Bethel Township, Miami County, Ohio Zoning Commission
Thursday, November 19, 2026 – 6:30 P.M. Agenda
Covenant Life Church, 6805 US Route 40, Tipp City, Ohio

1. ***Call to Order*** Time: _____ Presiding: _____

Roll call: Mr. Cornish: _____ Mr. Hirt: _____ Mr. Riviello: _____
Ms. Royse: _____ Mr. Stepp: _____ Mr. Underwood: _____

2. ***New Business***

Review of Commission procedures

Case ZTA-01-26**:** A request to amend the Bethel Township Zoning Resolution text per resolution #26-06-059.

Motion to approve by _____ Seconded by _____

Vote: Mr. Cornish: _____ Mr. Hirt: _____ Mr. Riviello: _____
Ms. Royse: _____ Mr. Stepp: _____ Mr. Underwood: _____

Case ZTA-05-26**:** A request to amend the Bethel Township Zoning Resolution text per resolution #26-09-086.

Motion to approve by _____ Seconded by _____

Vote: Mr. Cornish: _____ Mr. Hirt: _____ Mr. Riviello: _____
Ms. Royse: _____ Mr. Stepp: _____ Mr. Underwood: _____

Case ZTA-06-26**:** A request to amend the Bethel Township Zoning Resolution text per resolution #26-10-102.

Motion to approve by _____ Seconded by _____

Vote: Mr. Cornish: _____ Mr. Hirt: _____ Mr. Riviello: _____
Ms. Royse: _____ Mr. Stepp: _____ Mr. Underwood: _____

Case ZA-05-26**:** A request to the Bethel Township Zoning Commission from Countryside Unlimited (James Leskowich), Tipp City, OH to re-zone the 1.51 acre parcel located at 2337 Ross Rd, Tipp City, OH to A-2 so it can be joined with the applicant's adjacent 28.91 acre property at 2333 Ross Rd, Tipp City, OH. The parcel is currently zoned R-2. Miami County Parcel ID#s A01-037120 and A01-037100.

Motion to approve by _____ Seconded by _____

Vote: Mr. Cornish: _____ Mr. Hirt: _____ Mr. Riviello: _____
Ms. Royse: _____ Mr. Stepp: _____ Mr. Underwood: _____

Case ZC-63-26**:** A request from Keating, Muething & Klekamp PLL to build sixteen commercial/industrial warehouses solely on the I-1 portion of the property, together with a retention basin on the residentially zoned portions at 4021 E US 40, Tipp City, OH. The proposed use is a multi-structure contractor's yard. *Per Bethel Township Zoning Resolution 30.19.B. There may be more than one principal use building in a Business or Industrial District, provided that the required yard setbacks are provided around the group of buildings with approval from the Zoning Commission and if all applicable separation requirements are met with respect to fire and safety.* This is a multi-zoned 14.714 acre property, Parcel ID# A01-005500.

Motion to approve by _____ Seconded by _____

Vote: Mr. Cornish: _____ Mr. Hirt: _____ Mr. Riviello: _____
Ms. Royse: _____ Mr. Stepp: _____ Mr. Underwood: _____

3. ***Old Business***

October 22, 2026 meeting minutes

Motion to approve by _____ Seconded by _____

Vote:	Mr. Cornish: _____	Mr. Hirt:	_____	Mr. Riviello:	_____
	Ms. Royse: _____	Mr. Stepp:	_____	Mr. Underwood:	_____

4. ***Communications and Reports***

- Looking for a ZC board volunteer

5. ***Adjournment***

Motion to adjourn by _____ Seconded by _____

Vote:	Mr. Cornish: _____	Mr. Hirt:	_____	Mr. Riviello:	_____
	Ms. Royse: _____	Mr. Stepp:	_____	Mr. Underwood:	_____

Time: _____

Case ZTA-01-26

***Case ZTA-01-26*:** A request to amend the Bethel Township Zoning Resolution text per resolution #26-11-112.

SPECIAL INFORMATION: Miami County Planning Commission – Unanimously recommended approval

MIAMI COUNTY DEPARTMENT
OF DEVEVLOPMENT
STAFF REPORT
Bethel Township

Applicant's Name: Bethel Township

Date: November 17, 2026 Application**:** 26-06-059 & 26-10-102

Nature of Request: To: amend Sections 1, 2, 3, 12, 13, 30, 35 of the Bethel Township Zoning Resolution.

The township is proposing to amend the Bethel Zoning Resolution with updates to certificates for home occupations, applications, definitions, I-1 & I-2 uses, and commercial vehicles.

Comments: Overall staff is in favor of the Township's intent to modernize its zoning resolution and associated procedures. After reviewing the proposed text, staff has no major concerns and believes that these updates are points for continued community discussion.

Two of the items introduced in amendment #26-06-059 were previously reviewed during the July 21, 2026 Planning Commission meeting. The comments regarding these items have been provided below.

Article 2.07.C- Zoning Certificates for Home Occupations

- Item C.2 -Home occupation certificates would expire in 5 years.
  - Staff feels this could become burdensome on staff as well as applicants/landowners. Staff would recommend renewal upon change of use or property ownership.
  - Staff would encourage the township to seek advice from legal counsel to ensure there are no conflicts with the Ohio Revised Code.

Article 3-Definitions

- The township proposes to permit a maximum of 5 junk vehicles.
  - The county and most other townships in Miami County with their own zoning offices permit up to 2 junk vehicles. Permitting up to 5 junk vehicles could lead to some unsightly situations which technically meet the townships zoning requirements. The township might consider reducing the allowable number of junk vehicles.
  - Staff would remind the Township that Townships can enact and enforce Junk Motor Vehicle Towing Resolutions outside the scope of their zoning authority. Enforcement of issues through these means is often more efficient and effective than the traditional zoning violation enforcement process.

Staff Recommendation: Staff recommends additional review of the proposed updates, including review by legal counsel prior to adoption. An open house or other venue for township residents to provide comment prior to formal public hearings is also suggested.

GENERAL INFORMATION:

A RESOLUTION DIRECTING THE PLANNING & ZONING DEPARTMENT TO
INITIATE TEXT AMENDMENT CHANGES TO THE BETHEL TOWNSHIP ZONING RESOLUTION

The Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio met in regular session on the 10th day of November, 2026 with the following Trustees being present: Kama Dick, Julie Reese, and Josh Wilkerson.

Trustee Dick **moved for the adoption** of the following resolution:

WHEREAS, the Bethel Township Planning & Zoning Department has recommended that a text change be initiated to the current zoning resolution of Bethel Township, Miami County, originally established on December 8, 1956; **AND**

WHEREAS, staff recommends that several articles be amended to reflect the immediate needs of the Township; **AND**

WHEREAS, the Bethel Township Board of Trustees, Miami County are permitted under section 519.12 of the Ohio Revised Code to amend the zoning resolution. **THEREFORE**

BE IT RESOLVED, by Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio that the Planning & Zoning Department initiates the process of amending the Bethel Township Zoning Resolution to reflect the staff recommendations as follows:

1. **§3.02 Words and Terms Defined**
   - ***Issue:*** The current definition is open to interpretation. Suggestion is to remove "or similar businesses" to eliminate ambiguity.
   - ***Current***: **Contractor's Yard** – Facilities used by construction contractors ~~or similar businesses~~ as a base of operations for the storage, maintenance, dispatch, and staging of construction equipment, vehicles, materials, and supplies. Contractor yards may include offices, workshops, equipment maintenance, and outdoor storage areas, but are not intended for the processing or manufacture of construction materials.
   - ***Proposed***: **Contractor's Yard** – Facilities used by construction contractors as a base of operations for the storage, maintenance, dispatch, and staging of construction equipment, vehicles, materials, and supplies. Contractor yards may include offices, workshops, equipment maintenance, and outdoor storage areas, but are not intended for the processing or manufacture of construction materials.

   - **Issue**: The current definition does not explicitly exclude the right-of-way, which, in the future could become pavement. Also, the text in the "Impervious Surface" definition refers to "Impervious Surface Calculations", but the term in the definition is "Impervious Surface Ratio."
   - ***Current***: **Impervious Surface Ratio –** The measure of intensity of impervious surfaces, determined by dividing the total of all impervious surfaces on a site by the gross area of the site.
   - ***Proposed***: **Impervious Surface Calculation/Ratio –** The measure of intensity of impervious surfaces, determined by dividing the total of all impervious surfaces on a site by the gross area of the site less any area designated as right-of-way.

   - ***Issue***: Definition of Recreational Vehicle has been updated in ORC 4501.01 (which is referenced in 4517.01).
   - ***Current***: **Recreational Vehicle** -
     1. A vehicular portable structure designed and constructed to be used as temporary dwelling for travel, recreational, and vacation uses and being classed as follows:
        A. Travel Trailer: a non-self-propelled vehicle and includes a tent type fold out camping trailer as defined in 4517.01 of the Ohio Revised Code.

B. Motor Home: a self-propelled recreational vehicle constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.
C. Truck Camper: a non-self-propelled recreational vehicle without wheels for road use and designed to be placed upon and attached to a motor vehicle. Truck campers do not include truck covers, which consist of walls and roof but do not have floors and facilities for using same as dwelling.

2. Part of a group including, but not limited to boats, boat trailers, snowmobiles, wet bikes, etc.

- *Proposed*: **Recreational Vehicle** – See "Vehicle, Recreational".
- *Proposed*: **Vehicle, Recreational** –

1. A vehicular portable structure designed and constructed to be used as a temporary dwelling for travel, recreational, and vacation uses and being classed as follows:
   A. Travel Trailer or House Vehicle: a non-self-propelled recreational vehicle that does not exceed an overall length of forty feet, exclusive of bumper and tongue or coupling. Travel Trailer includes a tent-type fold-out camping trailer as defined in section 4517.01 of the Revised Code.
   B. Motor Home: a self-propelled recreational vehicle that has no fifth wheel and is constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.
   C. Truck Camper: a non-self-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. Truck Camper does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling.
   D. Fifth Wheel Trailer: a vehicle that is of such size and weight as to be movable without a special highway permit, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck.
   E. Park Trailer means a vehicle that is commonly known as a park model recreational vehicle, meets the American national standard institute standard A119.5 (1988) for park trailers, is built on a single chassis, has a gross trailer area of four hundred square feet or less when set up, and is designed for seasonal or temporary living quarters.
2. Part of a group including, but not limited to boats, boat trailers, snowmobiles, and wet bikes.

