

COLERAIN TOWNSHIP BOARD OF ZONING APPEALS

Regular Meeting

4200 Springdale Road - Cincinnati, Ohio 45251

Wednesday, December 16, 2015 – 7:00 p.m.

1. Meeting called to order.
Pledge of Allegiance.
Explanation of Procedures.
Roll Call.
2. Approval of Minutes: August 26, 2015 and September 29, 2015 meetings.
3. Swearing in: appellants, attorneys and all speakers in the cases.
4. Hearing of Appeals:
 - A. Case No.: BZA2015-14 – Variances for accessory structure location and height –
Article/Sections 10.2.1(C) & 10.2.3(B)
Location: 3130 W Kemper Rd.
Applicant/Owner: Paul Ahr
5. Unfinished Business: None.
6. Next Meeting: January 27, 2016 meeting.
7. Administrative Matters:
 - A. Proposed signage text amendment discussion.
 - B. Calendars
8. Adjournment.

NOTICE 1:

The Colerain Township Board of Zoning Appeals will hold a public hearing on Wed., Dec. 16, 2015 at 7:00 p.m. at the Colerain Township Government Complex, 4200 Springdale Rd., Cincinnati, OH for the following case: BZA2015-05 – Variances for location and height of accessory structure – Article/Sections 10.2.1(C) and 10.2.3(B). Location: 3130 W Kemper Rd., Cincinnati, OH. Applicant/Owner: Paul D. Ahr. The application may be examined Mon.-Fri., 8 a.m.-4:30 p.m. at the Colerain Township Planning & Zoning Dept., 4200 Springdale Rd., Cincinnati, OH 45251.

APPLICATION FOR APPEAL
COLERAIN TOWNSHIP BOARD OF ZONING APPEALS
4200 Springdale Rd
Cincinnati, Ohio 45251
(513) 385-7505; Fax (513) 245-6503

NOV 10 2015

COLERAIN ZONING

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

Application number: BZA 2015-14

Owner: PAUL D AHR Applicant: PAUL D AHR
Property Address: 3130 WEST KEMPER ROAD
City: CINCINNATI State/Zip: OHIO 45251
Applicant Address: 3130 WEST KEMPER ROAD
City: CINCINNATI State Zip OHIO 45251
Phone: (513) 702-8204
Auditor's Book-Page-Parcel Number: 510 -- 0013 -- 0017

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.

Office use only:	Appeal Fee:	_____
	Legal Notice:	_____
	Mailing/adjacent Property Owners:	_____
	Total Amount Paid:	<u>\$ 350</u> <u># 13145</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:

Paul D Ahr

Signature of Applicant (if not the Owner): _____

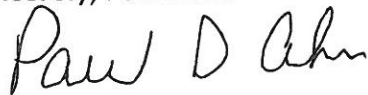
Paul and Nicole Ahr
3130 West Kemper Rd
Cincinnati, Ohio 45251

As per my last zoning appeal, which was denied, the board had required me to move my company vehicle from my property, I did this promptly the following weekend. My trucks have been moved to 7725 Reinhold Cincinnati, Ohio 45237.

I am still in need of the proposed building to store my personal belongings. I am requesting a location variance to allow the building to be on, as my home sits, the side of my home. This is the front right of my property. This location was chosen to avoid the large hill in the rear of property. Also this location, due to the large tree line, helps conceal the building to all but one neighbor (Jeff and Karen Ahr 3160 West Kemper road). The location, as per the current zoning, would put the building on the rear of property. This would greatly obstruct the resident at 3140 West Kemper road. I am also requesting a height variance from 15' to 18'. The additional height would allow my RV and boat to fit safely through garage doors.

The proposed building will have an exterior façade that matches my home, including vinyl siding, stone, and vinyl windows. This building will further increase my property appearance. I am a Colerain Twp resident that keeps my property in the utmost condition and would greatly appreciate your approval.

Sincerely, Paul D Ahr

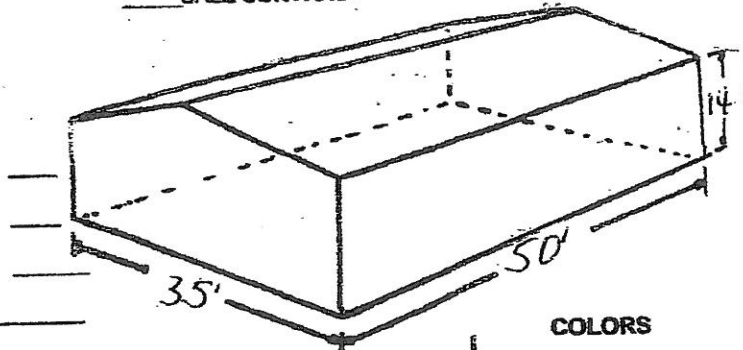
A handwritten signature in black ink that reads "Paul D Ahr". The signature is written in a cursive, flowing style.



SYSTEMS, INC.

445 EDGAR WHITE ROAD
WOODBURN, KY 42170-9748
270 542-6749
FAX 270 542-6703
800 282-7799

✓ ESTIMATE (GOOD FOR 15 DAYS)
SALE CONTRACT



NAME AUL AHR
ADD 130 W KEMPER RD
CINCINNATI OH 45251
513-702-8204
installwiththeagle@yahoo.com
PHON _____

CELL _____

FAX _____

BUILDING KIT PRICE \$11,888
(Wood frame, 29 gauge metal,
trim, and screws.)

