



COLERAIN TOWNSHIP BOARD OF ZONING APPEALS

Regular Meeting

4200 Springdale Road - Cincinnati, Ohio 45251

Wednesday, May 23, 2018 – 6:30 p.m.

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:

Tabled 12/20/2017, 1/24/2018, 2/28/2018 and 3/28/2018:

BZA2017-19 – Request for off-site signage variance from Section 15.5.4, Section 15.8.3(D), Section 15.8.3(H)(8), Section 19.9.1(B), Section 15.9.1(C), 15.9.1(D), and 15.9.2(B).

Location: 8195 Colerain Avenue

Applicant/Owner: Bob Carpenter, Carpenter Sign Service / Thornton's Inc.

BZA2018-03 – Request for a variance from Section 7.3.1.

Location: 8438 Wuest Road

Applicant/Owner: Mark Veneman

BZA 2018-04 – Request for a conditional use addition located in R-6 zoning district.

Location: 10036 Menominee Drive

Applicant/Owner: Bayer Becker / Cambodian Buddhist Temple

BZA 2018-05 – Request for an accessory structure height variance from Section 10.2.3(B) and Section 12.2.1(B)(3).

Location: 6114 Blue Rock Road

Applicant/Owner: Ralph Meierjohan

BZA 2018-06 – Request for a sign variance from Section 15.3, Section 15.8.3(C), Section 15.8.3(D)(1), and Section 15.12.2(A).

Location: 7150 Colerain Avenue

Applicant/Owner: Skanska Megan / Judy Ann Co. Properties LLC

7. Unfinished Business: None.



8. Approval of Minutes: March 28, 2018 Meeting.
9. Next Meeting: June 27, 2018.
10. Administrative Matters: None.
12. Adjournment.



Staff Report:	Board of Zoning Appeals
Case#	BZA2017-19
Variance Request:	Freestanding Sign Variances
Location:	8195 Colerain Ave.
Meeting Date:	May 23, 2018
Prepared by:	Marty Kohler, Senior Planner

Bob Carpenter of CSS Signs representing property owners Thornton's Inc. and Roller Fun LLC has requested variances from Section 15.5.4, Section 15.8.3(D), Section 15.8.3(H)(8), Section 15.9.1(B), Section 15.9.1(C), 15.9.1(D), and 15.9.2(B) to allow for an additional off-site freestanding sign for Roller Fun LLC on Thornton's Inc. property.

Case History:

This is a continuation of an appeals case that was tabled on March 28, 2018 to give the applicant time to address concerns expressed by the Board of Zoning Appeals. The original proposal was for an off-site sign electronic sign for The Place on the adjacent Thornton's property. Variances were needed for additional signage for the Thornton's property, spacing of electronic signs, spacing of billboards, and sign landscaping.

Current Proposal

A revised proposal has been received that keeps the electronic sign in the same location on the Thornton's property as the previous proposal. The new proposed sign is 10' 5" tall which is 2 feet less than the previous approval but within the 15 foot maximum height set by the Zoning Resolution. The proposed sign is also 31.6 square feet in size which is 2 square feet smaller than the previous proposal and within the 95 square foot allowance set by the Zoning Resolution.

The revised proposal calls for the removal of the existing non-conforming pylon sign at the entrance drive from W. Galbraith Rd. with a replacement with a sign approximating a "Driveway Sign" as defined by Section 15.8.3(E) of the Zoning Resolution. The proposed driveway sign is 8 square feet in size whereas the maximum allowed is 4 square feet. The proposed height is 4 feet whereas the maximum is 3 feet. The proposed sign would utilize the sign base of the existing pylon sign which places the sign at a setback of four feet whereas the required setback is 10 feet.

The revised proposal includes landscaping equal in size to the area of the proposed sign face which complies with the Zoning Resolution.

Zoning Regulations:

The property is zoned B-2 General Business district. The purpose of the district is as follows:

The B-2 General Business District is intended to provide for a wide range of retail sales and services that would relate to the varied needs of the Township, the business community, and the visitor. The general uses in this district rely heavily on vehicular traffic and thus are located appropriately on arterial roadways and highways.

Billboard Definition: Section 16.2 provides the following definition “Sign, Off-Premises shall mean any sign, including billboards, that advertises or otherwise directs attention to an activity not on the same lot where the sign is located”. The proposed sign contains a message advertising a business that is not located on the Thornton’s property.

Multiple Signs: Section 15.8.3(D) allows for only one ground mounted sign per parcel in the B-2 zoning district. The site currently contains one freestanding sign for the Thornton’s fuel station and one additional non-conforming billboard sign.

Spacing of Electronically Activated Signs: Section 15.8.3(H)(8) requires a 1000 foot separation of electronically activated signs (EAS) on the same side of the street. The proposed sign is 270 feet from the current Thornton’s sign that contains an EAS and 130 feet from the Lebanon Citizen’s sign to the west that also contains an EAS.

Section 15.9:

One Billboard Per Parcel: Section 15.9.1(B) stipulates that only one off-premises billboard signs is allowed per parcel and the parcel currently contains another billboard.

Sole use of Property: Section 15.9.1(C) requires that a billboard be the only use permitted on the property. This property contains a fuel station, convenience store and non-conforming billboard.

Setback Requirement for Billboard - Section 15.9.1(D) requires that billboard meet the building setbacks for the district in which it is located. The required front setback in the B-2 zoning district which is 50 feet and the proposed setback is 10 feet.

Spacing of Billboards: Section 15.9.2(B) requires a space separation of 500 feet between billboard signs and the proposed spacing is 290 feet.

Staff Findings:

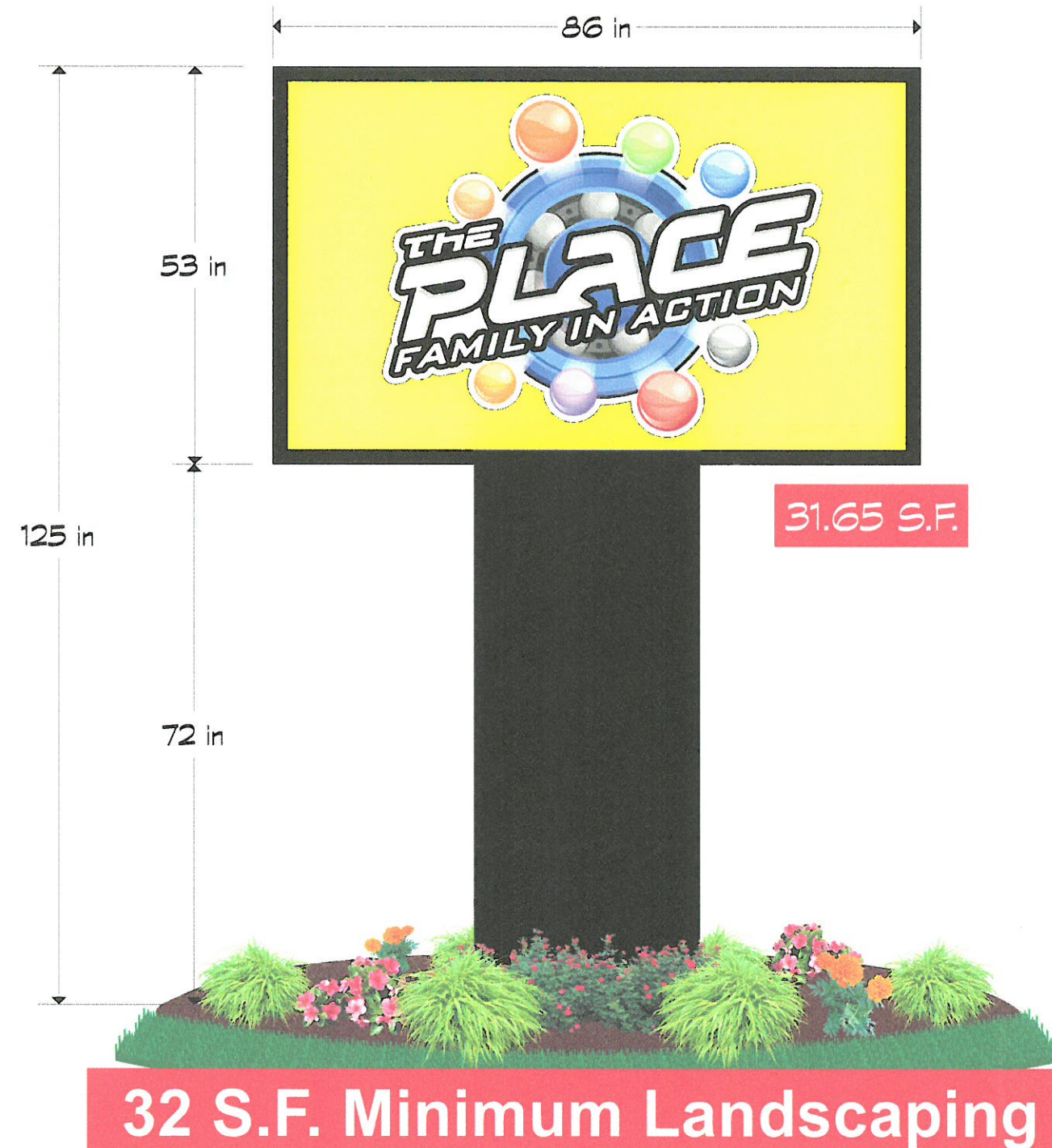
1. The sign variances requested are substantial since the zoning resolution encourages the elimination of non-conforming signs and encourages restrictions on the number of signs, Electronically Activated Signs, and billboard signs.
2. The granting of the variances would result in an increase in the overall sign area allowed for the property.
3. The properties in question would likely yield a reasonable return without the variance.
4. The granting of the variance would probably not have a negative impact on neighboring property but would create a precedent to allow for the replacement of other non-conforming signs in a non-conforming manner if requested by similar properties.
5. The granting of the variance request would result in a larger amount of signage for the subject property than other surrounding properties.
6. Approval of the sign variances would not affect the delivery of government services.
7. There are no unusual topographic or site configuration issues related to the properties which would prevent the reasonable application of the sign regulations, however, the property is somewhat at a disadvantage in that it does not have substantial frontage on a major street which would enhance the visibility of the business.

8. 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 for the proposed off-premise sign.

Staff Recommendation: APPROVAL OF ALL SIGN VARIANCES PER THE REVISED REQUEST SUBJECT TO THE FOLLOWING CONDITIONS.

1. That the size of the proposed off-site sign be restricted to 10' 5" in height and 31.6 square feet in size.
2. That the proposed off-site sign and proposed driveway sign be allowed in substitution for a freestanding sign on the driveway owned by The Place on W. Galbraith Road. Only a driveway sign with variances per the revised proposal would be allowed at this location.

Proposed EMC



EMC SPECIFICATIONS:

10 or 12mm Physical Pixel Spacing
 RGB Full Color with True Pixel
 73.8 quintillion Colors
 Photocell & Temp Unit Included
 Broadband Wireless Communication
 UL Energy Verified



REVISED
 7/25/18

DRAWN BY BENJI

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Customer Approval: ☒

Date:

Landlord Approval: ☒

Date:

The Place
 3211 Lina Pl
 Cincinnati, OH 45239

File: The Place
 Date: April 20, 2018
 Rev: We are an **Underwriters Laboratories** Listed Sign Company

9437 Harrison Ave.
 Cleves, Ohio 45002
 carpentersigns@cs.com
 Ph 513-381-7915
 Fax 513-381-6915
 carpentersigns.com

CARPENTER
SIGN SERVICE
 Since 1964

Proposed SIGN REMOVAL



Current



Projected

REVISED
4/25/18

DRAWN BY BENJI

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Customer Approval: *X*

Date:

Landlord Approval: *X*

Date:

The Place
3211 Lina Pl
Cincinnati, OH 45239

File:

The Place

Date:

April 20, 2018

Rev:

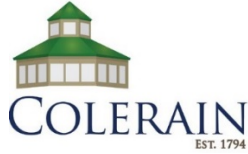


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Staff Report:	Board of Zoning Appeals
Case#	BZA2018-003
Variance Request:	Garage Addition Setback
Location:	8438 Wuest Rd.
Meeting Date:	May 23, 2018
Prepared by:	Marty Kohler Senior Planner

Mark Veneman, property owner of 8438 Wuest Rd., has requested a variance from Section 7.3.1 of the Colerain Zoning Resolution for a proposed attached garage addition within the required side yard.

Case History:

The subject property is located on the east side of Wuest Rd. between W. Galbraith Rd. and the Reagan Highway underpass. The house was constructed in 1954 and is similar to other houses on the street. The two bedroom house has about 900 square feet of living area on a 0.48 acre lot. The lot measures 58.76 feet wide and the house is 36 feet wide and on a slight angle with respect to the side property lines. The house has a septic system in the rear yard. The topography of the property slopes upward to the street frontage. The grade change from the front to the back of the house is about 8 feet. A level and elevated parking pad was constructed on the south side of the house which the owner wished to utilize for the foundation of the new garage. An existing side door from the house to the driveway would serve as an access to the garage. A double lane driveway serves the house and there is no enclosed garage on the property.

Current Proposal

On March 22, 2018 the applicant applied for a Zoning Certificate to add an attached single car garage on the south side of the house. This 12 foot extension of the house to the south would continue the existing roofline of the house and be even with the front and rear exterior walls of the house. The Zoning Certificate was denied due to the need to meet the minimum side yard setback requirement.

Zoning Regulations

Section 7.3.1 of the Zoning Resolution contains the minimum building setback requirements for residential districts. The property is zoned R-5 Suburban High Residential District which requires a minimum side yard setback of 10 feet on one side with a total of 18 feet on both sides of the house. With the construction of the garage as proposed the total side yard setback would be 10 feet 9 inches (7' 3" short of the minimum) and the larger side yard would be 6 feet 8 inches (3' 4" short of the minimum).

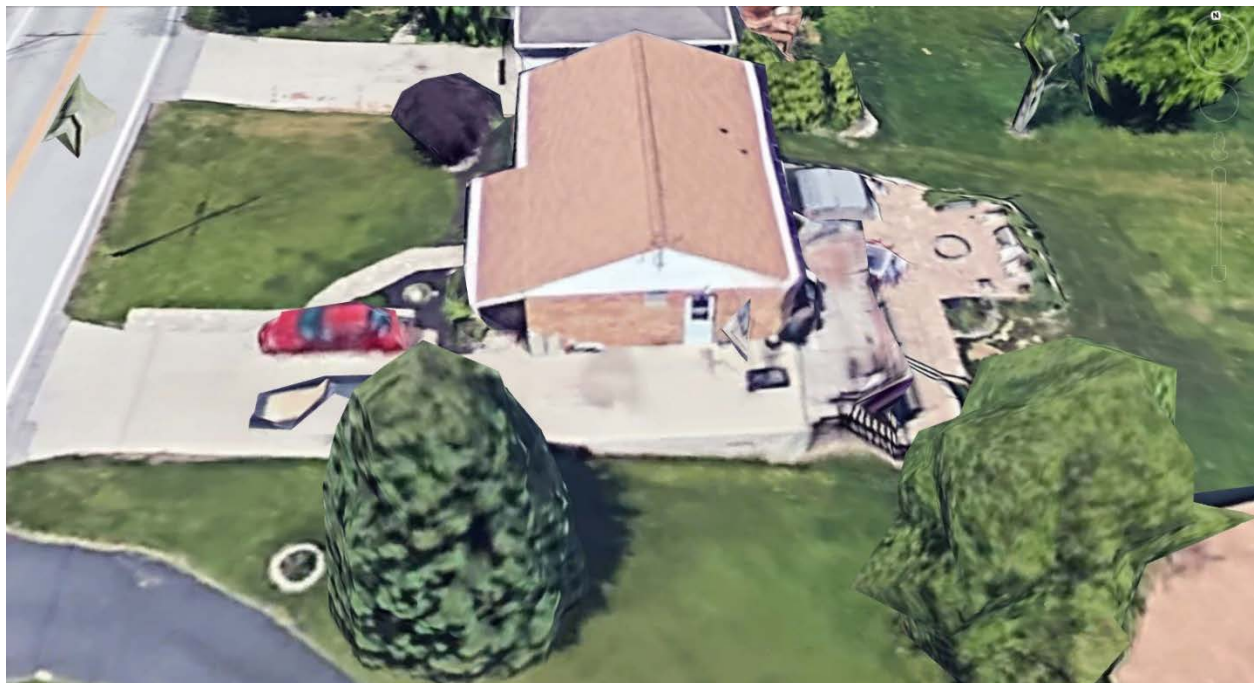
The existing house was constructed well before the current standards were adopted but currently complies with the front, rear and side yard setback requirements. The minimum lot width in the R-5 zone is 70 feet which is about 11 feet wider than the subject property.

The applicant does have the option of demolishing the current side yard parking pad and rear raised deck for the continuation of the driveway down the slope to a rear yard detached garage that would need to be only 5 feet from the side property line. This option may impact the septic system and would also require the construction of a stairway to access the side door to the house.

Staff Findings:

1. The property in question would likely yield a reasonable return without the variance. The property can reasonably be used as a single family dwelling within the limits of the zoning regulations.
2. The setback variances requested are substantial since the proposed building extends into the minimum side yard setback by about 33%.
3. The granting of the variances would grant a consideration that is not available to other property owners in the neighborhood.
4. The granting of the variance would probably not have a negative impact on neighboring property but would create a precedent to allow for side additions if requested by neighboring properties or on site conditions.
5. Approval of the setback variances would not affect the delivery of government services.
6. There are some topographic issues related to this property which would constrain the reasonable application of the setback regulations without additional expenses.
7. 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 variance for setback of the proposed attached garage.

Staff Recommendation: APPROVAL OF THE VARIANCE REQUEST.



**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 2018-003

Owner: Mark Vanenician Applicant: Mark Vanenician
Property Address: 8438 West Rd
City: Cincinnati State/Zip: 45247
Applicant Address: Same as owner
City: _____ State Zip: _____
Phone: 513 254-3836

Auditor's Book-Page-Parcel Number: **510** -- 0263 -- 6071-00

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.

Office use only:	Appeal Fee:	<u>350-</u>
	Legal Notice:	<u>30-</u>
	Mailing/adjacent Property Owners:	<u>1.50</u>
	Total Amount Paid:	<u>381.50</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:

Mark Varno

Signature of Applicant (if not the Owner): _____

RECEIVED

MAR 27 2018

(over)

COLERAIN ZONING

Justification of Variance

1.) Describe the variance requested, referring to the specific relevant sections of the Zoning Resolution:

With regard to Section 7.3.1, although we do not meet the necessary setback, I have spoken with the neighbors on all sides of my property. Each neighbor is in favor of this addition.

In addition, we are requesting to build upon an existing concrete slab which will not extend current structure lines.

2.) Affirm that the use requested is permitted in the zoning district where the property is located.

We are requesting to build a garage upon an existing structure that is attached to the house. Under Zoning code 10.2.3, a private garage is an acceptable accessory building/structure in a residential district.

3.) Describe how the variance is not contrary to public interest.

The following reasons explain how this accessory structure will not be contrary to public interest:

- Increase total value of property
- To apply a more finished look to the property
- Enclose the outdoor work area to make it more aesthetically pleasing
- Ability to park and protect a vehicle from elements
- A place to store recycling and rebubbish until collection of such

4.) Describe how the literal enforcement of the zoning resolution would result in unnecessary hardship. Describe the specific hardship(s) related to the special conditions unique to the individual property for which a variance is being requested:

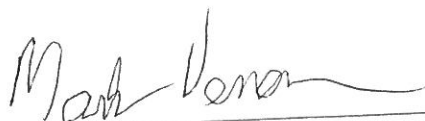
- Without garage, work area is subject to weather conditions. This prevents me from

completing on going tasks if conditions are not favorable

- Without garage, current work tasks are an "eye sore" to community as a whole. The garage permits me to store outdoor tasks in a more aesthetically pleasing way
- Without garage, the work vehicle will not be protected by the elements and/or "unsavory types." The work vehicle in question had a minor incident in the past which could have resulted in damage to the vehicle if not corrected in time.

