

WEST CHESTER TOWNSHIP
BOARD OF ZONING APPEALS
June 08th, 2026 – Regular Meeting

MEMBERS PRESENT:

Mr. Sanchez, Mr. Mear, Ms. Kemp, Ms. Rogers, Ms. Hendel - Seated
Mr. Weston – Alternates not 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 May 11, 2026 minutes
Motion by: Hendel
Seconded by: Sanchez

Sanchez – Yes
Mear – Yes
Kemp – Yes
Rogers – Yes
Hendel – Yes
Minutes approved 5-0.

AFFIRMATION OF PREVIOUS RESOLUTIONS:

Case BZA 26-05 – Jeff Schweizer, Champion, on behalf of Leslie Clark

Sanchez – Yes
Mear – Yes
Kemp – Yes
Rogers – Yes
Hendel – Yes
Resolution affirmed 5-0

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

Motion to table

Sanchez – Yes

Mear – Yes
Kemp – Yes
Rogers – Yes
Hendel – Yes
Resolution tabled 5-0

Case BZA 26-09 – Dean Weinheimer

Sanchez – Yes
Mear – Yes
Kemp – Yes
Rogers – Yes
Hendel – Yes
Resolution affirmed 5-0

Case BZA 26-10 – Cody Anderson

Sanchez – Yes
Mear – Yes
Kemp – Yes
Rogers – Yes
Hendel – Yes
Resolution affirmed 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.

NEW BUSINESS:

Prior to the first case:

1. Mr. Uckotter noted a shift of practice that agendas would no longer include the affirmation of previous resolutions, and that resolutions would be voted on and signed the day of the meeting. The rationale was that the revised practice is more efficient and it is better for the residents: they can proceed with the application of Zoning Certificates after the meeting and would not have to wait another month until the next meeting. The Board acknowledged that was an acceptable practice.
2. As a matter of efficiency for the entire meeting and as is normal practice, Mr. Uckotter presented and outlined the full written unnecessary hardship standards as noted in WCTZR 11.05.C.2.a&b that apply to the analysis of area variance requests.

Case BZA 26-11 – Jose Manuel Boloqui

The applicant has requested a variance from WCTZR 3.06.B.5 in reference to a proposed accessory structure in excess of 200 square feet in the SP-PUD (Special Purpose Planned Unit Development) District.

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 that variance request would not cause substantial detriment to the neighborhood or adjoining property owners. All exhibits submitted were entered into the record.

APPLICANT PRESENTATION:

The applicant, Jose Manuel Boloqui, 8046 Eagleridge Dr, 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 26-11 with the conditions recommended by staff.

Motion by: Hendel

Seconded by: Mear

Ms. Kemp – Yes

Ms. Rogers – Yes

Ms. Hendel – Yes

Mr. Sanchez – Yes

Mr. Mear – Yes

Motion carried 5-0.

Case BZA 26-12 – Dennis Oladapo Olumuyiwa

The applicant has requested a variance pursuant to WCTZR 11.03.D.2.d.ii and 11.06.F.1 to permit the extension/alteration of a legal non-conforming used automobile sales use through the construction of an accessory structure exceeding 200 square feet in the B-2 (General Business) District. To the extent applicable, relief is also requested from WCTZR 3.06.B.5 regarding accessory structure size.

STAFF REPORT:

Mr. Uckotter reviewed the staff report and outlined the nature of the request, applicable zoning provisions, and staff recommendation. Mr. Uckotter noted the submitted materials do not demonstrate the proposed 1,200-square-foot carport-style structure is necessary and incidental to the existing non-conforming used automobile sales use, as required by WCTZR 11.03.D.2.d.ii..

Mr. Uckotter further presented that the proposed structure would enlarge, improve, and intensify the non-conforming use rather than simply allow the existing use to continue. Approval would create an undesirable precedent for other non-conforming used automobile sales or automobile-oriented uses along SR 42 seeking to add new structures or otherwise expand the physical facilities supporting those uses.

Mr. Uckotter also noted an inspection found that outdoor repairs/ grinding of vehicles was observed and noted that outdoor repair, grinding, service, processing, or storage of damaged vehicles is not authorized through this request and is required to occur inside an enclosed building where such activity is permitted and approved. All exhibits submitted were entered into the record.

APPLICANT PRESENTATION:

The applicant, Dennis Oladapo Olumuyiwa, of 8939 Cincinnati Columbus Rd 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 deny BZA 26-12.

