

Meeting Agenda
City of Springboro Board of Zoning Appeals
Wednesday, November 1, 2023, 6:00 p.m.

- I. Call to Order & Roll Call
- II. Approval of Meeting Minutes—November 22, 2022
- III. Appointment of Officers—Chair, Vice Chair
- IV. Action Agenda Items
 - A. Public Hearing, Variance for 1550 South Main Street, variance from restriction on accessory structures in required front yard
 - B. Public Hearing, Variance for 60 Elkins Lane, variance from minimum rear yard setback requirements
 - C. Public Hearing, Variance for 216 East Mill Street, variance from rear yard setback requirements
- V. Comments
- VI. Adjournment

Action Agenda Item Background Information
City of Springboro Board of Zoning Appeals Meeting & Public Hearing
Wednesday, November 1, 2023, 6:00 p.m.

III. Action Agenda

A. Public Hearing

Variance Request, 1550 South Main Street (SR 741), variance from the front yard location restriction for an accessory structure.

Background Information

This agenda item is based on application filed by Daklak Do, property owner, requesting a variance from the strict interpretation of the Planning & Zoning Code's prohibition on the placement of accessory structures in front of their residence at 1550 South Main Street (SR 741). The property is located in the R-1, Estate-Type Residential Zoning District.

The Planning & Zoning Code establishes the purpose, permitted uses, and lot and building development standards for the R-1 District and other zoning districts in the City. The R-1 District was established to provide for estate-type, detached, single-family residential development at a density of two (2) units per acre on lots with a minimum acreage of 20,000 square feet (0.5 acres effectively). The subject property is approximately 8.41 acres in area. Land uses permitted in the R-1 District include single-family residential homes, churches, schools, cultural/public uses, parks, bed and breakfasts, golf courses, farmer's markets, roadside stands, accessory buildings such as the one proposed, and other uses (Section 1263.04, Table 6). Commercial and industrial development is prohibited (Section 1261.08(b)) in the R-1 District. Design and development standards for detached accessory buildings, such as the barn that is the subject of this variance case, are included in Section 1272.02 of the Planning & Zoning Code and are as follows:

- Accessory building maximum Height: 15 feet
- Maximum Building Coverage: 10 percent of required yard
- Permitted Locations: rear yard only

The applicants are proposing to construct a 31-foot by 44-foot barn on the north side of the property, 1,364 square feet in area on the ground floor, with a loft on the second floor. The structure would be roughly 370 feet from the front property line, 40 feet from the north property line, and 20 feet from the west edge of a pond. The area between the north property line and the barn would remain as vegetation and a driveway would be added to access the building. The house on the property is located roughly 550 feet from the front property line, 250 feet from the proposed site of the barn. The house sits above a wooded and sloped area on the east end of the property, an area that also includes a creek. Also included in this area is a pool, a garage with driveway, and a large birdcage. The applicant has indicated that the area behind the house is not suitable for the barn because of topographical limitations, and their desire to keep this area wooded to in-part screen the house from the adjacent Heatherwoode subdivision.

Properties in the vicinity of the subject property are used as follows: To the east lands in the Heatherwoode subdivision. To the south a home owned by the property owner, and the Ashton Woods subdivision. To the west, on the west side of South Main Street, large-lot residential lots in Clearcreek Township, and the entrance to Springboro Junior High School and the site of Miracle Field, and to the northwest large-lot residential lots. To the north a large undeveloped property, and two residences facing South Main Street.

Lands to the east in Heatherwoode are zoned PUD, Planned Unit Development, Ashton Woods is zoned R-2, Low-Density Residential District, school property is zoned PUD, and lands to the northwest and north are zoned R-1 District. Lands in Clearcreek Township on the west side of South Main Street are zoned SR-1, Suburban Residence Zone.

Variance Review Process

Section 1285.04, Variances, of the Planning and Zoning Code establishes a process for the review of variances by the Board of Zoning Appeals (BZA) from the strict interpretation of the Planning and Zoning Code:

The BZA is hereby authorized to grant, upon appeal in specific cases, a variance from this Zoning Code and will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this Zoning Code would result in a practical difficulty. No nonconforming use of neighboring lands, structures or buildings in the same district and no permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

The following criteria need to be met in order for the BZA to grant a variance from the strict interpretation of the Planning & Zoning Code. The applicants have provided a response to each criteria indicated in *italics* below.

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.

The property is large, 8.4 acres in area, and the house is set back over 550 feet from the street. The code would require construction of the accessory structure behind the house, however that area is steep, dropping off into a stream. That and existing buildings, a pool, and more, make this area impractical for the proposed barn site.

The unusually large size of the lot would allow the owner to place the accessory structure on the north side of the lot and screen it from adjoining parcels exceeding code requirements (10 feet required, 40 feet is proposed).

2. *A literal interpretation of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under this Zoning Code.*

For areas zoned R-1 District in the immediate area, there are accessory structures in front of the houses at 1305 and 1525 South Main Street.

3. That special conditions and circumstances do not result from the actions of the applicant.

The applicant has indicated that this is not a self-created condition.

4. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Code to other lands, structures or buildings in the same district.

A variance was granted for a similar condition at 3883 West Lower Springboro Road by the

BZA in 2022: large lot, unusual topography, same zoning.

In granting any variance, the BZA may prescribe appropriate conditions and safeguards in conformity with the Planning & Zoning Code. A violation of any of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Planning & Zoning Code.

City staff has not proposed any conditions for these variance requests.

B. Public Hearing

Variance Request, 60 Elkins Court, variances from rear yard setback requirement

Background Information

This agenda item is based on application filed by Judy Elswick and John Sullivan, property owners, requesting a variance from the strict interpretation of the Planning & Zoning Code's requirement for a 25-foot rear setback for their residence at 60 Elkins Court. The property is located in the R-3, Medium-Density Residential Zoning District.

The Planning & Zoning Code establishes the purpose, permitted uses, and lot and building development standards for the R-3 District and other zoning districts in the City. The R-3 District was established to provide moderate- to high-density residential development. Apartments, attached and detached single-family residential are permitted. Other permitted land uses include churches, schools, cultural/public uses, parks, bed and breakfasts, golf courses, farmer's markets, roadside stands, accessory buildings, and other uses (Section 1263.04, Table 6). Commercial and industrial development is prohibited (Section 1261.08(b)) in the R-3 District.

The applicants are proposing to build a 12-foot by 14-foot sunroom addition on the rear/north side of the home. The plans for the addition were rejected by the Building and Zoning Department since the proposed sunroom would extend to within 18 feet of the rear property line, 25 feet being the minimum setback in the R-3. As indicated in their application, the homeowners—who purchased the home in 2020—were under the impression that a fence line to the rear of their home coincided with the rear property line when in fact there was a small parcel associated with the historic Universality Cemetery between the fence and property line. As a result, the applicants are seeking a 7-foot variance from the rear yard requirements.

Properties in the vicinity of the subject property are nearly all residential. To the north are single-family residential lots on the south side of Parker Drive. Lands to the east, south, and west are a mix of one- and two-family residences on Elkins Lane and Music Court.

Lands to the east, south, and west are zoned R-3 District. Lands to the northeast are zoned R-2, Low-Density Residential District, while lands to the northwest are zoned UVD, Urban Village District.

Variance Review Process

Section 1285.04, Variances, of the Planning and Zoning Code establishes a process for the review of variances by the BZA from the strict interpretation of the Planning and Zoning Code:

The BZA is hereby authorized to grant, upon appeal in specific cases, a variance from this

Zoning Code and will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this Zoning Code would result in a practical difficulty. No nonconforming use of neighboring lands, structures or buildings in the same district and no permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

The following criteria need to be met in order for the BZA to grant a variance from the strict interpretation of the Planning & Zoning Code. The applicants have provided a response to item #1 in *italics* below.

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.

When I purchased (the property) in 2020 we were under the understanding the fence line was on the property line. The plan was always to put a sunroom on the back of the home. When we applied for the permit, we were told that part of our property belongs to the graveyard down at the end of the road. We have researched the graveyard and cannot find anything on who owns it. When we spoke to a couple of neighbors they were not aware of this either, unlike us they thought the property line was the fence line.

2. *A literal interpretation of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under this Zoning Code.*

No answer supplied.

3. That special conditions and circumstances do not result from the actions of the applicant.

No answer supplied.

4. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Code to other lands, structures or buildings in the same district.

No answer supplied.

In granting any variance, the BZA may prescribe appropriate conditions and safeguards in conformity with the Planning & Zoning Code. A violation of any of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Planning & Zoning Code.

City staff has not proposed any conditions for these variance requests other than providing written answers to criteria 2-4 prior to the November 1 meeting/hearing. City staff will forward any submission to members of the BZA.

C. Public Hearing

Variance Request, 216 East Mill Street, variances from rear yard setback requirement

Background Information

This agenda item is based on application filed by Posey Construction on behalf of H&S Hamilton Properties, LLC, property owner, requesting a variance from the strict interpretation of the Planning & Zoning Code's requirement for a 40-foot rear setback for their property at 216 East Mill Street. The property is the location of Digilube Systems, and is in the M-1, Light Manufacturing Zoning District.

The Planning & Zoning Code establishes the purpose, permitted uses, and lot and building development standards for the M-1 District and other zoning districts in the City. The M-1 District was established to provide for manufacturing establishments that are clean, quiet, and free of hazardous elements, and which operate within enclosed structures. In addition to manufacturing operations, kennels, technical schools, hospitals, public recreation, vehicle repair, offices, garden centers, and pet day cares are permitted uses (Section 1263.04, Table 6). Residential uses are prohibited (Section 1261.08(b)) in the M-1 District.

The applicants are proposing to build a 3,200-square foot addition on the west side of the existing Digilube building, matching the 26.99-foot setback from the north property line on the existing building. When the applicants approached the City about the proposed addition, their application was denied since the minimum rear setback in the M-1 District is 40 feet. The applicant was given options to resolve the issue including requesting the 13-foot variance that is now being reviewed.

Properties in the vicinity of the subject property are used as follows: to the north, northeast, and east are buildings and property used for the City of Springboro Public Works operation. Property immediate to the east is in Clearcreek Township. To the south is a residence and Springboro Baptist Church, both on the south side of East Mill Street. To the west is a parking lot and the main operation, east of Mound Park Drive, for Mound Steel.

Lands to the north, south, and west are zoned M-1 District, with the main Mound Steel operation further west zoned M-2, Heavy Manufacturing District. Lands in the City of Springboro to the northwest are zoned PUD-O, Planned Unit Development-Office. Lands to the south on the south side of East Mill Street are zoned R-2 District. Lands to the east in Clearcreek Township are zoned R-1, Rural Residence.

Variance Review Process

Section 1285.04, Variances, of the Planning and Zoning Code establishes a process for the review of variances by the BZA from the strict interpretation of the Planning and Zoning Code:

The BZA is hereby authorized to grant, upon appeal in specific cases, a variance from this Zoning Code and will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this Zoning Code would result in a practical difficulty. No nonconforming use of neighboring lands, structures or buildings in the same district and no permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

The following criteria need to be met in order for the BZA to grant a variance from the strict interpretation of the Planning & Zoning Code. The applicants have provided a response to each criteria indicated in *italics* below.

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.

The current structure is grandfathered into the old code. In order to expand this building, we are asking for the board to approve smaller setback on the north property line.

2. A literal interpretation of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under this Zoning Code.

A literal interpretation of the code would prevent this business from expanding on their own property...(and) would cause safety issues for street traffic, and would make the building look awkward.

3. That special conditions and circumstances do not result from the actions of the applicant.

The applicant is only asking to add onto their existing structure, the applicant did not cause these special circumstances.

4. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Code to other lands, structures or buildings in the same district.

No special privilege would be given if the variance is approved.

In granting any variance, the BZA may prescribe appropriate conditions and safeguards in conformity with the Planning & Zoning Code. A violation of any of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Planning & Zoning Code.

City staff has not proposed any conditions for these variance requests other than noting that following action by the BZA, approval of a site plan by the Springboro Planning Commission will be required.

The information contained in this report is based on material provided to the City of Springboro as of Thursday, October 26, 2023 at 2:00 p.m.

