

BLUE ASH BOARD OF ZONING APPEALS

July 12, 2010

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ITEM 1. – Meeting Called to Order

Chairman Mark Kirby called the regular meeting of the Board of Zoning Appeals to order at 7:05 p.m. on Monday, July 12, 2010.

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

ALSO PRESENT: Assistant Community Development Director Dan Johnson 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 June 14, 2010.

ITEM 3. – 4926 Prospect Avenue – Norma Moore

Appeal to allow a fence that exceeds 6-feet in height

PRESENT: Norma Moore, Appellant

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

Norma Moore described the reasons for the appeal. The adjacent lot to the west, where the fence is proposed, has several make-shift structures that may be in violation of Code. The neighbor also has ducks, rabbits, dogs, a pony, and other animals on the lot. Because of the elevation of the windows on the house relative to the lot, a six-foot tall fence will not adequately block her view of the unsightly neighboring property. She said the neighbors are decent people, but she does not want to view the animals and clutter.

In response to a question, Dan Johnson agreed that there may be several situations on the neighboring property that are in violation of the Code and said that the City will require that the illegal situations be rectified. He noted that some of the objectionable conditions probably do not violate the Code and, therefore, cannot be “corrected” by the City.

Ms. Moore noted that she may want to use a white vinyl fence instead of a wood fence.

As there were no further questions Chairman Mark Kirby closed the public hearing portion of the meeting.

Paul Collett said that he thought this was an appropriate request given the circumstances. Julie Brook wondered whether the Health Department would have concerns about the conditions on the lot with regard to the animals.

DECISION: Marc Sirkin moved, Julie Brook seconded to approve a variance for an 8-foot tall fence as proposed and to allow the attractive side to face the applicant, if necessary. A roll call vote was taken. All members present voted aye. Motion carried.

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ITEM 4. – Miscellaneous Business

None

ITEM 5. – Adjournment

DECISION: There being no further business, Julie Brook moved, Terry Peck seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 7:20 p.m.

Mark Kirby, Chairman

MINUTES RECORDED BY:

Dan Johnson