

West Chester Township Chester Township, Butler County
Community Development Department

April 12, 2019

REQUEST FOR COMMENTS

Arthur Rupp, for Lord of Life Lutheran Church, has filed a variance request from the area frontage and yard requirements in an R-2 District to allow a deck to encroach the front yard setback per Article 14.062. **Case #: BZA 19-04**. The subject case is scheduled to be heard by the West Chester Township Board of Zoning Appeals on **May 8, 2019**.

Please return all comments to us by April 22, 2019.

Please submit any comments relevant to the case that may be included in the Community Development Department staff report. Your comments can be faxed or emailed to:

Cathy Walton
West Chester Township
Community Development Department
9577 Beckett Road, Suite 100
West Chester, OH 45069
cwalton@westchesteroh.org
Fax: (513) 874-6804

Thank you for your input.

- ☐ Chief Prinz, West Chester Township Fire Department
- ☒ Eric Pottenger, Butler County Engineer's Office (Res)
- ☐ Teresa Barnes, Butler County Engineer's Office (Comm)
- ☐ District Administrator, Butler County Soil & Water Conservation District
- ☐ Constance Kepner, Butler County Environmental Services
- ☐ Jeff Agnew, Butler County Health Department
- ☐ Tim Franck, West Chester Township Community Services Department
- ☐ Chief Herzog, West Chester Police Department
- ☐ Permits Office, ODOT
- ☐ Jim Fox, Butler County Building Department

Comments:

Spoke with Cathy 4/19 @ 11:15 about application as we believe the requested variance is in error. No deck is proposed by church, their proposal is for an addition to sanctuary. The proposed addition is for NEW SANCTUARY PHASE 2 as depicted in light-grey and is on western side of church. Variance is for front yard setback, 100-FT is required and church is requesting a reduction to 55-FT. EJP

**APPLICATION FOR A ZONING VARIANCE
TO THE BOARD OF ZONING APPEALS
WEST CHESTER TOWNSHIP COMMUNITY DEVELOPMENT DEPARTMENT
9577 Beckett Road Suite 100, West Chester, Ohio 45069
Telephone: (513) 777-4214**

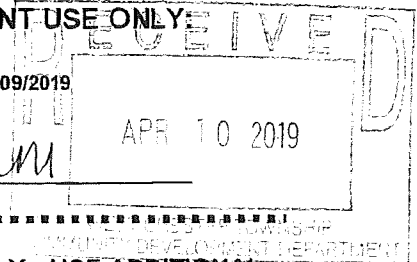
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FOR WEST CHESTER TOWNSHIP COMMUNITY DEVELOPMENT USE ONLY

CASE # 19-04

DATE RECEIVED: 04/09/2019

FEE RECEIPT # 45461

RECEIVED BY: MM



.....
NOTE: THIS APPLICATION MUST BE TYPEWRITTEN OR PRINTED CLEARLY - USE ADDITIONAL SHEETS IF NECESSARY

NAME OF APPLICANT Arthur A. Hupp

ADDRESS 7292 Quail Run Dr.

CITY/STATE/ZIP West Chester Township, OH 45069

PHONE NO. 513-708-9475 FAX NO. _____

EMAIL ADDRESS: aahupp@mac.com

LOCATION OF PROPERTY (if applicable): SECTION 29 TOWN 3 RANGE 2

PROPERTY ADDRESS 6329 Tylersville Road

FOR EACH PARCEL WITHIN THE SUBJECT PROPERTY PLEASE PROVIDE:

PROPERTY OWNER NAME	PROPERTY OWNER ADDRESS	SUBJECT PARCEL(S) NUMBER
LORD OF LIFE LUTHERAN CHURCH	6329 TYLERSVILLE RD. WEST CHESTER TWP, OH 45069	007, 29 <u>MSD-029-00-025</u>

REQUEST VARIANCE FROM ARTICLE 13 SUBSECTION 13.062

INTEREST IN THE PROPERTY: OWNER _____ AGENT X LESSEE _____ OPTIONEE _____

APPLICANT Arthur A. Hupp **7292 QUAIL RUN DR. 45069** **513 708-9475**
Signature Address Phone Number

