

**WEST CHESTER TOWNSHIP
BOARD OF ZONING APPEALS
November 18, 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 7:05 PM

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

Ms. Walton called the roll.

BZA 15-24 Ray Meyer Sign Co. for Schneider Electric

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 9701 Windisch Road to allow a wall sign in excess of what is permitted. Ms. Walton reviewed the standards for a variance with the board members.

There was discussion regarding past and present signage on the building.

**Applicant: John Meyer for Ray Meyer Sign
8942 Glendale-Milford Road
Loveland, Ohio 45140**

Mr. Meyer stated that he didn't have a lot to add to the presentation other than the type of sign that will be installed. He explained that they were internally illuminated channel letters. He stated that when the building was originally built it was a one tenant use and determined after the tenant moved in that they would not be permitted signage. He also stated they are only permitted a very small sign on the Windisch Road side so they need signage on the building for identification.

Mr. Lenz stated that signs are typically used to direct someone to your facility and questioned whether Schneider Electric was a wholesaler or contractor.

Mr. Meyer stated he wasn't sure

Mr. Lenz clarified that they had a need for people to see where they are and get there.

Mr. Meyer deferred the question to the representative from Schneider Electric.

There was discussion regarding the purpose of the signage and whether there would be a sign on the Windisch Road side.

**Applicant: Joel Miller for Schneider Electric
865 Shady Lane
Midway, KY40347**

Mr. Miller gave an overview of Schneider Electric and stated this was their fourth facility in West Chester.

Mr. Hackney asked for clarification as to whether the customers are coming to the facility to purchase something or whether customers would come to the facility at all.

Mr. Miller explained that customers come to the facility to view testing and equipment. He explained they build two products at this site and companies will come in look at their equipment and observe testing.

Mr. Lenz stated there was a need for people to locate them with material coming in and finished product going out.

Mr. Miller stated they currently have trucks that have a hard time locating them. He stated they have low visibility where they are.

Proponent: None

Opponent: None

Neutral: None

Board Deliberation

Mr. Lenz stated he keeps going back to the intent of the code and that this is an unusual situation. He stated he doesn't have a problem approving this.

Mr. Whited questioned they could condition that if the tenant goes away the approval goes away. He discussed several possibilities with the building.

Mr. Riddell agreed and stated that if the tenant space is reconfigured the next tenant could request signage that would put them above what is allowed.

Mr. Hackney stated he believed that condition would be that it was for this tenant only.

Mr. Whited and Mr. Riddell asked what would happen if they subdivide the space.

There was discussion regarding the possibility of subdividing the space and the amount of signs that may be requested.

Ms. Walton stated that if the property was subdivided each tenant would either need to be in compliance or would be required to come before the Board. She stated there was not a need for that condition.

Mr. Lenz clarified that the sign calculations presented were for just the space occupied by this tenant and not the entire elevation.

Ms. Walton stated that was correct.

There was further discussion regarding the possibility of subdividing and the conditions that could be placed regarding this tenant.

Mr. Riddell stated this was also a matter of pride and advertising, not just for locating the business.

Mr. Moeller made a motion to approve BZA 15-24 with the condition that if the tenant vacates any future tenant would need to apply to the Board for a variance.

Mr. Whited seconded the motion.

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

Nay: None

BZA 15-25 Jesus Izquierdo

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 8999 Princeton-Glendale Road to allow barbed wire on an existing 6' fence. Ms. Walton reviewed the standards for a variance with the board members.

Mr. Whited asked if there were any barbed wire approvals in the Township.

Ms. Walton stated that there is barbed wire but not in any of the Business districts.

Mr. Lenz questioned what the parking lot to the north was used for.

Ms. Walton stated it was overflow parking for Trinity Pub.

**Applicant: Jesus Izquierdo
6549 Kristine Drive
Hamilton, Ohio 45011**

Mr. Izquierdo stated he needs the barbed wire for security. He stated eight years ago he had all of his equipment stolen and wants the barbed wire to secure his equipment.

Mr. Whited asked if the applicant had considered adding lights.

Mr. Izquierdo stated he has added lights in the front and back of the property. He stated he is also going to add cameras.

Mr. Riddell asked what equipment would be outside.

Mr. Izquierdo stated it was trucks and chippers.

Mr. Hackney questioned whether the wire would be circular or straight and how high it would be.

Mr. Izquierdo stated it would be straight and between 16 and 18 inches.

Mr. Hackney asked whether that was two or three strands of wire.

Mr. Izquierdo stated he believed it was two.

Mr. Whited asked if the fence was already installed.

