

WEST CHESTER TOWNSHIP
BOARD OF ZONING APPEALS
May 11th, 2026 – Regular Meeting

MEMBERS PRESENT:

Mr. Sanchez, Mr. Mear, Ms. Kemp, Ms. Rogers, Ms. Hendel - Seated
Mr. Weston, Mr. Hilton – Alternates not seated

STAFF PRESENT:

Jeff Uckotter – Community Development Director
Jonathan Roach – Legal Counsel
Jeanne Campbell – Township
Beverly Worley- 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 April 13, 2026 minutes
Motion by: Mear
Seconded by: Hendel

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

AFFIRMATION OF PREVIOUS RESOLUTIONS:

Case BZA 26-04 – Totym Global, LLC on behalf of Olumuyiwa Oladapo

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

Case BZA 26-06 – Ben Yoder, Bricker Graydon Wyatt, on behalf of Speedway, LLC

Sanchez – Yes; Mear – Yes; Kemp – No; Rogers – Yes; Hendel – No
Resolution affirmed 3-2

Case BZA 26-07 – Tim McGimpsey, Premier Decks and Outdoor Design, LLC, on behalf of Michael and Christina Fox

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

The applicant has requested a variance from table 4.01-1 to permit the construction of an attached covered patio 37 feet from the rear property line where 45 feet is required in the R-1 (Suburban Residence) District for the property located at 7401 Jean 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. Mr. Uckotter noted that this variance request was not substantial.

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. No member of the public spoke.

BOARD ACTION:

Motion to approve BZA 26-05 with the condition that if the unenclosed structure is proposed to be enclosed in the future, a new variance case shall be required.

Motion by: Kemp

Seconded by: Mear

Ms. Kemp – Yes; Ms. Rogers – Yes; Ms. Hendel – Yes; Mr. Sanchez – Yes; Mr. Mear – Yes
Motion carried 5-0.

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

The 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, the applicable zoning provisions, and the staff recommendation. Having previously visited the site with the applicants present, Mr. Uckotter noted that KAO's request for larger directional signs was rooted in safety and related to the volume of truck traffic on the site and the confusing nature of the site layout, including multiple curb cuts along Le Saint Drive. However, Mr. Uckotter further advised that KAO's proposal to locate directional signs within the Le Saint Drive right-of-way was not acceptable.

In response, Mr. Uckotter presented the Board with a potential alternative arrangement for the directional signs near Le Saint Drive. Under the recommended arrangement, the proposed directional signs could be permitted at the requested size, provided that the signs are located entirely outside of the public right-of-way and maintain a minimum setback of 10 feet from all property lines, except along the Le Saint Drive right-of-way line. Along the Le Saint Drive frontage, the signs may be located at or near the property line, provided that no portion of the sign extends beyond the property line or into the public right-of-way.

Mr. Uckotter further advised that, if any existing street trees are required to be removed or relocated to accommodate the directional signs along Le Saint Drive, a tree replacement and replanting plan shall be required. Such plan shall identify the proposed location and species of all replacement trees. Any replacement trees shall be of a comparable species, shall be a minimum of 2.5-inch caliper at the time of planting, and shall be balled and burlapped.

Mr. Uckotter also recommended that all directional signs on the subject property be reflective and use retroreflective sheeting or a similar reflective material. The BZA did not object to Mr. Uckotter's recommended alternative arrangement or the conditions described above. All exhibits submitted were entered into the record.

APPLICANT PRESENTATION:

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

PUBLIC COMMENT:

The Chair opened the public hearing. No member of the public spoke.

BOARD ACTION:

Motion to approve BZA 26-08 with 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, as identified in the Staff Report presented in this case), 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. If a directional sign is proposed to be located in the general location of a street tree along Le Saint Drive, but on the subject property, or if multiple trees are required to be removed as a result of the placement or relocation of a directional sign, a tree replacement and replanting plan shall be provided to the West Chester Township Community Development Department for review and approval, prior to the issuance of any permit. The tree replacement and replanting plan shall ensure that any trees that are removed are replaced in a comparable manner. All replacement trees shall be of comparable species, as determined by the West Chester Township Community Development Department, shall be a minimum of 2.5-inch caliper, and shall be balled and burlapped.
- 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.

