

**WEST CHESTER TOWNSHIP
BOARD OF ZONING APPEALS
September 12, 2022 – Regular Meeting**

MEMBERS PRESENT: Mr. Hackney, Mr. Riddell, Mr. Thomas, Ms. Glenn, Mr. Reisen (*Alternate Seated*)

MEMBERS ABSENT: Mr. Simmons

STAFF PRESENT: Aaron Wiegand – Community Development Director

CALL TO ORDER: 6:00 PM

ADJOURNMENT 6:47 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.

Minutes were not available at this time.

Mr. Hackney swore in staff.

BZA 22-06 Syed Sarwar and Shahin Fauzia Shareef – 7707 Lesourdsville-West Chester Road

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 applicants have requested a variance from Article 28.062 to reduce the side yard setback from 35' to 20' for the property located at 7707 Lesourdsville-West Chester Road.

Mr. Wiegand explained the property is separated by a sewer easement and storm ravine and the applicants wish to locate their house away from these features.

Mr. Thomas questioned the nature of the lot split. Mr. Wiegand explained BCEO's reasoning behind the split located where it was.

Applicant: **Syed Shareef**
 7707 Lesourdsville-West Chester Road

Mr. Hackney swore in the applicant.

The applicant provided information on the request to construct a ranch-style house to accommodate aging family members and also the site difficulties caused by the easement and elevation change on the site.

Mr. Riddell questioned the elevation change. The applicant said there was a 20' elevation drop on-site.

Ms. Glenn asked clarification on the setback from the stream and if the house could be located closer to the stream.

James Ford – Ford Homes
6962 Tylersville Road

Mr. Hackney swore in applicant.

Mr. Ford noted the layout design was made to avoid the stream and easement and also the discussions with BCEO on site-access concerns onto Lesourdsville-West Chester.

Proponents: **None**

Opponents: **None**

Neutral: **Nathan Perry – Refreshing Springs Church**
 7719 Lesourdsville West-Chester Road

Mr. Perry is the Pastor of the neighboring church on Lesourdsville-West Chester. He has no issue with the application.

Board Deliberation – Syed Sarwar and Shahin Fauzia Shareef

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

Mr. Riddell questioned if all surrounding properties were notified of the application. Mr. Wiegand confirmed.

Ms. Glenn noted the issues with the stream and avoiding being as close to the stream as possible.

The Board in general had no issue with the application.

Mr. Riddell made a motion to approve case BZA 22-06 Syed Sarwar and Shahin Fauzia Shareef as submitted.

Ms. Glenn seconded the motion.

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

Nay: None

The case was approved.

BZA 22-07 ARCO Senior Living – Beckett Road and Union Centre Boulevard

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 filed for a conditional use for a dwelling in conjunction with a principally permitted use in an M-2 (Industrial) District per Article 24.031

Mr. Wiegand explained the applicant recently built an institutional care senior care facility on the neighboring lot. They now wish to construct an independent senior living facility on the adjoining property to compliment the care facility. There will be 80 units within (2) multi-family complexes.

Mr. Thomas questioned the height of the facility in relation to the power lines on the site. Mr. Wiegand clarified the height was dictated by M-2 zoning standards, as no structures are permitted under power lines.

**Applicant: Ryan Tebeau – Provision Living
Jordan Perry- ARCO Senior Living
9490 Manchester Road – St Louis, Missouri**

Mr. Hackney swore in the applicants.

The applicant provided information including a PowerPoint presentation on the history of their senior care facility recently built in West Chester. Mr. Tebeau said the resident of the new independent living facility would have full access to the amenities in the senior care facility. The independent living facility is proposed in response to market feedback from prospective residents.

Ms. Glenn clarified the occupancy rate of the new care facility.

Proponents: None

Opponents: None

Neutral: None

Board Deliberation – ARCO Senior Living

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

Mr. Thomas asked the process to change the facility to a care facility in the future. Mr. Wiegand noted such a change would require a new conditional use hearing.

The Board had no issue with the application in general.

Mr. Riddell made a motion to approve case BZA 22-07 ARCO Senior Living as submitted.

Mr. Thomas seconded the motion.

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

Nay: None

The case was approved.

ADMINISTRATIVE MATTERS

The Board adjourned the September 12, 2022 meeting at 6:47 p.m.

