailey stated he did not know.

Mr. Schwieterman asked if Mr. Bailey could indicate the location of the tile on a map. Mr. Bailey indicated to the Board the location of the tile.

Mr. Underwood shares the stated concerns of the driveway location.

Mr. Underwood stated he was at the site and talked to several residents who had concern with the application.

Mr. Bush stated he had a concern that if we approve the application, the Township would be forced to give them a driveway permit.

Motion

Mr. Underwood moved to deny case ZA-01-10.

Mr. Schwieterman seconded the motion.

VOTE:

Mr. Bush - Yes

Mrs. Funderer - Yes

Mr. Schwieterman - Yes

Mr. Caskey - Yes

Mr. Underwood – Yes

Case ZA-01-10 recommended for denial to the Bethel Township Trustees.

Mr. Bush asked Mr. Ehrhart to call the next case.

Case #ZA-02-10, a request from Robert M. Peters, 8575 E. St. Rt. 571, New Carlisle, Ohio. The applicant would like to rezone an existing 18.73 acre parcel (Parcel ID #A01-026110) located on the north side of E. St. Rt. 571 from A-2 General Agriculture to R-1AAA Single Family Residence. Creating a parcel to be kept the house and a parcel to be combined with the adjoining property to the north. The parcel of land is located at 8575 E. ST. RT. 571, Bethel Township, Miami County, Ohio, Town 2, Range 9, Section 17.

Mr. Ehrhart stated that the case had not been acted on by the Miami County Planning Commission, therefore the Bethel Township Zoning Commission could not act on it yet. Mr. Ehrhart recommended that the case be tabled.

Motion

Mr. Caskey moved to table case ZA-02-10.

Motion seconded by Mrs. Funderer.

VOTE:

Mr. Bush - Yes
Mrs. Furderer - Yes
Mr. Schwieterman - Yes
Mr. Caskey - Yes
Mr. Underwood – Yes

Case ZA-02-10 Tabled.

Previous Minutes:

August 27, 2009 Regular Meeting:

Mr. Underwood stated there was a typo on page 2 of the minutes.

Mr. Schwieterman Moved to approve the minutes, with staff to make the correction on page 2. Mr. Underwood seconded.

VOTE:

Mr. Bush - Yes
Mrs. Furderer – Abstain (not present at the 8-27-09 meeting)
Mr. Schwieterman - Yes
Mr. Caskey – Abstain (not present at the 8-27-09 meeting)
Mr. Underwood – Yes

Mr. Underwood moved to adjourn. Mr. Caskey Seconded.

Meeting Adjourned