5.) Affirm that the need for a variance is not a result of the applicant's or owner's actions

The variance is needed because of Section 7.3.1, which simply states the setbacks do not meet requirements as stated. Because of this section, the Zoning Board refused the application. The refusal for the Zoning Permit was not because of the actions of the owner/applicant as the house was built in 1954 before current Zoning Codes were created.


Mark Veneman
8438 Wuest Rd
Cincinnati, OH 45247

SCOPE OF WORK:

Provide garage on top of existing cistern. Existing cistern currently used for parking alongside residence.
Existing cistern construction is approx. 8" concrete slab bearing on 8" cmu foundation with concrete spread footing.
Contractor to verify depth of existing footing minimum 30" below grade.

GENERAL NOTES:

1. Contractor to verify all dimensions and information in these drawings. Contractor to verify all existing conditions, including buildings, site conditions and soil bearing pressure. All errors, omissions and inconsistencies are to be reported to the Architect before proceeding with the work. Failure to do so will release the Architect of any responsibility or liability. Any change from these documents are the responsibility of the Contractor. These drawings are not to be scaled. If insufficient information exists, contact the Architect for clarification before proceeding with the work.

2. Contractor is to comply with all codes and safety regulations. Governing Code is 2013 Residential Code of Ohio and 2001 Hamilton County Building Code.

3. The Architect is in no way responsible for inspection or field installation, nor quality of the construction unless specifically directed and contracted for by the owner or general contractor.

4. DESIGN LIVE LOADS:

Roof	20 psf
Garage	50 psf
Attic (no storage)	10 psf
Wind Load	16.4 psf (90 mph)
Soil Bearing Pressure	1500 psf assumed

DEFLECTION LIMITS:

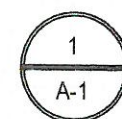
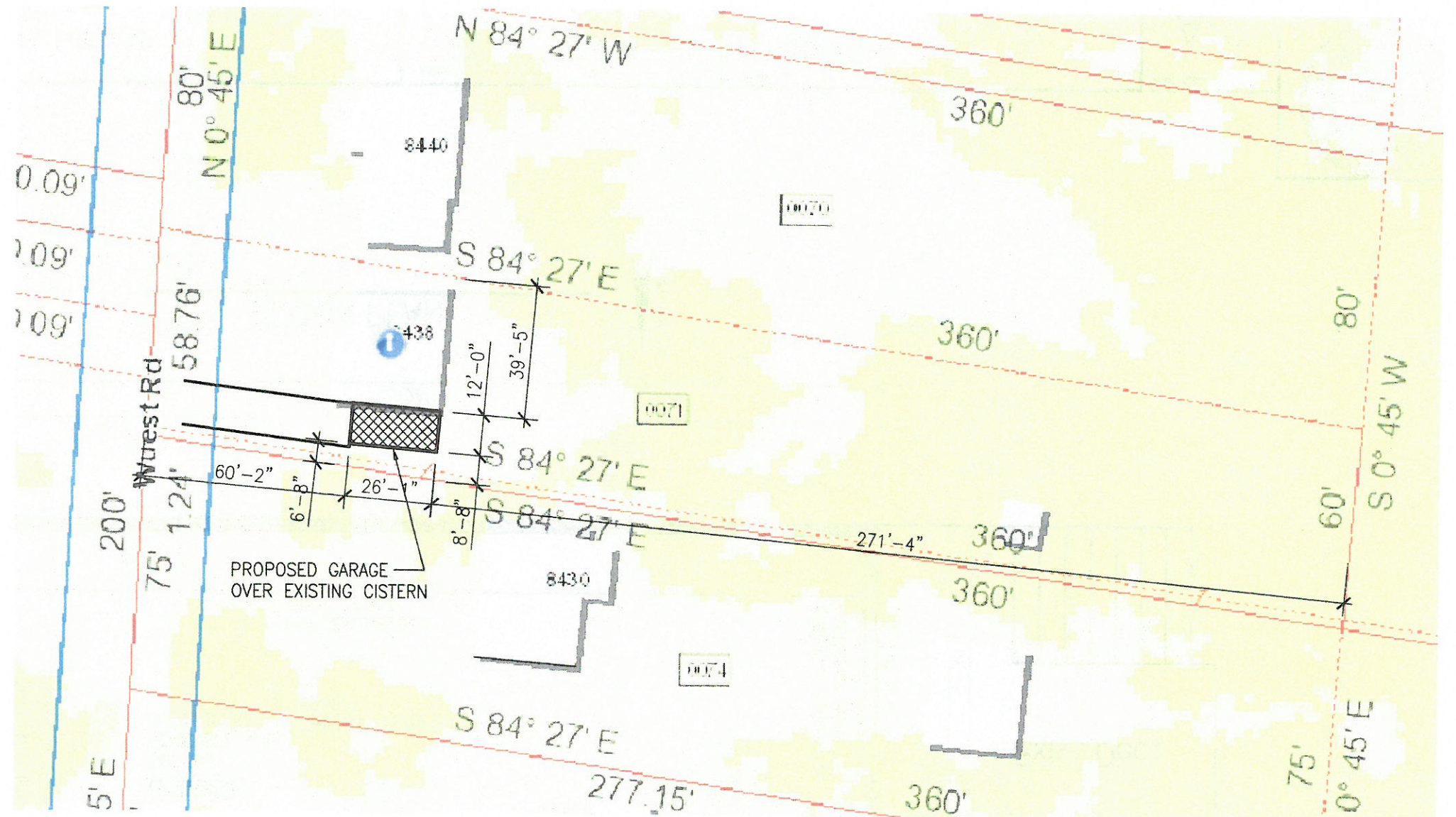
Floors	1/360
Wall and Roof (& other)	1/240

5. Exterior plan dimensions are to face of foundation walls. Interior dimensions are to face of stud framing. Partitions are 3-1/2" thick unless otherwise noted. 2" x 4" studs 16" o.c. unless noted. Masonry veneer overhangs to be limited to 3/4".

7. Attic access panels shall be a minimum of 22" x 30" and located as per plans if applicable.

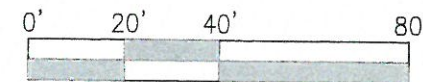
9. Firestopping of two inch nominal lumber or fiberglass batts shall be provided to form an effective fire barrier between all concealed draft openings, both vertical and horizontal. Provide metal firestopping between masonry chimney and combustibles at floor, ceiling and roof.

12. Fire separation between house and garage to be (1) layer of 1/2" type "X" drywall on the garage side of all common walls and ceilings. Any doors in these walls to be 1-3/8" solid core and self-closing. 1/2" gyp. bd. covering enclosed & accessible spaces below stairs.



SITE PLAN

1" = 40'-0"



SHEET INDEX

A-1	SITE PLAN, GENERAL NOTES
A-2	FLOOR PLAN
A-3	ELEVATION
A-4	ELEVATIONS
A-5	SECTION, GENERAL NOTES

PROPOSED GARAGE
VENEMAN RESIDENCE
8438 WUEST ROAD
CINCINNATI, OHIO 45247

ARCHITECT:
ANTHONY J. PONTING, RA, LEED AP
5813 GRANITE SPRING DRIVE
COLD SPRING, KY 41076

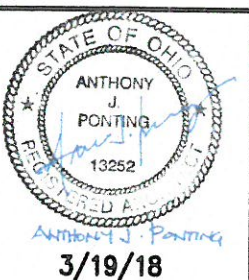
p: (859) 866-1834
tnponting@gmail.com

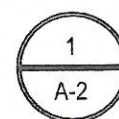
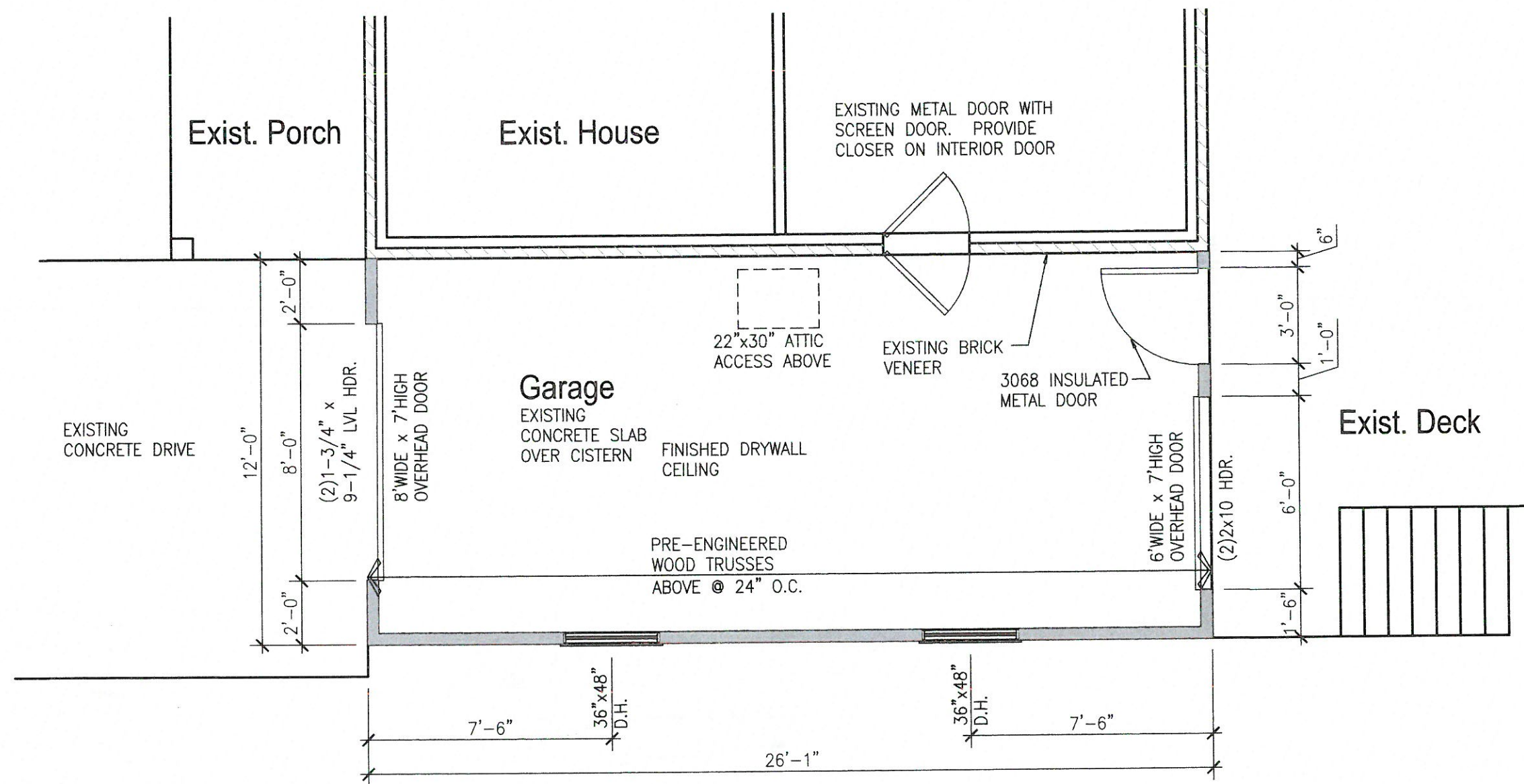
Revisions	Date
1 FINAL	3/19/18
2	
3	

Sheet Title
SITE PLAN
GENERAL NOTES

Sheet Number

A-1





FLOOR PLAN

1/4" = 1'-0"

PROPOSED GARAGE
VENEMAN RESIDENCE
8438 WUEST ROAD
CINCINNATI, OHIO 45247

ARCHITECT:
ANTHONY J. PONTING, RA, LEED AP
5813 GRANITE SPRING DRIVE
COLD SPRING, KY 41076

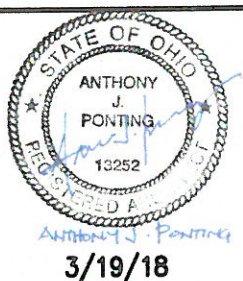
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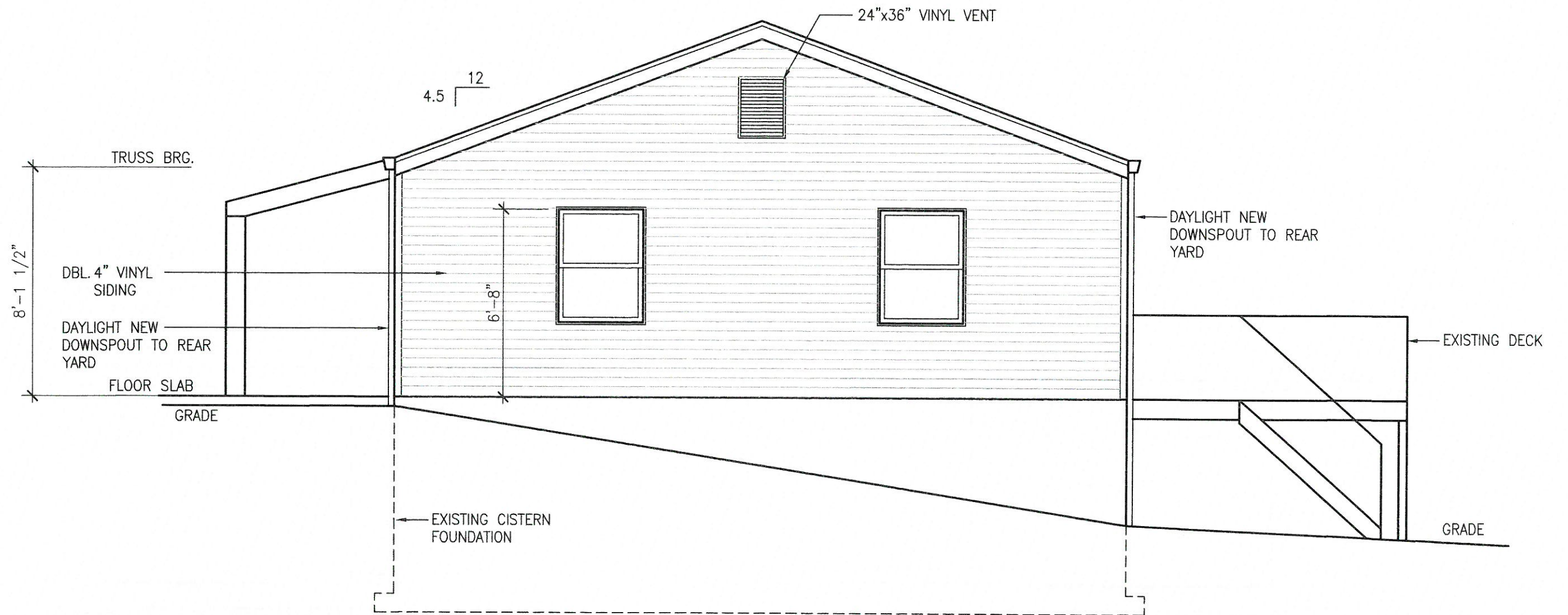
Revisions	Date
1 FINAL	3/19/18
2	
3	

Sheet Title
FLOOR PLAN

Sheet Number

A-2





1
A-3

SOUTH ELEVATION

1/4" = 1'-0"

