



January 24, 2017

Ms. Cathy Walton  
West Chester Community Development  
9577 Beckett Road, Suite 100  
West Chester, Ohio 45069

**RE: Variance Request; 17-02**

Dear Cathy:

This office has reviewed the requested revision to the variance request listed above and has the following comment:

1. The proposed pylon sign location would eliminate ANY option for connection of this property to the properties to the north. Once improvements to Tylersville Road are completed, it is anticipated that this connection will be warranted. It is recommended that the existing pylon sign be removed and the new pylon sign be installed at that location.

If you have any questions, please contact me at (513) 785-4142 or via email at [barnest@bceo.org](mailto:barnest@bceo.org).

Sincerely,

Teresa Barnes, P.E.  
Design Engineer

cc: file

**West Chester  
West Chester Township, Butler County  
Community Development Department**

**January 13, 2017**

Tracey Diehl, for Tylersville Investments, has submitted an application to the West Chester Township Community Development Department requesting a variance from the high-rise interstate signs regulations per Article 20.093. The subject case has been assigned BZA number 17-02 according to the West Chester Community Development Department's filing system and is scheduled to be heard on February 8, 2017. Please submit any comments relevant to the case that may be included in the staff report by January 23, 2017. Your comments can be faxed or emailed to:

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

Thank you for your input.

- ☐ Rick Prinz, West Chester Township Fire Department
- ☐ Eric Pottenger, Butler County Engineer's Office
- ☒ Teresa Barnes, Butler County Engineer's Office
- ☐ Kevin Fall, Butler County Soil/Water Conservation
- ☐ Constance Kepner, Butler County Environmental Services
- ☐ Jeff Agnew, Butler County Health Department
- ☐ Jim Fox, Butler County Building and Zoning
- ☐ Joel Herzog, West Chester Police Department
- ☐ Tom Makris, ODOT
- ☐ Tim Franck, West Chester Services

**RECEIVED**  
JAN 17 2017  
BY: \_\_\_\_\_

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 # 17-02

DATE RECEIVED:

JAN 11 2017

FEE RECEIPT # 37871

RECEIVED BY: GF

West Chester Township

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

NAME OF APPLICANT Tylersville Investments by Tracey Diehl

ADDRESS 6487 Hilliard Drive

CITY/STATE/ZIP Canal Winchester, Ohio 43110

PHONE NO. 614-828-8215 FAX NO. 206-350-1097

EMAIL ADDRESS: tracey@expeditethediehl.com

LOCATION OF PROPERTY (if applicable): SECTION 17 TOWN 3 RANGE 2

PROPERTY ADDRESS 7309 Kingsgate Way

FOR EACH PARCEL WITHIN THE SUBJECT PROPERTY PLEASE PROVIDE:

PROPERTY OWNER NAME	PROPERTY OWNER ADDRESS	SUBJECT PARCEL(S) NUMBER
Tylersville Investments LLC	9380 Montgomery Rd #202 Cincinnati, OH 45242	M5620172000036 M5620172000037

REQUEST VARIANCE FROM ARTICLE 20 SUBSECTION 20.093 Interstate Signs

INTEREST IN THE PROPERTY: OWNER \_\_\_\_\_ AGENT ☒ LESSEE \_\_\_\_\_ OPTIONEE \_\_\_\_\_

APPLICANT 6487 Hilliard Drive, Canal Winchester OH 43110, 614-828-8215

Signature

Address

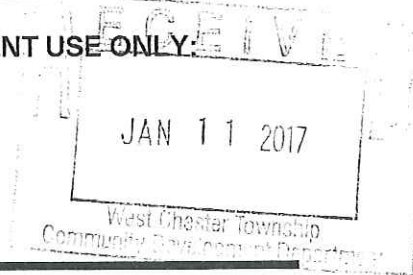
Phone Number

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# 17-02

DATE RECEIVED:



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.  
Request relief from the requirements of Article 20 Section 20.093 for the quantity of interstate signs allowed, Article 20 Section 20.093(a) for the size of the sign face, Article 20 Section 20.093(b) for the setback requirements. The sign proposed is the 2nd interstate sign to be placed on this property to represent multiple tenants. The sign is 200 sq. ft. with a 50 sq. ft. electronic message board. The overall height is 80 feet.
- 2) Can the property yield a reasonable return without a variance? If no, please explain.  
No. The proximity to the interstate is relevant and being able to draw business from transient persons not familiar with the area is paramount to the success of the tenants represented on this multi tenant sign.
- 3) Can there be any beneficial use of the property without a variance? If no, please explain.  
The code allows interstate signs. The layout of the land and the location of this parcel is within 800 feet of the interstate. The retail client base will rely on these signs to identify their exit and lack of visible signage will create a financial hardship for these businesses.
- 4) Please explain whether you believe the variance requested is or is not substantial and why.

