



Miami Township, Clermont County Ohio
BOARD OF ZONING APPEALS
STAFF REPORT
Louis M. Ethridge, AICP

BZA Case No. 846
VARIANCE

HEARING DATE

October 7, 2013

APPLICANT

Milford Office Park, Inc.
 8900 Glendale-Milford Road
 Loveland, Ohio 45450

ACTION REQUESTED

The applicant is requesting the fifty (50) foot front yard setback on Sugar Camp Road be reduced to thirty-five (35) feet in return for giving Miami Township the fifteen (15) feet of right-of-way needed to widen Sugar Camp Road at the intersection of SR 131.

SITE CHARACTERISTICS

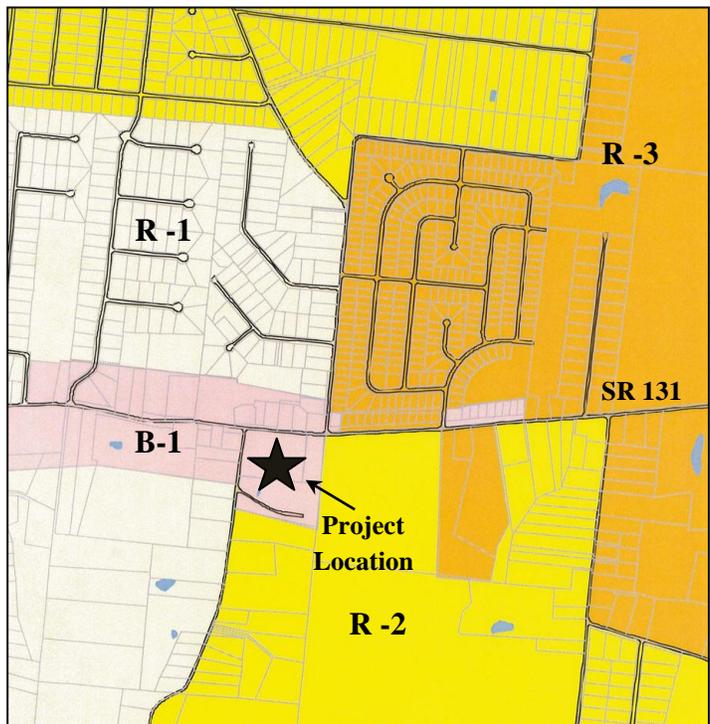
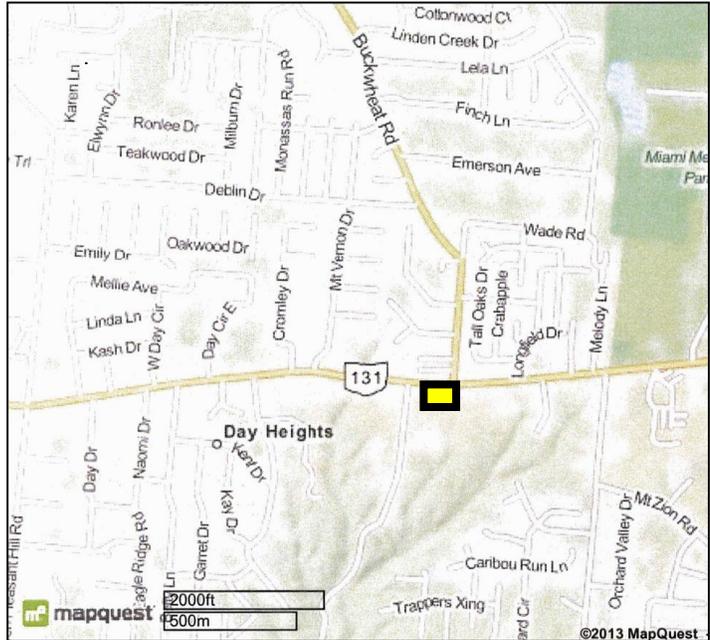
Location: 1375 State Route 131.
PID: 18-24-05E-298
Lot size: 4.298 acres
Zoning: B-1 Neighborhood Business

APPLICABLE ZONING

Chapter 10: B-1 Neighborhood Business District. The purpose of this district is to establish areas of commercial activity that offer small scale retail goods and services in close proximity to residential areas.

