

WEST CHESTER TOWNSHIP
BOARD OF ZONING APPEALS
August 10th, 2026 – Regular Meeting

MEMBERS PRESENT:

Mr. Sanchez, Mr. Mear, Ms. Kemp, Ms. Rogers, Ms. Hendel – Seated
Mr. Hilton – Not Seated

STAFF PRESENT:

Jeff Uckotter – Community Development Director
Bobby Mumma – 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.

OLD BUSINESS:

APPROVAL OF PREVIOUS MINUTES:

Approval of the July 13, 2026 minutes
Motion by: Mear
Seconded by: Kemp

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

APPROVAL of Resolution of Denial BZA 26-18 M/I Homes of Cincinnati

Before the Board voted on Resolution 26-18, Chairwomen Kay Rogers, read the following excerpt, verbatim from the Resolution.

WHEREAS, the Board finds that the subject property can yield a reasonable return and can be put to beneficial use without the requested variance; that the applicant has indicated that a subdivision layout using public dedicated right-of-way, rather than private street easements could be designed for the property; that the requested variance is substantial as it would allow the proposed 42-lot residential subdivision to be designed around private street easements and completely waive the public right-of-way frontage requirement of WCTZR 4.01C.1; that the requested variance has the potential to alter the essential character of the proposed residential

neighborhood as the variance shifts long-term street maintenance, snow removal, capital repair, replacement and related infrastructure responsibilities to private ownership and HOA funding as opposed to a conventional and publicly accountable street framework; that the requested variance could also adversely affect the delivery of governmental services as the variance allows the subdivision to be served by private street easements rather than public dedicated right-of-way impacting access for fire, EMS, law enforcement, waste collection, school transportation, and other public services; that the applicant's predicament can feasibly be obviated through the adoption of a public dedicated right-of-way as indicated; and that the requested variance would not observe the spirit and intent behind the zoning requirement as the requirement is to ensure that residential subdivisions are developed with a public accountable street framework that provides clear access, long-term maintenance responsibility, service reliability, and consistency with the Township's residential subdivision standards.

BOARD ACTION:

Approval of Resolution of Denial BZA 26-18

Motion by: Kemp

Seconded by: Hendel

Sanchez – Yes

Mear – Yes

Kemp – Yes

Rogers – Abstain

Hendel – Yes

Minutes approved 4-0.

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:

BZA 26-17 Atlantic Sign Company, on behalf of, Butler Tech

The Board of Zoning Appeals acknowledged the withdrawal of the case.

BZA 26-19 Todd and Michele Pytlinski

The applicants request a variance from WCTZR §3.04.A to permit the keeping of honey bees and associated beehives on the 0.3435-acre subject property, zoned R-1A (Suburban Residence) District. The Zoning Resolution classifies apiculture as an agricultural and farm use and permits such uses only on lots containing three acres or more. The variance application follows a Notice of Violation issued on June 5, 2026, for establishing an agricultural and farm use on the subject property in violation of WCTZR §3.04.A for the property located at 8875 Keehner Drive.

STAFF REPORT:

Mr. Uckotter reviewed the staff report and outlined the nature of the request, applicable zoning provisions, and staff recommendation. Mr. Uckotter noted that the applicants requested an Area Variance from WCTZR Section 3.04.A, Agricultural Uses, to permit the continued siting of four honey bee colonies on a residential property containing less than three acres. The subject property is approximately 0.34 acres, while WCTZR Section 3.04.A requires agricultural uses, including apiaries, to be located on lots containing three or more acres.

Mr. Uckotter reported that staff reviewed the request under the area variance standards set forth in WCTZR Section 11.05.C.2.a & b. He noted that staff found the property could yield a reasonable return and continue to be put to beneficial residential use without the requested variance. He further reported that staff found the variance to be substantial, as the request represented an approximately 88.67% decrease from the minimum acreage requirement established by WCTZR Section 3.04.A.

Mr. Uckotter stated that staff found the spirit and intent behind the zoning requirement would not be observed by granting the requested variance. He noted that the acreage requirement appeared intended to provide additional separation between apiaries and surrounding residential properties in order to minimize potential conflicts. Although the applicants proposed relocating the hives farther from the neighbor who had submitted the complaint, Mr. Uckotter noted that the proposed relocation would place the hives closer to another residential dwelling to the north.