- *Issue*: Definition of Self-Storage Building (and Storage Yard) is limited to indoor storage only
- *Current*: **Self-Storage Building (and Storage Yard)** – A building containing individual, compartmentalized and controlled access stalls, rooms or lockers or property that is leased, rented or owned by different individuals for the storage of individual possessions or personal property.
- *Proposed*: **Self-Storage Building (and Storage Yard)** – A building containing individual, compartmentalized and controlled access stalls, rooms or lockers or property that is leased, rented or owned by different individuals for the storage of individual possessions or personal property. No outdoor storage is permitted excepting Recreational Vehicles as defined herein which shall be screened from visibility from rights of way and adjacent properties.

2. **§5.03 R-1AAA, §7.03 B-2, §8.03 B-3, §9.03 B-1, §12.03 I-1, §13.03 I-2, §14.03 F-1, §15.03 A-1, §16.03 A-2 Accessory Permitted Uses**
   - *Issue:* Uses "Customarily and Incidental to the Permitted Principal Use" is subject to interpretation. Suggest removing accessory uses containing this phrase to eliminate ambiguity.
   - *Current*: Buildings or Uses Customarily and Incidental to the Permitted Principal Use;
   - *Propose*: Eliminate use entirely: ~~Buildings or Uses Customarily and Incidental to the Permitted Principal Use;~~

3. **§7.03 B-2, §9.03 B-1, §12.03 I-1, §13.03 I-2, §14.03 F-1 Accessory Permitted Uses**
   - *Issue:* We have rules for signs that is not referenced when defined as an accessory permitted use. Suggest wording to be "Signs as regulated in Article 36 – Sign Regulations"

- *Current*: (7.03 B-2, 9.03 B-1, 12.03 I-1, 13.03 I-2, 14.03 F-1) Signs
- *Proposed*: Signs as regulated in Article 36 – Sign Regulations

- *Issue:* We have rules for home occupations that is not referenced when defined as an accessory permitted use. Suggest wording to be "Home Occupations as regulated in Section 30.27(A)"
- *Current*: (14.03 F-1) Home Occupation
- *Proposed*: Home Occupations as regulated in Section 30.27 (A)

4. **§30.27 Supplementary Regulations – Auxiliary Uses Permitted in Residential Districts; §5.03 R-1AAA, §15.03 A-1, §16.03 A-2 Accessory Permitted Uses**
   - *Issue*: Section 30.27 seems to grant the uses listed as permitted - uses should only be permitted within the district articles.
   - *Current*: Section 30.27 Auxiliary Uses ~~Permitted~~ in Residential Districts
     Many work-related activities, particularly those of the self-employed, can be compatible with and not detract from the primary use of a Residential District. This Section establishes regulations that ~~permit such activities and~~ shall govern ~~them~~ in a manner that the residential characteristics of the district shall be retained.
   - *Proposed*: Section 30.27 Auxiliary Uses in Residential Districts
     Many work-related activities, particularly those of the self-employed, can be compatible with and not detract from the primary use of a Residential District. This Section establishes regulations that shall govern such activities in a manner that the residential characteristics of the district shall be retained.

   - *Issue*: "Hobbies" and "Yard Sales, Equipment, and Vehicle Sales" are not permitted in any districts – suggest adding as accessory use to §5.03 R-1AAA, §15.03 A-1, §16.03 A-2.
   - *Proposed*: Hobbies as regulated in Section 30.27 (B);
     Yard Sales, Equipment, and Vehicle Sales as regulated in Section 30.27 (C).

5. **§39.02 Ponds – Scope of Regulations**
   - *Issue:* There is a conflict in the wording of when a permit is required for detention and retention ponds. Suggest updating to be consistent by always requiring a permit.
   - *Current/Proposed:* A. No applicable structure shall hereafter be located, constructed, repaired, extended, enlarged, converted, or altered without full compliance with the terms of this resolution. Said construction, alterations or modifications require a zoning permit.
   - *Current/Proposed*: B. "DETENTION POND" shall mean an artificially formed structure designed to hold storm water runoff, detaining it for a period of time before ultimately slowly discharging the water downstream. Detention ponds are designed to complement large scale residential, commercial and industrial developments. Detention ponds must be designed and constructed to the specifications of a licensed professional engineer and the engineering plans must be reviewed and approved by the respective authorized agencies. ~~No Permit Required.~~
   - *Current/Proposed*: C. "RETENTION POND" shall mean an artificially formed structure designed to hold water year round with the capacity to accommodate a limited amount of storm water runoff. Retention ponds are reservoirs of natural water designed to enhance aesthetic elements of large scale residential, commercial, and industrial developments. Retention ponds must be designed and constructed to the specifications of a licensed professional engineer and the engineering plans must be reviewed and approved by the respective authorized agencies. ~~No Permit Required.~~

6. **Article 41 Amendment History**
   - *Issue:* Update Article 41 with appropriate amendment information.
   - *Current*:
     This article contains the history of the Bethel Township Zoning Resolution and amendments. If a resolution is not referenced, the entry is for informational purposes only.

1. Certification of passage by vote – December 8, 1956
2. Date of Public Hearing – July 13, 1973
3. Date of Publication – July 20, 1973
4. Date of Adoption by the County Commission – September 24, 1973
5. Date and Time this Resolution Shall Take Effect – October 24, 1973 9:10 p.m.
6. Amended effective May 20, 1981
7. Amended effective April 13, 1989 – Articles 3, 4, 5, 6, 7, 8, 11, 13, 14, 15, 17, 19, 20, 21, 25
8. Amended effective December 28, 1993 – Articles **3**, 5, 6, 7, 17, 20, 25
9. Amended effective November 24, 1995 – Articles 2, 3, 4, 5, 6, 7, 12, 14, ~~**16, 17, 18, 19, 20, 21,**~~ 25
10. Amended effective April 30, 1998 – Articles 1, 3, 4, 5, 7, 9, 13, 14, 15, 17, 20, 21, 25
11. Amended effective September 7, 2000 – Articles 2, 3, 5, 7, 8, 9, 10, 11, 12, 17, 18, 25
12. Amended effective February 24, 2004 – Articles 2, 3, 8, 10, 11, 12, 17, 18, 19, 20
13. Amended effective May 24, 2005 – Article 16
14. Amended effective March 13, 2007
15. Amended effective July 12, 2007
16. Amended effective Sept, 2018
17. Amended effective July 14, 2022 – Articles 5, 15, 16 – resolution #22-08-057 (increase minimum lot size and road frontage)
18. Amended effective May 11, 2023 – Articles 3.02, 16 – resolution #23-04-041 (health & wellness facility)
19. Amended effective August 1, 2024 – Article 30.38 – resolution #24-07-067 (massage establishments)
20. Amended effective September 10, 2026 – Articles 1.05, 2.06, 2.07, 2.09, 2.15, 3.02, 5, 7, 8, 9, 12, 13, 14, 15, 16, 30.28, ~~**35.11**~~ – resolution #26-08-076
21. Amended effective October 8, 2026 – Articles/Sections 2.07, 3.02, 5, ~~**7.04,**~~ 7.05, 8.03, 8.04, ~~**8.05,**~~ 9.04, 9.05, 12, 13, 15, 16, 30.27 – resolution #26-09-085

- ***Proposed***:
  This article contains the history of the Bethel Township Zoning Resolution and amendments. If a resolution is not referenced, the entry is for informational purposes only.
  8. Amended effective December 28, 1993 – Articles **2**, 5, 6, 7, 17, 20, 25
  9. Amended effective November 24, 1995 – Articles 2, 3, 4, 5, 6, 7, 12, 14, 25
  10. Amended effective April 30, 1998 – Articles 1, 3, 4, 5, 7, 9, 13, 14, 15, 17, 20, 21, **2**, 25
  18. Amended effective May 11, 2023 – Articles 3.02, 16.**04** – resolution #23-04-041 (health & wellness facility)
  19. Resolution #24-06-064 effective July 4, 2024 – a resolution limiting medical marijuana and adult use cannabis cultivator and processor facilities to one each
  20. Amended effective August 1, 2024 – Article 30.38 – resolution #24-07-067 (massage establishments)
  21. Resolution #24-12-122 effective January 2, 2025 – a resolution limiting retail dispensaries for the sale of medical marijuana and adult use cannabis to zero
  22. Resolution #26-03-033 effective March 10, 2026 – a resolution placing a 1 year moratorium on data centers
  23. Resolution #26-03-034 effective March 10, 2026 – a resolution placing a 1 year moratorium on commercial solar and wind farms
  24. Resolution #26-06-056 effective June 9, 2026 – a resolution regulating the storage and accumulation of junk motor vehicles

25. Resolution #26-06-057 effective June 9, 2026 – a resolution establishing updated procedures for the declaration of nuisance and abatement, control, and/or removal of nuisance conditions (supersedes #05-07-172)
26. Amended effective September 10, 2026 – Articles 1.05, 2.06, 2.07, 2.09, 2.15, 3.02, 5, 7, 8, 9, 12, 13, 14, 15, 16, **30.06,** 30.28 – resolution #26-08-076
27. Amended effective October 8, 2026 – Articles/Sections 3.02, 5.03, 5.04, 7.05, 8.03, 8.04, 9.04, 9.05, 12.01-12.05, 13.02, 13.03, 13.05, 15.03, 15.04, 16.03, 16.04, 30.27 – resolution #26-09-085
28. Amended effective November 12, 2026 – Articles/Sections 2.03, 2.07, 3.02, fix numbering / indentation / reference numbers throughout the code (no text changes), 3.02 / 5-16 / 30 fix term inconsistencies, limit terms listed in district Articles 5-16 to one per bullet- resolution #26-10-101
29. Amended effective _____, 2026 – Articles/Sections 2.06, 2.07, 2.09, 3.02, 30.05, add 30.39, 35.11, 36.05, 36.13, 36.15, add Article 41 – resolution #_____
30. Amended effective _____, 2026 – Articles/Sections 3.02, 5.03, 7.03, 8.03, 15.03, 16.03 – resolution #_____
31. Amended effective _____, 2026 – Articles/Sections 3.02 definition, 5.03 R-1AAA, 7.03 B-2, 8.03 B-3, §9.03 B-1, 12.03 I-1, 13.03 I-2, 14.03 F-1, 15.03 A-1, 16.03 A-2, 30.27, 39.02, add Article 41 – resolution #_____

Trustee Reese **seconded** the motion and the Board voted as follows upon roll call:

Vote:

Trustee Kama Dick	Yes	Kama Dick
Trustee Julie Reese	Yes	Julie Reese
Trustee Josh Wilkerson	No	Joshua Wilkerson

Attest: Rhonda Ross

Rhonda Ross, Fiscal Officer
Bethel Township, Miami County, Ohio

Case ZTA-05-26

***Case ZTA-05-26*:** A request to amend the Bethel Township Zoning Resolution text per resolution #26-09-086.

SPECIAL INFORMATION:

Miami County Planning Commission – Unanimously recommended approval

MIAMI COUNTY DEPARTMENT
OF DEVEVLOPMENT
STAFF REPORT
Bethel Township

Applicant's Name: Bethel Township

Date: October 20, 2026 Application**:** 26-09-086

Nature of Request: To amend Sections 2, 3, 30, 35, 36 of the Bethel Township Zoning Resolution.

