

WEST CHESTER TOWNSHIP
BOARD OF ZONING APPEALS
July 13th, 2026 – Regular Meeting

MEMBERS PRESENT:

Mr. Hilton, Mr. Mear, Ms. Kemp, Mr. Weston, Ms. Hendel - Seated

STAFF PRESENT:

Jeff Uckotter – Community Development Director

Jonathan Roach – Legal Counsel

Jeanne Campbell – Township

CALL TO ORDER:

The regular meeting of the West Chester Township Board of Zoning Appeals was held at West Chester Township Hall. The Chair called the meeting to order at approximately 6:00 PM. Roll call was conducted and a quorum was confirmed.

APPROVAL OF PREVIOUS MINUTES:

Approval of the June 08, 2026 minutes

Motion by: Kemp

Seconded by: Weston

Hilton – Yes

Mear – Yes

Kemp – Yes

Westin – Yes

Hendel – Yes

Minutes approved 5-0.

SWEARING IN:

All individuals intending to provide testimony were sworn in and affirmed that their statements were true and correct to the best of their knowledge and belief.

OLD BUSINESS:

BZA 26-08 KAO USA, Robert Humbarger and Loren Conrad

applicant has requested a variance from Table 9.07-6 to allow a directional sign that exceeds the maximum area and height requirements in the M (Industrial) District for the property located at 8778-8910 Le Saint Drive.

STAFF REPORT:

Mr. Uckotter reviewed the staff report and outlined the nature of the request, applicable zoning provisions, and staff recommendation. All exhibits submitted were entered into the record.

APPLICANT PRESENTATION:

The applicant addressed the Board regarding the request and responded to questions from Board members.

PUBLIC COMMENT:

The Chair opened the public hearing. There were no opponents, proponents or anyone neutral to speak.

BOARD ACTION:

Motion to approve BZA 26-08 with conditions recommended by Staff.

Motion by: Hendel

Seconded by: Hilton

Ms. Kemp – Yes

Mr. Hilton – Yes

Ms. Hendel – Yes

Mr. Weston – Yes

Mr. Mear – Yes

Motion carried 5-0.

NEW BUSINESS:**Case BZA 26-16 – Chris & Cyndi English**

The applicants have requested a variance from WTCZR 3.06.B.5 in reference to a proposed accessory structure in excess of 200 square feet in the R-PUD (Residential Planned Unit Development) District for the property located at 4621 Kohls Court.

STAFF REPORT:

Mr. Uckotter reviewed the staff report and outlined the nature of the request, applicable zoning provisions, and staff recommendation. Mr. Uckotter noted this was not a substantial request and the variance request would not cause substantial detriment to the neighborhood or adjoining property owners. All exhibits submitted were entered into the record.

APPLICANT PRESENTATION:

Ryan Smith, of Smithscapes Landscape Services, addressed the Board on behalf of the applicant and responded to questions from Board members.

PUBLIC COMMENT:

The Chair opened the public hearing. There were no opponents, proponents or anyone neutral to speak.

BOARD ACTION:

Motion to approve BZA 26-16 with conditions recommended by Staff.

Motion by: Kemp

Seconded by: Hendel

Ms. Kemp – Yes
Mr. Weston – Yes
Mr. Hilton – Yes
Ms. Hendel – Yes
Mr. Mear – Yes
Motion carried 5-0.

Case BZA 26-17 – Atlantic Sign Company on Behalf of Butler Tech

The applicant has requested that this case be tabled until at least the August meeting

STAFF REPORT:

Mr. Uckotter stated that Staff has requested a motion to continue the case until the August BZA Meeting on August 10, 2026.

BOARD ACTION:

Motion to Table BZA 26-17
Motion by: Hilton
Seconded by: Weston

Ms. Kemp – Yes
Mr. Hilton – Yes
Mr. Westin – Yes
Ms. Hendel – Yes
Mr. Mear – Yes
Motion carried 5-0.

Case BZA 26-18 – M/I Homes of Cincinnati, LLC.

The applicant has requested a variance from WCTZR 4.01.C.1 to develop a single-family residential subdivision served by private streets in the R-3 (Transitional Residence) District. Under WCTZR 4.01.C.1 residential lots must have frontage on a public dedicated right-of-way. The WCTZR definition of “lot frontage” further ties frontage to a property line abutting a legally recorded public street right-of-way. Because the proposed lots would be served by private streets rather than a public dedicated right-of-way, the applicant seeks a variance from these requirements for the property located at 9074 Cox Road.

STAFF REPORT:

Mr. Uckotter reviewed the staff report and outlined the nature of the request, applicable zoning provisions, and staff recommendation. Mr. Uckotter recommended denial because the property can be reasonably developed as a permitted single-family subdivision using a public right-of-way layout rather than private street easements. He stated the requested variance is substantial and shifts long-term street maintenance, snow removal and infrastructure responsibilities to private ownership and HOA funding, which could create future hardship and service uncertainty. Mr. Uckotter noted the concept plan omitted required sidewalks and street trees that ensure pedestrian safety and neighborhood

character. Mr. Uckotter concluded that granting the variance would bypass the clear zoning requirements without necessity, failing to observe the spirit and intent of the township's subdivision standards. All exhibits submitted were entered into the record.