PROPOSED GARAGE
VENEMAN RESIDENCE
8438 WUEST ROAD
CINCINNATI, OHIO 45247

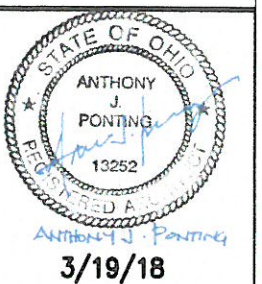
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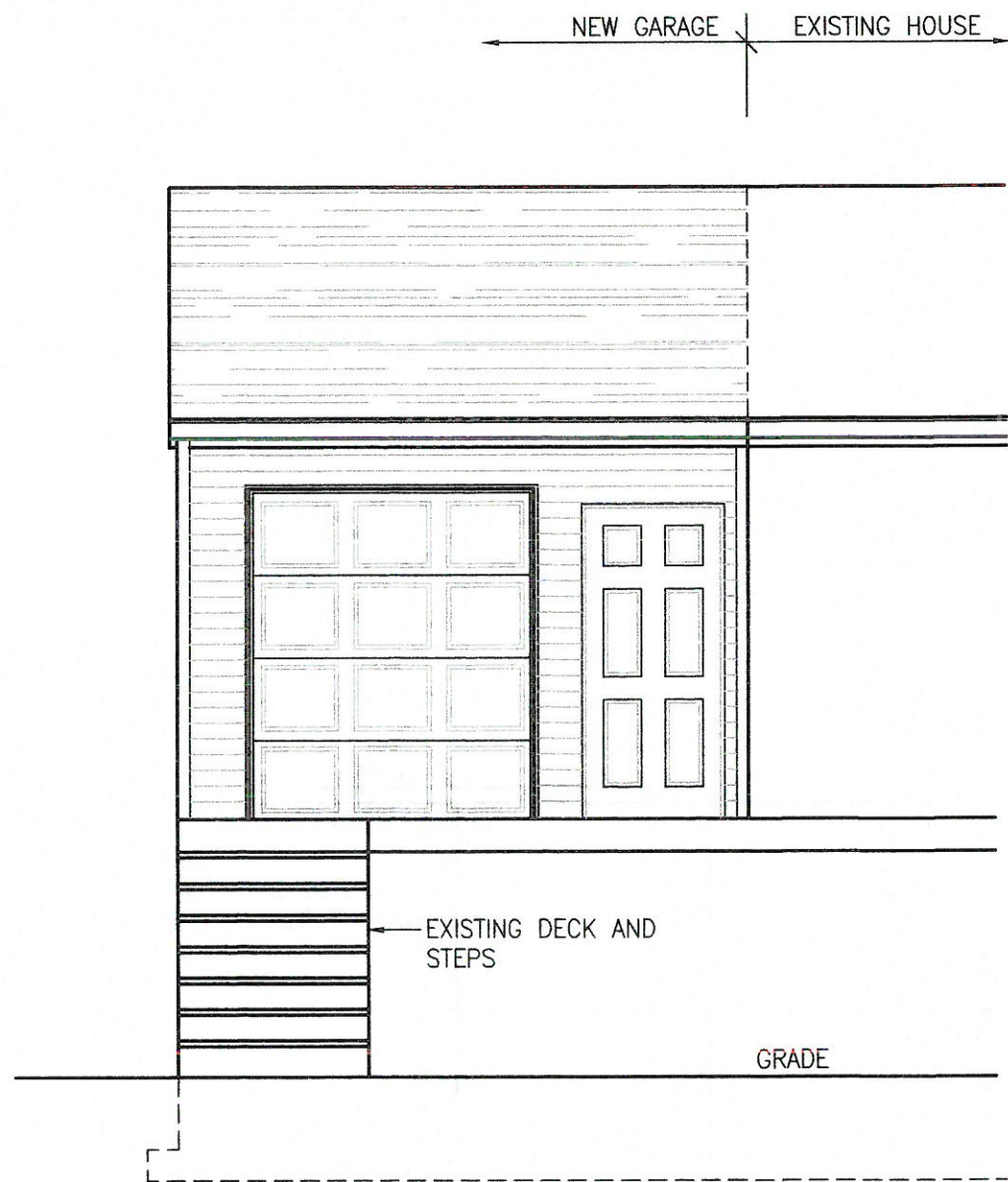
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Revisions	Date
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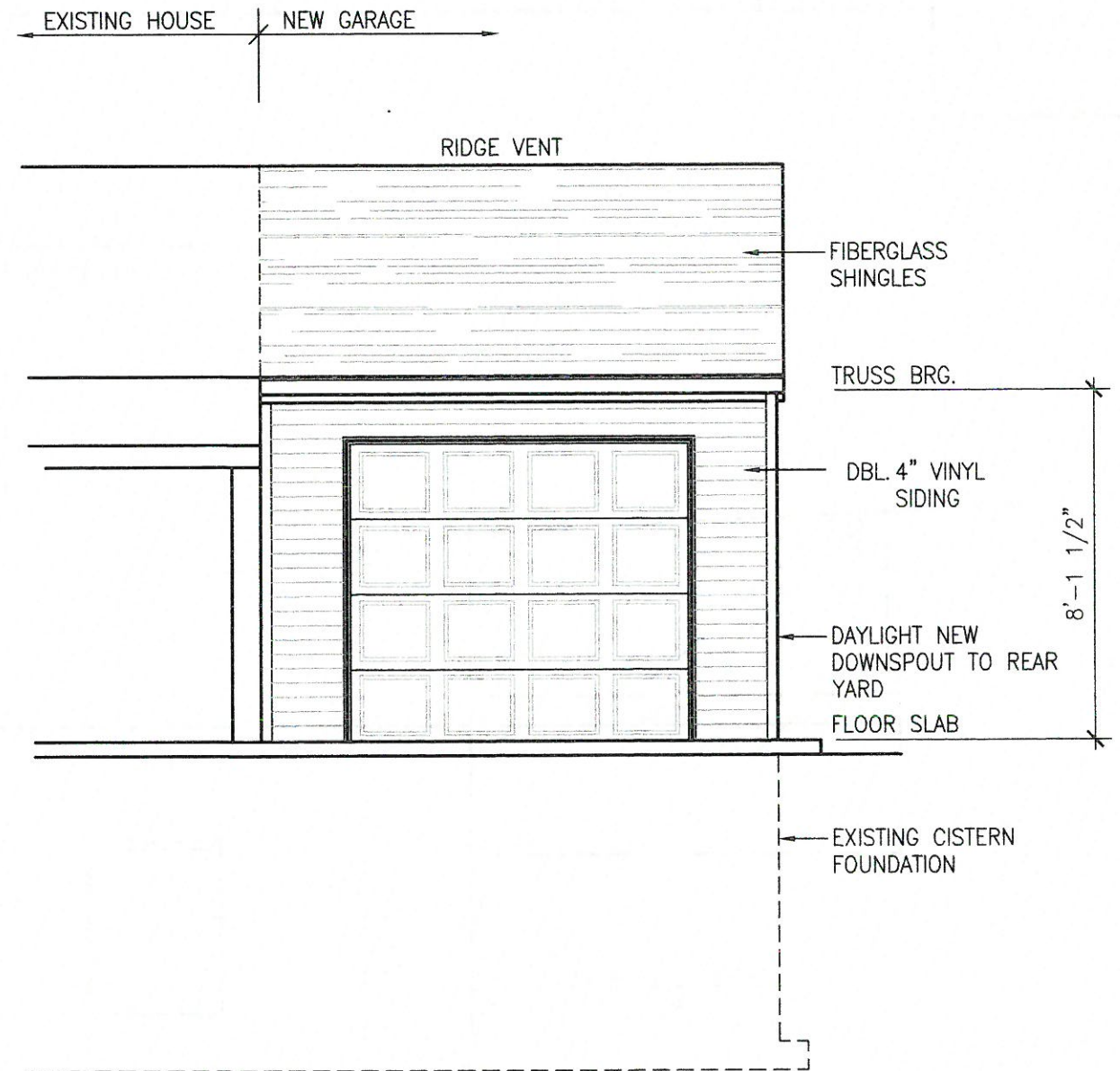
Sheet Title
ELEVATION

Sheet Number
A-3





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



2
A-4
WEST ELEVATION
1/4" = 1'-0"

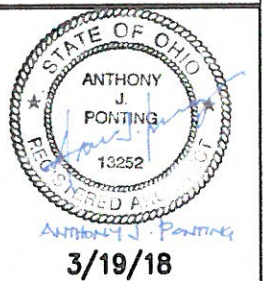
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Revisions	Date
1 FINAL	3/19/18
2	
3	

Sheet Title
ELEVATIONS

Sheet Number
A-4



Carpentry

39. Wall studs to be stud grade or better spruce/pine/fir KD. All other framing lumber to be So. Pine #2 or better KD unless noted otherwise.

40. Pressure Treated Lumber to be AWP, Waterborne (ACQ-C) treated yellow pine, grade 2 for above ground use, category UC3B. All furring and lumber within 6" of grade to be pressure treated.

41. All plywood to be APA rated for spans shown.

42. All solid bearing points under point loads marked with an "X" shall be at least the width of the bearing, structural member, and/or a minimum of (3) 2 x 4 studs nailed together with 10d nails at 16" o.c., unless otherwise noted.

43. Roof sheathing and subflooring: 48/24 APA rated tongue and groove subfloor Exposure 1. 32/16 APA rated roof sheathing Exposure 1. All sheathing to be nailed with 8d nails at 6" o.c. at panel edges and 12" o.c. at intermediate supports unless noted otherwise. All roof sheath. less than 1/2" shall be placed using h-clips btw'n trusses/rfters.

46. LVL (Laminated Veneer Lumber) beams: Distributed as Micro-Lam and TimberMax LVL. Install per manufacturer's recommendations. LVL beams shall have design stress values as follows:

$F_b = 2925$ psi Bending
 $F_v = 285$ psi Horizontal Shear
 $F_{c\perp} = 880$ psi Compression Perpendicular to Grain
 $E = 2,000,000$ psi Modulus of Elasticity

47. Header sizes @ frame openings: (unless otherwise noted on plans).
(2) 2x8's @ spans to 4'-6"

48. All multiple 2x headers and multiple MICROLAM (LVL) beams to be fastened together at top & bottom into each adjacent member with (minimum) 2 rows of 16d nails @ 12" o.c.

51. Wood Trusses:

- All work to conform to "Design Specification for Metal Plate Connected Wood" (TPI-85) or "Design Specification for Metal Plate Connected Parallel Chord Trusses" (PCT-80) by Truss Plate Institute, Inc.
- Unless noted otherwise, all trusses shall be designed for the loads as shown in the design load section of these notes.
- Shop drawings are required at framing inspection and shall bear the designers seal, show all design and fabrication data, temporary and permanent bracing requirements, and handling and erection instructions. An erection plan locating all trusses shall be provided.
- All trusses shall be braced during erection per "Bracing Wood Trusses: Commentary and Recommendations, TPI-76", unless more strict bracing is required by the truss manufacturer. This bracing shall remain as permanent bracing. Bracing in the plane of the top chord may be removed when the top chord is laterally braced by plywood sheathing.

e. At Exterior Gable Ends:

- Provide 2x4x10' long horizontal braces perpendicular to gable end wall at 4'-0" o.c. Nail braces to gable end and to top of the bottom chords of each truss with (2)-10d nails.
- Toenail gable end truss to top plate of stud wall with 10d toenails at 16" o.c.

f. Design wood trusses to bear on the exterior wall unless indicated otherwise on the construction documents.

g. No trusses shall be designed for storage unless otherwise noted (web configuration not to allow 42"x24" box to pass thru).

h. Bottom chord of truss to be designed for 10 psf dead load. An additional 5 psf shall be added for drywall for ceilings.

52. Unless noted otherwise, fasteners shall be used per table R602.3(1) IRC "Fastener Schedule for Structural Members", current edition. Staples not permitted for fastening APA rated sheathing and subflooring.

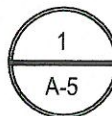
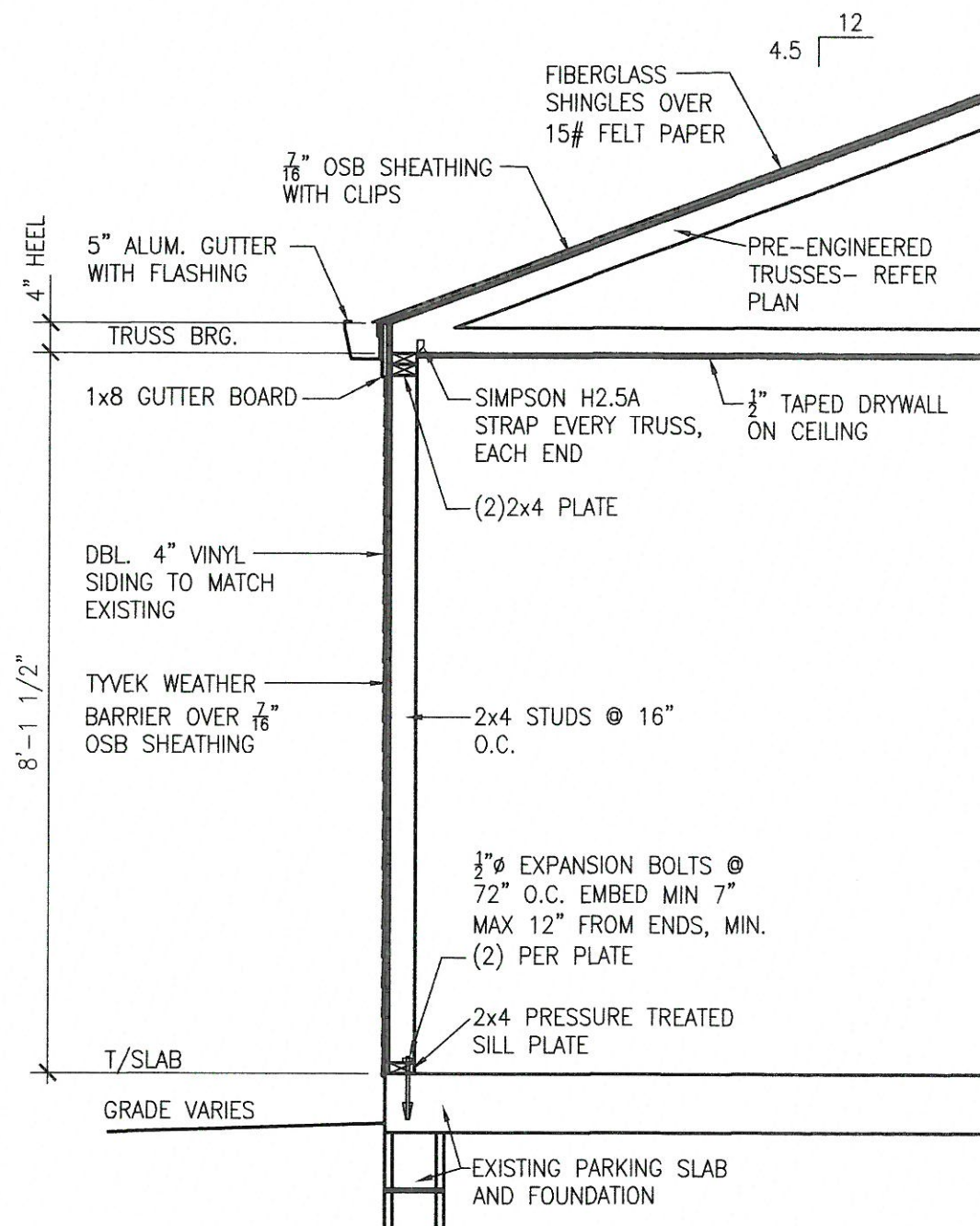
54. All connection hardware specified on the structural drawings is manufactured by the Simpson Strong-Tie Company shall be fastened as specified in the Simpson Product and Instruction Manual.

55. Install Simpson H2.5A hurricane anchors at bearing points of all roof trusses and/or rafters. Truss and/or rafter must align with stud at anchor locations. Hurricane strap to resist uplift forces shown on truss drawings or a minimum of 175 lbs.

62. All bearing points shall be continuously braced thru floor framing down to solid bearing on foundation wall or interior steel beam.

63. All multiple headers and beams shall be fastened together at top and bottom into each adjacent member with (minimum) two rows of 16d nails at 12" o.c. for beam depths less than 12 inches. For depths greater than 12", through-bolt with 1/2" diameter bolts at 12" o.c. staggered top and bottom.

64. Four foot wide APA rated structural wall sheathing shall be located at each end of each exterior wall and at least every 20 feet of wall length.



WALL SECTION

1/2" = 1'-0"

PROPOSED GARAGE
VENEMAN RESIDENCE
8438 WUEST ROAD
CINCINNATI, OHIO 45247

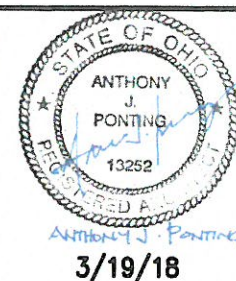
ARCHITECT:
ANTHONY J. PONTING, RA, LEED AP
5813 GRANITE SPRING DRIVE
COLD SPRING, KY 41076
p: (859) 866-1834
tnponting@gmail.com

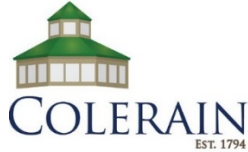
Revisions	Date
1 FINAL	3/19/18
2	
3	

Sheet Title
SECTION, GENERAL NOTES

Sheet Number

A-5





Staff Report:	Board of Zoning Appeals
Case#	BZA2018-04
Request:	Conditional Use – Cambodian Buddhist Community of Cincinnati
Location:	10036 Menominee Dr.
Meeting Date:	May 23, 2018
Prepared by:	Marty Kohler, Senior Planner Colerain Planning & Zoning

The Cambodian Buddhist Community of Cincinnati has requested a Conditional Use Permit to construct a new facility for a religious place of worship on a 2.95-acre property located within a residential area. The request is to construct this building in addition to the existing buildings located on the property.

Religious Places of Worship are permitted as a Conditional Use within the R-6 zone per Section 7.5 of the zoning resolution subject to conditions specified in Section 7.4.10.

The request also includes a variance to allow for the partial elimination of the required landscape buffering on the south and eastern property lines and to allow for existing natural vegetation on the property to be substituted for buffering. An additional variance is requested to provide for an expansion of the current non-conforming pavement at the southwest corner of the site into the required minimum setback.

Case History:

The current use was established in 2001 with the issuance of a Zoning Certificate for a combination of a single family residence and place of worship which was permitted under the regulations in place at that time. The existing building has about 2,000 square feet of floor area. An additional Zoning Certificate was issued in 2006 for a detached garage. The existing buildings do not meet current setback requirements and the site is non-conforming with respect to parking design and perimeter landscape buffering. The site is in the center of a residential block bounded by Menominee Dr., Manistee Way, and Honesdale Ct. The property is also surrounded entirely by single family dwellings in the R-6 zoning district.

Current Proposal:

The applicant proposes to construct a one story structure with a finished basement (each floor containing about 2,200 square feet of space) for use as a religious worship. The building is proposed to be constructed into a hillside so that the south end of the building would be two floors in height. The proposal includes the striping of existing paved areas for parking, landscaping and exterior lighting.

Zoning Regulations:

The performance requirements for educational facilities in the R-6 Residential Zone are specified in section 7.4.10. Since there are no standards for architectural design of Conditional Uses in residential zones, the submission of exterior elevations is not required. The non-conforming setbacks of the existing buildings is considered to be a “grandfathered” situation. Other site non-conformities may be required to be modified to meet current zoning standards. The proposed building meets the development standards required by the Zoning Resolution with the following exceptions for which variances are requested:

- A. The same buffering is required between the religious place of worship facility and adjacent residential properties as between residential and the B-2 General Business District. These buffering requirements allow for several options which all contain a provision for the planting of evergreen trees per section 14.5.2(B) and (C). While new buffering with evergreens is provided on the landscape plan, the applicant is requesting that the existing dense wooded areas on the site be approved to meet the buffer requirement without the planting of evergreen trees on the east side of the property. The applicant is requesting a variance from the buffer landscape requirements on the south and east property lines due to heavy vegetation in these areas just outside of the property lines.
- B. Section 7.4.10 requires that parking areas have a 50 foot setback when adjacent to residential property. The original parking lot is only about 25 feet from the property line at the southwest corner of the property and the proposal is to expand this paved area to be within 15 feet of the property line.

Staff Findings:

- 1. The use is a conditional use, permitted with approval by the Board of Zoning Appeals, in the district where the subject lot is located;
- 2. The use is in accordance with the objectives of the Northbrook/Groesbeck area in the Colerain Township Comprehensive Plan and the Zoning Resolution;
- 3. The conditional use will not substantially and/or permanently injure the appropriate use of neighboring properties if approved with reasonable restrictions to mitigate the more intensive use of the property including noise, outdoor lighting and parking, otherwise the use will serve the public convenience and welfare;
- 4. The use will not create excessive requirements, at public cost, for public facilities and services and will not be detrimental to the economic welfare of the community.

Staff Recommendation: APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS AND VARIANCES:

CONDITIONS:

1. That the existing dense vegetation along the property lines bordering adjacent residential development be maintained in its dense condition and be used as a partial substitution for required buffering.
2. That a 6 foot tall solid privacy fence be installed on the west and south property lines (in addition to the proposed landscaping) adjacent to lots #180 through #188 and lot #190 to further buffer these lots from traffic and circulation on the Cambodian Buddhist property.
3. Any future expansion of the buildings or parking areas shall require a Conditional Use application to the BZA.

VARIANCE:

1. From Section 14.5.2 Lot Buffers, to forego the buffer landscape requirements on the south and east property lines so long as the proposed parking lot screening landscaping is constructed and maintained.
2. From the variance request from Section 7.4.10(C) to allow for the expansion of the pavement at the southwest corner of the parking lot be **denied** and that the parking be expanded on the east side of the parking lot to accommodate the additional width.

**APPLICATION FOR CONDITIONAL USE
COLERAIN TOWNSHIP BOARD OF ZONING APPEALS**

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

Application number: BZA _____

Owner: Cambodian Buddhist Community of Cincinnati Applicant: Bayer Becker

Property Address: 10036 Menominee Drive

City: Cincinnati State/Zip: Ohio/45251

Applicant Address: 1404 Race St. Suite 204

City: Cincinnati State Zip: Ohio/45202

Phone: 513-466-8095

Auditor's Book-Page-Parcel Number: 510 -- 0041 -- 0399 & -0401

Zoning Classification: R-6 Use Requested: Place of Worship

Required Documents (8 copies of each document unless noted):

- ☒ Signed, typewritten *Justification of Conditional Use* statement addressing the items listed on the reverse of this page.
- ☐ If any variance to yard, building size, or parking is desired, include a signed, typewritten *Justification of Variance* statement addressing the items listed on the reverse of this page.
- ☒ Site Plan (surveyor/engineer's seal may be required).
- ☒ Landscape Plan.
- ☒ Lighting Plans.
- ☒ 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:	<u>400.00</u>
	Legal Notice:	<u>30.00</u>
	Mailing/adjacent Property Owners:	<u>10.00</u>
	Total Amount Paid:	<u>440.00</u>

An application for conditional use will not be accepted until and unless all of the above requirements are met.

Failure to appear at the scheduled public hearing may result in dismissal of the application.