Mr. Izquierdo stated it was.

Mr. Moeller asked how long he has occupied the building.

Mr. Izquierdo stated he has not been in this building long.

Proponent: None

Opponent: None

Neutral: None

Board Deliberation

Mr. Whited stated he is strongly opposed since this is in a business zone. He stated it won't solve the risk problem and doesn't believe this should be in a business area.

Mr. Lenz stated he takes a different view in that it is not detrimental to the neighborhood.

Mr. Riddell stated if it were the razor wire and had that appearance he would be opposed but doesn't think a few strands of wire are out of character for this property.

Mr. Moeller questioned what would be gained when the barbed wire can be cut.

Mr. Lenz stated it was a deterrent.

Mr. Hackney stated he agreed that it paints a negative connotation of the area but he also stated he felt he could support it if that is what the board decides.

Mr. Moeller stated he struggles with the request and suggested a higher fence.

Mr. Riddell stated he sees both sides of the issue but this is a small business man trying to protect his equipment. He also reiterated that the straight line wires won't be detrimental.

Mr. Riddell made a motion to approve BZA 15-25 with the condition that there is a limit of two strands of single barbed wire no more than 18".

Mr. Lenz seconded the motion.

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

Nay: Mr. Moeller, Mr. Whited

ADMINISTRATIVE MATTERS

Ms. Walton stated there were no cases for December.

The next meeting will be Wednesday January 13, 2016 at 6:30 pm.

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

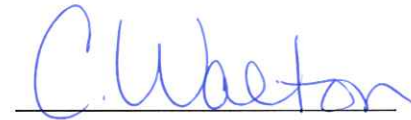
The board adjourned the October 14, 2015 meeting at 7:05 pm.

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

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION GRANTING
APPLICATION NO. BZA 15-24**

WHEREAS, Ray Meyer Sign Co., for Schneider Electric, on October 20, 2015 filed Application No. 15-24 with the Board of Zoning Appeals under Article 8, subsection 8.04 of the West Chester Township Zoning Resolution, seeking a variance for wall signs in excess of what is permitted as applied to the property at 9701 Windisch Road , West Chester Ohio 45069 and containing Parcel # M5810-031-000-087 in Section 32, Town 3, Range 2; (West Chester Township, Butler County, Ohio); and

WHEREAS, a public hearing was held on said application on November 18, 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 one 238.92SF wall sign with the following condition:

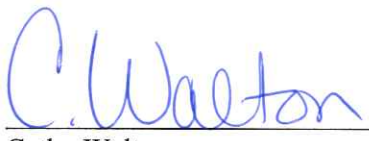
- 1) If the tenant vacates, any future tenants would need to apply for a variance.

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 18th day of November, 2015 and journalized on the 13th day of January, 2015.



Cliff Hackney
BZA Chairman



Cathy Walton
BZA Secretary

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION GRANTING
APPLICATION NO. BZA 15-25**

WHEREAS, Jesus Izquierdo, on October 22, 2015 filed Application No. 15-25 with the Board of Zoning Appeals under Article 8, subsection 8.04 of the West Chester Township Zoning Resolution, seeking a variance to allow barbed wire to be added to an existing 6' fence as applied to the property at 8999 Princeton Glendale Road , West Chester Ohio 45069 and containing Parcel # M5650-046-000-009 in Section 10, Town 2, Range 2; (West Chester Township, Butler County, Ohio); and

WHEREAS, a public hearing was held on said application on November 18, 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

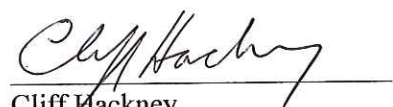
WHEREAS, Article 8 et. seq. of the Zoning Resolution empowers the Board to authorize upon appeal in specific cases, variances from the terms and conditions of the Zoning Resolution as will not be contrary to the public interest, and that are consistent with the criteria provided within the Zoning Resolution;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

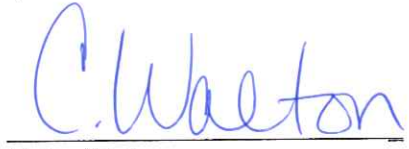
WHEREAS, the board has considered all of the information and testimony presented at the public hearing and concludes that the requested variance from the terms and conditions of the Zoning Resolution will not be contrary to the public interest and is consistent with the standard for variances set forth 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 add no more than 18' of two strand barbed wire to an existing 6' fence.

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 18th day of November, 2015 and journalized on the 13th day of January, 2015.


Cliff Mackney
BZA Chairman


Cathy Walton
BZA Secretary