SPRINGBORO

APPLICATION FOR BOARD OF ZONING APPEALS

ALL six sections must be completed for application to be processed

320 W. Central Ave.
Springboro, Ohio 45066
(937) 748-9791 PH
(937) 748-6860 FX
build@cityofspringboro.com

1 Address: 1550 SOUTH MAIN STREET, SPRINGBORO OH 45066
Lot No.: _____ Parcel ID: _____ Zoning District: _____

2 Request for:
 APPEAL (see Section 1285.02 on page 2) VARIANCE (see Section 1285.04 on page 2)

3 Briefly explain request:

I Need a new barn to store lawn equipment, Cars and RV
Due to the condition of the lot, construction of the barn must
be in the location as shown on Site- plan. The barn will be
professional built.

| PLEASE PRINT | Name | Address | Email <small>*Required for processing*</small> |
|----------------|-----------|-----------------|---------------------------------------------------|
| Property Owner | DAILAK DO | 1550 S. Main St | Daklakdo@yahoo.com |

The applicant must provide the following:

5

- List of property owners within 200 feet of all property boundaries (attached)
- Copy of certified site plan, if required (attached)
- Variance requests shall include a statement addressing all items noted in Section 1285.04(e)
- Application Fee

Appeal: \$133.00

Variance: \$195.00

The above request shall be heard by the Board of Zoning Appeals (BZA) of the City of Springboro at the earliest date allowed by law.

6
I hereby certify, as the owner or authorized agent of the owner, that I have read the above information and have provided the required documentation. I also agree to pay all actual costs incurred by the City of Springboro (approximately \$500), which will be billed to me by the City of Springboro to be paid prior to the BZA hearing.

Applicant's Name: Daklak Do Email: Daklakdo@yahoo.com

Applicant's Signature: Daklak Do Date: 10/04/2023



SPRINGBORO

BUILDING PERMIT APPLICATION

320 W. Central Ave.
Springboro, Ohio 45066
(937) 748-9791 PH
(937) 748-6860 FX
build@cityofspringboro.com

Residential (construction documents and site plan in pdf format required)

Commercial (construction documents and site plan in pdf format required)

ADDRESS: 1550 SOUTH MAIN STREET

LOT NO: _____ PARCEL ID: 0812301010

PROJECT DESCRIPTION: NEW BARN 42' x 50'

2

-NEW BUILDING -ADDITION -ALTERATION/REMODEL -ACC. STRUCTURE -DECK

SWIMMING POOL: -ABOVE GROUND* -IN-GROUND* -STORABLE

COST: _____ SQUARE FOOTAGE/AFFECTED AREA: 2100

PROPERTY IN FLOODPLAIN? -YES -NO

*All above ground and in-ground swimming pools require an additional electrical permit.

†Floodplain permit required.

PERMIT TYPE: (a separate application is required for each discipline and/or address)

-BUILDING -ELECTRICAL -HVAC‡ -GAS

-FIRE SUPPRESSION -FIRE ALARM -COMMERCIAL KITCHEN HOOD/SUPPRESSION

‡All new gas furnace installations require an additional gas permit. A gas permit is not required for replacements.

| PLEASE PRINT | Name | Address | Phone Number & Email <small>*BOTH REQUIRED TO PROCESS APPLICATION*</small> |
|-----------------------|-----------------------|-----------------------------------|-------------------------------------------------------------------------------|
| Property Owner | DALLAK C DO | 1550 SOUTH MAIN ST SPRINGBORO | |
| Occupant/Tenant | DALLAK C DO | SAME AS ABOVE | |
| Contractor | KIM RENFROW | PO BOX 291 BELLRODIC, OH 45305 | |
| Designer/ Plans By | MICHAEL BATTAGLIA. | | |

5 I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her agent. *In addition, the applicant agrees to provide access to all the approved construction documents for each inspection by one of the following methods: 1) a printed copy or 2) an electronic copy on a laptop computer or tablet. An electronic copy on a smart phone is not acceptable.*

