



COLERAIN TOWNSHIP
BOARD OF ZONING APPEALS
Regular Meeting
Wednesday, June 25, 2014 - 7:00 p.m.

Colerain Township Government Complex
4200 Springdale Road - Cincinnati, Ohio 45251

1. Meeting called to order.
2. Pledge of Allegiance.
3. Explanation of procedures.
4. Roll Call.
5. Swearing in: appellants, attorneys and all speakers in the cases.

6. Hearing of Appeals:
 - A. Case No.: BZA2014-05 – Abandoned sign – Article/Section 15.6.11. –
Location: 10140 Colerain Ave., Cincinnati, Ohio
Applicant/Owner: Louis Zettler, Jr.

 - B. Case No.: BZA2006-26 – Amendment to Condition 7 which limits size of vehicles.
Location: 8510 Coghill, Cincinnati, Ohio
Applicant: Eric Schmidt/Joann Leuhrman, TR
Owner: Joann Leuhrman, TR

 - C. Case No.: BZA2014-16 – Variance for setback of detached garage – Article/Section 10.2.1 (C).
Location: 3709 Hanley Rd., Cincinnati, Ohio
Applicant/Owner: Michael Powers

 - D. Case No.: BZA2014-17 – Variance for 6 ft. privacy fence on a corner lot – Article/Section 12.8.1.
Location: 10794 Gloria Ave, Cincinnati, Ohio
Applicant/Owner: Tammy Zanders-Jeffery

7. Resolutions for Adoption:
 - A. Case No.: BZA2014-07 – Variance for rear yard setback for a sunroom – Article/Section 7.3.1, Table 7-2.
Location: 8515 Pollux, Cincinnati, Ohio
Applicant: Better Living Patio Rooms
Owner: Eugene & Bonita Campbell

 - B. Case No.: BZA2014-08 – Variance for rear yard setback for a partially covered deck – Article/Section 7.3.1, Table 7-2.
Location: 9949 Grasscreek, Cincinnati, Ohio
Applicant: Hudepohl Construction
Owner: Tom Sunderman

- C. Case No.: BZA2014-09 – Variance for lot split with less than 1 acre – Article/Section 8.3.1, Table 8-2.
Location: 8993 Pippin, Cincinnati, Ohio
Applicant/Owner: Christopher D. Rybolt Properties
- D. Case No.: BZA2014-10 – Home Occupation – Article/Section 10.3.
Location: 3441 Ringwood, Cincinnati, Ohio
Applicant: Christina Davis
Owner: Abode Choice LLC
- E. Case No.: BZA2014-11 – Variance for side yard setback for carport – Article/Section 7.3.1, Table 7-2.
Location: 2311 Deblin, Cincinnati, Ohio
Applicant/Owner: Thomas Stark
- F. Case No.: BZA2014-12 – Conditional Use for Education Facility – Article/Section 7.2.3.
BZA2014-13 – Variance for fence – Article/Section 12.8.2.
Location: Hamilton County Mathematics & Science Academy
2675 Civic Center Dr., Cincinnati, Ohio
Applicant: Timothy Moore
Owner: Hamilton County Mathematics & Science Academy
- G. Case No.: BZA2014-14 – Variance for yard setback for new single family dwelling – Article/Section 7.3.1, Table 7-2.
Location: 6132 Thompson, Cincinnati, Ohio
Applicant: Shannon Campbell
Owner: TCP Properties
- H. Case No.: BZA2014-15 – Substitution of Non-Conforming Use for Greenhouse/Plant Production/Retail Sales/Landscaping – Article/Section 11.7.3.
Location: 8730 Cheviot, Cincinnati, Ohio
Applicant: Joseph Cappel
Owner: William Mattfeld
8. Unfinished Business: None.
9. Approval of Minutes: May 27, 2014 and May 28, 2014 meetings.
10. Administrative Matters: None.
11. Adjournment.

