

**Minutes****Bethel Township Zoning Commission****April 27, 2017 – 7:30 pm.****Regular Meeting****Township Meeting Room, 8735 S. Second Street – Brandt, Tipp City, Ohio****Zoning Commission Member(s) Present:** Furderer, Turner, Berbach, Serra, Reese, Underwood (Alternate)**Member(s) not present:** None**Staff Present:** Caskey – Township Planning and Zoning

Ms. Furderer called the meeting to order at 7:30 pm.

ZC and staff introduced themselves.

**New Business****Case: ZA-04-17:** A request from Ralph Seibert, executor for the estate of Frederick Seibert, 3871 Robertann Dr., Kettering, OH, 45420, to rezone a 4.378-acre parcel located at 6625 Cobaugh Rd., Tipp City, OH 45371 from I-1 to R-1AAA Single Family Residential. This rezoning request is to allow for sale of the property as part of an estate. This parcel is presently used for residential purposes. Miami County parcel #A01-048200.

Mr. Caskey presented the staff report.

Mr. Caskey asked if there were any questions for him.

No questions since the applicant and his attorney were available.

Ms. Furderer asked if there was anyone wishing to speak for the request.

Julianne C. Mohr, Esq., Dysinger &amp; Patry, LLC, explained that the rezoning was necessary for the parcel buyer to get a mortgage as the banks will not lend for a residence on an I-1 parcel.

Ms. Furderer asked if there was anyone wishing to speak against the request.

None.

Public discussion is closed.

Ms. Furderer: Do we have any further discussion on this case?

Mr. Underwood asked about the necessity of a Planned Development document.

Mr. Caskey stated that the applicant needed to request this designation per the Ohio Revised Code and that it was not requested.

Mr. Underwood stated that the Comprehensive Land Use Plan calls for that.

Mr. Caskey replied that the ORC supersedes the CLUP and the CLUP is not codified, but is a suggested process.

Mr. Underwood thought the CLUP should be updated to reflect that.

**Motion:**

Ms. Reese moved to approve the rezoning request as written.

Ms. Turner seconds the motion.

**VOTE:**

Ms. Reese – Yes  
Ms. Furderer – Yes  
Mr. Berbach – Yes  
Mr. Serra – Yes  
Ms. Turner – Yes

Case ZA-04-17 passes 5-0.

**Approval of February 2017 Minutes**

Motion: Mr. Berbach moved to approve the minutes for February 2017.

Mr. Serra seconds the motion.

VOTE:

Ms. Reese – Yes  
Ms. Furderer – Yes  
Mr. Berbach – Yes  
Mr. Serra – Yes  
Ms. Turner – Abstain

Motion approved 4-0

**Approval of March 2017 Minutes**

Motion: Mr. Berbach moved to approve the minutes for March 2017.

Mr. Serra seconds the motion.

VOTE:

Ms. Reese – Abstain  
Ms. Furderer – Yes  
Mr. Berbach – Yes  
Mr. Serra – Yes  
Ms. Turner – Yes

Motion approved 4-0

**Staff Comments:**

Mr. Caskey discussed the updating of the cemetery maps. Ms. Turner noted that she stopped by and spoke with the contractor and was impressed with the technology used.

Mr. Underwood asked about the progress of updating the township zoning map by the Miami Valley Regional Planning Commission. Mr. Caskey explained that our GIS mapping contact at the MVRCP had surgery in March and was catching up with projects.

**Zoning Commission Comments:**

Mr. Underwood brought up several items for consideration:

A workshop to discuss updating the CLUP. Mr. Caskey spoke with Andy Ehrhart, Township Administrator, and Lorna Furderer, ZC Chair, and this is doable. A Fall timeframe would work better to get everyone from the trustees, BZA and ZC together to review the document and suggest changes. An initial review can be done via email to make the most efficient use of everyone's time.

Zoning book updates: Mr. Caskey provided section updates to members and all sections are posted on the township web page. In discussions with Ms. Furderer, it was determined to provide a book to Julie Reese, our new member, and others as requested.

Board member training: Mr. Underwood said training might be necessary to inform members of what can and cannot be said. Mr. Caskey distributed the "Sunshine Law" information at the previous meeting and when discussed with Ms. Furderer, it was determined that The MVRCP seminars in December may be an option for that.

Medical marijuana: Mr. Underwood said the ZC should make its opinion known on the issue of medical marijuana in the township. Andy Ehrhart joined the meeting at this time and stated that the trustees had been approached about this in work sessions three times and they have no interest in a moratorium on or banning of medical marijuana in the township. Mr. Underwood has spoken personally to Trustee Hirt and Trustee Van Haaren and been told the same thing. Ms. Reese stated that she would like to know more about the issue and maybe we should have a work session. Since there is no standing for the ZC to consider medical marijuana because the township is zoned for the three aspects of medical marijuana (growth, production and sale), it was thought to be unnecessary to hold a work session. Mr. Caskey will distribute internet links to the "pro", "con", and Ohio Revised Code information to ZC members for their review. Mr. Underwood said he didn't want anything to do with medical marijuana "in his back yard," and was advised that as a citizen, he can present his opinion to the Trustees at any stated meeting to be on the record.

**Adjournment:**

Motion by Mr. Berbach.

Seconded by Mr. Serra.

VOTE:

Ms. Reese – Yes  
Ms. Funderer – Yes  
Mr. Berbach – Yes  
Mr. Serra – Yes  
Ms. Turner – Yes

Motion approved 5-0

Meeting Adjourned 8:35 p.m.