Motion by: Kemp

Seconded by: Sanchez

Ms. Kemp – Yes

Mr. Sanchez – Yes

Ms. Rogers – Yes

Ms. Handle – Yes

Mr. Mear – Yes

Motion carried 5-0.

Case BZA 26-13 – Boys and Girls Club of West Chester/Liberty

The applicant has requested approval to install two non-illuminated, double sided, monument style entry/exit wayfinding signs for the subject property, with each proposed sign measuring approximately 13.5 square feet in sign area and 72 inches/6 feet in height. The proposed signage may be reviewed under two potential sections of the WCTZR:

- **Freestanding Sign Classification:** If classified as freestanding monument signs, the request should be reviewed under WCTZR 9.07.C, which permits one freestanding sign per lot frontage in the A-1/R (Agricultural/Residence) District category, with a maximum sign area of 20 square feet and a maximum height of 6 feet. Therefore, the proposed signs appear to comply with the freestanding sign area and height standards, but may require relief to permit two freestanding signs along the same lot frontage and/or relief from the required 50-foot separation from another freestanding sign, depending on the final placement.
- **Directional Sign Classification:** Alternatively, if classified as directional signs, the request should be reviewed as an area variance from WCTZR 9.07.F, because directional signs are limited to 6 square feet in area and 4 feet in height, while the proposed signs are 13.5 square feet in area and 6 feet in height.

STAFF REPORT: Mr. Uckotter reviewed the staff report and outlined the nature of the request, applicable zoning provisions, and staff recommendation. Staff found the request is best characterized as relief from the applicable sign standards for the proposed entry/exit signage, rather than as a conditional use.

Mr. Uckotter stated that in working with the Boys and Girls Club, there has been an alternative proposal submitted with an alteration to the signs so they would not extend taller than four feet tall with a sign area of six feet tall, which is the directional sign standard found in the Zoning Resolution. This revised proposal would still need a variance because the Zoning Resolution does not allow directional signs for institutional uses in a residential area. Mr. Uckotter noted the revised proposal of four-foot-tall directional signs was not a substantial variance. All exhibits submitted were entered into the record.

APPLICANT PRESENTATION:

The applicant and/or representative, Damon Knoche, of 8749 Cincinnati Dayton Road and Joel Herzog, of 7769 Whitehall Circle 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 26-13 with conditions recommended by staff. The core condition was that a survey is required prior to the issuance of a zoning certificate for the directional signs.

Motion by: Kemp

Seconded by: Sanchez

Ms. Kemp – Yes

Mr. Sanchez – Yes

Ms. Rogers – Yes

Ms. Hendel – Yes

Mr. Mear – Yes

Motion carried 5-0.

Case BZA 26-14 – Greg Knox

The applicant has requested a variance from WCTZR 3.06.B.5 in reference to a proposed rear yard accessory structure in excess of 200 square feet in the R-1A (Suburban Residence) District.

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:

The applicant's representative, Bob Hutsenpiller of 7404 Liberty One Drive, 45044, 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 26-14 with conditions recommended by staff.

Motion by: Sanchez

Seconded by: Mear

Ms. Kemp – Yes

Mr. Sanchez – Yes

Ms. Rogers – Yes

Ms. Hendel – Yes

Mr. Mear – Yes

Motion carried 5-0.

Case BZA 26-15 – Kathleen Anderson

The applicant has requested an area variance from WCTZR 3.06.B.9 related to an accessory structure to be located less than 10 feet from the rear (south) and right-side property (west) line(s) in the R-2 (Single Family Residence) District.

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 a substantial request and the variance request would cause substantial detriment to the neighborhood or adjoining property owners; especially the setback of the shed from the west or right-side residential property line. As a compromise, Mr. Uckotter proposed a revised site plan that would allow a variance from only the rear (south) property line, but not the west, right side property for the siting of a shed under 200sf. All exhibits submitted were entered into the record.

APPLICANT PRESENTATION:

The applicant, Kathleen Anderson, of 7699 Joan Drive 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 26-15 with conditions recommended by staff.

Motion by: Kemp

Seconded by: Sanchez

Ms. Kemp – Yes

Mr. Sanchez – Yes

Ms. Rogers – Yes

Ms. Hendel – Yes

Mr. Mear – Yes

Motion carried 5-0.

