

The June 1, 2023 meeting of the Union Township Board of Zoning Appeals was called to order, at 7:00 PM by Chairman, Brian Ford with the invitation to join in the Pledge of Allegiance.

Mr. Ford announced; the board had approved the March 2, 2023 minutes as distributed, then called for the roll.

Roll Call: Ben Joehnk, here; Robert McAdams, here; Randall Wulker, here; Scott Cangro, here; Mr. Brian Ford, here. Craig Flaute, Manager of Planning & Zoning, represented the Zoning and Planning Department.

Mr. Ford recognized Mr. Flaute to introduce the application in Case #2-23-A, filed by Lee Bender, 4719 Vicbarb Lane, Cincinnati, Ohio 45244. The applicant is requesting that the Union Township Board of Zoning Appeals grant variance & relief from the provision of Section 602.1 of the Zoning Resolution in order to reduce the rear yard setbacks for two additions from 40 ft. to a maximum of 30 ft. in order to allow for two home additions within the R-1 District.

1. Permission to reduce the rear yard setbacks from 40 ft. to 30 ft. to construct a residential addition onto the rear and side of the house located within the R-1 District.

The subject property (PIN 414209.048.) is located on left side of Vicbarb Lane, in the northwestern portion of Union Township.

The applicants' property is zoned R-1 Single Family Detached Structure Residential and totals 0.518 acres. The home was constructed in 1954, five years before the Union Township Zoning Resolution was enacted. With this, the home sits on an irregular shaped lot that does not meet the minimum rear setback distances within the R-1 District. The applicant has proposed a side addition and a future rear addition to the house with both ultimately encroaching into that rear yard setbacks by 10 +/- feet. With the irregular shape lot, this is not the closest rear setback, with the existing home structure being 15' +/- to the existing property line. The applicant is a longtime township resident and desires to stay in the current house. With these additions, it would allow him to accomplish this goal.

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

1. *The proposed structure does not appear to impede light or air to surrounding properties, nor does it appear to cause greater water runoff to its surroundings.*
2. *The proposed variance does not appear to encourage or otherwise allow the establishment of uses not otherwise permitted within the district. Additionally, the proposed variance is consistent with the residential character of the structure and the surrounding property, all of which are zoned R-1 Single Family.*
3. *The proposed lot configuration is such that the property is already designated legal nonconforming with respect to rear yard setback.*
4. *The configuration of the structure is such that the proposed addition best accommodates the interior layout of the existing home.*
5. *A hardship is presented due to the lot configuration.*

To **APPROVE, MODIFY, OR DENY** the applicants request for variance in Case #2-23-A, requesting relief to Section 602.1 of the *Union Township Zoning Resolution* as to allow for two addition onto a principle structure and to reduce the rear yard setbacks from 40 ft. to a maximum of 30 ft. based on the evidence, testimony, and findings of fact.

Mr. Ford called for anyone to speak on behalf of the application. The applicant, Lee Bender resident of 4719 Vicbarb Lane came forward to testify on his own behalf. Mr. Bender explained his reasons for wanting to add on to his home. He stated he it was a starter home, but the situation was that they needed more space. He added they didn't want to move, because they love the home and lot. Mr. Ford called for question, none noted.

Mr. Ford called for anyone in opposition to the request, and there were none. He moved to discussion of the board, when none, Mr. Joehnk made a motion to approve the applicants request for variance in case #2-23-A requesting relief to the Section 602.1 of the Union Township Zoning Resolution, as to allow for two additions to the principle structure and to reduce the rear setback from 40 ft. to a maximum of 30 ft. based on the evidence, testimony and finding of fact. Mr. Wulker second the motion.

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

Chair, Mr. Ford called for any more business to come before the board and Mr. Flaute asked to take a moment to thank and recognize recently retired board member, Mr. Hanrahan for his years of service on the BZA and ZC. The board recognized Mr. Hanrahan, and agreed that he will be missed.

Mr. Ford asked for any other business to come before the board. With no further business, Mr. Wulker made the motion to adjourn the meeting, second by Mr. Cangro.

Meeting adjourned by Mr. Ford at 7:06 PM.

APPROVED BY:

Brian Ford, Chairman