Applicant's Name (Please print): DALLAK C DO Email: Dallakdo@yahoo.com

Applicant's Signature: Dallakdo

Date: 10/1/2023

ZONING APPROVAL: _____

NOT APPROVED

OFFICE USE ONLY

Dan Fitzpatrick

DATE: 10/06/2023

BUILDING APPROVAL: _____

DATE: _____

BZA Public Hearing Variance Request Vicinity Map— 1550 South Main Street

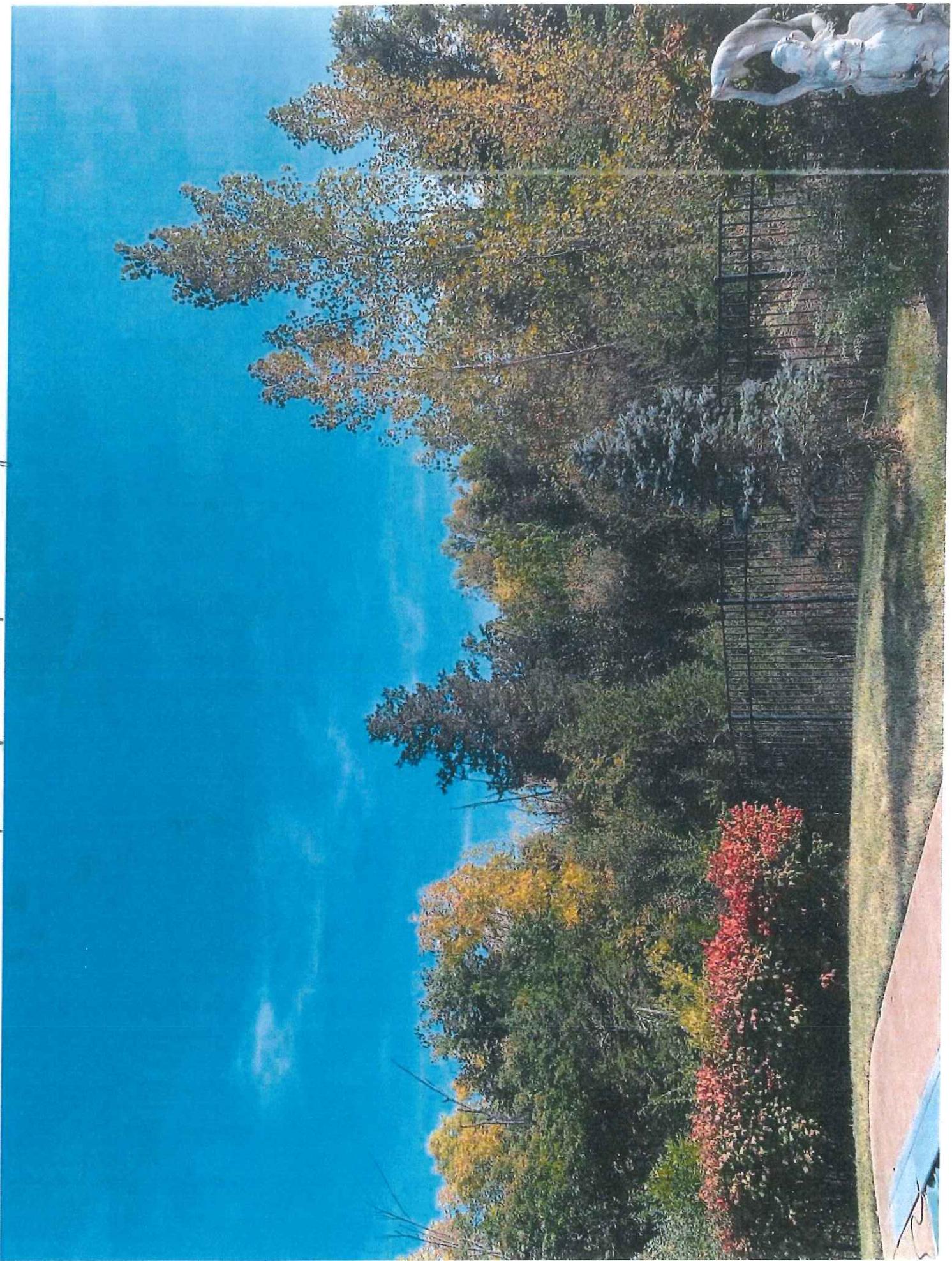


Steep drop on the left side of the house

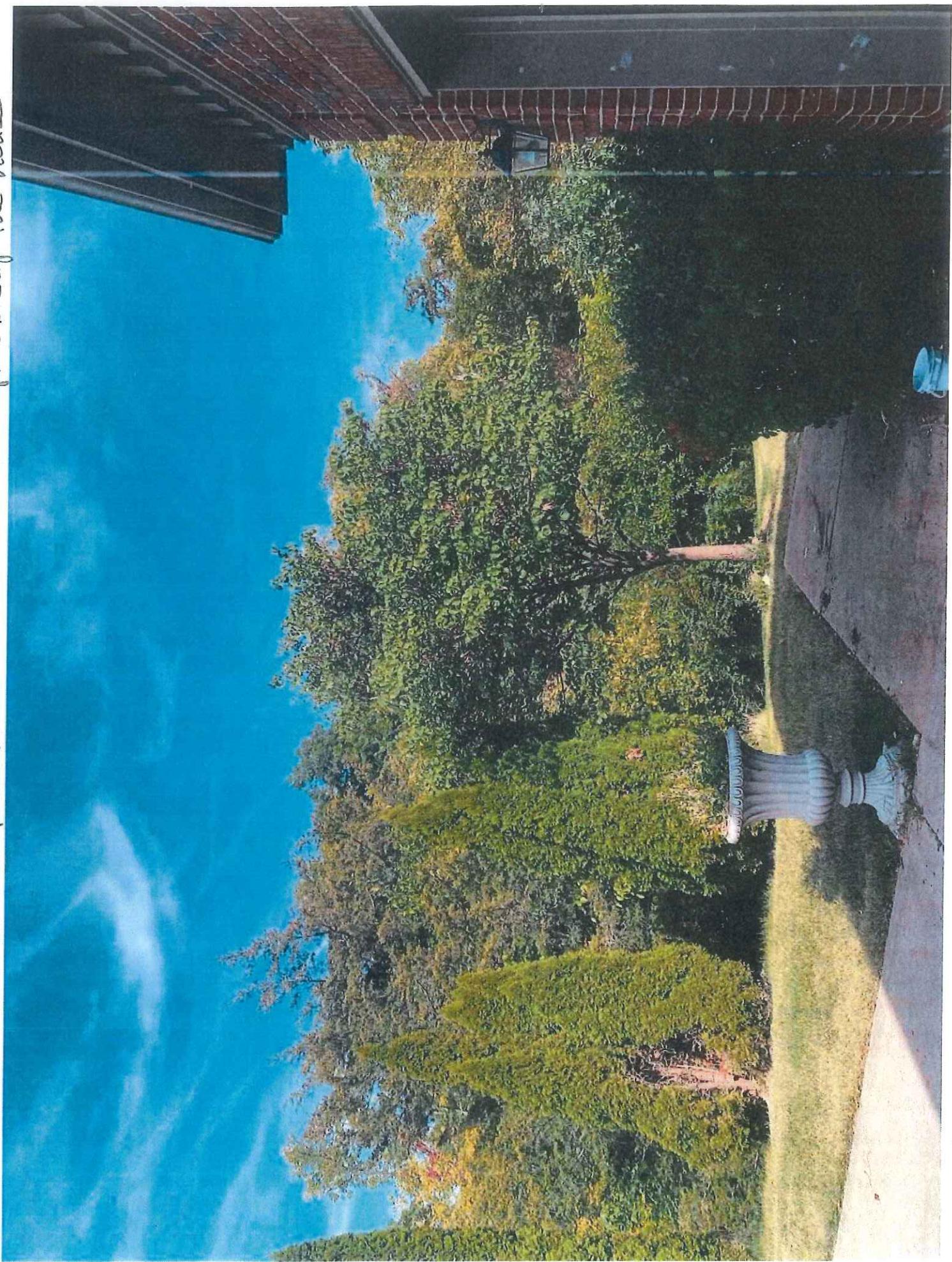
Left side of the house



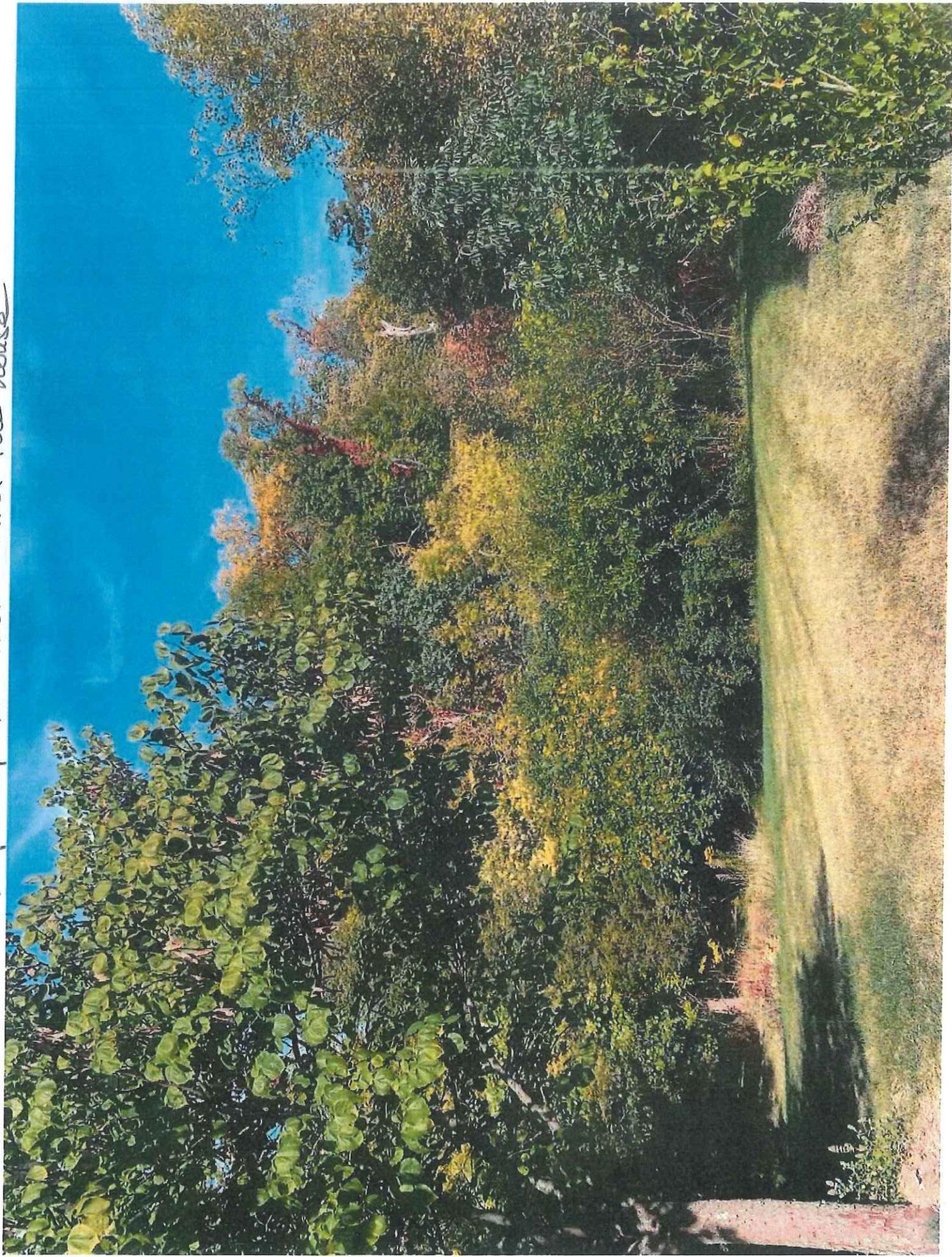
Steep drop on right hand off the house



Sleep drop behind the house & left side of the house



Deep drop to Creek behind the house



PRELIMINARY
SITE PLAN

$$= 0.106 \times 10^3$$

10-4.23

This hand-drawn topographic map illustrates a property's layout and elevation. Key features include:

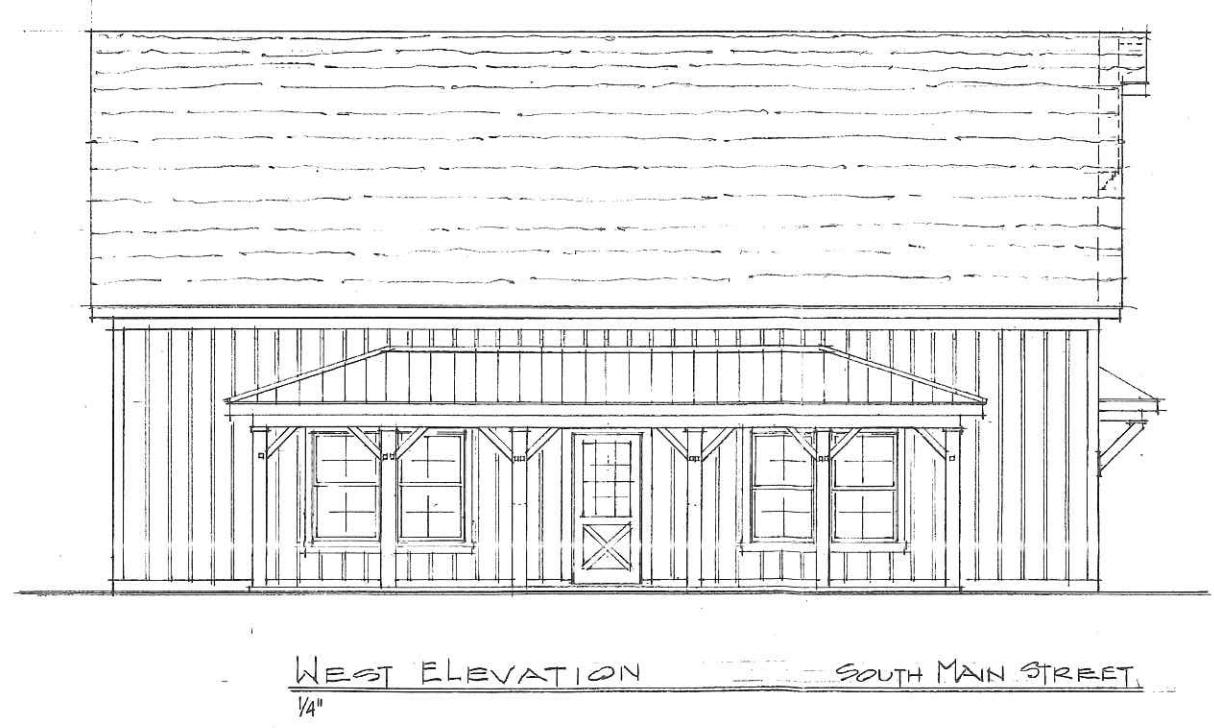
- Existing Ponds:** Two ponds are shown, labeled "EXISTING POND 1" and "EXISTING POND 2".
- Proposed Developments:** A rectangular area is outlined with a red circle, labeled "POWELL" and "PROPOSED PARK". A yellow arrow points to the left, labeled "±370' TO ROW".
- Plumbing:** A small diagram shows "PRIMARY PLUMBING" with "TANK" and "POOL" components.
- Elevation:** Contours are labeled with elevations such as "ELEV 800", "ELEV 805", "ELEV 810", "ELEV 815", and "ELEV 820".
- Other Labels:** "SOUTH MAIN STREET" is labeled vertically on the left. "APPROX TREE LINE" is indicated by a dashed line on the right. "ELEV 800" is also labeled on the right side.

MICHAEL J. BATTAGLIA
RESIDENTIAL DESIGN
162 CUSHWA DRIVE
CENTERVILLE, OHIO 45459
937-439-1935

STORAGE BARN
PAKTAK CAO DO
1550 SOUTH MAIN STREET
SPRINGFIELD OHIO 45066

RENFROW BUILDERS
PO BOX 291
BELLBROOK, OHIO 45333

PRINTING: DATE:
ZONING APP'L - 10-4-23



RECEIVED OCT 19 2023

REVIEW ONLY
10-16-23

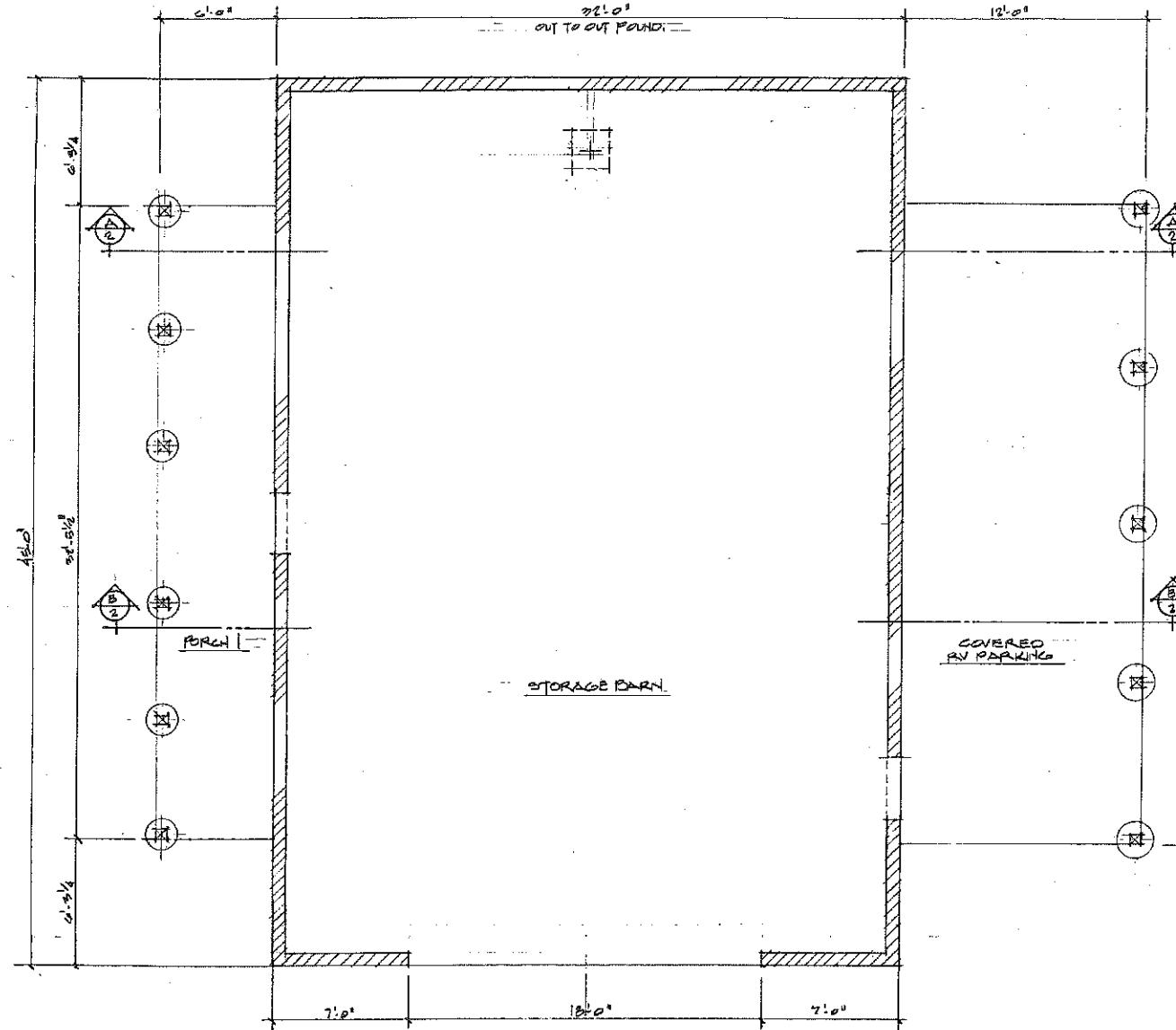
PRINTING DATE: _____
ZONING HEARINGS: _____