DESCRIPTION OF REQUEST AND REASONS FOR
A ZONING VARIANCE
WEST CHESTER TOWNSHIP COMMUNITY DEVELOPMENT DEPARTMENT
9577 Beckett Road Suite 100, West Chester, Ohio 45069
Telephone: (513) 777-4214

FOR WEST CHESTER TOWNSHIP COMMUNITY DEVELOPMENT USE ONLY:

CASE#

19-04

DATE RECEIVED:

04/09/2019

APR 10 2019

NOTE: THIS APPLICATION MUST BE TYPEWRITTEN OR PRINTED CLEARLY

THE APPLICANT SHOULD PREPARE DEFINITIVE STATEMENTS REGARDING THE FOLLOWING: (USE ADDITIONAL SHEETS IF NECESSARY)

- 1) Please describe the requested variance.

LORD OF LIFE LUTHERAN CHURCH REQUESTS THE 100 FT. SET BACK LINE FOR THEIR PROPOSED SANCTUARY BE REDUCED TO 55 FT.

- 2) Can the property yield a reasonable return without a variance? If no, please explain.

FINANCIAL RETURN ?, MAYBE,
BUT WITHOUT THE VARIANCE THEIR CHURCH MISSION, THEIR ABILITY TO SERVE THE COMMUNITY AND THEIR PLACE OF WORSHIP WILL BE NEGATIVELY IMPACTED.

- 3) Can there be any beneficial use of the property without a variance? If no, please explain.

YES,
BUT WITHOUT THE VARIANCE THEIR CHURCH MISSION, THEIR PRESENT AND CONTINUING BENEFIT TO THE COMMUNITY AND THEIR PLACE OF WORSHIP IS GREATLY IMPACTED.

- 4) Please explain whether you believe the variance requested is or is not substantial and why.

THE CHURCH BELIEVES THE VARIANCE REQUESTED IS IMPORTANT TO THE CONTINUED SUCCESS AND PRESENCE OF THEIR WORSHIP CENTER IN THE NEIGHBORHOOD AND THE COMMUNITY. GIVEN THE ONGOING DEVELOPMENT OF THE CHURCH CAMPUS AND THE FUTURE MISSION GROWTH THEY EVIDENCE, THE 100' SETBACK RESTRICTS THAT GROWTH.

DESCRIPTION OF REQUEST AND REASONS FOR
A ZONING VARIANCE
(CONTINUED)

.....

- 5) Would granting this variance substantially alter the essential character of the neighborhood? If no, please explain.

IN A NEGATIVE WAY? NO,
THE CHURCH HAS HAD A PRESENCE IN THE NEIGHBORHOOD FOR DECADES, IMPROVING ON THIS LONG TERM PRESENCE IN THE COMMUNITY AND NEIGHBORHOOD, THE CHARACTER OF THE NEIGHBORHOOD WILL ONLY BE ENHANCED WITH THE EXPANSION OF A WORSHIP CENTER ALONG TYLERSVILLE ROAD.

- 6) Would granting this variance be detrimental to surrounding property? If no, please explain.

NO,
GIVEN THE CHURCH'S EXTENSIVE FRONTAGE ALONG TYLERSVILLE, THE NEW SANCTUARY WOULD ONLY ADD TO THE WORSHIP CHARACTER OF THE CAMPUS AND ALLOW THE PLACEMENT OF PARKING IN THE ALREADY BUFFERED AREAS TO THE REAR OF THE WORSHIP CENTER INSTEAD OF ALONG TYLERSVILLE.

- 7) Would granting this variance adversely affect the delivery of governmental services? Please explain.

NO,
ONE COULD NOTE THAT IT MAY, GIVEN ITS' CLOSER PROXIMITY TO TYLERSVILLE ROAD, ENHANCE THE RESPONSE TIME FOR SAFETY VEHICLE ACCESS.

- 8) Did the property owner purchase the property with knowledge of the zoning restriction? If no, was the property owner aware that zoning existed in West Chester? If no, please explain.

