



**WASHINGTON TOWNSHIP BOARD OF ZONING APPEALS MINUTES
May 11, 2015**

The Washington Township Board of Zoning Appeals met in regular session on May 11, 2015 in the Meeting Room of Washington Township Government Center. Members of the Board present were Mr. Schwartz, Mr. Roberts, Mr. Klepacz, Mrs. Mulligan and Mr. Schmidt. Call to order at 7:00 p.m.

Pledge of Allegiance

Mr. Schwartz explained the hearing procedure.

Mr. Schwartz administered the oath to all persons testifying.

Case # A-1703 Ray Wiley, Rapid Fired Pizza requests variance for an additional wall sign on a separate frontage of a corner tenant space located at 1008 Miamisburg-Centerville Road

Zoning Manager, Ryan Lee, presented the case.

The applicant is requesting a variance for the new restaurant space within the associated retail/restaurant strip center. This particular tenant space is located on the corner/end space, having dual frontage toward McEwen Road and Miamisburg-Centerville. The applicant has received approval for a wall sign facing toward Miamisburg-Centerville but is requesting to locate an additional sign facing toward McEwen Road.

The Zoning Resolution obligates that a commercial tenant focus the tenant space signage toward a single frontage. Given the secondary placement of the sign, staff feels that the sign shall be smaller than otherwise permitted to not overpower, or clutter, the tenant space frontages. This would be consistent with the additional sign considered for the previous Oakcreek Marketplace variance.

Staff recommends approval of the requested variance, Case no. A-1703, subject to the following:

1. The applicant shall reduce the size of the secondary wall sign to 24 square foot in size.

Ray Wiley, 7478 Ford Road, Xenia, Ohio he has been sworn in.

Mr. Schwartz was concerned with the size of the sign on the side towards McEwen Rd and asked about the size of the sign on the front facing Miamisburg Centerville Road. Mr. Wiley responded that it's about 3.5' feet. Mr. Schwartz confirmed that combined together the signs would be less than 70 square feet.

Mr. Schmidt- Is the sign lighted on the side that you are asking for the variance and kind of lighting is proposed to use?

Mr. Wiley- Yes, the sign will be LED back lite.

Mr. Klepacz- Will the sign come prior to the improvements or afterwards with the parquet wall?

Mr. Wiley- It will be after the wall is constructed.

Mr. Klepacz asked if the improvement was unique to his store or the whole development. Mr. Wiley advised that this is a polite store he has Hot Head Burritos and this is a new concept to try in Washington Township for the first one.

Mrs. Mulligan confirmed the measurement on the front sign and the sign in question for the variance. Mr. Lee advised that the Zoning Inspector has issued a permit for the front sign so it is within the size limitations.

Mr. Schmidt- What will the business gain from having double front signage on the building?

Mr. Wiley- It has been proven that more revenue is generated through having the front and side signs.

Mr. Schmidt confirmed with staff that the previous variance for double front signage for the El Rancho Grande was 24 square feet.

Mr. Wiley advised that they would appreciate approval to help the business and improve the corner façade of the building to make it more appealing.

No citizens voicing concerns, questions or comments.

Public hearing closed.

Board deliberation.

MOTION- Mr. Schmidt moved to approve Case # A-1703 Ray Wiley, Rapid Fired Pizza requests variance for an additional wall sign on a separate frontage of a corner tenant space located at 1008 Miamisburg-Centerville Road as submitted with modifications that the subject sign be a maximum of 24 square feet. Motion was seconded by Mr. Roberts.

VOTE- Mr. Schmidt, yes; Mrs. Mulligan, yes; Mr. Roberts, yes; Mr. Klepacz, yes; Mr. Schwartz, yes

Case # A-1704 John T Boeck requests a three (3) foot rear yard setback variance for a three season room addition located at 9711 Wax Wing Point

The applicant requests a three (3) foot rear yard setback variance for a three season room addition. The applicant is requesting to encroach into the required rear yard area of the property as established by the R-4 zoning designation.

A setback variance to locate an addition to the residential dwelling within the required rear yard area of a R-4 zoned parcel. The request would reduce the setback requirement from 45 feet to 42 feet. The variance would be to locate a three-season room in the location specified within the variance application.

The property is located in the Washington Creek III Subdivision, Section 2, and was approved in 1977 as an R -4 Residential Zoning District. The action of the Board of Trustees on this matter in June, 1977, included a provision for a one acre site for a future fire station as part of the "open space transfer provision of the Zoning Resolution ".

The location of the sunroom addition has been chosen as it integrates with the existing use and layout of the residence. The applicant has provided signatures of those property owners immediately surrounding the property who are in support of the proposal. This includes those property owners most impacted by the proposed variance. It is staff's opinion that while the placement encroaches into the rear yard, the placement of the proposed addition would not be detrimental to the surrounding property owners. Staff recommends approval of the requested variance, subject to the site plan submitted with Case no. A-1704.

Mr. Schwartz asked about notices mailed to surrounding neighbors and if there was any responses. He mentioned that one of the property owners did not respond the home in the far right corner. Mr. Lee confirmed that residents were notified and they had not received any phone calls and he believes that particular home is empty.

Mr. Schwartz confirmed with staff on the location of the home on the aerial photos.

John Boeck, 9711 Wax Wing Point, Washington Township, Ohio, he has been sworn in. He thanked that staff for their help in the case.

No citizens voicing concerns, questions or comments.

Public hearing closed.

Board deliberation.

Mr. Schwartz has no issues with the application. Mr. Schmidt advised that 3 feet is not significant and the heavy vegetation that exists. Mrs. Mulligan made notice that no surrounding neighbors have an issue.

MOTION- Mr. Schmidt moved to approve Case # A-1704 John T Boeck requests a three (3) foot rear yard setback variance for a three season room addition located at 9711 Wax Wing Point as submitted. Motion was seconded by Mr. Roberts.

VOTE- Mr. Schmidt, yes; Mrs. Mulligan, yes; Mr. Roberts, yes; Mr. Klepacz, yes; Mr. Schwartz, yes

Additional Business:

Staff is working with Law Director for a workshop session. He advised that they will be appointing a new board member in place of Virgil McDaniel and applications for alternates to serve on the board.

Meeting adjourned.

Next Regular Meeting Date – June 8, 2015

Richard Schwartz, Chairman