The meeting of the Harrison Township Board of Zoning Appeals was called to order at 7:00 p.m. on Monday, September 9, 2019.

Those present:
Charles Waldron
Patty Larrick
Jerry Barnes
Don Marlow
Steven Russell

Justin Riley Olszewski, Zoning Administrator, Development Dept.

APPROVAL OF THE MINUTES:
Ms. Patty Larrick made a motion to approve the minutes from the Monday, August 12, 2019 BZA meeting. Mr. Don Marlow seconded. Motion carried and passed 5-0.

OLD BUSINESS
Continuation of Case# BZA-09-19
Staff stated that neither the applicant nor a representative for Case# BZA-09-19 was present. Mr. Marlow suggested to continue on to New Business. Ms. Patty Larrick made a motion to deny Case# BZA-09-19 due to no-show. Mr. Steven Russell seconded the motion. Motion carried and passed 5-0.

NEW BUSINESS
Case# BZA-13-19
Case# BZA-1-19 was initiated by Far Hills Development, LLC, 5100 Springfield St. Suite 109, Dayton, Ohio 45431. The applicant is requesting Variance under Article 21, Section 2105.02 to reduce the required front yard setback from 25 feet to 15 feet from the established public right of way. The property is located at 4140 N. Main St., Harrison Township, Montgomery County, Ohio.
Staff states that the property is located at 4104 N. Main St. and is on the east side of N. Main St./SR 48 at Shiloh Springs Dr., south of Castlewood Ave. The property is currently zoned “B-3” Business. The surrounding zoning is “B-3” Business to the north, west and south, and Multi-Family Residential to the east. The surrounding land use is commercial to the north, south, and west. The land use to the east is multi-family residential. The site most recently operated as a restaurant prior to a structure fire and complete loss in late 2018.

Article 21, Section 2105.02 lists the development standards for the “B-3” Business with the minimum front yard depth as 25 feet from the established public right of way. The applicant is proposing to rebuild the restaurant but with a 15 ft. front yard depth.

**Discussion and Alternatives:**

The Board’s alternatives are as follows:

1. Approve the variance as requested and allow the modifications as stated to the development standards.

2. Deny the variance as requested

**Recommendation:**

Staff recommends that the Board take all information and testimony into consideration.

The applicant, Mr. Ken Riddle, 5100 Springfield St., Suite 109 Dayton, OH was duly sworn and stated that he is one of the co-owners of Far Hills Development and that the variance being requested in order to increase the rear part of the drive thru lane to alleviate the congestion of cars trying exit the parking lot around the existing drive thru lane. When asked if losing some parking spaces on the north/south rear line would alleviate the problem and allow them not to have to move the building closer to Main St., Mr. Riddle says that he thinks the issue is more than just the turning radius, that it’s also the bare footage between the end of the building and the fence that runs across the rear of the property. Mr. Riddle states that the percentage of drive thru patrons that this restaurant is approximately 65% and he hopes that the dine in portion of the business grows after the new construction. When asked if the new building would be larger than the previous, Mr. Riddle stated that he does not anticipate the new building being any larger, however, the do plan to dig up the existing foundation and rebuild similar to the Brookville restaurant.

There being no other to speak on behalf or in opposition, Mr. Waldron closed the public speaking portion of the hearing.

After some discussion among the Board, Mr. Don Marlow made a motion to approve Case# BZA-13-19. Mr. Steven Russell seconded. Motion carried and passed 5-0.
There being no further business to discuss, Ms. Patty Larrick made a motion to adjourn the meeting. Mr. Don Marlow seconded. Motion carried and passed 5-0.

Respectfully submitted,

Harrison Township
Board of Zoning Appeals

________________________________________
Regina Moore
Administrative Assistant

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Charles Waldron, President

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Patricia Larrick, Vice President

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Steven Russell

________________________________________
Jerry Barnes

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Don Marlow

Attested as to Signatures,

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Regina Moore, Administrative Assistant