WHEN PURCHASED 30 YEARS AGO (+/-) THE CHURCH BELIEVED THE BUILDING LINE WAS 30' AS INDICATED ON THEIR PLANS SUBMITTED FOR CONSTRUCTION BACK THEN. THEY KNEW OF SETBACK, BUFFERING AND OTHER ZONING RESTRICTIONS IN A RESIDENTIAL NEIGHBORHOOD BUT PLACED THE BUILDING 140' FROM THE R.O.W. TO ALLOW FUTURE EXPANSION TOWARD TYLERSVILLE.

- 9) Could other methods besides a variance allow the property to be used as desired? Please explain.

THE CHURCH HAS GONE THROUGH AN EXTENSIVE PLANNING PROCESS TO DETERMINE THE CAPACITY OF THEIR SITE AS IT RELATES TO THEIR MISSION (SEE THE ATTACHED MASTER PLAN 2017) THIS PLAN INDICATES THE NEED FOR THIS VARIANCE TO ALLOW THEIR EXPANDED PROGRAMS AND ALLOW PARKING IN THE REAR OF THE BUILDING.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1

CASE# 19-04

RECEIVED
APR 10 2019
WEST GUESTS TRAILERS
HUMAN DEVELOPMENT DEPARTMENT

8

parid	owner	mailing name 1	mailing address 1	mailing address 3
M56100290000025	LORD OF LIFE LUTHERAN	LORD OF LIFE LUTHERAN CHURCH	6329 TYLERSVILLE RD	WEST CHESTER OH 45069 1214
M56203210000020	WEBER CHARLES &	CHARLES & KATHLEEN WEBER	7855 KENNESAW DR	WEST CHESTER OH 45069 1958
M56203990000025	OVERBERG ANTHONY F &	ANTHONY F & MICHELE OVERBERG	6300 CARDINGTON PL	WEST CHESTER OH 45069 5919
M56201440000025	NAPIER WILLIAM D JR &	WILLIAM D NAPIER JR AND	7783 KENNESAW DR	WEST CHESTER OH 45069 1239
M56201440000026	AILON PAULINO MEJIA	PAULINO MEJIA AILON	7793 KENNESAW DR	WEST CHESTER OH 45069 1239
M56203210000017	JEFFERSON BOBBY L &	BOBBY L & MINA T JEFFERSON	7821 KENNESAW DR	WEST CHESTER OH 45069 1958
M56203210000019	SHEERER JUDY G	JUDY G SHEERER	7845 KENNESAW DR	WEST CHESTER OH 45069 1958
M56203210000043	MCDERMOTT DANIEL E JR	DANIEL MCDERMOTT JR	6324 CARDINGTON PL	WEST CHESTER OH 45069 5919
M56203990000022	JAF	JAF	7846 KRISTEN DR	WEST CHESTER OH 45069 3779
M56203210000016	LORD OF LIFE LUTHERAN	LORD OF LIFE CHURCH	6329 TYLERSVILLE RD	WEST CHESTER OH 45069 1214
M56203210000018	BEATTY HERBERT K JR	HERBERT K BEATTY JR	7833 KENNESAW DR	WEST CHESTER OH 45069 1958
M56203210000041	MOORE KRISTIN R &	KRISTIN R & COREY C MOORE	6344 CARDINGTON PL	WEST CHESTER OH 45069 5919
M56203210000042	FOWLER SCOTT E &	SCOTT E & HELEN A FOWLER	6334 CARDINGTON PL	WEST CHESTER OH 45069 5919
M56203990000024	SINGH SOMA &	SOMA SINGH & AMAR KAUR	7866 KRISTEN DR	WEST CHESTER OH 45069 3779
M56100290000007	LORD OF LIFE LUTHERAN CHURCH	LORD OF LIFE LUTHERAN CHURCH	6329 TYLERSVILLE RD	WEST CHESTER OH 45069 1214
M56203990000020	SMITH MICHELLE &	MICHELLE SMITH	7826 KRISTEN DR	WEST CHESTER OH 45069
M56203210000022	SINGH NARINDER &	NARINDER SINGH	7873 KENNESAW DR	WEST CHESTER OH 45069 1958
M56203990000021	ISACSON ANDREW J &	ANDREW J AND MELISSA A ISACSON	7836 KRISTEN DR	WEST CHESTER OH 45069 3779
M56203210000021	YOST JAMES A &	JAMES & MARY BETH YOST	7863 KENNESAW DR	WEST CHESTER OH 45069 1958
M56203210000040	CLARK DONNA M	DONNA M CLARK	6358 CARDINGTON PL	WEST CHESTER OH 45069 5919
M56203210000044	MULLENIX NATHAN J &	NATHAN J & IRENE V MULLENIX	6314 CARDINGTON PL	WEST CHESTER OH 45069 5919
M56203990000019	WOOD GREGORY	GREGORY WOOD	7815 KRISTEN DR	WEST CHESTER OH 45069 3796
M56201440000027	FRAZIER WILLIAM F &	WILLIAM AND CATHY FRAZIER	7798 ROLLING MEADOWS DR	WEST CHESTER OH 45069 1220
M56203990000023	SEARS KECIA L	KECIA L SEARS	7856 KRISTEN DR	WEST CHESTER OH 45069 3779
M56201440000052	GLOSSNER VIOLA E	VIOLA E GLOSSNER	7799 ROLLING MEADOWS DR	WEST CHESTER OH 45069 1221