Signature of Property Owner:

Signature of Applicant (if not the Owner):

 Vanessa Cantelmi

(over)

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COLERAIN ZONING



*Where Creativity
Meets Functionality*

Civil Engineers | Transportation Engineers | Landscape Architects | Planners | Land Surveyors

JUSTIFICATION OF CONDITIONAL USE STATEMENT

Project: Cambodian Buddhist Temple
10036 Menominee Dr.
Colerain Twp., Ohio

Date: 4/10/2018
Applicant: Bayer Becker

In compliance with the requirements for the justification of conditional use application, Bayer Becker addresses the following statements:

1. The Cambodian Buddhist Temple on Menominee Drive is located within residential district R-6 and is considered a conditional use as noted on the Residential Use Table 7-1.
2. The use requested is for improvements to the complex, including construction of a new building. This new facility will provide adequate space to accommodate the Cambodian Buddhist community during ceremony and worship times. There will be no employees for the Temple; Monk Sok will be the only permit resident living on site. There is no customer traffic expected other than temple members and guests. Traffic could potentially increase a few times a year as it normally does during special events such as Cambodian New Year, ceremony for the dead and ceremony for blessing of the elders.
3. Proposed site changes include: restriping of existing parking lot, addition of parking lot landscaping, and lighting. A sidewalk and ADA ramp will be constructed between the existing parking lot and proposed building.
4. In order to mitigate the impacts to surrounding properties, a landscape buffer will be added to complement the existing landscape along the south and west property lines.
5. The use will not create excessive requirements, at public cost, for public facilities and service and will not be detrimental to the economic welfare of the community.

Sincerely,

Vanessa Cantelmi
1404 Race St. , Suite 204
Cincinnati, OH 45202

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COLERAIN ZONING

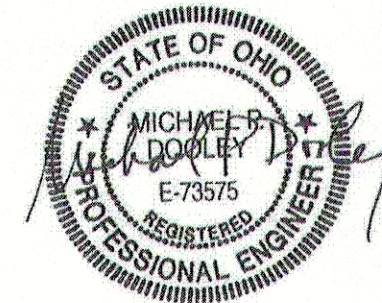
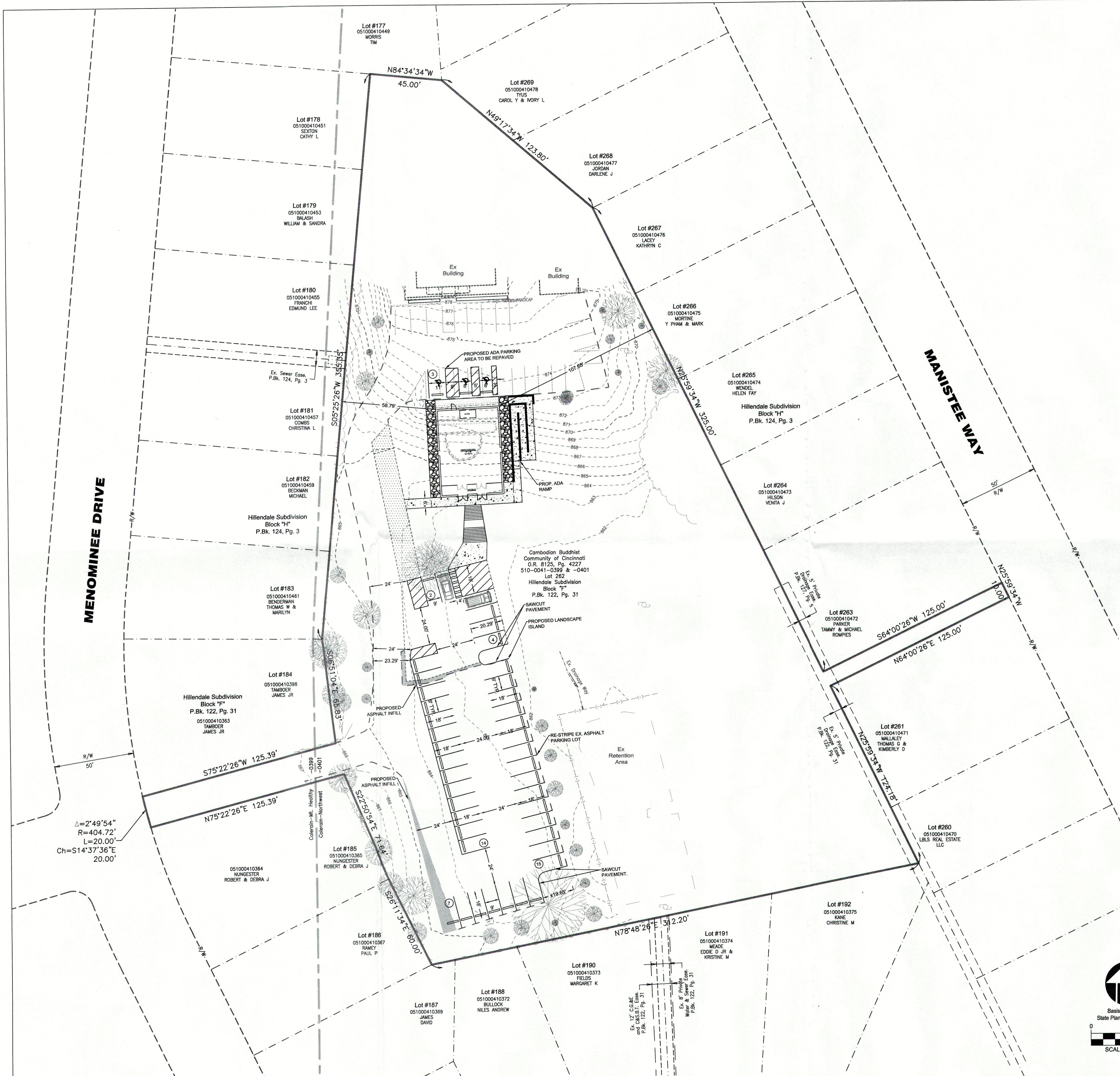
6900 Tylersville Road, Suite A
Mason, OH 45040
513-336-6600

318 South College Avenue
Oxford, OH 45056
513-523-4270

1404 Race Street, Suite 204
Cincinnati, OH 45202
513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
859-261-1113

<http://www.bayerbecker.com>



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202 W. ELDER STREET 4TH FLOOR | CINCINNATI, OH 45202
WWW.PLATTEDESIGN.COM T: 513.871.1850 | F: 513.871.1829

bayer becker
www.bayerbecker.com
1404 Race Street, Suite 204
Cincinnati, OH 45202 - 513.834.6151

Progress Dates

Revisions

Design Team:

Drawn by:
VEC

PROPOSED PROJECT:
**NEW BUILDING FOR
CAMBODIAN BUDDHIST TEMPLE**
10036 MENOMINEE DRIVE

Job No: 18-0027 4.10.2018

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SITE PLAN

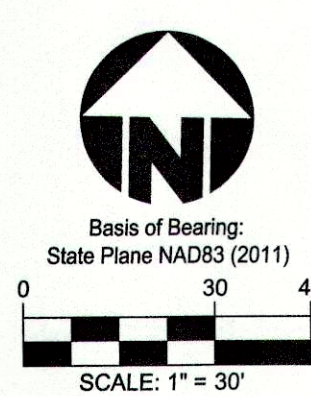
APR 1 2018
COLERAIN ZONING

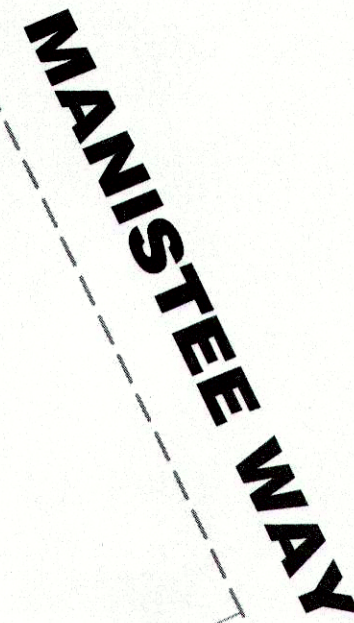
LEGEND

- PROPOSED ASPHALT INFILL
- PROPOSED CONCRETE WALK
- EX. CONCRETE WALK (TO REMAIN)

PARKING SUMMARY

PARKING PROVIDED: 61 SPACES
3 - ADA ACCESSIBLE
58 - STANDARD VEHICLE






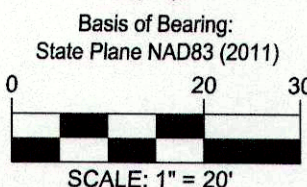
A. SEE SHEET L2.0 FOR PLANTING NOTES AND DETAILS
B. SEE DIMENSIONS ALONG PROPERTY LINES FOR REQUIRED & PROPOSED PLANT NUMBERS.

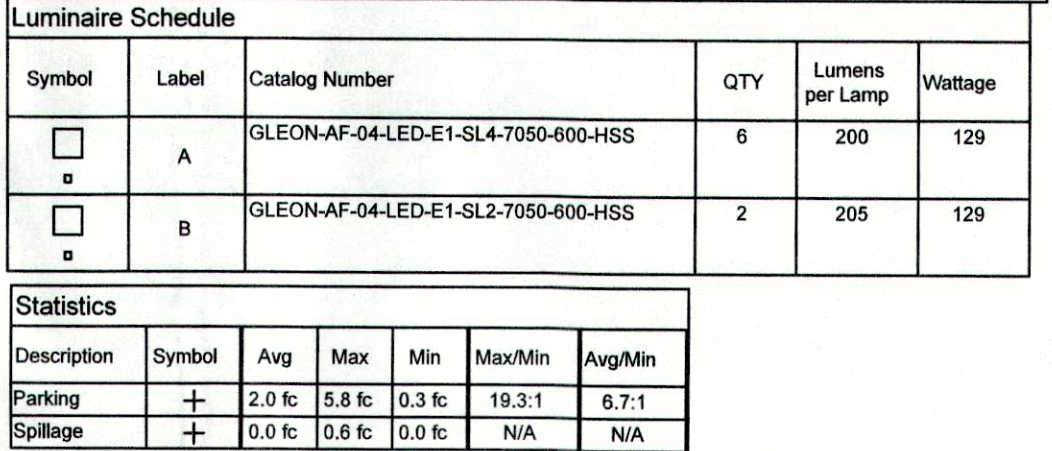
- A. 40' WIDE BUFFER REQUIRED BETWEEN B-2 (PLACE OF WORSHIP) AND R-6 (ADJACENT HOMES)
- B. EXISTING PLANT MATERIAL MAY BE USED TO SATISFY REQUIREMENTS. ZONING ADMINISTRATOR WILL DETERMINE IF THE EXISTING MATERIALS AREA ACCEPTED.
- C. NO PLANTS ALLOWED WITHIN UTILITY EASEMENTS WITHOUT PERMISSION.
- D. DECIDUOUS TREES = 2.5" MINIMUM CALIPER AT INSTALL
- E. EVERGREEN TREES = 6' HEIGHT AT INSTALL
- F. BUFFER SHRUBS = 36" HEIGHT AT INSTALL, TO REACH A MIN. 5' HT. AT MATURITY
- G. BUFFER OPTION #1: 6' HT PRIVACY FENCE + 3 EVERGREEN TREES & 6 BUFFER SHRUBS PER 60 LF OF LOT LINE
- H. BUFFER OPTION #2: 8 EVERGREEN TREES PER 80 LF OF LOT LINE AND 12 BUFFER SHRUBS PER 75 LF OF LOT LINE
- I. 15 PARKING SPACES MAXIMUM BEFORE A 9' WIDE LANDSCAPED ISLAND IS REQUIRED.
- J. 2 TREES AND 6 SHRUBS PER 15 SPACES (OF WHICH 1 TREE AND 2 SHRUBS TO BE IN EACH ISLAND)

PLANT SCHEDULE

PLANT SCHEDULE				
GROUND COVERS	QTY	BOTANICAL NAME / COMMON NAME	CONT	SPACING
	135	Liriope spicata / Creeping Lily Turf	1 gal	24" o.c.

CONCEPT PLANT SCHEDULE





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COLERAIN ZONING



AERIAL VIEW - LOOKING NORTH



AERIAL VIEW - LOOKING SOUTH



AERIAL VIEW - LOOKING EAST



AERIAL VIEW - LOOKING WEST

Plot time: Apr 10, 2018 - 11:13am
Drawing name: J:\2018\18-0027\LA18-0027 PP.dwg - Layout Tab: L1.1

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Cincinnati, OH 45202 - 513.834.6151

Progress Dates

Revisions

Design Team:

Drawn by:
HMM

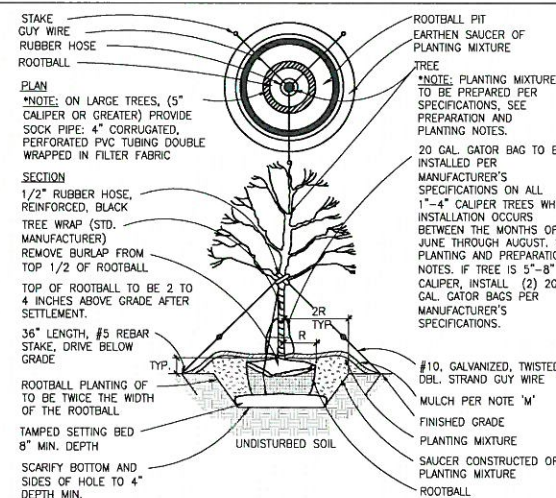
PROPOSED PROJECT:
**NEW BUILDING FOR
CAMBODIAN BUDDHIST TEMPLE**
1036 MENOMINEE DRIVE

Job No: 18-0027 4.10.18

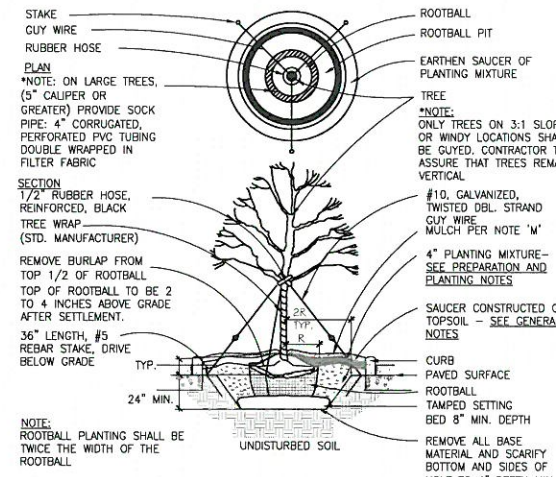
APR 10 2018
L1.1

AERIAL VIEWS
COLERAIN ZONING

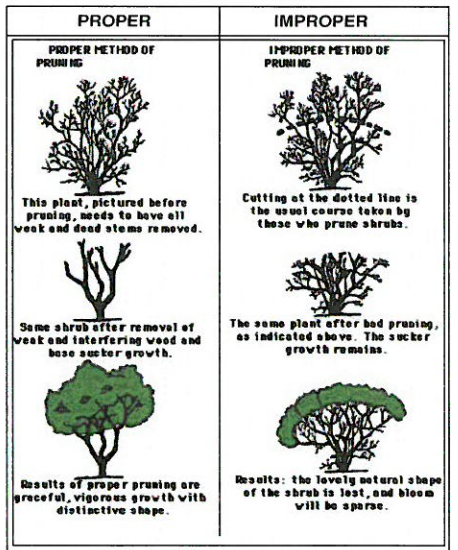
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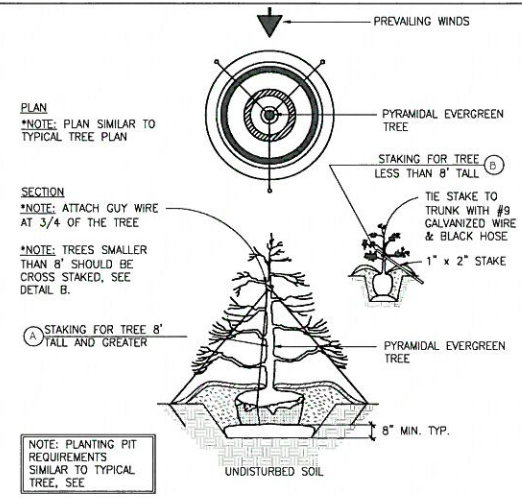
1 **TYP. TREE PLANTING DETAIL**
SCALE: NOT TO SCALE



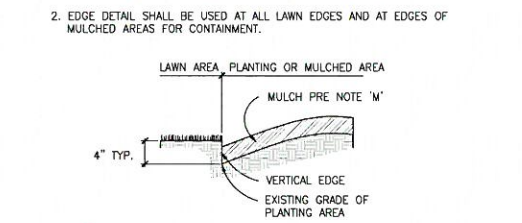
2 **TYP. TREE ISLAND PLANTING DETAIL**
SCALE: NOT TO SCALE



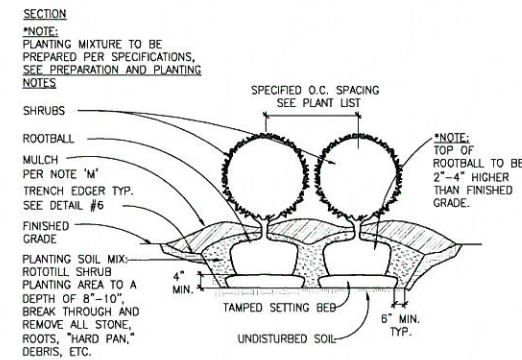
3 **FUTURE SHRUB MAINTENANCE**
PROPER PRUNING, DO NOT ALTER NATURAL SHAPE OF PLANT



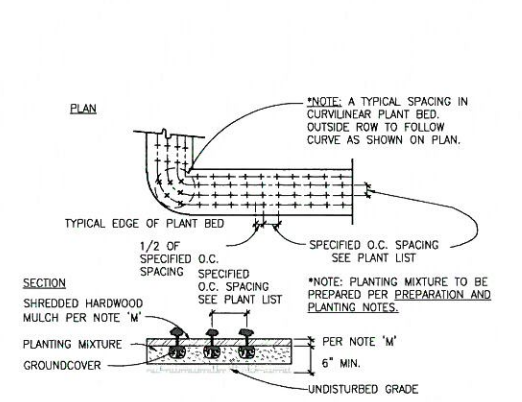
4 **EVERGREEN TREE DETAIL**
SCALE: NOT TO SCALE