The township is proposing to amend the Bethel Zoning Resolution with updates to definitions, application procedures, signs, marijuana, parking, and general applications.

Comments: Overall staff is in favor of the Township's intent to modernize its zoning resolution and associated procedures. After reviewing the proposed text, staff has no major concerns and believes that these updates are points for continued community discussion.

Staff Recommendation: Staff recommends additional review of the proposed updates, including review by legal counsel prior to adoption. An open house or other venue for township residents to provide comment prior to formal public hearings is also suggested.

Bethel TOWNSHIP
MIAMI COUNTY - OHIO

RESOLUTION #26-09-086

A RESOLUTION DIRECTING THE PLANNING & ZONING DEPARTMENT TO INITIATE TEXT AMENDMENT CHANGES TO THE BETHEL TOWNSHIP ZONING RESOLUTION

The Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio met in special session on the 8th day of September, 2026 with the following Trustees being present: Kama Dick, Julie Reese, and Josh Wilkerson.

Trustee DICK **moved for the adoption** of the following resolution:

WHEREAS, the Bethel Township Planning & Zoning Department has recommended that a text change be initiated to the current zoning resolution of Bethel Township, Miami County, originally established on December 8, 1956; **AND**

WHEREAS, staff recommends that several articles be amended to reflect the immediate needs of the Township; **AND**

WHEREAS, the Bethel Township Board of Trustees, Miami County are permitted under section 519.12 of the Ohio Revised Code to amend the zoning resolution. **THEREFORE**

BE IT RESOLVED, by Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio that the Planning & Zoning Department initiates the process of amending the Bethel Township Zoning Resolution to reflect the staff recommendations as follows:

1. **§3.02 Words and Terms Defined**
   - ***Issue:*** Clarify that landscape architectural services and lawn maintenance services are not considered "agricultural" per the Ohio Revised Code §519.01: create definitions for Landscape Architectural Services and Lawn Maintenance Services, and add Lawn Maintenance Services to the Professional Service definition list.
   - ***Current***: Landscape architectural services are defined as a "Professional Service" in the Resolution.
   - ***Proposed***: **Landscape Architectural Services** – Services encompassing the science and art of designing, planning, and managing land to serve both practical and aesthetic purposes, integrating natural and built elements while considering cultural, environmental, and scientific factors.
   - ***Proposed***: **Lawn Maintenance Services** – The routine, appearance-focused tasks that keep your yard clean, neat, and visually appealing. This includes, but is not limited to: mowing, edging, trimming, debris removal, and seasonal cleanups. The goal is to preserve the look of an already healthy lawn and landscape, ensuring it stays tidy and well-presented throughout the year.
   - ***Issue:*** Professional Service definition states it is only for providing services "to the general public" which would exclude professional services for a private company such as accounting or clerical work. It also does not include a disclaimer as on end of Personal Service: services shall not include adult entertainment or sexually oriented businesses.
   - ***Current*: Professional Service** – Any office or place of business which engage in providing ~~to the general public~~ services of a professional nature, such as, but not limited to, legal, engineering, medical, dental, accounting, real estate agencies, architectural, contractors, tradesmen, exterminators, landscape architectural services, learning centers and other similar professions including therapeutic massage and chiropractors.
   - ***Proposed*: Professional Service** – Any office or place of business which engages in providing services of a professional nature, such as, but not limited to, legal, engineering, medical, dental, accounting, clerical, real estate agencies, architectural, contractors, tradesmen, exterminators, landscape architectural services, lawn maintenance services, learning centers, and other similar professions including therapeutic massage and chiropractors. Professional services shall not include adult entertainment or sexually oriented businesses.

2. §3.02 Words and Terms Defined
   - *Issue:* There is no definition for Food Truck or Temporary Vendor but terms are referenced in the code.
   - *Proposed*: **Food Truck** – A vehicle that is capable of being moved on a daily basis from which food intended for immediate consumption is sold. A food vehicle includes a motorized, self-propelled vehicle, a vehicle that can be towed, and a vehicle moved by human exertion.
   - *Proposed*: **Temporary Vendor** – Any cart, table, trailer, equipment, apparatus, vehicle, or food truck that is not a structure; that is designed and intended so as to not be a permanent fixture on a lot; that is used for the retail sale, display, and accessory advertising of merchandise or food. Not permitted in the right-of-way.

3. §36.05 Exemptions, §36.13 Conditional Use Permit, and §36.15 Sign Permit Application and Fees
   - *Issue:* For real estate signs, there is a conflict between §36.05 which allows 6 square feet versus §36.13 and §36.15 which only allow signs of 5 square feet. Suggest making them consistent at 6 square feet.
   - *Issue:* In §36.15, there are penalty fees listed for permits issued for signs already in place at the time of the permit application – these should be removed from the zoning text resolution and, for consistency, applied per the fee schedule established and approved by the Board of Township Trustees (see Enforcement Penalties in the fee schedule).
   - *Current*: §36.05 A. Real estate signs not exceeding six (6) square feet in area in any Residential district (24 square feet in any other district) which advertise the sale, rental or lease of the premises on which said signs are located and limited to not more than one such sign per use per each street front of the lot on which the sign is located. Open House signs may be permitted, but shall be erected no more than 5 days prior to and removed the day of the open house.
   - *Current*: §36.13 Any sign that does not clearly fit into one of the sign regulations in this Resolution shall not be permitted except through issuance of a Conditional Use Permit obtained from the Board of Zoning Appeals. This included all signs that have flashing or pulsating illumination, animation, rotation, excessive dimensions or height, temporary construction signs in excess of thirty-two (32) square feet, or signs in excess of five (5) square feet advertising the sale, rental or lease of lots and/or buildings.
   - *Current:* §36.15 No sign regulated by this Resolution may be erected, painted, installed, or otherwise established in Bethel Township without a permit therefore. Such permit shall be obtained through the office of the Zoning Administrator. There shall be a minimum fee for all sign permits set by the Board of Township Trustees and permanently and publicly displayed in the Township House on the fee schedule. Permit fees shall be calculated by square foot of message area. However, permits issued for signs already in place at the time of permit application shall bear an additional fee for square foot of message area and a minimum twice the set minimum fee. No permit shall be required for real estate signs of five (5) square feet or less, domestic advertising signs or temporary political signs.
   - *Proposed*: §36.13 Any sign that does not clearly fit into one of the sign regulations in this Resolution shall not be permitted except through issuance of a Conditional Use Permit obtained from the Board of Zoning Appeals. This included all signs that have flashing or pulsating illumination, animation, rotation, excessive dimensions or height, temporary construction signs in excess of thirty-two (32) square feet, or signs in excess of six (6) square feet (twenty-four (24) square feet in non-Residential districts) advertising the sale, rental or lease of lots and/or buildings.
   - *Proposed:* §36.15 No sign regulated by this Resolution may be erected, painted, installed, or otherwise established in Bethel Township without a permit therefore. Such permit shall be obtained through the office of the Zoning Administrator. There shall be a minimum fee for all sign permits set by the Board of Township Trustees and permanently and publicly displayed in the Township House on the fee schedule. Permit fees shall be calculated by square foot of message area. Enforcement Penalties for permits issued for signs already in place at the time of permit application shall bear an additional fee as defined in the fee schedule. No permit shall be required for real estate signs of six (6) square feet or less, domestic advertising signs, or temporary political signs.

4. Medical Marijuana and Adult-Use Marijuana (Cannabis)
   - *Issue:* §3.02 definition of Medical Marijuana includes the districts where the cultivation facilities are permitted. For consistency, the use permissions should be specified only within the District Articles of the

Zoning Resolution. The Township has separate resolutions for limiting marijuana facilities which needs to be included in the zoning resolution for convenience of the citizens.

- ***Current*: Medical Marijuana** – Medicinal marijuana is legal in Ohio under ORC 3796. Cultivation is classified as "medical manufacturing" and is allowed in I-1 and I-2 zoning districts. Processing, laboratories and dispensaries are allowed in applicable zoning districts.
- ***Proposed*: Marijuana, Medical** – Marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose in accordance with Ohio Revised Code (ORC) Chapter 3796. Medical marijuana does not include adult-use marijuana or homegrown marijuana. Cultivation and Processing facilities are allowed in applicable zoning districts.
- ***Proposed*: Medical Marijuana** – See "Marijuana, Medical".

- *Issue:* §3.02 Adult-Use Marijuana definition is missing
- ***Proposed*: Marijuana, Adult-Use** – Marijuana that is cultivated, processed, dispensed, or tested for, or possessed or used by, an adult-use consumer, in accordance with Ohio Revised Code (ORC) Chapter 3796. "Adult-use marijuana" does not include medical marijuana or homegrown marijuana. Cultivation and Processing facilities are allowed in applicable zoning districts.
- ***Proposed*: Adult-Use Marijuana** – See "Marijuana, Adult-Use".

- *Issue:* §3.02 Homegrown Marijuana definition is missing
- ***Proposed*: Marijuana, Homegrown** – marijuana cultivated, grown, processed, or possessed by an adult-use consumer in accordance with Section 3796.04 of the Ohio Revised Code (ORC). "Homegrown marijuana" includes marijuana cultivated, grown, processed, or possessed under former ORC Section 3780.28 prior to it being repealed. "Homegrown marijuana" does not include medical marijuana or adult-use marijuana.
- ***Proposed*: Homegrown Marijuana** – See "Marijuana, Homegrown".

- *Issue:* §3.02 Marijuana Facility definition is missing
- ***Proposed*: Marijuana Facility** – a facility to cultivate, process, test, or dispense medical or adult-use marijuana.