PROPERTY OWNER'S AFFIDAVIT

STATE OF OHIO
COUNTY OF BUTLER

I (we) Donna M. Harvey
hereby certify that we are all of the owners of the property which is the subject of this Variance application. I (we) hereby consent to the Board of Zoning Appeals of West Chester Township acting on our application. We understand that our application will be considered and processed in accordance with the regulations as set forth by the West Chester Township Community Development Department and Zoning Resolution. I (we) agree to accept, fulfill and abide by those regulations and all stipulations and conditions contained in the decision entered by the Board of Zoning Appeals of West Chester Township. I (we) authorize West Chester Township to place a Public Meeting Notification sign on the property. I (we) authorize staff and board members to enter and inspect the property. The statements and attached exhibits are in all respects true and correct to the best of our knowledge and belief.



Donna M. Harvey
Signature

DONNA M. HARVEY
Printed Name

6283 COACH LIGHT CIR
Mailing Address

LIBERTY TWP, OH
City and State

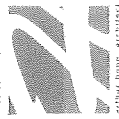
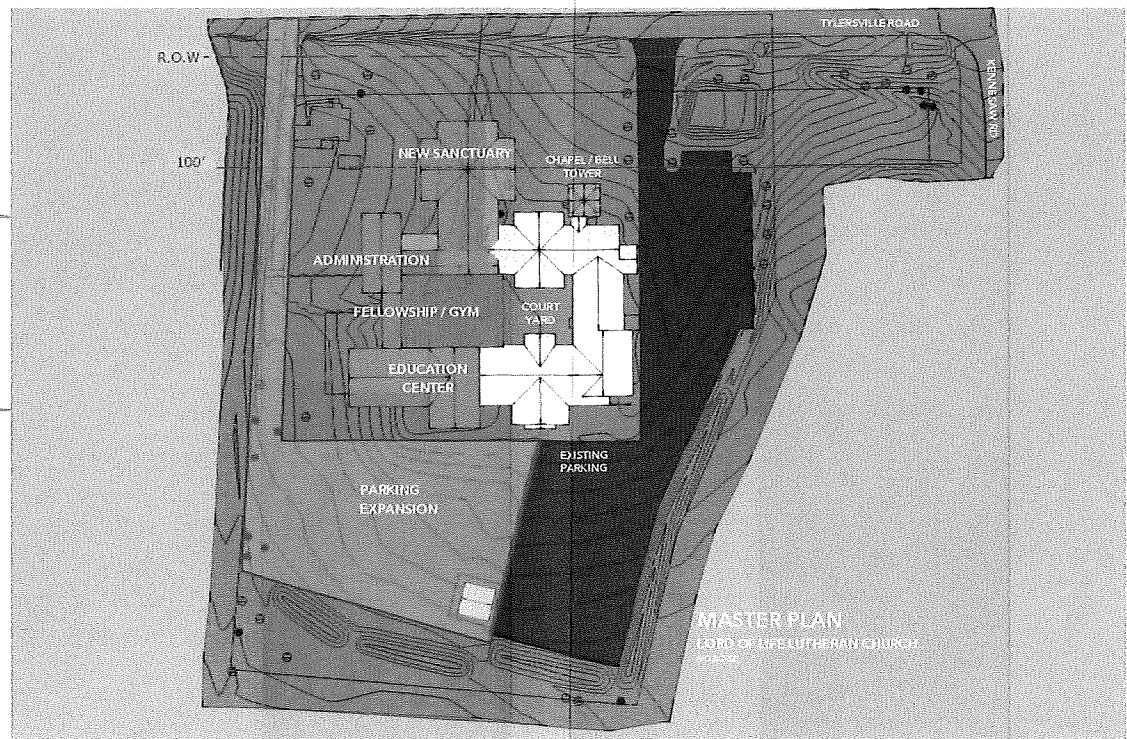
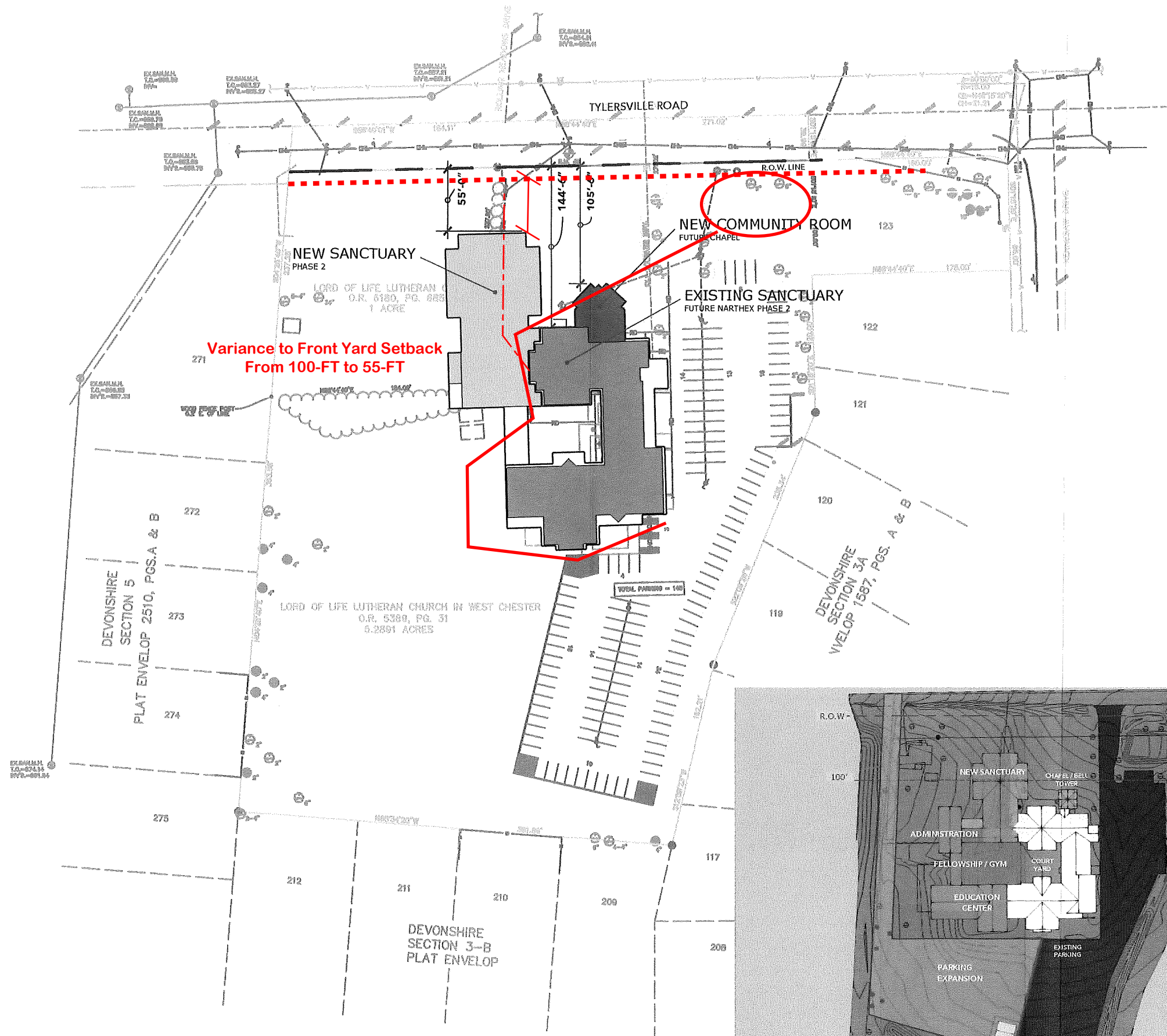
513-582-5354
Phone