ANNOUNCEMENTS:

Next meeting: July 13, 2026 at 6:00 PM.

ADJOURNMENT:

Motion to adjourn

Motion by: Hendel

Seconded by: Mear

Sanchez – Yes

Mear – Yes

Hendel – Yes

Kemp – Yes

Rogers – Yes

Motion approved 5-0.

The meeting was adjourned at approximately 7:40 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 Vice Chair:



Mike Mear

7-13-26

BZA Secretary:

7-13-26

Jeff Uckotter

June 08, 2026

BZA RESOLUTION NO. 26-11

WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS RESOLUTION OF APPROVAL

WHEREAS, the applicant, Jose Manuel Boloqui, filed application no. 26-11 on April 30th, 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 allow the installation of a residential pergola with dimensions of approximately 13 feet by 19 feet (247 Square feet), as applied, to the SP-PUD zoned property located at 8046 Eagleridge Drive Parcel #: M5620-233-000-011, (West Chester Township, Butler County); and

WHEREAS, a public hearing was held on said application on June 8th, 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 requested variance is not substantial in the context of the subject property, 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, 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 8th Day of June, 2026 in West Chester Township, Butler County, OH

Chairperson:



Kay Rogers

Secretary:



Jeff Uckotter, CD 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.

BZA RESOLUTION NO. 26-12

WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS RESOLUTION OF DENIAL

WHEREAS, the applicant, Olumuyiwa Dennis Oladapo, filed application no. 26-12 on May 6, 2026, with the West Chester Township Board of Zoning Appeals (“the Board”) requesting approval for an extension of an existing non-conforming use to allow construction of a new 30-foot by 40-foot, 1,200-square-foot carport-style structure in connection with an existing used automobile sales use, as applied to the B-2 zoned property located at 8939 Cincinnati Columbus Road, Parcel No. M5610-013-000-032, West Chester Township, Butler County, Ohio; and

WHEREAS, a public hearing was held on the application on June 8, 2026, notice of which was given to parties of interest in writing and by digital publication on the Township website and social media 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, WCTZR Section 11.03.D.2.d.ii authorizes the Board to grant the extension of a non-conforming use upon the lot occupied by such use, or on an adjoining lot, provided that the extension is necessary and incidental to the existing non-conforming use; and

WHEREAS, the Board considered the application, submitted plans, staff report, photographic evidence, and all information and testimony presented at the public hearing; and

WHEREAS, WCTZR Section 11.06.C places the burden of establishing that a use or structure is lawfully non-conforming upon the owner of such non-conformity and not upon the Township, and WCTZR Section 11.06.F limits the enlargement, reconstruction, or structural alteration of buildings, structures, or premises devoted to uses not permitted in the applicable zoning district except as otherwise authorized by the Board under the provisions for substitution or extension of a non-conforming use; and

WHEREAS, the Board recognizes that the existing used automobile sales operation may have been established prior to the current WCTZR standards regulating used automobile sales; however, under the current WCTZR, used automobile sales are not permitted as a standalone principal use in the B-2 District and are instead regulated as an accessory use subject to WCTZR Section 3.06.C, including the requirement that such use be located on the same lot as a new automobile sales use; and

WHEREAS, because the application seeks approval of a new structure in connection with a pre-existing used automobile sales operation that does not

conform to the current WCTZR, the Board reviewed the request as an application to extend an existing non-conforming used automobile sales use, and not as a conventional area variance or use variance, without making a final determination as to the legality, nature, or extent of the existing non-conforming use; and

WHEREAS, the Board finds that, even assuming the existing used automobile sales use is lawful as a non-conforming use, such status does not create an automatic right to enlarge, improve, or intensify the non-conforming use; and

WHEREAS, the Board finds that the applicant has not demonstrated that the proposed 1,200-square-foot carport-style structure is necessary and incidental to the existing non-conforming used automobile sales use as required by WCTZR Section 11.03.D.2.d.ii, and further finds that compliance with side and rear setbacks is not the applicable standard for approval of an extension of a non-conforming use; and

WHEREAS, the Board finds that the proposed 30-foot by 40-foot unenclosed carport-style structure is not a minor site change, but would add substantial new covered area that could support vehicle display, vehicle storage, customer activity, detailing, repair or service activity, or other automobile-related activity, thereby enlarging, improving, reinforcing, or intensifying the existing non-conforming used automobile sales use rather than merely allowing it to continue; and

