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:

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

FOR WEST CHESTER TOWNSHIP COMMUNITY DEVELOPMENT USE ONLY:

CASE # 19-04 DATE RECEIVED: 04/09/2019

FEE RECEIPT # 45461 RECEIVED BY: MM

RECEIVED
APR 10 2019
WEST CHESTER TWP.
COMMUNITY DEVELOPMENT DEPARTMENT

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 ChesterTownship, 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 M1560-029-000-025

REQUEST VARIANCE FROM ARTICLE 13 SUBSECTION 13.062

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

APPLICANT _____ **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

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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.

ADJACENT PROPERTY OWNERS
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:

RECEIVED
APR 10 2019
WEST CHESTER TOWNSHIP
COMMUNITY DEVELOPMENT DEPARTMENT

LIST ALL PROPERTY OWNERS WITHIN TWO HUNDRED (200) FEET OF SUBJECT PROPERTY.

Property Owner	Tax Mailing Address	Section	Town	Range	Parcel Number
SEE ATTACHED LISTING					
See Attached					

parid	owner	mailing name 1	mailing address 1	mailing address 3
M5610029000025	LORD OF LIFE LUTHERAN	LORD OF LIFE LUTHERAN CHURCH	6329 TYLERSVILLE RD	WEST CHESTER OH 45069 1214
M5620321000020	WEBER CHARLES &	CHARLES & KATHLEEN WEBER	7855 KENNESAW DR	WEST CHESTER OH 45069 1958
M5620399000025	OVERBERG ANTHONY F &	ANTHONY F & MICHELE OVERBERG	6300 CARDINGTON PL	WEST CHESTER OH 45069 5919
M5620144000025	NAPIER WILLIAM D JR &	WILLIAM D NAPIER JR AND	7783 KENNESAW DR	WEST CHESTER OH 45069 1239
M5620144000026	AILON PAULINO MEJIA	PAULINO MEJIA AILON	7793 KENNESAW DR	WEST CHESTER OH 45069 1239
M5620321000017	JEFFERSON BOBBY L &	BOBBY L & MINA T JEFFERSON	7821 KENNESAW DR	WEST CHESTER OH 45069 1958
M5620321000019	SHEERER JUDY G	JUDY G SHEERER	7845 KENNESAW DR	WEST CHESTER OH 45069 1958
M5620321000043	MCDERMOTT DANIEL E JR	DANIEL MCDERMOTT JR	6324 CARDINGTON PL	WEST CHESTER OH 45069 5919
M5620399000022	JAF	JAF	7846 KRISTEN DR	WEST CHESTER OH 45069 3779
M5620321000016	LORD OF LIFE LUTHERAN	LORD OF LIFE CHURCH	6329 TYLERSVILLE RD	WEST CHESTER OH 45069 1214
M5620321000018	BEATTY HERBERT K JR	HERBERT K BEATTY JR	7833 KENNESAW DR	WEST CHESTER OH 45069 1958
M5620321000041	MOORE KRISTIN R &	KRISTIN R & COREY C MOORE	6344 CARDINGTON PL	WEST CHESTER OH 45069 5919
M5620321000042	FOWLER SCOTT E &	SCOTT E & HELEN A FOWLER	6334 CARDINGTON PL	WEST CHESTER OH 45069 5919
M5620399000024	SINGH SOMA &	SOMA SINGH & AMAR KAUR	7866 KRISTEN DR	WEST CHESTER OH 45069 3779
M5610029000007	LORD OF LIFE LUTHERAN CHURCH	LORD OF LIFE LUTHERAN CHURCH	6329 TYLERSVILLE RD	WEST CHESTER OH 45069 1214
M5620399000020	SMITH MICHELLE &	MICHELLE SMITH	7826 KRISTEN DR	WEST CHESTER OH 45069
M5620321000022	SINGH NARINDER &	NARINDER SINGH	7873 KENNESAW DR	WEST CHESTER OH 45069 1958
M5620399000021	ISACSON ANDREW J &	ANDREW J AND MELISSA A ISACSON	7836 KRISTEN DR	WEST CHESTER OH 45069 3779
M5620321000021	YOST JAMES A &	JAMES & MARY BETH YOST	7863 KENNESAW DR	WEST CHESTER OH 45069 1958
M5620321000040	CLARK DONNA M	DONNA M CLARK	6358 CARDINGTON PL	WEST CHESTER OH 45069 5919
M5620321000044	MULLENIX NATHAN J &	NATHAN J & IRENE V MULLENIX	6314 CARDINGTON PL	WEST CHESTER OH 45069 5919
M5620399000019	WOOD GREGORY	GREGORY WOOD	7815 KRISTEN DR	WEST CHESTER OH 45069 3796
M5620144000027	FRAZIER WILLIAM F &	WILLIAM AND CATHY FRAZIER	7798 ROLLING MEADOWS DR	WEST CHESTER OH 45069 1220
M5620399000023	SEARS KECIA L	KECIA L SEARS	7856 KRISTEN DR	WEST CHESTER OH 45069 3779
M5620144000052	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. Harney
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. Harney
Signature

