

BETHEL TOWNSHIP, MIAMI COUNTY, OHIO BOARD OF ZONING APPEALS

THURSDAY, OCTOBER 1, 2026 – 6:30 PM MINUTES

COVENANT LIFE CHURCH, 6805 US 40, TIPP CITY, OHIO

Meeting brought to order: 6:36 pm

1: Board and Township Staff

Board members in attendance: Ms. O'Quinn, Ms. Kiplinger, Ms. Hughes, Mr. Leskovich

Board members not in attendance: Mr. Mannheim, Mr. Staudter

Staff Members: Cathy Fortunato-Zoning Secretary, Arthur Franklin – Planning & Zoning Administrator

2: New Business

Review of BZA procedures for audience members

Case: CU-02-26: A request from Bambi Pierson (Pierson Accounting Service, Inc.) to allow the operation of Pierson Accounting Service, Inc. as a conditional use at 4390 Lisa Drive, parcel ID# A01-087292 for the purpose of an accounting office. *Per Bethel Township Zoning Resolution Article 3, Section 3.02 Words and Terms Defined: “Professional Services” are defined as 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.*

Mr. Franklin gave the staff report describing the physical placement, measurements and current uses and characteristics of the property making use of slides and printouts.

All testimony was given under oath.

Applicant statement:

Ms. Pierson stated she has been in business since 2012.

-Mr. Franklin added the applicant was there as a result of letters that were sent to Wiley Park regarding proper certifications and as Ms. Pierson's business is a conditional use under I-1 and she had no conditional use approved by the township, she put in an application for a conditional use.

Public speaking in support of the case:

No one

Public speaking in opposition of the case:

No one

Board deliberation:

-Ms. Kiplinger stated that it seems like this is just a compliance issue.

-Ms. O'Quinn agreed and confirmed that the applicant's business was indeed listed as a conditional use in I-1.

Ms. O'Quinn moved to approve case CU-02-26. Ms. Hughes seconded

Approved 4-0

Votes:

Ms. O'Quinn: Yes

Ms. Kiplinger: Yes

Ms. Hughes: Yes

Mr. Leskovich: Yes

Case: CU-03-26: A request from Kimberly Riviello (Cottonwood Lane Events) to allow the operation of an “Event” venue as a conditional use at the address located at 4925 US 40 E, parcel ID# A01-043820. “Event” venues are listed in A-2 General Agricultural Districts in Bethel Township as a conditional use.

Mr. Franklin gave the staff report describing the physical placement, measurements and current uses and characteristics of the property making use of slides and printouts.

Applicant Statement:

Kim Riviello stated they bought this property in May of 2025 and renovated the historical home. The barn which is also historical will be renovated as well. They will be holding community events as well as renting out for birthdays, showers, weddings, etc. – there will be no concerts. The east side of the front will be a wild flower garden and this is partially to protect the homeowner to the east. The west side will be for parking.

-Ms. Kiplinger asked who lives in the home. Ms. Riviello replied ‘no one – it is strictly for the event.’ She also stated she and her husband own a 100-acre farm behind the property.

-Ms. Kiplinger asked if it had a historical marker and Ms. Riviello replied, ‘no because the previous owners had added onto the home which disqualifies it.’

-Mr. Leskowich asked if it would be listed as an Airbnb and Ms. Riviello replied no. The home could be used overnight by the people renting it for an event.

-Ms. Kiplinger asked if the entire front are would be gravel and Ms. Riviello replied about three quarters.

-Ms. Kiplinger asked if the Miami County Engineer said anything about parking?

-Ms Riviello stated they had not gotten than far yet concerning a parking plan.

-Ms. Hughes asked if the hours would be 9am -11pm. Ms. Riviello said yes and all noise would be over by 11.

-Ms. Hughes asked if they were directly across the road from Carriage Trail? Ms. Riviello said yes, and it is amazing the amount of traffic that comes out of there.

-Mr. Leskowich was concerned about backing onto 40 and Ms. Riviello stated there is a circular driveway and backing out would not be necessary.

-Ms. Kiplinger asked what the main purpose would be.

-Ms. Riviello stated one day a month, they would have food trucks and community events. When the barn is done (hopefully next year) a lot of space will be opened up.

Public speaking in support of case:

Mary Hubbard- the property has been cleaned up. I want to clarify there will be no concerts and you will be able to verify there won’t be more than 125 present. Also, it should be contracted that any loud music will be off by 10pm. My other concern is traffic if there is only one ingress/egress. Overall, I do not have an issue.

-Ms. Riviello stated there would be security available. They will also address the entrance/exit issue – possibly add a drive.

Connie Elam – She asked about alcohol usage. She asked if there was signage. Mr. Franklin answered yes, and it had the proper certification. She also wanted to be sure all loopholes (parking spots, noise, etc.) were addressed before the conditional use is granted.

