

APRIL 24, 2012

The Board of Trustees of Bethel Township, Miami County met in regular session on April 24, 2012 at the Bethel Township Meeting Room, 8735 South Second Street, Brandt. Members in attendance were Mrs. Vanhaaren, Mr. Hirt and Mr. Wray.

Let the record show there were no residents present.

Pledge of allegiance was taken.

APPROVAL OF THE MINUTES

A motion to approve the minutes of the April 10, 2012 Regular Business Meeting, and the April 17, 2012 Workshop minutes by Trustee Hirt, seconded by Trustee Wray.

THE VOTE BEING TAKEN AS FOLLOWS:

Mr. Hirt	Yes
Mr. Wray	Yes
Mrs. Vanhaaren	Yes

STAFF REPORTS

SHERIFF

Nothing to report

FIRE

Emergency Responses:

Runs From April 7, 2012 thru April 20, 2012

EMS- 22

FIRE- 6

Total Runs for 2012

EMS- 105

FIRE- 36

Mutual Aid Responses

April 19, 2012: Tanker to Pike Twp. In Clark County for a structure fire

April 20, 2012: Engine to Huber Heights, cancelled enroute

Training:

EMS: Agricultural Hazmat

FIRE: Fireground Water Supply

ZONING

Since the last meeting one zoning application has been received and one certificate has been issued.

ZC-06-12 6476 US Route 40 Gail Halderman Addition to Barn

YEAR TO DATE (2012):

Certificates Received this year:	6
Certificates Issued this year:	6
Declarations received this year:	0
Variances received this year:	3
Conditional Use applied for this year:	2
Zoning Amendments applied for this year:	1
Zoning Text Amendments applied for this year:	1

BOARDS & COMMISSIONS:

MIAMI COUNTY PLANNING COMMISSION:

Miami County Planning Commission met on April 17, 2012. Bethel Township had no cases for their review.

BETHEL TOWNSHIP ZONING COMMISSION:

The Bethel Township Zoning Commission (ZC) will meet in regular session on April 26, 2012 to hear the following case:

Case ZA-02-12: A request from Thomas C. Rhea Senior, of 9330 Bellefontaine Rd. to rezone 9.5 acres located at 9330 Bellefontaine Rd. from Business (B-1) to Agricultural (A-1) on property used for residential purposes.

BETHEL TOWNSHIP BOARD OF ZONING APPEALS:

The Bethel Township Board of Zoning Appeals (BZA) will meet in regular session on April 26, 2012 to hear the following case:

V-03-12: A request from Jessie & Irene Centers, 2976 US Route 40, Tipp City, OH, 45371. The applicant requests a variance under Article 5.05 of the Bethel Township Zoning Resolution to allow for the construction of a 6'x25' addition to a single family residence on property located in a Residential (R-1A) zoning district.

2012 ZONING ENFORCEMENT:

	Junk Cars	High Grass	Construction Related	Health Referrals	Other	Cleared
Current	0	7	0	0	0	0
YTD	3	7	1	14	0	0

General Updates:

Phoneton Sewer Update: Construction continues. I will attend the second monthly construction update meeting tomorrow at 11AM.

Pre-Prom Careflight Program at Bethel Schools: The Bethel Township Fire Department and Miami Valley Hospital’s Careflight will participate in a pre-prom simulated crash tomorrow, April 25th, at 1:00PM to show the students the dangers of drinking and drive associated with Prom season.

PUBLIC COMMENT FOR ITEMS ON AGENDA

NONE

ACTION ITEMS

RESOLUTION #12-04-061

A RESOLUTION AMENDING ARTICLE 20-PLANNED DEVELOPMENT OF THE BETHEL TOWNSHIP ZONING RESOLUTION

WHEREAS, THE BETHEL TOWNSHIP BOARD OF TRUSTEES, MIAMI COUNTY INITIATED THE PROCEEDURE TO AMEND THE CURRENT ZONING RESOLUTION OF BETHEL TOWNSHIP, MIAMI COUNTY, ORIGINALLY ESTABLISHED ON DECEMBER 8, 1956, AND

WHEARAS, THE PLANNING COMMISSION OF MIAMI COUNTY RECOMMEDNED ON MARCH 19, 2012 APPROVED OF THE AMENDMENTS, AND

WHEREAS, THE BETHEL TOWNSHIP ZONING COMMISSION RECOMMENDED APPROVAL OF THE REQUESTED ZONING AMENDEMENT ON MARCH 22, 2012 AND

WHEREAS, THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY HELD A PUBLIC HEARING, IN ACCORDANCE WITH SECTION 519.12 OF THE OHIO REVISED CODE ON APRIL 10, 2012 , AND THE BOARD OF TRUSTEES ARE REQUIRED TO RENDER A DECISION ON THE APPLICATION NO LATER THAN APRIL 30, 2012, AND

WHEREAS, THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY ARE PERMITTED UNDER SECTION 519.12 OF THE OHIO REVISED CODE TO AMEND THE ZONING RESOLUTION, THEREFORE

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY THAT THE BETHEL TOWNSHIP ZONING RESOLUTION BE AMENDED AS FOLLOWED:

Rewrite of Article 20: see attached Exhibit 1 with changes in RED and deletions in STRIKETHRU

**ARTICLE 20
“PD” PLANNED DEVELOPMENT**

Section 20.01 Purpose

The purpose of the PD Planned Development District is to:

- A. Allow for flexibility in the zoning requirements where the result will be a higher quality development;
- B. Provide for and locate suitable recreational facilities, open space, and other common facilities, while preserving the existing rural landscape to the greatest extent possible;
- C. Encourage sound planning principles in the arrangement of buildings, the preservation of open space, the utilization of topography and other site features;
- D. Obtain creative and coordinated designs in harmony with surrounding uses and allow procedures supplemental to those applicable in other use districts to establish under which development plans particularly designed to meet the objectives of this Article; and
- E. Allow for creative development that conforms to the goals and objectives set for in the Bethel Township Strategic Development Plan **Comprehensive Land Use Plan**.

Section 20.02 Types of Planned Developments

The following are the four (4) types of planned developments permitted within Bethel Township, pending approval by the Zoning Commission and the Board of Township Trustees:

- “PD-R” – Residential Planned Development
- “PD-RC” - Residential Conservation Development
- “PD-B” – Business Planned Development
- “PD-I” – Industrial Planned Development
- “PD-RS” – Mixed-Use **Rural Settlement** Planned Development
- “PD-T” - Transitional Planned Development**

Section 20.03 Permitted Uses

Permitted uses in a PD District shall be as follows:

- A. All uses in a PD District are subject to the approval of a preliminary development plan and final development plan by the Zoning Commission and the Board of Township Trustees pursuant to Subsection 20.03 through 20.10.
- B. Table 20.1 illustrates the permitted uses within each PD District.

Table 20.1 Planned Development Permitted Uses						
Permitted Uses	Planned Development District					
	PD-R	PD-RC	PD-B	PD-I	PD-RS	PD-T
Permitted Uses in the R-1AAA	P	P			P	P
Permitted Uses in the B-1, B-2 and B-3 Districts			P		P	P
Permitted Uses in the I-1 and I-2 Districts				P	P	P
Permitted Uses in the A-1 and A-2 Districts		P				P

- C. Uses not specifically listed as permitted by these districts in Table 20.1 may be permitted if the Zoning Commission and/or Board of Trustees determine the uses to be of the same general character as the above permitted uses.

Section 20.04 Standards for Approval of Planned Developments

Approval of an application for a Planned Development shall be based on the specific case, based on the particular evidence presented, which support conclusions that:

- A. The proposed development is consistent in all respects with the purpose and intent of this Zoning Resolution.
- B. The proposed development is in conformity with the Bethel Township ~~Strategic Development Plan~~ **Comprehensive Land Use Plan**.
- C. The proposed development advances the general welfare of the community and the immediate vicinity and will have a beneficial effect which could not be achieved as well under other zoning districts.
- D. The proposed development can be substantially completed within the time specified in the schedule of development submitted by the developer.
- E. Appropriate arrangements with the applicant have been made which will ensure the completion of the public improvements and reservation of common open space as indicated on the preliminary development plan and final development plan. If deemed necessary by the Board of Township Trustees during the preliminary development plan process, this may require that the Board of Township Trustees hold bond to ensure the successful and proper completion.
- F. Each individual phase of the development can exist as an independent unit that is capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective can be obtained.
- G. The site will be accessible from public thoroughfares adequate to carry the traffic, which will be imposed upon them by the proposed development, and the streets and driveways on the site of the proposed development or occupants of the proposed development.
- H. The proposed development will not impose an undue burden on public services and facilities, including fire and police protection.
- I. The location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities will be compatible with the surrounding land uses, and any part of a Planned

Development not used for structures, access ways, parking and loading areas will be landscaped or otherwise improved.

- J. The minimum common open space area(s) have been designated and are to be duly transferred to a legally established Homeowner's Association or will be accepted by Bethel Township or another public or quasi-public agency in Miami County or the State of Ohio.
- K. That any part of the Planned Development not used for structures, parking and loading areas, or streets, shall be landscaped or otherwise improved; or if approved by the Zoning Commission, left in its natural state.
- L. The preliminary development and final development plans has been appropriately transferred to all other agencies and departments charged with the responsibility of review.

Section 20.05 Planned Development Procedures

The following process and procedures shall be used when seeking approval of a Planned Development which shall include a pre-application meeting, preliminary development plan and a final development plan.

A. ~~Application~~ Initiation

The owner or owners or agents of a tract of land may request a Planned ~~Unit~~ Development in accordance with this Resolution.

In cases where there is multiple property owners involved in the Planned Development, the application shall include a "consent to rezone" letter from all property owners. Additionally, there shall be a single contact or agent for the property owners who will be responsible for contact with the Township.

B. Procedure

1. Step 1 – Pre-application Conference

- a. The applicant shall meet with the Bethel Township Zoning Department to discuss the initial concepts of the Planned Development and general compliance with applicable provisions of this Resolution prior to the submission of the application.
- b. During this time, an applicant may also request a preliminary, informal meeting with the County Engineer, County Sanitary Engineer, the County Planning Director, the and the Township Administrator.
- c. Discussions that occur during a pre-application conference or a preliminary meeting with

Township or County staff are not binding on the Township and do not constitute official assurances or representations by Bethel Township or its officials regarding any aspects of the plan(s) or application(s) discussed.