The next meeting of the BZA is scheduled for October 12, 2022 at 6:00 PM.

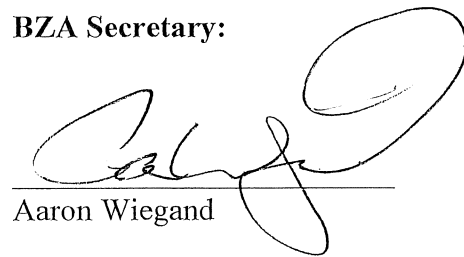
These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under supervision of the Secretary from an audiotape and may be obtained upon written request. Any charges for preparing such transcripts shall be borne by the person requesting same and must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

BZA Chairman:



Cliff Hackney

BZA Secretary:



Aaron Wiegand

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION OF APPROVAL
APPLICATION NO. BZA 22-06**

WHEREAS, Syed Sarwar and Shahin Fauzia Shareef on August 4, 2022, filed application no. 22-06 with the Board of Zoning Appeals under Article 8, Subsection 8.022 of the West Chester Zoning Resolution, seeking a variance to reduce the side yard setback from 35 ft. to 20 ft. per Article 28.062., as applied to the property located at 7707 Lesourdsville West Chester Road, Parcel # M5610-030-000-027 , Section 30, Town 3, Range 2 (West Chester Township, Butler County); and

WHEREAS, a public hearing was held on said application on September 12, 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

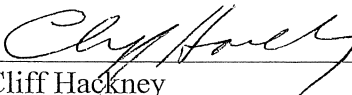
WHEREAS, Article 8 et. seq. of the West Chester Zoning Resolution empowers the Board to authorize variances that will not be contrary to the public interest, and

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.

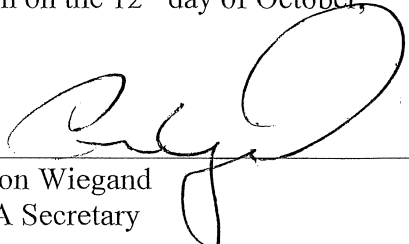
THEREFORE BE IT RESOLVED, that by virtue of the foregoing, the Board of Zoning Appeals does hereby approve the request for a variance from Article 28.062 to allow a 20 ft. side yard setback along the northern property line.

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 12th day of October, 2022



Cliff Hackney
BZA Chairman



Aaron Wiegand
BZA Secretary

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION OF APPROVAL
APPLICATION NO. BZA 22-07**

WHEREAS, ARCO Senior Living on August 10, 2022, filed application no. BZA 22-07 with the Board of Zoning Appeals under Article 8, subsection 8.04 of the West Chester Township Zoning Resolution, seeking a conditional use for a dwelling in conjunction to a principally permitted use in an M-2 (General Industrial) District, as applied to the property located at Beckett Road and Barb's Way, Parcel M5610-033-000-037 Section 34, Town 3, Range 2 (West Chester Township, Butler County); and

WHEREAS, a public hearing was held on said application on September 12, 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

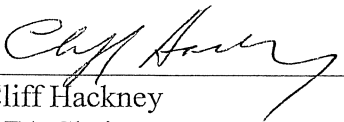
WHEREAS, Article 8 et. seq. of the Zoning Resolution empowers the Board to authorize upon appeal in specific cases, conditional uses or special exception zoning certificates for those uses which are specified as such by the Resolution; and

WHEREAS, the Board has considered all of the information and testimony presented at the public hearing and concludes that the requested conditional use will not be contrary to the public interest and, is consistent with the standard for conditional use set forth in the Zoning Resolution, paying particular attention to Section 8.054

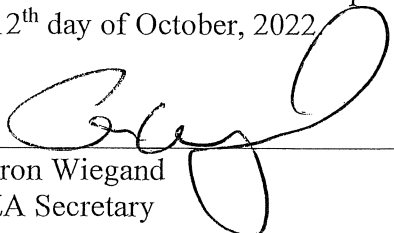
THEREFORE BE IT RESOLVED, that by virtue of the foregoing, the Board of Zoning Appeals does hereby approve the request for a conditional use for a dwelling in conjunction to a principally permitted use in an M-2 (General Industrial District).

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 12th day of October, 2022.



Cliff Hackney
BZA Chairman



Aaron Wiegand
BZA Secretary