

Minutes**Bethel Township Zoning Commission****September 27, 2018 – 7:30 pm.****Regular Meeting****Township Meeting Room, 8735 S. Second Street – Brandt, Tipp City, Ohio**

Zoning Commission Member(s) Present: Polly Turner, John Berbach, Bill Serra, Julie Reese, Sherri Anderson (Alternate), Jess Underwood (Alternate)

Zoning Commission Member(s) Absent: Lorna Furderer, Chair

Staff Present: Marty Caskey – Director, Planning and Zoning

Ms. Reese called the meeting to order at 7:40 p.m. in Ms. Furderer's absence.

ZC and staff introduced themselves.

New Business

Case: ZA-04-18: A request from Janice Carmack, 2875 E US Rt. 40, Tipp City, OH 45371, to rezone approximately 5.7 acres of the 17.86-acre parcel located at the same address from A-2, General Agriculture to R-1AAA, Single Family Residence, on ground presently used for residential and agricultural purposes. This will allow for a lot split. Rezoning to be contingent on a road frontage variance from the Board of Zoning Appeals. Miami County Parcel ID #A01-003800.

Mr. Caskey presented the staff report and noted that a motion should be presented with the condition that the frontage variance be granted by the Board of Zoning Appeals.

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

No questions.

The applicant, Mr. Doug Carmack, was present to answer questions. Mr. Carmack stated that the report was accurate and elaborated on how the split would be done.

Ms. Reese asked if the board had any questions for Mr. Carmack.

Ms. Reese questioned the frontage and noted this could set a precedent for small frontage flag lots. Mr. Carmack said that the usable frontage was actually 50 feet due to the dedicated driveway bordering his proposed frontage.

Ms. Reese asked why the frontage couldn't be widened since there is a lot of land there. Mr. Carmack said there is an I-1 section of the parcel, not a separate parcel, and the driveway access is 25 feet from the other dedicated driveway and the border of the I-1 area.

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

None.

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

None.

Ms. Reese called for a motion.

Motion:

Mr. Serra moved to approve Case ZA-04-18 with the condition that the frontage variance is granted by the Board of Zoning Appeals.

Ms. Anderson seconds the motion.

VOTE:

Ms. Reese – No

Mr. Berbach – Yes

Mr. Serra – Yes

Ms. Anderson – Yes

Ms. Turner – Yes

Case ZA-04-18 passes 4 – 1.

Case: ZA-06-18: A request from Jason and Natalie Pickett, 7491 US 40, New Carlisle, OH 45344, to rezone approximately 2.5 acres of the 11.791-acre parcel located at the same address from A-2, General Agriculture to R-1AAA, Single Family Residence, on ground presently used for residential and agricultural purposes. The legacy part of the parcel that is R-1AAA to be rezoned A-2, allowing for the 9.291-acre remaining part of the parcel to be joined to their A-2 parcel on Ross Road – Miami County Parcel ID #A01-054500. Rezoning to be contingent on the second residence on this parcel being razed or converted to non-residential status, and the joining of the 9.291-acre parcel to the applicant’s Ross Road parcel. Miami County Parcel ID #A01-053100.

Mr. Caskey presented the staff report and noted that a motion should be presented with the condition that the second residence on this parcel being razed or converted to non-residential status, and the joining of the 9.291-acre parcel to the applicant’s Ross Road parcel.

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

No questions.

The applicants, Mr. and Mrs. Pickett, were present to answer questions. Mr. Pickett stated that the report was accurate and elaborated on how the split would be done and that the previously used “apartment” in the accessory building has been converted to non-livable space.

Ms. Reese asked if the board had any questions for Mr. Pickett.

Mr. Serra asked if the house on the proposed new parcel is habitable. Mr. Pickett said yes, but it would need work to be more than livable.

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

None.

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

None.

Ms. Reese called for a motion.

Motion:

Mr. Berbach moved to approve Case ZA-06-18 with the condition that the second residence on this parcel be razed or converted to non-residential status, and the joining of the 9.291-acre parcel to the applicant's Ross Road parcel.

Ms. Serra seconds the motion.

VOTE:

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

Case ZA-06-18 passes 5 – 0.

Approval of Minutes: July 2018

Motion:

Mr. Berbach moved to approve the minutes for July 2018.

Ms. Turner seconds the motion.

VOTE:

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

Motion approved 5-0

Staff Comments:

There are no cases for October.

The MVRPC zoning seminars are December 7. The Township will pay for members' registrations.

Mr. Caskey updated the ZC about new interpretations of agricultural exemption laws and owners using barns for wedding venues. More study will need to be done as case come before the two boards.

Mr. Caskey noted that a motion was necessary to start the process with the Trustees to review and potentially modify Article 35 – Off-Street Parking.

Motion:

Mr. Berbach moved to start the process with the Trustees to review and potentially modify Article 35 – Off-Street Parking.

Ms. Turner seconds the motion.

VOTE:

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

Motion approved 5-0

Zoning Commission Comments:

None

Public Comments:

Ms. Reese permitted a member of the public to speak on upcoming ZTA-02-18, Article 35 – Off-Street Parking. The resident was specifically concerned about gravel being used to cover large front yard areas and looking unsightly.

Mr. Caskey noted the case would have a public hearing December 20 at 7:30 p.m.

Adjournment:

Motion by Ms. Turner.

Seconded by Mr. Serra.

VOTE:

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

Motion approved 5-0

Meeting Adjourned 9:04 p.m.