-Ms. Kiplinger stated that the Board can put conditions on the approval.

Public speaking in opposition of case:

Mike Riley – I live directly east of the property. He presented the Board with a map of his property and the property in question. I have lived there on 10 acres for 8 years with my family and I have always gotten along with the Riviellos. I have 4 granddaughters under the age of 5 and I am concerned about having 125 people potentially 7 days a week on the property next to me.

-Mr. Franklin stated the police would enforce what time the music would stop.

-Mr. Riley is concerned with loud music, generators for port-a-potty trailers, vendors, etc. and possibly inebriated strangers close to his property. He pointed out the venue is directly across from Senna Street which provides access to thousands of homes in Carriage Trail. He also has concerns from intrusive lighting.

During the open house, a generator fired up about 1030am and ran all day. This will make his home more difficult to sell someday.

Board Deliberation:

- Ms. O'Quinn said it is unlikely there will be events 7 days a week.
- Ms. Kiplinger agreed it was unlikely but not guaranteed.
- Ms. Kiplinger asked if the barn had electric, heat and air. Ms. Riviello responded, not yet but it will after renovation.
- Mr. Riley stated he did not understand how the Board can vote to approve the venue based on things that haven't been done yet.
- Ms. O'Quinn stated that this was a Catch-22 due to the fact that Ms. Riviello is promising, but has not completed upgrades, driveways, etc. but until she has been granted the CU, why would she do them? She would like to believe she is going to follow through with everything. Ms. Riviello stated she has already put \$100,000 into the property and is planning to spend another \$200,000. She said she the Miami County Engineers have told them they can currently use the home and tents for events.
- Ms. Hughes asked if they would provide ADA access. Ms. Riviello replied yes.
- Ms. Riviello said she would be meeting with the contractor next week concerning updating the barn.
- Ms. Hughes stated she would like these things (parking, port-a-potties, sound, etc.) addressed before granting a conditional use. She stated music should be off at 10pm. There should be an exit and an entrance. She asked if Ms. Riviello could provide timelines from her contractor.
- Ms. Riviello said she hoped to have the barn done about May of 2027.
- Mr. Franklin said if the Board puts conditions on the property, those would have to be met.
- Agritourism was discussed but it was decided this was not mentioned on the application and should not be considered.
- Ms. Kiplinger said her concern was 125 people entering and exiting the same driveway.
- Ms. O'Quinn said they would not all be arriving and leaving at the same exact time.
- Ms. O'Quinn said she hated to vote no because Ms. Riviello already had a lot of money in the project.
- Ms. Kiplinger pointed out that she could have come to the BZA for her request before she spent the money. She went on to say the detriment to the neighbor was a real concern.
- Ms. Hughes suggested only allowing 100 people, music off by 10, there should be an exit on the west side of the property.
- Mr. Franklin suggested tabling the case tonight if they could not come to an agreement.
- Ms. Hughes said by this time next year the generators would be gone after the electric is updated.
- Mr. Leskovich reminded everyone that until the barn is done, all the other issues would still be going on.
- Ms. Kiplinger said she would like to see the contractor site plan.
- Ms. Riviello said she was meeting with her contractor in the coming week.
- Ms. Kiplinger asked if 30-60 days would be long enough to get a completed site plan. Ms. Riviello was unsure.

Ms. Kiplinger moved to table case CU-03-26 indefinitely and revisit when the applicant is ready with a completed site plan. Mr. Leskovich seconded

Approved 4-0

Votes:

Ms. O'Quinn: Yes
Ms. Kiplinger: Yes
Ms. Hughes: Yes
Mr. Leskovich: Yes

Case: CU-04-26: A request from Rita Konicki (Doll Layman Ltd.) to allow the operation of Doll Layman Ltd. as a conditional use at 4195 Gibson Dr., parcel ID# A01-085371 for the purpose of clerical office space. *Per Bethel Township Zoning Resolution Article 3, Section 3.02 Words and Terms Defined: “Professional Services” are defined as 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.

Applicant Statement:

Rita Konicki stated her office is a general contractor, they rent 1500 square feet of office space and they specialize in wastewater treatment. She said not many people come into the office and they mainly do administrative work.

Public speaking in support of this case:

Jessica DeHart – She stated she is the owner of the property and bought it in 2017. She stated the applicant has always been an excellent tenant.

Public speaking in opposition of this case:

No one

Board Deliberation:

Ms. O’Quinn and Ms. Kiplinger agreed this case is just a compliance issue.

