

**WEST CHESTER TOWNSHIP
BOARD OF ZONING APPEALS
February 10, 2016 – Regular Meeting**

MEMBERS PRESENT: Mr. Hackney, Mr. Moeller, Mr. Lenz, Mr. Riddell, Mr. Whited

MEMBERS ABSENT:

STAFF PRESENT: Cathy Walton, Property Advisor
Tim Valentine, Property Advisor

CALL TO ORDER: 6:30 PM

ADJOURNMENT 8:12 PM

Mr. Hackney called the meeting of the West Chester Board of Zoning Appeals to order.

Ms. Walton was sworn in by Mr. Hackney.

BZA 16-03 Brad and Mary Carter

Ms. Walton presented the staff report including a PowerPoint presentation, current zoning in the area, aerials, background of request, staff comments and case history. Ms. Walton stated that the applicant is requesting a variance for the property 8051 Dimmick Road to allow a reduced setback for a horse barn. Ms. Walton reviewed the standards for a variance with the board members.

Mr. Lenz clarified that request is for one barn with two pieces rather than two barns.

Mr. Whited asked for clarification that the existing barn had not been used for two years and whether it needed to be torn down.

Ms. Walton stated it's current use was equipment storage and that could continue but they could not use it for animals.

Mr. Whited stated he was still confused on the number of buildings.

There was discussion regarding it being two connected pieces making one building.

**Applicant: Brad and Mary Carter
6385 Hughes Glen Court
Liberty Township, Ohio 45011**

Mr. Carter stated it is basically one building. One part is for the horses, feed and supplies and then it connects into the riding arena. He stated the main reason for the need for the setback was the topography. He stated the proposed location is just before you get into a lot of work needing to be done to change the grade.

Mr. Hackney questioned whether the horses are owned by the applicant or if this was a business.

Mr. Carter stated they own the horses and they are ridden by his wife and daughter.

Mr. Hackney asked how many horses would be stored in the barn.

Mr. Carter stated two.

Mr. Hackney stated the plans looked like they were allowing for more than two horses.

Mr. Carter stated there is a feed room, a tack room, a wash rack, and three stalls in case one needs to be repaired. There is also a storage need for bedding.

Mr. Hackney clarified that the Carter's don't currently own the property and a sale is pending a decision from the Board.

Mr. Carter stated this property was owned by his in-laws.

Mr. Lenz asked for clarification regarding the change in the request to tear down the existing barn.

Mr. Carter stated there was miscommunication and they did not want to tear down the barn.

Mr. Lenz asked if the location of the proposed building was due to the layout of the land.

Mr. Carter confirmed it was.

Mr. Lenz stated the map presented shows from the one end of the building to the other the change in elevation is fourteen feet. He also stated that if it were moved in compliance with the 100' setback there would not be a lot of difference in the change in elevation.

Mrs. Carter stated from front to back there is not much change but there is east to west.

Mr. Whited asked why they could not move it forward and toward the existing barn.

There was discussion regarding the topography and possible locations of the barn.

Mr. Riddell asked if Mr. Carter's in-laws still lived in the property.

Mr. Carter stated they did.

Mr. Moeller questioned if there was a home right next to the proposed location.

Mr. Lenz confirmed there was.

Mr. Riddell asked if there would be a fence so the horses could pasture.

Mr. Carter stated they wanted to make two pastures to lessen the impact on the property.

Mr. Lenz questioned if the applicant had considered other placements of the building.

Mr. Carter stated he walked it off and considered the location of the trees and stated the further east you go the property dramatically drops off.

Mr. Lenz questioned if they would have to bring in a lot of fill to build up the area.

Mr. Carter stated he estimated it would only be eight to ten feet from front to back.

Mr. Lenz stated he felt looking at the contours that a building would work at 100'.

Mr. Moeller stated he agreed and questioned what would be needed to move it east.

Mr. Carter stated it would raise the cost.

Mr. Lenz stated if it was moved 40' there would be less elevation change from front to back.

Mr. Riddell asked if the applicant had any estimates for the excavating.

Mrs. Carter stated they did not.

Mr. Carter stated they had an estimate only for the barn.

Mr. Whited asked if the barn could be turned to be parallel with the existing barn.

There was Board discussion regarding placement and lessening the impact on the houses.

Mr. Carter stated the grade is more dramatic in that area.

Mrs. Carter stated that aesthetically she believes it looks better in the proposed location.

Mr. Carter stated there is a runoff and small creek in the middle of the property and also an old cistern.

Mr. Lenz asked if the adjoining property owners were notified.

Ms. Walton stated they had been.

Mr. Carter stated some of the neighbors were in attendance.

Mrs. Carter stated she grew up and works in this area and would like to keep the property in the family and keep the horses.

Mr. Lenz asked if there would be training of horses not owned by the applicants.

Mr. & Mrs. Carter stated there would not be.

Proponent: None

**Opponent: Paul Zimmerman
7027 Cindy Drive
West Chester, Ohio 45069**

Mr. Zimmerman stated his property is adjacent to the applicant's property. He also stated his objections are that it will be a substantial size building in an open area and it will lower property values. He also stated the closer the building is to his property, the more it impacts his property. He believes the savings in construction costs should not be born by his loss of property value. He is also concerned about environmental concerns.

Mr. Lenz clarified that Mr. Zimmerman's property was to the west of the subject property.

Mr. Zimmerman stated he was on the southwest corner of the applicant's property.

Mr. Lenz clarified for Mr. Zimmerman that the request was for a setback and not whether the applicant can have a building.

Mr. Zimmerman stated if the building was in compliance with setback there would be less objection.

Mr. Riddell asked for clarification of where Mr. Zimmerman's property was in relation to the subject property.

Mr. Zimmerman showed Mr. Riddell the location of his house.

**Janette & Werner Wischerath
9663 Pam Court
West Chester, Ohio 45069**

Ms. Wischerath stated they share a large portion of adjoining property. She stated she is a horse lover and fully empathetic with wanting horses on the property. She stated they have the largest adjoining land.

Mr. Wischerath clarified it was the property to the south.

Ms. Wischerath stated they will be looking up into the arena and fencing is a concern. She stated had the barn been there, they would not have purchased their property. She questioned whether the building could be turned sideways.

Mr. Wischerath stated their concerns are the same as the previous speaker with regards to property values. He also stated if the barn was within code they would not be here discussing it so they are here to give their opinion.

Mr. Hackney stated that it seemed if the building was within code it would be closer to the Wischerath's.

Mr. Wischerath stated it would be more into the trees and they wouldn't be able to see it.

Ms. Wischerath stated she would like to see it turned in the same direction as the existing barn to lessen the impact on neighbors.

**Eugene Boss
7027 Dimmick Road
West Chester, Ohio 45069**

Mr. Boss stated his property is west of the applicant's property. He asked for clarification of the proposed location of the barn.

There was discussion regarding the placement of the proposed barn.

Mr. Boss stated the area is residential and he is concerned with the applicant starting a horse farm and downgrading property values. He is also concerned that competitions may be held at the barn. He brought up several concerns regarding driveway expansions and access.

Mr. Hackney made Mr. Boss aware that he Board's only decision tonight was a variance for the location of the barn. He also stated that they are permitted to build a barn on the property and have a right to have horses.

Neutral: None

Board Deliberation

Mr. Lenz stated he is not convinced that this cannot be worked out to be 100' from the property line.

Mr. Moeller stated he agreed.

Mr. Whited also agreed. He stated there were too many options available and this was not fair to neighbors on the west side of the property.

Mr. Moeller stated he believed the barn was too close.

Mr. Lenz stated there would need to be a lot of earthwork either way they go.

Mr. Riddell stated he believed had they investigated it they may have an argument as to why the variance was needed.

There was discussion regarding the excavation needed.

Mr. Whited stated the Board's position is not to mitigate someone's costs.

Mr. Riddell reiterated that without investigating alternatives there is no hardship shown.

Mr. Whited made a motion to deny BZA case 16-03.

Mr. Lenz seconded the motion.

Aye: Mr. Hackney, Mr. Riddell, Mr. Lenz, Mr. Moeller, Mr. Whited

Nay: None

BZA 16-04 Christopher Yuellig for West Chester Auto Body

Ms. Walton was sworn in by Mr. Hackney.

Ms. Walton presented the staff report including a PowerPoint presentation, current zoning in the area, aerials, background of request, staff comments and case history. Ms. Walton stated the applicant is requesting a variance from the setback requirements for an automobile repair shop.

Mr. Whited asked what the building was used for previously.

Ms. Walton stated it was the former Kast a Way Swimwear retail business.

Mr. Lenz clarified that the adjacent properties were zoned R-2 but there were no residences within a considerable distance.

Ms. Walton stated that was correct.

Mr. Riddell asked for clarification that the property was split zoned.

Ms. Walton stated it was.

Mr. Riddell also asked for clarification that the rear of the property was adjacent to the school property.

Ms. Walton stated it was.

**Applicant: Christopher Yuellig
9082 Timbermill Court
West Chester, Ohio 45069**

Mr. Yuellig stated that he started working at West Chester Auto Body in 1998 and has been the sole owner since 2007. He stated his business is expanding and he needs more space. He purchased the property in December 2015. He stated the building he is working out of currently is 30' from the property line and the proposed building is 100' away. He also stated there is a privacy fence along the rear of the property so it is not visible. He stated all cars would be worked on within the building. The only cars outside would be employee parking.

Mr. Whited asked what would happen to the existing building if the business was to move.

Mr. Yuellig stated he leases the building but there is some interest in a sub-lease.

There was discussion regarding the growth of the business and purchase of the property.

Mr. Yuellig stated he is installing a new paint booth which is up to EPA standards.

Mr. Moeller asked what the use of the space between the end of the building and the fence line will be.

Mr. Yuellig stated it would be used for employee parking.

There was discussion regarding the grade of the property and what can be seen from the school property.

Mr. Moeller clarified that there would be no outside material storage.

Mr. Yuellig stated the only thing outside will be the dumpster.

Proponent: None

Opponent: None

Neutral: None

Board Deliberation

Mr. Whited stated he felt like this was a no brainer since it backs up to the school and they will putting everything on the inside.

Mr. Lenz reiterated his statement that the subject property is not within site distance of any residential property.

Mr. Moeller stated this changes nothing from the current operations.

Mr. Lenz made a motion to approve BZA case 16-04.

Mr. Moeller seconded the motion.

Aye: Mr. Hackney, Mr. Riddell, Mr. Lenz, Mr. Moeller, Mr. Whited

Nay: None

BZA 16-05 Mike Gates for McCauley Woods, LLC

Ms. Walton was sworn in by Mr. Hackney.

Ms. Walton presented the staff report including a PowerPoint presentation, current zoning in the area, aerials, background of request, staff comments and case history. Ms. Walton stated the applicant is requesting a variance from the rear yard setback requirements for four undeveloped lots.

Mr. Hackney asked for clarification of the location of the four lots.

Mr. Whited read the lot numbers.

Mr. Hackney clarified that two of lots back up to existing houses and two do not.

Ms. Walton stated that was correct.

**Applicant: Ted Schroeder
1650 Hawk Ridge
Maineville, Ohio 45039**

Mr. Schroeder stated he was with Kensington Homes which is the builder for the development. He stated they have currently sold 9 homes. He stated the homes are considered upscale and are larger than other homes in the area. He stated there are four lots with short setbacks and in order to continue to sell houses comparable to ones that have already been sold they need a variance

from the rear yard setback requirement. Mr. Schroeder passed out a new site plan showing the required setback and how it affects the four lots.

Mr. Whited stated he assumed there were no marketing issues with a reduced setback.

Mr. Schroeder stated all the homes have a rear yard living space and the reduced setback makes that difficult.

Mr. Lenz stated he was surprised the developer didn't make the lots larger.

Mr. Schroeder stated the minimum lot is 4/10 of an acre.

Mr. Whited clarified that two of the lots abut existing lots.

Mr. Shroeder stated those were the cul-de-sac lots.

Mr. Whited asked if making the house wider was a possibility.

Mr. Schroeder stated they are trying to keep with 3-car side entry garages on all houses.

Proponent: None

Opponent: Connie DeMarco
8057 New Brunswick Drive
West Chester, Ohio 45241

Ms. DeMarco stated she and her husband were the original owners of the house directly behind lot 161. She stated she has a strong opposition to the request. She believes property values will be reduced and she will have to look out her back window at a huge home. She believes the developer knew going in the size of the houses and could have done a better job of plotting the lots. She believes it's up to the builder and developer to change the lot and not encroach on her property.

Greg Davis
8067 New Brunswick Drive
West Chester, Ohio 45241

Mr. Davis stated he has lived in West Chester since 1978 and is the original owner of his home. He stated as you come up the cul-de-sac it reaches a peak and the homes will already be elevated and reducing the setback will be imposing. He stated when Mr. Schroeder bought the lots the plat was finished and setbacks were required and in writing and he is opposed to the variance. He pointed out variance standard number two and stated reducing the setback fifteen feet is substantial. He stated that character of the neighborhood would be altered referring to variance standard number three. He asked the board if the decision needed to include all the lots requested or if approval could be split between the lots.

Mr. Hackney stated the Board could do what they wanted with splitting the lots.

**Lisa Broaddus
7824 Bennington Drive
West Chester, Ohio 45241**

Ms. Broaddus stated she is here in defense of the character of the neighborhood. She is not personally affected by the request. She stated the natural elevation of the land has been changed and the houses sit above the others. She referred to variance standard number five and stated they were aware as the amount of land has not changed.

Neutral: None

Board Deliberation

Mr. Lenz asked for clarification on the allowable encroachment for a deck.

Ms. Walton stated a covered deck cannot encroach at all and if it is not covered it can encroach eight feet.

Mr. Hackney asked if the homes on New Brunswick met the 45' setback requirement.

Ms. Walton stated they did.

Mr. Moeller asked if there had been any other setback reduction requests in this area.

Ms. Walton stated there had not.

Mr. Lenz stated the he has an aerial view showing the lots are very deep and do not need a reduction in setback.

Mr. Lenz stated he had no issue approving the two lots that are completely within the development. He also stated he could support a split ruling.

Mr. Moeller stated that made sense to him.

Mr. Hackney stated he could also support that.

Mr. Whited agreed.

There was discussion on the two lots within the development.

Mr. Lenz stated the builder has control of letting people know what the setback is when they buy.

Mr. Whited stated that would allow the buyer to decide if they want to build that big of a house and believes they need to respect the property owners adjacent to the other two lots.

Mr. Riddell stated there are several reasons for setbacks and believes one of them is quiet enjoyment. He stated he can sympathize with the neighbors speaking here and believes they should deny the two cul-de-sac lots.

There was discussion regarding the impact a new development has on an older area and not adding to that.

Mr. Hackney stated the application stated the applicant did not have knowledge of the Zoning restriction and he finds that hard to believe.

Mr. Whited stated he believed that was irrelevant and was good on approving the two interior lots.

Mr. Moeller made a motion to approve BZA case 16-05 for lots 168 and 170 only.

Mr. Whited seconded the motion.

Aye: Mr. Hackney, Mr. Riddell, Mr. Lenz, Mr. Moeller, Mr. Whited

Nay: None

BZA 16-06 Chandler Signs, LLC for Main Event Entertainment

Ms. Walton was sworn in by Mr. Hackney.

Ms. Walton presented the staff report including a PowerPoint presentation, current zoning in the area, aerials, background of request, staff comments and case history. Ms. Walton stated the applicant is requesting a variance from the sign regulations.

**Applicant: Adam Smith
8235 Douglas Avenue, Suite 945
Dallas, Texas 75225**

Mr. Smith stated Main Event is asking for additional signage due to the size of the building. He compared the building and signage with surrounding developments. He stated this was not a typical signage package for Main Event. He stated two walls are 268' and not having anything on them is detrimental to the façade.

Mr. Whited asked what Main Event Entertainment was.

Mr. Smith explained the Main Event concept and its features. He stated it was a premier family entertainment destination.

Mr. Lenz asked why a sign is needed on the east side of the building.

Mr. Smith stated that was one of the long walls and it ties everything in.

Mr. Lenz asked if the signs were lighted.

Mr. Smith stated they are internally lit.

There was discussion regarding the lighted signs facing the residential area and the foot candle measurements.

Mr. Lenz asked if the lights were on 24 hours.

Mr. Smith stated he believed they were on timers.

Mr. Moeller asked Mr. Smith what he viewed as the purpose of signs.

Mr. Smith stated it's different in this case. He discussed other concepts and stated it was a marketing perspective for them. He believes Main Event's entertainment concept requires the visualization of the entertainment aspect from the outside to get people excited before they come in.

Mr. Moeller stated the proposed signs don't have any brand connotation and doesn't believe they will attract any customers.

Mr. Smith stated Main Event Entertainment is a well-known brand and they have done studies on their marketing package.

Mr. Whited summarized the entertainment concept and how signage works with that.

Mr. Hackney asked if the entrance was all on one side.

Mr. Smith stated the only entrance was in the front.

Mr. Hackney asked for clarification on the awnings.

Mr. Smith stated they were for the patio area.

Mr. Smith presented slides showing the day and night views of the building.

Mr. Hackney asked how many Main Events there were.

Mr. Smith stated there were 23 open, six under construction and there will be 28 open by the end of June 30, 2016. He also stated there are more planned.

Mr. Lenz asked for clarification on the elevations. He stated the north area was pointing in the wrong direction.

Mr. Smith stated they are only putting signs on three sides of the building.

There was discussion regarding the elevations and where signs would be placed.

Proponent: None

Opponent: None

Neutral: None

Board Deliberation

Mr. Lenz stated the board has given substantial variances for adjacent developments and sees this area as an entertainment district and believes the signage proposed is consistent with what has been allowed. He also stated a condition should be placed that the lights not be on 24 hours.

There was discussion regarding not placing a condition on other sites for the times a light can be on.

Mr. Moeller stated his concern was that a formula for signage was established and there have been many requests before the board for signs.

Mr. Whited stated this area has morphed into an entertainment district and believes the aesthetics make it happen.

Mr. Riddell stated he believes the sign code is a little too restrictive and especially in this district. He stated he was happy to approve requests for the adjacent properties for the same reasons he would approve this request.

Mr. Whited and Mr. Lenz agreed.

Mr. Hackney stated he was less excited about the request than the other board members and leans more toward Mr. Moeller's thinking. He also stated he can support this because there is no signage on the residential side.

Mr. Whited made a motion to approve BZA case 16-06.

Mr. Riddell seconded the motion.

Aye: Mr. Hackney, Mr. Riddell, Mr. Lenz, Mr. Whited

Nay: Mr. Moeller

ADMINISTRATIVE MATTERS

The minutes and resolutions from the January 13, 2016 meeting were approved.

Mr. Hackney stated this was his last official meeting. He stated he had applied to be the alternate so he may be back from time to time.

Ms. Walton stated there would be at least three cases for March.

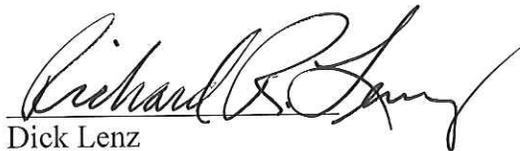
Ms. Walton announced there would be a mandatory annual training prior to the March meeting and the annual mandatory Fire training prior to the April meeting.

The next meeting will be Wednesday March 9, 2016 at 6:30 pm.

The board adjourned the February 10, 2016 meeting at 8:12 pm.

These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under supervision of the Secretary from an audiotape and may be obtained upon written request. Any charges for preparing such transcripts shall be borne by the person requesting same and must be prepaid.

BZA Vice-Chairman:


Dick Lenz

BZA Secretary:


Cathy Walton

**WEST CHESTER TOWNSHIP
BOARD OF ZONING APPEALS
RESOLUTION DENYING APPLICATION NO. BZA 16-03**

WHEREAS, Brad and Mary Carter, on January 13, 2016 filed Application No. 16-03 with the Board of Zoning Appeals under Article 8, subsection 8.04 of the West Chester Township Zoning Resolution, seeking a variance from the setback requirements for a horse barn as applied to the property at 7051 Dimmick Road, West Chester Ohio 45069 and containing Parcel # M5610-021-000-010 in Section 20, Town 3, Range 2; (West Chester Township, Butler County, Ohio); and

WHEREAS, a public hearing was held on said application on February 10, 2016 notice of which was given to parties in interest in writing and also by publication in a newspaper of general circulation in the Township at least ten (10) days prior to date of the hearing in accordance with Section 519.15 of the Ohio Revised Code; and

WHEREAS, Article 8 et. seq. of the Zoning Resolution empowers the Board to authorize upon appeal in specific cases, variances from the terms and conditions of the Zoning Resolution as will not be contrary to the public interest, and that are consistent with the criteria provided within the Zoning Resolution; and

WHEREAS, the board has considered all of the information and testimony presented at the public hearing and concludes that the requested variance from the terms and conditions of the Zoning Resolution will be contrary to the public interest and are not consistent with the standard for variances set forth in the Zoning Resolution, paying particular attention to Section 8.053

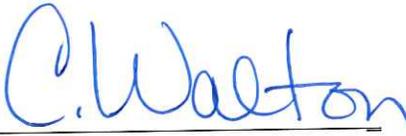
THEREFORE BE IT RESOLVED, that by virtue of the foregoing, the Board of Zoning Appeals does hereby deny the request for a variance as stated in application No. 16-03.

BE IT FURTHER RESOLVED, that all plats, plans, applications and other data submitted be and are hereby made a part of this Resolution.

Adopted at a regularly scheduled meeting of the West Chester Township Board of Zoning Appeals in session on the 10th day of February, 2016 and journalized on the 9th day of March, 2015.



Cliff Hackney
BZA Chairman


Cathy Walton
BZA Secretary

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION GRANTING
APPLICATION NO. BZA 16-04**

WHEREAS, Christopher Yuellig, on January 13, 2016 filed Application No. 16-04 with the Board of Zoning Appeals under Article 8, subsection 8.04 of the West Chester Township Zoning Resolution, seeking a variance to allow an auto body shop to be less than 200' from a residential zoned property as applied to the property at 9356 Cincinnati-Columbus Road, West Chester Ohio 45069 and containing Parcel # M5620-090-000-004 in Section 15, Town 3, Range 2; (West Chester Township, Butler County, Ohio); and

WHEREAS, a public hearing was held on said application on February 10, 2016 notice of which was given to parties in interest in writing and also by publication in a newspaper of general circulation in the Township at least ten (10) days prior to date of the hearing in accordance with Section 519.15 of the Ohio Revised Code; and

WHEREAS, Article 8 et. seq. of the Zoning Resolution empowers the Board to authorize upon appeal in specific cases, variances from the terms and conditions of the Zoning Resolution as will not be contrary to the public interest, and that are consistent with the criteria provided within the Zoning Resolution; and

WHEREAS, the board has considered all of the information and testimony presented at the public hearing and concludes that the requested variance from the terms and conditions of the Zoning Resolution will not be contrary to the public interest and is consistent with the standard for variances set forth in the Zoning Resolution, paying particular attention to Section 8.053

THEREFORE BE IT RESOLVED, that by virtue of the foregoing, the Board of Zoning Appeals does hereby grant the request to allow an auto body shop to be 100' from a residential zoned property.

BE IT FURTHER RESOLVED, that all plats, plans, applications and other data submitted be and are hereby made a part of this Resolution.

Adopted at a regularly scheduled meeting of the West Chester Township Board of Zoning Appeals in session on the 10th day of February, 2016 and journalized on the 9th day of March, 2016.



Cliff Hackney
BZA Chairman


Cathy Walton
BZA Secretary

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION GRANTING
APPLICATION NO. BZA 16-05**

WHEREAS, Mike Gates for McCauly Woods, LLC, on January 13, 2016 filed Application No. 16-05 with the Board of Zoning Appeals under Article 8, subsection 8.04 of the West Chester Township Zoning Resolution, seeking a variance to allow a reduced rear yard setback for four undeveloped containing Parcel # M5620-250-000-067, 076, 077, 080 in Section 8, Town 3, Range 2; (West Chester Township, Butler County, Ohio); and

WHEREAS, a public hearing was held on said application on February 10, 2016 notice of which was given to parties in interest in writing and also by publication in a newspaper of general circulation in the Township at least ten (10) days prior to date of the hearing in accordance with Section 519.15 of the Ohio Revised Code; and

WHEREAS, Article 8 et. seq. of the Zoning Resolution empowers the Board to authorize upon appeal in specific cases, variances from the terms and conditions of the Zoning Resolution as will not be contrary to the public interest, and that are consistent with the criteria provided within the Zoning Resolution; and

WHEREAS, the board has considered all of the information and testimony presented at the public hearing and concludes that the requested variance from the terms and conditions of the Zoning Resolution will not be contrary to the public interest and is consistent with the standard for variances set forth in the Zoning Resolution, paying particular attention to Section 8.053

THEREFORE BE IT RESOLVED, that by virtue of the foregoing, the Board of Zoning Appeals does hereby grant the request to allow a thirty foot rear yard setback for parcels #M5620-250-000-076, 077 only.

BE IT FURTHER RESOLVED, that all plats, plans, applications and other data submitted be and are hereby made a part of this Resolution.

Adopted at a regularly scheduled meeting of the West Chester Township Board of Zoning Appeals in session on the 10th day of February, 2016 and journalized on the 9th day of March, 2016.



Cliff Hackney
BZA Chairman


Cathy Walton
BZA Secretary

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION GRANTING
APPLICATION NO. BZA 16-06**

WHEREAS, Chandler Signs, LLC for Main Event Entertainment, on January 13, 2016 filed Application No. 16-06 with the Board of Zoning Appeals under Article 8, subsection 8.04 of the West Chester Township Zoning Resolution, seeking a variance from the sign regulations as applied to the property at 9477 Oxford Way and containing Parcel # M5620-449-000-044 in Section 27, Town 3, Range 2; (West Chester Township, Butler County, Ohio); and

WHEREAS, a public hearing was held on said application on February 10, 2016 notice of which was given to parties in interest in writing and also by publication in a newspaper of general circulation in the Township at least ten (10) days prior to date of the hearing in accordance with Section 519.15 of the Ohio Revised Code; and

WHEREAS, Article 8 et. seq. of the Zoning Resolution empowers the Board to authorize upon appeal in specific cases, variances from the terms and conditions of the Zoning Resolution as will not be contrary to the public interest, and that are consistent with the criteria provided within the Zoning Resolution; and

WHEREAS, the board has considered all of the information and testimony presented at the public hearing and concludes that the requested variance from the terms and conditions of the Zoning Resolution will not be contrary to the public interest and is consistent with the standard for variances set forth in the Zoning Resolution, paying particular attention to Section 8.053

THEREFORE BE IT RESOLVED, that by virtue of the foregoing, the Board of Zoning Appeals does hereby grant the request to allow 1197SF of wall signs.

BE IT FURTHER RESOLVED, that all plats, plans, applications and other data submitted be and are hereby made a part of this Resolution.

Adopted at a regularly scheduled meeting of the West Chester Township Board of Zoning Appeals in session on the 10th day of February, 2016 and journalized on the 9th day of March, 2016.


Cliff Hackney
BZA Chairman


Cathy Walton
BZA Secretary