- *Issue:* Add Section 30.39 Medical, Adult-Use, and Homegrown Marijuana to outline rules and conditions.
- ***Proposed*:** Add Section 30.39

For purposes of this Resolution, the term "cannabis" is synonymous with "marijuana."

Background: Resolution #24-06-064 was implemented by the Bethel Township Board of Trustees to restrict adult use cannabis per ORC Section 3780.25 and medical marijuana per ORC Section 3796.29 to no more than one cultivator facility in total and no more than one processor facility in total within Bethel Township, Miami County. Resolution #24-12-122 limited both adult use cannabis dispensaries and medical marijuana retail dispensaries to ZERO. Chapter 3780 was repealed effective March 20, 2026 by Senate Bill 56 and its provisions were replaced by Chapter 3796 of the Ohio Revised Code, known as the Marijuana Control Law. Chapter 3796 now governs both medical and adult use marijuana.

A use permit for a Marijuana Facility shall not be approved unless the following minimum conditions are complied with:

1. The use is permitted for the applicable zoning district. If the use is a conditional permitted use, the Board of Zoning Appeals must approve the permit.
2. Cultivator facilities are hereby limited to no more than one cultivator facility in total, regardless of whether it is for medical marijuana, adult-use marijuana, or a combination thereof.
3. Processor facilities are hereby limited to no more than one processor facility in total, regardless of whether it is for medical marijuana, adult use cannabis, or a combination thereof.
4. Both adult-use marijuana dispensaries and medical marijuana dispensaries are hereby prohibited (limited to zero), regardless of whether any such dispensary is for medical marijuana, adult-use marijuana, or a combination thereof. Applications for a dispensary shall be denied.
5. The application is related to medical marijuana or adult-use marijuana only. This Resolution does not govern Homegrown Marijuana - see Ohio Revised Code Chapter 3796. Questions and complaints regarding Homegrown Marijuana should be directed to the Sheriff or to the Ohio Division of Cannabis Control.

6. No licensed cultivator, licensed processor, licensed dispensary, or licensed laboratory shall be located within five hundred (500) feet of the boundaries of a parcel of real estate having situated on it a school (any school or child care as defined in Section 3.02), church (as defined in ORC §1710.01) , public library (as defined in ORC §3375), public playground, or public park.
7. Minimum lot area of 3 acres.
8. Minimum front yard setback shall be 50 feet.
9. Minimum side yard setback shall be 50 feet.
10. Minimum rear yard setback shall be 50 feet.

- ***Issue:*** §3.02 definition of Park is missing
- ***Proposed*:** **Park** – An area specifically defined or set aside for use by and for the general public in both active or passive recreational uses; and includes all landscaping, facilities and apparatus, playing fields, utilities, buildings and other structures that are consistent with the general purposes of public parkland.

- ***Issue:*** §3.02 definition of Playground is missing
- ***Proposed*:** **Playground** – A piece of land used for and usually equipped with facilities for recreation especially by children.

- ***Issue:*** §3.02 definition of Medical Marijuana specifies that is it permitted in I-1 Light Industrial and I-2 Heavy Industrial districts. For consistency, uses should be listed with the district(s) in which they are permitted. Propose to add "Medical Marijuana Facility" and "Adult-Use Cannabis Facility" to I-1 Section 12.04 Conditional Permitted Uses and I-2 Section 13.04 Conditional Permitted Uses in the Non-Residential Uses column.
- ***Proposed*:** Add the following to I-1 Light Industrial §12.04 Conditional Permitted Uses
  - Marijuana Facility (per §30.39)
- ***Proposed*:** Add the following to I-2 Heavy Industrial §13.04 Conditional Permitted Uses
  - Marijuana Facility (per §30.39)

5. **§35.11 Use of Off-Street Parking Facilities**
   - ***Issue:*** Typically residents know to not park in the public right-of-way, but the zoning resolution does not explicitly note that vehicles of any kind are not permitted to park in the public right-of way.
   - ***Proposed*:** §35.11 Add Letter I. No vehicle of any kind (including, but not limited to: automobiles, boats, RVs, motor homes, motorcycles, trailers, commercial vehicles, heavy trucks, construction equipment, farm implements) shall park in the public right-of-way.

6. **§2.06 Board of Zoning Appeals, §2.07 Zoning Certificate, §2.09 Amendments**
   - ***Issue:*** Need clarification that if an application is submitted by anyone other than the owner of the parcel, that they must furnish proof of authority to be acting on behalf of the owner. Section 2.09 Amendments is clear about it: Section 2.09 Amendments C. Application 10. "**The application shall be signed by the applicant, or the applicant's agent, attesting to the truth and exactness of all information supplied by the application, provided that an individual signing as the applicant's agent shall furnish proof of his authority to act for the applicant;**" However, sections 2.06 Board of Zoning Appeals and 2.07 Zoning Certificate are not clear.
   - ***Current:*** Section 2.06 Board of Zoning Appeals D. Regulation of Conditional Uses 2. Contents of Conditional Use Permit opening paragraph states "any owner or agent thereof" – recommend adding an explicit requirement as part of the list of contents as item "h." and renumbering the current "h." to "i." and changing the text from "A fee established by Resolution." to "Payment of all required fees as established in the Bethel Township fee schedule." for consistency.
   - ***Proposed*:** Section 2.06 Board of Zoning Appeals D. Regulation of Conditional Uses 2. Contents of Conditional Use Permit Application

     h. The application shall be signed by the applicant, or the applicant's agent, attesting to the truth and exactness of all information supplied by the application, provided that an individual signing as the applicant's agent shall furnish proof of his authority to act for the applicant;

     i. Payment of all required fees as established in the Bethel Township Fee Schedule.

- ***Issue:*** There is no "contents of variance permit application" section in the zoning code as there is for conditional uses. Recommend adding this section at a future date.
- ***Issue:*** Section 2.07 Zoning Certificate D. Review Procedure 1. Step 1 – Application b. lists some items needed on the application but does not list any requirements about the application being submitted by the "owner or agent thereof" – recommend adding an explicit requirement as part of the list of contents as item "c." and renumbering the current "c." to "d."
- ***Proposed:*** Section 2.07 Zoning Certificate D. Review Procedure 1. Step 1 - Application

  c. The application shall be signed by the applicant, or the applicant's agent, attesting to the truth and exactness of all information supplied by the application, provided that an individual signing as the applicant's agent shall furnish proof of his authority to act for the applicant;

  d. Payment of all required fees as established in the Bethel Township Fee Schedule.
- ***Issue:*** Section 2.09 Amendments C. Application 11. "A fee as established by the Township Trustees." – recommend changing to "Payment of all required fees as established in the Bethel Township Fee Schedule." for consistency.
- ***Current:*** 11. A fee as established by the Township Trustees.
- ***Proposed***: 11. Payment of all required fees as established in the Bethel Township Fee Schedule.

7. **Swimming pool clarifications**
   - ***Issue:*** Swimming pools are counted as an accessory structure for the purposes of the maximum number of structures permitted and in the maximum gross floor area – recommendation is to remove swimming pools from these calculations but to leave them in the impervious surface (lot coverage) calculation. Also there is a conflict when defining a pool – in §3.02 definitions, side walls are defined as "in excess of 36 inches, but in §30.05 depth is defined as "24 inches or greater."
   - ***Current:*** §3.02 **Swimming Pool** – A permanent structure constructed or placed below ground or above ground which is designed with side walls in excess of thirty-six (36) inches in depth and is suitable or utilized for swimming or wading.
   - ***Proposed***: §3.02 **Swimming Pool** – A structure, above or below ground, designed with side walls and intended or used for swimming or wading. A swimming pool is permanent if it is constructed below grade (in-ground) or is an above-ground pool designed to remain in place year-round; it is temporary if it is designed to be set up seasonally and then emptied, disassembled, and stored.
   - ***Proposed***: §30.05 **Accessory Buildings and Structures** – add paragraph H:

     H. Swimming Pool

     1. Area Calculation. A swimming pool regulated under §30.05(A)(5) shall not be counted as an accessory building for purposes of the number of accessory buildings permitted or the maximum gross floor area under §30.05(G).

     2. A swimming pool remains subject to all siting, fencing, and permit requirements of §30.05(A)(5) and to the impervious-surface (lot coverage) and stormwater / drainage requirements of this Resolution.
   - ***Issue:*** §30.05 Accessory Buildings and Structures 5. Swimming Pool c. additional requirements 2. fence requirements state that automatic pool covers will still require a fence but we have allowed pools with appropriate automatic covers to forgo the fence/wall with the approval of the BZA.
   - ***Current***: 2. The swimming pool, or the entire property on which it is located, shall be walled or fenced to prevent uncontrolled access from the street or from adjacent properties. The fence or wall shall not be less than four (4) feet in height and maintained in good condition with a self-locking gate. An automatic pool cover will still require a fence.
   - ***Proposed***: 2. The swimming pool, or the entire property on which it is located, shall be walled or fenced to prevent uncontrolled access from the street or from adjacent properties. The fence or wall shall not be less than four (4) feet in height and maintained in good condition with a self-locking gate. An automatic pool cover will still require a fence or wall unless approval has been granted by the Board of Zoning Appeals as a variance.

8. **Add Article 41 Amendment History**

- *Issue:* Past versions of zoning resolutions contained a list of amendments – recommendation is to add this back as an Article at the end of the resolution.
- *Proposed*:
  This article contains the history of the Bethel Township Zoning Resolution and amendments. If a resolution is not referenced, the entry is for informational purposes only.