Ms. O’Quinn moved to approve case CU-04-26. Ms. Kiplinger seconded

Approved 4-0

Votes:

Ms. O’Quinn: Yes

Ms. Kiplinger: Yes

Ms. Hughes: Yes

Mr. Leskovich: Yes

Case: CU-05-26: The applicant is requesting a Conditional Use (Truck and Heavy Equipment Service). Parcel address is 8760 ST RT 201, Tipp City, OH, Parcel ID# A01-048500. *Per Bethel Township Zoning Resolution Article 3, Section 3.02 Words and Terms Defined: A Conditional Use is a use that is permitted in a district only if a conditional use permit is expressly authorized by the Board of Zoning Appeals in accordance with the provisions in this Zoning Resolution. Additionally, a Conditional Use Permit is issued by the Board of Appeals to allow certain specific developments that would not otherwise be allowed in that particular zoning district where the land is located, if certain conditions are met.*

Applicant Statement:

Dan Wyckoff stated he is a registered architect. He stated the trucking industry is the backbone of our economy. He said his client currently and has had for 11 years a successful business on Leo Street in Dayton. His client wishes to expand to include an indoor facility in Bethel Township. They plan to renovate this property and contribute to the community. The property was very much in disarray when his client purchased it and it has been drastically improved. The property is not a freight terminal. All vehicles will be owned by Sarach (his client). He showed photos of the improvements made to the property. The parking on the east side would be for staff and visitors (12 spaces). All truck and trailer parking would be on the north and west sides. They would only have 68% impervious service which is lower than the allowed 85%. They have planned a 40 foot buffer along the western property line and all the proper setbacks and landscaping on the north and east sides. There would be pole mounted lights placed around the property. Some are already existing.

-Ms. Hughes asked about the lighting. Mr. Wyckoff said they would be LEDs with different temperature settings and they were planning to control light spillage so that all light would be directed inward on the property.

-Ms. Hughes asked where the water would go. Mr. Wyckoff stated it would go to the catch basins and they were employing a civil engineer to identify the water flow.

-Ms. Hughes asked if the parking spots were 20’ from the property line. Mr. Wyckoff said about 15’.

-Ms. Hughes asked about the number of spaces. Mr. Wyckoff stated there were 66 total counting truck parking and employee & visitor parking.

-Ms. O'Quinn asked about the fluids that would be leaked inside the building from the vehicles. Mr. Wyckoff said that is a procedural action that the owner will address. He said there is nothing in the building code that requires floor drains.

-Ms. Hughes asked if they serviced semi trucks in Dayton. Mr. Wyckoff answered yes, and they are looking forward to having an indoor environment in Bethel Township.

-Ms. Hughes asked if they would be making the driveway wider. Mr. Wyckoff said they weren't planning on it but they were meeting with ODOT and would follow their requirements.

-Mr. Leskovich asked how many trucks they currently own and what they were hauling.

-Mr. Wyckoff answered 12 and general freight.

-Ms. O'Quinn asked if they would be renting out parking spaces. Applicant responded no.

Public speaking in support of the case:

Osman Khalilov – Regarding fluids, they own a tank for HAZMAT which the fluids are collected in and taken off site for disposal. Regarding clean oils they will be using, they do not store it. They just add it when they need it. They do basic service maintenance: oil changes, brakes, etc.

-Ms. Hughes asked if they service other people's trucks. Mr. Khalilov said they may service others in the future.

Donald Black – He stated oil separation units never worked well in the 80s and 90s and are no longer allowed per the EPA. He stated a lot of farmers and others still spill oil on their own properties.

Public speaking in opposition of the case:

Connie Elam – She wanted to know when the septic system was inspected and if HAZMAT and OSHA had to come out and inspect the property. She asked if we were holding them to the amount of vehicles (12) they have now. She asked if we are giving them and others too much leeway.

-Ms. Kiplinger responded they have accountability.

-Mr. Franklin stated he could not site him because his business grows, for example if he were to buy more trucks.

Howard & Suzanne Pomp – sent an email that was read into the record by Ms. O'Quinn: They feel the request should be denied.

Mary Hubbard - She thanked the business for asking permission. She then pointed out a semi truck is 80,000 lbs and the wear and tear on the roads that will cause. It was pointed out this property was on a State Route not serviced by the township. She said the neighboring homes property values would go down 15% at least. She does not want Bethel Twp to become the truckers' capitol of Ohio. People here are not accepting of this and people should not buy land here expecting to be accommodated.

Jenny Hodge – She asked if the buyer was advised before they purchased this property that they would not be able to do what they are requesting. She said a family member told her that the property owner knew in advance that he could not do this on this property. She said this is not a business we need here and whatever is decided here tonight will set a precedent in the township.

Lisa Bratton – She asked what the hours of operation would be. She asked how we know they won't be renting spaces. The truck parking is becoming excessive and this brings crime. She said there is truck parking coming by the old Bosma property that is part of Huber Heights. Bethel is a residential community and this is not what we want.

