

AGENDA

BUTLER COUNTY BOARD OF ZONING APPEALS  
BUTLER COUNTY ADMINISTRATION CENTER  
130 HIGH STREET  
HAMILTON, OHIO 45011  
March 19, 2013

- I. Opening
  - A. Roll Call      Mr. Gary Salmon  
                         Mr. Thomas Bevington  
                         Mr. Alan Daniel  
                         Mr. Henry W. Philpot  
                         Ms. Lee Steenken
  
- II. Approval of Minutes  
February 19, 2013
  
- III. New Business:
  - A. BZA13-02  
         Gary Lyall  
         4751 Trenton Franklin Road  
         Middletown, Ohio 45042
  
- IV. Adjournment

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**REGULAR MEETING:** Tuesday, February 19, 2013  
Butler County Government Services Building  
Conference Room 1  
315 High Street, 1<sup>st</sup> Floor  
Hamilton, OH 45011

**CALL TO ORDER:** Mr. Bevington called the meeting to order at 7:00P.M.

**ROLL CALL:**

Present: Mr. Thomas Bevington  
Mr. Alan Daniel  
Mr. Henry W. Philpot  
Mr. Gary Salmon  
Ms. Lee Steenken

**STAFF MEMBERS:** James Fox, Zoning & Floodplain Manager

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**NEW BUSINESS:**

**BZA13-02V**  
**Gary Lyall**  
**4751 Trenton Franklin Road**  
**Middletown, Ohio 45042**

Mr. Gary Lyall, 4751 Trenton Franklin Road, Middletown, Ohio, 45042 said he is here to add a lean-to on the back of his existing pole building and it would be 20'x48'. He has a couple cars that are stored at his parents' house and his father is planning to retire and sell where they are living now, so he wants to move his cars and keep them inside.

Mr. Bevington said the Health Department has stated they have no objections. Mr. Bevington asked if the Trustees had any problems with it.

Mr. Daniel spoke but it was inaudible.

Mr. Bevington asked Mr. Fox if he had received any other calls.

Mr. Fox replied no, he did not have any.

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Mr. Bevington asked Mr. Lyall if he plans to run a business out of it.

Mr. Lyall replied no sir, strictly personal use.

Mr. Bevington asked Mr. Lyall if he will have electric or water.

Mr. Lyall replied no, not at this time and doesn't plan on it anytime soon.

Mr. Bevington asked Mr. Lyall if he will store just vehicles.

Mr. Lyall said cars and lawn equipment and stuff like that.

Mr. Bevington asked Mr. Lyall if he had talked with all of his neighbors.

Mr. Lyall said he spoke with the lady immediately north of him and she said she had no problems and he doesn't really have anything to do with the one south of him so he did not talk with them.

Mr. Philpot asked Mr. Fox if all of the neighbors had received information on this.

Mr. Fox said yes all of the neighbors were notified accordingly.

Mr. Salmon asked Mr. Lyall if he is going to build it himself.

Mr. Lyall replied yes and it will go in behind the existing building.

Mr. Salmon asked Mr. Lyall if the trailer/camper sitting there is his.

Mr. Lyall said yes sir, but that won't be in there because it won't be tall enough – he only has ten foot (10') ceilings on his existing building there.

Mr. Daniel said from the Trustees view point, there have been a lot of sightings next door, but he does keep his place up and it does look very nice.

Ms. Steenken said she had no further questions.

STAFF COMMENTS:

Mr. Fox said Case No. BZA13-02V, Mr. Gary Lyall, 4751 Trenton Franklin Road, Middletown, Ohio 45042, the request is to build an accessory structure larger than zoning allows. Staff Comments are as follows:

1. The property is zoned A-1 Agricultural.
2. This area is rural in character.

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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.

Mr. Salmon said he is putting this in behind, how close will he be to the rear property line.

Mr. Fox said he apologies that there is no note on here, he shows it pretty close on the site plan but he has a note here saying it will be at least 20' from that rear property line and it is only required to be ten feet (10') minimum but it apparently did not show upon the copies when they were made but he has a site plan showing 20'.

Mr. Philpot made a motion approve the variance for case Board of Zoning Appeals-13-02V, for Gary Lyall, 4751 Trenton Franklin Road, Middletown, Ohio subject to Staff Conditions. Ms. Steenken seconded the motion. All in favor and motion approved.

AYES: Salmon, Steenken, Daniel, Salmon, Bevington

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**ADJOURNMENT:**

Mr. Philpot made a motion to adjourn and it was seconded by Ms. Steenken. All in favor, motion carried.

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  
March, 2013

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Tom Bevington, Chair

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James M. Fox, Secretary

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