  1. Certification of passage by vote – December 8, 1956
  2. Date of Public Hearing – July 13, 1973
  3. Date of Publication – July 20, 1973
  4. Date of Adoption by the County Commission – September 24, 1973
  5. Date and Time this Resolution Shall Take Effect – October 24, 1973 9:10 p.m.
  6. Amended effective May 20, 1981
  7. Amended effective April 13, 1989 – Articles 3, 4, 5, 6, 7, 8, 11, 13, 14, 15, 17, 19, 20, 21, 25
  8. Amended effective December 28, 1993 – Articles 3, 5, 6, 7, 17, 20, 25
  9. Amended effective November 24, 1995 – Articles 2, 3, 4, 5, 6, 7, 12, 14, 16, 17, 18, 19, 20, 21, 25
  10. Amended effective April 30, 1998 – Articles 1, 3, 4, 5, 7, 9, 13, 14, 15, 17, 20, 21, 25
  11. Amended effective September 7, 2000 – Articles 2, 3, 5, 7, 8, 9, 10, 11, 12, 17, 18, 25
  12. Amended effective February 24, 2004 – Articles 2, 3, 8, 10, 11, 12, 17, 18, 19, 20
  13. Amended effective May 24, 2005 – Article 16
  14. Amended effective March 13, 2007
  15. Amended effective July 12, 2007
  16. Amended effective Sept, 2018
  17. Amended effective July 14, 2022 – Articles 5, 15, 16 – resolution #22-08-057 (increase minimum lot size and road frontage)
  18. Amended effective May 11, 2023 – Articles 3.02, 16 – resolution #23-04-041 (health & wellness facility)
  19. Amended effective August 1, 2024 – Article 30.38 – resolution #24-07-067 (massage establishments)
  20. Amended effective September 10, 2026 – Articles 1.05, 2.06, 2.07, 2.09, 2.15, 3.02, 5, 7, 8, 9, 12, 13, 14, 15, 16, 30.28, 35.11 – resolution #26-08-076
  21. Amended effective October 8, 2026 – Articles/Sections 2.07, 3.02, 5, 7.04, 7.05, 8.03, 8.04, 8.05, 9.04, 9.05, 12, 13, 15, 16, 30.27 – resolution #26-09-085

Trustee REESE **seconded** the motion and the Board voted as follows upon roll call:

Vote:

Trustee Kama Dick	yes	Kama Dick
Trustee Julie Reese	yes	Julie Reese
Trustee Josh Wilkerson	yes	Josh Wilkerson

Attest: Rhonda Ross

Rhonda Ross, Fiscal Officer
Bethel Township, Miami County, Ohio

Case ZTA-06-26

***Case ZTA-06-26*:** A request to amend the Bethel Township Zoning Resolution text per resolution #26-10-102

SPECIAL INFORMATION:

Miami County Planning Commission – Unanimously recommended approval

MIAMI COUNTY DEPARTMENT
OF DEVEVLOPMENT
STAFF REPORT
Bethel Township

Applicant's Name: Bethel Township

Date: November 17, 2026 Application**:** 26-06-059 & 26-10-102

Nature of Request: To: amend Sections 1, 2, 3, 12, 13, 30, 35 of the Bethel Township Zoning Resolution.

The township is proposing to amend the Bethel Zoning Resolution with updates to certificates for home occupations, applications, definitions, I-1 & I-2 uses, and commercial vehicles.

Comments: Overall staff is in favor of the Township's intent to modernize its zoning resolution and associated procedures. After reviewing the proposed text, staff has no major concerns and believes that these updates are points for continued community discussion.

Two of the items introduced in amendment #26-06-059 were previously reviewed during the July 21, 2026 Planning Commission meeting. The comments regarding these items have been provided below.

Article 2.07.C- Zoning Certificates for Home Occupations

- Item C.2 -Home occupation certificates would expire in 5 years.
  - Staff feels this could become burdensome on staff as well as applicants/landowners. Staff would recommend renewal upon change of use or property ownership.
  - Staff would encourage the township to seek advice from legal counsel to ensure there are no conflicts with the Ohio Revised Code.

Article 3-Definitions

- The township proposes to permit a maximum of 5 junk vehicles.
  - The county and most other townships in Miami County with their own zoning offices permit up to 2 junk vehicles. Permitting up to 5 junk vehicles could lead to some unsightly situations which technically meet the townships zoning requirements. The township might consider reducing the allowable number of junk vehicles.
  - Staff would remind the Township that Townships can enact and enforce Junk Motor Vehicle Towing Resolutions outside the scope of their zoning authority. Enforcement of issues through these means is often more efficient and effective than the traditional zoning violation enforcement process.

Staff Recommendation: Staff recommends additional review of the proposed updates, including review by legal counsel prior to adoption. An open house or other venue for township residents to provide comment prior to formal public hearings is also suggested.

RESOLUTION #26-10-102

A RESOLUTION DIRECTING THE PLANNING & ZONING DEPARTMENT TO INITIATE TEXT AMENDMENT CHANGES TO THE BETHEL TOWNSHIP ZONING RESOLUTION

The Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio met in regular session on the 13th day of October, 2026 with the following Trustees being present: Kama Dick, Julie Reese, and Josh Wilkerson.

Trustee DICK **moved for the adoption** of the following resolution:

WHEREAS, the Bethel Township Planning & Zoning Department has recommended that a text change be initiated to the current zoning resolution of Bethel Township, Miami County, originally established on December 8, 1956; **AND**

WHEREAS, staff recommends that several articles be amended to reflect the immediate needs of the Township; **AND**

WHEREAS, the Bethel Township Board of Trustees, Miami County are permitted under section 519.12 of the Ohio Revised Code to amend the zoning resolution. **THEREFORE**

BE IT RESOLVED, by Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio that the Planning & Zoning Department initiates the process of amending the Bethel Township Zoning Resolution to reflect the staff recommendations as follows:

1. **§3.02 Words and Terms Defined**
   - ***Issue:*** missing definition of Accessory Use which is referenced in the Zoning Resolution text.
   - ***Current***: N/A
   - ***Proposed***: **Accessory Use –** a use which is determined by the Zoning Director to be necessary and customarily associated with, and appropriate, incidental, and subordinate to one or more of the Permitted Uses and which is consistent and not more disturbing or disruptive than the Permitted Uses. Excepting where specifically listed as an Accessory Permitted Use in the applicable zoning district, an Accessory Use shall not be a use defined or listed as a separate term in this Resolution.

2. **§3.02 Words and Terms Defined**
   - ***Issue:*** update definition of Automobile to include motorcycles (proposed at the 8/27 ZC meeting).
   - ***Current***: **Automobile** – A self-propelled motor vehicle designed for the transportation of persons or property on a public street or highway, with a manufacturer's gross vehicle weight rating (GVWR) of less than twenty six thousand and one (26,001) pounds. The term includes passenger cars, sport utility vehicles, vans, pickup trucks, and similar vehicles in private or commercial use; it does not include Heavy Trucks (as defined herein), ~~motorcycles~~, recreational vehicles, off-road vehicles, or trailers.
   - ***Proposed***: **Automobile** – A self-propelled motor vehicle designed for the transportation of persons or property on a public street or highway, with a manufacturer's gross vehicle weight rating (GVWR) of less than twenty six thousand and one (26,001) pounds. The term includes passenger cars, sport utility vehicles, vans, pickup trucks, **motorcycles,** and similar vehicles in private or commercial use; it does not include Heavy Trucks (as defined herein), recreational vehicles, off-road vehicles, or trailers.

also

3. §3.02 Words and Terms Defined
   - *Issue:* missing definition of Building Permit which is referenced in the Zoning Resolution text.
   - *Current*: N/A
   - *Proposed*: **Building Permit** – an official legal document issued by the township or county that authorizes construction, renovation, or demolition work after confirming the project complies with applicable building codes. It grants legal permission to begin construction, renovation, or demolition on a property and ensures the proposed work meets local building codes before construction begins and triggers inspections to verify compliance once work is completed.

4. §3.02 Words and Terms Defined
   - *Issue:* missing definition of Contractor which is referenced in other definitions and in the Zoning Resolution text. Proposed definition is from the Zoning Dictionary by Lehman and Associates (zoningtrilogy.com) per our protocol for defining terms in §3.01 Interpretation of Definitions.
   - *Current*: N/A
   - *Proposed*: **Contractor** – Any person, firm, association, syndicate, partnership, realtor, or corporation engaged in the business of accepting orders or contracts, either as a general contractor or subcontractor, for construction of model homes and other residential dwellings for sale to the public.

5. **Accessory Permitted Uses: §5.03 R-1AAA Residence, §7.03 B-2 Office/Residential, §8.03 B-3 Neighborhood Business, §15.03 A-1 Domestic Agriculture, and §16.03 A-2 General Agriculture**
   - *Issue:* Added definition of Solar Farms, but did not specify where it is permitted.
   - *Current*: N/A
   - *Proposed*: Add Accessory Permitted Use of **Solar Farm, Private Use - incidental to the Principally Permitted Use and provided the property contains a dwelling.**

Trustee WILKERSON **seconded** the motion and the Board voted as follows upon roll call:

Vote:
Trustee Kama Dick yes Kama Dick
Trustee Julie Reese yes Julie Reese
Trustee Josh Wilkerson yes Josh Wilkerson

Attest: Rhonda Ross
Rhonda Ross, Fiscal Officer
Bethel Township, Miami County, Ohio

Case ZA-05-26

***Case ZA-05-26*:** A request to the Bethel Township Zoning Commission from Countryside Unlimited (James Leskowich), Tipp City, OH to re-zone the 1.51 acre parcel located at 2337 Ross Rd, Tipp City, OH to A-2 so it can be joined with the applicant's adjacent 28.91 acre property at 2333 Ross Rd, Tipp City, OH. The parcel is currently zoned R-2. Miami County Parcel ID#s A01-037120 and A01-037100.

GENERAL INFORMATION:

Applicant/Property Owner:	Countryside Unlimited
Property Address:	2337 and 2333 Ross Rd, Tipp City, OH
Current Zoning:	2337 Ross Rd R-2 2333 Ross Rd A-2 General Agricultural
Location:	Properties are on the north side of Ross Rd, west of SR 202
Existing Land Use:	2337 - Residence and agriculture 2333 – Residence and agriculture
Bethel Land Use Plan:	Rural
Surrounding Land Use	North A-2 General Agricultural South R-1AAA Residential and A-1 Agricultural East R-1AAA Residential West A-2 Agricultural and R-1AAA Residential
Road Frontage:	2337 Ross Rd – 175', 2333 Ross Rd – 45'
Exhibits:	*A – Bethel Township Zoning Map* *B – Auditor's Map* *C – Street View* *D– Application* *E – Miami County Planning Commission Report (TBD after 11/17/26 meeting)* *F – Prior Zoning History*