OVERHANG _____

SHEDS _____

DOORS _____

WALK 3'0" X 6'8" 2 openings 0

SLIDER _____

OVERHEAD 3 14'6" x 12'h 0
(openings)

WINDOWS 3'0" x 3'0" 9 openings 0

INSULATION—BUBBLE FOIL R-8

ROOF X WALLS X 1203

GUTTERS _____

MISC. _____

DELIVERY 250 miles X \$2.50 625

SUB TOTAL \$ 13,716

SALES TAX (KY 6%) 0

KIT TOTAL \$ 13,716

SALES REP Bill Cook 10-20-15
Date

BAY LENGTH 3-12' 1-14' feet

ROOF PITCH 4 / 12

PURLIN SIZE 2 by 8

OVERHANG SIDES _____ inches

ENDS _____ inches

OSB on walls

COLORS

ROOF _____

WALLS _____

DOOR & WINDOW
TRIM _____

EAVE TRIM _____

CORNER TRIM _____

RAKE TRIM _____

CUSTOMER must furnish unloading & unloading equipment
unless DANDI is erecting.

PAYMENT TERMS

DOWNPAYMENT 25% OF KIT TOTAL \$ 3,429
(See left column)

DUE UPON DELIVERY 75% OF KIT TOTAL 10,287
(Cash or certified check must be given to
driver before truck is unloaded.)

DUE WHEN PIER FOUNDATION COMPLETED _____
(Post holes dug, concrete poured in holes,
treated band board attached, anchor bolts set)
(NO concrete floor.)

DUE WHEN ERECTION COMPLETED 6,095

GRAND TOTAL OF BUILDING \$ 19,811

BUILDING PERMITS to be gotten by customer. SUBMISSION
DRAWINGS (based on complexity of plans) to be paid by customer.
ENGINEERING (when necessary) to be paid by customer.
UNFORESEEN COSTS in digging holes due to rock, sand, etc. to
be paid by customer.

CUSTOMER _____ Date

WRITE IN COLOR CHOICES ABOVE.
DRAW A MAP TO BUILDING SITE ON BACK.

ALVINA KRIER "TR"
O.R. 8571, PAGE 1798
510-13-15



N 88°41'00" E 250.00'

IRON PIN
TO BE SET

IRON PIN FND.

IRON PIN TO BE SET

TRACT C

GROSS AREA
97853.204 SQ. FT.
2.2464 ACRES

R/W AREA
800.000 SQ. FT.
0.0184 ACRES

NET AREA
97053.204 SQ. FT.
2.2280 ACRES

HOUSE
2450 SQ FT

315.00'

50
35
PALE
DARK

IRON PIN TO BE SET



N 76°40'24" E 239.44'

IRON PIN TO BE SET

20' SANITARY SEWER EASEMENT

TRACT B

0.00'





Staff Report: Board of Zoning Appeals
Case# BZA2015-14
Variance Request: Accessory Structure
Location: 3130 W Kemper Rd.
Meeting Date: December 16, 2015
Prepared by: Jenna M. LeCount, AICP
Director of Planning & Zoning

Case History:

In the matter of the appeal of Paul Ahr for an area variance from Article 10, Sections 10.2.1(C), and 10.2.3(B) of the Zoning Resolution, related to the height and location of accessory structures in residential districts. The applicant proposes to construct a new 35'W x 50'L x 16.7'H pole barn in the front yard of his lot.

The applicant was originally granted a variance by the Colerain Township Board of Zoning Appeals in 2006 to construct a 30'W x 60'L x 18'H pole barn in the front yard. The structure was never built and the zoning certificate expired on December 20, 2007. If approved, the structure would again be located in the front yard, 20' from the southern property line and 15' from the eastern property line. Currently, the footprint of the principle structure is approximately 2,080 SF. The newly proposed pole barn would no longer exceed that square footage of the primary structure.

Case Number BZA2015-05 was heard before this board in June of 2015. This case was for roughly the same project. The applicant was denied variances for size, height and location of an accessory structure due to a reported use violation of the property within a residential district. According to a letter from the applicant, received by staff on November 10, 2015, the use violation has been corrected and this newest appeal is to accommodate the storage of larger personal equipment such as an RV and a boat.

Staff Findings:

1. The variance requested is substantial. The proposed building would be taller than the allotted 15' height restriction and located in the front yard of the property.
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, as the proposed pole barn would be screened from view by the existing tree lines.
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 however, the owner was aware that a variance would be necessary following the prior variance request made in November of 2006.
6. The subject property is surrounded by vegetation and is backed by hilly terrain. The suggested placement of the structure is due to those constraints. Therefore, the owner's predicament could not be resolved by another means.
7. The placement of the proposed structure is such that it is at the lowest point on the property between the primary structure and a screening line of trees to the front of the property providing sight barriers from most neighboring properties.
8. The height request is made to allow for a large enough structure to enclose large equipment and provide relief from visual clutter on the property.

9. The exterior of the accessory structure is proposed to be of vinyl siding and stone to match the primary structure on the property as well as to maintain the aesthetic nature of the existing neighborhood.
10. By taking into consideration the benefit to the applicant if the variance is granted, as weighed against the potential detriment to the health, safety and welfare of the neighborhood and broader community, staff finds that substantial justice would be done by granting the variances.

Staff Recommendation: APPROVAL with the following staff note:

- The property's use needs to be maintained as residential in nature only.