Mr. Uckotter also reported that staff found the applicant's predicament could be feasibly obviated through methods other than the requested variance, including relocating the honey bee colonies to a property that complies with the minimum acreage requirement. Staff therefore found that reasonable alternatives existed without granting relief from the Zoning Resolution.

Mr. Uckotter stated that staff recommended denial of the requested Area Variance from WCTZR Section 3.04.A because the request represented a substantial deviation from the Township's minimum lot area requirement, did not establish practical difficulties sufficient to justify the requested relief, and could establish precedent for similar requests on undersized residential lots.

All exhibits submitted were entered into the record.

APPLICANT: **Todd & Michele Pytlinski**
 8875 Keehner Drive

The applicant addressed the Board regarding their request. Mrs. Pytlinski submitted their presentation in a binder as part of the record.

Mr. Sanchez asked if the amount of bee hives have increased since they first started.

Mr. Pytlinski stated they started with one hive and increased to four over the summer.

Ms. Hendel asked why the increase.

Mr. Pytlinski stated they increased due to the bee hives expanding and family enjoyment.

Ms. Pytlinski added it's the humane practice in beekeeping.

Mr. Mear asked if they contacted the Township to see if beekeeping was permitted.

Applicant replied that they did not since bees can be purchased through local hardware stores throughout the Township.

PROPOSERS: None

OPPOSERS: Arlene Hall
7430 Susan Springs Drive

Ms. Hall's property butts next to the applicant. She explained that when she is at the back of her property to clean up the yard/work on her landscaping, she is constantly swatting at the bees. She stated that she had been stung twice from the bees. She had hired landscapers to work on her property and they would not attend to the back of the property

Tom Doddy
7440 Susan Springs Drive

Mr. Doddy has a pool in the backyard and some people refuse to swim at their house to the bees.

Robert & Cynthia Vaske
7435 Sussex Drive

Mr. Uckotter read their letter opposing the application. The Vaske stated that they were unable to support the variance due to the fact that the property did not meet the 3+ acreage requirement per the WCT Zoning Resolution. They felt approving this variance would set a precedence for other property owners to justify beekeeping.

NEUTRAL: Thomas Hastings
7397 Sussex Drive

Mr. Hastings shared his concerns regarding local beekeeping. Mr. Hastings feels he needs to advise guests that bees could swarm around his property. Mr. Hastings asked if he or neighbors would sell their house, do they need to disclose information regarding the bees incase someone would be allergic.

DELIBERATION

The Board was in agreement regarding setting a precedence for agriculture on less than 3 acres, the harm of someone in close proximity being stung, and neighbors not being able to enjoy their properties.

BOARD ACTION:

Motion to deny BZA 26-19

Motion by: Kemp

Seconded by: Sanchez

Mr. Sanchez – Yes

Mr. Mear – Yes

Ms. Kemp – Yes

Ms. Rogers – Yes

Ms. Hendel – Yes

Motion carried 5-0.

Case BZA 26-20 – Alex Johnson, on behalf of Serenity Baptist Church

Located in the R-1A (Suburban Residence) District, the applicant requests variances from WCTZR Table 9.07-3 to allow a new freestanding monument sign at 9000 Cox Road. Table 9.07-3 permits a freestanding sign in the R-1A District with a maximum height of six feet and a maximum sign area of 20 square feet. The proposed sign would be 84 inches—or seven feet—in height and contain 48 square feet of sign area, including a 48-square-foot electronic message board. The proposed sign would therefore exceed the permitted height by one foot and the permitted sign area by 28 square feet.

The proposed sign would replace the existing freestanding sign, which is to be removed. Based on staff's review of the application, the proposed sign appears to be located approximately 6.4 feet from the right-of-way, requiring a 3.6-foot reduction from the required setback. Because the existing sign would be removed and replaced, its legal nonconforming setback could not be retained under WCTZR 9.03.D.2. The proposed electronic message board also constitutes internal illumination, requiring a variance from the external-illumination-only standard. In addition to the requested variances, the electronic message board requires conditional-use approval under WCTZR 9.03.G for the property located at 9000 Cox Road

STAFF REPORT:

Mr. Uckotter reviewed the staff report and outlined the nature of the request, the applicable zoning provisions, and staff's recommendation. As set forth in the staff report, Mr. Uckotter reported that staff found the proposed internally illuminated electronic message board to be a substantial departure from, and not compatible with, the predominantly single-family residential character surrounding the subject property. Staff further found that the proposal did not satisfy the Conditional Use standards of Section 11.05.B.2.

