

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

APRIL 03, 2024

Held

20

The Miami Township Board of Zoning Appeals met in regular session on Wednesday, April 03, 2024, at 7:00 p.m. at the Miami Township Civic Center. Chairperson Randy Merrill called the meeting to order and led the Pledge of Allegiance.

**ROLL**

Attending: Randy Merrill, Greg Horn, Todd Munro, Cheryl Eckelman (alternate), and Steve Reece. Also present: Township Planner, Jamie Kreindler; Community Development Co-Op, Mallory Clapp; and Secretary, Kelly Gibson.

**APPROVAL OF MINUTES**

Mr. Munro made a motion to approve previous minutes from March 06, 2024, seconded by Mr. Horn. Upon the roll call, all voted "Yes."

**COMMON RULES OF CONDUCT**

Waived.

**CONTINUED HEARINGS**

None.

**PUBLIC HEARINGS**

**ANDY HUEBER – STATE ROUTE 126 – CASE #1039**

Mrs. Gibson read the Notice of Public Hearing for Case #1039.

Speakers for the Case were sworn in by Mr. Merrill.

Mr. Merrill called for a summary of the Staff Report.

Ms. Kreindler introduced Ms. Clapp, Community Development co-op from the University of Cincinnati's School of Planning, to assist with presenting the case. The staff summary included a brief PowerPoint presentation, and Ms. Clapp explained that the property is zoned as Planned Industrial Park and is .33 acres in size. The Applicant plans to construct a new 2,490 square foot building on the vacant lot. To do so, Ms. Clapp stated that the following variances would be needed:

1. Variance from Section 12.06A to reduce the required front yard setback for the new building.
2. Variance from Section 23.04B7b to not install the terminal landscaping islands required for parking rows.

Ms. Clapp presented the applicable zoning sections, site plan, elevation drawings, and photos of the property.

Mr. Merrill called for the presentation by the Applicant, which was given by the property owner, Mr. Andy Hueber. Mr. Hueber is the owner of Clam Digger LLC, which plans to build an office and storage building for field staff on the property. Mr. Hueber stated that he plans to build upon and landscape the property in a way that would be unintrusive to neighbors. He also pointed out that he had spoken with an adjoining neighbor to the west who Mr. Hueber says expressed no dissatisfaction with the potential variances due to Mr. Hueber's plans to improve buffer spaces via landscaping.

There were no adjoining property owners and interested citizens in attendance.

Mr. Merrill asked for the Township staff recommendation. Ms. Clapp advised that the hardship criteria had been reasonably met and said that staff recommends approval of the requested variances. The Board did not have any additional questions for the staff.

## RECORD OF PROCEEDINGS

Minutes of

MIAMI TOWNSHIP BOARD OF ZONING APPEALS

Meeting

BEAR GRAPHICS - 800.325.8004 FORM NO. 10148

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Mr. Reece made a motion to approve the variances for a front yard setback reduction and elimination of terminal landscaping islands in Case #1039. Mr. Horn seconded the motion. Upon roll call, all voted "Yes."

**MIKE CASTRUCCI LLC – 1301 STATE ROUTE 131 – CASE #1040**

Mrs. Gibson read the Notice of Public Hearing for Case #1040.

Speakers for the Case were sworn in by Mr. Merrill.

Mr. Merrill called for a summary of the Staff Report.

The staff summary included a brief PowerPoint presentation, and Ms. Kreindler explained that the property is zoned as Neighborhood Business District and is 4.44 acres in size. The Applicant plans to construct an accessory building on the site. The dimensions of the proposed accessory building are 100' wide by 80' long, or 8,000 square feet total. As shown on the site plan, the proposed storage building is setback 96.72' from the right-side property line and 19.74' from the rear property line. The height of the proposed structure is 30'-9.5" to the peak, which exceeds what is allowed by the zoning code. In addition, the exterior material of the building is metal, which is not permitted in business districts. Ms. Kreindler stated that the Applicant is requesting two variances as follows:

1. Variance from MTZR Section 10.05B to allow metal as an acceptable exterior building material.
2. Variance to increase the maximum height of an accessory structure from 15' to 30'-9.5" (peak).

Ms. Kreindler presented the applicable zoning sections, site plan, elevation drawings, and photos of the property.

Mr. Merrill called for the presentation by the Applicant, which was given by Mr. Ronald Burke of Mike Castrucci, LLC. Mr. Burke described several Practical Difficulties in support of being granted the variances, including that using other materials would be cost prohibitive and that current height restrictions would not allow space for the equipment needed to be stored.

There were no adjoining property owners and interested citizens in attendance.

Mr. Merrill asked for the Township staff recommendation. Ms. Kreindler advised that the hardship criteria had been reasonably met and said that staff recommends approval of the requested variances. The Board did not have any additional questions for the staff.

Mr. Munro made a motion to approve the metal building material and increased height variances in Case #1040. Mr. Merrill seconded the motion. Upon roll call, all voted "Yes."

**OLD BUSINESS**

None.

**NEW BUSINESS**

Mr. Merrill made a motion to set Case #1041 for public hearing on May 01, 2024, seconded by Mr. Munro. All voted "Yes."

Mr. Horn made a motion to set Case #1042 for public hearing on May 01, 2024, seconded by Ms. Eckelman. All voted "Yes."

**ADJOURNMENT**

There being no further business, the meeting was adjourned. The next meeting is scheduled for Wednesday, May 01, 2024, at 7:00 p.m.

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**MIAMI TOWNSHIP BOARD OF ZONING APPEALS**

Meeting

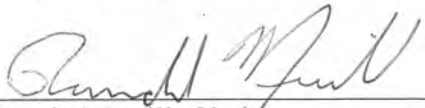
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Respectfully Submitted,

  
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Randy Merrill, Chair

  
\_\_\_\_\_  
Kelly Gibson, Secretary

CC: Board of Zoning Appeals Members, BZA File