5 **SHRUB BED EDGE DETAIL**
SCALE: NOT TO SCALE



6 **SHRUB PLANTING DETAIL**
SCALE: NOT TO SCALE



7 **GROUNDCOVER PLANTING DETAILS**
SCALE: NOT TO SCALE

PREPARATION AND PLANTING

- NOTIFY LANDSCAPE ARCHITECT OF WORK COMMENCEMENT AND SCHEDULE.
- LANDSCAPE CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO STARTING WORK. LOCAL UTILITY PROTECTION SERVICES AS NOTED ON THE DRAWINGS. IF A PLANT IS SHOWN ON THE PLAN WITHIN THREE FEET OF AN UNDERGROUND UTILITY, NOTIFY LANDSCAPE ARCHITECT FOR ADJUSTMENT INSTRUCTIONS.
- PROTECT STRUCTURES, UTILITIES, SIDEWALKS, PAVEMENTS, OTHER FACILITIES, LAWNS, AND EXISTING EXTERIOR PLANTS FROM DAMAGE CAUSED BY PLANTING OPERATIONS.
- PROVIDE EROSION-CONTROL MEASURES TO PREVENT SOIL EROSION OR DISPLACEMENT AND DISCHARGE OF SOIL-BEARING RUNOFF OR AIRBORNE DUST TO ADJACENT PROPERTIES AND WALKWAYS.
- LANDSCAPE CONTRACTOR SHALL LAY OUT INDIVIDUAL TREE AND SHRUB LOCATIONS AND BED EDGES FOR ALL EXTERIOR PLANTINGS. STAKE LOCATIONS, OUTLINE AREAS, ADJUST LOCATIONS WHEN REQUESTED, AND OBTAIN LANDSCAPE ARCHITECT'S, OWNER AND/OR THE OWNER'S REPRESENTATIVE WRITTEN ACCEPTANCE OF LAYOUT BEFORE PLANTING. MAKE MINOR ADJUSTMENTS AS REQUIRED PER SITE CONDITIONS.
- ALL PLANTING BEDS ARE TO BE PREPARED AS FOLLOWS:
 - LOOSEN SUBGRADE TO A DEPTH OF 6 - 7". REMOVE STONES LARGER THAN 1" IN ANY DIMENSION AND "STICKS, ROOTS, RUBBISH, AND OTHER EXTRANEOUS MATTER, AND LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY.
 - SPREAD COMPOST AT A DEPTH OF 4" AND PEAT MOSS AT A DEPTH OF 1".
 - TILL WITH LOOSENED SUBGRADE MIXING THOROUGHLY.
 - GRADE PLANTING BEDS TO A SMOOTH, UNIFORM SURFACE PLANE FOR A UNIFORM FINE TEXTURE. ROLL AND RAKE, REMOVE RIDGES, AND FILL DEPRESSIONS TO MEET FINISH GRADES.
 - EDGE BEDS 3" TO 4" DEEP (SEE DETAILS ON THIS SHEET).
- LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT IF SUBSOIL CONDITIONS SHOW EVIDENCE OF UNEXPECTED WATER SEEPAGE OR RETENTION IN TREE OR SHRUB PITS.
- REFER TO TYPICAL PLANTING DETAILS ON THIS SHEET FOR PLANT INSTALLATION.
- IT IS THE CONTRACTOR'S OPTION WHETHER OR NOT TO STAKE A TREE, BUT IT IS ALSO THE CONTRACTOR'S RESPONSIBILITY TO ASSURE PLANTS REMAIN IN AN UPRIGHT POSITION UNTIL THE END OF THE WARRANTY PERIOD. CONTRACTOR TO REMOVE STAKES & WIRE. PRIOR TO MULCHING, APPLY PRE-EMERGENT HERBICIDE (GREEN OR EQUIVALENT) PER MANUFACTURER'S RECOMMENDATIONS.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO:
 - KEEP ADJACENT PAVING AND CONSTRUCTION CLEAN, AND MAINTAIN WORK AREA IN AN ORDERLY CONDITION, FOR DURATION OF PROJECT.
 - PROTECT EXTERIOR PLANTS FROM DAMAGE DUE TO LANDSCAPE OPERATIONS, OPERATIONS BY OTHER CONTRACTORS AND TRADES, AND OTHERS. MAINTAIN PROTECTION DURING INSTALLATION AND MAINTENANCE PERIODS. TREAT, REPAIR, OR REPLACE DAMAGED EXTERIOR PLANTING.
 - REMOVE SURPLUS SOIL AND WASTE MATERIAL, INCLUDING EXCESS SUBSOIL, UNSUITABLE SOIL, TRASH, AND DEBRIS, AND LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY.
- ALL SHRUB PLANTING BEDS AND INDIVIDUAL TREES AND SHRUBS ARE TO BE MULCHED AT A DEPTH OF 4". ALL ANNUAL, PERENNIAL, AND/OR GROUNDCOVER PLANTING BEDS ARE TO BE MULCHED AT A DEPTH OF 2".
- ALL NEW TREE RINGS SHALL BE FIVE FEET IN DIAMETER AND MULCHED PER NOTE 'M'. DO NOT PILE MULCH UP AROUND THE TREE BARK.
- ALL DECIDUOUS TREES SHALL BE WRAPPED WITH STANDARD MANUFACTURER'S TREE WRAP TO PREVENT WINTER DAMAGE WHICH SHALL BE REMOVED AFTER THE FIRST WINTER BY THE LANDSCAPE CONTRACTOR.
- ALL PLANT MATERIAL SHALL BE PRUNED AND/OR SHAPED IN ACCORDANCE WITH STANDARD HORTICULTURE PRACTICES TO RETAIN THE NATURAL CHARACTER OF THE PLANT. ALL INJURED, DAMAGED, OR CROSSED BRANCHES SHALL BE REMOVED. DO NOT REMOVE THE TREE LEADER.
- LANDSCAPE CONTRACTOR SHALL INSTALL GATOR BAGS, PER MANUFACTURER'S SPECIFICATIONS WITH ALL NON-IRRIGATED TREES.
- LANDSCAPE CONTRACTOR SHALL INSTRUCT OWNER OR OWNER'S REPRESENTATIVE ON WATERING NEEDS OF INSTALLED PLANTINGS.

WARRANTY

- CONTRACTOR SHALL PROVIDE OWNER WITH A MINIMUM ONE YEAR WRITTEN WARRANTY FOR LABOR AND MATERIALS.
- CONTRACTOR SHALL WARRANT EXTERIOR PLANTS AGAINST DEFECTS, INCLUDING DEATH AND UNSATISFACTORY GROWTH, EXCEPT FOR DEFECTS RESULTING FROM LACK OF ADEQUATE MAINTENANCE, NEGLECT OR ABUSE BY OWNER, OR INCIDENTS THAT ARE BEYOND CONTRACTOR'S CONTROL.
- WARRANTY SHALL INCLUDE SPECIFIC WARRANTY PERIODS FROM DATE OF ACCEPTANCE FOR TREES AND SHRUBS, GROUND COVERS, AND OTHER EXTERIOR PLANTS.
- WARRANTY SHALL BE LIMITED TO ONE REPLACEMENT OF EACH EXTERIOR PLANT, EXCEPT FOR LOSSES OR REPLACEMENTS DUE TO FAILURE OF CONTRACTOR TO COMPLY WITH REQUIREMENTS.
- WARRANTY FOR IRRIGATION SERVICE, PLUMBING, & DRAINAGE SHALL BE GUARANTEED FOR A PERIOD OF 1 YEAR AND WILL INCLUDE START-UP, WINTERIZATION, AND SECOND SEASON START-UP. WARRANTY SHALL INCLUDE ALL LABOR, MATERIAL, TOOLS, AND EQUIPMENT AS NECESSARY TO PROVIDE A FUNCTIONING IRRIGATION SYSTEM. DEFECTS AND ADJUSTED PROPERLY FOR APPROPRIATE WATER DELIVERY TO ALL PLANT MATERIAL.

TRAFFIC & SAFETY

- REFER TO BID DOCUMENTS AND COMPLY WITH ALL STATE & LOCAL REQUIREMENTS REGARDING APPROVED WORK TIMES, SCHEDULING OF INSTALLATION, AND ALL OTHER REQUIREMENTS.

SODDING

- TURFGRASS SOD**
- TURFGRASS SOD SHALL BE OF GOOD QUALITY, FREE OF WEEDS, DISEASE AND INSECTS AND OF GOOD COLOR AND DENSITY.
 - INDIVIDUAL PIECES OF TURFGRASS SOD SHALL BE CUT TO THE SUPPLIER'S STANDARD WIDTH AND LENGTH. MAXIMUM ALLOWABLE DEVIATION FROM STANDARD WIDTHS AND LENGTHS SHALL BE 5 PERCENT.
 - STANDARD SIZE SECTIONS OF TURFGRASS SOD SHALL BE STRONG ENOUGH TO SUPPORT THEIR OWN WEIGHT AND RETAIN THEIR SIZE AND SHAPE WHEN SUSPENDED VERTICALLY FROM A FIRM GRASP ON THE UPPER 10 PERCENT OF THE SECTION.
 - LANDSCAPE CONTRACTOR SHALL SOD ALL SPECIFIED AREAS. THE FINAL GRADE AND TOPSOIL WITHIN +/- .10 FEET WILL BE IN PLACE FOR SOD CONTRACTOR.
 - TILL AREA TO BE SODDED TO A DEPTH OF 4". RAKE, TILLED AREA TO REMOVE DEBRIS 1" OR LARGER IN SIZE THAT HAS BEEN BROUGHT TO THE SURFACE DURING TILLING.
 - AFTER ALL GRADING HAS BEEN COMPLETED, THE SOIL SHALL BE IRRIGATED WITHIN 12-24 HOURS PRIOR TO LAYING THE TURFGRASS SOD. TURFGRASS SOD SHOULD NOT BE LAID ON SOIL THAT IS DRY AND POWDERY.
 - THE FIRST ROW OF TURFGRASS SOD SHALL BE LAID IN A STRAIGHT LINE, WITH SUBSEQUENT ROWS PLACED PARALLEL TO, AND TIGHTLY AGAINST, EACH OTHER. LATERAL JOINTS SHALL BE STAGGERED TO PROMOTE MORE UNIFORM GROWTH AND STRENGTH. CARE SHALL BE EXERCISED TO INSURE THAT THE TURF IS NOT STRETCHED OR OVERLAPPED, AND ALL JOINTS ARE BUTTED TIGHT IN ORDER TO PREVENT VOIDS, WHICH WOULD CAUSE AIR-DRYING OF THE ROOTS.
 - ON SLOPES ARE WHERE EROSION MAY BE A PROBLEM, TURFGRASS SOD SHALL BE LAID WITH STAGGERED JOINTS AND SECURED BY PEGGING.
 - THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING TURFGRASS SOD IMMEDIATELY DURING AND AFTER INSTALLATION TO PREVENT DRYING. IT SHALL THEN BE THOROUGHLY IRRIGATED TO A DEPTH SUFFICIENT THAT THE UNDERSIDE OF THE NEW TURFGRASS SOD PAD AND SOIL IMMEDIATELY BELOW THE TURFGRASS SOD ARE THOROUGHLY WET (USUALLY 1 INCH OF WATER IS NEEDED). THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR HAVING ADEQUATE WATER AVAILABLE AT THE SITE PRIOR TO AND DURING INSTALLATION OF THE TURFGRASS SOD.
 - LANDSCAPE CONTRACTOR IS TO SET GRADE TO PROMOTE POSITIVE DRAINAGE AWAY FROM THE BUILDING AND TO DETENTION BASINS.
 - UNLESS OTHERWISE SPECIFIED, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE ACCEPTED SODDED TURFGRASS AREAS UNTIL THE EFFECTIVE DATE FOR TURF MAINTENANCE OPERATIONS BEGINS. THE EFFECTIVE DATE SHALL BE SPECIFIED IN WRITTEN NOTICE FROM THE GENERAL CONTRACTOR.

IRRIGATIONS SYSTEMS

- GENERAL CONTRACTOR SHALL PROVIDED AN IRRIGATION SYSTEM (IF APPLICABLE. VERIFY WITH CLIENT). PLAN SHALL PROVIDED FULL SITE COVERAGE ON THE PROPERTY.
 - COMPLETE DESIGN DRAWINGS & EQUIPMENT TO BE SUBMITTED TO OWNER FOR REVIEW.
- *IRRIGATION SYSTEM DESIGN / BUILD NOTES:**
- IRRIGATION SYSTEM SHALL HAVE A REMOVABLE EXTERIOR BACK-FLOW PREVENTER WITH FIVE FOOT COVER IN GRASS AREA OUTSIDE OF METER PIT AT POINT OF CONNECTION.
 - IRRIGATION HEADS/DRIPLINE IN PLANTING BEDS; COMPLETE ROTOR SPRINKLER (IN LAWN).
 - RAIN BIRD ESP OR HUNTER 1-CORE CONTROLLER LOCATED IN MECH ROOM WITH RAIN SENSOR.
 - SLEEVES ARE REQUIRED UNDER ALL PAVEMENT / SIDEWALK FOR SYSTEM, COORDINATE WITH GENERAL CONTRACTOR.
 - IRRIGATION CONTRACTOR SHALL SUBMIT SHOP DRAWINGS FOR LAYOUT APPROVAL.

GENERAL LANDSCAPE NOTES

- THE CONTRACTOR SHALL VISIT THE SITE AND COMPLETELY REVIEW THESE DOCUMENTS AND FULLY UNDERSTAND SCOPE OF WORK NEEDED TO ACHIEVE THE FINISHED PRODUCT INTENDED BY THE OWNER. IN ADDITION, THE CONTRACTOR SHALL AT ONCE REPORT TO THE LANDSCAPE ARCHITECT, INACCURACIES OR INCONSISTENCIES DISCOVERED. FAILURE TO REASONABLY RECOGNIZE OR NOTIFY THE LANDSCAPE ARCHITECT OF SUCH ITEMS SHALL RELEASE THE LANDSCAPE ARCHITECT AND OWNER OF ALL LIABILITY. ANY DEVIATIONS FROM THESE DOCUMENTS WITHOUT WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT SHALL BE CORRECTED AT THE CONTRACTORS EXPENSE.
- PROTECT ALL EXISTING VEGETATION TO REMAIN AS PER PLANS AND SPECIFICATIONS.
- PRIOR TO CONSTRUCTION, THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS NECESSARY TO COMPLETE THE WORK. LOCATING ALL UNDERGROUND UTILITIES, AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING INSTALLATION. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC., WHICH MAY OCCUR AS A RESULT OF LANDSCAPE CONSTRUCTION.
- LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS NECESSARY TO COMPLETE THE WORK.
- LANDSCAPE CONTRACTOR MUST CERTIFY THAT ITS SAFETY PROGRAM MEETS REGULATORY REQUIREMENTS AT A MINIMUM. CONTRACTOR TO PROVIDE DOCUMENTATION OF THE OSHA RECORD KEEPING SUMMARY.
- LANDSCAPE ARCHITECT MAY OBSERVE TREES AND SHRUBS EITHER AT PLACE OF GROWTH OR AT SITE BEFORE PLANTING FOR COMPLIANCE WITH REQUIREMENTS FOR GENUS, SPECIES, VARIETY, SIZE, AND QUALITY. LANDSCAPE ARCHITECT RETAINS RIGHT TO OBSERVE TREES AND SHRUBS FURTHER FOR SIZE AND CONDITION OF BALLS, ROOT SYSTEMS, INSECTS, INJURIES, AND LATENT DEFECTS AND TO REJECT UNSATISFACTORY OR DEFECTIVE MATERIAL AT ANY TIME DURING PROGRESS OF WORK. LANDSCAPE CONTRACTOR SHALL REMOVE REJECTED TREES OR SHRUBS IMMEDIATELY FROM PROJECT SITE.
- IF EXISTING ECOLOGY CAUSES ADJUSTMENTS OF LANDSCAPE PLANS TO FIT THE SITE CONDITIONS, A STAKE OUT BY LANDSCAPE CONTRACTOR AND ADJUSTMENTS BY LANDSCAPE ARCHITECT SHALL BE REQUIRED PRIOR TO INSTALLATION.
- THE OWNER AND/OR THE OWNER'S REPRESENTATIVE WILL APPROVE STAKED LOCATIONS OF ALL MATERIAL PRIOR TO INSTALLATION, OR AS DEEMED NECESSARY BY OWNER/OWNER'S REP.
- ALL PLANTING AREAS SHOWN ON PLANS SHALL BE TO WITHIN 2" OF FINAL GRADE BEFORE LANDSCAPE CONTRACTOR COMMENCES INSTALLATION.
- FOR LOCATION AND DESCRIPTION OF PROPOSED SITE UTILITIES, STORM STRUCTURES, EASEMENTS, ETC., REFER TO THE SITE PLAN AND CIVIL ENGINEERING DRAWINGS.
- ALL PLANT MATERIAL MUST BE INSTALLED ACCORDING TO THE APPROVED LANDSCAPING PLAN BY NO LATER THAN THE NEXT PLANTING SEASON OR WITHIN 6 MONTHS FROM THE COMPLETION OF ALL SITE CONSTRUCTION.
- PLANT QUANTITIES ARE ESTIMATES ONLY. CONTRACTOR TO VERIFY ALL PLANT QUANTITIES. ANY DISCREPANCY BETWEEN THE PLANTING LIST AND THE PLAN SHALL BE VERIFIED BY THE LANDSCAPE ARCHITECT. ALL SUBSTITUTIONS AND/OR CHANGES SHALL BE REQUESTED IN WRITING TO THE OWNER OR OWNER'S REPRESENTATIVE AND BE APPROVED BY THE LANDSCAPE ARCHITECT AND THE LOCAL MUNICIPALITY PRIOR TO INSTALLATION.
- THE CONTRACTOR SHALL PROVIDE QUALITY, SIZE, GENUS, SPECIES, AND VARIETY OF EXTERIOR PLANTS INDICATED, COMPLYING WITH APPLICABLE REQUIREMENTS IN ANSI Z60.1, "AMERICAN STANDARD FOR NURSERY STOCK."
- THE CONTRACTOR SHALL FURNISH NURSERY-GROWN TREES AND SHRUBS COMPLYING WITH ANSI Z60.1, WITH HEALTHY ROOT SYSTEMS DEVELOPED BY TRANSPLANTING OR ROOT PRUNING. PROVIDE WELL-SHAPED, FULLY BRANCHED, HEALTHY, VIGOROUS STOCK, FREE OF DISEASE, INSECTS, EGGS, LARVAE, AND DEFECTS SUCH AS KNOTS, SUN SCALD, INJURIES, ABRASIONS, AND DISFIGUREMENT.
- LANDSCAPE ARCHITECT OF A LARGER SIZE MAY BE USED, IF ACCEPTABLE TO LANDSCAPE ARCHITECT, WITH A PROPORTIONATE INCREASE IN SIZE OF ROOTS OR BALLS.
- IF FORMAL ARRANGEMENTS OR CONSECUTIVE ORDER OF TREES OR SHRUBS IS SHOWN, SELECT STOCK FOR UNIFORM HEIGHT AND SPREAD, AND NUMBER LABEL TO ASSURE SYMMETRY IN PLANTING.
- THE CONTRACTOR SHALL LABEL ONE TREE AND ONE SHRUB OF EACH VARIETY AND CALIPER WITH A SECURELY ATTACHED, WATERPROOF TAG BEARING LEGIBLE DESIGNATION OF BOTH THE BOTANICAL AND COMMON NAME.
- TOPSOIL SHALL BE ASTM D 5258, pH RANGE OF 5.5 TO 7, A MINIMUM OF 4 PERCENT ORGANIC MATERIAL CONTENT; FREE OF STONES 1 INCH OR LARGER IN ANY DIMENSION AND OTHER EXTRANEOUS MATERIALS HARMFUL TO PLANT GROWTH. STANDARD TOPSOIL PLANTING MATERIAL SHALL CONSIST OF 60% NATIVE SOIL, 10% PEAT HUMUS, AND 30% COMPOST.
- COMPOST SHALL BE CLEAN, WEED-FREE ORGANIC MATTER, pH RANGE OF 5.5 TO 8, MOISTURE CONTENT 35 TO 55 PERCENT BY WEIGHT, 100 PERCENT PASSING THROUGH ONE INCH SIEVE; SOLUBLE SALT CONTENT OF 5 TO 10 DECISIEMENS/M; NOT EXCEEDING 0.5 PERCENT INERT CONTAMINANTS AND FREE OF SUBSTANCES TOXIC TO PLANTINGS.
- FERTILIZER SHALL BE SLOW-RELEASE, GRANULAR OR PELLETS CONSISTING OF 50 PERCENT WATER-INSOLUBLE NITROGEN, PHOSPHORUS, AND POTASSIUM IN AMOUNTS RECOMMENDED FOR TYPE OF PLANT BEING GROWN.
- MULCH TO BE FREE FROM DELETERIOUS MATERIALS AND DISEASE AND SUITABLE AS A TOP DRESSING OF TREES AND SHRUBS. MULCH SHALL BE CLEAN, NON-DRIED, TOXIC FREE, DOUBLE-SHREDDED HARDWOOD, DARK BROWN IN COLOR, UNLESS NOTED OTHERWISE. CRUSHED ROCK AND PEA GRAVEL OR SIMILAR MATERIALS ARE NOT ACCEPTABLE MULCH/GROUNDCOVER. ALL LANDSCAPE ISLANDS SHALL BE MULCHED BY THE LANDSCAPE CONTRACTOR UNLESS OTHERWISE STATED IN THE LANDSCAPE PLANS.
- PLANT TAGS SHALL REMAIN ON INSTALLED PLANT MATERIAL UNTIL THE WORK HAS BEEN APPROVED BY LOCAL INSPECTOR AND/OR THE OWNER OR OWNERS REPRESENTATIVE.
- LANDSCAPE CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE FROM ALL PLANT BEDS WITHOUT ADVERSELY AFFECTING SITE DRAINAGE. GRADES BEHIND CURBS FOR AREAS RECEIVING MULCH SHALL BE 3 INCHES BELOW TOP OF CURB & 2 INCHES BELOW TOP OF CURB FOR SOD.
- THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING, INCLUDING, BUT NOT LIMITED TO, WATERING, SPRAYING, MULCHING, FERTILIZING, ETC., ALL PLANTING AREAS AND LAWN UNTIL THE WORK IS ACCEPTED BY THE OWNER OR THE OWNER'S REPRESENTATIVE.
- ISLAND AND PLANTER GRADES (IF APPLICABLE) SHALL BE MOUNDED IN THE CENTER SLOPING DOWNWARD FROM THE MIDDLE OUTWARD AT A MINIMUM 2% AND A MAXIMUM 4%.
- ALL PLANT MATERIAL INSTALLATION TO BE COORDINATED WITH IRRIGATION CONTRACTOR. ACTIVATE IRRIGATION SYSTEM UPON COMPLETION OF ALL LAWN AREAS. ALL IRRIGATION COMPONENTS SHALL BE OF THE SAME MANUFACTURER & INSTALLED PER MANUFACTURER SPECIFICATIONS.
- AND TREES SHALL BE PLANTED WITHIN 10'-0" OF FIREHYDRANTS.

