



BUTLER COUNTY BOARD OF ZONING APPEALS

Butler County Government Services Center
315 High Street | Hamilton, Ohio 45011

Meeting Agenda
Tuesday, May 15, 2018
7:00 p.m.

I. Opening

- A. Roll Call
 - Mr. Gary Salmon
 - Mr. Thomas Bevington
 - Mr. Alan Daniel
 - Mr. Bryan Price
 - Mr. Chad Norvell
 - Mr. John Burgess, Alternate

II. Approval of Minutes

- A. April 17, 2018

III. New Business

- A. BZA18-10V
 - Mike Harris
 - 1457 Missy Ct.
 - Hamilton, Ohio 45013
- B. BZA18-11V
 - Lee & Robin Grantz
 - 2475 Morman Rd.
 - Hamilton, Ohio 45012

IV. Adjournment

REGULAR MEETING: Tuesday, May 15, 2018
Butler County Government Services Building
Conference Room 1
315 High Street, 1st Floor
Hamilton, OH 45011

CALL TO ORDER:

Mr. Bevington brought the meeting to order at 7:00 p.m.

ROLL CALL:

Present: Mr. Thomas Bevington, Chair
Mr. Gary Salmon
Mr. Bryan Price
Mr. Chad Norvell
Mr. John Burgess, Alternate

Absent: Mr. Alan Daniel

STAFF MEMBERS: James Fox, Zoning & Floodplain Manager
Stephanie Foley, Administrative Secretary

Approval of Minutes:

April 17, 2018

Mr. Salmon made a motion to approve the April 17, 2018 meeting draft Minutes. Mr. Burgess seconded the motion. Motion carried 5-0.

AYES: Salmon, Burgess, Bevington, Price, Norvell

New Business:

BZA18-10V

Mike Harris
1457 Missy Ct.
Hamilton, Ohio 45013

Mr. Bevington swore in the applicant, Mike Harris, 1457 Missy Ct, Hamilton, Ohio 45013. The applicant introduced the proposal for a variance to build an accessory structure closer to the side property line than zoning currently allows.

Testimony in favor of: Mr. Harris testified that he would like to build a pole barn at the end of his driveway closer to the property line than zoning allows. Current regulations require a structure to be 25 feet away from the property line, however, the applicant is asking for permission to build 18 feet away from the property line.

Questions and Comments:

- Mr. Bevington asked if the applicant had talked to any of his neighbors, to which the applicant stated he had and that there seemed to be no objections.
- Mr. Salmon asked if the rear end of the pole barn would meet the requirements. Mr. Harris responded that 3 of the 4 corners of the pole barn would be within the requirements, but that last corner was the only one closer.
- Mr. Norvell asked about the elevation change, and if the applicant thought, he would need a retaining wall.
- The applicant stated that the elevation change is about 3 feet and the bids he had received just stated that they would have to build up the 3 feet.
- Mr. Norvell also asked how the drainage was in that area.
- Mr. Harris stated that everything falls back towards the walls, and that he would have gutters on both sides of the structure that would drain down the slope to the back.
- Mr. Salmon asked about electric, water, and if a business would be run out of it. Mr. Harris said that he plans to have electric in the barn, but no water no business operation.

No testimony in opposition to

No neutral testimony

No other questions or comments

Staff Comments

The request is to build an accessory structure closer to the side property line than zoning allows.

1. The property is zoned A-1 Agricultural.
2. This area is residential in character.
3. The applicant is seeking a variance, said applicant shall be required to establish to the board, proof by a preponderance of the evidence that an unnecessary hardship will prevail unless the variance is granted.
4. The spirit and intent of the zoning resolution is not to allow this type of variance, but since this will not change the character of the area, staff will recommend approval with the following conditions:
 - a. A Building Permit is required.
 - b. Waive the ten-day waiting period.

Mr. Price made the motion to approve **BZA18-10V** subject to staff comments. Motion was seconded by Mr. Salmon. Motion carried 5-0.

AYES: Price, Salmon, Burgess, Norvell, Bevington
NAYES: None
ABSTAIN: None

BZA18-11V

Lee & Robin Grantz
2475 Morman Rd.
Hamilton, Ohio 45012

Mr. Bevington swore in the applicant, Lee Grantz, of 2475 Morman Rd. Hamilton, Ohio 45012. The applicant introduced the proposal to build an accessory structure closer to the side property line than zoning allows.

Testimony in favor of: Mr. Grantz stated that he wanted to build a garage next to the existing garage, but the setback is 25 feet, but there is only 30 feet from the edge of the house to the property line.

Questions and Comments:

- Mr. Bevington asked if the applicant had spoken with any of her neighbors. He stated that had not.
- Mr. Salmon asked the applicant how close to the property line the structure would be, and he stated approximately 3-5 feet from the property line.
- Mr. Salmon asked if the applicant would be building it himself or if someone was going to build it. The applicant said he would be hiring someone to build it.
- Mr. Salmon asked if a business would run out of it, and Mr. Grantz stated that he would not, that it was for personal storage.
- Mr. Price and Mr. Norvell asked what the structure would look like, and Mr. Grantz referenced to his wife, Robin Lindquist-Grantz, who Mr. Bevington swore in at this time.
- Mrs. Lindquist-Grantz stated that the windows would be on the east and west sides and the backside would be vinyl siding that matches the house.
- Mrs. Lindquist-Grantz stated that there is a significant slope toward the back, that would make it near impossible for anyone on the neighboring lot to build anywhere close to the proposed structure.
- Mr. Grantz stated that it would have electric, but no water and no business operation. Gutters will run off into the swell.

Jeffrey Buddo, 2436 Morman Rd, a Hanover Township Trustee who lives near the residence in question, stated that he had some questions. Mr. Buddo wanted to know which way the door would face, whether the structure is attached or detached, and how much room will be left between the property line and the garage.

Mr. Grantz stated that the main garage door would face north, the man door would face west, and approximately 3-5 feet from the back of the garage to the line. He stated that the garage would be detached and placed L-shaped in relation to the house.

Mr. Buddo stated that he has no problems with this structure.

Testimony in opposition
No neutral testimony

Staff Comments

The request is to build a house closer to the side property line than zoning allows.

1. The property is zoned A-1 Agricultural.
2. This area is rural in character.
3. The applicant is seeking a variance, said applicant shall be required to establish to the board, proof by a preponderance of the evidence that an unnecessary hardship will prevail unless the variance is granted.
4. The spirit and intent of the zoning resolution is not to allow this type of variance, but with the hardship that exists with the land and since this will not change the character of the area, staff will recommend approval with the following condition:
 - a. A Building Permit is required.

Mr. Price made the motion to approve **BZA18-11V** subject to staff comments. Motion was seconded by Mr. Salmon. Motion carried 4-0.

AYES: Price, Salmon, Burgess, Norvell, Bevington
NAYES: None
ABSTAIN: None

ADJOURNMENT:

Mr. Salmon made a motion to adjourn and it was seconded by Mr. Price. Meeting adjourned.
AYES: Salmon, Price, Norvell, Burgess, Bevington

These minutes represent a summary of the proceedings and do not purport to be the entire record. A complete transcription of these proceedings was taken from an audio tape by James M. Fox

under supervision of the Secretary and may be obtained upon written request. Any charges associated with preparing such transcript shall be borne by the person requesting such same and must be prepaid.

Hamilton, Ohio
May 15, 2018

Tom Bevington, Chair

James M. Fox, Secretary

Stephanie Foley, Administrative Secretary