2. Step 2 – Application

- a. Following the pre-application conference with the Bethel Township Zoning Department, the applicant may submit an application for a zoning map amendment to the Township Zoning Department.
- b. The application shall include all such forms, maps, and information, as may be prescribed for that purpose by the Zoning Department to assure the fullest practicable presentation of the facts for the permanent record. A list of minimum requirements may be adopted by the Board of Township Trustees.
- c. Each such application shall be signed by at least one (1) of the owners, or the owners authorized agent of the property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications.
- d. Any person or persons desiring a change in the zoning classification of property shall file, with the application for such change a statement giving the names and addresses of the owners of all properties lying within 200 feet of any part of the property the zoning classification of which is proposed to be changed.
- e. All applications shall be submitted with the required fees as established in the Bethel Township fee schedule.
- f. The applicant ~~may~~ **must** also submit the preliminary development plan simultaneously with the application for a zoning map amendment.

3. Step 3 – Submission of the Preliminary Development Plan

- a. Ten (10) copies of the preliminary development plan submission shall be in a form as prescribed by the Zoning Commission. A list of minimum submittal requirements may be adopted by the Board of Township Trustees.
- b. Preliminary development plans shall include the following as a minimum:

1. Approximate areas and arrangement of the proposed uses and the relationship of abutting land uses and zone districts;
 2. The proposed general location of vehicular circulation;
 3. The proposed treatment of existing topography, drainage ways and tree cover;
 4. The location of schools, parks, community amenities or facilities, if any;
 5. Anticipated time schedule of projected development, if the total landholding is to be developed in stages, or if construction is to extend beyond a 2 year time period;
 6. In the case of a PD-R, PD-RC, PD-T or PD-RS District, the preliminary development plan shall also include the proposed type of unit, density level, and proposed area setbacks of each residential area, and the type, general location and approximate acreage of the common open space. All other miscellaneous and accessory uses shall also be included;
 7. In the case of a PD-B, PD-I, or PD-RS, the preliminary development plan shall identify the principal and accessory types of uses that are to be included in the proposed development, including their approximate location, size, and intensity. The proposed type, general location and approximate acreage of common open space shall also be included; and
 8. Any other information required by the Zoning Commission.
4. Step 4 – Referral to the Miami County Planning Commission
- a. Within 5 days after the application (Step 2) and submission of the preliminary development plan (Step 3), the Zoning Commission shall transmit a copy thereto to the Miami County Planning Commission.
 - b. The Miami County Planning Commission shall recommend the approval, approval with

modifications, or denial of the proposed map amendment and preliminary development plan, and shall submit such recommendation to the Zoning Commission.

- c. Such recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed amendment and preliminary development plan.

5. Step 5 – Public Hearing with the Zoning Commission

- a. Upon the filing of an application and preliminary development plan for an PD District amendment (Steps 2 and 3), the Zoning Commission shall set a date for a public hearing regarding the proposed amendment and preliminary development plan.
- b. The public hearing shall not be less than 20 or more than 40 days from the date the application (Step 2) was submitted.
- c. Notification shall be given in accordance with Section 519.12 of the ORC.

6. Step 6 – Recommendation by the Zoning Commission

Within 30 days of the Zoning Commission's public hearing (Step 5), the Zoning Commission shall recommend the approval, approval with modifications, or denial of the proposed amendment and preliminary development plan, and submit such recommendation together with such application, preliminary development plan, and recommendation of the Miami County Planning Commission to the Board of Township Trustees.

7. Step 7 – Public Hearing with the Board of Township Trustees

- a. Upon receipt of the recommendation from the Zoning Commission (Step 6), the Board of Township Trustees shall set a time for a public hearing on such proposed amendment and preliminary development plan.
- b. The date of the public hearing shall not be more than 30 days from the date of the receipt of such recommendation from the Zoning Commission.
- c. Notification shall be given in accordance with Section 519.12 of the ORC.

8. Step 8 – Decision on Map Amendment and Preliminary Development Plan

- a. Within 20 days after its public hearing (Step 7), the Board of Trustees shall either adopt or deny the recommendations of the Zoning Commission, or adopt some modification thereof. In the event the Board of Trustees denies or modifies the recommendation of the Zoning Commission, the ~~unanimous~~ **majority** vote of the Board of Trustees shall be required.
 - b. If the amendment is denied, the applicant may appeal the decision to the Court of Common Pleas.
 - c. Approval of the preliminary development plan shall include density, intensities, land uses and their inter-relationship, design standards, and building location. Location of buildings (if applicable) and uses may be altered slightly due to engineering feasibility which is to be determined in the subsequent preparation of the detailed Final Development Plans.
 - d. Following approval of the PD District map amendment and preliminary development plan, and after the subsequent referendum period has ended, the Official Zoning Map shall be changed to reflect this amendment.
9. Step 9 – Submission of a Final Development Plan
- a. Once the PD District and preliminary development plan been approved by the Board of Township Trustees, the applicant shall proceed with the preparation of the detailed final development plan(s) in whole or in phases.
 - b. Ten (10) copies of the final development plan submission shall be submitted in a form as prescribed by the Zoning Commission. A list of minimum submittal requirements may be adopted by the Board of Township Trustees.
 - c. The detailed final development plan shall be consistent with the contents of the approved preliminary development plan, and be prepared by a professional urban planner, engineer, architect or landscape architect.
 - d. If applicable, a final development plan shall include all necessary legal documentation relating to the incorporation of a Homeowner's Association for the purpose of maintaining the specified common open space within the planned development.

