

**WEST CHESTER TOWNSHIP
BOARD OF ZONING APPEALS
May 9, 2022 – Regular Meeting**

MEMBERS PRESENT: Mr. Hackney, Mr. Riddell, Ms. Glenn, Mr. Simmons

MEMBERS ABSENT: *(Alternate Position Vacant)*

STAFF PRESENT: Aaron Wiegand – Community Development Director

CALL TO ORDER: 6:00 PM

ADJOURNMENT 6:34 PM

Meeting was held at West Chester Township Hall.

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

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

Ms. Glenn made a motion to approve the minutes of the March 14, 2022 BZA meeting. Mr. Simmons seconded. Motion passed unanimously.

April minutes were not yet available.

Mr. Hackney swore in staff.

BZA 22-04 Alan and Theresa Clifton – 7523 Lawndale Avenue

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 11.09a to permit an 8'0" fence in the rear yard where 6'0" is permitted.

Mr. Wiegand explained the property has an existing 6'0" fence to shield it from the adjoining commercial property on Cincinnati-Columbus Road. The applicant wishes to construct an 8'0" fence to better shield the property.

Applicant: **Alan Clifton**
 7523 Lawndale Ave

Mr. Hackney swore in the applicants.

The applicant provided information on the request noting the partnership he has with the commercial property and the extended height would be sufficient to shield his property. He noted the request is minimal and only serves to help him enjoy his back yard.

Proponents: **Kirk Durchik**
 9547 Cincinnati Columbus Road

Mr. Thomas swore in proponents.

Mr. Durchik is the property manager for Penn Station, the adjoining commercial property. HE stated they have no issue with the request and would be sharing in the cost of the new fence with the Cliftons.

Opponents: **None**

Neutral: **None**

Board Deliberation – Alan and Theresa Clifton

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

Mr. Riddell noted that fence size comes up often and is considered on a case by case basis. He had some concern with the fence encroaching into the front yard, but overall had no issue with the application.

The Board in general had no issue with the application.

Mr. Simmons made a motion to approve case BZA 22-04 Alan and Theresa Clifton, as submitted.

Ms. Glenn seconded the motion.

Aye: Mr. Riddell, Ms. Glenn, Mr. Hackney, Mr. Simmons

Nay: None

The case was approved.

ADMINISTRATIVE MATTERS

Approval of Resolutions:

Mr. Simmons made a motion to approve BZA Approval Resolution 22-04 Alan and Theresa Clifton as submitted. Ms. Glenn seconded. Motion was approved unanimously.

The Board agreed to postpone the organizational meeting until the June meeting to allow more Board involvement.

Mr. Wiegand noted the BZA had one case submitted for the June 13, 2022 meeting.

The Board adjourned the May 9, 2022 meeting at 6:34 p.m.

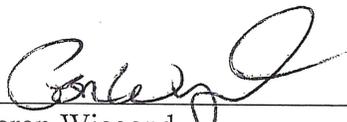
These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under supervision of the Secretary from an audiotape and may be obtained upon written request. Any charges for preparing such transcripts shall be borne by the person requesting same and must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

BZA Chairman:

BZA Secretary:



Cliff Hackney - Acting



Aaron Wiegand

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION OF APPROVAL
APPLICATION NO. BZA 22-04**

WHEREAS, Alan and Theresa Clifton on April 7, 2022, filed application no. 22-04 with the Board of Zoning Appeals under Article 8, Subsection 8.022 of the West Chester Zoning Resolution, seeking a variance from Article 11.09a to permit an 8'0" fence in the rear yard, as applied to the property located at 7523 Lawndale Avenue, Parcel # M5620-088-000-067 and M5620-088-000-070 Section 15, Town 3, Range 2 (West Chester Township, Butler County); and

WHEREAS, a public hearing was held on said application on May 9, 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.

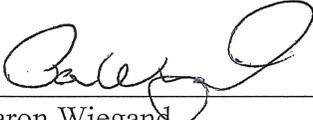
THEREFORE BE IT RESOLVED, that by virtue of the foregoing, the Board of Zoning Appeals does hereby approve the request for a variance from Article 11.09a to permit an 8'0" fence in the rear yard along the rear property line.

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 9th day of May, 2022



Cliff Hackney
Acting BZA Chairman



Aaron Wiegand
BZA Secretary