

**WEST CHESTER TOWNSHIP  
BOARD OF ZONING APPEALS  
February 11, 2015 – Regular Meeting**

MEMBERS PRESENT: Mr. Moeller, Mr. Whited, Mr. Lenz,  
Ms. Minton

MEMBERS ABSENT: Mr. Hackney, Mr. Cavens

STAFF PRESENT: Cathy Walton, Code Enforcement Officer  
Vicki Sparks, Administrative Assistant

CALL TO ORDER: 6:30 PM

ADJOURNMENT 6:49 PM

Mr. Lenz called the meeting of the West Chester Board of Zoning Appeals to order. Ms. Walton called the roll.

Mr. Lenz stated that **BZA#14-21 Vinh Ngoc Nguyen**, has continued at the applicants request until the March 11, 2015 meeting.

**Mr. Whited made a motion to continue.**

**Mr. Moeller seconded.**

**Aye: Mr. Whited, Ms. Minton, Mr. Moeller, Mr. Lenz**

**Nay: None**

Mr. Lenz stated that **BZA#14-26 Raising Cane's**, came back with conforming designs for their signs, so they withdrew their application. He stated that no further action is required.

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**BZA 15-02 Nu Era Development, LLC for Michael and Barbara Hurst**

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Ms. Walton presented the staff report including a Powerpoint presentation, current zoning in the area, aeriels, site views, staff comments, outside agency comments, and case history. Ms. Walton stated that the applicant is seeking a garage addition that encroaches into the front yard setback. She stated that the property is located at 8289 Andria Court.

Ms. Minton questioned if any comments had been received from surrounding property owners. Ms. Walton responded that none had been received.

Mr. Whited questioned if the addition would still meet the area requirements. Ms. Walton responded that it would.

Mr. Lenz questioned what the rear yard setback requirement is. Ms. Walton responded that it is 45 feet.

Mr. Whited questioned if there was a rendering of the request. Mr. Lenz pointed out where it was in the committee member's packets.

**Applicant: Eric Meade**  
**9876 Hampstead Ct.**  
**Cincinnati, Ohio 45241**

Mr. Meade stated that staff presentation was correct. Mr. Meade presented a rendering of the proposed addition. The applicant explained that they felt the house would look odd if they were to move the addition back to stay out of the setback lines. The applicant would like to keep the look uniform with the rest of the house.

Ms. Minton questioned if the rendering shows the garage addition. Mr. Meade confirmed that it does.

Mr. Lenz stated that it was a single-car width and questioned if that meant that there would be two vehicles front to back in the garage. Mr. Meade confirmed that that was correct.

Mr. Whited questioned if a new roof would be added. Mr. Meade stated that they would be adding a new roof over the addition and that they would keep the existing roof over the house and just extend it to meet the new roof.

Mr. Lenz questioned if they had investigated sliding the single-car garage back so that it would not encroach. Mr. Meade stated that they had, but realized that the roof design and other details would not look right. He stated that the applicant felt that it would look like it was an afterthought.

Mr. Meade also stated that since the house is in the cul-de-sac, the design of the lot causes the addition to be in the setback.

Mr. Moeller questioned if the addition is deeper than the existing house. Mr. Meade explained that it is the exact same as the house.

Mr. Lenz questioned if there would be a door on the back. Mr. Meade stated that there would not.

**Proponent: Mike Hurst**  
**8289 Andria Court**  
**West Chester, Ohio 45069**

Mr. Hurst was sworn in by Mr. Lenz.

Mr. Hurst stated that they would use brick on the addition to match the rest of the house.

Mr. Lenz questioned if the neighbors were aware of his request. Mr. Hurst stated that they are and that they are fine with it.

**Opponent: None**

**Neutral: None**

**Board Deliberation**

Ms. Minton stated that she didn't see any issues with the proposed addition.

Mr. Lenz stated he has no issues.

Mr. Whited agreed.

Ms. Moeller stated the curb appeal looked good.

**Mr. Whited moved to approve BZA15-02.**

**Ms. Minton seconded.**

**Aye: Mr. Moeller, Mr. Lenz, Ms. Minton, Mr. Whited**

**Nay: None**

Mr. Hurst added that his family moved to West Chester in 1976 and lived on Elkwood Drive. He stated that they lived there for nine years and then moved to their current location, which they have been in for thirty years. He stated they've seen a lot of changes in West Chester and they like where they are.

**ADMINISTRATIVE MATTERS**

Mr. Lenz stated that he noticed a couple of typos in the minutes from the last meeting. He stated that he would get a corrected copy to staff, but he felt they could go ahead and approve the minutes since the changes are minor.

Mr. Moeller made a motion to approve the minutes from the January 14, 2015 meeting. Mr. Lenz seconded the motion.

**Aye: Ms. Minton, Mr. Moeller, Mr. Lenz**

**Nay: None**

**Abstain: Mr. Whited**

Ms. Walton stated that the next meeting would be on March 11, 2015 and that there are six new cases and also the continuation of **BZA14-21**.


The board adjourned the February 11, 2015 meeting at 6:49 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 Acting Chairman:**

**BZA Secretary:**

  
Dick Lenz

  
Cathy Walton

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS  
RESOLUTION GRANTING  
APPLICATION NO. BZA 15-02**

WHEREAS, Nu Era Development on behalf of Michael and Barbara Hurst, on January 14, 2015 filed Application No. 15-02 with the Board of Zoning Appeals under Article 8 of the Zoning Resolution, seeking a variance from Article 12.062 regarding a front yard setback as applied to the property at 8289 Andria Court., containing parcel # M5620-260-019-013 in Section 17 Town 3, Range 2 (West Chester Township, Butler County, Ohio); and

WHEREAS, a public hearing was held on said application on February 11, 2015 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

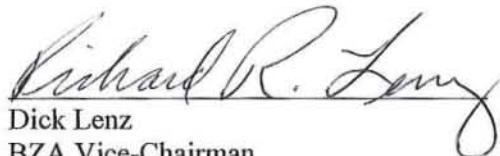
WHEREAS, Article 8 et. seq. of the Zoning Resolution empowers the Board to authorize upon appeal in specific cases, variances from the terms and conditions of the Zoning Resolution as will not be contrary to the public interest, and that are consistent with the criteria provided within the Zoning Resolution;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

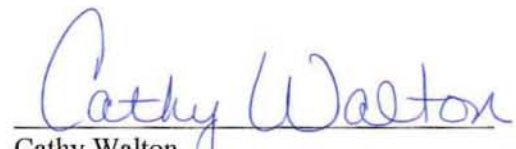
WHEREAS, the board has considered all of the information and testimony presented at the public hearing and concludes that the requested variances from the terms and conditions of the Zoning Resolution will not be contrary to the public interest and are consistent with the standard for variances set forth 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 addition to the residence to encroach the front yard setback as submitted.

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 11th day of February 2015 and journalized on the 11th day of March 2015

  
Dick Lenz  
BZA Vice-Chairman

  
Cathy Walton  
BZA Secretary