WHEREAS, the Board considered staff testimony and photographic evidence that, during a May 29, 2026 site visit, the applicant invited staff to view the area where the proposed structure would be placed, and West Chester Township Community Development Director Jeff Uckotter observed outdoor vehicle-related work occurring on the property, including grinding activity that generated a visible cloud of dust, as well as damaged or totaled vehicles located behind the fence in that area; and

WHEREAS, the Board finds that those observed conditions raise zoning and property maintenance compliance concerns and are relevant to whether the proposed unenclosed carport-style structure would support passive vehicle display and sales only, or whether it would also support outdoor automobile repair, service, grinding, processing, or storage activity in a structure that is not an enclosed building; and

WHEREAS, the Board finds that automobile repair and service work, where permitted and approved, is required to occur within an enclosed building pursuant to WCTZR Sections 3.04.E.1 and 3.06.C.5, that a carport-style structure is not an enclosed building, and that the proposed carport-style structure could support outdoor repair, grinding, service, processing, or storage activity not otherwise authorized by the WCTZR; and

WHEREAS, the Board finds that the application provides limited supporting information regarding the effect of the proposed structure on site operations, circulation, outdoor activity, vehicle storage, screening, dust, noise, customer activity, or the visual character of the property and surrounding SR 42 corridor, and further finds that approval could create an undesirable precedent for other non-conforming used automobile sales or automobile-oriented uses seeking to add new structures, site improvements, or operational expansions; and

WHEREAS, the Board further finds that the request should not be treated as a means to expand, reauthorize, or intensify a used automobile sales use beyond the limited rights associated with a lawful non-conforming use, particularly because use variances are prohibited under the WCTZR;

THEREFORE, BE IT RESOLVED, that by virtue of the foregoing, the West Chester Township Board of Zoning Appeals hereby denies application no. 26-12, which requested approval for an extension of an existing non-conforming use under WCTZR Section 11.03.D.2.d.ii to allow construction of a 30-foot by 40-foot carport-style structure in connection with the existing used automobile sales use at 8939 Cincinnati Columbus Road.

BE IT FURTHER RESOLVED, that this Resolution shall not be construed as a determination that the existing used automobile sales use has been established as a lawful non-conforming use beyond the limited assumptions necessary for review of the pending application.

BE IT FURTHER RESOLVED, that this Resolution shall not be construed to cure, authorize, legalize, or expand any existing zoning or property maintenance compliance issue on the property, including any outdoor automobile repair, service, grinding, processing, or storage activity not otherwise permitted by the Zoning Resolution.

BE IT FURTHER RESOLVED, that all plats, plans, applications, staff reports, testimony, and other materials submitted or presented in connection with this application 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 8th day of June, 2026 in West Chester Township, Butler County, Ohio

Chairperson:



Kay Rogers

Secretary:



Jeff Eckotter
Community Development Director

BZA RESOLUTION NO. 26-13

WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS RESOLUTION OF APPROVAL

WHEREAS, the applicant, Boys & Girls Club of West Chester/Liberty, filed application no. 26-13 on May 8, 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 the applicable sign standards, including WCTZR Section 9.07.F, to allow the installation of two non-illuminated, double-sided entry/exit wayfinding signs, as applied to the R-2 zoned property located at 8735 Cincinnati Dayton Road, Parcel #: M5610-023-000-030, West Chester Township, Butler County; and

WHEREAS, a public hearing was held on said application on June 8, 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 finds that a modified variance allowing two non-illuminated entry/exit wayfinding signs, each limited to a maximum sign area of six square feet and a maximum height of four feet, will address the applicant’s stated site-circulation and safety objectives while preserving the distinction between directional signage and freestanding monument signage, maintaining consistency with the scale generally associated with WCTZR Section 9.07.F, and observing the spirit and intent of the WCTZR 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 a modified variance from the applicable sign standards, including WCTZR Section 9.07.F, to allow two non-illuminated entry/exit wayfinding signs, each limited to a maximum sign area of six square feet and a maximum height of four feet, subject to the conditions set forth in Exhibit A. The variance is approved only as modified herein, and no approval is granted for the originally proposed signs measuring approximately 13.5 square feet in sign area and six feet in height.

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 8th Day of June, 2026 in West Chester Township, Butler County, OH.

