



Record Report for Variance Request #BZA-26-0002

Record Overview

Record Number: BZA-26-0002

Record Type: Variance Request

Record Status: In Progress

Record Submitted At: Wednesday May 27, 2026

Record Address: 8423 POINT O'WOODS COURT, SPRINGBORO 45066

Record Owner: Jeff Palmer

Record Applicant: Kevin Hopf

Form Submission

Applicant is:: Property Owner

If Other, please explain: -

Applicant:

Kevin Hopf
8423 Point O' Woods Ct
Springboro, OH 45066
kevin.hopf@gmail.com, (937) 901-9174

LAUREN ANNE HOPF; KEVIN MICHAEL HOPF

8423 POINT O'WOODS COURT, SPRINGBORO 45066

Legal Description of Property or Metes and Bounds Description:

Lot 118, Woodland Greens Subdivision (Section 2-2)
Warren County, Ohio

Current Use of the Property:

Single-family residential dwelling

Property fronts on the following roads:: Point O' Woods Ct.

The property is presently zoned:: Residence Zone "R-1"

The legal title to said property recorded in the name(s) of:: KEVIN MICHAEL HOPF LAUREN ANNE HOPF

Tax mailing address of individual(s) with whom the legal title to said property is recorded:: 8423 Point O' Woods Ct.
Springboro, OH 45066

Reason for Application:

The purpose of this application is to request a variance to reduce the required rear yard setback from 40 feet to 20 feet in order to construct an addition to the existing primary residence, specifically a covered outdoor patio. Although the structure will be attached and therefore classified as an addition under the zoning resolution, the proposed improvement is open-air in nature and functions similarly to an accessory-type outdoor living feature, such as a pergola or gazebo. The request represents a reasonable and limited deviation from the setback requirement to accommodate a modest residential improvement with minimal impact.

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1. The hardship must remove all profitable use from the land. It is not a sufficient hardship if the land would be more valuable with the variance, or less valuable without the variance. Instead, there must be evidence that the property is unsuitable to any of the permitted uses as zoned::

The property remains suitable for residential use as currently zoned; however, the placement of the existing home and the depth of the rear yard significantly limit the ability to construct a modest, functional improvement in compliance with the 40-foot setback.

The proposed covered patio is an open-air, non-habitable structure that is typical of residential properties. Strict application of the setback requirement effectively prevents a reasonable improvement that would otherwise have minimal impact. This hardship is not solely a result of site conditions, but also from the manner in which the zoning requirements are applied to this type of structure. The requested variance allows for a practical and appropriate improvement located in close proximity to the existing structure.

2. The hardship must result from circumstances affecting a particular and unique piece of land, and not from a general condition throughout the neighborhood: :

The hardship results from the specific placement of the existing residence on the lot and the resulting limited buildable area within the rear yard when applying the 40-foot setback requirement. While the structure is technically classified as an addition due to its attachment, its design and function are more consistent with accessory-type outdoor features typically permitted at reduced setbacks. The classification of the structure as an addition, rather than an accessory-type feature, contributes to the unique limitation experienced on this property and is not representative of a general condition throughout the neighborhood.

Additionally, the rear portion of the property has limited natural drainage and a flat grade, which creates challenges for construction in that area. These site-specific conditions further restrict the ability to build in compliance with the current setback without introducing potential long-term drainage or structural concerns.

3. A variance must not alter the essential character of the neighborhood::

The requested variance will not alter the essential character of the neighborhood. The proposed covered patio is consistent with the residential nature, scale, and appearance of surrounding properties.

Outdoor living features such as patios, porches, pergolas, and similar structures are common in residential developments and contribute to the character of the neighborhood. The proposed structure will be compatible with nearby homes and will not adversely impact adjacent properties.

4. It is not enough to show that the effects of a variance would be harmless. Real, unnecessary hardship must still be established by the applicant::

The hardship is not based on preference but on a practical limitation created by the application of the zoning requirements to the existing home location.

The hardship arises in large part from the application of the zoning resolution, which classifies the proposed covered patio as an addition solely due to its attachment to the home. While similar outdoor structures are permitted at reduced setbacks when detached, attaching the structure—where it is more functional and consistent with typical residential design—subjects it to significantly greater setback requirements. This distinction creates a practical hardship, as the impact of the proposed structure is more comparable to an accessory feature than a true expansion of the principal building.

5. Any hardship must result from the requirements of the zoning resolution and not from the applicant's own actions::

The hardship results from the existing placement of the home, the configuration of the lot, and the applicable zoning regulations.

These conditions predate this request and were not created by the applicant. The request arises from the application of current zoning requirements to an existing residential layout rather than from any action taken by the applicant.

6. Whether the property owner purchased or acquired the property with the knowledge of the zoning restriction::

The property was acquired as a conforming residential lot with the expectation of maintaining and reasonably improving the home over time. This request represents a modest and typical residential improvement rather than an attempt to circumvent zoning requirements.

7. A variance must not be contrary to the public interest, even if a hardship can be established::

The requested variance will not be contrary to the public interest. The proposed covered patio is a low-impact residential

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improvement that will not affect public safety, traffic, drainage, or neighboring properties. The open-air design and limited scale of the structure ensure that it will not create adverse impacts related to light, air, or privacy.

8. Other factors that the applicant considers important to the judgment of the case::

The requested variance represents a reasonable and limited adjustment to allow a modest residential improvement.

- The proposed patio is open-air and non-habitable
- The structure is limited in size and scope
- The encroachment into the setback is modest relative to the overall lot
- The functional impact is similar to accessory structures permitted at reduced setbacks

While the structure is technically classified as an addition due to its attachment to the home, its real-world impact is comparable to accessory outdoor features that are commonly permitted closer to property lines. The primary distinction is the attachment to the home, which results in a more restrictive setback requirement despite similar functional characteristics.

Importantly, the single adjacent property owner to the rear (Sycamore Creek Country Club), who would be most directly affected by the requested variance, has reviewed the proposed improvement and expressed no objection to the reduction in setback. I have discussed the proposed improvement directly with the golf course's general manager and SCCC Board, who again has expressed no objection to the requested variance or the reduced setback. See attached email confirmation.

Given the open and recreational nature of the adjacent property, along with the absence of any opposition from the neighboring landowner, the practical impact of the variance is minimal. Granting this variance would be consistent with the intent and spirit of the zoning code, which is to promote orderly development, protect neighboring properties, and preserve community character. In this case, those objectives are fully maintained, as there is no adverse impact to adjoining uses, no change to neighborhood character, and no material deviation from the functional outcomes the code is designed to regulate.

The request therefore represents a practical and balanced solution that maintains the character of the surrounding area while allowing for a reasonable and appropriate use of the property.

The applicant acknowledges reading the application. The applicant certifies that information herein along with all submitted documents are factual and correct.: Yes

The undersigned certifies that information herein along with all submitted exhibits are factual and correct.:

Kee M. Hgb

Signed in GovWell: Saturday July 11, 2026, 11:32am

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