10. Step 10 – Public Meeting with the Zoning Commission
 - a. The Bethel Township Zoning Department shall study the final development plan and confer with other agencies having jurisdiction as appropriate in the case, to determine general acceptability of the proposal submitted. Staff shall submit written recommendations to the Zoning Commission and the applicant prior to the public meeting held by the Zoning Commission.
 - b. Upon receipt of the detailed final development plan and recommendations of staff, the Zoning Commission shall, at a public meeting of the Zoning Commission, study and review the detailed final development plan(s) on the basis that all requirements have been satisfied, and the conditions specified have been met.

11. Step 11 – Decision by the Zoning Commission
 - a. Within 30 days of the Zoning Commission's public meeting (Step 10), the Zoning Commission shall decide to approve, approve with modifications, or deny the final development plan(s).
 - b. If the final development plan(s) is denied, the applicant may appeal the decision to the Board of Zoning Appeals.

Section 20.06 Time Limits

- A. The final development plan(s) shall be submitted within one (1) year of approval of the preliminary development plan or the approval of the preliminary development plan will expire and the plan will be deemed null and void.
- B. Upon expiration of the preliminary development plan, the property shall still be zoned as a planned development with a voided preliminary development plan. The property owner or agent may submit an application and new preliminary development plan for consideration pursuant to this Article or an application for a zoning map amendment.
- C. Upon the expiration of the preliminary development plan, the Board of Township Trustees or the Zoning Commission may initiate a zoning map amendment.
- D. The Zoning Commission may authorize an extension of these time limits if good cause is shown for the delay of the final development plan submission.
- E. For phased developments, the Zoning Commission and Board of Township Trustees may approve a phased final development plan schedule as part of the preliminary

development plan approval. In such case, the approved time frames shall establish when the approved preliminary plan shall expire.

Section 20.07 Effect of a Final Development Plan

- A. The approved final development plan shall be kept on record in the Bethel Township Zoning Department together with all resolutions, applications, plats, plans, and other information regarding the development.
- B. The Resolutions prepared by the Zoning Commission and Board of Township Trustees serve as the official record for the permitted uses and activities which are approved for the planned development landholding.
- C. The use of the planned development landholding or the location, erection, construction, reconstruction, enlargement, or change of any building or structure in a manner which is not consistent with the final development plan shall be considered a violation of this Resolution and subject to the procedures and penalties specified in this Article.

Section 20.08 Required Conditions for the Issuance of a Zoning Certificate

No Zoning Certificate shall be issued for any property in a PD District and no construction, except preliminary excavation, shall begin until a valid final development plan is in effect for that phase or property. The Final Development Plan becomes valid upon approval of a Resolution by the Zoning Commission.

Section 20.09 Modifications to Planned Developments

An approved Preliminary Development Plan or Final Development Plan may be amended by following the procedures described in this Section.

- A. **Minor Adjustments.** The Zoning Administrator may authorize minor adjustments in the Final Development Plan which become necessary because of field conditions, detailed engineering data, topography or critical design criteria pertaining to drives, curb cuts, retaining walls, swimming pools, tennis courts, fences, walls, building locations, and building configurations, parking area locations or other similar project particulars. These minor adjustments may be permitted, provided that they do not increase density, decrease the number of parking spaces or allow buildings closer to Lot lines, and appear necessary in light of technical or engineering considerations.
- B. **Major Adjustments.** Major adjustments to any Preliminary and/or Final Development Plan that substantially alter the concept or intent of the approved Preliminary and/or Final Development Plan, may be approved only by the Zoning Commission and the Board of Township Trustees upon a petition to amend the Preliminary Development Plan and/or

Final Development Plan, pursuant to the procedures for Preliminary Development Plan Approval or Final Development Plan Approval, as the case may be, set forth in this Article.

Section 20.10 Design Standards for Planned Developments

The following design standards shall apply as minimums for all Planned Developments:

- A. The minimum acreage for Planned Districts is as follows:

Table 20.2 – Minimum Acreage for Planned Districts	
PD District	Minimum Acreage
PD-R	20
PD-RC	20
PD-B	2
PD-I	5
PD-RS	2
PD-T	10

- B. Design standards for area, lot coverage, density, yard requirements, parking, landscaping, and screening for a proposed PD District shall be established in the PD Preliminary development plan by the Zoning Commission and Board of Township Trustees.
- C. Exceptions and variations from the standards provided by the based zoning districts of this Resolution (e.g., R-1AAA, B-1, etc.) may, and should be granted by the Zoning Commission and Board of Township Trustees when it is determined that due to certain design elements, natural features, and public amenities, the exceptions are warranted.
- D. Standards for public infrastructure improvements shall be governed by the applicable regulations of the agency with jurisdiction that is charged with the responsibility for review and approval.
- E. There shall be reserved, within the tract(s) to be developed, a minimum percentage of land area of the entire tract(s) for use as common open space. The Zoning Commission and Board of Trustees may require additional open space as warranted by the individual development plan. This minimum percentage of land shall be as follows:

Table 20.3 – Planned Development Open Space Requirements	
PD District	Minimum Open Space Requirement
PD-R	20% open space for Planned Developments containing only one-family detached dwellings. 25% open space for Planned Developments containing two-family and multi-family

	dwellings.
PD-RC	50% open space for all Planned Developments
PD-B	10% open space for all Planned Developments
PD-I	10% open space for all Planned Developments
PD-RS	10% open space for all Planned Developments.
PD-T	15% open space for all Planned Developments

Section 20.11 Design Flexibility

The Bethel Township Zoning Commission may, at the written request of the applicant, recommend waving or modifying any of the required conditions of the Planned Development under consideration. The waving or modifying of the required conditions must be outlined in either the preliminary or final plan.

Section 20.12 Design Standards for Planned Development Residential

- A. (Single-Family) PD-R. A single family residential "PD" development shall meet those established setback requirements, minimum lot or open space, height regulations, minimum rear and minimum side yard of the abutting zone on the perimeter buildings of the project.
- B. Planned Development Residential (Multi-Family) PD-R. Multi family residential "PD" buildings or structures shall meet those established setback requirements, general area, height regulations, minimum rear and minimum side yard requirements of the abutting zone on the perimeter buildings or structures of the project.
- C. Buildings or structures built on the interior of the project shall have flexibility as to layout. Minimum distance between buildings or structures shall be 20 feet with an average for the entire project of 30 feet between buildings or structures and there shall be no minimum lot size.
- D. Accessory uses are permitted as in R-1AAA Zoning District
- E. The minimum required landscaping for PD-R shall be a yard landscaped with grass, evergreen ground cover or hardy shrubs, a row of deciduous shade trees each two (2) inches or more in diameter spaced not more than 35 feet apart, located not more than 20 feet from public right-of-way.
- F. The regulations of any "PD" District shall be uniform throughout any one "PD-R" District and shall include but without limitation the following where applicable:
 - 1. Conditions of use.
 - 2. Public streets and sidewalks.
 - 3. District buffer strips.
 - 4. Parking and loading.
 - 5. Height and area standards.
 - 6. Lighting.
 - 7. Landscaping.
 - 8. Open space and provision for maintenance

and/or neighborhood playground or public park.

Section 20.13 Design Standards for Planned Development Residential Conservation

- A. (Single-Family) PD-RC. A single family residential "PD" development shall meet those established setback requirements, minimum lot or open space, height regulations, minimum rear and minimum side yard of the abutting zone on the perimeter buildings of the project.**
- B. Buildings or structures built on the interior of the project shall have flexibility as to layout. Minimum distance between buildings or structures shall be 20 feet with an average for the entire project of 30 feet between buildings or structures and there shall be no minimum lot size.**
- C. Minimum open space shall be fifty percent (50%) of the gross acreage of the project. Attempts shall be made to utilize natural features such as: existing stands of trees, creeks and riparian areas, wetlands, etc.**
- D. Accessory uses are permitted as in R-1AAA Zoning District**
- E. The regulations of any "PD" District shall be uniform throughout any one "PD-R" District and shall include but without limitation the following where applicable:**
 - 1. Conditions of use.**
 - 2. Public streets and sidewalks.**
 - 3. District buffer strips.**
 - 4. Parking and loading.**
 - 5. Height and area standards.**
 - 6. Lighting.**
 - 7. Landscaping.**
 - 8. Open space and provision for maintenance and/or neighborhood playground or public park.**

Section 20.14 Design Standards for Planned Development Business

In addition to the provisions of the General Regulations, the following standards for arrangement and development of land and buildings or structures are required in the "PD-B" Districts.

A. Land Occupancy by Buildings or Structures

Total land occupancy by all buildings or structures for "PD-B" Districts shall not exceed sixty (60%) percent of the area of the tract, provided however, that underground parking structures, the highest portions of which are not more than thirty (30) inches above the level of the

centerline of the nearest adjacent street, shall not be included in computations of land occupancy by buildings.

B. Open Space Requirements

Open space shall be a minimum of ten (10%) percent of the land area and shall not be used or occupied, by permanent buildings, structures or parking. A minimum of 1/2 the required open space shall be located within or adjacent to the parking area.

C. The specific Development Plan shall be prepared in conformance with the above and with the Required Conditions and the Standards for Planned Development as set forth in Planned Development.

1. When residential district abuts the retail, service and/or office uses of the PD-B then the residential districts yard requirements shall be applicable or four (4) foot of yard for each one (1) foot of building height, whichever is greater.

Section 20.14 Design Standards for Planned Development Industrial

In addition to the provisions of General Regulations, the following standards for arrangement and development of land and building are required in the "PD-I" District.

A. Land Occupancy by Buildings or Structures

Total land occupancy by all buildings or structures for a "PD-I" District shall not exceed 60% percent of the area of the tract.