RENFROW BUILDERS
PO BOX 291
BELLARDO, OHIO 45303
KIM RENFROW 937-604-3933

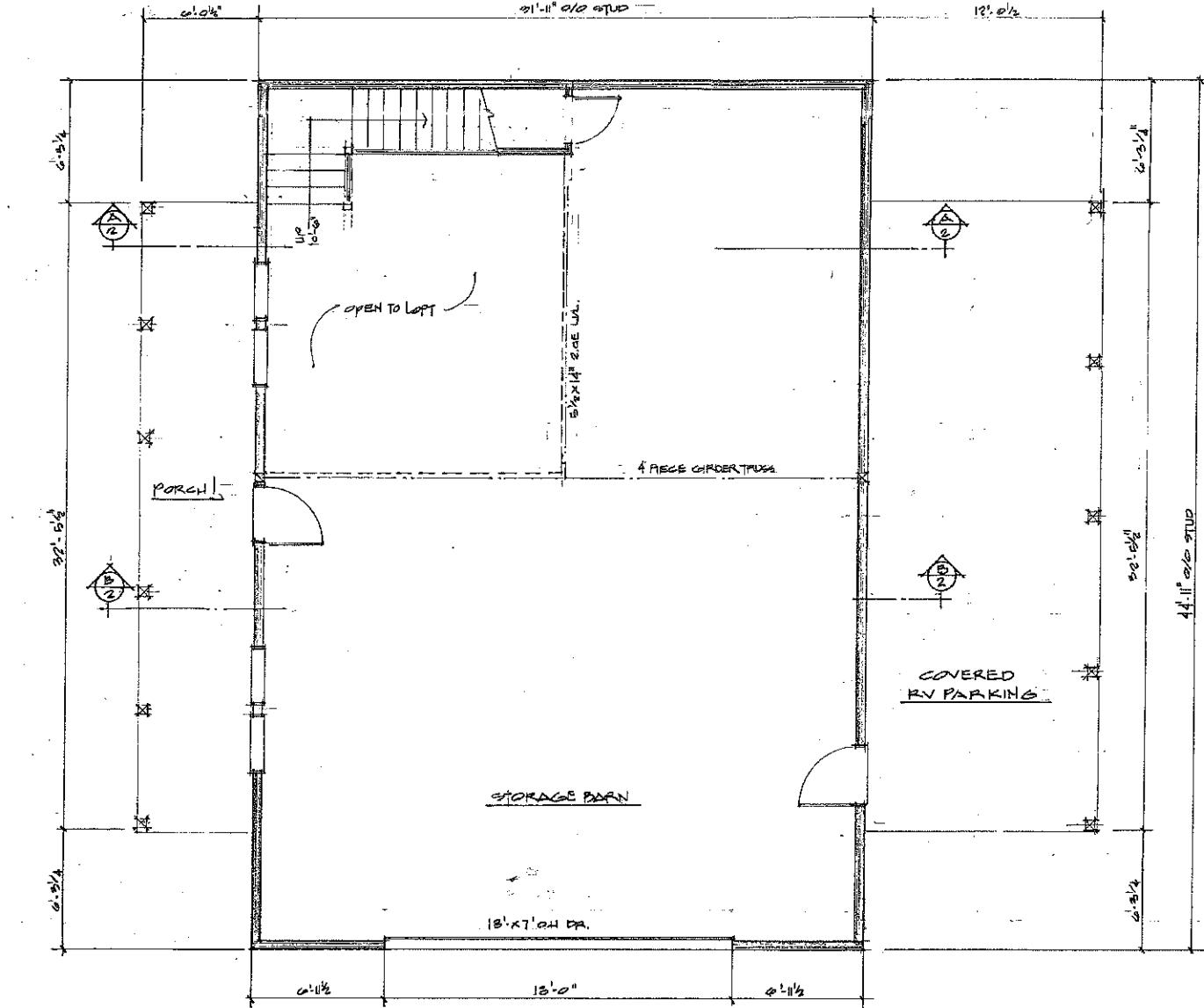
STORAGE BARN
DALE LAK CEDAR DO
1560 SOUTH MAIN STREET
SPRINGS BORO OHIO 45066
937-267-3228

MICHAEL PATTALEA
RESIDENTIAL DESIGN
182 CUSHLA DRIVE
CENTERVILLE OHIO 45459
937-439-1933

WEST ELEV
SOUTH ELEV.
SHEET
4 of 4



FOUNDATION PLAN



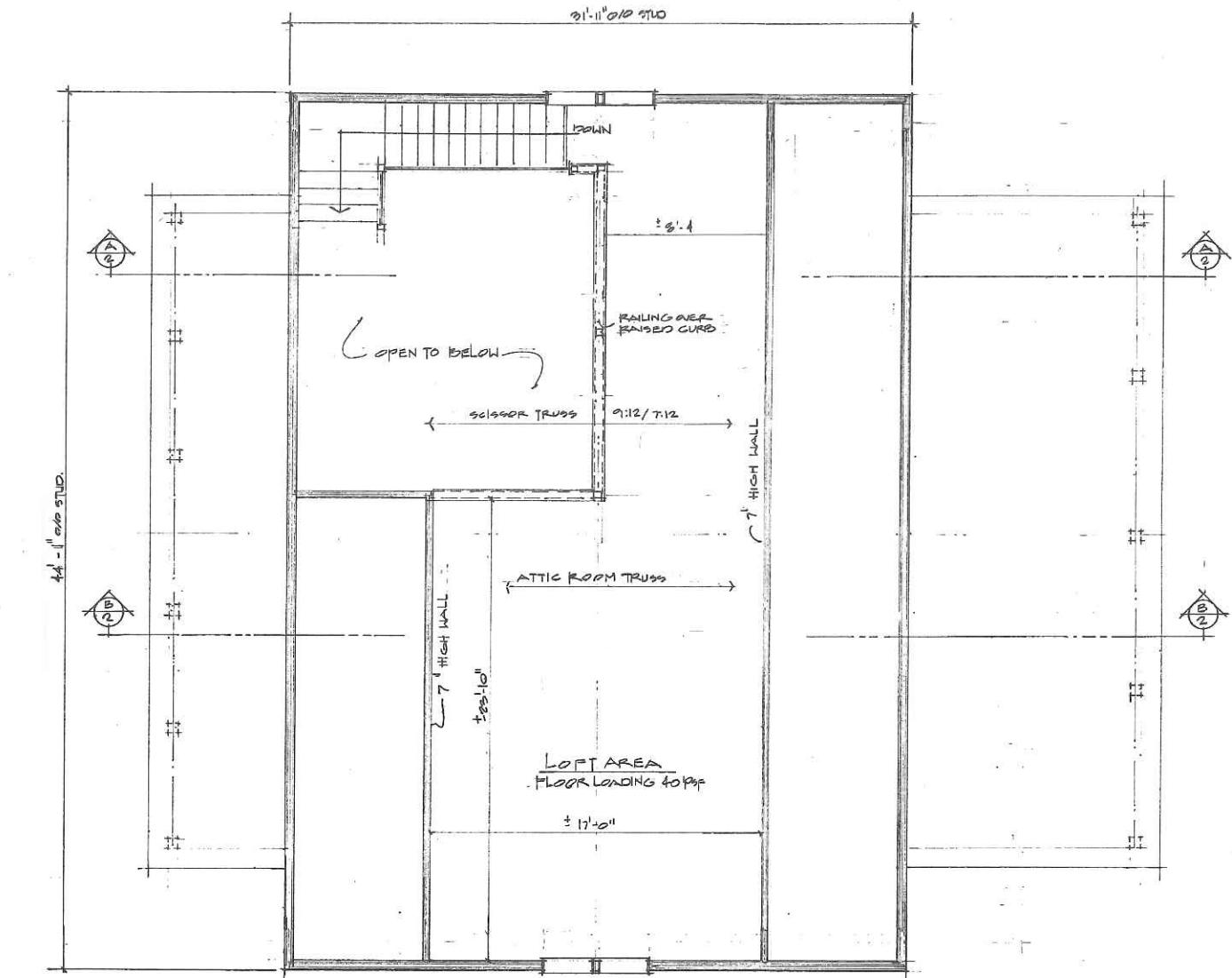
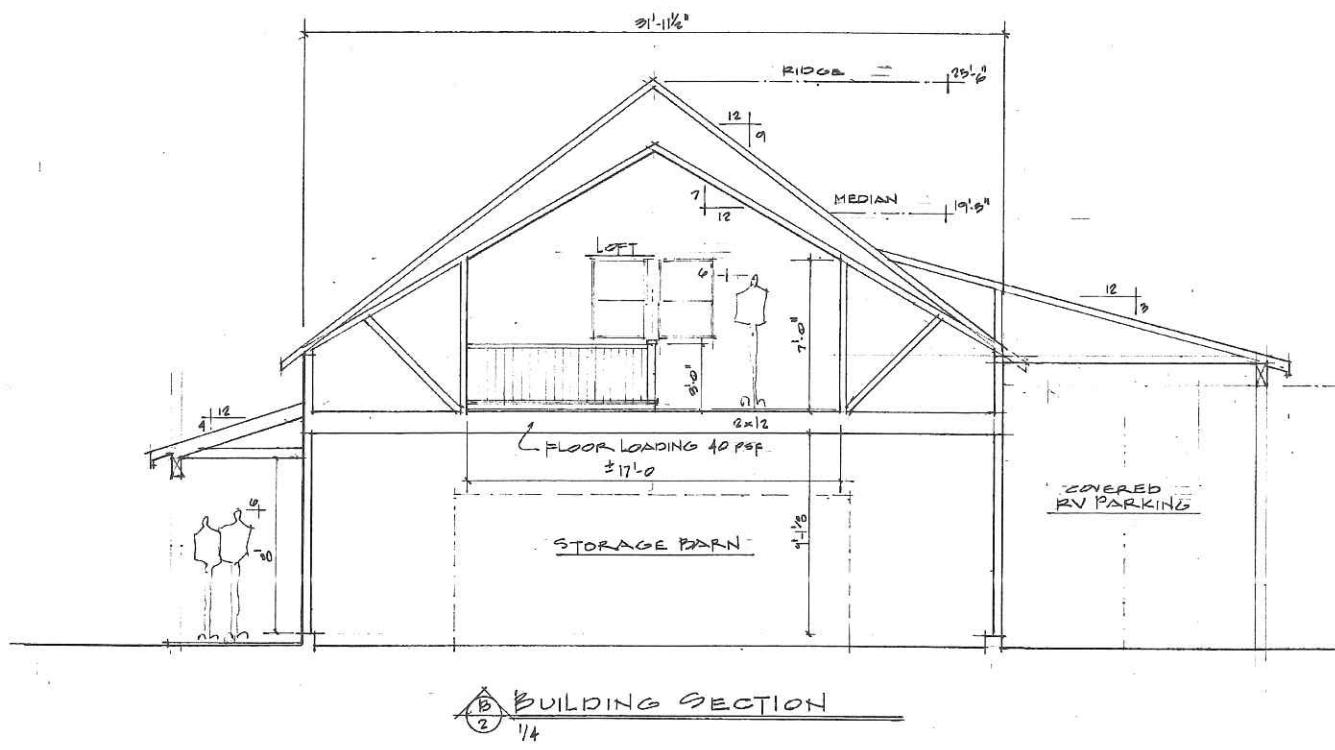
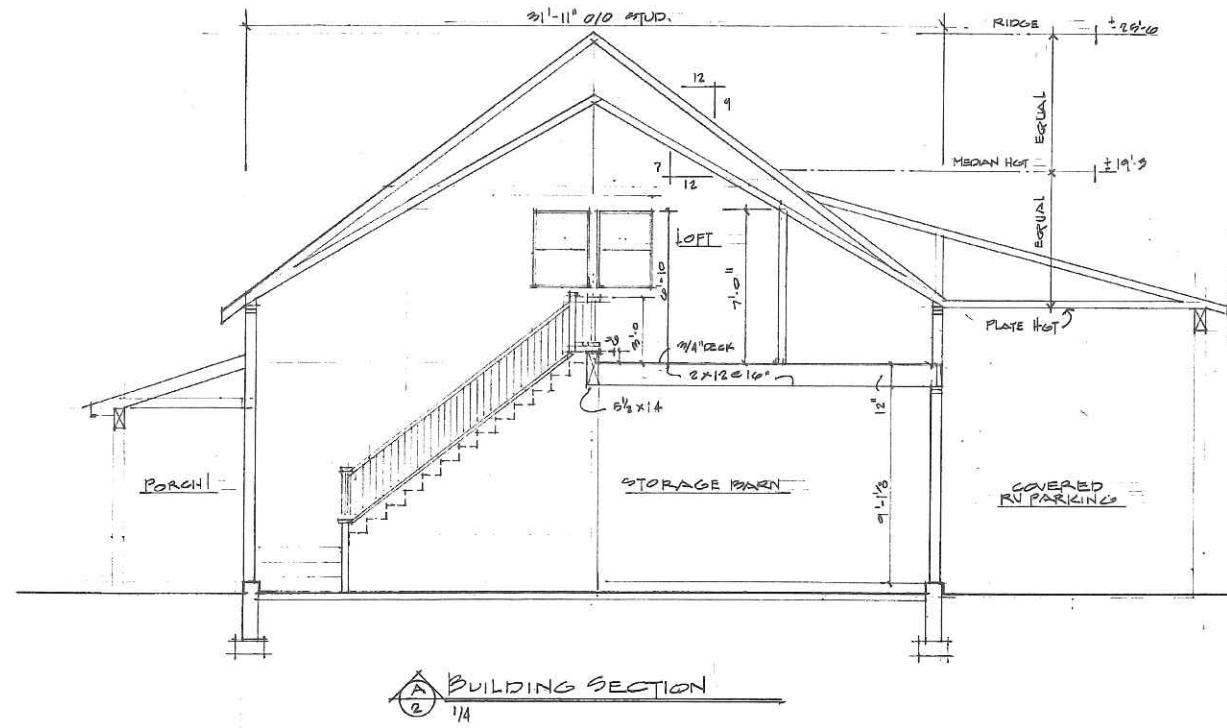
FIRST FLOOR PLAN 10-4-23

