

The March 2, 2023 meeting of the Union Township Board of Zoning Appeals was called to order, at 7:00 PM by Chairman, Scott Cangro with the invitation to join in the Pledge of Allegiance. Members, Randy Wulker, Ben Joehnk, Brian Ford, Thomas Hanrahan and Chairman Scott Cangro were in attendance. Craig Flaute, Manager of Planning & Zoning, represented the Zoning and Planning Department.

Craig Flaute announced for the record that all five board members were present and called for the first item on the agenda, the selection of officers. Mr. Wulker nominated Brian Ford for Chairman and Mr. Hanrahan second. With no other nominations, Chairman Scott Cangro called for those in favor to signify by saying, aye. Motion carried unanimously. Mr. Ford nominated Randall Wulker for Vice Chairman and Mr. Cangro second. Mr. Cangro called for those in favor to signify by saying, aye. Motion carried unanimously. Mr. Cangro transferred the gavel to the newly appointed Chairman, Brian Ford to continue the proceedings.

Once read and agreed upon, Chairman Ford called for a motion to approve the minutes as distributed from the June 2, 2022 meeting. A motion was made to approve the minutes by Mr. Hanrahan and second by Mr. Wulker.

Roll Call: Mr. Cangro, aye; Mr. Ford, abstain; Mr. Joehnk, aye; Mr. Wulker, aye; Mr. Hanrahan. The motion carried.

Chairman, Mr. Ford recognized Mr. Flaute to introduce the application in Case #1-23-A, filed by Judith Ilhardt, 3879 Fulton Grove Road, Cincinnati, Ohio 45245. The applicant is requesting that the Union Township Board of Zoning Appeals grant a variance & relief from the provision of Section 711.2 of the Union Township Zoning Resolution in order to increase the maximum accessory building allowance from 750 sf. to 1,440 sf. in the R-2 Single Family District.

- I. Per Section 711.2 of the Zoning Resolution, permission to increase an accessory building size allowance from the maximum 750 sf. to 1,440 sf. on a lot in the R-2 Zoning District.

The subject property (PIN 413217F084.) is located off of Fulton Grove Road, in the south-eastern quadrant of Union Township.

The applicant's property is zoned R-2 Single Family Detached Structure Residential and totals 3.22 acres. The applicant also owns the adjoining 5.0147 acres located directly south of the property on Fulton Grove Road. The site is accessed off of the main driveway point on Fulton Grove Road. Currently, there are two structures located on the property, an existing 576 sf garage and a 120-sf accessory structure. The applicant wishes to retain the existing 24' x 24' (576 sf) garage and add a 24' x 36' (864 sf) addition onto the back of the garage, bringing the overall total of the accessory building to 1,440 sf. The current site is heavily wooded with an incline going up to the existing home, with heavy vegetation located on the northern property line where the proposed addition onto the existing garage is desired to go. The applicant indicates the desire for the expanded square footage on the garage is needed for additional storage. Currently, the 576-sf garage is the main storage space and with the acreage, there is a need for more space to house equipment to maintain the lot. Additionally, the applicant is 60 years old and desires to park vehicles inside the proposed expansion for protection from the weather.

After reviewing the proposed variance request submitted by the applicant, the following observations can be made:

- ❖ *Per Section 434 of the Zoning Resolution, variances may be made to increase the maximum gross floor area, but generally not more than 25%. The current proposal is almost double the allowance for an R-2 Residential lot.*
- ❖ *Although the lot is zoned R-2 Single Family Residential, the parcel is significantly larger than typical R-2 lots netting 3.22 acres. Generally, larger acre parcels are conducive to greater percentage increases in floor area for accessory buildings due to the ample lot area available and larger setbacks to adjoining properties.*
- ❖ *The proposed variance does not appear to encourage or otherwise allow the establishment of uses not otherwise permitted within the district.*

- ❖ *Setbacks have been provided within the application indicating 42' from the property line, allowing ample room.*
- ❖ *The proposed structure does not appear to impede light or air to surrounding properties, nor does it appear to cause greater runoff to its surrounding adjacent properties, other than into Shayler Run.*
- ❖ *There should not be any additional driveway surfaces needed as the proposed addition is going onto the rear of the existing garage.*

To APPROVE, MODIFY, OR DENY the applicants request for variance in Case #1-23-A, requesting relief to Section 711.2 of the *Union Township Zoning Resolution* as to allow for an 864-sf addition onto an accessory building that would increase the size from 576 sf to 1,440 sf based on the evidence, testimony, and findings of fact.

Should the Board of Zoning Appeals elect to grant favorable consideration to the proposed application for variance and relief, the following modifications are presented herein for further review and incorporation into any such approval, as deemed appropriate by the Board:

1. That the current property the home is sited on cannot be subdivided for future home sites as the acreage is one of the leading factors for the larger accessory building.

Mr. Ford called for anyone to speak on behalf of the application. The applicant’s spouse, Dan Ilhardt, 3879 Fulton Grove Road raised his hand and Mr. Ford asked him to step to the podium to testify on his own behalf. Mr. Ilhardt stated they needed more space in the garage to store the equipment necessary to maintain their lot of residence and additional acreage recently purchased. Mr. Ford called for anyone in opposition, and there were none.

Mr. Ford called for discussion of the board, when none, Mr. Wulker made a motion to approve the applicants request for variance in case #1-23-A requesting relief to the Section 711.2 of the Union Township Zoning Resolution, as to allow for an 864-sf. addition on to an accessory building that would increase the size from 576 sf. to 1,440 sf., with one notation.

1. That the current property the home is sited on cannot be subdivided for future home sites without the razing of the accessory structure approved in this variance based on evidence, testimony and findings of fact.

Mr. Ford called for a second, motion second by Mr. Joehnk.

Roll Call: Mr. Wulker, aye; Mr. Hanrahan, aye; Mr. Cangro, aye; Mr. Joehnk, aye; Mr. Ford, aye. The motion carried.

Mr. Ford acknowledged item #7 of the agenda to discuss potential special projects and ordinance amendments to the Union Township Zoning Resolutions. Craig Flaute explained the list presented to the board by Development Director, Mark McCormack. He asked that they reference and discuss any issues they may have and followed up with Mark at their convenience. Board members reviewed and discussed various topics on the list, which include some clarification from Craig Flaute.

Chairman Mr. Ford asked for any other business to come before the board. With no further business, a motion was made to adjourn by Mr. Wulker, second by Mr. Hanrahan.

Roll Call: Mr. Wulker, aye; Mr. Hanrahan, aye; Mr. Cangro, aye; Mr. Joehnk, aye; Mr. Ford, aye. The motion carried.

Meeting adjourned by Mr. Ford at 7:38 PM.

APPROVED BY:

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Brian Ford, Chairman