

Minutes

Bethel Township Board of Zoning Appeals

September 24, 2015 – 6:30 P.M.

Regular Meeting

Bethel Township Meeting Room, 8735 S. 2nd Street – Brandt, Tipp City, Ohio

Board of Zoning Appeals Member(s) Present: Fisher, Sonnanstine, Gross, Butt

Board of Zoning Appeals Members(s) Absent: Durst, Reese

Staff Present: Jeff Green– Director of Planning & Zoning

Mrs. Fisher called the meeting to order at 6:30 PM.

Each member of the Board introduced themselves.

New Business:

Mr. Green read the first case:

Case CU-04-15: A request from Kent Miller, 2300 US 40, Tipp City, OH, 45371. The applicant requests conditional use approval to allow for a multifamily residence to be allowed on the property located at 2300/2302 US Route 40, Bethel Township, Miami County, Ohio. The property is identified at Miami County Parcel ID # A01-001650.

Mr. Green made his staff presentation.

Mr. Green asked if the Board had any questions of him.

The board had no questions

Mr. Miller was there to present himself.

Mr. Miller: There was a small problem with the report. It should be 2300 and 2302. Only reason I am here is because my former neighbor Jay Zimmerman. He was in a similar situation at the time so he told me about it. I spoke to Jeff who confirmed there was a problem. I want to make sure it is ok and not have future issues.

Mr. Butt: Is there a house, or a duplex now.

Mr. Miller: A duplex

Mrs. Fisher: Mr. Miller's and Mr. Zimmerman's properties similar, I drove by it earlier.

No public for or against application

Public Hearing Closed.

Board Discussion closed

Mr. Gross: Motion to approve case CU-04-15 as stated

Motion seconded by Mrs. Reese

VOTE

Mrs. Reese	Yes
Mrs. Fisher	Yes
Mr. Gross	Yes
Mr. Sonnanstine	Yes
Mrs. Butt	Yes

Motion to approve case CU-04-15 approved 5-0 as stated.

Next Case:

Case V-07-15: A request from Dean Shoup of 7730 Windham Rd, Tipp City, OH 45371. The applicant requests a variance to increase the total maximum size of accessory structure from One Thousand Two Hundred (1200) sq ft to One Thousand Two Hundred and Fifty-Six (1256) sq ft to make an addition to an existing accessory structure. The property is identified as Miami County parcel ID # A01-087138.

Mr. Green made his staff presentation.

Mr. Green asked if the Board had any questions of him.

The board had no questions

Mr. Shoup was there to represent himself

Mr. Shoup: the report is pretty accurate. I just need 56 extra sq. ft. You would not be able to tell from the street.

Mrs. Fisher: It looks like it will blend right in.

Mr. Gross: Where would the addition take place?

Mr. Shoup: On the back portion of the property, which is why no one will see it. Only the neighbor who mows their backyard will be able to see it.

No residents for or against the application

Board had no further questions

Mr. Butt: Motion to approve case V-07-15 as stated

Motion seconded by Mr. Gross

VOTE

Mrs. Reese	Yes
Mrs. Fisher	Yes
Mr. Gross	Yes
Mr. Sonnanstine	Yes
Mrs. Butt	Yes

Motion to approve case V-07-15 approved 5-0 as stated.

Next Case:

Case V-08-15: A request from Robert and Cynthia Adams of 2500 US 40, Tipp City, OH 45371. The applicant requests a triple variance to increase the total maximum size of accessory structure from twenty-four Hundred (2400) sq ft to Forty-eight Hundred (4800) sq ft, increase the amount of accessory structures on the parcel from two (2) to three (3), and to increase the permitted height from fifteen (15) ft to twenty-four (24) ft located at 2534 US 40. The property is identified as Miami County parcel ID # A01-001500.

Mr. Green made his staff presentation.

Mr. Green asked if the Board had any questions of him.

The board had no questions

Cynthia Adams was there representing herself.

Mrs. Adams: We brought pictures to show the garage and land. We need this because we have nice show cars. The building would look the same to the existing. If one was shorter or smaller, it would look funny.

Mrs. Reese: Where would the proposed building be?

Mrs. Adams: Right next to the exiting, as close as zoning allows.

Mr. Green: It would be 10 ft.

Mr. Green: For the record the pictures will be considered exhibits 2-10

Mrs. Adams: There have been thefts on our property so we would like to have everything in doors to deter thieves and make it harder for them.

Mrs. Reese: So the current building is 2400 sq. ft.

Mrs. Adams: yes

Mrs. Fisher: and they combined the two parcels.

Mrs. Reese: that is what Jeff is suggesting

Mr. Green: Correct, I would have serious problems if the board allowed the building to be built without them at least being combined.

Mrs. Reese: What is the garage size?

Mrs. Adams: About 800 sq ft.

Mrs. Reese: So even if combined, we wouldn't allow that because there will be 3 buildings on one lot

Mr. Green: That is why they are asking to put 3 accessory structures on one lot.

Mrs. Reese: It just looks like they are seriously over our regulations.

Mr. Green: It appears that way yes, but if they combine the lots then there should be more than sufficient room in my opinion for this.

Mrs. Reese: so they are asking for about double.

Mrs. Adams: You cannot see this from the street at all

Mr. Butt: This is not an automotive business correct?

Mrs. Adams: No, we just store the cars in the current building.