RECEIVED OCT 19 2023

REVIEW ONCE
10-16-03

MICHAEL J. BATTAGLIA
RESIDENTIAL DESIGN
82 CUSHING DRIVE
CENTERVILLE, OHIO 45459
937-469-1933

FOUNDATION
FIRST FLOOR
SHEET
2 of 4



SECOND FLOOR PLAN 10-13-23 RECEIVED OCT 19 2023
1/4" LOFT AREA 596.60 SF

(FOR FUTURE EXPANSION)

REVIEW BKT
10-16-23

| | |
|----------------|---------|
| PRINTING | DATE |
| ZONING APPL. | 10-4-23 |
| ZONING HEARING | |

| | |
|--------------------------|--|
| RENFROW BUILDERS | |
| PO. BOX 211 | |
| BELLBROOK, OHIO 45305 | |
| KIM RENFROW 937-604-3935 | |

| | |
|-------------------------|--|
| STORAGE BARN | |
| DAK LAK CAD DO | |
| 1560 SOUTH MAIN STREET | |
| SPRINGFIELD, OHIO 45066 | |
| 937-367-3228 | |

| | |
|-------------------------|--------------------|
| MICHAELI PATTAGLIA | RESIDENTIAL DESIGN |
| 152 CUSHWA DRIVE | |
| CENTERVILLE, OHIO 45428 | |
| 937-439-1933 | |

| | |
|--------------------------------|--|
| SECOND FLOOR BLDG. SECTIONS | |
| SHEET | |
| 3 of 4 | |

SPRINGBORO

APPLICATION FOR BOARD OF ZONING APPEALS

ALL six sections must be completed for application to be processed

320 W. Central Ave.
Springboro, Ohio 45066
(937) 748-9791 PH
(937) 748-6860 FX
build@cityofspringboro.com

1 Address: 60 Elkins LN Springboro Ohio 45066
Lot No.: # 24 Parcel ID: 0407102069 Zoning District: R-3

2 Request for:
 APPEAL (see Section 1285.02 on page 2) VARIANCE (see Section 1285.04 on page 2)

3 Briefly explain request:
To build a four season sunroom on the back of home.

| PLEASE PRINT | Name | Address | Email *Required for processing* |
|------------------|-------------------------------|-----------------------------------------|------------------------------------------------------------------|
| Property Owner's | Judy Elswick John Sullivan | 60 Elkins LN Springboro, OH 45066 | Judys - jjjelswick@hotmail.com Johns - purplerage28@yahoo.com |

The applicant must provide the following:

5

- List of property owners within 200 feet of all property boundaries (attached)
- Copy of certified site plan, if required (attached)
- Variance requests shall include a statement addressing all items noted in Section 1285.04(e)
- Application Fee

Appeal: \$133.00

Variance: \$195.00

The above request shall be heard by the Board of Zoning Appeals (BZA) of the City of Springboro at the earliest date allowed by law.

6 I hereby certify, as the owner or authorized agent of the owner, that I have read the above information and have provided the required documentation. I also agree to pay all actual costs incurred by the City of Springboro (approximately \$500), which will be billed to me by the City of Springboro to be paid prior to the BZA hearing.

Judy Elswick

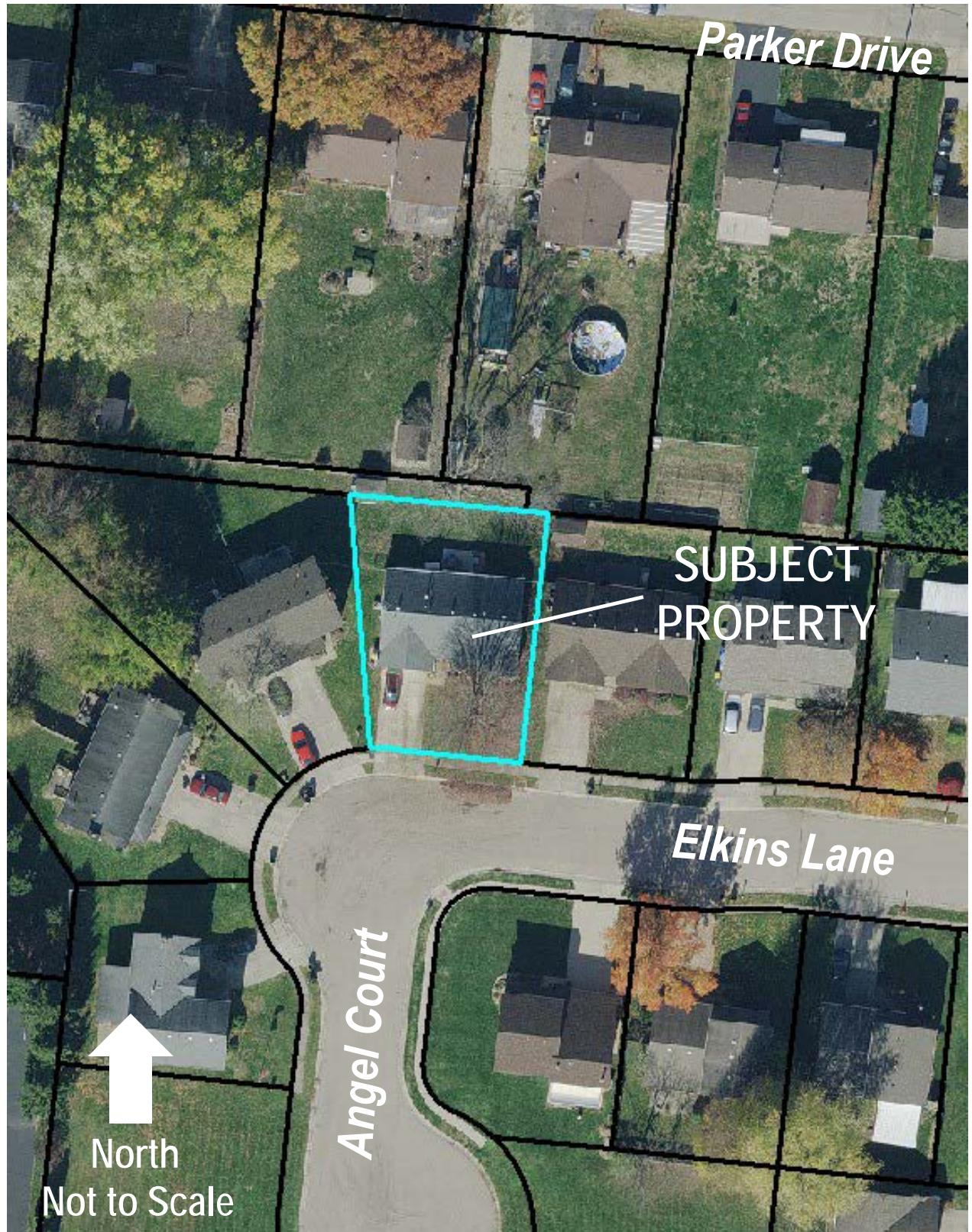
Applicant's Name: John Sullivan

jjjelswick@hotmail.com
purplerage28@yahoo.com

Applicant's Signature: Judy Elswick / John Sullivan Date: Sept 21, 2023

Sept 21, 2023

*BZA Public Hearing Variance Request Vicinity Map—
60 Elkins Lane*





Sources: (a) Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Warren County GIS



WARREN COUNTY
Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

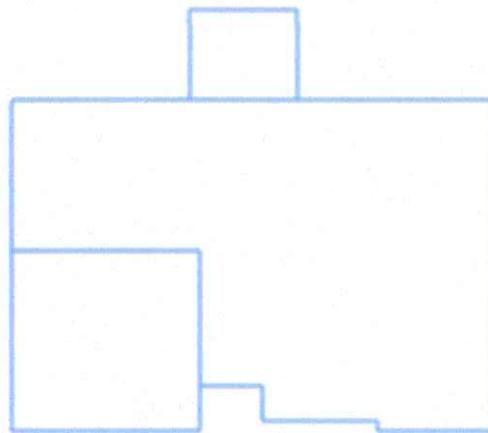
Linda Oda
Recorder

| | | | | | |
|-------------------|-----------------------------------------|------------------|------------------------------------|--------------------------|------------|
| Parcel ID | 0407102069 | Current Owner | ELSWICK JUDY K. & | Value As Of | 01-01-2022 |
| Parcel Seq | 0 | | | Ownership As Of | 09-20-2023 |
| Account Number | 0530913 | Property Address | 60 ELKINS DR SPRINGBORO 45066 | Tax Data As Of | 09-20-2023 |
| Legal Description | CHERRY WOOD 2 LOT: 24 0 ACRES | State Use Code | 0510 - SINGLE FAMILY DWG (PLATTED) | Census Tract | 305.00 |
| Tax District | 05 CLEARCREEK TWP SPRINGBORO CORP | Neighborhood ID | 045002 | OH Public School Dist No | 8302 |
| | | School District | SPRINGBORO CSD | | |

Primary Picture



Primary Sketch



Residential Building and Last Sale Summary

| | | | |
|---------------------|------------|-------------------------|---------------|
| Last Sale Amount | \$0 | Bedrooms | 3 |
| Last Sale Date | 02/17/2021 | Exterior | VINYL / ALUM |
| Owner Occupied | Y | Above Grade Living Area | 1,530 sq. ft. |
| Homestead Exemption | N | Finished Basement/Attic | 0 sq. ft. |
| Year Built | 1990 | Total Living Area | 1,530 sq. ft. |

Value Summary

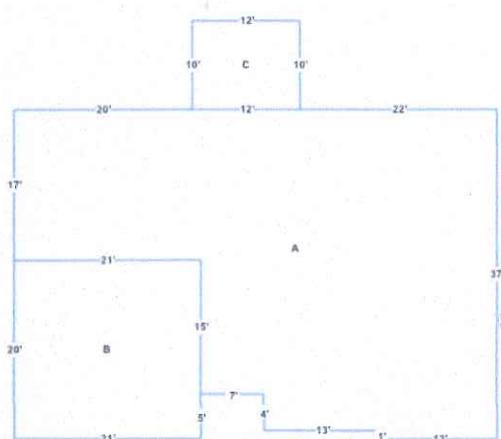
| VALUATION | TRUE VALUE | ASSESSED VALUE |
|-----------|------------|----------------|
| LAND | \$36,900 | \$12,920 |
| BUILDING | \$135,130 | \$47,300 |
| TOTAL | \$172,030 | \$60,220 |
| CAUV | \$0 | - |

| | | | | | |
|------------|------------|---------------|-------------------|----------------|---------|
| Parcel ID | 0407102069 | Current Owner | ELSWICK JUDY K. & | Account Number | 0530913 |
| Parcel Seq | 0 | | | | |

Residential Building Details

Building 1 of 1

Building Sketch



Sketch Details

| | | | |
|---|-------|---------|------|
| A | FRAME | 1 STORY | 1530 |
| B | FRAME | GARAGE | 420 |
| C | FRAME | DECK | 120 |

| |
|-------------------|
| Occupancy |
| Construction Year |
| Remodel Year 1 |
| Remodel Year 2 |
| Condition |
| Construction Cost |
| Remodel Cost |
| Foundation |
| Exterior |
| Basement |

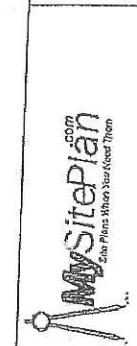
1 FAMILY UNIT
1990
0
0
AVERAGE
0.00
0.00
C. BLOCK
VINYL / ALUM
NONE

- Finished Basement
- Unfinished Attic
- Finished Attic/Living Area
- Number of Bedrooms
- Family/Rec Room
- Wood Fireplace
- Gas Fireplace
- Heating System
- Heat Source
- Central Air Conditioning
- Full Baths
- Half Baths
- True Value