APPLICANT PRESENTATION:

Justin Lanham, M/I Homes, of 9349 Waterstone Boulevard, Suite 100, addressed the Board regarding the request and responded to questions from Board members.

PUBLIC COMMENT:

The Chair opened the public hearing. There were 2 opponents, no proponents or no one neutral to speak.

The opponents were not in favor of the subdivision but the Board explained that they were only there to decide on whether the subdivision has public or private roads and that they cannot make decisions on the subdivision being built. Mr. Uckotter explained that the proponents would need to talk to the County about their concerns regarding storm water and drainage.

BOARD ACTION:

Motion to Deny BZA 26-18 for the proposed subdivision after finding that the property can be reasonably developed under existing regulations. The Board expressed concerns regarding the waiver of public right-of-way requirements for private street easements, citing potential issues with long-term maintenance and public service delivery. Additionally, the Board noted the omission of required sidewalks and street trees, emphasizing that both features are feasible and essential for creating safe, walkable and cohesive neighborhoods.

Motion by: Kemp

Seconded by: Hendel

Ms. Kemp – Yes

Mr. Hilton – Yes

Mr. Weston – Yes

Ms. Hendel – Yes

Mr. Mear – Yes

Motion carried 5-0.

ANNOUNCEMENTS:

Next meeting: August 10, 2026 at 6:00 PM.

ADJOURNMENT:

Motion to adjourn

Motion by: Weston

Seconded by: Kemp

Mr. Hilton – Yes

Mr. Mear – Yes

Ms. Hendel – Yes

Ms. Kemp – Yes

Mr. Weston – Yes

Motion approved 5-0.

The meeting was adjourned at approximately 7:00 PM.

These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under the 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 Chair:

A handwritten signature in black ink, appearing to read 'Mike Mear', written over a horizontal line.

Mike Mear

BZA Secretary:

A handwritten signature in black ink, appearing to read 'Jeff Uckotter', written over a horizontal line.

Jeff Uckotter

July 13, 2026

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION OF APPROVAL
APPLICATION NO. BZA 26-08**

- WHEREAS, the applicants, Robert Humbarger and Loren Conrad, filed application no. 26-08 on March 17th, 2026, with the Board of Zoning Appeals (BZA), (herein, “the Board”) under Article 11, Subsection 11.05.D of the West Chester Township Zoning Resolution (WCTZR), requesting a variance from Table 9.07-6 to permit a (directional) sign area of 16sf and a maximum height to the top directional signs of 66”, with some of the proposed signs, proposed by the applicants, located outside of the Le Saint right-of-way, as applied to the M-zoned property located at 8910 Le Saint Drive, Parcel #M5620-448-000-005, (West Chester Township, Butler County); and
- WHEREAS, a public hearing was held on said application on May 11th, 2026, notice of which was given to parties of interest in writing and also by digital publication on the Township website and social media posts 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, following a requested continuance at the June 8, 2026 meeting, a second public hearing was held on said application on July 13, 2026, notice of which was given to parties of interest in writing and also by digital publication on the Township website and social media posts 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 11.03.D et. seq. of the WCTZR empowers the Board to authorize variances that will not be contrary to the public interest; and that are consistent with the criteria provided within the WCTZR; and
- WHEREAS, the Board has considered all information and testimony presented at the public hearing and finds that the requested variance, as amended herein, is not contrary to the public interest and is consistent with the WCTZR, including the applicable standards set forth in Table 9.07-6.
- WHEREAS, the terms of the Board’s approval of the variance herein supersede and replace any prior decision by the Board in this case.
- 1.) THEREFORE, BE IT RESOLVED, that by virtue of the foregoing, the Board of Zoning Appeals does hereby approve the request for a variance from WCTZR Table 9.07-6 as to the size and height of the proposed directional signs, with the following conditions as noted in Exhibit A and the site plan noted in Exhibit B:

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 July, 2026.