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 26-09 – Dean Weinheimer

The applicant has requested a variance from Section 3.06.B.5 to permit the construction of an accessory structure that exceeds 200 square feet in the A-1 (Agricultural) District for the property located at 7389 Lesourdsville West Chester Road.

STAFF REPORT:

Mr. Uckotter reviewed the staff report and outlined the nature of the request, the applicable zoning provisions, the current conditions of the five-acre A-1 zoned property, and the staff recommendation. Mr. Uckotter noted that the subject property sits atop a knoll and is located within an area of A-1 zoned properties, although the broader surrounding area includes other residential development patterns.

Mr. Uckotter testified that the variance request from WCTZR Section 3.06.B.5 for a 2000-square-foot shed was not applicable to the proposed improvement because the Applicant's proposed structure is a 2,000-square-foot accessory garage, measuring approximately 50 feet by 40 feet, with large garage doors and intended for the storage of large trailers. Accordingly, after first considering the applicability of WCTZR Section 3.06.B.5, Mr. Uckotter recommended that the Board evaluate the request under WCTZR 3.06.M.1- 3.06.M.5.

Mr. Uckotter expressed concern regarding the substantial nature of the variance request and the bad precedent that the approval of this case could present. If evaluated under WCTZR Sections 3.06.M.1 through 3.06.M.5, the requested increase would be approximately 70 percent above the applicable standard. If evaluated under the shed standard, the requested increase would be approximately 900 percent above the permitted size.

Mr. Uckotter further noted concern that approval of a 2,000-square-foot accessory structure would not be harmonious with the intent and goals of the Zoning Resolution. While Mr. Uckotter did not suggest that the Applicant intended to operate a business from the structure, he noted that the approval of a structure of this size in the A-1 District could create future enforcement concerns, particularly if the property were sold and the structure were later used in a manner inconsistent with residential accessory use standards.

Mr. Uckotter also expressed concern that approval of such a large accessory structure, contrary to the applicable dimensional standards of the Zoning Resolution, could be detrimental to the character of the surrounding area. Although the subject property and several adjoining properties to the north and south are spacious and zoned A-1, Mr. Uckotter noted that the area functions as an island of A-1 zoning within a broader residential context. He further noted concern that a structure of this size may not coexist harmoniously if nearby properties to the north or south are developed in the future with single-family residential or PUD-style development patterns.

For these reasons, Mr. Uckotter recommended denial of the variance request.

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. No member of the public spoke.

BOARD ACTION:

Motion to deny BZA 26-09. The Board discussed that the applicant could reapply to the BZA with an alternate plan for perhaps a smaller variance.

Motion by: Hendel

Seconded by: Kemp

Ms. Kemp – Yes; Mr. Sanchez – Yes; Ms. Rogers – Yes; Ms. Hendel – Yes; Mr. Mear – Yes
Motion carried 5-0.

Case BZA 26-10 – Cody Anderson

The applicant has requested a variance from Section 3.06.B.5 to permit the construction of an accessory structure that exceeds 200 square feet in the R 1A (Suburban Residence) District for the property located at 8000 Castlerock Lane. 5. Unfinished Business

STAFF REPORT:

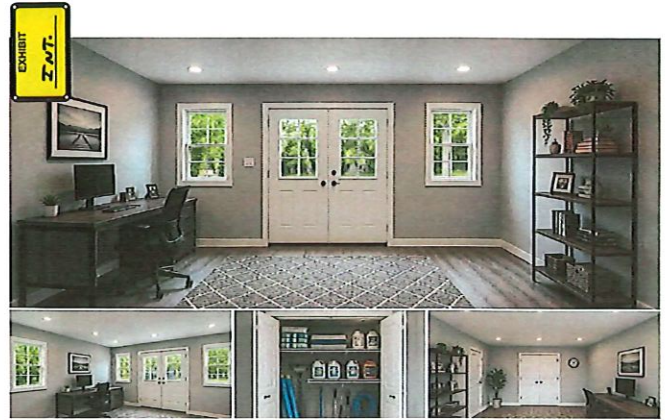
Mr. Uckotter reviewed the staff report and outlined the nature of the request and applicable zoning provisions. All exhibits submitted were entered into the record.

