

COLERAIN TOWNSHIP BOARD OF ZONING APPEALS

Regular Meeting

4200 Springdale Road, Cincinnati, Ohio 45251

Wednesday, January 22, 2014 - 7:00 p.m.

Meeting called to order: 7:00 p.m.

Pledge of Allegiance.

Explanation of procedures.

Roll Call. Present – Mr. Price, Mr. Reininger, Mr. Roberto, Mr. Martin. Alternate Mr. Bartolt was seated.

Swearing in: appellants, attorneys and all speakers in the cases.

Hearing of Appeals:

A. BZA2014-0014 - Area Variance and BZA2014-0015 - Conditional Use
Christ Lutheran Church, 3301 Compton Rd., Cincinnati, OH

BZA2014-0014

Staff: The property is a large parcel located on Compton Rd. The reason they have come before the Board is because there was an auto accident involving their sign and they are considering putting in an electronically activated sign, which are only permitted in residential districts when the property has a conditional use. The church has existed since 1955 at the present location and they are in the same situation as the other churches the Board has dealt with; they are a nonconforming use. The property is located in the R-6 Residential District. It is bounded to the south by PD-B and is close to the Colerain Corridor to the west. A variance is requested for the existing parsonage that is approximately 30 ft. from the side lot line where the requirement is a 50 ft. setback. Construction of the church and parsonage predates the Zoning Resolution and the conditional use requirements for religious places of worship in residential districts. The church cannot achieve its goal of installing an electronically activated sign without becoming an approved conditional use and a conditional use approval cannot be given without a variance. Staff recommends approval subject to the following condition:

1. The use of the parsonage building may not change to a use that is more intense than its present residential use.

Applicant: Ron Lipez, attorney and member of church for 40 years. As staff indicated, the sign was destroyed out by a motorist and they would like to replace it with an electronic sign. Their minister has his own home and the victor lives in the parsonage. They respectively request that the variance be granted so they can proceed with their sign.

Motion to close public input by Mr. Roberto, 2nd by Mr. Martin. Motion carried.

Board Deliberation: The Board asked what section of the Code allows electronically activated signs in residential districts for conditional uses and if the variance is granted, will they still be bound by the Code for sign height and display. Mr. Milz stated Article 15.8.2 (E) regulated these signs and they would apply.

Board action: Motion by Mr. Price to approve BZA2013-0014 subject to condition recommended by staff, 2nd by Mr. Roberto.

Roll call: Mr. Price – aye, Mr. Roberto – aye, Mr. Martin – aye, Mr. Bartolt – aye, Mr. Reininger – aye.

BZA2013-0015:

Staff: The church was constructed before religious places of worship were considered conditional uses in residential districts. The use is in accordance with the objectives of the Colerain Township Comprehensive and the Zoning Resolution. The conditional use will continue to serve the public convenience and welfare as it has done since 1955. Staff recommends approval of the conditional use.

Applicant: Mr. Lipez stated that he appreciates the efforts of the Planning & Zoning staff in assisting him with the applications.

Motion to close public input by Mr. Roberto, 2nd by Mr. Martin. Motion carried.

Board action: Motion to approve BZA2013-0015 for a conditional use by Mr. Roberto, 2nd by Mr. Price.

Roll call: Mr. Price – aye, Mr. Roberto – aye, Mr. Martin – aye, Mr. Bartolt – aye, Mr. Reininger – aye.

Resolutions for Adoption:

A. BZA2013-0013 – 6845 Cheviot Rd., Cincinnati, OH

Motion: deny.

Roll call: Mr. Bartolt – abstained, Mr. Martin- aye, Mr. Price – aye, Mr. Reininger – aye, Mr. Roberto – aye.

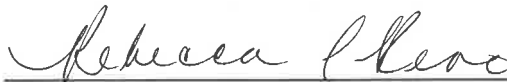
Unfinished Business: None.

Approval of Minutes: Motion by Mr. Price to approve minutes of December 18, 2013 meeting, 2nd by Mr. Martin. Motion carried.

Administrative Matters: Mr. Milz introduced Brian Spitzig, the new co-op, and said he is doing a great job. Mr. Milz noted the training opportunity on January 31, 2014 and said it will be a great event. Mr. Martin inquired about the signs on the businesses that have closed on the Cheviot Rd. site and asked if any action will be taken. Mr. Milz stated that it will be addressed. Mr. Martin asked if staff could provide the Board with the number of violations that were received last year and said he's puzzled that the BZA doesn't receive appeals for violations. Mr. Milz said that the enforcement police officer and the technology are now in place, so he'll be able to provide those numbers to them.

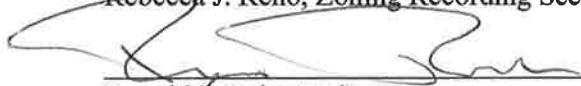
Adjournment: Motion to adjourn by Mr. Price at 7:20 p.m., 2nd Mr. Martin. Motion carried.

Respectfully Submitted:



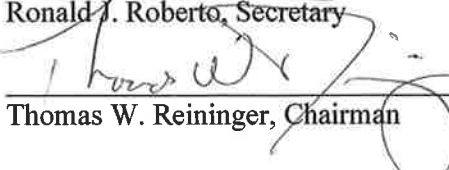
Rebecca J. Reno, Zoning Recording Secretary

Secretary:



Ronald J. Roberto, Secretary

Accepted by:



Thomas W. Reininger, Chairman