ZONING PROFILE

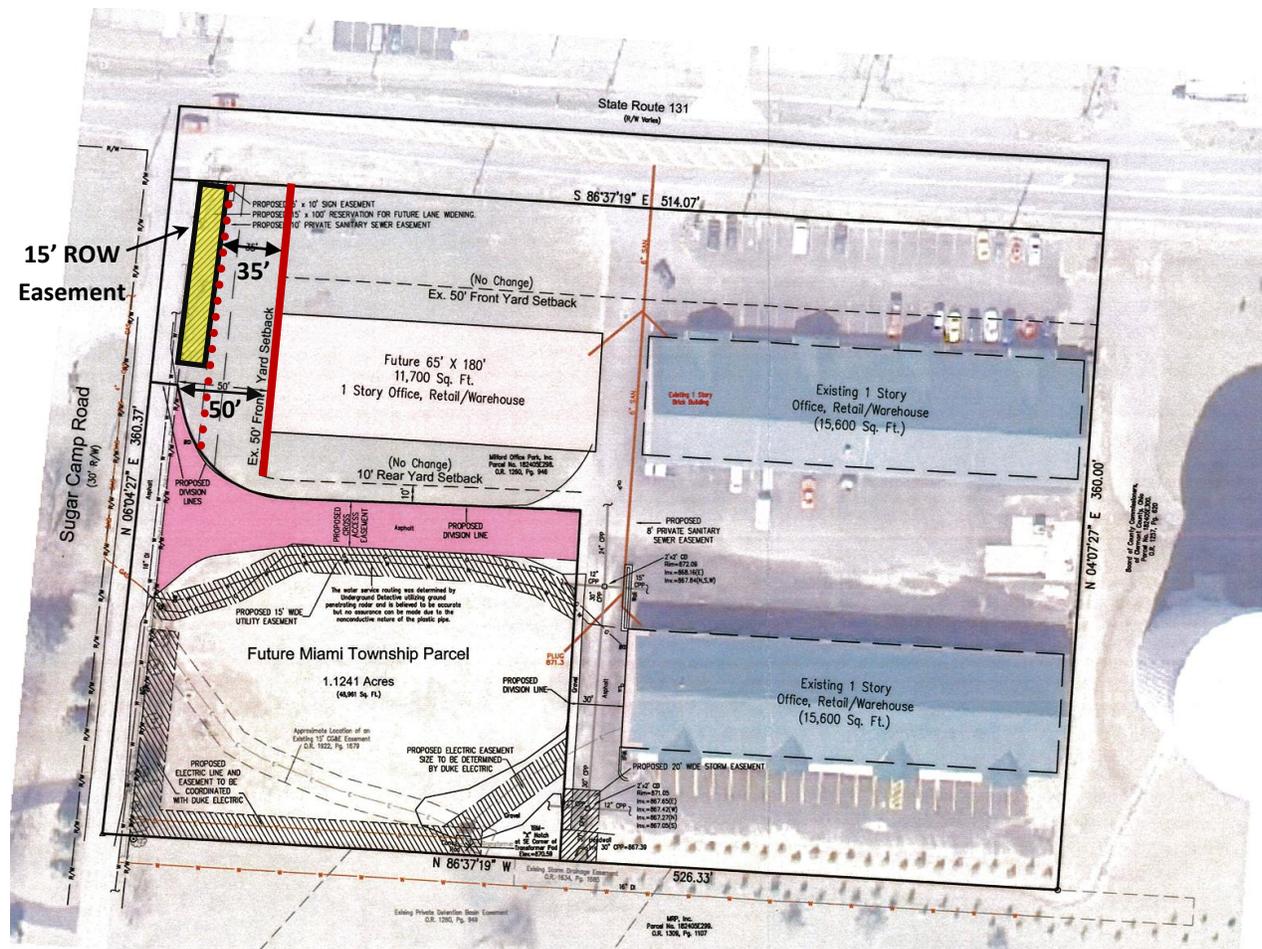
Zoning districts abutting and across from the subject site: **North** – “R-1” Single Family Residential; “R-2” Single Family and “R-3” Single Family/Multi-Family Residential **South** – “R-1” and “R-2” Single Family Residential; **East** - “R-2” Single Family Residential; and **West** – “B-1” Neighborhood Business District.



IMPACT OF ROADWAY WIDENING

The applicant has future plans to construct an 11,700 square foot office/retail/warehouse facility on the 4.298 acres located in the southeast corner of the intersection of Sugar Camp Road and State Route 131. As a corner lot, the applicant is required to comply with the B-1 zoning district's fifty (50) foot front yard setback from both State Route 131 and Sugar Camp Road.

Abutting the applicant's property to the south is property being purchased by Miami Township for a new fire station. This Sugar Camp Road facility will have a direct impact on the applicant's ability to comply with the front yard setback requirement. To accommodate wider turning movements of fire department vehicles, the intersection needs to be widened. This widening will require an additional fifteen (15) feet of right-of-way within the applicant's Sugar Camp Road front yard.



COMPARABLE DECISIONS

Case # 697 – On September 13, 2004 the Board of Zoning Appeals granted a variance reducing the rear yard setback from thirty-five (35) to fifteen (15) feet in a residential zoning district. A ten-foot wide utility easement required by the Clermont County Engineer required the re-positioning of a condominium building to move closer to the zoning line that separates the business and single-family zoning within the project.

Case # 718 - On January 3, 2005 the Board of Zoning Appeals granted a variance reducing the rear yard setback from seventy-five (75) feet to fifty (50) feet in an industrial zoning district that abuts a residential zoning district to accommodate the construction of a 11,400 square foot single-story office building. The BZA approved the variance with two conditions: 1) the building use was to remain office; and 2) a ten (10) foot landscape buffer was to be maintained at the residential property line.

STAFF PERSPECTIVES

1. Reducing the applicant’s front yard by fifteen feet restricts the applicant’s ability to comply with the fifty foot front yard setback required to construct the 11,700 commercial building planned for this State Route 131 property.
2. B-1 zoned properties to the west of the of the applicant’s commercial land parcel are located less than forty (40) feet from SR 131.



3. The Board of Zoning Appeals has granted variances of twenty feet or more to accommodate commercial development.

STAFF RECOMMENDATION

Staff recommends *approval* of this requested fifteen (15) foot variance reducing the front yard setback from fifty (50) feet to thirty-five (35) feet.