Mr. Uckotter addressed the fact that the application had been submitted as a Special Exception request rather than as a Conditional Use and Variance application. Mr. Uckotter noted that freestanding sign cases of this nature are not exceptional or uncommon, and that staff therefore reviewed the request under the Conditional Use and Area Variance standards.

Mr. Uckotter also reported that staff found the requested variances to be substantial. The proposed sign area was 32 square feet, where 20 square feet was permitted, representing a 60% increase above the maximum permitted sign area. The proposed sign height was seven feet, where six feet was permitted, representing an approximately 17% increase above the maximum permitted height. The proposed setback was approximately six feet from the right-of-way, where 10 feet was required, representing a 40% reduction from the required setback. Staff found that the requested area and setback variances were substantial, particularly when considered together.

Mr. Uckotter noted that staff found the applicant had not demonstrated practical difficulties sufficient to justify the requested area variances. He further noted that the applicant was effectively asking the Board of Zoning Appeals to legislate, which was not the role of the Board. In addition, WCTZR Section 11.03 authorized the Board of Zoning Appeals to grant area variances, but expressly provided that use variances were prohibited and that the Board was not authorized to grant use variances. Accordingly, the requested use variance relief for the internally illuminated electronic message board was not within the Board's variance authority.

Mr. Uckotter stated that the church could continue to use the property and install a code-compliant freestanding sign, and that feasible alternatives were available that would allow the church to communicate changing information without exceeding the internal illumination prohibition in R-Districts, permitted sign area, height, or setback requirements.

Because staff did not find that the proposed electronic message board satisfied the compatibility standards required for approval of a Conditional Use, staff recommended denial of the requested Conditional Use. Staff also recommended denial of the requested use and area variances for the internally illuminated electronic message board element, sign area, sign height, and setback.

All exhibits submitted were entered into the record.

APPLICANT: Alex Johnson
KMK Law, on behalf of Serenity Baptist Church

Mr. Johnson stated that the applicant was abandoning any requests for a sign that exceeds the maximum height limitations and are willing to relocate the sign on the property outside of the necessary setback areas.

Will Fitzsimmons
Serenity Baptist (Trustee)

Mr. Fitzsimmons explained the benefits to Serenity Baptist. He stated that the current sign was stationary and that it is a difficult process to change sign information. They have to physically make and replace graphics. It's difficult and expensive. He said they a very active congregation and provide free events to the community. It can be very time consuming to change the information daily or every few days. He explained that non-illuminated signs don't grab someone's attention when driving by as well as illuminated signage.

Carrie Watkins
Signarama

Ms. Watkins spoke about the process that they go through when creating jobs for customers. She stated back in September, 2025 Signarama contacted the permitting office to find out what type of signage is allowed and size limitations. She stated when she called the permitting office, she was told they could have an electronic messaging center and that it could be no bigger than a 48 x 96-inch sign.

Ms. Watkins stated that they can reduce the size of the unit to make it fit within the new guidelines. Those guidelines were not in place at that time. She said she was aware that the applicant would have to apply for a conditional use variance.

She added that electronic messaging centers draw people's eyes, it helps you to read them. Electronic messaging systems can be dimmed at night or even completely shut off. They can be controlled by timers.

Mr. Sanchez asked for a definition of electronic messaging system

Ms. Watkins explained networks of digital screens and software that show dynamic text, images, and videos based on pixels.

Mr. Uckotter read the definition of the zoning resolution on electronic message board: Any sign that uses plasma display panels, PDP's, liquid crystal displays, LCD's light emitting. Those include television, CRT's or other electronic medium.

Mr. Johnson returned to the podium. He summarized the request and solution. He stated there were at least three other churches in the area that have these signs.

Mr. Uckotter stated that the current code allows the face at 20 square feet; the proposal is for 32' square feet. The code for height is 6' and they are requesting 7'.

PROPOSERS: None

OPPOSERS: None

NEUTRAL: **None**

DELIBERATIONS

Mr. Uckotter clarified that the BZA Board only has jurisdiction on the placement of the sign not on the illumination.

Mr. Sanchez asked if there were any illuminated signs that don't change.

Mr. Uckotter stated there were some and explained how it worked. He explained that the proposal was for a digital sign and that was what the Board was to consider.