Appeal #2014-0016
Area Variance

3709 Hanley

Case History:

In the matter of the appeal of Michael Powers for an area variance from Article 10, Sections 10.2.1 (D) of the Zoning Resolution, related to the location of accessory structures in front yards where the building is set back more than 200 feet from a street right-of-way in a residential district, the applicant proposes to construct an accessory structure (garage) in his front yard - 197' from the street right of way.

Staff Findings:

1. The variance requested is not substantial. The proposed building would be 3' (1.5%) less than the required 200' setback for accessory buildings in front yards.
2. The property in question would likely yield a reasonable return without the variance.
3. The character of the neighborhood would not be substantially altered by the issuance of the variance.
4. Approval of the variance would not affect the delivery of government services
5. It is unclear whether the owner purchased the property with knowledge of the zoning restriction.
6. The property owner's predicament could not be resolved by another means due to the unique configuration of buildings and improvements on the site.
7. The spirit and intent of the zoning resolution would be observed and substantial just would be done by granting the variance because the deviation from the required setback is so small, the configuration of accessory structures on adjacent properties, and the configuration of buildings and improvements on the subject property.

Staff Recommendation: Approval



**APPLICATION FOR APPEAL
COLERAIN TOWNSHIP BOARD OF ZONING APPEALS**

4200 Springdale Rd
Cincinnati, Ohio 45251
(513) 385-7505; Fax (513) 245-6503

An appeal must be filed within 20 calendar days of the action causing the appeal (ORC 519.15)

Application number: BZA 2014-16

Owner: Michael Powers Applicant: Michael Powers

Property Address: 3709 Hanley Road

City: Cincinnati State/Zip: Ohio 45247

Applicant Address: (same)

City: _____ State Zip _____

Phone: (513) 923-3320 - home (513) 310-9769 - cell

Auditor's Book-Page-Parcel Number: 510 -- 0080 -- 0297 - 00

Zoning Classification: _____

Appeal to (check one): Refusal to issue Zoning Certificate Citation for Violation _____

Required Documents:

- Signed, typewritten *Justification of Variance* statement addressing the items listed on the reverse of this page - **8 copies.**
- Site Plan (surveyor/engineer's seal may be required) and construction drawings - **8 copies.**
- Names and addresses of adjacent property owners (use County Auditor's records) - **2 copies.**
- Plat showing adjacent property owners - **2 copies.**
- Fees.

<i>Office use only:</i>	<i>Appeal Fee:</i> _____
	<i>Legal Notice:</i> _____
	<i>Mailing/adjacent Property Owners:</i> _____
	<i>Total Amount Paid:</i> <u>185⁰⁰</u>

***An application for appeal will not be accepted until all of the requirements are met.
Failure to appear at the scheduled public hearing may result in dismissal of the appeal.***

Signature of Property Owner: Michael W. Powers

Signature of Applicant (if not the Owner): _____

5-19-14

To Whom It May Concern,

Per instructions from township employee, Goeffrey Milz, I am writing to explain my request for a variance to have a free-standing garage constructed on my property. It is my understanding, from that meeting, that the property line, per township code should be 200 feet from Hanley Road. My property line falls at 192 feet from the road. Due to the existence of the modern, efficient, septic system equipment in my front, side and rear yard, I am requesting permission to construct the garage in the proposed location.

The space will be used to store one of my vehicles, in addition to various yard equipment. The storage of these items does not pose any concern to the public, in general. I have casually canvassed my bordering neighbors to inquire if they would oppose the presence of this structure and have been assured that they do not. This space will allow me to protect this vehicle and store my gas-powered yard equipment and other tools in a safe location.