0 sq. ft.
0 sq. ft.
0 sq. ft.
3
NO
0
0
RCED AIR
GAS
YES
2
1
109,860.00

Special Features

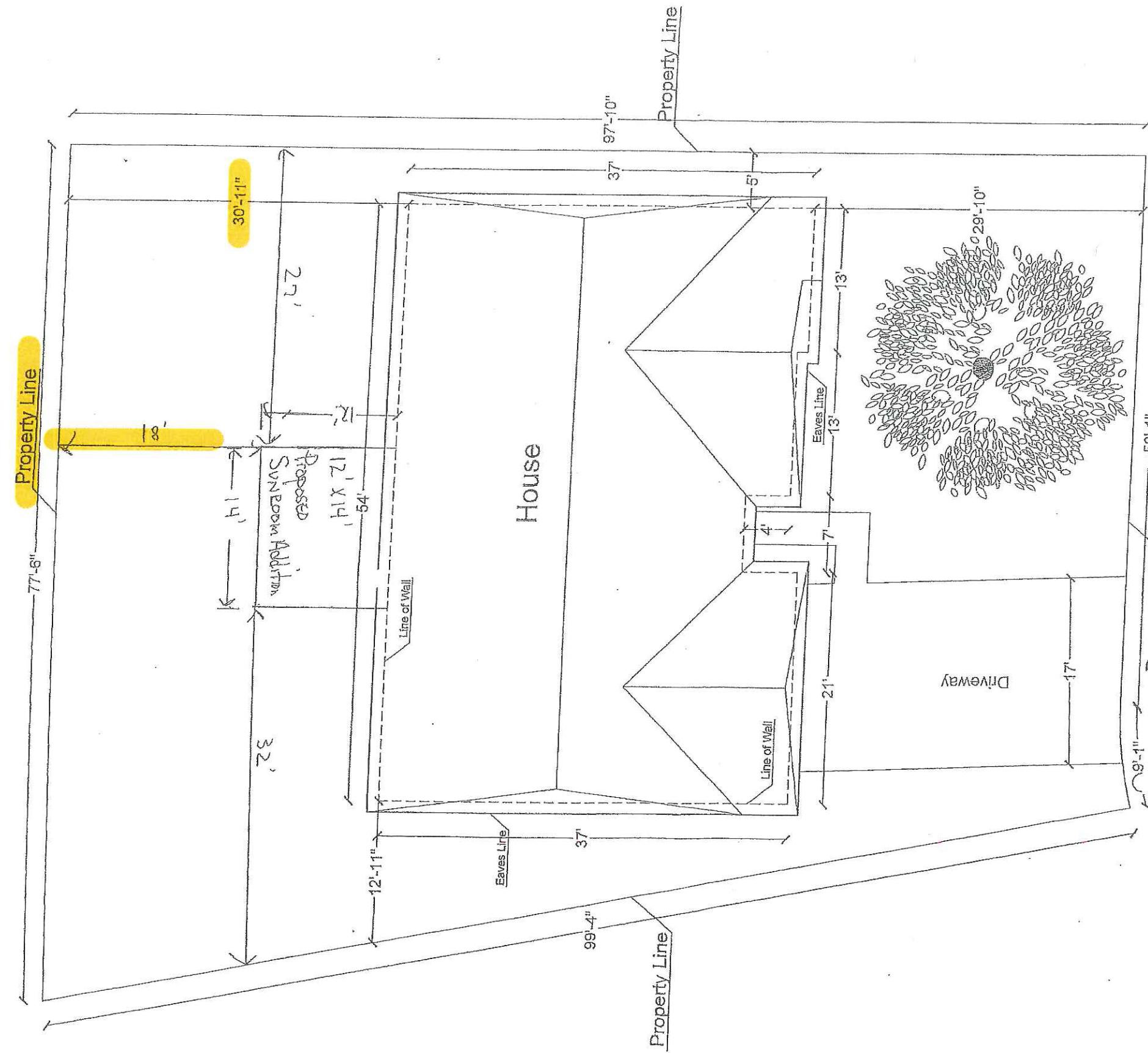
No Special Features Found



Site Plan Not Approved

THIS IS NOT A LEGAL SURVEY. NOR IS IT INTENDED TO BE OR REPLACE ONE.
This work product represents only generalized locations of
features, objects or boundaries and should not be relied upon
as being legally authoritative for the precise location of any
feature, claim, or boundary.

Proposed construction does not meet the rear yard setback of 25'.



Dan Fitzpatrick

09/22/2023

Elkins

Land: 6654 SF
House: 1950 SF

60 Elkins Ln
Springboro, OH 45066, USA
scale: 1" : 10



BY GREAT DAY IMPROVEMENTS, LLC

GREAT DAY IMPROVEMENTS, CINCINNATI
ELSWICK RESIDENCE

| DRAWING # | DESCRIPTION |
|-----------|--------------------------|
| 1 | COVER |
| 2 | ELEVATION "B" WALL |
| 3 | ELEVATION "A" & "C" WALL |
| 4 | CONCRETE PLAN |
| 5 | FLOOR PLAN |
| 6 | ROOF PLAN |
| 7 | SYSTEM DETAILS |
| 8 | SYSTEM DETAILS |

MINIMUM DESIGN LOADS: PER 2019 RCO / 2018 IRC
W/ OH AMENDMENTS

SUNROOM CATEGORY II (PER 2018 IRC R301.2.1.1.1
& AAMA / NPEA / NSA 2100)

SNOW LOADS: GROUND SNOW LOAD 25 PSF

ULTIMATE DESIGN WIND SPEED: 115 MPH, 3 SEC. GUSTS

LIVE LOADS:

1. ROOF: 20 PSF
2. FLOOR: 40 PSF

THIS SUNROOM IS NOT TO BE CONDITIONED
OR USED AS A PERMANENT LIVING AREA.

NOTES:

1. ALLVIEW (CA5) SUNROOM; WHITE IN COLOR
2. CONSTRUCT SUNROOM ON NEW CONCRETE
3. NO HEAT BY GDI; ELECTRICAL BY GDI
4. ALL CONCRETE TO BE 3000 PSI MINIMUM
5. THIS SUNROOM IS CONSIDERED AS NON-CONDITIONED SPACE, EXEMPT FROM ENERGY REQUIREMENTS (PER 2018 IRC SECTION N1102.1, NOTE 1.2)

ALLOWABLE SOIL PRESSURE CONSIDERED
(PRESUMPTIVE) = 1500 PSF

THIS SUNROOM AND FOUNDATION HAVE BEEN EVALUATED FOR DESIGN LOADS REQUIRED BY THE IRC CODE. THIS INCLUDES ALL MATERIALS, COMPONENTS, CONNECTIONS, AND ATTACHMENTS WHEN CALCULATING THE LOAD REQUIREMENTS.



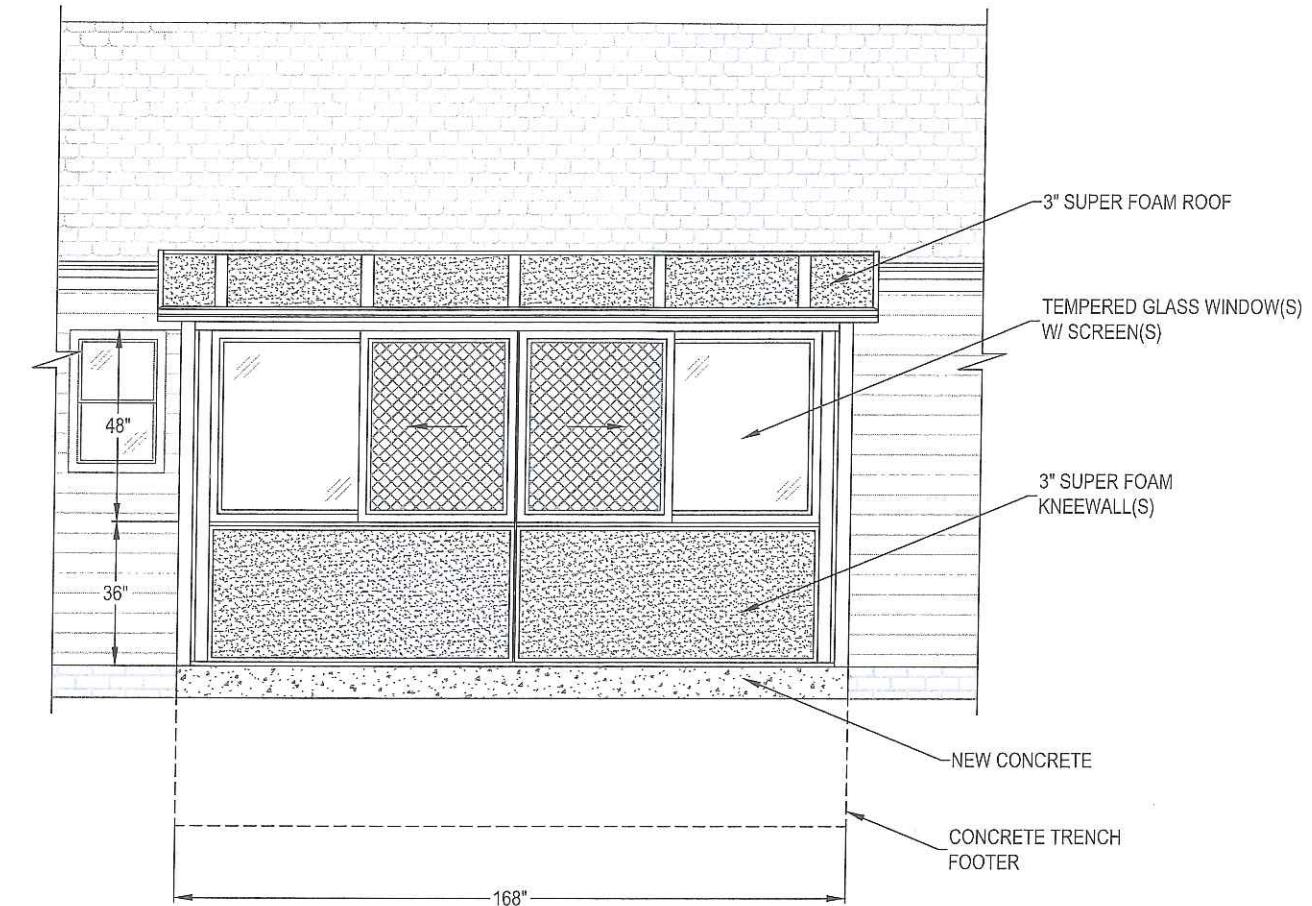
| | |
|----------------------|----------------------------|
| JUDY ELSWICK | LOCATION |
| 60 ELKINS LANE | GDI - CINCINNATI |
| SPRINGBORO, OH 45066 | 6031 SCHUMACHER PARK DRIVE |
| JOB #39406 | WEST CHESTER, OH 45069 |
| | 513-870-0701 |

ERIC OETJEN, P.E., M. ENG.
OH. PROFESSIONAL ENGINEER (OH. LIC. #84737)
5 GREENE STREET
FORT THOMAS, KY. 41075
PH. # 859-393-9049

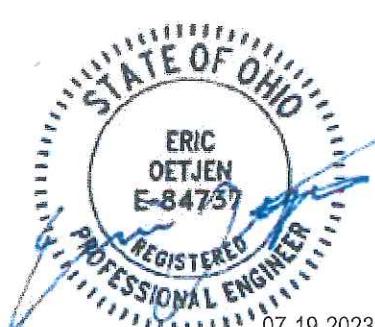
DRAWN AMK
SCALE NTS
SHEET
1 OF 8

THIS DRAWING IS PROPERTY OF GREAT DAY IMPROVEMENTS, LLC., AND DUPLICATION OF THIS DRAWING WITHOUT OUR EXPRESSED WRITTEN CONSENT IS PROHIBITED. ALL RIGHTS RESERVED.

