

**WEST CHESTER TOWNSHIP
BOARD OF ZONING APPEALS
October 14, 2015 – Regular Meeting**

MEMBERS PRESENT: Mr. Hackney, Mr. Moeller, Mr. Lenz, Mr. Riddell, Mr. Whited

MEMBERS ABSENT:

STAFF PRESENT: Cathy Walton, Property Advisor
Tim Valentine, Property Advisor

CALL TO ORDER: 6:30 PM

ADJOURNMENT 6:44 PM

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

Ms. Walton called the roll.

BZA 15-23 Neals's Design Remodel for Daniel and Deborah Mader

Ms. Walton was sworn in by Mr. Hackney.

Ms. Walton presented the staff report including a PowerPoint presentation, current zoning in the area, aerials, background of request, staff comments and case history. Ms. Walton stated that the applicant is requesting a variance for the property 6555 Oregon Pass to allow a rear porch cover to encroach 1.5' into the side yard setback requirement. Ms. Walton reviewed the standards for a variance with the board members.

**Applicant: Bob Voigt, Neal's Design Remodel
7770 East Kemper Road
Cincinnati, Ohio 45249**

Mr. Voigt stated that he presented a letter with the application explaining that the location of the grill is driving the location of the trellis. There was also a question from a financial standpoint as the proposed location only requires them to put two posts through the existing deck. He indicated they were trying to stay out of the setback but keeping the grill from under the trellis and financially this is where it ended up.

Mr. Lenz questioned an inconsistency between the site plan and construction plan.

Mr. Voigt stated the site plan was correct and the line on the construction plan should have been angled.

Mr. Lenz clarified the intention was to have an 8.5' setback with a perpendicular line.

Mr. Voigt stated that was correct.

Mr. Lenz questioned whether the large tree on the property would need to be trimmed to fit the trellis.

Mr. Voigt stated there was one limb that would need to be trimmed.

Proponent: None

Opponent: None

Neutral: None

Board Deliberation

Mr. Whited stated this was a no brainer.

Mr. Lenz stated he felt this was a very minor encroachment.

Mr. Moeller agreed with Mr. Lenz and stated the house next to it would not be impeded in any way.

Mr. Lenz stated the lot was unusual the way in narrows in the back and stated he was fine with it.

Mr. Whited made a motion to approve BZA 15-23 as submitted.

Mr. Lenz seconded.

Aye: Mr. Hackney, Mr. Moeller, Mr. Riddell, Mr. Lenz, Mr. Whited

Nay: None

ADMINISTRATIVE MATTERS

Ms. Walton stated the cutoff date for new cases is Wednesday October 21, 2015.

The minutes and resolutions from the September 9, 2015 meeting were approved.

The next meeting will be Wednesday November 18, 2015, at 6:30 pm.

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION GRANTING
APPLICATION NO. BZA 15-23**

WHEREAS, Neal's Design Remodel for Daniel and Deborah Mader, on September 16, 2015 filed Application No. 15-23 with the Board of Zoning Appeals under Article 8, subsection 8.04 of the West Chester Township Zoning Resolution, seeking a variance to allow a rear porch cover to encroach the side yard setback by 1.5' as applied to the property at 6555 Oregon Pass, West Chester Ohio 45069 and containing Parcel # M5620-331-000-004 in Section 26, Town 3, Range 2; (West Chester Township, Butler County, Ohio); and

WHEREAS, a public hearing was held on said application on October 14, 2015 notice of which was given to parties in interest in writing and also by publication in a newspaper of general circulation in the Township at least ten (10) days prior to date of the hearing in accordance with Section 519.15 of the Ohio Revised Code; and

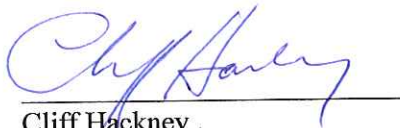
WHEREAS, Article 8 et. seq. of the Zoning Resolution empowers the Board to authorize upon appeal in specific cases, variances from the terms and conditions of the Zoning Resolution as will not be contrary to the public interest, and that are consistent with the criteria provided within the Zoning Resolution; and

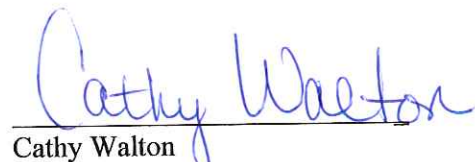
WHEREAS, the board has considered all of the information and testimony presented at the public hearing and concludes that the requested variance from the terms and conditions of the Zoning Resolution will not be contrary to the public interest and is consistent with the standard for variances set forth in the 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 grant the request to allow a rear porch cover to encroach the side yard setback by 1.5'.

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 14th day of October, 2015 and journalized on the 18th day of November, 2015.


Cliff Hackney
BZA Chairman

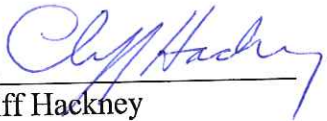

Cathy Walton
BZA Secretary

There was discussion regarding the meeting being moved to the third Wednesday due to Veteran's Day.

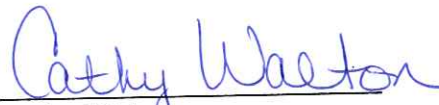
The board adjourned the October 14, 2015 meeting at 6:44 pm.

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:


Cathy Walton