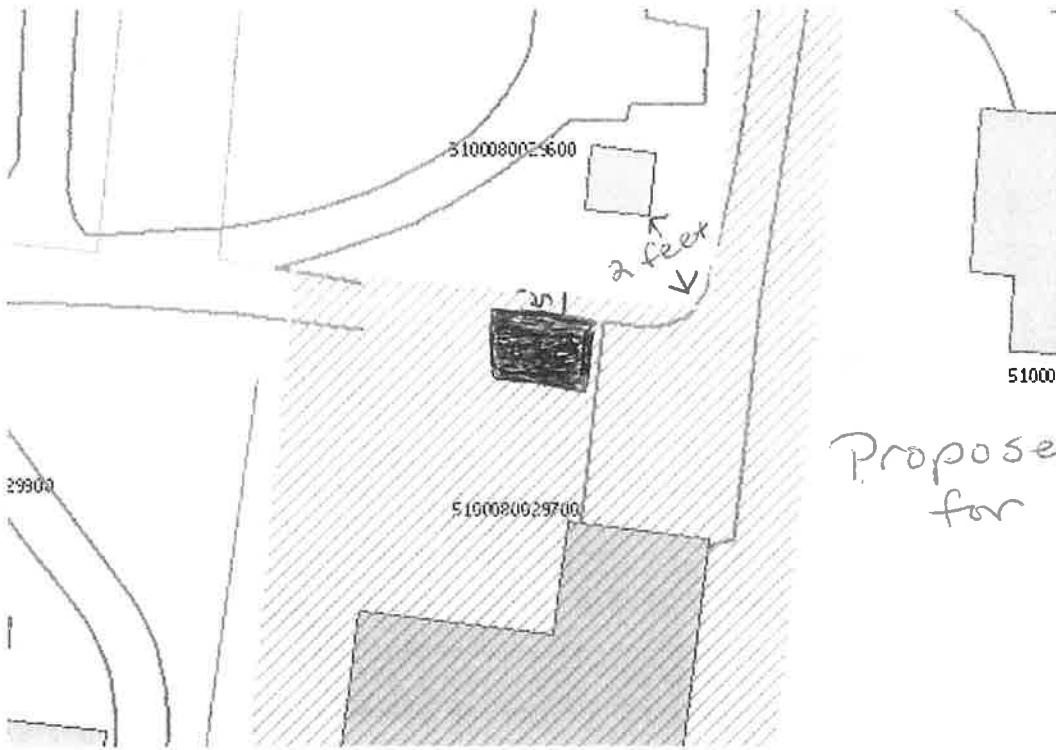
Thank you for your time and consideration of this request.