Chairperson:



Kay Rogers

Secretary:



Jeff Uckotter
Community Development Director

Exhibit A

Conditions:

- a. Each approved entry/exit wayfinding sign shall be non-illuminated and shall not exceed six square feet in sign area or four feet in height.
- b. A certified survey shall be required to ensure the ten-foot-setback is met from the ROW (right-of-way) line. Upon application for a zoning certificate, photos of stake placement, placed by the certified surveyor, shall be required to be a part of the Zoning Certificate Application.
- c. The directional signs shall be reflective and shall use retroreflective sheeting or a similar reflective material to ensure safe nighttime or dusk/dawn activity.

BZA RESOLUTION NO. 26-14

WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS RESOLUTION OF APPROVAL

WHEREAS, the applicant, Greg Knox, filed application no. 26-14 on May 8, 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 750-square-foot residential pool house measuring approximately 30 feet by 25 feet, as applied to the R-1A zoned property located at 6342 Fountains Boulevard, Parcel Nos.: M5620-334-000-037, West Chester Township, Butler County; and

WHEREAS, a public hearing was held on said application on June 8th, 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, while the requested variance is numerically substantial, the proposed residential pool house is located in the rear yard, is associated with an existing residential pool and outdoor living area, includes both an enclosed pool house component and a covered porch area, and is situated on a relatively spacious residential property with substantial screening to the north and west; and 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 750-square-foot residential pool house measuring approximately 30 feet by 25 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 8th Day of June, 2026 in West Chester Township, Butler County, OH.

Chairperson:



Kay Rogers

Secretary:



Jeff Uckotter
Community Development Director

Exhibit A

Conditions:

1. Related to the porch area of the approved structure, roll-down screens, whether motorized or manual, that are not supported by a fixed framing structure shall not, by themselves, constitute enclosure of the porch area.
2. If the unenclosed porch area of the approved structure is proposed to be enclosed in the future, a new variance request shall be required.
3. The approved structure shall not be used as an accessory dwelling unit, separate dwelling unit, rental unit, sleeping quarters, or independent living quarters, and shall be used only as an accessory structure related to the residential pool area.

BZA RESOLUTION NO. 26-15

WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS RESOLUTION OF APPROVAL

WHEREAS, the applicant, Kathleen Anderson, filed application no. 26-15 on May 11, 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.9 to permit a shed to be sited against the rear and side property lines, as applied to the R-2 zoned property located at 7699 Joan Drive, Parcel #: M5620-094-000-081, West Chester Township, Butler County; and

WHEREAS, a public hearing was held on said application on June 8, 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, after considering the applicable area variance review standards set forth in WCTZR Section 11.05.C.2, the Board finds that a modified variance allowing one accessory shed, not exceeding 200 square feet, to be located along the rear/south fence line adjacent to the nonresidential property, while maintaining the required ten-foot setback from all other property lines, is limited in scope, will allow reasonable residential accessory storage, will preserve separation from adjoining residential properties, will reduce the potential impacts associated with the original side-yard setback request, will not adversely affect the delivery of governmental services, and will observe the spirit and intent of WCTZR Section 3.06.B.9, with substantial justice done by granting the modified 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 a modified variance from WCTZR Section 3.06.B.9 to allow one accessory shed, not exceeding 200 square feet, to be located along the rear/south fence line adjacent to the nonresidential property, subject to the conditions set forth in Exhibit A. The variance is approved only as modified herein,

and no approval is granted for the originally proposed placement of the shed directly adjacent to the side 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 8th Day of June, 2026 in West Chester Township, Butler County, OH.

Chairperson:

Secretary:



Kay Rogers



Jeff Uckotter
Community Development Director

Exhibit A

Conditions:

1. The approval is limited to one accessory shed not exceeding 200 square feet in area.
2. The approved shed may be located along the rear/south fence line adjacent to the nonresidential property, but shall maintain the required minimum ten-foot setback from all other property lines, including both side property lines.
3. Prior to issuance of a zoning certificate, the applicant shall submit a final site plan showing the proposed shed location and setbacks, together with complete shed details, including size, height, and elevations, for review by zoning staff.
4. No portion of the shed, including roof overhangs, gutters, foundations, or appurtenances, shall encroach onto an adjoining property.
5. The approved shed shall comply with all other applicable WCTZR requirements unless separate relief is granted by the Board.
6. The existing storage box located in the front driveway area shall be removed or otherwise brought into compliance with applicable zoning requirements prior to issuance of a zoning certificate for the approved shed.