

# RECORD OF PROCEEDINGS

0321

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

MIAMI TOWNSHIP ZONING COMMISSION

Held

May 5, 2022

(YEAR)

The Miami Township Zoning commission met in regular session on Thursday, May 5, 2022, at 7:00 pm at the Miami Township Civic Center, 6101 Meijer Drive, Miami Township, Ohio 45150.

The meeting was called to order by Chair Jeff Baumgarth.

The Pledge of Allegiance was lead by Mr Baumgarth.

Upon roll call the following members were present: Jeff Baumgarth, Tim Brandstetter, John Rademacher and Karen Wikoff. Also present: Planning & Zoning Administrator Brian Elliff and Board Secretary Lori Pegg.

Mr. Brandstetter made a motion to approve the minutes as submitted for the meeting date of March 3, 2022, seconded by Mr. Radamacher and the motion carried unanimously.

There was no old business.

The Common Rules of Conduct were not read as there were no visitors present.

Public Hearings: Case #582, Brian Schlomer-5657 Sugar Camp Road (Rezone B-1 to R-1) was called and the notice of public hearing was read.

The applicant was unable to attend and Ms. Pegg read his letter addressing the commission.

"Dear Miami Township Zoning Commission, I am writing you this letter in regard to the re-zoning of 5657 Sugar Camp Rd. from B-1 to R-1. Unfortunately, I Brian Schlomer, am unable to attend the meetin in person due to being a shift worker as well as my wife who also had prior engagements on this evening. I do apologize for being absent but it is unavoidable. I wish to explain our reasoning for the rezoning of the property in this letter. Our property has been used as residential since 1980, at which time it was considered an acceptable use for B-1 lots. As for current township zoning you can no longer build residential homes on B-1 lots, so we are non-conforming to current zoning. With the current restrictions on B-1 lots for rebuilding if our home were to be completely destroyed, we have been denied refinancing of our home and also denied home equity lines of credit. We had a very difficult time securing financing when we originally bought the home n 2017 due to the B-1 restrictions. So therefor we wish to rezone our lot to R-1 to make any future financing or sales of the property a much easier process and to conform to the lands actual use. We do not plan to make any changes to the lot or to sell our home in the near future. We very much enjoy living in Miami Township and hope that you will make an informed decision on our rezoning request. "

Mr. Elliff noted that Townships are no longer required to refer cases to the county, so he does not have a report from the County. It was reviewed by both the Police and Fire departments. This is the second case like this several years ago that was granted on State Route 131. These are unusual cases, but they pop up from time to time.

This property is across the street from our Fire Station on Sugar Camp Rd. Mr. Elliff showed a photo of the property and it has been zoned B-1 since 1960 when the zoning structure was adopted. The B-1 regulations were amended in 1999 to make the property be non-conforming. Mr. Rademacher asked how many other parcels are in the same situation, Mr. Elliff noted that there are around 15 other properties that meet these same criteria. Mr. Elliff also said that our zoning code for these types of properties is pretty liberal for homes that may have to be rebuilt on these properties, but it is up to the finance company on what they will accept.

Mr. Baumgarth called for any Public comments.

The Staff recommendation is that the Zoning Commission adopt a motion recommending APPROVAL of the rezoning request from B-1 to R-1.

Mr. Baumgarth closed the public portion of the meeting.

Mr. Baumgarth asked for Zoning Board Comments. Mr. Elliff was asked if it would be in the Townships best interest to contact the other residents in these similar districts. He will do some additional research.

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Held \_\_\_\_\_, \_\_\_\_\_ (YEAR)

Mr. Brandstetter made a motion to approve the rezoning per the conditions contained in the staff report. Seconded by John Rademacher. All voted "Aye."

NEW BUSINESS

Case #583—Remington Clean Fill – 70 SR 126  
(I-PUD Major amendment)

Mr. Rademacher made a motion to set the case for Public Hearing on June 2, 2022, seconded by Mr. Brandstetter. All voted "Aye."

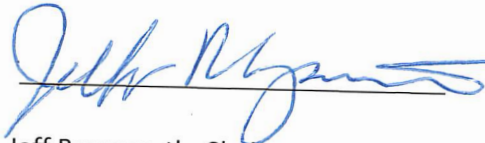
Case #584 –ALDI—1155 State Route 28  
(PBD Major Amendment)

Ms. Wikoff made a motion to set the case for Public Hearing on June 2, 2022, seconded by Tim Brandstetter. All voted "Aye."

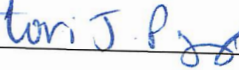
The next meeting is scheduled for June 2, 2022 at 7:00pm

Mr. Rademacher made a motion to adjourn, seconded by Mr. Brandstetter. All Voted "AYE."

Sincerely,



Jeff Baumgarth, Chair



Lori J. Pegg, Secretary

Cc: file