

**WEST CHESTER TOWNSHIP
BOARD OF ZONING APPEALS
May 13, 2024 – Regular Meeting**

MEMBERS PRESENT: Ms. Glenn, Mr. Simmons, Mr. Sanchez, Mr. Reisen, Mr. Mear.
(Alternate - seated)

MEMBERS ABSENT: Mr. Riddell

STAFF PRESENT: Bryan Hellard – Property Advisor
Katy Kanelopoulos – Interim Director, Comm. Development

CALL TO ORDER: 6:00 PM

ADJOURNMENT 7:45 PM

Meeting was held at West Chester Township Hall.

Ms. Glenn called the meeting of the West Chester Board of Zoning Appeals to order.

Ms. Glenn explained the meeting process to attendees.

Ms. Glenn swore in staff.

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

Old Business:

Approval meeting minutes from 4-08-24

Motion by Mr. Reisen

Seconded by Mr. Simmons

Aye: All

Nay: None

BZA 24-05 Catherine and Thomas Collins – 9777 Casey’s Crossing

Mr. Hellard presented the staff report including a PowerPoint presentation, current zoning in the area, aerials, photographs, staff comments and a proponent/opponent map. Mr. Hellard stated the applicant has requested a variance from Article 13.021 for keeping of apiculture (bee hive) on a lot less than 3 acres in an R-1A (Suburban Residence) District.

Mr. Reisen asked for clarification regarding the number of residents who were notified.

There were no further questions for staff.

Applicant: **Catherine Collins**
 9777 Casey's Crossing, West Chester, OH

Ms. Glenn swore in the applicant.

The applicant presented their case.

Mr. Reisen had several questions and comments regarding beekeeping and apiaries. Mr. Reisen asked the number of residents who were notified. [in a clerical mishap, it appeared that only seven property owners were notified]

Mr. Hellard clarified that 20 property owners were notified.

Mr. Simmons asked about potential access to the beehive. The applicant stated that as a teacher she would love to teach neighboring children about bees and safety around them. The applicant stated there would be no fence surrounding the beehive, but she would place a warning sign.

Mr. Sanchez asked is the applicant would be bringing in bees. The applicant confirmed they would bring in a rescued swarm from a hive split.

Proponent: **Jason Hodges**
 6601 Chessie Drive, West Chester, OH

Ms. Glenn swore in the proponent.

Mr. Hodges explained why he is a proponent of the applicant.

Proponent: **Ron Rice**
 9789 Casey's Crossing, West Chester, OH

Ms. Glenn swore in the proponent.

Mr. Rice echoed the comments of Mr. Hodges and is a proponent of the applicant.

Opponent: **Lee Redkey**
 6609 Chessie Drive, West Chester, OH

Ms. Glenn swore in the opponent.

Ms. Redkey had questions for the applicant, including comments about the aesthetics of the neighborhood and had concerns of walkers and pets getting stung who had allergies. She also expressed concern of property values and resale.

Mr. Sanchez asked if there was a person who had allergies living nearby. Ms. Redkey confirmed a child does have allergies in the neighborhood.

Opponent: Peter Wolf
6610 Chessie Drive, West Chester, OH

Ms. Glenn swore in the opponent.

Mr. Wolf expressed concern about allergic reactions to bee stings. Mr. Wolf discussed environmental factors that may affect bees, lawnmowers, 5G, Wi-Fi, fires and picnics. He also discussed the precedent the variance would set and it would create a division in the neighborhood.

Opponent: Mark Schneider
6619 Chessie Drive, West Chester, OH

Ms. Glenn swore in the opponent.

Mr. Schneider expressed that his grandson is often in the neighborhood. He doesn't know if his grandson is allergic and would hate to find out. He is also worried about the safety of the neighborhood.

Opponent: Ralph Allgood
6622 Chessie Drive, West Chester, OH

Ms. Glenn swore in the opponent.

Mr. Allgood was concerned about the resale of his house.

Ms. Glenn asked about a fence. Mr. Allgood spoke to the proposed sign.

Neutral: None

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

Board Deliberation

Mr. Simmons asked that the applicant come back to the podium to speak.

Mr. Simmons asked where bees go in the wild without a beehive. The applicant described possible locations where bees would gravitate. Mr. Simmons asked if it were possible that there could be beehives within 100 yards of the neighboring homes. The applicant stated most definitely.

Mr. Reisen asked if the applicant contacted their homeowner's insurance. The applicant did not have the opportunity to contact them yet.

Ms. Redkey was admitted back to the podium. She explained that their HOA doesn't permit fences.

Mr. Reisen had concern about the beehive on a 0.56 acre parcel.

Mr. Simmons agreed with the assessment and had concern about the number of opponents.

Mr. Mear discussed a prior BZA case that included beehives

Ms. Glenn had concerns with the character of the neighborhood, walkers and children.

Mr. Simmons made a motion to deny case BZA 24-05 Catherine Collins.

Mr. Mear seconded the motion.

Aye: Mr. Mear, Ms. Glenn, Mr. Reisen, Mr. Sanchez, Mr. Simmons

Nay: None

The application was denied.

BZA 24-06 Zachary Savage – 6332 Bach Drive

Mr. Hellard presented the staff report including a PowerPoint presentation, current zoning in the area, aerials, photographs, staff comments and a proponent/opponent map. Mr. Hellard stated the applicant has requested a variance from Article 10.141 to permit an accessory building in excess of 25% of the square footage of a principal building.