Subscribed and sworn to before me this 9 day of April 2019

Elizabeth Miller
Notary Public

Person to be contacted for details, other than signatory:

Lowell Nicholson 6329 TYLERSVILLE RD 805-9493
Name Address Phone



LORD OF LIFE LUTHERAN CHURCH / COMMUNITY ROOM PROJECT
6329 TYLERSVILLE RD.
WEST CHESTER, TOWNSHIP, OH, 45069

SITE PLAN
1" = 100'

PROJECT NO.
04092019
ISSUE
04.11.19

arthur a hupp architect
design + architecture + planning
West Chester Ohio, 45069
(513) 708-9475
aahupp@mac.com





April 22, 2019

West Chester Township
Community Development
Attention Cathy Walton
9577 Beckett Road
West Chester, Ohio 45069

Re: BZA 19-04 (Lord of Life Lutheran Church)

Dear Cathy:

The Butler County Engineers Office has reviewed the application requesting a Variance from the front yard setback for construction of a new sanctuary as it pertains to the Subdivision Regulations, Storm Water Management Plan, Thoroughfare Plans, and Access Management Regulations (if applicable) and all of the design standard regulations and requirements and standard practices of this department/office.

THE DEPARTMENT RECOMMENDS:

☐ Approval ☐ Disapproval ☒ Approval With Conditions

1. Modification of existing electrical service is necessary as an existing utility pole is within proposed sanctuary.
2. Plan should locate & show existing storm sewer drainage system on property. We believe proposed addition will be located on top of the current drainage system. The county does not allow buildings to be placed overtop storm sewer pipe. Drainage system will need to be redesigned and relocated to accommodate addition.
3. Additional storm water runoff need to be detained and current basin brought up to current county design standards. Site is to comply with OEPA Storm Water Discharges Associated with Construction Activity under the NPDES OEPA Permit OHC000005. West Chester Township and Butler County have been designated as a Municipal Separate Storm Sewer System (MS4) by EPA; comply with water quality requirements.
4. How many additional parking spaces, if any, will zoning require should a variance be approved? Where will additional parking be located? What is drainage plan for additional parking?
5. The Butler County Thoroughfare Plan shows Tylersville Road classified as a Minor Arterial; having a full right-of-way width of 100-FT or a half-width of 50-FT. The current right-of-way easement is approximately 40-FT. We recommend consideration of a half-width right-of-way of 50-FT when reviewing variance request.
6. A full civil site plan showing; proposed addition, grading, utility & storm sewer pipe relocation, and modification to storm water detention will need to be reviewed and approved by this office if variance request is approved by West Chester Board of Zoning Appeals.

For the above request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eric J. Pottenger". The signature is fluid and cursive, with the first name "Eric" and last name "Pottenger" clearly distinguishable.

Eric J. Pottenger
Development / Storm Water Manager