

**WEST CHESTER TOWNSHIP  
BOARD OF ZONING APPEALS  
January 10, 2022 – 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 6:36 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. Hackney made a motion to approve the minutes of the November 8, 2021 meeting of the BZA, seconded by Ms. Glenn. Motion passed by unanimous vote.

Mr. Thomas swore in staff.

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**BZA 22-01 Paul and Laura Tracy 7300 Duane Drive**

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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 11.09 – Fences and Walls, to construct an 8’0” high privacy fence where 6’0” high is permitted.

Mr. Wiegand noted the request involves a fence already under construction, but not in violation. The applicant has withheld final construction of the fence pending the BZA decision. The privacy fence is requested to screen the property to the west, which has a history of property violations with West Chester Community Development.

Mr. Stoker asked is landscaping such as arborvitae were subject to the same 6’ high standard. Mr. Wiegand noted landscaping is not subject to such regulation.

Mr. Riddell noted the installation of mounding the bottom of the fence as measured by grade. Mr. Wiegand noted mounds under the fence are acceptable if part of an overall plan.

**Applicant:**                 **Paul Tracy**  
                                      **7300 Duane Drive**

Mr. Thomas swore in the applicant.

The applicant provided information on his request to install a privacy fence to screen the neighboring property. Mr. Tracy noted he recently built a pool in the back yard and wants more privacy from the neighboring properties.

Mr. Hackney asked if 8' would solve the issue. Mr. Tracy indicated it was not perfect, but would help substantially. It was noted the property slopes considerably from his property to the west, meaning his current fence on the property line does not provide much of any screening.

**Proponents:**               **Todd Hall**  
                                      **7791 Joan Drive**

Mr. Hall stated his favorability to the request to the Board. He is constructing a new house to the southwest of the applicant's property. He noted he also has concerns about the neighboring property and also the slope of the applicant's property negating the advantage of the existing fence. Mr. Hall distributed photos from his new construction to the BZA members.

**Tracy Tinajero**  
**9924 Cincinnati-Columbus Road**

Ms. Tinajero is the new owner of the property being constructed to the southwest. She approved of the request and noted her own concerns about the neighboring property.

**Opponents:**                **None**

**Neutral:**                    **None**

**Board Deliberation – Paul and Laura Tracy**

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

Mr. Riddell noted the request for higher fences may be a common one in West Chester and reminded that each case stands on its own merits and this case had very specific site issues resulting in the need for a higher fence.

Ms. Glenn noted the BZA has provided such flexibility to residents in the past and this case made a strong case for approval.

Mr. Wiegand noted the Township will continue to monitor the neighboring property.

The Board had no issues overall with the request.

**Mr. Riddell made a motion to approve case BZA 22-01 Paul and Laura Tracy, as submitted.**

**Mr. Thomas seconded the motion.**

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

**Nay: None**

**The case was approved.**

### **ADMINISTRATIVE MATTERS**

Approval of Resolutions:

Mr. Stoker made a motion to approve BZA Resolution 22-01 Paul and Laura Tracy as submitted. Mr. Riddell seconded. Motion was approved unanimously.

Mr. Wiegand noted the Trustees were accepting applications for terms on the BZA. The spots open are a 5-year full-member term and a 3-year alternate member term.

The BZA received no applications for the February 2022 meeting and the Board will not meet.

The Board adjourned the January 10, 2022 meeting at 6:36 p.m.

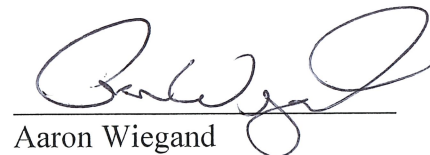
**These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under supervision of the Secretary from an audiotape and may be obtained upon written request. Any charges for preparing such transcripts shall be borne by the person requesting same and must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

**BZA Chairman:**



Evan Thomas

**BZA Secretary:**



Aaron Wiegand

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS  
RESOLUTION OF APPROVAL  
APPLICATION NO. BZA 22-01**

WHEREAS, Paul and Laura Tracy on November 10, 2021, filed application no. 22-01 with the Board of Zoning Appeals under Article 8, Subsection 8.022 of the West Chester Zoning Resolution, seeking a variance from Article 11.09, Fences and Walls, to construct an 8'0" H fence where 6'0" H is permitted., as applied to the property located at 7300 Duane Drive, Parcel # M5620-079-000-052 Section 14, Town 3, Range 2 (West Chester Township, Butler County); and

WHEREAS, a public hearing was held on said application on January 10, 2022, 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, with conditions.

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 11.09, Fences and Walls, to construct an 8'0" H fence where 6'0" H is permitted, near the western property line.

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 10<sup>th</sup> day of January, 2022

  
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Evan Thomas  
BZA Chairman

  
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Aaron Wiegand  
BZA Secretary