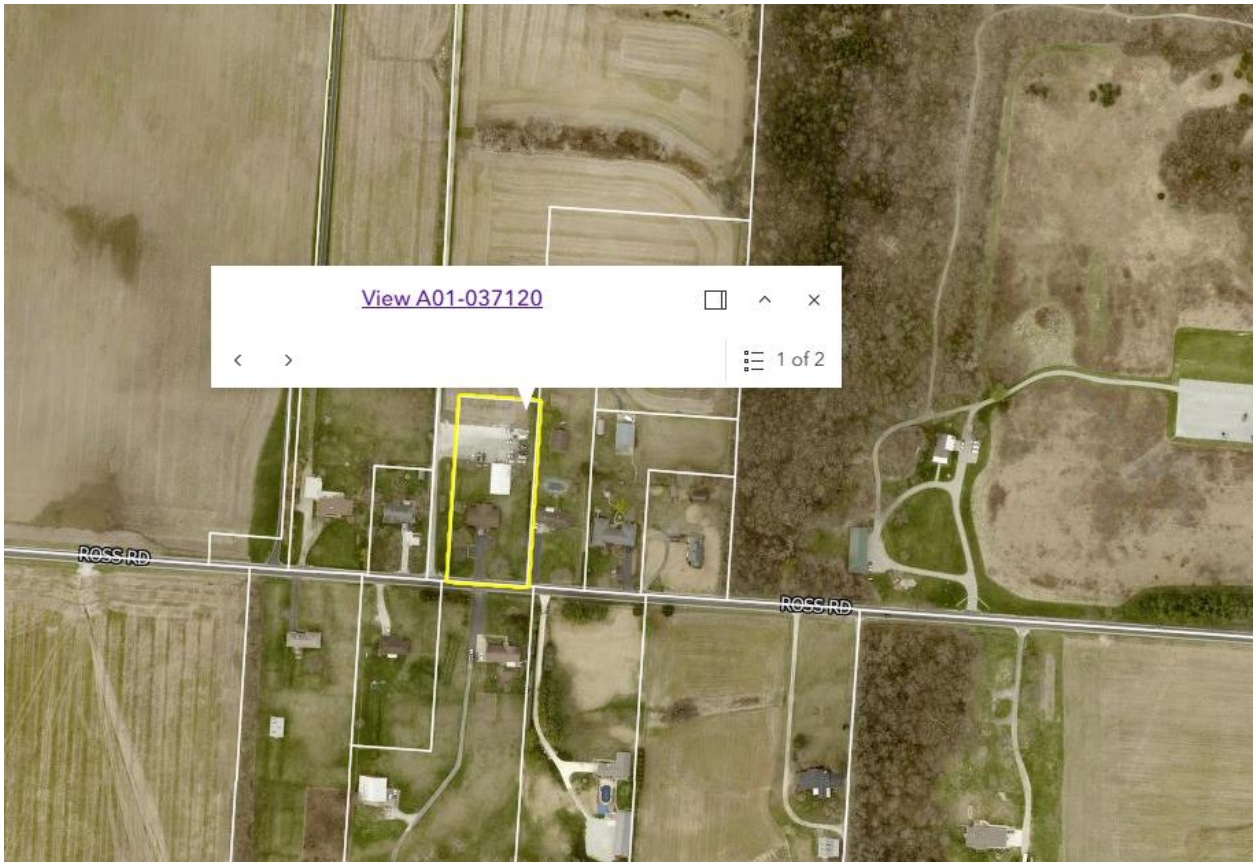
SPECIAL INFORMATION:

Fire Dept Information/Review:	N/A
Miami County Health District:	N/A
County Planning Commission:	Unanimously recommended approval

Exhibit A – Bethel Township Zoning Map



Exhibit B – Auditor's Map




2333
2337


2333
2333
2337

Exhibit C – Street View



Exhibit D - Application

BETHEL TOWNSHIP TRUSTEES
BETHEL TOWNSHIP ZONING DEPARTMENT
8735 SOUTH SECOND STREET – BRANDT, TIPP CITY, OHIO 45371
PHONE: 937.845.8472 FAX: 937.845.7316

APPLICATION FOR ZONING AMENDMENT App. No.: ZA-05-26

SECTION I: PROPERTY INFORMATION

Property Location: 2337 Ross Rd Tipp City, OH 45371			Acreage: 1.5075
Section: 33	Town: 2	Range: 9	Parcel: A01-077120
Subdivision Name and Lot No.: PT E PT SW FRAC SEC			Zoning District: Bethel LSD

SECTION II: APPLICANT INFORMATION

Applicant Name: Countryside Unlimited (James Leskowich)			Phone: 937 974 7907
Address: 2337 E Ross Rd	City, State: Tipp City OH		Zip Code: 45371
Property Owner: Countryside Unlimited LLC			Phone: 937 974 7907
Address: 2285 Ross Rd	City, State: Tipp City OH		Zip Code: 45371

SECTION III: AREA TO BE AMENDED

Current Zoning: 521 Two Family Dwelling Unplanned
Current Use:

Proposed Zoning: Move Pole Barn and field back to A2 Agriculture from
Proposed Use: Pole barn is not used for residential use. Pole barn And farm ground is better aligned under A2
Description of Proposed Area To Be Rezoned:
(See MAP) There is 32' between back of duplex and front of pole barn. I would like along the line across the front of the pole barn.

SECTION IV: WATER AND SANITATION INFORMATION

PUBLIC WATER AVAILABLE? Y N PUBLIC SEWER AVAILABLE? Y N HYDRANTS WITHIN 500'? Y N
SANITATION TO BE APPROVED BY:
o MIAMI COUNTY HEALTH DEPARTMENT o OHIO E.P.A. (Pending) o WAIVER

Note: The Zoning Inspector may require other information such as maps, plot plans, etc. in order to process this application.

The Applicant hereby certifies under penalty of perjury that he/she has read the information contained in the foregoing application and that it is true. Applicant further understands that he/she must comply with all requirements of the Bethel Township Zoning Resolution and all applicable statutes and resolutions of the State Of Ohio and Bethel Township.

25 Aug 26 — Builder/Applicant — Date
25 Aug 26 — Owner — Date
Only One Signature Required

SECTION VII: ADMINISTRATIVE ACTION

APPLICATION RECEIVED BY: Amber Frampton		**DATE OF APPLICATION:** 8/25/26
MIAMI CO. PLANNING COMM.	**APPROVED DENIED MODIFIED**	**COMMENT:**
BETHEL TWP. ZONING COMM.	**PUBLIC HEARING:**	**PUBLIC NOTICE:**
CHMN:	**APPROVED DENIED MODIFIED**	**COMMENT:**
BOARD OF TRUSTEES	**PUBLIC HEARING:**	**PUBLIC NOTICE:**
CLERK:	**APPROVED DENIED MODIFIED**	**COMMENT:**

MIAMI COUNTY DEPARTMENT
OF DEVEVLOPMENT
STAFF REPORT
Bethel

Applicant's Name: Countryside Unlimited LLC

Date: November 17, 2026 **Application #:** 05-26

Health Department Approval: N/A

Nature of Request: To rezone a 1.5 acre tract from R-2, Two Family Residential, to A-2, General Agricultural.

Present Zoning District: R-2, Two Family Residential

Proposed Zoning District: A-2, General Agricultural

Location: The property is located at 2337 E Ross Road, Tipp City, Ohio 45371

Township: Bethel **Section:** 33 **Town:** 2 **Range:** 9

Land Use & Zoning in Surrounding Near-by Areas: A-1 zoning and Domestic Agricultural land uses can be seen to the south. A-2 zoning and General Agricultural land uses can be seen to the north, east, south, and west. R-1AAA zoning and Single Family Residential land uses can be seen to the north, east, south, and west, F-1 zoning and the Flood Plain Overlay District can be seen to the west.

Staff Recommendation: This application seeks to rezone a 1.5 acre tract from R-2, Two Family Residential to A-2, General Agricultural. The 1.5 acres will be combined with the 28 acre parcel behind it.

The existing tract has 174' of road frontage along Ross Road by a depth of 404'. The parcel currently contains a two family home and an accessory structure. Miami County Public Health Department review was not required as sewer and water services are available to the property through the Miami County distribution network.

Staff recommends approval of this application. This request would conform to both the Miami County and Bethel Township Comprehensive Plans and would not be out of character with the surrounding area.

Date rec'd 9-19-94
Fee rec'd $45.00

PRELIMINARY APPLICATION FORM
FOR SEWAGE DISPOSAL INSTALLATIONS

Miami County General Health District
P. O. Box 677, Troy, OH 45373 PH# 335-5675

R. Guy Shrake, M.D.
Health Commissioner

Applicant Martha Flory Phone 667-3421

Address 2333 E. Ross Rd., Tipp City OH 45371

Name of Development or Land Owner on Deed: Martha Flory

LOCATION

Address 2333 E. Ross Rd., Tipp City Lot #

Bethel Township. Section 33 SW¼ Plat # 31

Application for: a 2 family dwelling as a second residence on 36.848 ac.

*I hereby certify that I have read the "Health Department Requirements for New Lot Development" and I feel that my application will comply with the requirements addressed.

/s/ Martha Flory 9-19-94
SIGNATURE DATE

X Restricted as to location on lot of home and sewage disposal system.

____ Refused: No Septic Systems Permitted.

REQUIREMENTS FOR SEPTIC SYSTEM: 1500 Gallon 2 compartment septic tank and 900 lineal feet of 18 in. leach trench with splitter box.

REMARKS: A separate sewage system is required for each unit.

9-22-94 ONSITE INSPECTION BY KOEHL W/MR. FLORY: Soils Map #51, soil types are MhB2 (Miamian) and CeB (Celina). Each unit of this duplex will need its own septic tank and leach field. Mr. Flory will use one well for both units.

The eastern unit: The sewer must exit from the east side of the building and the septic tank installed up on the same relative elevation near the building. The leaching lines will need to run to the south and must start as close to the eastern lot line as the slope allows. As much of this leaching field as possible must be installed on the east side of the driveway with the remainder put west of the drive. All leach lines must be installed shallow and level.

The western unit: The sewer must exit from the west side of the building at or above the existing ground surface elevation. The leaching lines will need to run to the south and must be installed shallow and level.

Any future replacement leaching fields will likely need to be placed behind the duplex at least 50 ft. north of the well. A sump pump would be needed to get the sewage to this area.

9-23-94 SEWAGE COMMITTEE: **APPROVED** with the above stipulations.

APPROVAL SUBJECT TO ZONING APPROVAL

By Jeff Koehl Sew. Comm.