Respectfully,

Michael Powers

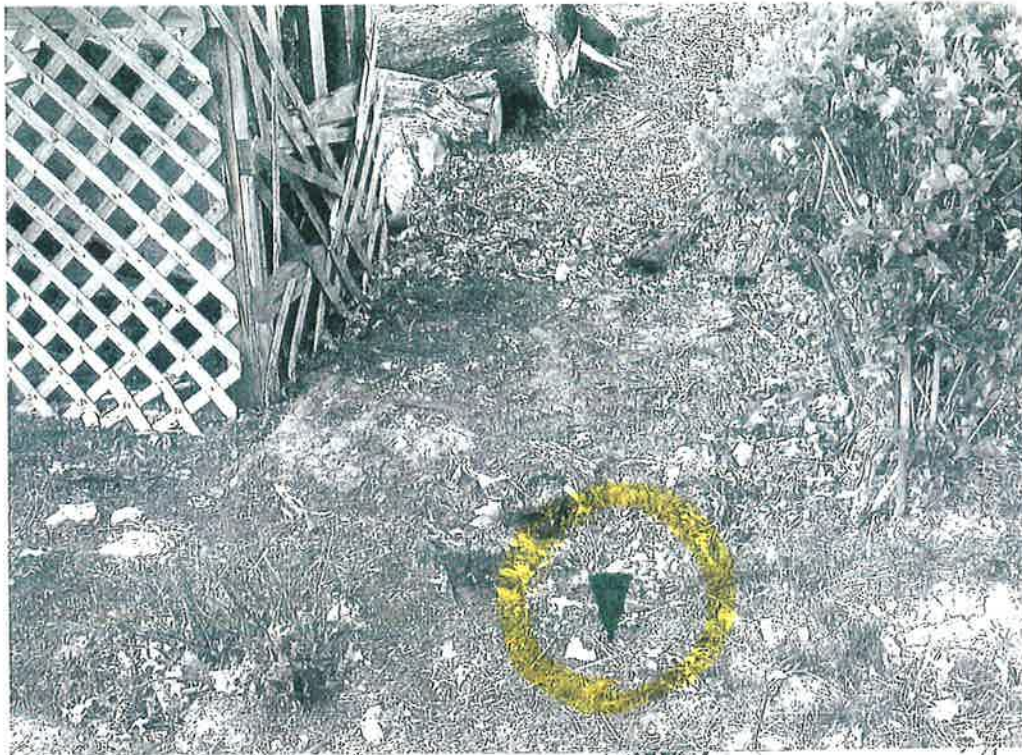
Michael Powers

Site Plan



Proposed location
for garage

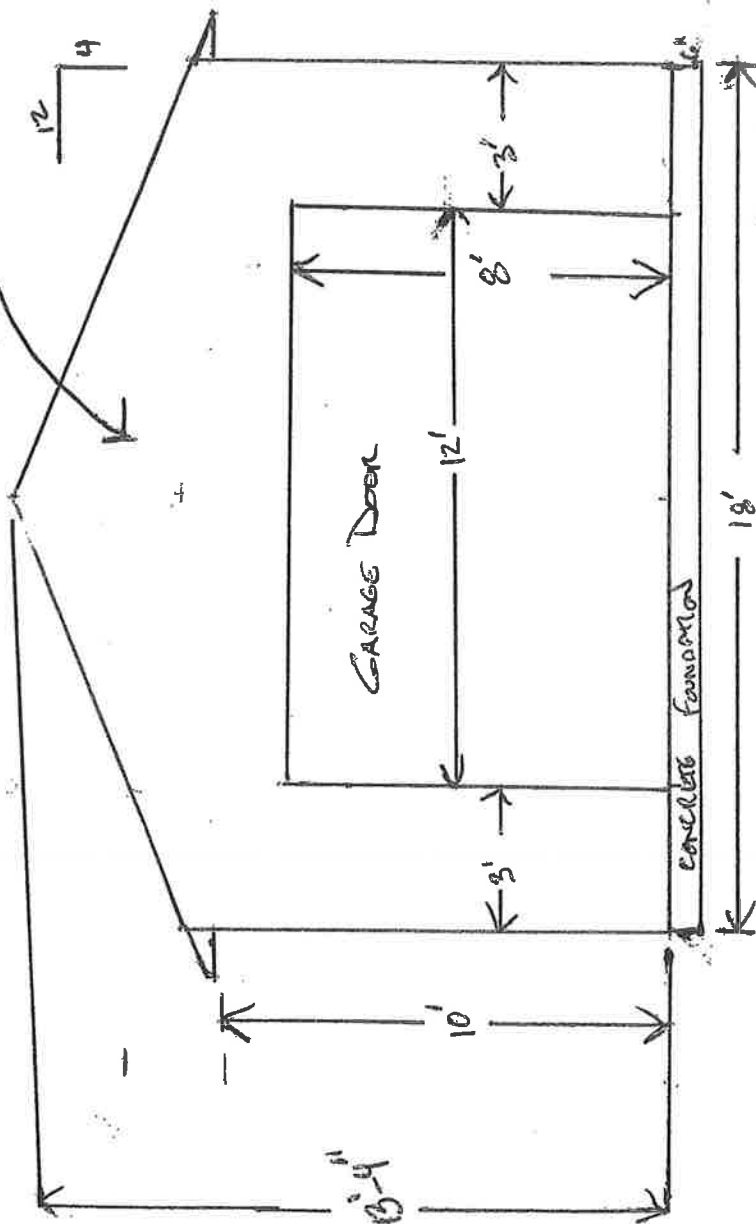
Neighbor's
shed is "2"
feet from
my property
marker →



