

BLUE ASH BOARD OF ZONING APPEALS

April 12, 2010

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ITEM 1. – MEETING CALLED TO ORDER

Chairman Marc Sirkin called the regular meeting of the Board of Zoning Appeals to order at 7:04 p.m. on Monday, April 12, 2010.

MEMBERS PRESENT: Marc Sirkin, Julie Brook, Paul Collett, Jr. and Mark Kirby

MEMBERS NOT PRESENT: Terry Peck

ALSO PRESENT: Assistant Community Development Director Dan Johnson, Administrative Clerk Traci Smith, Council Member Jim Sumner and interested citizens

ITEM 2. – APPROVAL OF MINUTES

The Board waived the reading and approved the minutes of the Board of Zoning Appeals regular meeting of September 14, 2009.

ITEM 3. – 9617 Cooper Lane

Appeal to allow new single family residence on an existing lot in an R-2 zoning district with insufficient lot width

PRESENT: Ranjit Sharma – Copper Creek Homes, Appellant

Chairman Marc Sirkin swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

Ranjit Sharma said they would like to demo the house at 9617 Cooper Lane and build a new house on that lot. He explained that the R-2 district requires a lot width of 90 feet, but the lot is only 80 feet wide. If the existing house is torn down, then it is an unbuildable lot. He is requesting a variance for the lot width only so he can build a new house.

As there were no further comments, Chairman Marc Sirkin closed the public hearing portion of the meeting.

Paul Collett said this would be a necessary variance for all of the lots in this area because they are all less than 90 feet and hopes a Code change could be presented to Council so this type of situation will not require a variance in the future.

DECISION: Julie Brook moved, Paul Collett seconded to approve a lot width variance for the property at 9617 Cooper Lane to allow construction of a new single-family residence that satisfies all of the other area requirements in the R-2 zoning district. A roll call vote was taken. All members present voted aye. Motion carried.

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ITEM 4. – 9607 Cooper Lane

Appeal to allow new single family residence on an existing lot in an R-2 zoning district with insufficient lot width

PRESENT: Joel King – Garry Brasch Custom Homes, Inc., Appellant

Chairman Marc Sirkin swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

Joel King said they are requesting a side yard variance for setback. He said the 80-foot lot width works well with a courtyard-style garage, similar to what they have presented. He noted that the application includes a porch extension on the south side of the house that would result in a side setback of 7 ½ feet, which is less than the required setback.

Paul Collett said that he would not support the side yard variance. Mr. King said that the house could be moved 3 feet to the north and satisfy the setback on both sides.

Julie Brook commented that the City regulates foundation height to avoid causing stormwater problems for adjacent properties.

As there were no further questions Chairman Marc Sirkin closed the public hearing portion of the meeting.

Marc Sirkin said that a Code change to negate the need for a lot width variance in these instances would make sense. Dan Johnson noted that many communities do have such provisions to exempt parcels that were subdivided under a previous code from certain area requirements.

DECISION: Mark Kirby moved, Paul Collett seconded to approve a lot width variance for the property at 9607 Cooper Lane to allow construction of a new single-family residence that satisfies all of the other area requirements in the R-2 zoning district, including both side yard setbacks. A roll call vote was taken. All members present voted aye. Motion carried.

ITEM 5. – 10300 Alliance Road – Pfeiffer Place

Appeal to allow two building signs above the first floor of a multi-story office building

PRESENT: James Morey – Duke Realty Corp., Appellant
Rick Zimmerman – Sunny Delight

Chairman Marc Sirkin swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

Jay Morey of Duke Realty said they are requesting a variance to have two signs on a 5-story, 160,000 sq. ft. building and the current code allows for only one sign above the first story. He pointed out that the two signs would be not be near each other on the building and that they would be visible from different directions. One is visible when coming from I-71 on Pfeiffer and the other one is visible from the intersection of Reed Hartman Highway and Glendale Milford Road. There are two large tenants that want the signs.

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Dan Johnson stated that the proposed Sunny Delight sign satisfies the normal Code requirement for area. However, it would be the second sign and a portion of it would extend above the parapet wall, which is also not permitted.

Marc Sirkin said the existing IKON sign is very small on this large building. Paul Collett suggested that a Code change should be considered to allow multiple signs because similar situations have come up in the past and because these larger companies need to be able to identify themselves.

As there were no further questions Chairman Marc Sirkin closed the public hearing portion of the meeting.

DECISION: Paul Collett moved, Julie Brook seconded to approve the variance for two wall signs above the first floor of a multi-story office building, as proposed, and to allow a portion of the one sign to extend above the parapet wall. A roll call vote was taken. All members present voted aye. Motion carried.

ITEM 6. – MISCELLANEOUS BUSINESS

There was general discussion regarding the former Arby's property on Plainfield Road, large the political signs, the Charleston Apartment digital sign being too bright, and the crosswalk at the intersection of Reed Hartman Highway and Peppermill Lane.

ITEM 7. – ADJOURNMENT

DECISION: There being no further business, Paul Collett moved, Julie Brook seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 7:45 p.m.

Marc Sirkin, Chairman

MINUTES RECORDED BY:

Traci Smith