Date 9-23-94

NOTE: PRELIMINARY APPROVAL ONLY. MUST BE PRESENTED TO ZONING INSPECTOR TO OBTAIN ZONING PERMIT. PERMITS MUST BE OBTAINED BEFORE STARTING WORK. PERMITS AND INSPECTIONS REQUIRED BY HEALTH DEPT.: SEWAGE DISPOSAL INSTALLATION, WELL & PUMP INSTALLATION, PLUMBING INSTALLATION. **PRELIMINARY APPROVAL & PERMITS VALID FOR ONLY ONE YEAR.**

Sec. 33

V-8-94
FLORY

BETHEL TOWNSHIP ZONING
MIAMI COUNTY - STATE OF OHIO
DIVISION OF ZONING INSPECTION

APPLICATION FOR ZONING CERTIFICATE

OWNER MARTHA FLORY ADDRESS 2333 E. Ross Rd. Tipp City O.
Project:
Construct ____ Add to ____ Change of Use ____ (Variance) ____ Move ____ Wreck ____
Location of Project - No. Road or St. 2333 E. Ross Rd. Tipp. Oh Lot No. ____
~~Present Dimensions of Structure:~~ Frontage ____ Ft.; Depth ____ Ft.; Height ____
~~New Additional Structure~~ ____ Ft. Depth ____ Ft. Height ____
Type of Zoning Change VARIANCE from #14.05 yard requirment
Class of Occupancy: #14.10 FRONTAGE Requirement AND #21.03 Application
Variance Frequency To Construct a Double (2 FAMILY DWELLING) ON A 23.394 ACRE ~~DEVELOPED~~ TRACT
Ground Floor Area: exclusive of porches, patios, breezeways and garages ____ sq. ft.
No. Family units: ____ No. Rooms per unit ____
Estimated Cost of Construction: ____
Lot Dimensions: Frontage ____ Ft. Depth: ____ Ft.
Boundary Clearances: Front ____ ft. Left ____ ft. Right ____ ft. Rear ____ ft.
Sanitation to be approved by County Board of Health ____.
Capacity of septic tank ____ gal. Leach bed ____ sq. ft. Cu. ft. ____
Drawings and Specifications: Drawings and specifications as required by Zoning Inspector and Zoning Commission must accompany this application.

Notice: Nothing herein contained shall excuse the applicant from complying with the entire Zoning Resolution, and all statutes and rules of the State of Ohio and of this department, all of which are implied to be included herein and made a part there of, and all objections to the same are hereby waived by the applicant whose signature is hereto attached.
OWNER: ____ CONTRACTOR ____
By Applicant [signature] Address of Contractor ____
Address of Applicant [signature] Date approved by Zoning Commission ____
NOTE: THIS CERTIFICATE VOID IF CONSTRUCTION IS NOT UNDERWAY SIX (6) MONTHS AFTER DATE OF ISSUE.
The Above Application is hereby approved/disapproved.
Date 10/18/94
By Janice C. Rayse
Zoning Inspector
Reason for disapproval Approved BZA. 11/2/94

BETHEL TOWNSHIP TRUSTEES ▪ MIAMI COUNTY
MATTHEW A. DAVIS ▪ DOUGLAS D. FREY ▪ JEROME L. HIRT
CLERK, SUZANNE TWEHUES

PUBLIC NOTICE

BETHEL TOWNSHIP
BOARD OF TRUSTEES

The Bethel Township Board of Trustees will hold a hearing on Tuesday, November 22, 1994 at 6:30 PM at the Township House in Brandt, Ohio. The hearing will deal with the request of:

1. Winfred Robbins of 9575 Palmer Road, Dayton, Ohio to rezone 5.184 acres from A-1 Domestic Agriculture to R-1AAA One Family Residential. The property will be divided into two lots -- a developed lot of 2.684 acres and a lot to be developed of 2.5 acres. The property is located at the northwest corner of Palmer and Bellefontaine Roads, Bethel Township, Miami County, Range 9, Town 2, Section 1.

2. Martha Flory of 2333 East Ross Road, Tipp City , OH. to rezone 1.5 acres from a 33.394 acre developed tract from A-1 Domestic Agriculture to R-2 Two Family Residential District. The proposed building site will be approximately one hundred seventy-five feet (175') by three hundred seventy-four feet (374') fronting one hundred seventy-five feet (175') on the north side of Ross Road. The property is located on 2333 Ross Road, Bethel Township, Miami County, Range 9, Town 2, Section 33.

Bethel Township
Board of Trustees

Janice C. Royse
Zoning Inspector
11/09/94

OFFICE OF
COMMISSIONERS OF MIAMI COUNTY
Miami County Planning & Zoning Department
201 West Main Street • Troy, OH 45373-3263
(513) 332-6997

November 16, 1994

Janice Royse
Bethel Township Trustees
6735 S. Second St. - Brandt
Tipp City OH 45371

Dear Janice:

Please be advised that the Miami County Planning Commission, at their meeting on November 15, recommended approval of the application filed by Martha Flory, 2333 E. Ross Rd. to rezone 1.5 acres from A-2 to R-2.

If you have any questions, please don't hesitate to call.

Sincerely,

Dan Brandewie

Daniel L. Brandewie
Planning Director

FLORY
10-94
REZONE
1.5 ACRE R-2 FROM 33.394 AC. A-1 A-2

SEC. 33

BETHEL TOWNSHIP ZONING
MIAMI COUNTY - STATE OF OHIO
DIVISION OF ZONING INSPECTION

APPLICATION FOR ZONING CERTIFICATE

OWNER MARTHA FLORY ADDRESS 2333 E. ROSS RD. T.C.
Project: REZONE FROM A-1 DOMESTIC AG TO R-2 TWO FAMILY RESIDENTIAL
Construct _____ Add to _____ Change of Use _____ Variance _____ Move _____ Wreck _____
Location of Project - No. Road or St. 2333 E ROSS RD Lot No. _____
~~Present Dimensions of Structure: Frontage _____ Ft.; Depth _____ Ft.; Height _____~~
New Additional Structure _____ Ft. Depth _____ Ft. Height _____
Type of Zoning Change A-1 Domestic Ag to R-2 TWO FAMILY RES.
Class of Occupancy: _____
Variance _____
Ground Floor Area: exclusive of porches, patios, breezeways and garages _____ sq. ft.
No. Family units: _____ No. Rooms per unit _____
Estimated Cost of Construction: _____
Lot Dimensions: Frontage 175' Ft. Depth: 374' Appr. Ft.
Boundary Clearances: Front _____ ft. Left _____ ft. Right _____ ft. Rear _____ ft.
Sanitation to be approved by County Board of Health ✓.
Capacity of septic tank 1500 /UNIT gal. Leach bed 900 LINEAL sq. ft. Cu. ft. 1/UNIT SAME WELL & SEPTIC 2 dwellings
Drawings and Specifications: Drawings and specifications as required by Zoning Inspector and Zoning Commission must accompany this application.

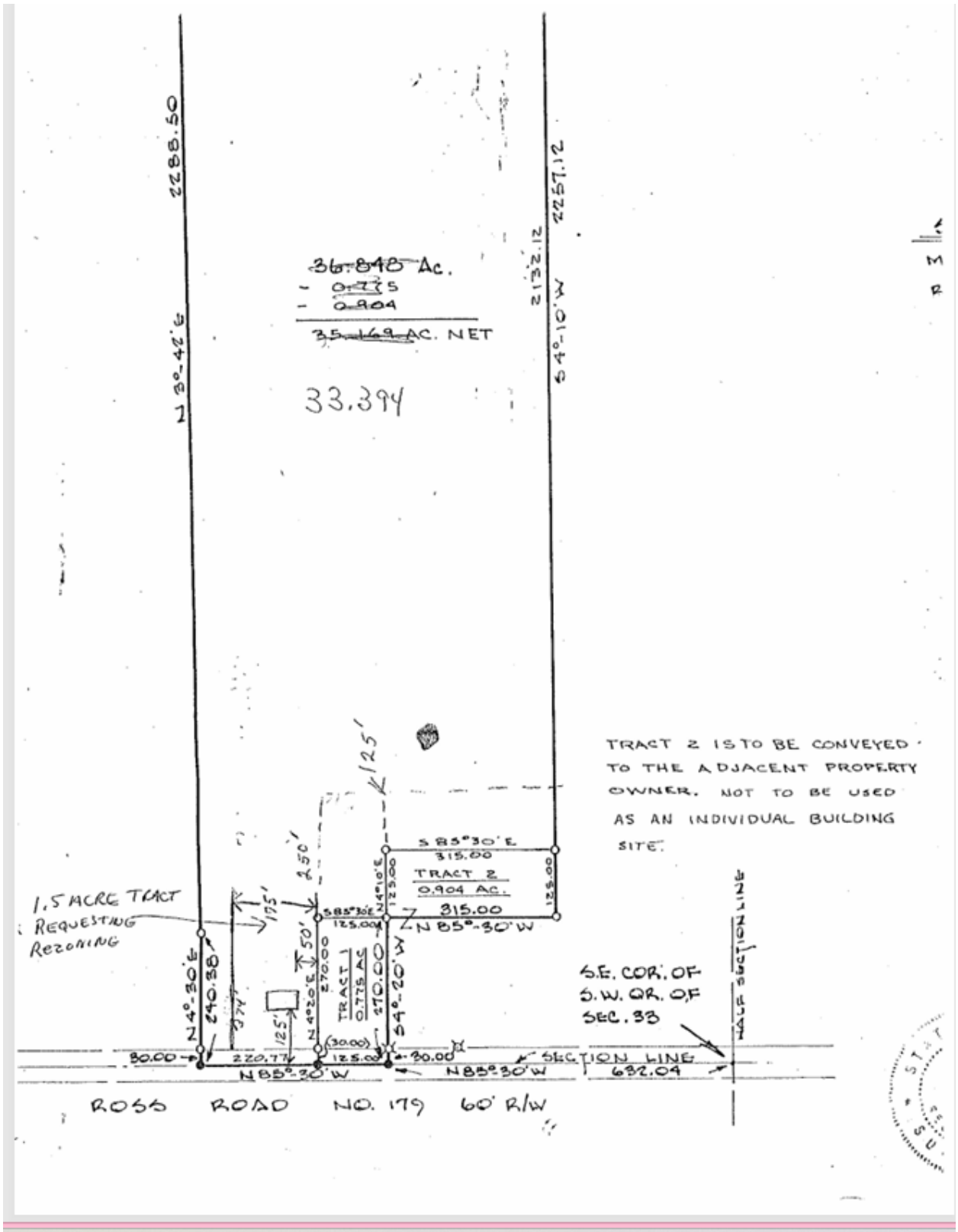
Notice: Nothing herein contained shall excuse the applicant from complying with the entire Zoning Resolution, and all statutes and rules of the State of Ohio and of this department, all of which are implied to be included herein and made a part there of, and all objections to the same are hereby waived by the applicant whose signature is hereto attached.
OWNER: Martha Flory CONTRACTOR MR. FLORY
By Applicant Ron Flory Address of Contractor _____
Address of Applicant _____ Date approved by Zoning Commission _____

NOTE: THIS CERTIFICATE VOID IF CONSTRUCTION IS NOT UNDERWAY SIX (6) MONTHS AFTER DATE OF ISSUE.