Mrs. Fisher: If they are already near the 2400 sq. ft. for 3 acres, and are asking for doable after combining a slightly larger lot then it wouldn't be that far off.

Mr. Adams: since there will be no house on this lot, proportion wise it doesn't seem out of line.

Mr. Butt: So long as the lots are combined.

Mrs. Fisher: yes. I'm just thinking that because there cannot be another house if we combine the lot then proportion wise this should be fine.

Public Discussion closed

Mr. Butt: Motion to approve case V-08-15 so long as the two parcels are combined before construction begins

Motion seconded by Mr. Reese

VOTE

Mrs. Reese	Yes
Mrs. Fisher	Yes
Mr. Gross	Yes
Mrs. Butt	Yes

Motion to approve case V-07-15 approved 4-0 as stated.

Next Case

A request from a Larry Dare for a time extension to build a house located at 6582 US 40 Tipp City Ohio 45371. The property is identified as Miami County parcel ID # A01-086056.

Mr. Green made his staff presentation.

Mr. Green asked if the Board had any questions of him.

The board had no questions

Larry Dare was there to present himself

Mr. Dare has some information (building/site plans handed out to the board)

Mr. Green: For the record the packet Mr. Dare has given the board will be exhibit 1

Mr. Dare: Working diligently on this project. As you probably noticed, we had a rainy spring which significantly delayed when the footers went in. I also ran into some issues with where the old house was located. I have all sorts of things coming up out of the ground. The sewer line is in already. I am working on this, but I also have a full time job

as well so it has been tough. Within a year I should have everything done and a driveway put in.

Mr. Green: Have you run into any problems with county building regulations at all?

Mr. Dare: No. I had to do a lot of research, more than I anticipated.

Mr. Gross: Does that property stay pretty wet? Is that the reason you chose this design?

Mr. Dare: Partly yes, I also find this an easy design to do.

Mrs. Reese: Jeff, have you informed the neighbors?

Mr. Green: Yes, all the neighbors within 300 ft. of this property would have been mailed a notice. We also place an ad in the Dayton Daily News.

Mr. Butt: You have submitted your plans to the county and they have not had any problems at all correct?

Mr. Dare: Correct. Sewer has been inspected, the house plans have been approved. I just need water.

Mr. Dare: The circular footers are pretty common down south.

Mr. Green: When you came in contact with the basement I'm guessing it was pretty bad. The house just got demolished in early 2014.

Mr. Dare: Oh yea, I found a whole bunch of stuff such as clothes and trash.

Mr. Butt: There are no concerns about your footers being placed on bad ground? Basically will the house be on solid ground?

Mr. Dare: Yes. I have hit solid ground so it should have a solid foundation. Also, only part of the house will be located on the portion of land where the old house was.

Mrs. Fisher: Have you obtained all required permits, such as the building permit?

Mr. Dare: Yes, it is actually hanging on the barn right now.

Mr. Green: if this board would like, you could make a recommendation based off Mr. Dare keeping the township up to date with all permits.

Mr. Dare: That should be fine.

Mrs. Reese: Are you planning on living in that house?

Mr. Dare: Yes.

Mrs. Reese: I trust him to do that right thing then. If he was selling it, then it would be different.

Mrs. Fisher: Right

Mr. Butt: What's the time frame to actually have the house complete?

Mr. Dare: You know I'll take what I can get to get it done.

Mrs. Fisher: Ok, but if you need more time than you need to say something now. We have to be wary of setting a precedence.

Mr. Green: Correct, someone could come back and say: well, you did it for these people why not me?

Mr. Dare: Well should I ask for two years?

Mrs. Fisher: Maybe not that long.

Mr. Butt: It's nothing against you, we just have to be wary.

Mrs. Reese: My concern is also the neighbors. No one would like construction for two years.

Mr. Gross: Is this a modular house or stick built?

Mr. Dare: Stick. Also, the size of the lot has slowed me down. I can't just put a lot of materials on there at one time because of the small lot.

Mr. Green: What do you think it would be a reasonable time frame?

Mr. Dare: About 15-18 months. Once I get it under roof, I can do a lot more even in the winter.

Mr. Gross: That's assuming Ohio weather allows it.

Mrs. Reese: Should we require a time frame for it to be under roof, or just completed?

Mr. Gross: Completed

Mr. Gross: Will 15 months be enough.

Mr. Dare: Sure. I'm hoping to have it completed before then.

Board has no further questions

No one for the public who wishes to speak for or against the applicant

Public Discussion closed

Mr. Gross: Motion to approve case V-10-14 with the condition that any permits be given to the board and the house must be completed and occupied by January 1, 2017.

Motion seconded by Mr. Butt

VOTE

Mrs. Reese	Yes
Mrs. Fisher	Yes
Mr. Gross	Yes
Mrs. Butt	Yes

Motion to approve case V-14-15 approved 4-0 with the condition that any and all permits be forwarded to the board and the house be completed and occupied by January, 1 2017.

Approval of minutes:

Mrs. Reese motion to approve July 2015 minutes with the change of “Mrs. Durst” to “Mr. Durst” and “Mrs. Gross” to “Mr. Gross.”

Mrs. Gross: Seconded

Vote

Mrs. Reese:	Yes
Mr. Gross:	Yes
Mr. Fisher:	Yes
Mr. Durst	N/A

Adjournment:

Motion was made by Mr. Gross to adjourn and seconded by Mr. Reese.