

March 18, 2013

Mr. Jim Eichmann – Chairman
Mr. Ted Leugers – Co-Chairman
Mr. Tom Scheve – Member
Mr. Jim LaBarbara – Secretary
Mr. Jeff Heidel – Member

Item 1. – Meeting called to Order

Chairman Eichmann called the meeting of the Board of Zoning Appeals to order at 7:00 PM on Monday, March 18, 2013.

Item 2. – Opening Ceremony

Mr. Eichmann led the Pledge of Allegiance.

Item 3. – Roll Call of the Board

Mr. LaBarbara called the roll.

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

Also Present: Greg Bickford, Harry Holbert and Beth Gunderson

Item 4. – Swearing In

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

Item 5. – Approval of Minutes

Mr. Eichmann stated the next order of business was to approve the February 19, 2013 meeting minutes.

Mr. Eichmann asked for any corrections to the February 19, 2013 meeting minutes. No response.

Mr. Scheve moved to approve the February 19, 2013 minutes as written.

Mr. Leugers seconded.

Mr. LaBarbara called roll.

All voted yes to approve the minutes.

Item 6. – Old Business

B2013-02V
Josh Pocock
12109 Seventh Ave.
Variance

Mr. Bickford presented the resolution approving with one condition the variance request for case# B2013-02V.

Mr. Eichmann asked for any comments.

Mr. LaBarbara called roll.

Mr. Heidel – AYE
Mr. Scheve – AYE
Mr. Eichmann– AYE
Mr. Leugers – AYE
Mr. LaBarbara – AYE

Item 7. – New Business

Mr. Eichmann reviewed the process by which the Board of Zoning Appeals makes its decisions and the standards that are used to justify approval or denial.

B2013-03V
Horizon's Landscape & Irrigation, Inc.
7645 School Road
Variance

Harry Holbert presented the case and case history in a power point presentation. He stated that the Zoning Resolution has a screening requirement for outdoor storage areas in industrial districts and that the applicant was requesting an exemption to that requirement.

The board asked questions of Mr. Holbert.

Mr. Eichmann asked if the applicant was present to speak.

Mr. David Weyers, the applicant, of 1631 W. Loveland Avenue, Loveland, OH 45140, addressed the board. Mr. Weyers listed several incidents involving vandalism to his property that have occurred since he took ownership. He said the police had been called three times in less than a year. Mr. Weyers said he feared the addition of screening to the existing fencing would block the view of security cameras to the street and invite more problems. Mr. Weyers noted that the property had been used as a landscape company for years before his business moved in and had never before been screened.

Mr. LaBarbara noted he drove by the property on Sunday and the gate was open.

Mr. Weyers stated he was working on Sunday and that he keeps the gate open when he is there.

Mr. Scheve commented the screening could make the property less inviting to criminals as they would not be able to see what is behind the fence. He also asked about the location of the security cameras and if they could be moved.

Mr. Weyers said the police told him it would be easier for them to help him with problems with vandals if the site were open. He said it would be difficult to move the cameras outside the screen.

Mr. Eichmann offered several different suggestions for how the property could be screened while still allowing the cameras a view of the street.

Mr. Weyers was concerned that the options Mr. Eichmann brought up would eliminate some of his parking and/or make it difficult for trucks to maneuver in the space. He noted he does receive deliveries from semis and they need a lot of room.

Mr. Eichmann thanked the applicant and asked if anyone present from the public wished to speak.

Mr. Eichmann swore in an additional member of the public.

Mr. Charles St. John, Owner of Demolition Corporation, 7601 School Road, Cincinnati, OH 45249, addressed the board. Mr. St. John said his business is next door to the applicant's and that he was present at the hearing to show support of the applicant's business. He said he believes it is helping the environment of the Township.

Mr. Eichmann asked if there was anyone else present who wished to speak. There was no response so he closed the floor to public comments.

The board discussed the issues brought before them.

Mr. Leugers stated he did not think there was a hardship to justify granting the variance because there were alternatives to screening the existing fence that the applicant could try.

Mr. LaBarbara noted that the property is in an industrial area and the next door neighbor was not opposed to the granting of the variance.

Mr. Scheve said he was inclined to agree with Mr. Leugers.

Mr. Eichmann entertained a motion.

Mr. Leugers moved to deny Case# B2013-03V.

Mr. Scheve seconded.

Mr. LaBarbara called roll.

Mr. Heidel – AYE

Mr. Scheve – AYE

Mr. Eichmann– AYE

Mr. Leugers – AYE

Mr. LaBarbara – AYE

The applicant inquired about an appeal process.

Mr. Bickford said the applicant could appeal the Board's decision subject to a required timeline.

B2013-04V

Atlantic Sign Company

8063 Montgomery Road (Party City)

Variance

Mr. Holbert stated that Party City had requested a continuance until the April meeting because of the possibility of a façade renovation to the building by the owner.

Item 8. – Communications and Miscellaneous Business

The Board asked questions of Mr. Bickford regarding their stipend and the JEDZ issues to be included on the upcoming primary ballot.

Item 9. – Date of Next Meeting

Mr. Eichmann noted the date of the next meeting – Monday, April 15, 2013.

Item 10. – Adjournment

Mr. Eichmann adjourned the meeting at 7:44 PM.

Minutes Recorded by: Beth Gunderson, Planning & Zoning Assistant