

October 17, 2011

Mr. Jim Eichmann – Chairman
Mr. Ted Leugers – Co-Chairman
Mrs. Marlene McDaniel – Secretary
Mr. Jim Donnelly – Member
Mr. Tom Scheve – Member
Mr. Jim LaBarbara – Alternate

Item 1. – Meeting called to Order

Chairman Eichmann called the regular meeting of the Board of Zoning Appeals to order at 7:02 PM on Monday, October 17, 2011.

Item 2. – Roll Call of the Board

Mr. Leugers called the roll.

Members Present: Mr. Donnelly, Mr. Scheve, Mr. Eichmann, Mr. Leugers, and Mr. LaBarbara

Members Absent: Mrs. McDaniel

Also Present: Greg Bickford, Harry Holbert and Beth Gunderson

Item 3. – Opening Ceremony

Mr. Eichmann led the Pledge of Allegiance

Item 4. – Swearing In

Mr. Eichmann swore in those providing testimony before the board.

Item 5. – Approval of Minutes

Mr. Eichmann stated the next order of business was to approve the September 19, 2011 meeting minutes.

Mr. Eichmann asked for any corrections to the September 19, 2011 meeting minutes.

Mr. Eichmann entertained a motion to approve the September 19, 2011 meeting minutes.

Mr. Scheve moved to approve the September 19, 2011 meeting minutes.

Mr. Donnelly seconded.

All voted – yes.

Item 6. – New Business

B2011-12V

Deepak & Lali Minocha

8342 Wetherfield Lane

Variance

Mr. Holbert presented the case and case history in a power point presentation. Mr. Holbert noted that the applicant began work without a permit. The applicant was sent a violation notice at which point he applied for a permit. The permit was refused and the

applicant was told to cease work on the project pending the result of the variance request. Mr. Holbert presented photos of the property taken 10-17-11 showing that the deck had been completed and the shed installed despite the stop work order.

The board asked questions of Mr. Holbert.

Mr. Eichmann asked if the applicant was present to address the board.

The applicant, Mr. Deepak Minocha, of 8342 Wetherfield Lane, Cincinnati, OH 45236, addressed the board.

Mr. Eichmann asked Mr. Minocha why the project was completed after the stop work order. Mr. Minocha stated the workers he had hired to do the work would arrive unannounced to work and wanted to complete the project so that they could be paid.

Mr. Eichmann asked if there was anyone present from the public who wished to comment on the case.

Mrs. Nancy Curly, of 8328 Wetherfield Lane, Cincinnati, OH 45236 addressed the board. Mrs. Curly stated that she was not opposed to the deck, but that she found the shed installed on top of the deck to be offensive and an eyesore. She feared that it would diminish her property value.

Mr. Eichmann thanked Mrs. Curly for her testimony.

Mr. LaBarbara commented that the applicant's letter of intent stated that he had spoken to Mrs. Curly and she had no objections. Mrs. Curly stated again that she was not opposed to the deck, only the shed.

Mr. Minocha stated that the deck was already started when he asked Mrs. Curly about it.

Bob Ridgley, of 8326 Wetherfield Lane, Cincinnati, OH 45236, noted he had sent a letter to the board and wished to reference it.

Mr. Eichmann confirmed that the board had received and reviewed the letter prior to the meeting.

Mr. Ridgley stated he too feared the shed would diminish his property value and requested that should the variance request be approved, the board require the applicant to provide some landscaping for privacy and to diminish his view of the shed.

Mr. Minocha stated that he is open to adding landscaping to keep peace with his neighbors.

Mr. Eichmann closed the floor to comments from the public.

The board discussed the issues brought before them.

Mr. Scheve noted the hardship was self-created since the applicant completed the project after the stop work order.

Mr. Donnelly stated that it seemed to be the shed, not the deck with the 25 inch setback, that was most objectionable to the neighbors. Other board members agreed.

Minutes Recorded by: Beth Gunderson
Planning & Zoning Assistant