SEEDING

- HYDROSEED**
- LANDSCAPE CONTRACTOR SHALL SEED ALL DISTURBED AREAS. THE FINAL GRADE AND TOPSOIL WITHIN +/- .10 FEET WILL BE IN PLACE FOR SEEDING CONTRACTOR.
 - CONTRACTOR SHALL APPLY CELLULOSE FIBER MULCH AT A MINIMUM RATE OF 1500 LBS./ACRE AND FERTILIZERS: BEST 6-20-20 OR BEST 15-15-15 OR APPROVED EQUAL APPLIED AT RATE APPROPRIATE TO THE SPECIFIED SEED MIX. ORGANIC TOPDRESSER SHALL BE APPLIED AT RATE OF 70 LBS./ACRE. HYDROSEED SEED MIX SHALL BE APPLIED AT THE 2,000 LBS./ACRE.
 - CONTRACTOR SHALL WATER ALL PLANT AREAS THOROUGHLY TO SATURATE UPPER LAYERS OF SOIL PRIOR TO THE HYDROSEEDING OPERATION. ALLOW THE PLANTING AREA SOIL SURFACE TO DRY OUT FOR ONE DAY ONLY PRIOR TO THE HYDROSEEDING APPLICATION.
 - CONTRACTOR SHALL APPLY THE HYDROSEEDING IN THE FORM OF A SLURRY CONSISTING OF ORGANIC SOIL AMENDMENTS, COMMERCIAL FERTILIZER, AND ANY OTHER CHEMICALS THAT ARE CALLED OUT. WHEN HYDRAULICALLY SPRAYED ONTO THE SOIL, THE MULCH SHALL FORM A BLOTTER-LIKE MATERIAL. SPRAY THE AREA WITH A UNIFORM VISIBLE COAT, USING THE DARK COLOR OF THE CELLULOSE FIBER AS A VISUAL GUIDE. THE SLURRY SHALL BE APPLIED IN A DOWNWARD DRILLING MOTION VIA A FAN STREAM NOZZLE. CONTRACTOR SHALL INSURE THAT ALL OF THE SLURRY COMPONENTS ENTER AND MIX WITH THE SOIL.
 - IF SLURRY COMPONENTS ARE LEFT FOR MORE THAN TWO HOURS IN THE MACHINE, ADD 50% MORE OF THE ORIGINALLY SPECIFIED SEED MIX TO ANY SLURRY MIXTURE WHICH HAS NOT BEEN APPLIED WITHIN THE TWO HOURS AFTER MIXING. ADD 75% MORE OF THE ORIGINAL SEED MIX TO ANY SLURRY MIXTURE WHICH HAS NOT BEEN APPLIED EIGHT (8) HOURS AFTER MIXING. ALL MIXTURES MORE THAN EIGHT (8) HOURS OLD, SHALL BE DISPOSED, OFFSITE, AT THE CONTRACTOR'S EXPENSE.
 - CONTRACTOR SHALL REMOVE ALL SLURRY SPRAYED ONTO HARDSCAPE AREAS INCLUDING CONCRETE WALKS, BUILDINGS, ETC. AT THE CONTRACTOR'S EXPENSE.
 - CONTRACTOR SHALL SAVE ALL SEED AND FERTILIZER TACS AND FERTILIZER MULCH BAGS FOR THE LANDSCAPE ARCHITECT TO VERIFY COMPLIANCE WITH THE DRAWINGS AND SPECIFICATIONS.

NATIVE SEED NOTES

- ALL WEEDS AND EXISTING VEGETATION MUST BE ELIMINATED PRIOR TO HYDROSEEDING OR DRILL SEEDING ANY NATIVE SEED MIX.
- INSTALLATION SHALL BE PERFORMED IN LATE FALL - EARLY WINTER OR SPRING, IF SITE IS PREPARED AT ANY OTHER TIME OF THE YEAR, STABILIZE WITH THE FOLLOWING SEED MIX PER ACRE: 64 LBS SEED OATSENA (SATIVA)/25 LBS ANNUAL RYE GRASS (LOLIUM MULTIFLORUM)
- IF VEGETATION EXISTS ON SITE, APPLY A GLYPHOSATE HERBICIDE AT LEAST THREE DAYS PRIOR TO INSTALLATION ON ALL ACTIVELY GROWING VEGETATION. NEVER APPLY FERTILIZER TO THE SITE.
- DRILL SEEDING, INSTALL SEED WHEN SOIL IS SUFFICIENTLY DRY SO THAT SOIL DOES NOT STICK TO THE PACKER WHEELS ON THE DRILL.
- ENSURE THE DRILL OR HYDROSEEDER IS PROPERLY CALIBRATED TO SOW THE SPECIFIED AMOUNT OF SEED OVER THE SPECIFIED AREA. ENSURE COMPLETE COVERAGE OF THE SPECIFIED AREA.
- MOW AT A HEIGHT OF 4 - 6 INCHES WHEN THE OATS SET SEED HEADS. MOW AT A HEIGHT OF 4 - 6 INCHES ONCE A MONTH OR WHENEVER WEED GROWTH REACHES TO INCHES FOR THE REMAINDER OF THE FIRST SEASON.
- IF COOL SEASON WEED GROWTH IS HEAVY IN THE SPRING OF THE SECOND SEASON, MOW ONCE IN LATE MAY OF THE SECOND SEASON.

PLATTE
architecture + design

bayer becker
www.bayerbecker.com
1404 Race Street, Suite 204
Cincinnati, OH 45202 - 513.834.6151

Progress Dates

Revisions

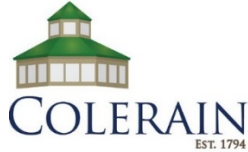
Design Team:

Drawn by:
H+H

NEW BUILDING FOR
CAMBODIAN BUDDHIST TEMPLE
10066 MEMORINEE DRIVE
CINCINNATI, OH 45202

PROPOSED PROJECT:
APR 10 2018
Job No: 18-0027

COLLEGE ZONING
PLANT DETAILS



Staff Report:	Board of Zoning Appeals
Case#	BZA2018-05
Variance Request:	Accessory Building Height
Location:	6114 Blue Rock Rd.
Meeting Date:	May 23, 2018
Prepared by:	Marty Kohler, Senior Planner

Property owner Ralph Meierjohan has requested a variance from Sections 10.2.3(B) and 12.2.1(B)(3) for a proposed accessory structure exceeding the maximum allowable height.

Case History:

This case is similar to a proposal reviewed by the BZA as case BZA2018-02 which was denied by the board in February 2018. The revised proposal reduces the proposed height by two feet but still exceeds the maximum height by 4.5 feet. The subject property is part of the former 34 acre Paradise Resort Campground on the north side of Blue Rock Rd. between Church Rd. and Sheits Rd. The former campground has been demolished and divided into five single-family lots averaging 6.7 acres in size. The lots are accessed by a shared private lane. The property is somewhat hilly and heavily wooded. The applicant's lot is the furthest from Blue Rock Rd. and borders the Orchard Hill residential development to the rear. The subject property and all surrounding property is zoned R-2 Estate Residential District.

Current Proposal

The applicant is proposing to construct a new house and detached garage on six acres. A Zoning Certificate was issued for the house, however, the application for the detached garage was refused due to the proposed height exceeding the maximum allowance of 15 feet measured at the mean height of the roof. The previous proposed height was 21.5 feet. The proposed height shortens the side walls of the structure by 2 feet resulting in a revised average roof height of 19.5 feet. The proposed 3,600 square foot garage is about 1200 feet from Blue Rock Rd. and 85 feet to the closest neighboring property.

The applicant's justification for the variance is that the property is wooded and hidden from neighboring properties. It is the applicant's intention to store large recreational vehicles in the garage.

Zoning Regulations

Accessory buildings are permitted in residential zones as a use that is supplemental to residential structures. The definition is as follows:

16.2.2 Accessory Building or Use shall mean a building or use that is *incidental to* and customarily found in connection with a principal building or use; is *subordinate to* and serves a principal building or use; is subordinate in area, extent, or purpose to the principal building or use served; and is located on the same lot as the principal building or use served.

Section 10.2.3(B) restricts the height of accessory buildings to 15 feet. Section 12.2.1(B)(3) specifies that the height of the building with a gable roof is measured at the mean height of the

eaves and ridge of the roof. The proposed building measures 19.5 feet to the median roof height which exceeds the maximum allowable height by 4.5 feet.

The proposed building is permitted to be within 5 feet of the rear and side property lines and cannot exceed the size of the house. The proposal meets these requirements. If the garage is attached to the house the permissible height is three floors.

Staff Findings:

1. The height variance requested is substantial since the proposed building exceeds the maximum height by about 30%.
2. The granting of the variance would grant a consideration that is not available to other property owners in the neighborhood.
3. The property in question would likely yield a reasonable return without the variance. The property can reasonably be used as a single family dwelling within the limits of the zoning regulations.
4. The granting of the variance would probably not have a negative impact on neighboring property but would create a precedent to allow for tall accessory buildings if requested by neighboring properties.
5. Approval of the height variance would not affect the delivery of government services.
6. There are no unusual topographic or site configuration issues related to this property which would prevent the reasonable application of the height regulations.
7. 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 not granting the variance for additional height for an accessory garage building.

Staff Recommendation: DENIAL OF THE VARIANCE REQUEST.

**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 2018-05

Owner: Ralph Meierjohan Applicant: Meierjohan Building Group, LLC

Property Address: 6114 Blue Rock Road

City: Cincinnati State/Zip: Ohio 45247

Applicant Address: 7750 Dennler Lane

City: Cincinnati State Zip Ohio 45247

Phone: 513-313-8605

Auditor's Book-Page-Parcel Number: 510 -- 0240 -- 0253

Zoning Classification: R-2

Appeal to
(check one): Refusal to issue Zoning Certificate x 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:	\$350.00
	Legal Notice:	30.00
	Mailing/adjacent Property Owners:	3.00
	Total Amount Paid:	

*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:



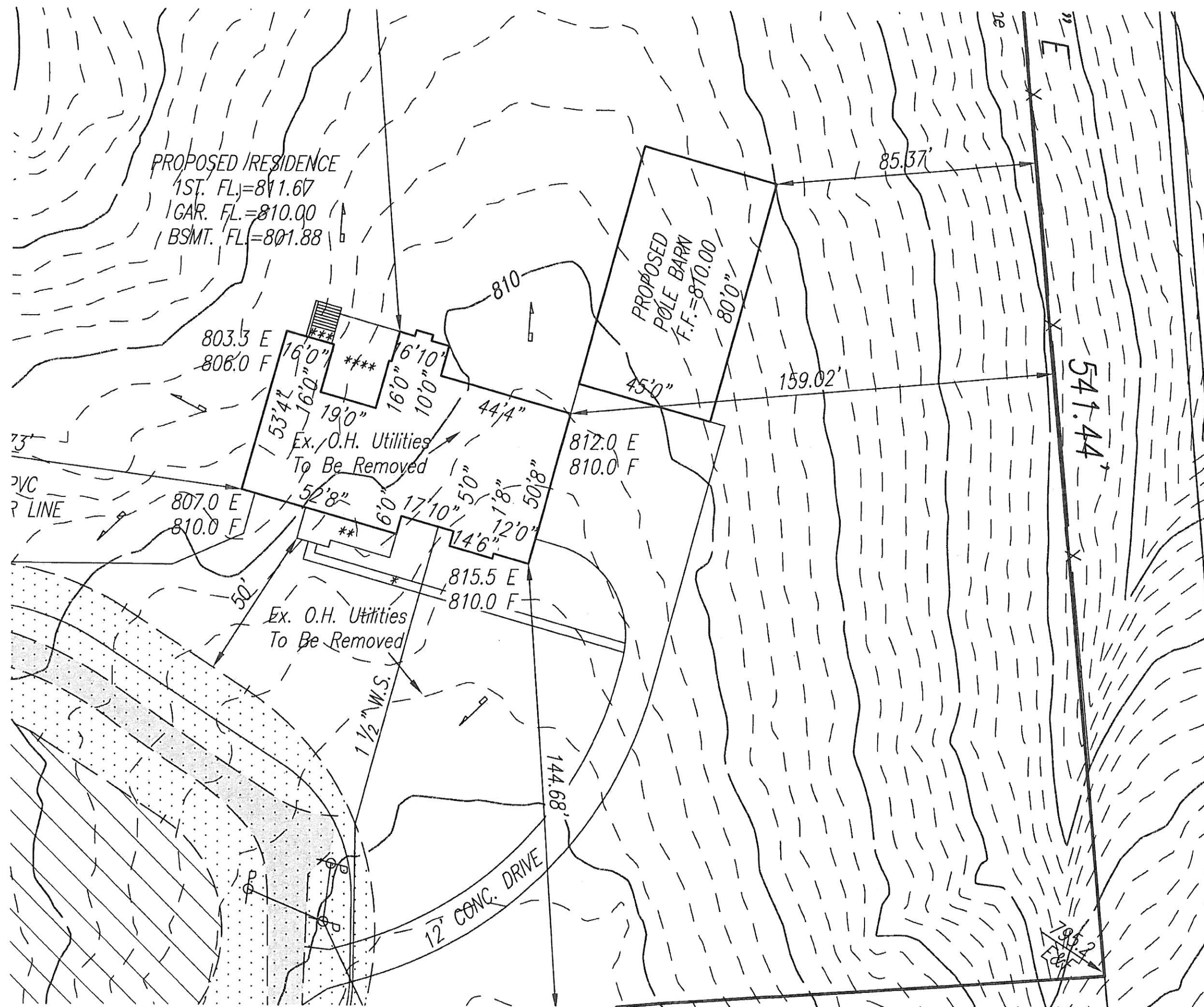
Signature of Applicant (if not the Owner):

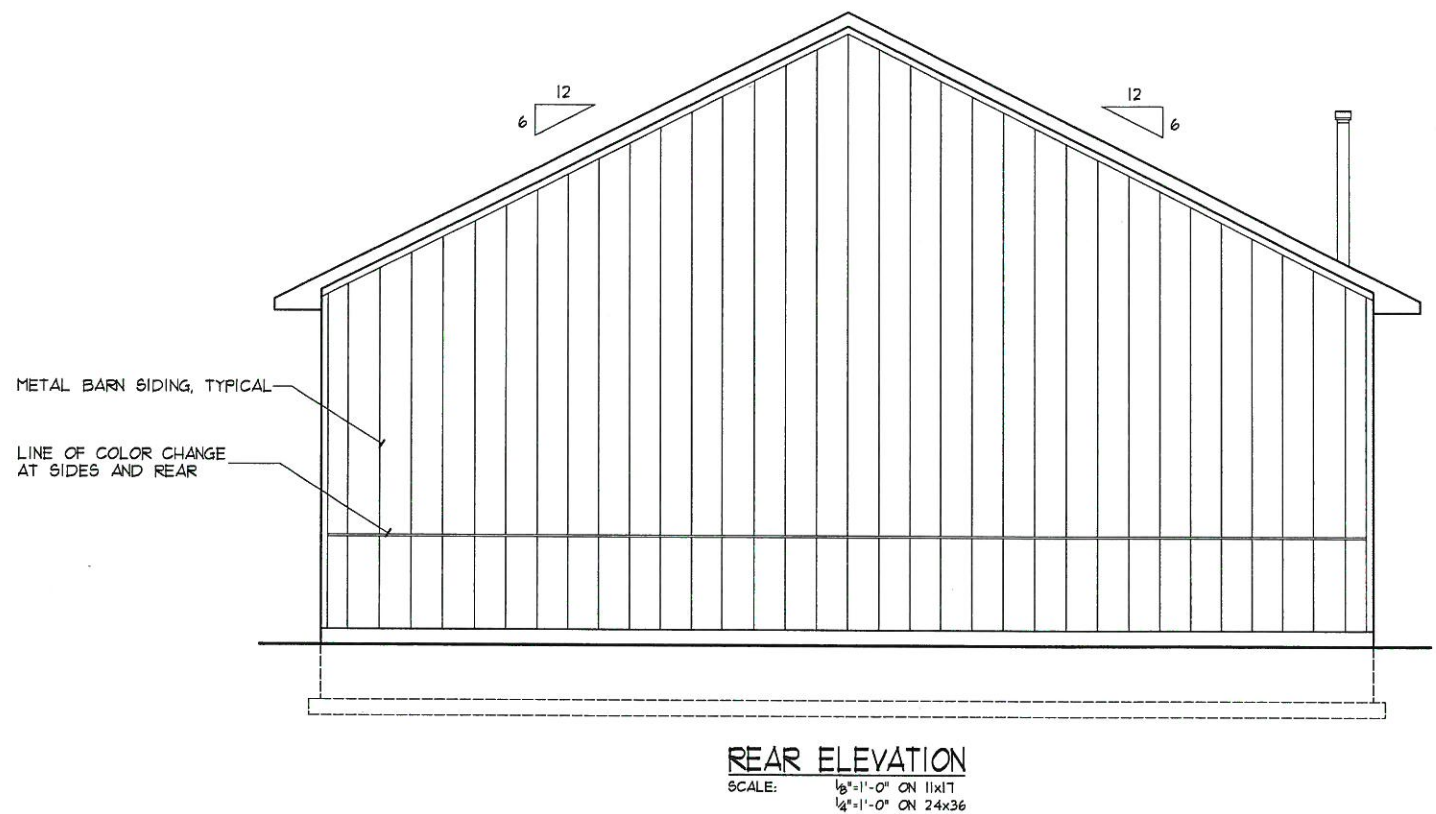
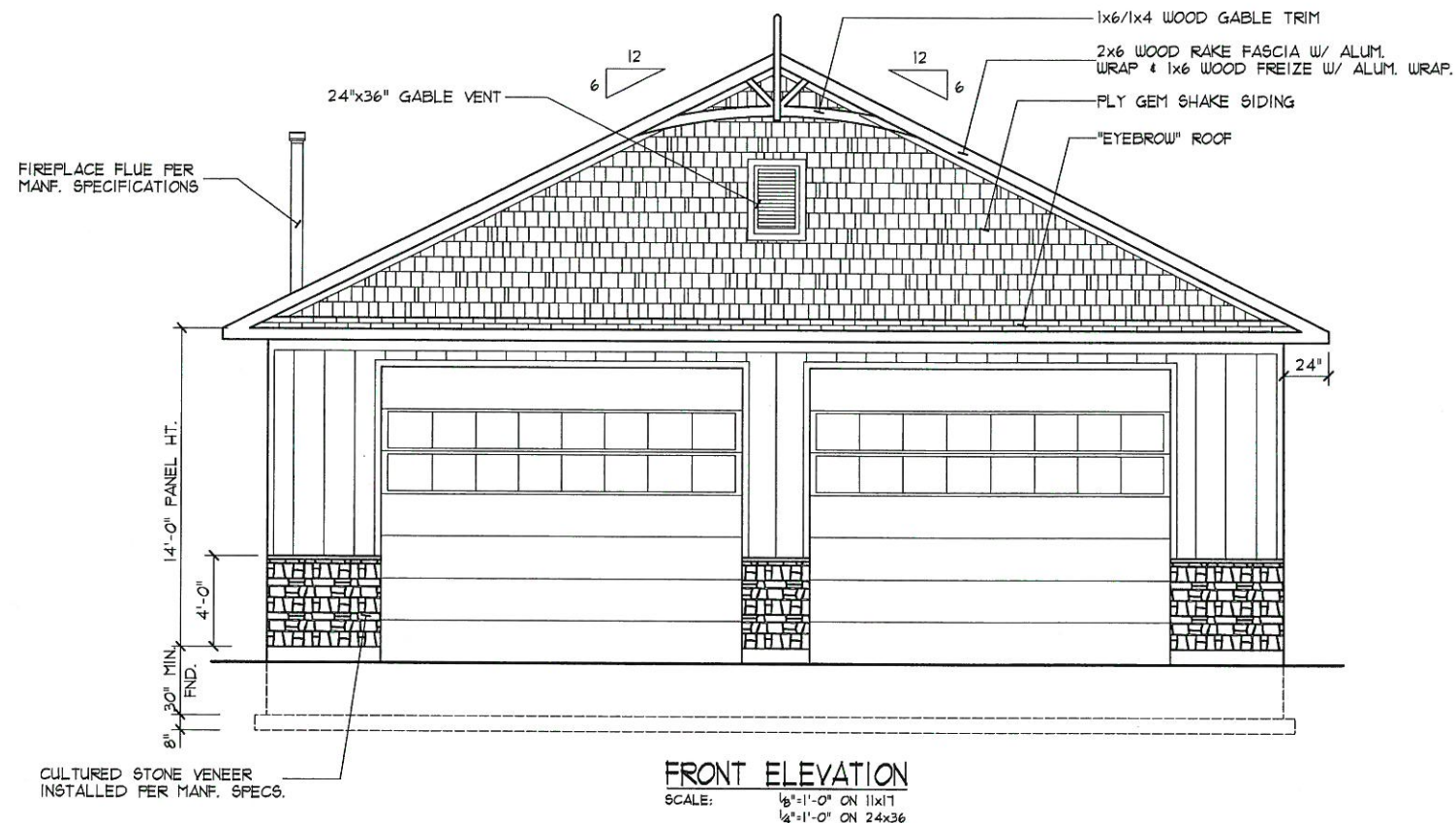
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APR 06 2018

