

BLUE ASH BOARD OF ZONING APPEALS

May 11, 2009

Page 1

ITEM 1. – MEETING CALLED TO ORDER

Madam Chairman Julie Brook called the regular meeting of the Board of Zoning Appeals to order at 7:00 p.m. on Monday, May 11, 2009.

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

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

ITEM 2. – APPROVAL OF MINUTES

The Board waived the reading of the minutes.

DECISION: Mark Kirby moved, Marc Sirkin seconded the motion to approve the minutes of the joint meeting of the Board of Zoning Appeals and Board of Site Arrangement of April 13, 2009. A voice vote was taken. All members present voted aye. Motion carried.

Paul Collett asked if it was allowed to have a joint meeting. Dan Johnson said the City Solicitor was the one who had suggested it.

ITEM 3. – 10608 Kenwood Road – Mike & Beverly Fagundes

Appeal to allow a reduced front setback on Meyers Lane

PRESENT: Mike & Beverly Fagundes, Appellants

Madam Chairman Julie Brook swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

Mike Fagundes said they would like to tear down the existing house and replace with a 3,000 square foot ranch-style house. The reason they chose 17.7 feet is to be consistent with the neighbor on the other corner of Meyers and Kenwood and to also fit the size house they want to put on the property. The current house has a 20 foot setback from Kenwood Road; the new house would have a 30 foot setback.

Paul Collett questioned the setbacks down Meyers Lane and said this does not seem consistent with the houses that front on Meyers Lane. He feels this would be opening the door to a setback that is not consistent. Mr. Fagundes said he is being consistent with what is on Kenwood. Mr. Collett said the house across the street could be torn down and he is concerned with what the neighbors might want.

John Berry asked if the applicants were going to occupy the house or if it was going to be rental. Mr. Fagundes said they would occupy the house. Mr. Berry said he understood the concern of Mr. Collett, but said there have been adjustments made over the years with properties that have had two front yards depending on the testimony and the information provided. Mr. Berry said he personally feels that the primary frontage is along Kenwood. Julie Brook agreed that it should be more visually consistent along Kenwood Road.

BLUE ASH BOARD OF ZONING APPEALS

May 11, 2009

Page 2

Paul Collett noted that setbacks can be used to limit the size of the structure that can be placed on the property. The size of the proposed house may exceed the size intended in this district because it could not be constructed within the normal setbacks.

As there were no further questions, Madam Chairman Julie Brook closed the public hearing portion of the meeting.

Julie Brook feels this is a reasonable request because the more important façade is along Kenwood Road. Marc Sirkin agreed, but noted that the Meyers Lane elevation could use more windows. John Berry noted that the setback of the proposed home would be an additional 5 feet greater than the current house and will have only 1-story; the current house is a 2-story structure.

There was discussion regarding the property to the north on Kenwood Road and what could possibly be done with that property if it was to be developed.

DECISION: John Berry moved, Marc Sirkin seconded to grant a variance at 10608 Kenwood Road to Mike and Beverly Fagundes to allow a 17.7 foot front setback along Meyers Lane. A roll call vote was taken. Four members present voted aye and Paul Collett voted nay. Motion carried.

ITEM 4. – 5535 Pfeiffer Road – Ursuline Academy of Cincinnati

Appeal to allow a ground sign that exceeds the maximum allowable area and a portion of the sign with internal illumination

PRESENT: Ellen Costanzo Appellant
Dick Haglage, Ursuline Academy Board Member

Madam Chairman Julie Brook swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

Ellen Costanzo described recent improvements at Ursuline. Since the 1970s, Pfeiffer Road has become a four lane road and a lot of visual clutter has been added to the intersection that makes it difficult for people to locate the school. Updating the sign will help those who are not familiar with the area and it will be consistent with the other improvements.

Julie Brook asked why the zoning for the property was never changed to C-2. Dan Johnson said it provides more protection for the adjacent residents (to the rear of the property) as a residential property.

Ellen Costanzo said the size of the new sign, which includes the base and monument, is approximately 7 feet 9 inches high with the leading edge of the sign at the same location as the existing sign. The portion of the sign that will have internal illumination is 30 inches in diameter and will be low wattage. She noted that some people have had problems locating the entrance, particularly during evening hours.

Dick Haglage said the sign is part of a \$150,000-\$200,000 entry project they are doing that also includes driveway improvements and landscaping. The proposed sign is more in line with the architecture of the building that has recently been done.

As there were no further questions Madam Chairman Julie Brook closed the public hearing portion of the meeting.

BLUE ASH BOARD OF ZONING APPEALS

May 11, 2009

Page 3

Julie Brook commented that the motion should include a condition that the existing grade be maintained at the base of the sign.

DECISION: Paul Collett moved, Mark Kirby seconded to grant a variance at 5535 Pfeiffer Road for a 77 square foot internally illuminated sign with the following conditions:

1. The sign remain at current grade
2. The leading edge is no closer to Pfeiffer Road as the existing sign.

A roll call vote was taken. All members present voted aye. Motion carried.

ITEM 5. – Miscellaneous Business

Paul Collett asked about the buffering requirement for the Shoppes of Hazelwood that was a topic at the previous Board meeting. Dan Johnson noted that the plans included a requirement for a standard buffer, which includes trees, but not necessarily a wall or fence.

ITEM 6. – ADJOURNMENT

DECISION: There being no further business, Paul Collett moved, John Berry seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 7:50 p.m.

Julie Brook, Madam Chairman

MINUTES RECORDED BY:

Traci Smith, Administrative Clerk