There were no questions for staff.

**Applicant: Zachary Savage
6332 Bach Drive, West Chester, OH**

Ms. Glenn swore in the applicant.

The applicant presented their case.

Mr. Simmons asked if this was going to be a shop. The applicant confirmed it would be a workshop with storage. Mr. Simmons asked about utilities. The applicant said only electric would be run to the structure.

Ms. Glenn asked about automobile storage. The applicant said the structure would be used for kayak and boat storage, not for vehicles.

Mr. Mear asked if there would be a slab poured and if the structure would be premade. The applicant confirmed both. Mr. Mear asked about the siding and if it would look like the house. The applicant stated it would be metal where their house is wood sided. The applicant stated the proposed shed would be no taller than the existing shed.

Mr. Reisen asked for confirmation of the number of proponents being eight. Mr. Hellard confirmed. Mr. Reisen asked if the opponent was an adjacent property owner. Mr. Hellard stated no.

Proponent: None

**Opponent: Suzie Kies
6327 Churchview Lane, West Chester, OH**

Ms. Glenn swore in the opponent.

Ms. Kies stated the applicant did an amazing job on his house. Her concern was with the size of the structure and had concerns of vehicles in the applicant's drive. Ms. Kies feels it will be a detriment to the neighborhood.

Mr. Simmons asked if Ms. Kies knew of any other structures like this one in the neighborhood. She stated she did not know of any that large.

Ms. Glenn asked for clarification regarding cars in the driveway. Ms. Kies thought the applicant was doing car repairs. Ms. Kies reiterated that the structure is large and had concerns about it being used for a business.

Neutral: None

Mr. Simmons asked the applicant back to the podium. The applicant was asked about other structures of similar size and the applicant provided a few examples of large structures.

The applicant reiterated this was for personal use and not a business.

Ms. Glenn asked for confirmation of the structure's height. The applicant confirmed the height. Ms. Glenn asked if the size of shed was a standard size. The applicant confirmed.

Board Deliberation

May 13, 2024

Mr. Reisen commented that because there are other large structures, it does not establish a precedent.

Mr. Mear had concerns about the size and access to the structure.

Mr. Simmons stated that neighbors have a voice in the matters of BZA and he uses this as part of his guideline for cases. This case had a large support base around the property. He stated he is inclined to approve it.

Ms. Glenn asked about the zoning code allowance. Mr. Hellard clarified that two, 480 sq. ft. structures would be permitted without a variance.

Mr. Reisen had a concern about the applicant running a business. Mr. Simmons stated a condition could be placed. Mr. Hellard clarified regulations regarding home based businesses.

Mr. Mear made a motion to approve case BZA 24-06 Zachary Savage with no conditions.

Mr. Sanchez seconded the motion.

Aye: Mr. Mear, Ms. Glenn, Mr. Reisen, Mr. Sanchez, Mr. Simmons

Nay: None

The application was approved.

ADMINISTRATIVE MATTERS

Approval of Resolutions:

BZA Denial Resolution 24-05 Catherine Collins
Motion made by Ms. Glenn and Seconded by Mr. Simmons

Aye: Mr. Mear, Mr. Reisen, Mr. Sanchez, Ms. Glenn, Mr. Simmons

Nay: None

The resolution was approved.

BZA Approval Resolution 24-06 Zachary Savage
Motion made by Mr. Mear, Seconded by Mr. Reisen.

Aye: Mr. Mear, Mr. Reisen, Mr. Sanchez, Ms. Glenn, Mr. Simmons

Nay: None

The resolution was approved.

There are three confirmed cases for the June 10, 2024 meeting.

The Board adjourned the May 13, 2024 meeting at 7:45 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 Vice Chair:

BZA Secretary:



Carl Reisen


Bryan Hellard

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION OF DENIAL
APPLICATION NO. BZA 24-05**

WHEREAS, Catherine Collins on April 8, 2024, filed application no. 24-05 with the Board of Zoning Appeals under Article 8, Subsection 8.022 of the West Chester Zoning Resolution, requesting a variance from Article 13.021 for the keeping of apiculture on a lot of less than 3 acres in an R-1A (Suburban Residence) District, as applied to the property located at 9777 Casey's Crossing, Parcel # M5620-243-000-044, Section 20, Town 3, Range 2 (West Chester Township, Butler County); and

WHEREAS, a public hearing was held on said application on May 13, 2024, 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 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 deny the request for a variance from Article 13.021 for the keeping of apiculture on a lot of less than 3 acres.

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 13th day of May, 2024



Meridy Glenn
BZA Chairman



Bryan Hellard
BZA Secretary

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION OF APPROVAL
APPLICATION NO. BZA 24-06**

WHEREAS, Zachary Savage on April 8, 2024, filed application no. 24-06 with the Board of Zoning Appeals under Article 8, Subsection 8.022 of the West Chester Zoning Resolution, requesting a variance to permit an accessory building in excess of 25% of the square footage of a principal building from Article 10.141, as applied to the property located at 6332 Bach Drive, Parcel # M5620-154-000-052, Section 30 Town 3, Range 2 (West Chester Township, Butler County); and

WHEREAS, a public hearing was held on said application on May 13, 2024, 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 Articles 10.141 to permit an accessory structure in excess of 25% of the square footage of the principal building.

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 13th day of May, 2024



Meridy Glenn
BZA Chairman



Bryan Hellard
BZA Secretary