(over)

COLERAIN ZONING





GENERAL NOTES

1. THESE CONSTRUCTION DOUCHMENTS ARE PREPARED BASED ON THE 2013 RESIDENTIAL CODE OF OHIO
2. DIMENSION NOTES: EXTERIOR DIMENSIONS TO FACE OF FOUNDATION. INTERIOR DIMENSIONS TO FACE OF STUDS. INTERIOR PARTITIONS 3 1/2" UNLESS NOTED OTHERWISE.
3. WOOD LINTELS: (UNLESS NOTED OTHERWISE) 2x4 STUD OPENINGS UP TO 3'-0", USE (2) 2x8's, OPENINGS UP TO 6'-0", USE (2) 2x10's, OPENINGS 6'-0" & LARGER, USE (2) 2x12's w/ 1/2" PLYWOOD PLATE. PROVIDE 3 1/2"x3" SOLID WOOD BEARING TO TOP OF FOUNDATION OR BASEMENT BEAM @ EACH END, TYPICAL.
4. WOOD ROOF/FLOOR TRUSSES: APPLICANT SHALL SUBMIT TRUSS DESIGN DATA, FABRICATOR TYPE, & MANF. SEALED DRAWING(S) W/ LAYOUT SHEET PRIOR TO FRAME INSPECTION FOR BUILDING DEPARTMENT APPROVAL. ALL TRUSSES SHALL BE CONNECTED TO WALL PLATES W/ SIMPSON H2.5 OR EQUAL, UNLESS OTHERWISE SPECIFIED BY TRUSS MANUFACTURER. LUMBER SPECIES & GRADE TO BE INCLUDED ON ENGINEERED ROOF TRUSS DRAWINGS. MAX. DEFLECTION LIMITS FOR ROOF TRUSSES AND GIRDERS WITH CEILING = L/240.
5. DESIGN LOADS: (LIVE LOADS)
FLOOR LOAD=40 PSF
STAIR=40 PSF
ROOF=20 PSF PLUS 20 PSF ON BOTTOM CORD
GARAGE=50 PSF
DECK=40 PSF
BALCONY=60 PSF
WIND=90MPH
MAX ASSUMED SOIL BEARING CAPACITY=1,500 PSF.
MAX. DEFL. LIMITS: FLOORS= 1/360, WALLS= h/240.
6. LUMBER GRADE: ALL FLOOR JOISTS & TRUSS MEMBERS SHALL BE OF #1 KD. SOUTHERN YELLOW PINE W/ Fb=1730 PSI FOR 2"x8", Fb=1500 PSI FOR 2"x10", & Fb=1440 PSI FOR 2"x12" & E=1,700,000. ALL STUDS TO BE OF STUD GRADE S.P.F. W/ Fb=650 PSI & E=1,200,000.
7. CONCRETE:
FOOTINGS - 2,500 PSI
FOUNDATION WALLS, BASEMENT SLAB - 3,000 PSI
EXTERIOR CONC. SLABS & GARAGE SLAB - 3,500 PSI CLASS 'C'
CONCRETE SUBJECT TO FREEZING REQUIRES 5%-7% AIR ENTRAINMENT.
STEEL REINFORCING BAR YIELD STRENGTH SHALL BE 60,000 PSI, UNLESS NOTED OTHERWISE.
8. ALL EXTERIOR WALLS SHALL BE SHEATHED W/ 7/16" O.S.B. SHEATHING.
ALL SHEATHING EDGES TO BE FASTENED @ 6" O.C. MIN.
& ALL VERTICAL SEAMS TO BE BACKED BY BLOCKING (EQUAL TO STUD SIZE).
9. PRESSURE TREATED (P.T.) MATERIAL: ALL WOOD FRAMING MATERIAL IN DIRECT CONTACT W/ MASONRY WALLS &/OR CONC. FLOOR SLABS SHALL BE OF PRESSURE TREATED MATERIALS W/ NO CCA TREATMENT & SIMPSON Z-MAX OR EQUAL FASTENERS & CONNECTORS.
10. PREFAB FIREPLACES: BUILDING INSPECTOR SHALL BE PROVIDED MANUFACTURER'S CUTS ON PREFAB FIREPLACE UNITS @ FRAMING INSPECTION.
11. PROVIDE FIRESTOPPING @ TOP OF WALLS IN STUD CAVITIES AND/OR VERTICALLY AT THE CEILING AND FLOOR LEVEL AND @ CONCEALED (FURRED) SPACES HORIZONTALLY EVERY 10' MIN. INCLUDING ALL DROPPED CEILINGS & SOFFITS

ELEVATION NOTES

1. PROVIDE 3:1 MAXIMUM GRADE SLOPE, TYPICAL
2. SLOPE FINAL GRADE DOWN 6" MIN. IN THE FIRST 10' AWAY FROM BUILDING.
3. PROVIDE WATERPROOFING MEMBRANE TAPE AT ALL WINDOWS. INSTALLED PER MANF. SPECS.

SHEET INDEX

SHEET	DESCRIPTION
1	ELEVATIONS, GENERAL NOTES
2	ELEVATIONS, TYPICAL WALL SECTION
3	FOUNDATION PLAN
4	GARAGE FLOOR PLAN
	ATTACHMENTS
-	
-	

DETACHED GARAGE
Sanmar Ridge
Blue Rock Road
Cincinnati, OH

REVISIONS
XX/XX/XX

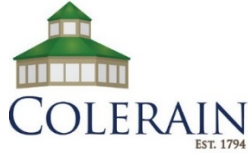
DATE
1/23/18
JOB #
MEIERJOHAN
SHEET #

1

10452 Camden-College Corner Road
College Corner, Ohio 45003
513-910-7467
greg@fullhouseresidentialdesign.com
GREG RUTHER - Designer

Full House
Residential Design, LLC

MEIERJOHAN
BUILDING GROUP
meierjohانبuildinggroup.com
(513) 662-3111



Staff Report:	Board of Zoning Appeals
Case#	BZA2018-006
Variance Request:	Freestanding Sign Variances
Location:	7150 Colerain Ave.
Meeting Date:	May 23, 2018
Prepared by:	Marty Kohler, Senior Planner

Pete Becker with Skanska USA Building, Inc. representing property owner Judy Ann Co. Properties, LLC and Colerain Township has requested variances from Section 15.3, 15.8.3(C), 15.8.3(D)(1), and Section 15.12.2(A) of the Zoning Resolution in order to relocate an existing non-conforming pylon sign in a manner that is not consistent with current sign regulations.

Case History:

The subject property is located at the northeast corner of Banning Road and Colerain Avenue and contains a Shell fuel station. The fuel station was built on a 0.6 acre parcel in 1983 which was prior to Colerain's current zoning regulations. The pylon sign on the property is non-conforming with respect to height and setback. The zoning for the property is B-2 General Business and is a conforming use.

Two significant projects are underway in the proximity of the subject property being the construction of a new elderly housing project on Jonrose Avenue and the construction of a new and larger Struble Elementary School. During the review of both of these projects a determination was made by the Hamilton County Engineer that the intersection of Colerain Avenue and Banning Road needs to be widened to create an additional turn lane on Banning Road. Township staff and Colerain Trustees were heavily involved with the promotion of both of these projects in order to revitalize the Groesbeck neighborhood. Colerain Township is providing funding for the widening of Banning Road.

Since the intersection improvements call for the replacement of the traffic signal mast arms, control box and utility poles, more right-of way was needed behind the existing sidewalk. The project necessitates the relocation of the pylon sign since it already slightly encroaches into the right-of-way of Colerain Avenue.

Current Proposal:

The applicant proposes to relocate the existing pylon sign to a new location on the property with new concrete footings.

Zoning Regulations:

Nonconforming Signs: Section 15.3 requires compliance with the sign regulations for signs erected, placed or maintained within the Township. Section 15.12.2 requires that signs lose their non-conforming status when relocated or the structure is altered in any way. Non-conforming signs are eliminated over time for a variety of reasons including traffic accidents, storm damage, physical deterioration, prolonged vacancy of the property, redevelopment of the site, and road widening projects.

Setback from the right-of-way: Section 15.8.3(C) requires a minimum setback of 10 feet from the right-of-way for all signs. The existing sign currently encroaches several inches into the Colerain Avenue Right-of-way. The proposed setback is one foot. The right-of way for this property is about one foot behind the sidewalk. The right-of-way line on Colerain Avenue varies greatly but is most commonly at the back of the sidewalk.

Sign Height: Section 15.8.3(D)(1) restricts the height of a ground sign to 15 feet and the proposed height is 19 feet tall.

General Discussion:

The revitalization of the Groesbeck neighborhood is a high priority for Colerain Township. Much of the commercial development on Colerain Avenue utilizes former residential lots and structures which have been diminished in size due to the widening of the road. Significant investment is needed in this area to keep residential and commercial properties viable in the future. Key projects like the new elderly housing and a bigger and better Struble School will help to make this neighborhood more desirable.

The BZA has reviewed several cases for sign relocations based on road widening projects. The other projects tended to have additional variance requests for additional size, multiple signs on the property, and landscaping. In this case the applicant intends to comply with size and landscaping and this would be the only freestanding sign on the property. The other requests have occurred on much larger properties that do not have vehicle maneuvering issues as with the subject property.

Most new signs that are installed on Colerain Avenue are located at least 10 feet behind the sidewalk because the back of the sidewalk is also the right-of-way line. Since the right-of-way purchase on this property includes space for other utility and traffic signal relocations, the resulting setback for the proposed location is about 13 feet back from the sidewalk which would give the impression that the sign is as far back as other new signs in the area.

The size allowance for a freestanding sign in the B-2 zone is ½ square foot of sign size for each lineal foot of street frontage with a maximum of 150 square feet. The allowable size for this site is 145 square feet and the current sign is 129 square feet. The current sign has about three feet between the ground and the bottom of the sign panel. In order to shorten the existing sign by four feet to comply with the maximum allowable height, the bottom panel of the sign would need to be removed which further reduces the sign area. A new traffic signal control box is proposed at the intersection that will be about six feet in height and three feet in width. This is within the sight lines of the proposed location of the pylon sign. The property owner prefers to keep the sign at the current height to avoid costs for the modification of the sign and also to allow clear visibility of the lower portion of the sign due to the traffic signal control box.

The lot size for the fuel station is about 0.6 acres and the minimum size for a lot in the B-2 zone is one acre. Since the lot is unusually small and fuel stations necessitate good and safe traffic maneuvering, the property should be kept clear of traffic impediments. A sign meeting the required setback may substantially impede the flow of traffic on the site.

Staff Findings:

1. The sign variance requested is substantial since the zoning resolution encourages the elimination of non-conforming signs and encourages restrictions on the height and setback of signs.
2. The granting of the variances would result in an increase in the overall sign area allowed for the property.
3. The property in question would likely yield a reasonable return without the variance.
4. The granting of the variance would probably not have a negative impact on neighboring property but would create a precedent to allow for the replacement of other non-conforming signs if requested by similar properties.
5. The granting of the variance request would not result in a larger amount of signage for the subject property than other surrounding properties but would allow for additional height.
6. Approval of the sign variances would not affect the delivery of government services.
7. There are no unusual topographic or site configuration issues related to this property which would prevent the reasonable application of the sign regulations, however the enforcement of the 10 foot setback would place the sign within key vehicle maneuvering lanes and could affect the safe movement of traffic on the property.
8. 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 for relocation of the non-conforming sign.

Staff Recommendation: APPROVAL OF THE SIGN VARIANCE REQUESTS SUBJECT TO THE FOLLOWING CONDITIONS.

1. That the location of the sign be at least 13 feet behind the existing sidewalk on Colerain Avenue.
2. That the sign cannot be enlarged to more than the current size of 129 square feet.
3. That the curbing for the proposed sign be widened to accommodate 129 square feet of landscaping.

**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 2018-06

Owner: Judy Ann Co. Properties, LLC Applicant: Skanska Megan, on behalf of Colerain Township

Property Address: 7150 Colerain Ave.

City: Cincinnati State/Zip: OH, 45239

Applicant Address: 4520 Newberry Acres Drive

City: Cincinnati State Zip OH, 45251

Phone: _____

Auditor's Book-Page-Parcel Number: 510 -- 0074 -- 0015
B-3

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:	<u>350 -</u>
	Legal Notice:	<u>30 -</u>
	Mailing/adjacent Property Owners:	<u>2.50</u>
	Total Amount Paid:	<u>382.50</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: _____

Signature of Applicant (if not the Owner): Skanska Megan on behalf of Colerain Twp.

RECEIVED

(over)

APR 12 2018

COLERAIN ZONING

RECEIVED

APR 12 2018

COLERAIN ZONING

APPLICATION FOR APPEAL COLERAIN TOWNSHIP BOARD OF ZONING APPEALS

BZA Application number: Z2018-0089

Property Location: 7150 Colerain Ave., Cincinnati, OH 45239

Justification of Variance statement:

1. Describe the variance requested, referring to the specific relevant sections of the Zoning Resolution (as indicated in the Refusal letter or Violation letter).

Section 15.3 requires compliance with the sign regulations for signs erected, placed or maintained within the Township.

*The existing sign is only being relocated from its current location due to the Colerain Township Project, in conjunction with Hamilton County and the Northwest Local School District, for the traffic improvements to Banning Road. **See Exhibit – Struble Elementary Public Roadway Improvements Drawings.** This variance is being requested to essentially duplicate the visibility and present sign location currently exists. The requested location will eliminate the sign from being positioned 22 feet into the middle of the property from its current position. This would adversely impact the property's current vehicle traffic pattern and would dramatically alter the internal circuitry of travel on this property. Access to the existing gas pumps, parking and change in the flow of traffic could result in significant damages to this property and the refusal of the owner to participate in this voluntary program. Currently, the Township has hired a Right of Way (ROW) consultant to coordinate the purchase of required right of way needed for the project. The consultant is highly recommending the proposed sign relocation be moved laterally along Colerain Avenue, which the owner has already advised would be an acceptable location to the consultant. **See Exhibit A, A.1 and A.2.***

Section 15.8.3(C) requires that ground signs be set back from the right of way by at least 10 feet and the proposed setback is 8 inches.

*The movement of the existing sign is not being requested by the owner of the property. It is the current Colerain Township Banning Road Left Turn Lane Project that is creating the need to relocate the sign. The requested location simply maintains what the owner already has. The participation by the owner in this project is voluntary. There would be no justifiable reason why the owner would willingly accept anything less than what already exists at its current permitted location. The setback requirement would jeopardize the ROW acquisition and effectively stop the project. **See Exhibit A.1 and A.2.***

Section 15.8.3(D)(1) restricts the height of a ground sign to 15 feet and the proposed height is 19.5 feet.

*It is being proposed that existing permitted sign is only being relocated in close proximity to its current location to accommodate the road project by Colerain Township. This will eliminate significant cost increases as a result of the type of appraisal that will be required and compensation to the owner for potential damages to the residual property. Any and all cost increases for these items will be required to be covered by the Colerain Township Project. **See Exhibit B.***

Section 15.12.2(A) requires that signs lose their non-conforming status when relocated

Refer to previous response in 15.8.3 (D)(1) above.

2. Affirm that the use requested is permitted in the zoning district where the property is located.

It is assumed that the existing sign has been previously approved for installation for the Zoning Classification: B-3.

3. Describe how the variance is not contrary to the public interest.

The existing sign has not been documented as being an issue with the public to our knowledge. The community would not be adversely affected by the granting of the variance. The proposed relocation will simply replace in kind what is already there while improving it by the addition of landscaping that does not currently exist.

4. Describe how a literal enforcement of the zoning resolution would result in unnecessary hardship. Describe the specific hardship(s) related to special conditions unique to the individual property for which a variance is being requested.