Bobbie Hatfield – I am third generation in this township and my land abuts this property. I have children who come to enjoy my backyard. I want to be able to sit in my backyard and have peace and quiet. These people should go elsewhere where this is better suited.

Julie Reese – This parcel is in a rural settlement area. It is zoned LIGHT Industrial – to provide places for clean, indoor businesses. Truck & heavy equipment was introduced in 2007. The spirit of the zoning code must be considered. They must go get driveway permit from ODOT. School buses go south on 201 and additional semi truck traffic will make it

more dangerous. We have several trucking facilities already permitted to operate in the township and many that have no permits. These properties have space for well over 1000 semi trucks as of today. They stated they will be picking up freight in the morning and returning in the evening. This is not part of truck servicing but more of a motor freight or truck transfer terminal. I ask that this request be denied.

Rebuttal from Mr. Wyckoff

The property is Light Industrial. There are not loads of freight coming in and out. They are empty. It is on a State Route that is an arterial path and the trucks do not have to into residential areas. We are here in an honest fashion. We were not told we could not do this when the property was purchased. We were told we would have to request a conditional use and that is what we are doing. We wish to be as community friendly as possible.

Board Deliberation:

Ms. Hughes – I am concerned about the buffers and about the parking and the retention pond. I want to see what the lighting is. I appreciate they want to expand. I'm not comfortable with the building, the entrance, the parking spots. I want to see what ODOT will do first before we address anything else because promises have not been kept.

-Ms. Kiplinger said she did not want to table this.

-Ms. O'Quinn said it is still a parking lot – truck parking.

-Mr. Leskovich said they were asking for an excessive increase in parking spaces but they would need some extra parking for trucks being worked on.

-Ms. Hughes asked what the land use plan was for this area. Answer – Rural settlement but this property is zoned I-1.

-Mr. Leskovich asked what was an acceptable amount of spaces for truck servicing.

-Ms. O'Quinn said it looks like a big truck parking lot.

Ms. O'Quinn moved to approve case CU-05-26. Ms. Kiplinger seconded

Denied 0-4

Votes:

Ms. O'Quinn: No

Ms. Kiplinger: No

Ms. Hughes: No

Mr. Leskovich: No

Case: V-08-26: A request from Dan Wyckoff Dba Watermark for 2 variances. Parcel address is 8760 ST RT 201, Tipp City, OH, Parcel ID# A01-048500. The first request is a variance from the limit of 15 parking spaces permitted to allow a total of 66 parking spaces. *Per Bethel Township Zoning Resolution Article 35, Section 35.05 Required Off-Street Parking: Truck and Heavy Equipment Service One (1) space for each service bay plus one (1) space for each 200 square feet of office space.* The second request is a variance requesting setback relief from the required setback of 20 feet. *Per Bethel Township Zoning Resolution Article 12, Section 12.05 Lot Development Standards: The minimum side yard setback is 20 feet.*

This case is moot as it was dependent on Case CU-05-26 being approved.

Case: V-09-26 (Now A-02-26): A request from Jason McCoy to appeal the decision of the Bethel Township Planning & Zoning Administrator. Parcel address is 4150 Gibson Dr. Tipp City, OH, Parcel ID# A01-085385. On July 24, 2026, the applicant submitted application #ZC-22-26 to obtain a zoning certificate to operate as contractor's yard. The application was denied due to unpermitted structures (violations) on the property. *Per Bethel Township Zoning Resolution Article 2, Section 2.07(D) (3) (c) Zoning Certificate. If the application is denied, the applicant may submit a revised application and sketch plan for review in accordance with the review procedure, or the applicant may appeal the decision to the Board of Zoning Appeals in accordance with Section 2.05 A. 1, Administrative Review, of this Zoning Resolution.*

Applicant statement:

Alexander Johnson (attorney)-He said the applicant was entitled to a zoning certificate. He said they were not seeking a variance and the variance standards are entirely irrelevant and secondly, the stated grounds for the denial are unsupported by the Bethel Twp Zoning Resolution. He said he was allowed to call witnesses and requested to call his first witness.

At this point the board agreed they needed their attorney present to continue the case in this manner.

-Ms. Kiplinger said no lawyer that had come to a meeting in the past had requested to proceed in such a manner.

Ms. Hughes moved to table case V-09-26 (now A-02-26) until our attorney can review the case and be present. Ms. Kiplinger seconded

Approved 4-0

Votes:

Ms. O'Quinn: Yes

Ms. Kiplinger: Yes

Ms. Hughes: Yes

Mr. Leskovich: Yes

3: Old Business

August 27, 2026 meeting minutes were approved 4-0.

4: Other

Communications and Reports

Adjournment

9:35 PM