 7-13-26

Mike Mear
Vice Chair

 7-13-26

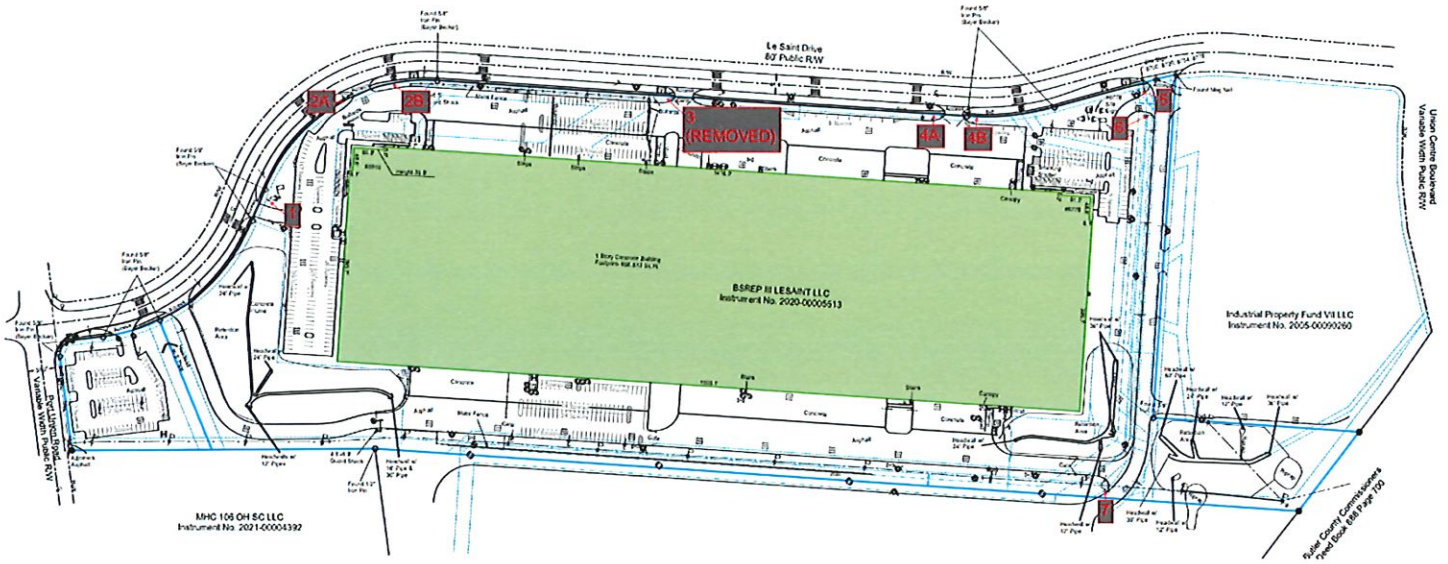
Jeff Uckotter,
BZA Secretary

Exhibit A

Conditions:

- a. All directional signs, whether existing or proposed, shall be located entirely on the subject property and outside of the public right-of-way. Directional signs shall maintain a minimum setback of 10 feet from all property lines, except along the Le Saint Drive frontage (specifically, directional signs 1-5), where signs may be located at or near the front property line, provided that no portion of the directional sign extends beyond the front property line or into the public right-of-way.
- b. All directional signs for this subject property shall be no larger than 48" x 48" with a visual space of 44.5" H x 44" W. Max height of the directional signs shall be no taller than 66".
- c. All directional signs, whether existing or proposed, on the subject property shall be reflective and shall use retroreflective sheeting or a similar reflective material.

Exhibit B
Directional sign locations 1, 2A, 2B, 4A, 4B, 5, 6 and 7



BZA RESOLUTION NO. 26-16

WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS RESOLUTION OF APPROVAL

WHEREAS, the applicant, Chris and Cyndi English, filed application no. 26-16 on May 27, 2026, with the Board of Zoning Appeals (BZA) (herein “the Board”) under Article 11, Subsection 11.05.D of the West Chester Township Zoning Resolution (WCTZR), requesting a variance from WCTZR Section 3.06.B.5 to permit the installation of a 504-square-foot residential unenclosed pergola measuring approximately 18 feet by 28 feet, as applied to the R-PUD zoned property located at 4621 Kohls Court, Parcel No.: M5620-437-000-003, West Chester Township, Butler County; and

WHEREAS, a public hearing was held on said application on July 13, 2026, notice of which was given to parties of interest in writing and also by digital publication on the Township website and social media posts 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 11.03.D et seq. of the WCTZR empowers the Board to authorize variances that will not be contrary to the public interest and that are consistent with the criteria provided within the WCTZR; and

WHEREAS, the Board has considered all information and testimony presented at the public hearing, including the application materials, staff report, and applicable variance review standards set forth in WCTZR Section 11.05.C.2; and

WHEREAS, the Board further finds that, the variance will not adversely affect the delivery of governmental services, will not substantially alter the essential character of the neighborhood or cause substantial detriment to adjoining properties, and that the spirit and intent of WCTZR Section 3.06.B.5 will be observed and substantial justice done by granting the variance subject to the conditions set forth in Exhibit A.

THEREFORE, BE IT RESOLVED, that by virtue of the foregoing, the Board of Zoning Appeals hereby approves the request for a variance from WCTZR Section 3.06.B.5 to permit the installation of a 504-square-foot unenclosed pergola measuring approximately 18 feet by 28 feet, subject to the conditions set forth in Exhibit A.

BE IT FURTHER RESOLVED, that all plats, plans, applications and other data submitted be and are hereby made a part of this Resolution.

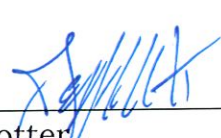
Adopted and journalized at a regularly scheduled meeting of the West Chester Township Board of Zoning Appeals in session on the 13th Day of July, 2026 in West Chester Township, Butler County, OH.

Chairperson:

 7-13-26

Mike Mear

Secretary:

 7-13-26

Jeff Uckotter
Community Development Director

Exhibit A

Conditions:

1. Roll-down screens, whether motorized or manual, that are not supported by a fixed framing structure shall not, by themselves, constitute enclosure of the structure.
2. If the approved unenclosed structure is proposed to be enclosed in the future, a new variance request shall be required.