The Above Application is hereby approved/disapproved.
Date 11/2/94
By Janice C. Layer Zoning Inspector

Reason for disapproval MRS. FLORY REQUESTED VALIANCE TO ALLOW TO Rezone V-8-94, Approved 11/2/94, FIVE DAY BZA ACCEPTANCE WAIVED By Board (BZA)

Miami County Planning Commission Approval NOV. 15, 1994 Approve
Bethel Township Zoning Commission Approval NOV. 17, 1994 Approve
Bethel Township Board of Trustees Approval Nov 22, 1994 approve


2288.50
N 3°-42'E
~~36.848~~ Ac.
- ~~0.775~~
- 0.904
~~35.169~~ AC. NET
33.394
2132.12
2257.12
S 4°-10'W
TRACT 2 IS TO BE CONVEYED TO THE ADJACENT PROPERTY OWNER. NOT TO BE USED AS AN INDIVIDUAL BUILDING SITE.
S 85°30'E
315.00
TRACT 2
0.904 AC.
315.00
N 85°-30'W
125.00
N 4°10'E
125.00
1.5 ACRE TRACT REQUESTING REZONING
N 4°-30'E
240.38
175'
250'
S 85°30'E
125.00
N 4°20'E
270.00
TRACT 1
0.775 AC
270.00
S 4°-20'W
125'
(30.00)
30.00
30.00
220.77
125.00
N 85°-30'W
N 85°-30'W
632.09
SECTION LINE
HALF SECTION LINE
S.E. COR. OF S.W. QR. OF SEC. 33
ROSS ROAD NO. 179 60' R/W

Case ZC-63-26

Case: ZC-63-26: A request from Jason McCoy to appeal the decision of the Bethel Township Planning & Zoning Administrator. The applicant submitted an application to obtain a zoning certificate (ZC-21-21) to operate as a Contractor's Yard at 4021 US 40, Tipp City, Parcel ID# A01-005500. The application was denied.

Applicant:	Jason McCoy	
Property Address:	4021 E US 40	
Location:	Parcel is located at the intersection of US 40 and Wildcat Rd	
Existing Land Use:	Agriculture	
Bethel Land Use Plan:	Rural Settlement	
Surrounding Land Use	North	A-2, General Agriculture
	South	R-1AAA Residential, A-2 General Agriculture
	East	I-1 Industrial
	West	R-1A & R1AAA Residential
Road Frontage:	Approximately 750' on Wildcat Rd and 846' on US 40	
Acreage:	14.714	
Current Zoning:	I-1, R-1AAA, R-1AA	
Exhibits:	A – Bethel Township Zoning Map B – Auditor's Map C – Application (separate doc) D – Retention report (separate doc) E – Hydraflow report (separate doc) F – MCEO Letter dated 11/16/26 G – TOPOS Landscape plan	
Fire Department Info/Review:	None	
Miami County Health District:	None	
County Planning Department:	None	

Prior Zoning Cases:

Case ZA-04-26: A request from Jason McCoy, PO Box 147, Tipp City, OH to amend the zoning resolution to re-zone the entire 14.714 acre parcel located at 4021 E US 40, Tipp City, OH to I-1. The parcel is currently multi-zoned R-1AA, R-1AAA, and I-1. Proposed use on the current R-1AA/R-1AAA area, if rezoned, will be a contractor's storage yard. Miami County Parcel ID# A01-005500.

Motion to approve by Ms. Royse Seconded by Mr. Cornish

Vote: Mr. Corbett: No Mr. Cornish: No Mr. Hirt: No

Ms. Royse: No Mr. Underwood: No

Exhibit A - Bethel Township Zoning Map

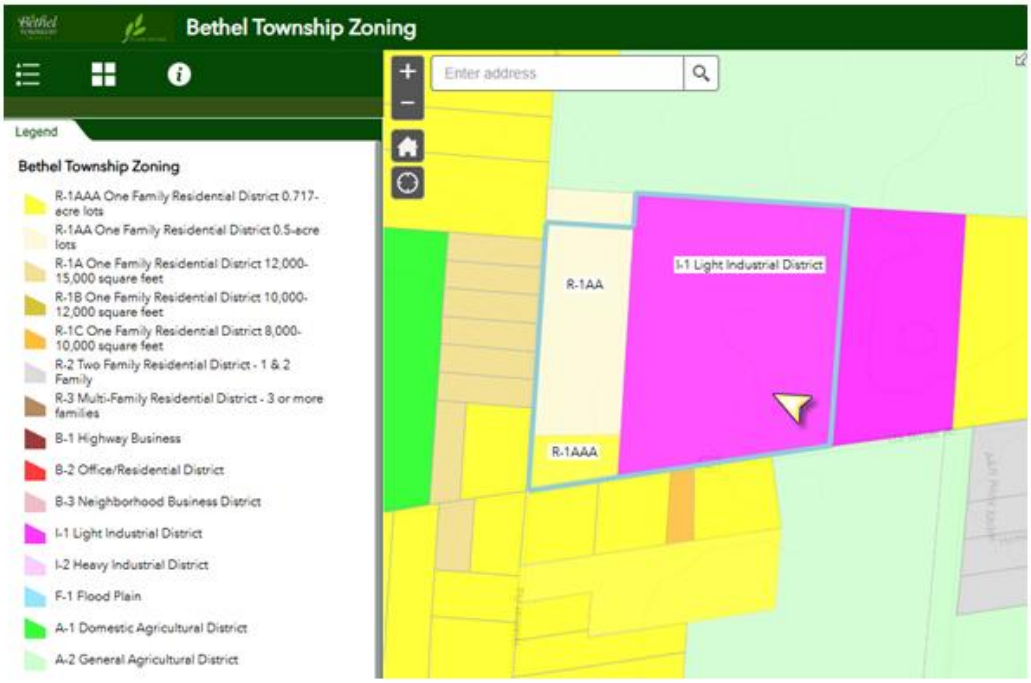


Exhibit B – Auditor's Map



Exhibit F – MCEO Letter

Miami County Engineer's Office
& County Garage
2100 North County Road 25A
Troy, Ohio 45373

Office: 937-440-5656
Garage: 937-440-5658
Fax: 937-440-5659
MCEO@MiamiCountyOhio.gov

MCEO
MIAMI COUNTY ENGINEER'S OFFICE

Miami County Tax Map Office
Miami County Safety Building
County Plaza
201 West Main Street
Troy, Ohio 45373

Office: 937-440-6025
Fax: 937-440-6026
MCEO@MiamiCountyOhio.gov

Paul P. Huelskamp PE, PS • Miami County Engineer

November 16, 2026

Arthur Franklin, Planning & Zoning Director
Bethel Township
8735 South Second Street
Tipp City, Ohio 45371

Re: Site Plan US 40 and Wildcat Road

Arthur,

Our office has reviewed the site drawings provided to our office on November 9, 2026. These plans have been reviewed for site drainage and have produced the following comments.

1. Is this property on one or two parcels? Site drawings seem to indicate two parcels with the retention basin being on the west parcel (over the property line)? The current legal description is for the current 14.902-acre tract, see attached email dated May 29, 2026.
2. Based on the submitted plans, most of the general site pavement will consist of 12" aggregate base with only the handicapped parking area being asphalt. Do current Bethel Twp. Zoning regulations require dust-free surfaces, i.e. all areas asphalt or concrete? The Miami County Engineer's Standards for Commercial Parking Lots utilized in other areas of Miami County are attached for your reference.
3. Provide the acreage of the non-routed watershed east of the site.
4. Confirm the size of the pipe used to drain the swale under the driveway (12 or 15")
5. Show grades and typical section of the 5-foot swale on the east and south sides of the site.
6. Add a note that all downspouts shall be tied into the storm sewer.
7. Prior to the submittal of these plans, a significant amount of grading and a large gravel area was installed on the western portions of the 14.902-acre tract. This regrading, believed to have diverted runoff to the existing Wildcat Road side ditch has created concerns from residents upstream and downstream from the site. The apparent diverted runoff includes the discharge from an existing 5'x3' box culvert beneath U.S. Rt. 40. An existing drive approach to the subject 14.902-acre site on Wildcat Road appears to have been utilized. The driveway culverts (Wildcat Rd.) of this approach are downstream of the diverted runoff and within the subject 14.902-acres are not believed adequate for this runoff. The proposed 5-foot swale shown on the

'Eetsabarn Site Plan' appears to intercept and direct additional offsite runoff to the aforementioned diverted runoff flow path.

8. The dedication of additional road right-of-way adjacent to Wildcat Road is recommended. The improvement of the existing roadway frontages at the sole expense of the developer and conforming to ODOT and MCEO standards is recommended as part of this site development, i.e. moving side ditches away from the road, improving road shoulders-berm areas, ensuring the driveway culverts are properly sized based upon the contributing watershed, etc. A right-of-way dedication of at least 30-feet from the centerline of right-of-way is considered minimum and increased as necessary to complete the described improvements. A typical roadway section is attached.
9. An overall and detailed drainage and site plan prepared by a registered professional engineer or professional surveyor is necessary for this 14.902-acre tract that includes all previously completed site development activities and proposed site development activities.
10. Portions of the Greider Ditch (drainage tile) No. 359, petitioned for construction March 6, 1908 are believed to cross the subject tract. The Greider Ditch location map is attached for your reference. As outlined in the Ohio Revised Code, maintenance of improvements constructed prior to August 23, 1957 is the responsibility of land owners within the watershed
11. Apparent discrepancies on the stormwater summary sheets have been noted. The 'Total Site Max Discharge' total does not equal the 'Max. Routed Pond Discharge and Max NonRouted Discharge' when these are added together. Please review and provide further explanation.
12. The Miami County Sanitary Engineer's Office may provide comments regarding water and sanitary sewer improvements on the site. Please contact their office directly regarding these comments.
13. A set of plans should be submitted to the Miami County Soil and Water Conservation District for sediment and erosion control review.

If you have any questions regarding this review, please contact Britt Havenar at this office.

Sincerely,

Paul P. Huelskamp, P.E., P.S
Miami County Engineer

PPH/brh
Enc. Site Pictures
2023 aerial image with 2002 topography
Greider Ditch Location Map
May 29, 2026 Email(s)
MCEO typical roadway section

Exhibit G – TOPOS Landscape Plan