Mr. Sanchez stated the applicant could make the sign smaller and move the setback so the only question was the illumination which the Board doesn't have jurisdiction.

The Board had further discussion and offered other suggestions.

BOARD ACTION:

Motion to deny BZA 26-20

Motion by: Kemp

Seconded by: Mear

Mr. Sanchez – No

Mr. Mear – Yes

Ms. Kemp – Yes

Ms. Rogers – Yes

Ms. Hendel – Yes

Motion carried 4-1.

ANNOUNCEMENTS:

Next meeting: September 14, 2026 at 6:00 PM.

ADJOURNMENT:

Motion to adjourn

Motion by: Mear

Seconded by: Hendel

Mr. Sanchez – Yes

Mr. Mear – Yes

Ms. Kemp – Yes

Ms. Rogers – Yes

Mr. Hendel – Yes

Motion approved 5-0.

The meeting was adjourned at approximately 7:18 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

August 10, 2026

BZA RESOLUTION NO. 26-18

WEST CHESTER TOWNSHIP BOARD OF ZONING APPEALS RESOLUTION OF DENIAL

WHEREAS, the applicant, M/I Homes of Cincinnati, filed application no. 26-18 on June 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 4.01.C to allow for private roads/streets via a 40-foot-wide private easement with a private street length of 1,573 feet, as applied to the R-3 zoned property located at 9074 Cox Road, Parcel No. M561-001-200-001 and M561-001-200-052, 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 finds that the subject property can yield a reasonable return and can be put to beneficial use without the requested variance; that the applicant has indicated that a subdivision layout using public dedicated right-of-way, rather than private street easements could be designed for the property; that the requested variance is substantial as it would allow the proposed 42-lot residential subdivision to be designed around private street easements and completely waive the public right-of-way frontage requirement of WCTZR 4.01C.1; that the requested variance has the potential to alter the essential character of the proposed residential neighborhood as the variance shifts long-term street maintenance, snow removal, capital repair, replacement and related infrastructure responsibilities to private ownership and HOA funding as opposed to a conventional and publicly accountable street framework; that the requested variance could also adversely affect the delivery of governmental services as the variance allows the subdivision to be served by private street easements rather than public dedicated right-of-way impacting access for fire, EMS, law enforcement, waste collection, school transportation, and other public services; that the applicant's predicament can feasibly be obviated through the

adoption of a public dedicated right-of-way as indicated; and that the requested variance would not observe the spirit and intent behind the zoning requirement as the requirement is to ensure that residential subdivisions are developed with a public accountable street framework that provides clear access, long-term maintenance responsibility, service reliability, and consistency with the Township's residential subdivision standards.

WHEREAS, the Board finds that the proposed residential subdivision plan neglects to include sidewalks into its plan as required by WCTZR 3.03.B; this requirement was shown to be feasible as it was included in prior versions of the proposed residential subdivision for the property; that the proposed residential subdivision without the sidewalks would be a substantial variance and would impact the broader intent of creating safe, walkable and complete residential neighborhoods.

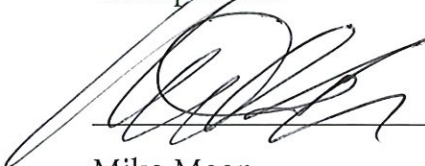
WHEREAS, the Board further finds that the proposed residential subdivision plan also neglects to include street trees as required by WCTZR 6.04; this requirement was also shown to be feasible as it was included in prior version of the propose residential subdivision for the property; that the proposed residential subdivision without the street trees would be a substantial variance and would impact the broader intent to create a cohesive residential subdivision pattern that provides neighborhood character, shade, and an overall residential streetscape.

THEREFORE, BE IT RESOLVED, that by virtue of the foregoing, the Board of Zoning Appeals hereby denies the request for a variance from WCTZR 4.01.C to allow for private roads/streets via a 40-foot-wide private easement with a private street length of 1,573 feet.

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

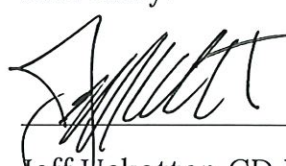
Adopted and journalized at a regularly scheduled meeting of the West Chester Township Board of Zoning Appeals in session on the 10th Day of August, 2026 in West Chester Township, Butler County, OH.

Chairperson:



Mike Mear

Secretary:



Jeff Uckotter, CD Director