

BLUE ASH BOARD OF ZONING APPEALS

JULY 10, 2006

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ITEM 1. – MEETING CALLED TO ORDER

Chairman John Berry called the regular meeting of the Board of Zoning Appeals to order at 7:00 p.m. on Monday, July 10, 2006.

MEMBERS PRESENT: John Berry, Paul Collett, Jr., James Jones and Donald Fruechtemeyer

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

ITEM 2. – APPROVAL OF MINUTES

The Board waived the reading of the minutes of June 12, 2006.

DECISION: Don Fruechtemeyer moved, Paul Collett seconded the motion to approve the regular meeting minutes of June 12, 2006. A voice vote was taken. All members present voted aye. Motion carried.

ITEM 3. – 4665 & 4675 CORNELL ROAD – Paul Cotter

Variance for alternative sign shape in M-1 district

PRESENT: Paul Cotter, applicant, United-Maier Signs, Inc.

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

Paul Cotter said he is working with Sun Life and Colliers Turley Martin Tucker to change the name on two signs, one is on the corner of Cornell and Reed Hartman and the other is at the main entrance on Cornell Road, from "OfficePlex" to "Fountain Pointe," and incorporating a new fountain logo. One sign will be double-faced and externally illuminated using existing lights and the other sign will be single-faced and internally illuminated. The location and size will not change. The building signs have been removed and there are no plans to replace them at this time. The owner feels that the new logo would look better on a sign that is not rectangular in shape.

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

DECISION: Paul Collett moved, Jim Jones seconded to grant approval of a non-rectangular sign at 4665 and 4675 Cornell Road per submission. A roll call vote was taken. All members present voted aye. Motion carried.

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ITEM 4. – 4843 LAUREL AVENUE – Michael Holder

Variance for a reduced front setback on a corner lot in the R-3 district

PRESENT: Michael Holder, owner/applicant

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

Michael Holder explained there is an existing side porch, but no rear entrance to his home. He would like to extend a new wood deck over the existing concrete side porch and over the existing private sidewalk and remove the rusting aluminum awning. Paul Collett noted that the proposed porch is large. Mr. Holder explained that design of the proposed porch is partly because of the location of the existing sidewalk, which is in great shape. Mr. Collett said that if the portion of the sidewalk under the deck was eliminated, the support posts could be moved in to have a smaller deck. Mr. Holder agreed.

Paul Collett said his concern is that the proposed deck comes very close to the right-of-way, but that a minimum of 5-foot setback could be accommodated. Mr. Collett noted that the drawings were not to scale, so it was impossible to know exactly where the right-of-way is relative to the proposed deck. John Berry explained that the Zoning Code requires setbacks on corner lots partly to ensure adequate visibility and sight lines across the property. Mr. Berry also said that, per staff recommendation, a survey is needed to determine actual property line. Don Fruechemeyer noted that a survey is usually provided when a home is purchased.

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

Don Fruechemeyer said they could approve pending submission of a survey with minimum setback of 5-feet from the right-of-way or table until next month to give Mr. Holder time to obtain a survey and have drawn to scale. Paul Collett said he thought a survey would be the best way for the Board to make an assessment. John Berry suggested to approve with the setback for the face of the deck being either 5-feet back from the right-of-way line or at the edge of the existing sidewalk, whichever is less, based upon the results of the survey. Mr. Berry said a full property survey may not be necessary, just enough to establish the property line, fence, sidewalk and building. He said then it would be at the discretion of the staff and Mr. Holder would not have to come back next month.

DECISION: Don Fruechemeyer moved, Paul Collett seconded to grant approval of a reduced front setback at 4843 Laurel Avenue for the purpose of constructing a deck, that this variance will require the homeowner to provide to the City a registered survey indicating where the property lines, fence lines and setback lines are, and that the setback for the edge of the deck be 5-feet from the right-of-way or even with the edge of the existing sidewalk closest to the street, whichever distance is less, along the front yard at Jefferson Avenue. A roll call vote was taken. All members present voted aye. Motion carried.

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ITEM 5. – 4614 NORTHFIELD ROAD – Philip Conklin

Variance for a new gravel driveway in the R-3 district

PRESENT: Philip Conklin, owner/applicant

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

Philip Conklin explained that he has an existing crushed limestone gravel driveway and would like to continue the gravel to a new circular driveway, using either crushed limestone or architectural gravel, with a maximum of half inch aggregate. He noted that most of his neighbors have gravel driveways and that the new semi-circular driveway would help reduce congestion on this very narrow road.

Paul Collett explained that the City hopes existing gravel driveways would be eliminated, as areas are redeveloped. He feels the Board would not be upholding the Code if they allow construction of a new gravel driveway.

Philip Conklin commented that he wants a natural look for the property and feels that concrete or blacktop would not support that desired appearance. He also said that approximately 40% of the properties in Indian Hill have gravel driveways, and those properties are beautiful. Paul Collett agreed that gravel driveways can look great, but that the Code is written clearly to require a solid pavement. Don Fruechtemeyer and Jim Jones sympathized with Mr. Conklin's intentions, but felt that the Code is clear. John Berry noted that Council has made it clear that they support the regulation.

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

DECISION: Don Fruechtemeyer moved, Paul Collett seconded to deny the variance application for the approval of a new gravel driveway at 4614 Northfield Road based on the powers of the Board. A roll call vote was taken. All members present voted aye. Motion carried to deny.

ITEM 6. – MISCELLANEOUS BUSINESS

There was no miscellaneous business.

ITEM 7. – ADJOURNMENT

DECISION: There being no further business, Don Fruechtemeyer moved, Jim Jones seconded to adjourn the meeting. A voice vote was taken. All members present voted aye. The meeting was adjourned at 8:00 p.m.

John Berry, Chairman

MINUTES RECORDED BY:

Traci Smith, Administrative Clerk