



# BUTLER COUNTY BOARD OF ZONING APPEALS

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

Meeting Agenda  
Tuesday, August 21, 2018  
7:00 p.m.

## I. Opening

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

## II. Approval of Minutes

- A. July 17, 2018

## III. Old Business

- A. BZA18-14V (Approve the finding of facts)  
                         Linda Dinkel  
                         2043 Smith Rd.  
                         Hamilton, Ohio 45011

## IV. New Business

- B. BZA18-17V Ross Local Schools  
                         3980 Hamilton-Cleves Rd.  
                         Hamilton, Ohio 45013
- C. BZA18-18V Brandon Thompson  
                         6611 Dickey Rd.  
                         Middletown, Ohio 45042

## V. Adjournment

**REGULAR MEETING:** Tuesday, August 21, 2018  
Butler County Government Services Building  
Conference Room 1  
315 High Street, 1<sup>st</sup> 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. Alan Daniel

STAFF MEMBERS: James Fox, Zoning & Floodplain Manager

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**Approval of Minutes:**

**July 17, 2018**

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

**AYES:** Salmon, Price, Norvell, Daniel, Bevington

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**Old Business:**

**BZA18-14V**

Linda Dinkel  
2043 Smith Rd.  
Hamilton, Ohio 45011

Mr. Fox explained that the applicant has filed an appeal in the Court of Common Pleas against the Butler County Board of Zoning appeals. Below are the findings of fact in this case:

- No hardship was presented
- Failure to maintain existing property and maintain existing home on property

These findings of fact were reviewed by the board at the regular meeting on this date, August 21, 2018. Board members Gary Salmon, Tom Bevington, and Bryan Price are the only board members

present at the previous meeting, and therefore shall be the only board members to vote on these findings of fact. Board members Alan Daniel and Chad Norvell were not present at the previous meeting and must therefore abstain from the vote.

- No testimony in favor of**
- No testimony in opposition to**
- No neutral testimony**
- No other questions or comments**

Mr. Price made the motion to approve **BZA18-14V- Findings of Fact**. Motion was seconded by Mr. Salmon. Motion carried 3-0.

- AYES:** Price, Salmon, Bevington
  - NAYES:** None
  - ABSTAIN:** Daniel, Norvell
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## **New Business:**

### **BZA18-17V**

Ross Local Schools  
3980 Hamilton-Cleves Rd.  
Hamilton, Ohio 45013

Mr. Bevington swore in the applicant, Devin Huff, 1853 Indian Woods Lane. The applicant informed the board that he is here on behalf of Ross Local Schools to apply for a variance to put up a new sign in front of Elda Elementary School.

**Testimony in favor of:** Mr. Huff stated that the request is to put a digital billboard up similar to the one at the local high school. The applicant stated that there is no existing sign currently, and this board would help put messages out to the students and school.

### **Questions and Comments:**

- Mr. Bevington asked if it would be a moving sign. Mr. Huff explained that it would not be a moving sign. The sign would be a brick structure that matches the school. There would be a brick column sign, digital billboard, and a lit up sign above that reads the name of the school.
- Mr. Bevington asked if the messages would be in letters on the board, to which Mr. Huff explained that they would be digital on the sign, similar to the message center.
- Mr. Fox commented that the message cannot be a scrolling message.

- Mr. Salmon asked if they would be having someone else construct it. Mr. Huff explained that he has a company that will be doing the mason-work, and the actual sign company will be installing the sign. An electrician will be hooking up the electric, which will be run underground.
- Mr. Salmon asked what kind of information this would be. Mr. Huff stated that it would only be information for the school.

### **No testimony in opposition**

**Neutral testimony:** Tom Wilsey, Ross Township trustee, member asked if the sign would be one-sided or two, to which Mr. Huff said it would be two sided. He asked how far off the road the sign would be. Mr. Huff stated that the sign would be approximately 60-70 feet away from the center line.

### **Staff Comments**

The request is to install a ground sign taller than zoning allows.

1. The property is zoned A-1 Agricultural.
2. This area is business 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, the staff will recommend approval with the following conditions:
  - a. Sign cannot use motion while message is being displayed.
  - b. Wave the ten day waiting period.

Mr. Price made the motion to approve **BZA18-17V** subject to staff comments. Motion was seconded by Mr. Salmon. Motion was approved 5-0.

**AYES:** Price, Salmon, Daniel, Norvell, Bevington  
**NAYES:** None  
**ABSTAIN:** None

### **BZA18-18V**

Brandon Thompson  
6611 Dickey Rd.  
Middletown, Ohio 45042

Mr. Bevington swore in the applicant, Brandon Thompson, 6611 Dickey Rd. The applicant wishes to build a 48 x 80 pole barn.

**No testimony in favor of**

**Questions and Comments:**

- Mr. Norvell asked if the applicant planned on building it himself or if he was going to have someone else build it. Mr. Thompson stated he has a lumber company looking to build it.
- Mr. Bevington asked what he planned on having in it. The applicant stated he wanted to use it for storage of his own personal belongings.
- Mr. Bevington asked if the applicant would have electric or running water in it, and the applicant said he would not. He also said he would not be running a business out of it.
- Mr. Bevington asked if he would allow anyone to live in it. Mr. Thompson said he would not.
- Mr. Daniel stated that there were no objectives to it as far as the trustees go.

**No testimony in opposition**

**No neutral testimony**

**Staff Comments**

The request is to build and accessory building larger 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 condition:
  - a. A Building Permit is required
  - b. No business use of the property

Mr. Salmon made the motion to approve **BZA18-18V**. Motion was seconded by Mr. Daniel. Motion carried 5-0.

**AYES:** Salmon, Daniel, Price, Norvell, Bevington

**NAYES:** None

**ABSTAIN:** None

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**ADJOURNMENT:**

Mr. Daniel made a motion to adjourn and it was seconded by Mr. Salmon. Meeting adjourned.

**AYES:** Daniel, Salmon, Norvell, Price, 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  
August 21, 2018

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Tom Bevington, Chair

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James M. Fox, Secretary

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Stephanie Foley, Administrative Secretary