

Minutes**Bethel Township Zoning Commission****January 25, 2018 – 7:30 pm.****Regular Meeting****Township Meeting Room, 8735 S. Second Street – Brandt, Tipp City, Ohio****Zoning Commission Member(s) Present:** Lorna Furderer, Polly Turner, John Berbach, Bill Serra, Julie Reese, Jess Underwood (Alternate)**Staff Present:** Marty Caskey – Director, Planning and Zoning

Ms. Furderer called the meeting to order at 7:31 pm.

ZC and staff introduced themselves.

New Business**Election of Officers**

Ms. Furderer nominated for Chairperson and Ms. Reese nominated for Vice Chairperson.

Motion:

Ms. Turner moved to approve the slate of officers.

Mr. Serra seconds the motion.

VOTE:

Ms. Reese – Yes

Ms. Furderer – Yes

Mr. Berbach – Yes

Mr. Serra – Yes

Ms. Turner – Yes

Slate of officers approved 5 – 0.

Case: ZA-09-17: A request from Kathryn Sonnanstine, 5950 St. Rt. 202, Tipp City, OH 45371, to rezone 58.865 acres located at 5950 St. Rt. 202, Tipp City, OH 45371, from A-2, General Agriculture to A-1, Domestic Agriculture, on ground presently used for residential and agricultural purposes. This will allow for the potential of splitting four lots with a minimum size of 9.179 acres. Miami County Parcel ID #A01-073300.

Mr. Caskey presented the staff report.

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

No questions.

The applicant, Ms. Katie Sonnanstine, was present to answer questions. She stated that the report was accurate.

Ms. Furderer asked if the board had any questions for Ms. Sonnanstine.

None.

Ms. Furderer asked if there was anyone in favor of the request wishing to speak.

None.

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

None.

Ms. Furderer asked if there were any other questions.

None.

Motion:

Mr. Berbach moved to approve the rezoning request.

Ms. Turner seconds the motion.

VOTE:

Ms. Reese – Yes

Ms. Furderer – Yes

Mr. Berbach – Yes

Mr. Serra – Yes

Ms. Turner – Yes

Case ZA-09-17 passes 5 – 0.

Case: ZA-10-17: A request from Joe and Melissa Duer, DBA Indian Creek Distillery, 7095 Staley Road, New Carlisle, OH 45344, to rezone 23.791 acres of 160 acres located at the same address from A-2, General Agriculture to 12.489 acres A-1, Domestic Agriculture, and 11.302 acres B-1, General Business, on ground presently used for agricultural and agricultural business purposes. This will allow for the expansion of commercial uses for the distillery, such as a tavern and events. Miami County Parcel ID #A01-031400.

Mr. Caskey presented the staff report.

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

No questions.

The applicants, Mr. and Mrs. Duer, were present to answer questions.

Mrs. Duer stated the report was accurate and they understood that their agribusiness exemption was not correct for the proposed tavern and events they are contemplating. She presented

background on the farm, mill and distillery. She stated they have no problem with an easement to the back parcel if a driveway is not permitted from St. Rt. 201 by ODOT.

Ms. Furderer asked if the board had any questions for the Duers.

Ms. Turner stated that the location and use were very unique and the willingness of the applicants to maintain the historic nature of the property was a plus for Bethel Township. She also noted that this change was not out of character with the present use of the property and should not set precedent because of the very different character of the property and use.

Ms. Furderer asked if there was anyone in favor of the request wishing to speak.

None.

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

None.

Ms. Furderer asked if there were any other discussion.

Mr. Underwood read a prepared report stating that the zoning should be B-2 and a conditional use for the tavern. In that way, the Township would be able to control the use on the property. He was concerned about precedent and what would happen if the property was sold and others wanted to do different things within the B-1 zoning.

Mrs. Duer stated the farm, mill and distillery have been in the family since the 1820s and there are no plans for it to leave the family in the next several generations.

Mr. Underwood was concerned that the land use plan was not followed in this case.

Ms. Turned noted that the use of the property was not changing and there were no area residents at the meeting opposed to the change, which was advertised in the newspaper, by letter and with a sign.

Mr. Caskey said if a change is considered, the process would start over since conditions can be put on conditional uses but not rezonings. The discussions with the Duers highlighted the fact that if they had a B-1 zoning, they could do several activities on the property and if they had a conditional use, they would have to come to the BZA anytime they wanted to do something that wasn't specifically covered.

Mr. Caskey reminded the board that any construction would be monitored by the ATF, Ohio Liquor Control, and Miami County Building Departments.

Ms. Furderer asked if there were any other discussion.

None.

Motion:

Ms. Turner moved to approve the rezoning request.

Mr. Serra seconds the motion.

VOTE:

Ms. Reese – No
 Ms. Furderer – Yes
 Mr. Berbach – Yes
 Mr. Serra – Yes
 Ms. Turner – Yes

Case ZA-10-17 passes 4 – 1.

Motion:

Mr. Berbach moved to approve the minutes for October 2017 with changes from “Mrs.” to “Ms.” for Ms. Furderer in two locations.

Ms. Furderer seconds the motion.

VOTE:

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

Motion approved 5-0

Staff Comments:

There are no cases for either board in February; however, the two boards will be meeting together on February 22 at 6:30 p.m. in a work session to review proposed changes to the zoning resolution and comprehensive land use plan.

Mr. Caskey passed out updated color zoning maps and noted the interactive map is available on the website.

Zoning Commission Comments:

None

Adjournment:

Motion by Ms. Turner.

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 9:05 p.m.