B. Site Planning

The same requirements applicable to the "PD-R" District shall apply to "PD-I" District. In addition, yards with a minimum width of 100 feet shall be provided along all property lines, except where it adjoins a "B" or "I" District.

C. Open Space Requirements

Open space shall be a minimum of ten (10%) percent of the land area and shall not be used or occupied by permanent buildings, structures or parking. A minimum of 1/2 the required open space shall be located within or adjacent to the parking area.

Section 20.15 Design Standards for Planned Development Transition

PURPOSE

The purpose of the Planned Development Transition Zone is to allow for orderly growth and development between Bethel Township and abutting municipalities.

- A. All projects shall meet those established setback requirements, minimum lot or green space, height regulations; minimum rear yard and minimum side yard of the abutting municipality's Zoning Ordinance. Maximum density shall also be determined by the abutting municipality's Zoning Ordinance.
- B. The PD-T (Planned Development Transition) can be used only when property to be zoned physically abuts a municipality

Section 20.16 Design Standards for Planned Development Rural Settlement

PURPOSE

The purpose of the Planned Development Rural Settlement is to allow for orderly growth and development while preserving the rural character of Bethel Township. In areas specified in the Bethel Township Comprehensive Plan where Rural Settlement is indicated, the focus shall be on a mix of uses that blend with the surrounding uses and maintain the scope and scale of the area.

The design standards will be based on the above elements depending on use. Example: Residential development in the PD-RS will use the same standards as Planned Development Residential.

THE ABOVE RESOLUTION WAS MOVED BY MR. WRAY AND SECONDED BY MR. HIRT AND THE VOTE BEING TAKEN AS:

MR. WRAY	YES
MR. HIRT	YES
MRS. VANHAAREN	YES

RESOLUTION #12-04-062

A RESOLUTION ENTERING INTO A CONTRACT WITH GESSAMAN SERVICES LLC, 8016 E. WALNUT GROVE ROAD, TROY, OHIO FOR NECESSARY ROAD DRAINAGE IMPROVEMENTS TO PISGAH ROAD FOR AN AMOUNT NOT TO EXCEED \$3,875.00 AND AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO EXECUTE SAID CONTRACT ON BEHALF OF THE BOARD OF TRUSTEES.

WHEREAS, THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY DETERMINED THAT CERTAIN ROAD IMPROVEMENTS ARE NECESSARY TO FLICK ROAD, AND

WHEREAS, THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY HAS RECEIVED SPECIFICATION RECOMMENDATIONS FROM THE ENGINEER OF MIAMI COUNTY, OHIO ON THIS PROJECT, AND

WHEREAS, GESSAMAN SERVICES LLC, 8016 E. WALNUT GROVE ROAD, TROY, OHIO, HAS SUBMITTED A QUOTATION TO MAKE THE ABOVE CORRECTIVE ACTIONS AS PART OF THIS PROJECT IN AN AMOUNT NOT TO EXCEED \$3,775.00,
THEREFORE,

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY THAT

SECTION 1: GESSAMAN SERVICES LLC, 8016 E. WALNUT GROVE ROAD, TROY, OHIO IS AWARDED THE CONTACT FOR ROAD DRAINAGE IMPROVEMENTS IN THE AREA OF 7840 WINDHAM ROAD IN ACCORDANCE WITH THE SPECIFICATION RECOMMENDED BY THE COUNTY ENGINEER OF MIAMI COUNTY, OHIO

SECTION 2: THAT THE AMOUNT FOR REPAIRS BY GESSAMAN SERVICES LLC NOT EXCEED \$3,875.00.

SECTION 3: THE TOWNSHIP ADMINISTRATOR IS AUTHORIZED TO EXECUTE ALL CONTRACTS ON BEHALF OF THE BOARD OF TRUSTEES

THE ABOVE RESOLUTION WAS MOVED BY MR. HIRT AND SECONDED BY MR. WRAY AND THE VOTE BEING TAKEN AS:

MR. HIRT	YES
MR. WRAY	YES
MRS. VANHAAREN	YES

RESOLUTION #12-04-063

A RESOLUTION ENTERING INTO AN AGREEMENT WITH D & L PLUMBING SERVICES, INC. 5495 STUDEBAKER ROAD, TIPP CITY, OH TO HOOK UP THE BETHEL TOWNSHIP BUILDING AND FIREHOUSE BUILDING TO THE MIAMI COUNTY BRANDT SEWER SYSTEM AT COST NOT TO EXCEED \$6,055.00 AND AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO EXECUTE SAID CONTRACT

WHEREAS, THE MIAMI COUNTY COMMISSIONERS' PLANNED FOR, DESIGNED AND HAD CONSTRUCTED A SANITARY SEWER SYSTEM TO SERVICE THE HAMLET OF BRANDT TO CORRECT KNOWN SANITARY ISSUES WITHIN THE AREA, AND

WHEREAS, THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY OWN AND OPERATE TWO BUILDINGS THAT ARE REQUIRED TO CONNECT TO THE SANITARY SEWER SYSTEM, AND