BY GREAT DAY IMPROVEMENTS, LLC



ELEVATION - "B" WALL



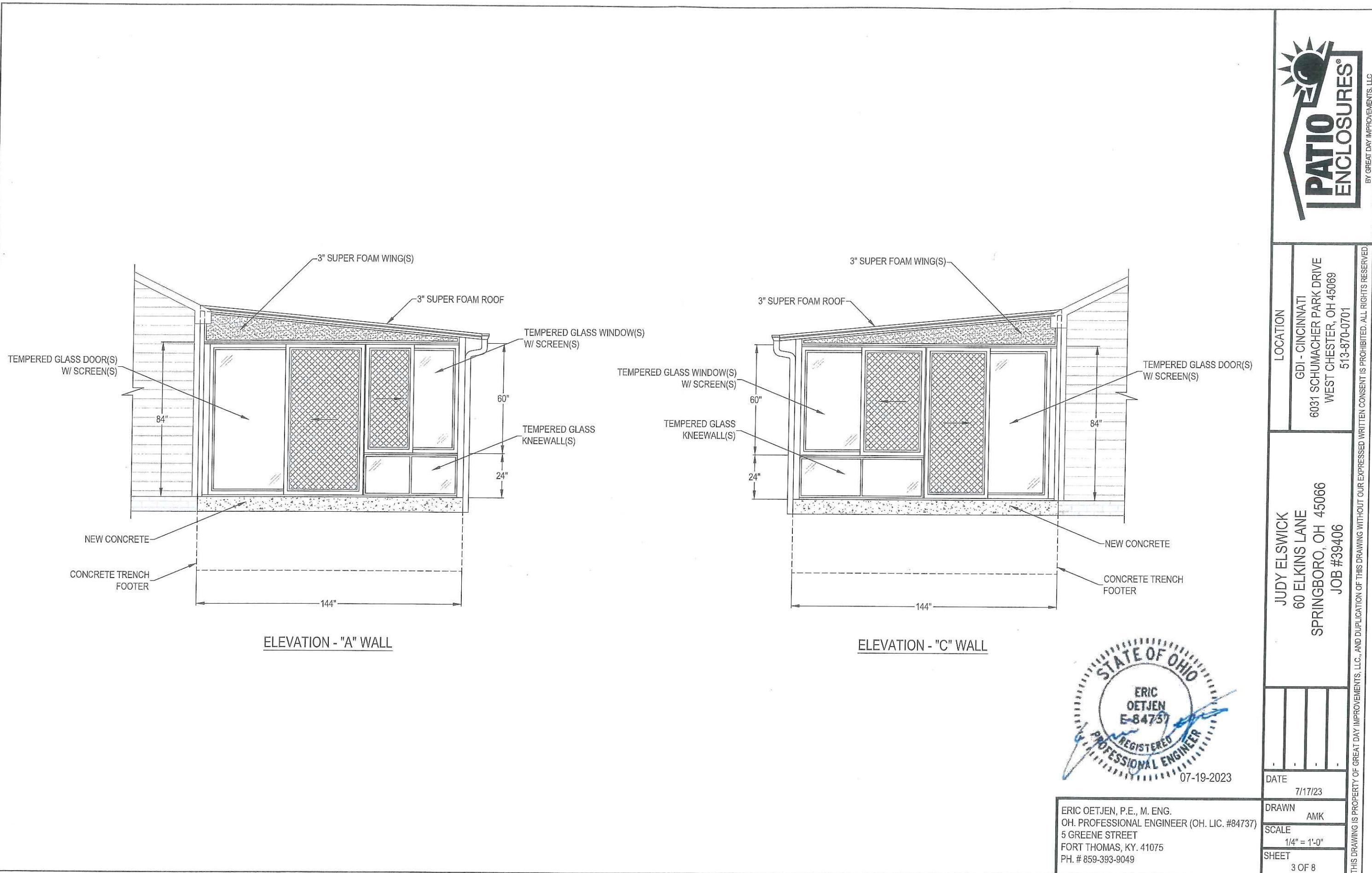
ERIC OETJEN, P.E., M. ENG.
OH. PROFESSIONAL ENGINEER (OH. LIC. #84737)
5 GREENE STREET
FORT THOMAS, KY. 41075
PH. # 859-393-9049

DRAWN AMK
SCALE 1/4" = 1'-0"
SHEET 2 OF 8

THIS DRAWING IS PROPERTY OF GREAT DAY IMPROVEMENTS, LLC, AND DUPLICATION OF THIS DRAWING WITHOUT OUR EXPRESSED WRITTEN CONSENT IS PROHIBITED. ALL RIGHTS RESERVED.



BY GREAT DAY IMPROVEMENTS, LLC



SPRINGBORO

APPLICATION FOR BOARD OF ZONING APPEALS

ALL six sections must be completed for application to be processed

320 W. Central Ave.
Springboro, Ohio 45066
(937) 748-9791 PH
(937) 748-6860 FX
build@cityofspringboro.com

1 Address: 216 E. mill Street
Lot No.: _____ Parcel ID: 04073050120 Zoning District: M1

2 Request for:
-APPEAL (see Section 1285.02 on page 2) -VARIANCE (see Section 1285.04 on page 2)

3 Briefly explain request:
Asking for the North Property line 40' set back to be 20' so building will line up aesthetically, Having building set back will help with delivery turn arounds, building being at 40' set back makes it to tight for deliveries

| 4 | PLEASE PRINT | Name | Address | Email *Required for processing* |
|---|----------------|---------------|-----------------|------------------------------------|
| | Property Owner | Dave Hamilton | 216 E. mill st. | Dave@Digitube.com |

The applicant must provide the following:

5 -List of property owners within 200 feet of all property boundaries (attached)
-Copy of certified site plan, if required (attached)
-Variance requests shall include a statement addressing all items noted in Section 1285.04(e)
-Application Fee

Appeal: \$133.00

Variance: \$195.00

The above request shall be heard by the Board of Zoning Appeals (BZA) of the City of Springboro at the earliest date allowed by law.

6 I hereby certify, as the owner or authorized agent of the owner, that I have read the above information and have provided the required documentation. I also agree to pay all actual costs incurred by the City of Springboro (approximately \$500), which will be billed to me by the City of Springboro to be paid prior to the BZA hearing.

Applicant's Name: ZACK Posey Email: ZACKPosey2@gmail.com

Applicant's Signature: Zack Date: 9-27-23



SPRINGBORO

BUILDING PERMIT APPLICATION

320 W. Central Ave.
Springboro, Ohio 45066
(937) 748-9791 PH
(937) 748-6860 FX
build@cityofspringboro.com

1 Residential (construction documents and site plan in pdf format required)

2 Commercial (construction documents and site plan in pdf format required)

ADDRESS: 216 East Mill St.

LOT NO: _____ PARCEL ID: _____

PROJECT DESCRIPTION: Building addition

NEW BUILDING ADDITION ALTERATION/REMODEL ACC. STRUCTURE DECK

SWIMMING POOL: ABOVE GROUND* IN-GROUND* STORABLE

COST: 253,000.00 SQUARE FOOTAGE/AFFECTED AREA: 3200

PROPERTY IN FLOODPLAIN? YES† NO

*All above ground and in-ground swimming pools require an additional electrical permit.

†Floodplain permit required.

PERMIT TYPE: (a separate application is required for each discipline and/or address)

3 BUILDING ELECTRICAL HVAC‡ GAS

FIRE SUPPRESSION FIRE ALARM COMMERCIAL KITCHEN HOOD/SUPPRESSION

‡All new gas furnace installations require an additional gas permit. A gas permit is not required for replacements.

| PLEASE PRINT | Name | Address | Phone Number & Email <small>*BOTH REQUIRED TO PROCESS APPLICATION*</small> |
|-----------------------|---------------------|---------------------------------------------|-------------------------------------------------------------------------------|
| Property Owner | Dave Hamilton | 216 East Mill St Springboro | dave@digitube.com |
| Occupant/Tenant | Digitube | 216 E. Mill St. Springboro | Brandon@digitube.com |
| Contractor | Posey Construction | 7203 Germantown Rd Middletown, OH 45042 | Zack.Posey2@gmail.com |
| Designer/ Plans By | Leesman Engineering | 2720 Topchill's Dr. Cincinnati, OH 45248 | Email@leesmanengineering.com |

5 I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her agent. *In addition, the applicant agrees to provide access to all the approved construction documents for each inspection by one of the following methods: 1) a printed copy or 2) an electronic copy on a laptop computer or tablet. An electronic copy on a smart phone is not acceptable.*

Applicant's Name (Please print): Zack Posey Email: ZACK.Posey2@gmail.com

Applicant's Signature:

Date: 9-8-23

OFFICE USE ONLY

ZONING APPROVAL: NOT APPROVED

09/27/2023

DATE: _____

BUILDING APPROVAL: _____

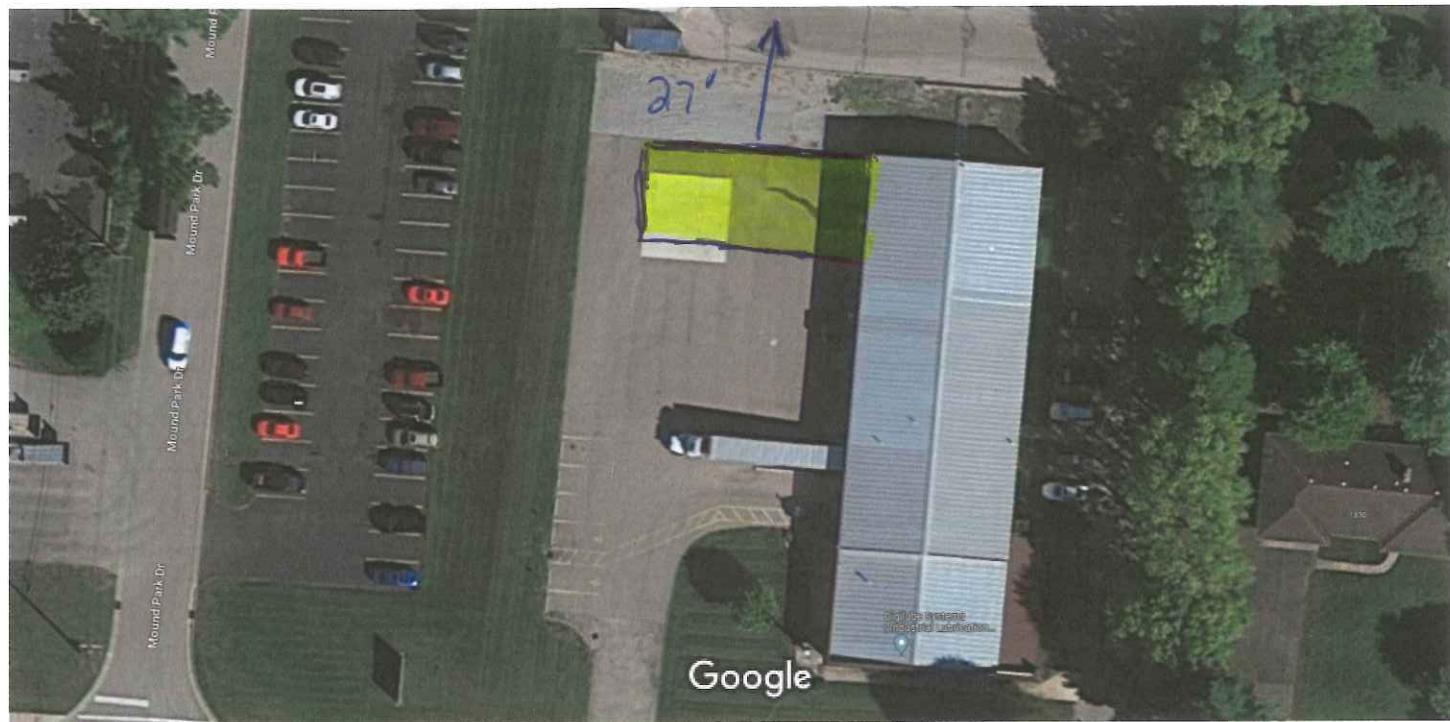
DATE: _____

Proposed construction does not meet the rear yard set backs of 40'

BZA Public Hearing Variance Request Vicinity Map— 216 East Mill Street



Google Maps



Imagery ©2023 Maxar Technologies, Map data ©2023 20 ft

We're asking for the north property line set back of 40' to be decreased to 27' so building will line up aesthetically and the 40' set back would push proposed building into parking lot making it to tight for delivery trucks and they would have to back in from the street causing some safety concerns

Site Plan Not Approved

Proposed construction does not meet the rear yard setback of 40'

CITY OF SPRINGBORO
PARCEL ID: 040730500
O.R. 484 P.G. 15
SURVEY: 31-74
1.431 ACRES



VICINITY MAP
N.T.S

GENERAL NOTES

1. CONTRACTOR SHALL DETERMINE ALL EXISTING CONDITIONS IN THE AREA OF PROPOSED WORK. IF CONDITIONS OTHER THAN THOSE SHOWN ON THE DRAWINGS ARE ENCOUNTERED, THE CONTRACTOR MUST NOTIFY THE ENGINEER BEFORE PROCEEDING WITH CONSTRUCTION.
2. ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE STATE OF OHIO CONSTRUCTION AND MATERIAL SPECIFICATIONS

UTILITY NOTES

- A. VERIFY EXACT LOCATION OF EXISTING UNDERGROUND UTILITIES PRIOR TO START OF CONSTRUCTION.
- B. NO NEW UTILITIES REQUIRED FOR THIS PROJECT.

CONCRETE → ITEM 452 - 6" 4000PS 6% A.B.
FLOOR/DRIVEWAY

HANDICAP SIGN DETAIL
N.T.S.
INSTALLED @ ALL H/C SPACES

The diagram illustrates a handicapped parking sign system. At the top, a blue and white "HANDICAPPED PARKING ONLY" sign is shown with a central wheelchair accessibility symbol. Below it, a blue and white "MAXIMUM FINE \$500" sign is positioned. A vertical post connects the two signs. To the left of the signs, a note reads: "10440.B (1 SIGN TO READ 'VAN ACCESSIBLE')". A bracket labeled "NOTE #1" points to the bottom of the post. To the right of the signs, a note reads: "10440.A GENERAL NOTES 1. U-TYPE FLANGED STEEL SIGN POST. SET IN A MIN. DEPTH OF 3'-0\"/>

GENERAL NOTES

1. U-TYPE FLANGED STEEL SIGN POST. SET IN A MIN. DEPTH OF 3'-0".

GENERAL NOTES

10440.

