

**Minutes****Bethel Township Board of Zoning Appeals****May 24, 2018 – 6:30 p.m.****Regular Meeting****Township Meeting Room, 8735 S. Second Street – Brandt, Tipp City, Ohio****BZA Member(s) Present:** Debbie Fisher, Jeff Butt, Judy Poettinger, Darrin Anderson**Member(s) not present:** Steve Owens**Staff Present:** Marty Caskey – Director, Planning and Zoning

Ms. Fisher brought the meeting to order at 6:30 p.m.

BZA and staff introduced themselves.

**New Business**

**Case: V-02-18:** A request from Nick and Katie Aspidow, 6845 Studebaker Rd., Tipp City, OH 45371, for a side yard setback of 4'2". Setback in the zoning resolution is 20'. A modular housing unit has already been delivered to the property, but has not been issued a zoning certificate pending the outcome of the variance request. The property is identified as Miami County Parcel ID #A01-082300.

Mr. Caskey presented the staff report and asked if there were any questions for him.

Ms. Fisher asked if the applicant was available. Mr. and Mrs. Aspidow were sworn.

Mr. Aspidow stated the report from Mr. Caskey was correct. He said the only easy way to position the modular home is where they are requesting.

Ms. Fisher asked if there were questions for the applicants from the board.

Mr. Butt asked if the home site was the only place it could be on the parcels owned by the applicants.

The applicants stated they would need to put in new septic if they moved the home to the back parcel.

Mr. Steve Hefferon, 6875 Studebaker Rd., (adjacent parcel to the east) testified that he had no objections to the present siting of the home but would if it was moved due to anticipated drainage problems.

Mr. Andrew Bruggeman, 6825 Studebaker Rd., (adjacent parcel to the west) said this is much too close to his property line and was most concerned about resale value.

Ms. Fisher asked if there were any comments from the audience in support of the variance request.

Ms. Fisher asked to adjourn to executive session at 7:00 p.m.

Motion to adjourn to executive session made by Mr. Anderson. Seconded by Mr. Butt.

Approved by affirmation.

Ms. Fisher reconvened the BZA at 7:10 p.m.

Ms. Fisher asked if there were any additional board comments.

None.

Ms. Fisher asked for a motion from the board.

**Motion:**

Motion to approve Case V-02-18 by Mr. Anderson.

Seconded by Ms. Poettinger.

**VOTE:**

Ms. Fisher – No

Mr. Butt – No

Mr. Anderson – No

Ms. Poettinger – No

V-02-18 denied 4 – 0.

**Case: V-03-18:** A request from H. Bernard Wilson, 4582 US 40, Tipp City, OH 45371, to allow an additional outbuilding that would be a third roofed structure and 1,518 square feet more than allowed. The property is identified as Miami County Parcel ID #A01-009800. **(Cancelled)**

**Case: CU-01-18:** A request from Jordan and Jennifer Behm, 7747 Winding Way S, Tipp City, OH 45371, property owner, requesting approval of a zoning conditional use at 6391 Studebaker Rd., Tipp City, OH 45371, to allow for a second residence on their 38.054-acre parcel. Road frontage will not allow for a parcel split or a road to be built to create frontage. Conditional use only to be approved if the parcel is to remain whole. The property is identified as Miami County Parcel ID #A01-081200.

Mr. Caskey presented the staff report and asked if there were any questions for him.

Ms. Fisher asked if the applicant was available. The Behms were sworn.

Applicants and Mr. Steve Schlater, Brackett Builders, stated the report from Mr. Caskey was correct. Because there is no way to provide enough road frontage to split the parcel, either the historic home needs to be torn down or the variance needs to be granted.

Ms. Fisher asked if there were questions for the applicants from the board.

Mr. Butt asked if the historic home would be used for a rental, bed and breakfast or an Air-B-N-B. Ms. Behm stated that only family and guests would use the historic home.

Mr. Butt asked if the applicants would object to having the conditions that the historic home not be a rental and the parcel not be divided in the future as part of an approval of the Conditional Use.

The applicants stated they would have no objections.

Ms. Fisher asked if there were any comments from the audience in support of the conditional use request.

None

Ms. Fisher asked if there were any comments from the audience against the conditional use.

None

Ms. Fisher asked if there were any additional board comments.

None.

Ms. Fisher asked for a motion from the board.

**Motion:**

Motion to approve Case CU-01-18 with the conditions that the historic home not be a non-family rental and the parcel not be divided in the future by Mr. Anderson.

Seconded by Ms. Poettinger.

**VOTE:**

Ms. Fisher – Yes

Mr. Butt – Yes

Mr. Anderson – Yes

Ms. Poettinger – Yes

**3: Old Business**

Approval of minutes from March 2018.

Motion to approve the March minutes by Mr. Butt.

Seconded by Mr. Anderson.

**VOTE:**

Ms. Fisher – Yes

Mr. Butt – Yes

Mr. Anderson – Yes

Ms. Poettinger – Abstain

**4: Other Business****Communications and Reports**

Mr. Caskey noted there were cases for June.

**Board of Zoning Appeals Comments**

Ms. Poettinger noted that she would be unavailable for the June 28 meeting.

**Adjournment:**

Motion to adjourn by Mr. Butt.

Seconded by Ms. Poettinger.

**VOTE:**

Ms. Fisher – Yes

Mr. Butt – Yes

Mr. Anderson – Yes

Ms. Poettinger – Yes

Meeting adjourned at 7:50 p.m.