WHEREAS, THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY INSTRUCTED STAFF TO SEEK QUOTES FROM INTERESTED PARTIES, AND

WHEREAS, STAFF RECEIVED QUOTES FROM SIX (6) CONTRACTORS FOR THIS INSTALLATION, AND

WHEREAS, THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY ADOPTED RESOLUTION #06-06-173 WHICH REQUIRES ALL PURCHASES GREATER THAN \$2,500.00 TO BE APPROVED BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY, THEREFORE,

BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY THAT D & L PLUMBING SERVICES, INC. 5495 STUDEBAKER ROAD, TIPP CITY, OH HOOK UP OF THE BETHEL TOWNSHIP BUILDING AND FIREHOUSE BUILDING TO THE MIAMI COUNTY BRANDT SEWER SYSTEM AT A COST NOT TO EXCEED \$6,055.00 AND AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO EXECUTE SAID CONTRACT

THE ABOVE RESOLUTION WAS MOVED BY MR. WRAY AND SECONDED BY MR. HIRT AND THE VOTE BEING TAKEN AS:

MR. WRAY	YES
MR. HIRT	YES
MRS. VANHAAREN	YES

ANNOUNCEMENTS

April 26	Board of Zoning Appeals Meeting, Township Meeting Room, 6:30PM (if needed) Zoning Commission, Township Meeting Room, 7:30 PM (if needed)
May 2	Historical Society Meeting, Township Meeting Room, 7:00 PM
May 8	Trustee Regular Meeting, Township Meeting Room, 7:00PM

PUBLIC COMMENTS ON ANY TOPIC

None

MOTION TO RECORD PAYMENT OF WARRANTS

**RESOLUTION 12-03-065
A RESOLUTION TO RECORD WARRANTS
44654 TO 44705**

BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY THAT THE PAYMENT OF WARRANTS NO. 44654 THROUGH NO. 44705 BE RECORDED THROUGH THE REQUEST OF THE FISCAL OFFICER.

THE ABOVE RESOLUTION WAS MOVED BY MR. HIRT AND SECONDED BY MR. WRAY AND THE VOTE BEING TAKEN AS:

MR. HIRT	YES
MR. WRAY	YES
MRS. VANHAAREN	YES

PAYMENTS

wrnt_num	wrnt_date	wrnt_pyee	wrnt_amnt
44654	4/11/12	TRUPOINTE	\$776.42
44655	4/11/12	TAFT, STETTINUS, & hOLLISTER LLP	\$637.50
44656	4/11/12	NPL&M	\$1,428.00
44657	4/11/12	WITMER PUBLIC SAFETY GROUP, INC.	\$1,201.96
44658	4/11/12	SAMS CLUB	\$250.04
		MIAMI COUNTY SANITARY ENGINEERING	
44659	4/11/12	DEPT.	\$146.24
44660	4/11/12	DUNCAN OIL CO	\$776.59
44661	4/11/12	BOUND TREE MEDICAL	\$94.52
44662	4/11/12	LOWES BUSINESS ACCOUNT	\$57.51
44663	4/13/12	JAMES J. AKE - AKE	\$0.00
44664	4/13/12	BEN ALLEN - ALLENB	\$128.84
44665	4/13/12	MICHAEL ARNOLD JR - ARNOLD	\$15.84
44666	4/13/12	MATTHEW D. BAKAN - BAKANM	\$659.37
		NICHOLAS R. CARPENTER -	
44667	4/13/12	CARPENTERN	\$292.02
44668	4/13/12	ANTHONY R. CASCIO - CASCIOA	\$33.97
44669	4/13/12	SHAWN C. CLINE - CLINE	\$152.78
44670	4/13/12	JASON M. DAVIS - DAVIS	\$557.33
44671	4/13/12	JAMES ANDREW EHRHART - EHRHARTJ	\$524.09
44672	4/13/12	MICHAEL E. GEBHART - GEBHART	\$1,334.30
44673	4/13/12	SHAWN M. GEISEL - GEISELS	\$50.15
44674	4/13/12	TRICIA HOKE - HOKET	\$244.15
44675	4/13/12	CHRISTOPHER M. KYER - KYER	\$134.10
44676	4/13/12	LUCAS T. PYLES - LUCASP	\$18.40
		NICHOLAS A. MAGATEAUX -	
44677	4/13/12	MAGATEAUXN	\$23.03
44678	4/13/12	JAMES A. MOORE - MOOREJ	\$683.74
44679	4/13/12	CHARLES R. PACHECO - PACHECO	\$152.78
44680	4/13/12	RICHARD W. PEAKE - PEAKE	\$765.37
44681	4/13/12	JOSHUA SCHIEBREL - SCHIEBREL	\$376.51
44682	4/13/12	JAMES R. SEBASTIAN - SEBASTIAN	\$96.16
44683	4/13/12	BRITTNEY R. STUBNAR - STUBNARB	\$12.00
44684	4/13/12	JOHN A. SZANTO - SZANTOJ	\$591.73
44685	4/13/12	JOHATHAN F. WEAVER - WEAVERJ	\$18.40
44686	4/13/12	TERRENCE W. WELDON, JR. - WELDON	\$232.37
44687	4/13/12	ROBERT JAY YOCUM - YOCUM	\$793.04
44688	4/13/12	JAY T. ZIMMERMAN - ZIMMERMAN	\$862.87
44689	4/13/12	JAMES ANDREW EHRHART - EHRHARTJ	\$1,246.16
44690	4/12/12	Misprinted Warrants 44690 to 44690	\$0.00
44691	4/13/12	CHRISTOPHER M. KYER - KYER	\$301.64
44692	4/17/12	JEROME L. HIRT, SR.	\$99.90
44693	4/18/12	OHIO CHILD SUPPORT PAYMENT CENTER	\$430.81
44694	4/24/12	CASH	\$96.00
44695	4/24/12	US HEALTH WORKS MEDICAL GRP OH, INCQ	\$40.00
44696	4/24/12	MIAMI COUNTY ENGINEER	\$1,115.54
44697	4/24/12	COMDOC.INC. CORPORATE HEADQUARTERS	\$34.27
44698	4/24/12	KE ROSE	\$937.80
44699	4/24/12	MBI SOLUTIONS, INC.	\$308.99
		UNITED HEALTH CARE-INSURANCE	
44700	4/24/12	COMPANY	\$8,636.18
44701	4/24/12	VERIZON	\$350.38
44702	4/24/12	AT&T	\$362.26
44703	4/24/12	AQUA FALLS BOTTLED WATER	\$46.60
44704	4/24/12	DAYTON POWER & LIGHT CO	\$965.51
44705	4/24/12	DUNCAN OIL CO	\$1,001.97