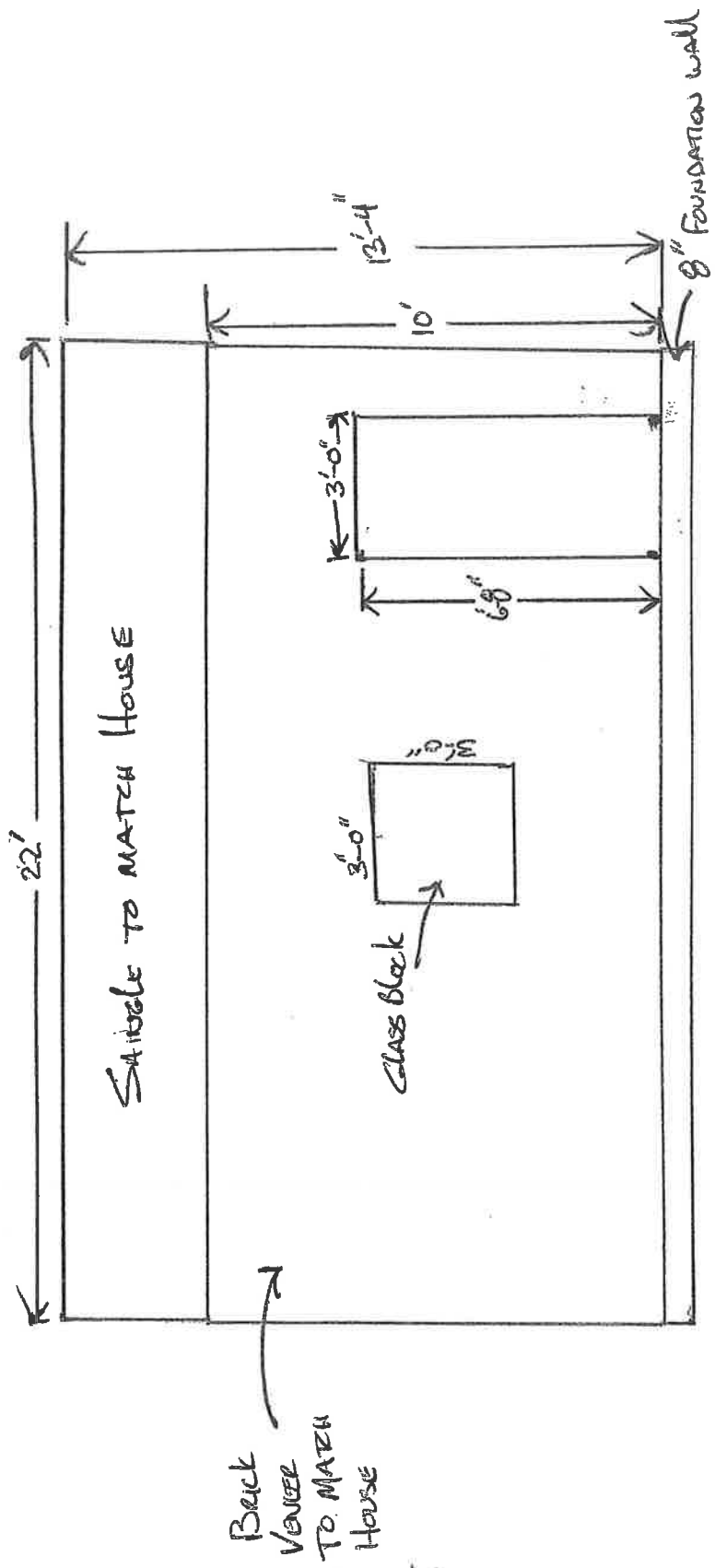


Proposed Garage Site

BRICK VENEER TO MATCH HOUSE



EAST ELEVATION $1/4" = 1'-0"$



SOUTH ELEVATION 1/4" = 1'-0"

Appeal #2014-0017

10794 Gloria

Area Variance

Case History:

In the matter of the appeal of Tammy Zanders for an area variance from Article 12, Sections 12.8.1 of the Zoning Resolution, related to the location of 6' privacy fences in the R-6: Urban Residential District, the applicant proposes to construct a 6' privacy fence in 100% of the property's side yard where such fence is only permitted in 25% by law. The applicant's lot is a corner lot and as such has two front yards and one side yard.