APPLICANT PRESENTATION:

The applicant addressed the Board regarding the request and responded to questions from Board members. The applicant submitted additional plans and pictorial depictions of the proposed shed during the hearing (see two of these day-of-meeting depictions, below). These materials were not included in the original application packet but were brought to the meeting by the applicant and distributed to the Board. The applicant described the space as a flex space use and that the space would be used as a home office with a desk present for him and his wife. Mr. Uckotter asked the applicant several questions seeking to unpack what that meant from a use perspective.



Through the submitted materials and testimony, delivered at the meeting, the proposed shed was represented by the applicant as a finished, climate-controlled office space located outside the primary dwelling unit, with interior drywall and can lighting (see right). Mr. Uckotter raised concerns that this use likely violated Accessory Dwelling (ADU) rules because the use was not a part of the primary dwelling (WCTZR 3.06.A.2.e.). Further, Mr. Uckotter outlined to the Board, WCTZR 3.06.F.1 through 3.06.F.10 – the home office rules.



Based on the proposed location, design, and nature of the accessory home office use within an accessory structure located in the side yard, Mr. Uckotter testified that the proposed activity would likely not be incidental or subordinate in a manner consistent with the applicable home office standards. He further testified that the average neighbor, under normal circumstances, would likely be aware of the existence of the use. Accordingly, Mr. Uckotter recommended denial of the proposed shed that exceeded 200 square feet in size.

PUBLIC COMMENT:

The Chair opened the public hearing. No member of the public spoke.

BOARD ACTION:

Motion to deny BZA 26-10.

Motion by: Kemp

Seconded by: Mear

Ms. Kemp – Yes; Mr. Sanchez – Yes; Ms. Rogers – Yes; Ms. Hendel – Yes; Mr. Mear – Yes

Motion carried 5-0.

ANNOUNCEMENTS:

Next meeting: June 08, 2026 at 6:00 PM.

ADJOURNMENT:

Motion to adjourn

Motion by: Mear

Seconded by: Kemp

Sanchez – Yes; Mear – Yes; Hendel – Yes; Kemp – Yes; Rogers – Yes

Motion approved 5-0.

The meeting was adjourned at approximately 7:34 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 cursive script, appearing to read "Kay Rogers", written over a horizontal line.

Kay Rogers

BZA Secretary:

A handwritten signature in cursive script, appearing to read "Jeff Uckotter", written over a horizontal line.

Jeff Uckotter

June 8, 2026

**WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION OF APPROVAL
APPLICATION NO. BZA 26-05**

WHEREAS, the applicant, Jeff Schweizer of Champion Windows, on behalf of Leslie Clark TR, filed application no. 26-05 on March 2, 2026 with the Board of Zoning Appeals (BZA) (herein "the Board") under Article 11, Subsection 11.05.B of the West Chester Township Zoning Resolution (WCTZR), requesting a variance from WCTZR Section 2.04, Table 2.04-2: R-1 District Dimensional Standards requiring a rear yard setback of 45 feet to permit the construction of an unenclosed covered attached addition as applied to the R-1 zoned property located at 7401 Jean Drive, Parcel # M5610-153-000-029, Section 17, Town 3, Range 2 (West Chester Township, Butler County); and

WHEREAS, a public hearing was held on said application on May 11, 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

WHEREAS, the Board has considered all of the information and testimony presented at the public hearing and concludes that the requested variance approval is not contrary to the public interest and is consistent with the West Chester Zoning Resolution, paying particular attention to WCTZR Section 2.04, Table 2.04-2: R-1 District Dimensional Standards requiring a rear yard setback of 45 feet.

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 Section 2.04, Table 2.04-2: R-1 District Dimensional Standards (45 feet to 37 feet rear yard setback) with the following condition as noted on 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 BZA in session on the 11th day of May, 2026.