A. 18" x 12" x 16 GA.
STEEL HANDICAP SIGN
B. 9" x 12" x 16GA.
STEEL HANDICAP SIGN

10440.B (1 SIGN TO READ "VAN ACCESSIBLE")

NOTE #1

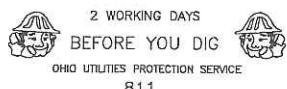
MAXIMUM FINE \$500

VAN ACCESSIBLE

NOTE: VAN ACCESSIBLE SIGN TO BE INSTALLED ON MINIMUM ONE SIGN

A graphic scale bar with a black and white checkered pattern on the left. The scale is labeled "GRAPHIC SCALE" at the top. Numerical markings are present at 0, 10, 20, 40, and 80. Below the scale, the text "(IN FEET)" is centered.

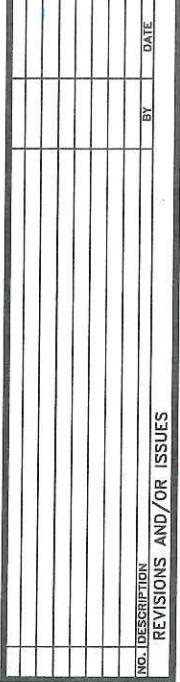
DETENTION NOTE



2 WORKING DAYS

BEFORE YOU DIG

ES PROTE



LEESMAN ENGINEERING & ASSOC.
ENGINEERING, SURVEYING, PLANNING
2720 TOPIC HILLS, CINCINNATI, OHIO 45248 513/417-0420

H & S HAMILTON PROPERTIES LLC
216 EAST MILL STREET
SPRINGFIELD, OH 45068

S
J
L
engineers

DRAWING TITLE

SITE PLAN

PROJ. NO. DA

| | |
|----------|---------|
| DIGILUBE | 9/1/23 |
| RAWN | CHECKED |
| SJL | SJL |

RAWING NO.

City of Springboro
320 West Central Avenue, Springboro, OH 45066

Board of Zoning Appeals Meeting & Public Hearing
Wednesday, November 22, 2022, 6:00 p.m.

Board of Zoning Appeals

Jerry Ferris
Sheila Lairson, Acting Chair
Sondra Marzluff

Brian Retterer
Paul Scheuermann
Ed Syron

City Staff

Dan Boron, City Planner

Dan Fitzpatrick, Zoning Inspector

I. Call to Order & Roll Call

Ms. Lairson called the meeting to order at 6:00 p.m. and asked for the calling of the roll.

Roll Call: Ferris, Lairson, Retterer, Scheuermann, Syron. Absent: Sondra Marzluff

Ms. Lairson called for a motion to excuse Ms. Marzluff.

Mr. Ferris made a motion to excuse. Mr. Retterer seconded the motion.

Vote: Lairson, Retterer, Scheuermann, Syron, Ferris—all yes. (Motion carried 5-0)

II. Approval of Minutes

A. February 23, 2022 Board of Zoning Appeals Meeting

Ms. Lairson asked for motion to approve the February 23, 2022 meeting minutes.

Mr. Syron motioned to approve the February 23, 2023 Meeting Minutes. Mr. Ferris seconded the motion.

Vote: Ferris, Lairson, Retterer, Scheuermann, Syron—all yes. (Motion carried 5-0)

III. Action Agenda Items

- A. Public Hearing, Variance Requests, 3883 West Lower Springboro Road**
 - (1) Variances from the front yard location and height restriction for an accessory structure.**
 - (2) Variance from the height restriction of an accessory structure.**

Background Information

This agenda item is based on applications filed by Michael Alford, property owner, requesting a variance from the strict interpretation of the Planning & Zoning Code's requirements concerning the placement and height of principal structures on his property. The property is located in the R-1, Estate-Type Residential Zoning District. The R-1 District requires a 50-foot setback, a yard, defined as an open space unoccupied or unobstructed by any structure or portion of a structure.

The Planning & Zoning Code establishes the purpose, permitted uses and lot and building development standards for the R-1 District and other zoning districts in the City. The R-1 District was established to provide for estate-type, detached, single-family residential development at a density of two (2) units per acres on lots with a minimum acreage of 20,000 square feet (0.5 acres effectively). The subject property is approximately 19.93 acres in area. Land uses permitted in the R-1 District include single-family residential homes, churches, schools, cultural/public uses, parks, bed and breakfasts, golf courses, farmer's markets, roadside stands, accessory buildings, structures and other uses (Section 1263.04, Table 6). Commercial and industrial development is prohibited (Section 1261.08(b)) in the R-1 District. Design and development standards for detached accessory buildings, such as the pole barn that is the subject of this variance case, are included in Section 1272.02 of the Planning & Zoning Code and are as follows:

- Accessory building maximum Height: 15 feet
- Maximum Building Coverage: 10 percent of required yard
- Permitted Locations: rear yard only

The applicants are proposing to construct building two (2) accessory structures on the property.

Accessory Structure #1. The first would be located in the front yard of the property approximately 675 feet north of the front property line. The principal structure on the property is located approximately 975 feet from the front property line on the upland portion of the property. The accessory structure would be 19.5 feet in height, exceeding the 15-foot height maximum. That figure is based on the Planning and Zoning Code's interpretation of building height, the sum of the eave (16 feet) and ridge (23 feet) height divided by 2.

The structure would be on the bottomland portion of the property and would be used for housing farm equipment used in this portion of the property.

Accessory Structure #2. The second accessory structure is to be located in the rear yard approximately 365 feet from the east property line and to the rear of the principal structure. Unlike the accessory structure #1, such structures are permitted by code in this area, however the structure will also be 19.5 feet in height as measured by the Planning and Zoning Code, again exceeding the 15-foot height maximum. The applicant has provided a site plan showing the proposed location of the buildings, aerial photography, and other information pertinent to the case. This structure would be used as a garage.

Properties in the vicinity of the subject property are used as follows: to the east and southeast, lands in the City of Springboro comprising Clearcreek Park; to the southwest in the City of Franklin, the City of Springboro's Hazel Woods Park, and the Kleather farm in the City of Springboro; to the west single-family

residential on Kenny Lane in Franklin Township; to the north single-family residential also in Franklin Township. To the northeast is a 42.1-acre vacant parcel that is subject to an annexation agreement between Franklin Township and the City of Springboro. A single-family residential development is proposed to be built there following annexation in early 2023.

All lands described above in the City of Springboro to the east are zoned R-1 District. The Kleather farm is zoned ED, Employment Center District, a category that permits office and lighting industrial development.

Variance Review Process

Section 1285.04, Variances, of the Planning and Zoning Code establishes a process for the review of variances by the Board of Zoning Appeals from the strict interpretation of the Planning and Zoning Code:

The Board of Zoning Appeals is hereby authorized to grant, upon appeal in specific cases, a variance from this Zoning Code and will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this Zoning Code would result in a practical difficulty. No nonconforming use of neighboring lands, structures or buildings in the same district and no permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

The following criteria need to be met in order for the Board of Zoning Appeals to grant a variance from the strict interpretation of the Planning & Zoning Code. The applicants have provided a response to each criteria indicated in *italics* below.

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.

The parcel in question is of a substantially more confining shape than other parcels, not only in the 200-foot buffer zone but also in the broader neighborhood. Special conditions specific to the existing residence limit the opportunities to locate the proposed building addition elsewhere on the lot at an alternative, conforming location.

The property has since 1945 been used for farming. The property is 19.6 acres. When purchased in 1996 there were 2 barns, one of which was where the new garage will be erected. (The) pole barn in (the) front field will be used for farming equipment.

2. A literal interpretation of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under this Zoning Code.

The literal interpretation of this code is designed for strictly residential properties where this property is and has always been a farm. Property to the east and south are parks. The property to the west is mainly a farm. The closest residence is approximately 555 feet from the garage and 620 feet from the pole barn. All residential houses adjoining this property are blocked by existing trees.

3. That special conditions and circumstances do not result from the actions of the applicant.

The applicant has indicated that this is not a self-created condition.

4. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Code to other lands, structures or buildings in the same district.

The applicant has stated that other parcels have similar-sized additions that would not trigger the need for a variance.

Knowing that there were previous buildings on this farm property the approval of this variance would not be deemed any kind of special privilege.

In granting any variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with the Planning & Zoning Code. A violation of any of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Planning & Zoning Code. City staff has not proposed any conditions for these variance requests.

The information contained in this report is based on material provided to the City of Springboro as of Wednesday, November 16, 2022 at 2:00 p.m.

Discussion

Chair Lairson opened the Public Hearing and swore in all present planning on testifying.

Mr. Boron reviewed the background information on the property and explained how the property has frontage on West Lower Springboro Road but extends further back, nearly 20 acres, just west of Clearcreek Park.

Mr. Dan Fitzpatrick reviewed the variance requests from Mr. Alford, first explaining the building request in the front of the property, which was denied because it did not meet zoning requirements for both location and it also exceeds the height requirement of 15 feet.

There was a question about which direction the front of the house faced.

Mr. Alford explained that the front door faces east, and the other door faces north.

Mr. Boron clarified that the legal frontage of the property faces south, therefore, the south face of building #1 is in the front yard.

Chair Lairson asked if it was possible to locate this building closer to the 2nd building rather than in the front.

Mr. Alford stated that the front of the property is where they farm, noting that it is not practical to take the farm equipment up and down the hill with a 60-foot grade difference.

Mr. Boron noted that the larger parcel of farming property to the west belongs to Mr. Kleather.

There was a question if Building #1 in the front of the property would be visible from the road or the park.

Mr. Alford believed it would be visible from certain parts of the road.

Chair Lairson clarified that the extra height of the building was needed to fit the farm equipment.

Mr. Alford said that was correct. He also explained that this 20-acre portion of property has been farmed since 1945.

Chair Lairson reviewed and explained the (4) criteria that need to be met in order for a variance to be granted.

Mr. Boron noted that Mr. Alford provided a written response which is pertinent information clarifying how this property is different than most R-1 zoned property with the City, therefore poses a unique situation.

Mr. Boron explained that Kleather's farm which is the joining property has very similar circumstances and all of his buildings were legally conforming at the time of construction.

Chair Lairson confirmed that under the 4th criteria, the applicant has stated that other parcels have similar-sized additions that would not trigger the need for a variance.

Knowing that there were previous buildings on this farm property the approval of this variance would not be deemed any kind of special privilege.

Mr. Boron corrected an earlier statement that Mr. Kleather's farm is not zoned R-1, rather ED, Employment Center District. He noted there are other properties zoned R-1 in the City, and some have accessory structures as well.

Mr. Fitzpatrick reviewed the variance request for the second structure to the side of the house which is permitted, but it does also exceed the height requirement of 15' maximum.

Mr. Boron again reviewed how the height of the structure is measured, from the eaves, plus the ridge divided by 2, which is 19.5 feet and exceeds the limit by 4.5 ft.

Chair Lairson asked if this structure would also house equipment.

Mr. Alford noted that it could house equipment and there are also plans to store a motor home in the future.

Mr. Kleather spoke in support of Mr. Alford, noting that Mike has greatly improved the property since he has owned it and the plans for these structures will further improve his property.

Chair Lairson stated the public hearing is now closed.

Chair Lairson called for a motion to approve the variance for height restrictions on structure #1 and its placement in the front of the property.

Mr. Syron made a motion to approve the variance of location and height as submitted, including a finding that the applicant has met the four conditions of approval for accessory structure #1 at 3883 W. Lower Springboro Road. Mr. Ferris seconded the motion. There was no discussion.

Vote: Ferris, Lairson, Retterer, Syron—all yes. Sheuermann abstained. (Motion carried 4-0)

Chair Lairson called for a motion to approve the variance for height restrictions on structure #2.

Mr. Syron made a motion to approve the variance of height as submitted, including a finding that the applicant has met the four conditions of approval for accessory structure #2 at 3883 W. Lower Springboro Road. Mr. Retterer seconded the motion. There was no discussion.

Vote: Ferris, Lairson, Retterer, Syron—all yes. Sheuermann abstained. (Motion carried 4-0)

VI. Comments

There were no comments.

VII. Adjournment

There being no other business, Ms. Lairson asked for a motion to adjourn the meeting.

Mr. Retterer motioned to adjourn the November 22, 2022 meeting, seconded by Mr. Ferris

Vote: Ferris, Lairson, Retterer, Scheuermann, Syron—all yes. (Motion carried 5-0)

Ms. Lairson adjourned the meeting at 6:35 p.m.

Chair, Board of Zoning Appeals

Dan Boron, City Planner