

LIBERTY TOWNSHIP BOARD OF ZONING APPEALS
February 11, 2020
6:00 p.m.
MEETING MINUTES

The Board of Zoning Appeals was called to order at 6400 Princeton Road, at approximately 6:00 p.m. by Mr. Schweier. The Pledge of Allegiance was recited.

Upon call of the roll, members in attendance were Mr. Andrew Schweier, Mr. Richard McKinney, Mr. Robert Rogers, Mr. Brian Uhl, and Ms. Brienne Fey Also in attendance was Bryan Behrmann, Director of Planning and Zoning and Karla Chaney, Zoning Specialist.

Mr. Schweier reviewed the hearing procedures and performed a group swearing in.

Mr. Schweier called for the first case.

Ms. Chaney presented the staff report and PowerPoint Presentation for case **BZA20-003**, Craig Spletzer is requesting a variance under Section 4.10.3(1) and Table 4.10-A for a reduced side yard building setback to 34 feet from the west property line for an addition.

Mr. Schweier asked if there were any questions for staff.

Mr. Schweier asked if the applicant is permitted to reduce the side yard setback to 22' why does he need a variance. Ms. Chaney replied the zoning resolution permits the reduction of the side yard setback on nonconforming lots but requires Board approval.

Mr. Schweier asked to hear from the applicant.

Craig Spletzer (7967 Evergreen Lane, Liberty Twp. OH) stated he was requesting to build a two-car, two-story addition with living space above the garage. He explained he initially was interested in building a detached garage but after speaking with staff his only option was an addition. Mr. Spletzer stated spoke with the Butler County Health Department and Duke Energy, both explaining his options on the location of the addition were limited. Mr. Spletzer stated his subdivision had strict guidelines and the property was heavily landscaped therefore it should not affect the neighbors.

Mr. Schweier asked if there were any questions for the applicant.

Mr. Schweier asked if the septic system was large enough to handle the addition. Mr. Spletzer stated yes, he had spoken with the Butler County Health Department.

Mr. Schweier asked if anyone would like to speak in favor of the variance. There were none.

Mr. Schweier asked if anyone would like to speak in opposition of the variance. There were none.

Mr. Schweier **CLOSED THE PUBLIC HEARING** for BZA20-003 and the Board began their deliberations.

Mr. Schweier stated his only concern was the actual drawings were not provided to show how the addition would complement the existing home.

Mr. Schweier made a motion for BZA20-003 to **APPROVE** the variance request with conditions. Mr. McKinney seconded the motion. Upon call of roll: Mr. Schweier – yes; Mr. McKinney – yes; Mr. Rogers – yes, Mr. Uhl – yes; Ms. Fey - yes. The motion passed and the request was approved.

Ms. Chaney presented the staff report and PowerPoint Presentation for case **BZA20-004**, Albert and Sheila Dick were requesting a variance under Section 4.12.4(2) of the Liberty Township Zoning

Mr. Schweier asked if there were any questions for staff.

Mr. Rogers asked if the 2' was consistent. Ms. Chaney replied front corner of the shed is 8' from the property line and the rear corner is 9' due to the slope of the yard.

Mr. Schweier asked to hear from the applicant.

Dick and Sheila Dick (5789 Happy Lane) are requesting a variance under Section 4.12.4(2) of the Liberty Township Zoning Resolution to request approval for a reduced side yard building setback for an accessory structure from a required 10' minimum setback to 8' from the property line.

Mr. Schweier asked if there were any questions for the applicant.

Mr. Schweier asked the applicants if they relocated the shed 2' further into the stream buffer, would there be a larger slope. Mr. Dick replied yes.

Mr. Uhl asked if the applicants assembled the shed or was it custom built. Mr. Dick replied the shed was custom built off site and delivered to the property.

Mr. Rogers stated structures are not permitted to be located within the easements. Ms. Chaney replied she had spoken with Jim Fox, Butler County Flood Plain Manager and he did approve the encroachment.

Mr. Schweier asked if anyone would like to speak in favor of the variance. There were none.

Mr. Schweier asked if anyone would like to speak in opposition of the variance. There were none.

Mr. Schweier **CLOSED THE PUBLIC HEARING** for BZA20-004 and the Board began their deliberations.

Mr. Schweier stated the slope of the land was a hardship and it would be difficult to find a level spot in a reasonable area of the property.

Mr. McKinney stated the easements were a hardship.

Mr. Uhl concurred with Mr. McKinney.

Ms. Fey stated she felt the information provided by Butler County was misleading and they should have referred the applicant back to Liberty Township.

Mr. Schweier made a motion for BZA20-004 to **APPROVE** the variance request with staff recommendations. Mr. McKinney seconded the motion. Upon call of roll: Mr. Schweier – yes; Mr. McKinney – yes; Mr. Rogers – yes, Mr. Uhl – yes; Ms. Fey - yes. The motion passed and the request was approved.

Mr. Schweier made a motion to **APPROVE** the Notice of Decision for BZA20-001. Mr. Uhl seconded the motion. Upon call of roll: Mr. Schweier – yes; Mr. Uhl – yes; Mr. Rogers – yes; Ms. Fey – yes; Mr. McKinney – abstain; The motion passed and the Notice of Decision was approved.

Mr. Schweier made a motion to **APPROVE** the Notice of Decision for BZA20-002. Mr. Uhl seconded the motion. Upon call of roll: Mr. Schweier – yes; Mr. Uhl – yes; Mr. Rogers – yes; Ms. Fey – yes; Mr. McKinney – abstain; The motion passed and the Notice of Decision was approved.

Mr. Schweier made a motion to **APPROVE** the Minutes from the November 2019 meeting. Mr. Uhl seconded the motion. Upon call of roll: Mr. Schweier – yes; Mr. Uhl – yes; Mr. McKinney - yes; Mr. Rogers – abstain; Ms. Fey – abstain; The motion passed and the Minutes were approved.

Mr. Schweier made a motion to adjourn. Upon call of the roll, the motion passed unanimously and the **BOARD OF ZONING APPEALS MEETING ADJOURNED.**

Respectfully submitted,

Andrew Schweier, Chairman

Karla Chaney, Secretary