

June 16, 2014

Mr. Jim Eichmann – Chairman
Mr. Ted Leugers – Vice-Chairman
Mr. Tom Scheve – Member
Mr. Jim LaBarbara – Secretary
Mr. Jeff Heidel – Member
Mr. Steve Scholtz - Alternate

Item 1. – Meeting called to Order

Chairman Eichmann called the meeting of the Board of Zoning Appeals to order at 7:00 P.M. on Monday, June 16, 2014.

Item 2. – Roll Call of the Board

Mr. LaBarbara called the roll.

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

Members Absent: Mr. Leugers

Also Present: Harry Holbert and Beth Gunderson

Item 3. – Opening Ceremony

Mr. Eichmann led the Pledge of Allegiance.

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 April 21, 2014 and May 19, 2014 meeting minutes.

Mr. Eichmann asked for any corrections to the April 21, 2014 meeting minutes. No response.

Mr. Scheve moved to approve the April 21, 2014 minutes as written.

Mr. Heidel seconded.

Mr. LaBarbara called roll.

Mr. Heidel – AYE
Mr. Scheve – AYE
Mr. Eichmann – AYE
Mr. LaBarbara - AYE
Mr. Scholtz - AYE

Mr. Eichmann asked for any corrections to the May 19, 2014 meeting minutes. No response.

Mr. Scheve moved to approve the May 19, 2014 minutes as written.

Mr. Heidel seconded.

Mr. LaBarbara called roll.

Mr. Heidel – AYE
Mr. Scheve – AYE
Mr. Eichmann – AYE
Mr. LaBarbara - AYE
Mr. Scholtz – ABSTAIN

Item 6. – Old Business

B2014-03V
Roger H. Miller
4124 Estermarie Drive
Variance

Mr. Holbert presented the resolution approving the variance request for Case B2014-03V.

Mr. Eichmann asked for any comments. No response.

Mr. LaBarbara called roll.

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

B2014-02V
Richard B. Tranter (Agent – LCA-Vision, Inc.)
7840 Montgomery Road
Variance

Mr. Eichmann noted the applicant had submitted another continuance request on June 12, 2014.

Item 7. – New Business

B2014-04V
Andrea Grunow
8559 Kenwood Road
Variance

Mr. Eichmann reviewed the criteria the board follows when considering a request for a variance.

Mr. Holbert presented the case and case history in a power point presentation. The property is located in the B – Single Family Residential District where a 35 feet setback is required. Mr. Holbert noted that the new house on the property was constructed with a 25.5 feet setback from Kenwood Road based on Section 4-1.5 of the Zoning Resolution which allows for alignment with adjacent lots.

The Board members asked questions of Mr. Holbert.

Mr. Scheve asked for the definition of a paper street.

Mr. Eichmann asked about the location of the patio.

Mr. Scholtz asked for clarification on the requirements for fences and the sections of the resolution from which the applicant was requesting a variance.

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

Mr. Brent Grunow, 8559 Kenwood Road, Sycamore Township, OH 45236, addressed the Board. Mr. Grunow explained with two small children the fence is necessary to provide them with a safe play space along a busy road.

Mr. Eichmann inquired if Mr. Grunow had thought about the aesthetics of a six foot tall fence along Kenwood Road.

Mr. Scholtz suggested landscaping.

Mr. Grunow responded he takes pride in his yard and plans to landscape along fence.

Mr. Scheve moved to approve the variance request for case B2014-04V with the condition that the applicant submit a landscape plan to be approved by staff.

Mr. Scholtz seconded.

Mr. LaBarbara called roll.

Mr. Heidel – AYE

Mr. Scheve – AYE

Mr. Eichmann – AYE

Mr. LaBarbara – AYE

Mr. Scholtz - AYE

Mr. Holbert said a resolution would be prepared for the next meeting.

B2014-05V

Shawn Scott – Linden Grove School

4122 Myrtle Avenue

Variance

Mr. Holbert presented the case and case history in a power point presentation. Mr. Holbert noted the property in question is unusual because it has four front yards by zoning definition. Mr. Holbert pointed out the proposed location of the shed in relationship to the existing Boy Scout trailer and dumpster.

The Board members asked questions of Mr. Holbert.

Mr. Scheve asked if the school was run by the church.

Mr. Scholtz asked about a church in a residential district.

Mr. Eichmann inquired about the style of the shed and its placement.

Mr. Scheve asked where the defined rear yard of the property was.

Mr. Holbert pointed out the rear yard on the aerial view of the property.

Mr. Heidel asked how far the shed would be from the building.

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

Mr. Shawn Scott, Business Coordinator for Linden Grove School, explained that the school serves primarily autistic children in grades K-8. He said the school is a tenant of the Archdiocese of Cincinnati and has been at the location since 2003. He said the school is in need of storage space for recess equipment and chose the location for the shed at the request of the landlord.

Mr. Heidel asked if the proposed location allowed room for cars backing out of parking spaces.

Mr. Scott answered there would be room for cars to back out of the parking spaces across from the shed.

Mr. Eichmann asked Mr. Holbert if there was a restriction on the number of accessory structures the property could have.

Mr. Holbert answered it would be at the discretion of the Board as that is based on the frontage of the property and this property has quite a bit of frontage.

Mr. Scheve asked if the school could use the existing garage for storage.

Mr. Scott said the garage is used by the church and is filled with lawn care equipment.

Mr. Eichmann thanked the applicant and asked if there was anyone present from the public who wished to comment on the case.

No response.

Mr. Eichmann closed the floor to comments from the public and the Board discussed the issues brought before them.

Mr. LaBarbara moved to approve case B2014-05V.

Mr. Scheve seconded.

Mr. LaBarbara called roll.

Mr. Heidel – AYE

Mr. Scheve – AYE

Mr. Eichmann – AYE

Mr. LaBarbara – AYE

Mr. Scholtz – AYE

Mr. Holbert said a resolution would be prepared for the next meeting.

Item 8. – Date of Next Meeting

Mr. Eichmann noted the date of the next meeting – