

**WEST CHESTER TOWNSHIP
BOARD OF ZONING APPEALS
August 9, 2021 – Regular Meeting**

MEMBERS PRESENT: Mr. Thomas, Mr. Hackney, Mr. Riddell, Ms. Glenn, Mr. Stoker
(Alternate – seated)

MEMBERS ABSENT: Mr. Simmons

STAFF PRESENT: Aaron Wiegand – Community Development Director

CALL TO ORDER: 6:00 PM

ADJOURNMENT 6:30 PM

Meeting was held at West Chester Township Hall.

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

Mr. Wiegand called the role. A quorum was established.

Mr. Thomas made a motion to approve the minutes of the May 10, 2021 meetings of the BZA, seconded by Mr. Stoker. Motion passed by unanimous vote, Ms. Glenn and Mr. Riddell abstaining.

Mr. Thomas swore in staff.

BZA 21-04 James Mohr 7635 Bonnie Drive

Mr. Wiegand presented the staff report including a PowerPoint presentation, current zoning in the area, aerials, background of request, staff comments and case history. Mr. Wiegand stated the applicant has requested a variance from Article 11.09c Fences and Walls to allow a fence in the front yard on a corner lot.

Mr. Wiegand noted the request is quite common to the BZA, dealing with multiple front yards on a corner lot. The applicant has received permission to build a fence within the required setbacks, but has filed for this variance to allow him to fence in a larger rear-yard area.

Mr. Stoker clarified the fence would not be installed past the front face of the house. Mr. Wiegand confirmed it would not.

Applicant: **James Mohr**
 7635 Bonnie Drive

Mr. Thomas swore in the applicant.

The applicant provided information on his request to fence in the full rear-yard area to protect his young children from vehicles on Julie Marie and Bonnie Drive. He explained the location of the fence relative to the existing landscaping.

Proponents: **Randy Macintosh**
 7646 Bonnie Drive

Mr. Macintosh stated his favorability to the request to the Board.

Melinda Macintosh
7646 Bonnie Drive

Ms. Macintosh noted the speed of vehicles on the roadways in the neighborhood. She had no issue with the fence request. She noted the Mohrs were good neighbors that keep their property in good repair.

Matt Lunn
7625 Bonnie Drive

Mr. Lunn provided an email testimony that was read into the record by Mr. Wiegand. Mr. Lunn stated he received a similar variance from the BZA for his lot across the street from the applicant and he has no issue with this new request.

Opponents: **None**

Neutral: **William Lanham**
 7605 Bonnie Drive

Mr. Lanham explained the safety issues regarding traffic and speed on Bonnie Drive, which has had several issues in recent years. Mr. Lanham also addressed operation of business in the residential area. Mr. Lanham also asked clarification on the fence location in the frontage on Bonnie Drive, which Mr. Wiegand clarified.

Mr. Wiegand promised to alert West Chester Police to the traffic concerns detailed by Mr. Lanham.

Board Deliberation – James Mohr

With no further comments, the public comments were closed and the Board moved into deliberation.

Mr. Riddell noted the two front yard issue comes up frequently and he has no issue with the requests in general. He also asked the new zoning resolution address the dual frontage issue better so as to not make applicants come before the BZA. Mr. Wiegand noted the new zoning resolution would address the issue.

Mr. Riddell also provided history to commercial vehicle parking in West Chester.

The Board had no issues overall with the request.

Mr. Riddell made a motion to approve case BZA 21-04 James Mohr, as submitted.

Ms. Glenn seconded the motion.

Aye: Mr. Thomas, Mr. Riddell, Mr. Stoker, Mr. Hackney, Ms. Glenn

Nay: None

The case was approved.

ADMINISTRATIVE MATTERS

Approval of Resolutions:

Mr. Thomas made a motion to approve BZA Resolution BZA 21-04 James Mohr as submitted. Mr. Stoker seconded. Motion was approved unanimously.

The BZA received no applications for the September 2021 meeting and the Board will not meet.

Mr. Riddell made a motion to move the November meeting to November 8th and the December meeting to December 6th. Mr. Thomas seconded. Motion was approved unanimously.

The Board adjourned the August 9, 2021 meeting at 6:30 p.m.

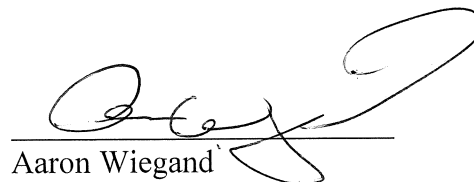
These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under supervision of the Secretary from an audiotape and may be obtained upon written request. Any charges for preparing such transcripts shall be borne by the person requesting same and must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

BZA Chairman:



Evan Thomas

BZA Secretary:



Aaron Wiegand

August 9, 2021

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION OF APPROVAL
APPLICATION NO. BZA 21-04**

WHEREAS, James Mohr on June 29, 2021, filed application no. 21-04 with the Board of Zoning Appeals under Article 8, Subsection 8.022 of the West Chester Zoning Resolution, seeking a variance from Article 11.09c Fences and Walls to allow a fence in the front yard on a corner lot, as applied to the property located at 7635 Bonnie Drive, Parcel # M5620-108-000-022, Section 17, Town 3, Range 2 (West Chester Township, Butler County); and

WHEREAS, a public hearing was held on said application on August 9, 2021 notice of which was given to parties of interest in writing and also by publication in a newspaper of general circulation in the Township at least ten (10) days prior to the date of the hearing in accordance with Section 519.15 of the Ohio Revised Code; and


WHEREAS, Article 8 et. seq. of the West Chester Zoning Resolution empowers the Board to authorize variances that will not be contrary to the public interest, and

WHEREAS, the Board has considered all of the information and testimony presented at the public hearing and concludes that the requested variance is not contrary to the public interest and is consistent with the West Chester Zoning Resolution, paying particular attention to Section 8.053

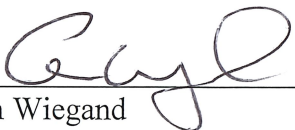
THEREFORE BE IT RESOLVED, that by virtue of the foregoing, the Board of Zoning Appeals does hereby approve the request for a variance from Article 11.09c Fences and Walls to allow a fence in the front yard on a corner lot with a 5' setback from the property line along Julie Marie Drive.

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

Adopted and journalized at a regularly scheduled meeting of the West Chester Township Board of Zoning Appeals in session on the 9th day of August 2021.



Evan Thomas
BZA Chairman



Aaron Wiegand
BZA Secretary