DONNA M. HARVEY
Printed Name

6283 COACH LIGHT CIR
Mailing Address

LIBERTY TWP, OH
City and State

513-582 5354
Phone

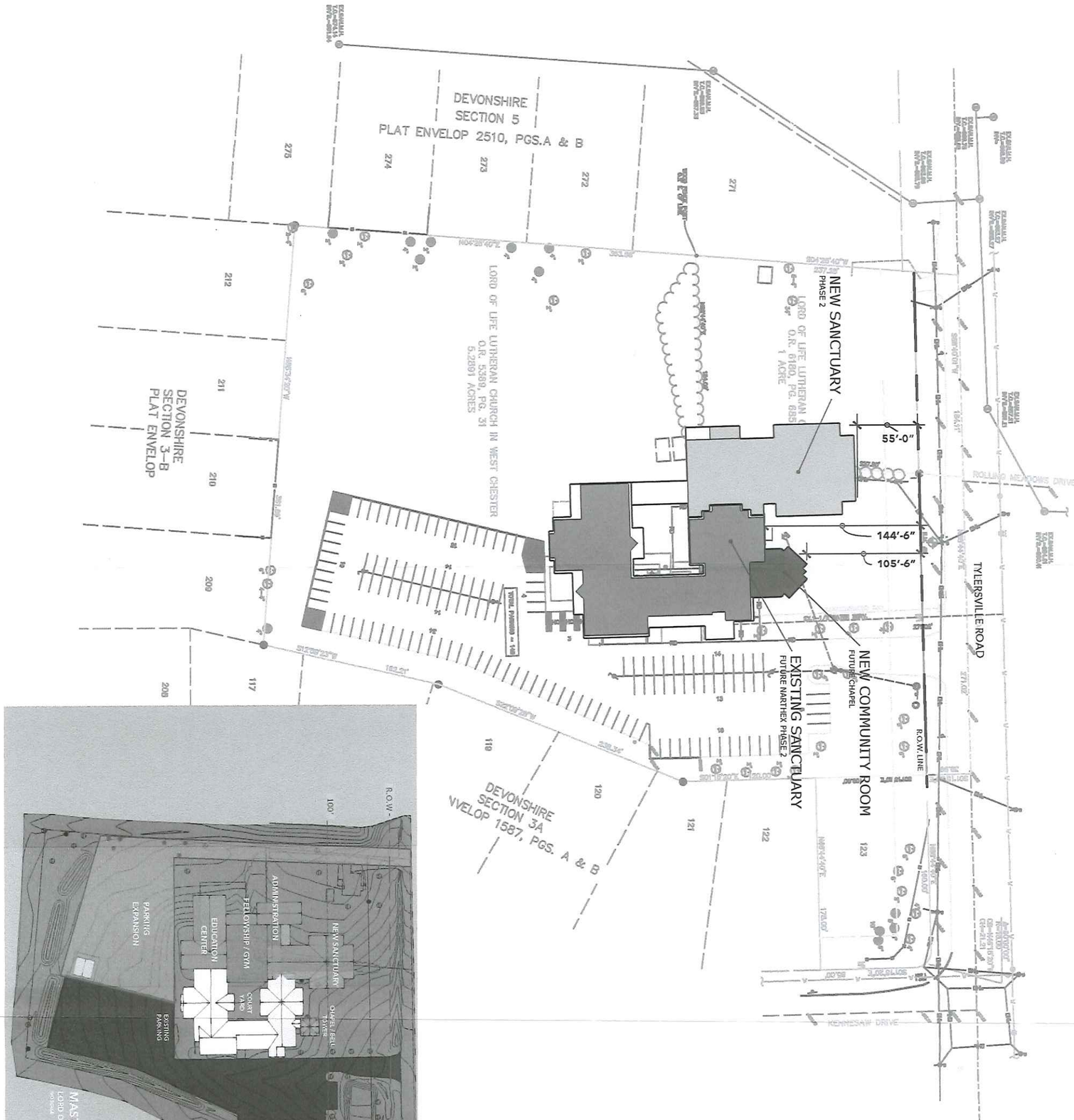
ELIZABETH MILLER, NOTARY PUBLIC
COMM. EXP. SEPTEMBER 21, 2021
STATE OF OHIO

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 Michelson 6329 TYLERSVILLE RD 805-9493
Name Address Phone



arthur a hupp architect
design + architecture + planning
West Chester Ohio, 45069
(5130 708-9475
aahupp@mac.com

PROJECT NO.
04092019
ISSUE
04.11.19

SITE PLAN
1' = 100'

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