Staff Findings:

1. The variance requested is substantial. The proposed fence would cover 100% of the side yard where only 25% is permitted.
2. The property in question would likely yield a reasonable return without the variance because there are many other corner lots throughout the township that yield a reasonable return without privacy fences.
3. The character of the neighborhood would be affected by the issuance of the variance.
4. Approval of the variance would not affect the delivery of government services.
5. It is unclear whether the owner purchased the property with knowledge of the zoning restriction.
6. The property owner's predicament could be resolved by another means because other types of fencing are permitted in the side yard.
7. The spirit and intent of the zoning resolution would not be observed nor would substantial justice be done by granting the variance because the applicant is relying on the nature of the lot as a corner lot as the basis for the practical difficulty they face. A property-owner does not face a practical difficulty solely by virtue of the lot being a corner lot.

Staff Recommendation: Denial



RECEIVED

APPLICATION FOR APPEAL
COLERAIN TOWNSHIP BOARD OF ZONING APPEALS 2014

4200 Springdale Rd
Cincinnati, Ohio 45251
(513) 385-7505; Fax (513) 245-6503

COLERAIN ZONING

An appeal must be filed within 20 calendar days of the action causing the appeal (ORC 519.15)

Application number: BZA 2014-17

Owner: Tammy Zanders-Jeffery Applicant: Tammy Zanders-Jeffery

Property Address: 10794 Gloria Avenue

City: Cincinnati State/Zip: Ohio 45231

Applicant Address: 10794 Gloria Avenue

City: Cincinnati State Zip Ohio 45231

Phone: (513) 648-0794

Auditor's Book-Page-Parcel Number: 510 -- 0032 -- 0348 - 00

Zoning Classification: R-6

Appeal to (check one): Refusal to issue Zoning Certificate _____ Citation for Violation _____

Required Documents:

- Signed, typewritten *Justification of Variance* statement addressing the items listed on the reverse of this page - **8 copies**.
- Site Plan (surveyor/engineer's seal may be required) and construction drawings - **8 copies**.
- Names and addresses of adjacent property owners (use County Auditor's records) - **2 copies**.
- Plat showing adjacent property owners - **2 copies**.
- Fees.

Office use only:	Appeal Fee:	_____
	Legal Notice:	_____
	Mailing/adjacent Property Owners:	_____
	Total Amount Paid:	<u>150</u>

An application for appeal will not be accepted until all of the requirements are met.
Failure to appear at the scheduled public hearing may result in dismissal of the appeal.

Signature of Property Owner: Tammy Zanders-Jeffery

Signature of Applicant (if not the Owner): _____

May 9, 2015

Colerain Township Board Of Zoning Appeals
4200 Springdale Road
Cincinnati, Ohio 45251

Board Of Zoning Appeals,

I am a homeowner and reside in Colerain Township. I am requesting a variance of Section 12.8.1 to allow a 6ft privacy fence in the side yard on a corner lot. The hardship is due to the orientation of the house; this area is what I use as the rear yard. There is a back door, windows and a concrete patio on this side of the house. I would like to add my fence to my neighbor's existing 6ft fence. My neighbors have given their approval for putting up the privacy fence.

Installing a fence, will not create a hazard for my neighbors, when they pull in or out of their driveway. In addition, the fence will not block the view from their home as there are no windows on that side of their house. The fence will be installed with the finished side out and will match the neighbor's fence. The fence will not extend past my house nor my neighbor's house.

I appreciate your consideration and hope the board votes favorably in regard to my request.

Sincerely,

A handwritten signature in cursive script that reads "Tammy Zanders".

Tammy Zanders
10794 Gloria Avenue
Cincinnati, Ohio 45231
513-519-7220

GLORIA AV

10794

existing
6' privacy
fence

x x x proposed 6' privacy fence

IMPALA DR