The variance request is the minimum necessary to place the sign outside of the parking lot and to fully represent multiple tenants.

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

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

No, the sign is consistent with many other signs of this size and type that exist in this area. The sign is necessary for citizens to locate their destination and to fully represent the services and products offered at this multi tenant site.

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

No, the sign is consistent with what others have. It would enhance the overall area and provide for multiple tenants to be represented on one sign.

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

The sign will have no impact on government services. Lack of signage however could have an adverse effect on motorist safety and therefore increase the vehicular confusion that is caused when a driver cannot locate their destination. Adequate signage is necessary for motorists to safely navigate to their destination.

- 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.

The property owner believe that because others have mutiple interstate signs that they would be able to obtain an interstate sign.

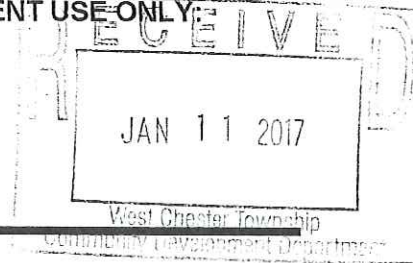
- 9) Could other methods besides a variance allow the property to be used as desired? Please explain.

This is for a sign variance, the use of signage is necessary for motorists to navigate to their destination. The absence of an interstate sign for this property will have a direct impact on it's viability. There would be a substantial reduction in patronage and therefore that has a negative impact on full enjoyment of this retail use. This property's viability depends on impulse based customers and transient patrons that are traveling on I75, the sign is essential to be able to draw from that customer base.

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# 17-02 DATE RECEIVED:



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

PROPERTY OWNER	TAX MAILING ADDRESS	SECTION	TOWN	RANGE	PARCEL NUMBER
B & K LAND ASSOCIATES LTD	C/O THORTONS INC 10101 LINN STATION RD ANCHORAGE KY 40223	17	3	2	M5610019000006
MAID QURESHI	8413 PREANNES LN CINCINNATI OH 45249	17	3	2	M5610019000005
BROLAN & ASSOCIATES LTD	C/O RESTAURANT MANAGEMENT INC 300 MAIN ST CINCINNATI OH 45202 4123	17	3	2	M5620172000007
COURT YARD SPORTSPLEX LTD J NEAL GARDNER	ONE EAST FOURTH ST Suite 1400 CINCINNATI OH 45202	17	3	2	M5620172000008
JACK IN THE BOX EASTERN DIVISION LP	9330 BALBOA AVE SAN DIEGO CA 92123	17	3	2	M5610019000037
TOUSSAINT NICHOLAS E TR	101 MONTGOMERY ST Suite 1825 SAN FRANCISCO CA 94104	17	3	2	M5620172000005
TYLERSVILLE INVESTMENTS LLC	9380 MONTGOMERY RD #202 CINCINNATI OH 45242	17	3	2	M5620172000036
7345 KINGSGATE LLC	7300 BEECHMONT AVE CINCINNATI OH 45230	17	3	2	M5620172000022
7345 KINGSGATE LLC	7300 BEECHMONT AVE CINCINNATI OH 45230	17	3	2	M5620172000023
TYLERSVILLE INVESTMENTS LLC	9380 MONTGOMERY RD #202 CINCINNATI OH 45242	17	3	2	M5620172000037

**PROPERTY OWNER'S AFFIDAVIT**

STATE OF OHIO  
COUNTY OF BUTLER

I (we) Tylersville Investments, LLC By: Richard Hyman, MANAGER  
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.

[Signature]  
Signature  
Richard Hyman  
Printed Name  
110 3rd Avenue, 21A  
Mailing Address  
NY, NY 10003  
City and State

Subscribed and sworn to before me this 6<sup>th</sup> day of JANUARY 20 17

WYKEITHIA SMALLS  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01SM6335153  
Qualified In New York County  
My Commission Expires 01-04-2020

Wykeithia Smalls  
Notary Public

Person to be contacted for details, other than signatory:

Tracey Diehl 6487 Hilliard Drive, Canal Winchester, Ohio 43110 614.828.8215

Name	Address	Phone
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EXISTING  
PYLON SIGN