RECEIPTS

rcpt_num	rcpt_date	acct_name	rcpt_amnt
		Contracts for Emergency Medical Services	
105	4/5/12	Services	\$827.96
106	4/5/12	Other - Other Financing Sources	\$258.70
107	4/5/12	Fines	\$625.00
108	4/11/12	Fees	\$50.00
		Contracts for Emergency Medical Services	
109	4/11/12	Services	\$114.40
110	4/11/12	Other - State Receipts	\$3,040.00
		Contracts for Emergency Medical Services	
111	4/11/12	Services	\$183.19
		Contracts for Emergency Medical Services	
112	4/12/12	Services	\$565.74
		Contracts for Emergency Medical Services	
113	4/12/12	Services	\$144.35
		Contracts for Emergency Medical Services	
114	4/12/12	Services	\$980.93
		Contracts for Emergency Medical Services	
115	4/24/12	Services	\$92.94
116	4/24/12	Gasoline Tax	\$2,343.49
117	4/24/12	Fees	\$50.00
118	4/24/12	Permissive MVL Tax - Township Levied	\$3,339.06
119	4/24/12	Motor Vehicle License Tax - State Levied	\$821.06
		Contracts for Emergency Medical Services	
120	4/24/12	Services	\$81.41
121	4/24/12	General Property Tax - Real Estate	\$594.05
122	4/18/12	Fees	\$213.84
		Contracts for Emergency Medical Services	
123	4/18/12	Services	\$81.41
		Contracts for Emergency Medical Services	
124	4/18/12	Services	\$81.41
125	4/18/12	Local Government Distribution	\$3,496.43

A Request for Executive Session was made by Administrator Michael Gebhart for the purpose of discussing legal and personnel issues.

A motion was made by Trustee Wray and seconded by Trustee Hirt to go into Executive Session at 7:13pm. A vote was taken.

Mr. Wray	Yes
Mr. Hirt	Yes
Mrs. van Haaren	Yes

A motion was made by to go back into regular session by Trustee Hirt and seconded by Trustee Wray at 7:24pm. A vote was taken.

Mr. Hirt	Yes
Mr. Wray	Yes
Mrs. van harren	Yes

RESOLUTION #12-04-064

A RESOLUTION CREATING A PART TIME ROAD DEPARTMENT POSITION CLASSIFICATION AND AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO ADVERTISE FOR PART TIME POSITIONS

WHEREAS, THE BOARD OF TRUSTEES HAS DETERMINED THAT PART TIME POSITION CLASSIFICATION WITH THE TOWNSHIP'S ROAD DEPARTMENT IS APPROPRIATE, AND

WHEREAS, THERE IS NOT CURRENTLY A PART TIME POSITION CLASSIFICATION WITHIN THE TOWNSHIP, AND

WHEREAS, IT IS IN THE BEST INTEREST OF THE TOWNSHIP TO CREATE A PART TIME POSITION CLASSIFICATION, THEREFORE

BE IT RESOLVED THAT THE BETHEL TOWNSHIP ROAD DEPARTMENT NOW HAS A PART TIME POSITION CLASSIFICATION SO THAT THE ROAD DEPARTMENT CAN BE STAFFED PROPERLY AS NEEDED.

THE ABOVE RESOLUTION WAS MOVED BY MR. HIRT AND SECONDED BY MR. WRAY AND THE VOTE BEING TAKEN AS:

MR. HIRT	YES
MR. WRAY	YES
MRS.VANHAAREN	YES

Meeting adjourned at 7:25 pm

Beth Vanhaaren- Chair

Cliff Wray, Vice Chair

Jerome Hirt- Trustee

Mrs. Deborah Watson, Fiscal Officer