The current property owner already has limited traffic flow through the gas station on the congested corner of Colerain Avenue and Banning Road. If the sign is relocated to meet the setback requirement, its new location would be approximately 22 feet farther into the middle of traffic flow from Colerain Avenue and Banning Road, impeding access to both sides of the gas pumps. In addition, currently when refueling tankers are on site, the south side of the property receives the majority of traffic. The current setback and height requirements would require the compensation of the existing sign, and installation and permit fees for a new sign. A new sign will most likely exceed the compensation of the current sign. This would require the owner to pay the difference. There is no reason why the owner would be willing to spend additional money to replace a sign that works and accomplishes the advertising needs of this business to accommodate the road project.

5. Affirm that the need for a variance is not a result of the applicant's or owner's actions.

The current property owner has not requested or has a need to relocate the sign that currently exists on the property. The necessary relocation of the sign is a result of the Colerain Township Project for traffic improvements required by Hamilton County to be made to Banning Road. The improvements will add an extended turn lane from Banning Road to Colerain Avenue as well as updated signaling poles and equipment to this intersection.

Skanska Mosen
Name, Company *on behalf of Colerain*
Twp

4/12/18
Date

Relocated sign view will be block from southbound Colerain Ave. traffic for property Owner.

Traffic flow impact to property owner.

22'-0"

10'-0"

Relocated sign to meet setback.

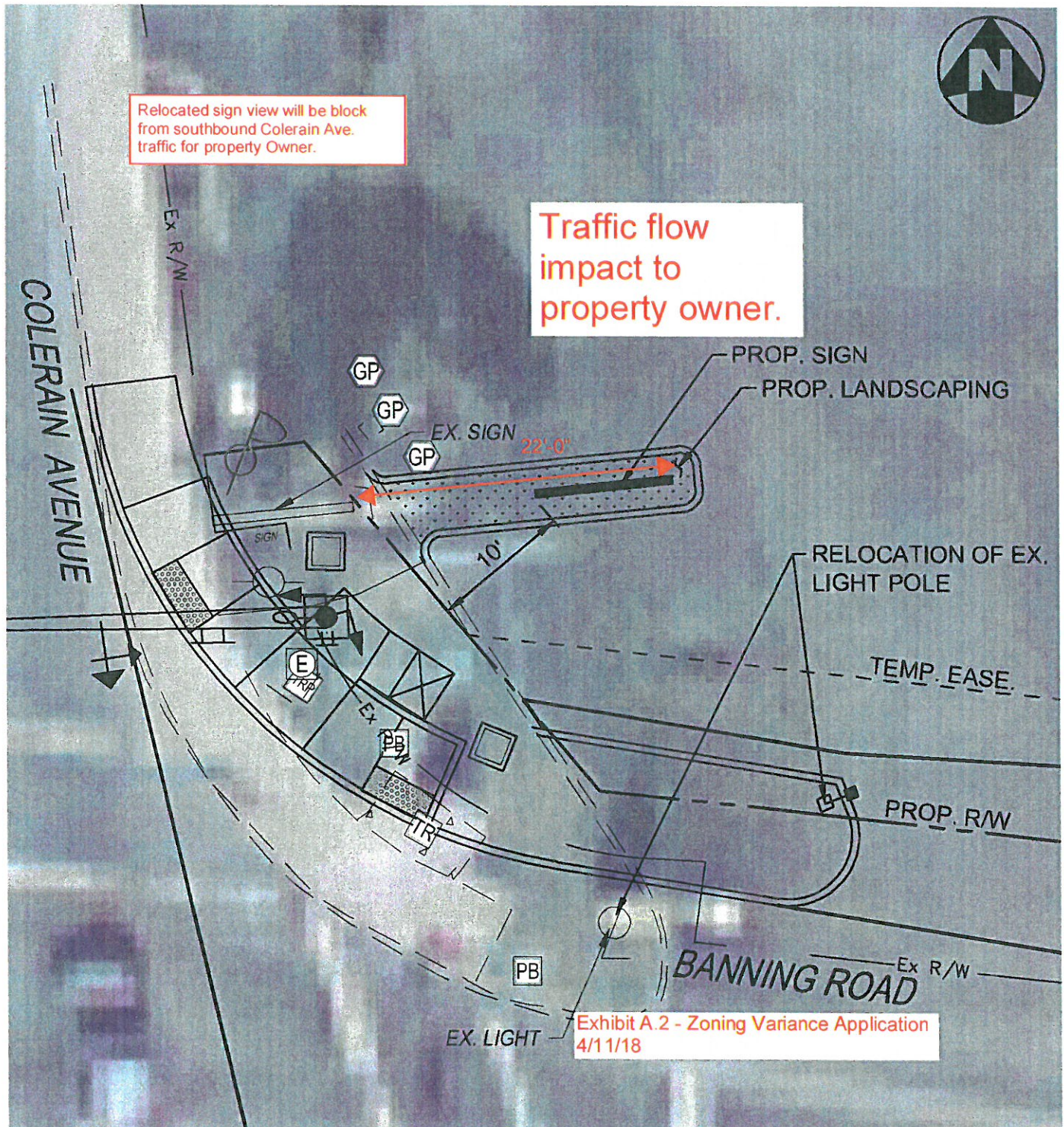
Exhibit A.1 - Zoning Variance Application
4/11/18

Google Earth

© 2018 Google



70 ft



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SURVEYING
LANDSCAPE
ARCHITECTURE
www.kleingers.com

6305 Centre Park Dr.
West Chester, OH 45069
513.779.7351

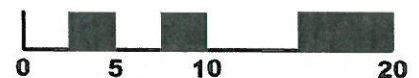
SIGN & LIGHT POLE RELOCATION EXHIBIT

JUDY ANN CO. PROPERTIES
7150 COLERAIN AVENUE
COLERAIN TOWNSHIP,
HAMILTON COUNTY, OHIO

PROJECT NO: 160243.002

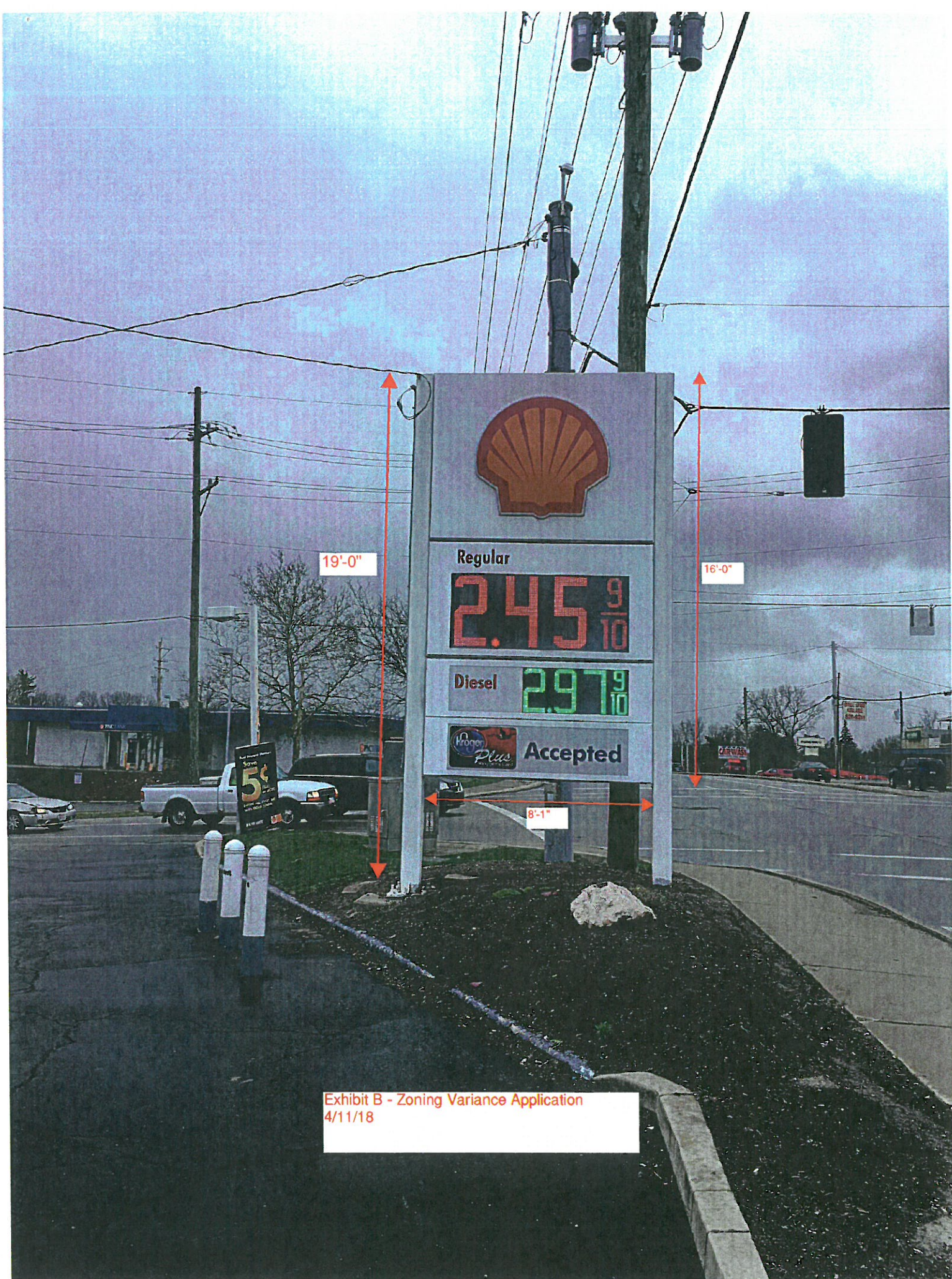
DATE: 3/28/2018

SCALE:



SHEET NO.

X103

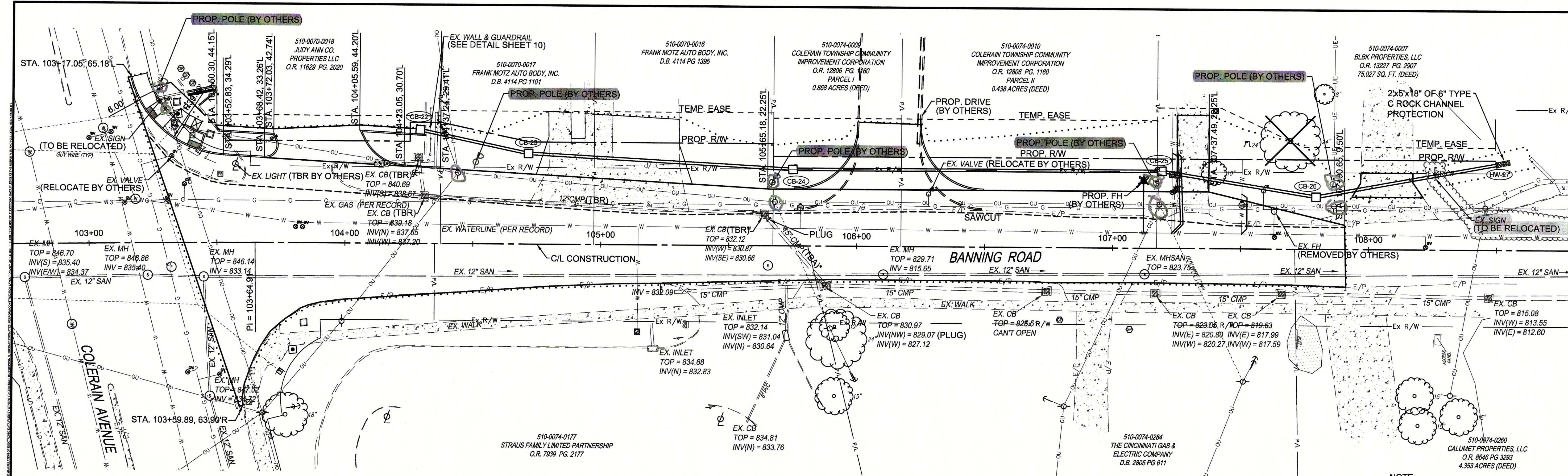


19'-0"

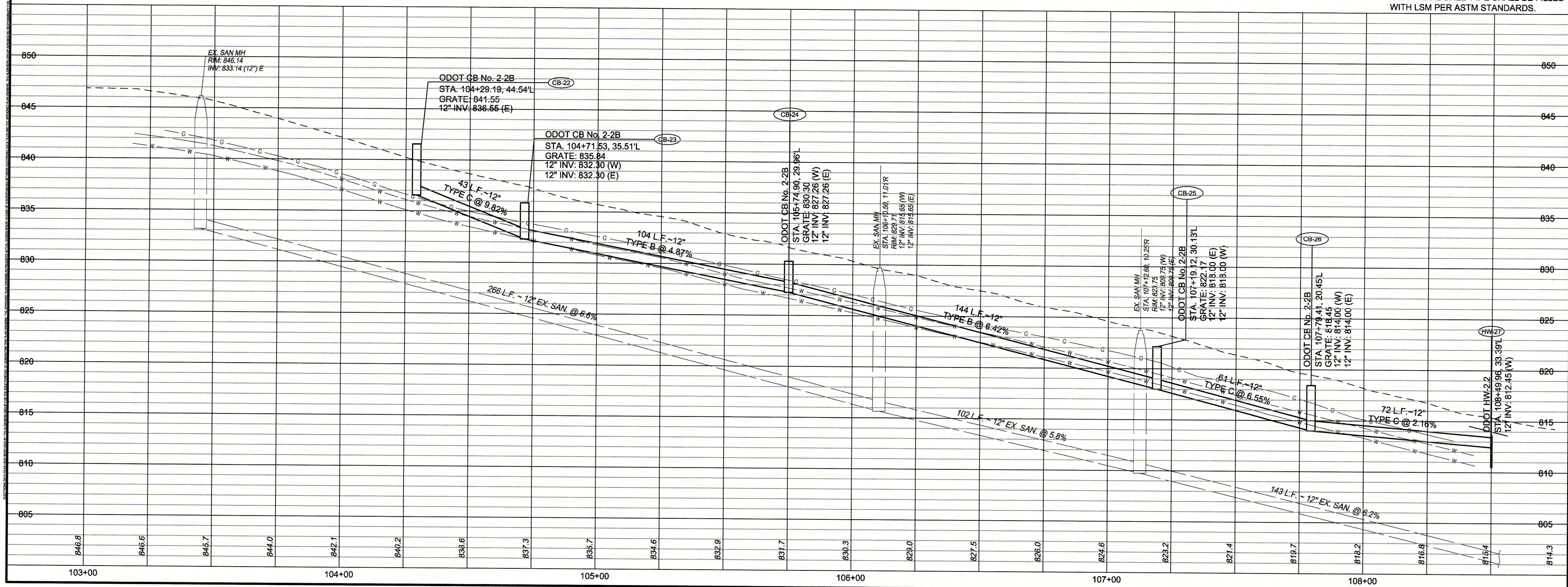
16'-0"

8'-1"

Exhibit B - Zoning Variance Application
4/11/18



NOTE:
* ALL ABANDONED PIPE SHALL BE FILLED
WITH LSM PER ASTM STANDARDS.



0 10 20 30 40

HORIZONTAL SCALE
IN FEET

0 5 10 15 20 25 30 35 40 45 50

VERTICAL SCALE
IN FEET

CALCULATED

GAU

CHECKED

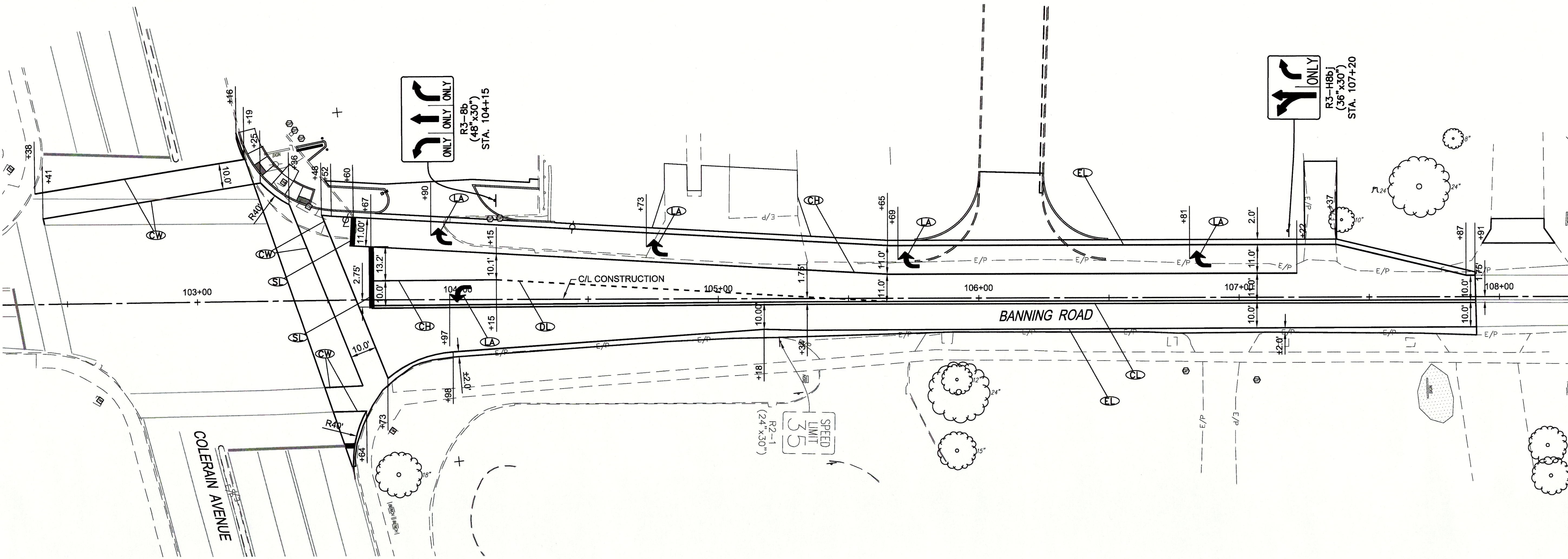
YSY

STRUBLE ELEMENTARY ROADWAY IMPROVEMENTS

PLAN & PROFILE - STA. 102+23.34 TO STA. 108+50

5

24



- LEGEND**
- CL - ITEM 644, CENTER LINE, 4" DOUBLE YELLOW SOLID
 - EL - ITEM 644, EDGE LINE, 4" WHITE
 - SL - ITEM 644, STOP LINE, 24" WHITE
 - DL - ITEM 644, DOTTED LINE, 8" WHITE
 - CW - ITEM 644, CROSSWALK LINE, 12" WHITE
 - CA - ITEM 644, CHANNELIZING LINE, 8" WHITE
 - LA - ITEM 644, LANE ARROW, 8"
 - TR - ITEM 644, TRANSVERSE LINE, 24" YELLOW

- [Solid Box] - PROPOSED SIGN
- [Dashed Box] - EXISTING SIGN
- [Crossed Box] - EXISTING SIGN TO BE REMOVED

0 10 20 40

HORIZONTAL SCALE
IN FEET

CALCULATED
GAU

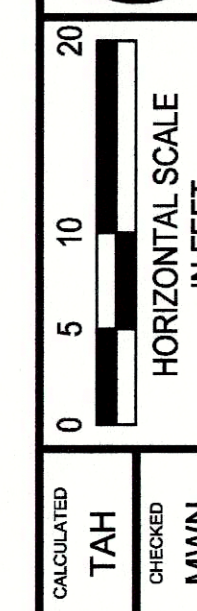
CHECKED
YSY

STRUBLE ELEMENTARY ROADWAY IMPROVEMENTS
TRAFFIC CONTROL

13

24

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STRUBLE ELEMENTARY ROADWAY IMPROVEMENTS
TRAFFIC SIGNAL PLAN - COLERAIN AVENUE AT BANNING ROAD