Kay Rogers,
BZA Chair



Jeff Jickotter, CD Director
BZA Secretary

Exhibit A:

1. If the unenclosed structure is proposed to be enclosed in the future, a new variance case shall be required.

WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION OF DENIAL
APPLICATION NO. BZA 26-09

- WHEREAS, the applicant, Dean Weinheimer filed application no. 26-09 on April 2nd, 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 Section 3.06.B.5 to construct a 2,000 sq. ft. shed, as applied to the A-1 zoned property located at 7389 Lesourdsville West Chester Rd., Parcel #M5610-035-000-013, Section 36, Town 3, Range 2 (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, 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
- WHEREAS, West Chester Township Community Director Jeff Uckotter testified that the variance request from WCTZR Section 3.06.B.5 for a 2,000-square-foot shed was not applicable to the proposed improvement, as the Applicant's proposed structure is indeed a 2,000-square-foot accessory garage, measuring approximately 50 feet by 40 feet, with large garage doors and intended for the storage of large trailers. Accordingly, after first considering the applicability of WCTZR Section 3.06.B.5, Mr. Uckotter recommended that the Board evaluate the request under WCTZR Sections 3.06.M.1 through 3.06.M.5; and
- WHEREAS, the Board has considered all information and testimony presented at the public hearing and, following initial consideration of WCTZR Section 3.06.B.5, determined that the proposed structure is more appropriately reviewed as an accessory garage under WCTZR Sections 3.06.M.1 through 3.06.M.5, based on its size, design, garage doors, and intended use for storage of large trailers. The Board further finds that the requested variance is contrary to the public interest and inconsistent with the WCTZR, with particular consideration given to Sections 11.05.C.2.a.i-vi. The Board finds that the subject property would yield a reasonable return without approval of the variance. The Board further finds that the requested variance is substantial, whether evaluated as an accessory garage or under the shed standard, exceeding the applicable standards by approximately 70 percent or 900 percent, respectively. As such, the spirit and intent of the zoning requirement would not be observed if the variance were granted. Finally, the Board finds that approval of the proposed 2,000-square-foot accessory garage could create precedential and future enforcement concerns and would substantially alter the essential character of the surrounding area, which functions as an island of A-1 zoning within a broader residential and PUD-style development context.

THEREFORE, BE IT RESOLVED, that by virtue of the foregoing, the Board of Zoning Appeals does hereby deny the requested variance as presented and as evaluated under WCTZR Section 3.06.B.5 and WCTZR Sections 3.06.M.1 through 3.06.M.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 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.



Kay Rogers,
Chair



Jeff Uckotter, CD Director
BZA Secretary

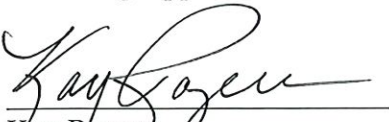
WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS
RESOLUTION OF DENIAL
APPLICATION NO. BZA 26-10

- WHEREAS, the applicant, Cody Anderson, filed application no. 26-10 on April 13th, 2026, with the Board of Zoning Appeals (BZA) (herein "the Board") under Article 11, Subsection 11.05.D of the West Chester Zoning Township Resolution (WCTZR), requesting a variance from WCTZR Section 3.06.B.5 to construct a 240 sq. ft. shed, as applied to the R-1A zoned property located at 8000 Castlerock Lane Parcel #M5620-169-000-039, Section 11, Town 3, Range 2 (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, 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
- WHEREAS, the Board has considered all information and testimony presented at the public hearing and concludes that the requested variance is contrary to the public interest and is not consistent with the WCTZR, with particular consideration given to WCTZR Section 3.06.B.5. The Board further considered WCTZR Sections 3.06.F.1 through 3.06.F.10, the home office rules, because the proposed shed was represented, by the applicant, through pictorial depictions and testimony, as a finished, climate-controlled office space located outside the primary dwelling unit. Based on the proposed location, design, and nature of the proposed accessory home office use within an accessory structure (shed), located in the side yard, the Board finds that the activity would not be incidental or subordinate in a manner consistent with the applicable home office standards, and that the average neighbor, under normal circumstances, would likely be aware of its existence. Finally, because the space could be used for other dwelling purposes, the Board finds that the proposal would violate WCTZR 3.06A, the Accessory Dwelling (ADU) provisions. Specifically, 3.06.A.2.e requires that an ADU be a part of the principal dwelling.

THEREFORE, BE IT RESOLVED, that by virtue of the foregoing, the Board of Zoning Appeals hereby denies the request for a variance from WCTZR Section 3.06.B.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 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 with the following condition:



Kay Rogers,
BZA Chair



Jeff Uckotter, CD Director
BZA Secretary