PROPOSED  
PYLON SIGN

PROPOSED  
MONUMENT SIGN

TEXAS  
ROADHOUSE  
7,163 SF

INTERSTATE 75

KINGSGATE WAY



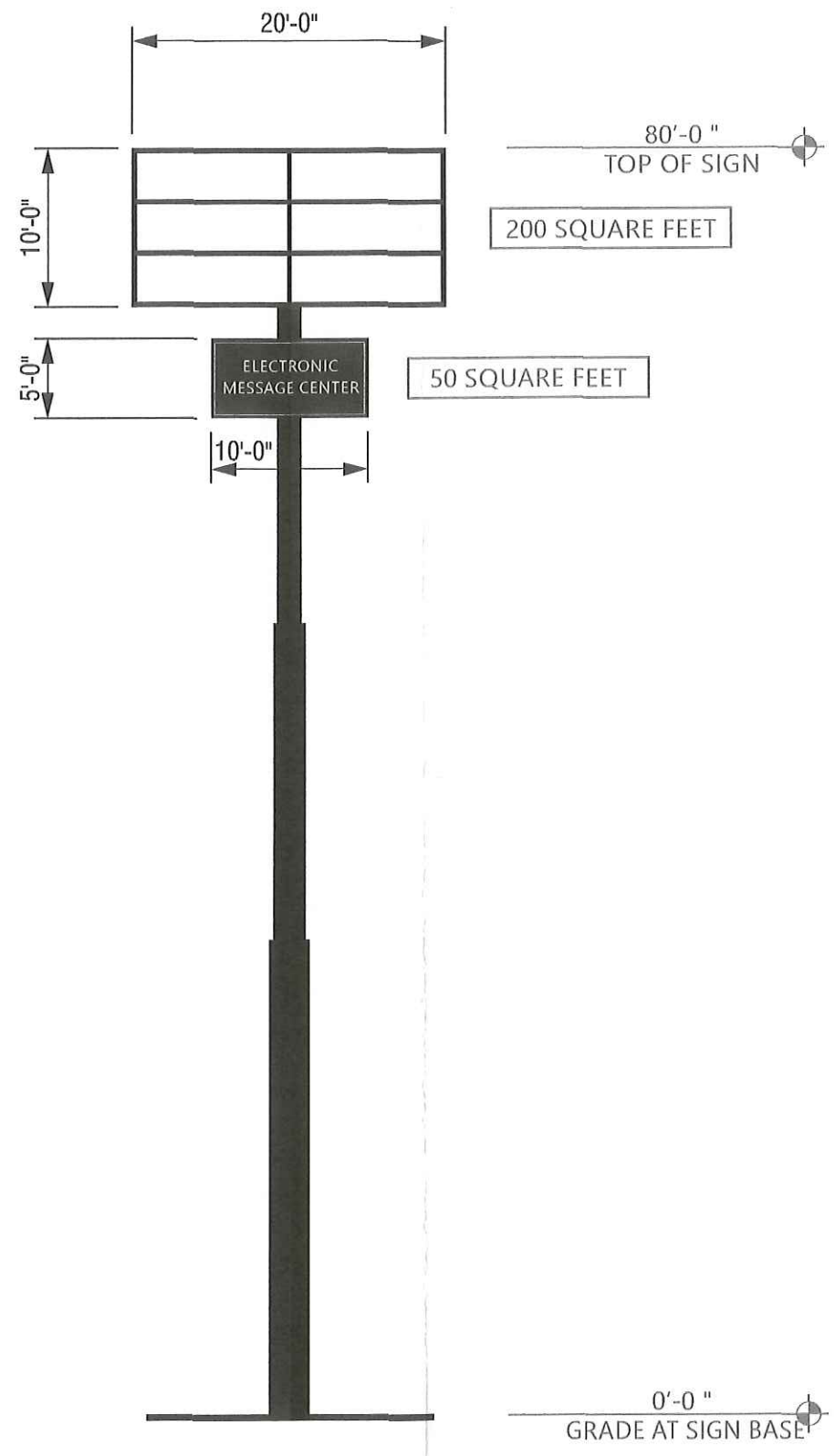
GRAPHIC SCALE IN FEET



4454 Idea Center Blvd  
Dayton, OH  
45430-1500  
937.461.5660  
FAX: 937.461.0743

**SITE IMPROVEMENT PLANS**  
**TEXAS ROADHOUSE - WEST CHESTER**  
**7309 KINGSGATE WAY**  
**SITE EXHIBIT**

PROJECT NO.  
075566  
DATE 11/02/16  
DR. BI  
SHT. # 1 OF 1



5198 North Lake Drive  
Lake City, GA 30260  
404.361.3800  
www.claytonsigns.com

## HIGH RISE SIGNS

DRAWING FILE - CFA - WEST CHESTER, OH SIGNAGE.CDR

ALL ELECTRICAL  
SIGNS ARE  
120 VOLTS  
UNLESS  
OTHERWISE INDICATED

DRAWN BY Ben Holliday  
ACCOUNT REP. Ben Holliday  
DRAWING DATE October 28, 2016  
REVISION DATE January 4, 2017

STORE NUMBER  
**L03942**

STORE ADDRESS  
Chick-fil-A at West Chester, OH  
Liberty Way  
West Chester, Ohio

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