

BLUE ASH BOARD OF ZONING APPEALS

December 9, 2013

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ITEM 1. – Meeting Called to Order and Roll Call

Vice Chair Mark Kirby called the regular meeting of the Board of Zoning Appeals to order at 7:00 p.m. on Monday, December 9, 2013 and requested a roll call.

MEMBERS PRESENT: Mark Kirby, Tricia Downing, and Terry Peck

MEMBERS NOT PRESENT: Marc Sirkin and Mike Duncan

ALSO PRESENT: Community Development Director Dan Johnson

ITEM 2. – Approval of Minutes

The Board waived the reading and approved the minutes of the Board of Zoning Appeals regular meeting of November 4, 2013.

Vice Chair Kirby swore in all those in attendance wishing to testify and gave a brief overview of the Board of Zoning Appeals

ITEM 3. – New Hearings

a. Park Manor – Park Manor LLC

Appeal to allow residential structures that exceed the maximum building height

PRESENT: Patricia Payne – Appellant

Ms. Payne of Sibcy Cline Builder Services explained that, on November 7, 2013, Planning Commission approved an amended plan to allow 3-stories of living space above ground at Park Manor. The Planning Commission approval is subject to obtaining a variance from the Board of Zoning Appeals to increase the mean building height from 35 feet to 41.5 feet.

Ms. Payne said they are making this request because they have received feedback from real estate agents, builders, and developers in other communities they are involved with, as well as potential buyers, that their current product of 1,641 square feet of living space is too small. In order for them to provide a marketable floor plan to address the needs of the buyers, 2,000 square feet of living space is required. The market is constantly changing and they need to make adjustments to the development as the market dictates. The building footprint, approved number of buildings, and approved number of units remain unchanged. The most significant difference between the existing buildings and future buildings is 6 ½ feet in height. The modified roofline allows for a better use of space as well as construction cost efficiencies. Another change is that the new units will have 9-foot high ceilings as opposed to 10-foot high in the existing units. Their intent is to keep the height variance to a minimum while still providing a marketable product to their target market. Each floor plan in the new product has four units which provide larger, more marketable units per floor. The existing units have five units per floor. There is no change in parking or exterior building materials.

As there were no further questions from the public and no additional discussion by the Board, Vice Chair Kirby closed the public hearing and entertained a motion.

DECISION: Tricia Downing moved, Terry Peck seconded to approve the appeal as submitted. A roll call vote was taken. All members present voted aye. Motion carried to approve.

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b. 9009 Decima Street – Judy and Philip Blomer

Appeal to allow a privacy fence that exceeds the maximum allowable height

PRESENT: Philip Blomer – Appellant

Mr. Blomer is requesting a property line fence since over the past six years his neighbor, John Reindl, has raised the height of his rear lot by approximately 10 feet by dumping soft fill and concrete scraps. That area has been permitted to “go natural” according to what Mr. Blomer has been told by the City. Now there are all kinds of weeds and “junk” that he has to look at. The Blomers have a deck off the back of their house that is approximately 12-feet off the ground, so they are asking for an 8-foot high fence which would cut out most of the sight line over the top of the fence to the scrap area. The fence will be a shadowbox style and look the same from both sides. Their property is located on a private street and no part of the proposed fence affects the right of way, it will not create any traffic problems, and it will not project beyond the front elevation of the house.

To provide the Board members with some background, Dan Johnson said that Mr. Reindl was concerned with the creek in the back which led him to add a lot of fill. He started out with wood chips, but the Hamilton County Health Department made him remove those since they were six to eight feet deep and had the potential to spontaneously combust. He then came in with clean, hard fill and filled it approximately 10-feet above where it was, then subsequently decided that he would like to let that area return back to a natural state instead of keeping it manicured in a lawn, which is entirely permissible.

As there were no further questions from the public and no additional discussion by the Board, Vice Chair Kirby closed the public hearing and called for a motion.

DECISION: Terry Peck moved, Tricia Downing seconded to approve the appeal for 9009 Decima Street as submitted. A roll call vote was taken. All members present voted aye. Motion carried to approve.

c. 9701 Ridgeway Avenue – Thomas and Anne Sheehan

Appeal to allow a reduced front setback for a front porch addition

PRESENT: Tommy Sheehan – Appellant

Tommy Sheehan is requesting a setback variance to build a wraparound porch on the property and needs approximately 7-8 feet to provide enough space. The property is located on the corner of Ridgeway and Brown Avenues and he feels a wraparound porch would add character to the area.

Mr. Johnson noted that the appeal did not include a specific design. He asked the Board to consider whether steps projecting from the proposed porch towards the street would be acceptable. If so, then the Board should say so in its approval to avoid having the appellant having to file another appeal.

As there were no further questions from the public and no additional discussion by the Board, Vice Chair Kirby closed the public hearing and called for a motion.

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DECISION: Terry Peck moved, Tricia Downing seconded to approve the appeal for 9701 Ridgeway Avenue as submitted, which would include steps from the porch towards either street. A roll call vote was taken. All members present voted aye. Motion carried to approve.

d. 4110 Hunt Road – Joe Hochendoner, Pet Supplies Plus

Appeal to allow a wall sign that exceeds the maximum allowable area

PRESENT: Greg Haap, C&B Sign Services

Greg Haap said they are asking for a larger building sign than permitted due to the fact that this shopping center does not have roadside tenant signage and it is important for the success of this business to be as visible as possible from the road.

Dan Johnson said that the sign they are proposing contains less area than the previous sign but is wider. It still fits on the same parapet.

There was general discussion regarding the background panel, the proportion of the letters to the signage area, and the overall look and size of the sign.

As there were no further questions from the public and no additional discussion by the Board, Vice Chair Kirby closed the public hearing and called for a motion.

DECISION: Tricia Downing moved, Terry Peck seconded to approve the application for the Pet Supplies Plus sign at 4110 Hunt Road with the condition to reduce the size of the top letters to 24 inches and eliminate the backer panel or have the backer panel match the same color of the dryvit. A roll call vote was taken. All members present voted aye. Motion carried to approve.

ITEM 4. – Continued Hearings

None

ITEM 5. – Old Business

None

ITEM 6. – New Business

None

ITEM 7. – Adjournment

DECISION: There being no further business Terry Peck moved, Tricia Downing seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 8:04p.m.

Mark Kirby, Vice Chair

MINUTES RECORDED BY:

Traci Smith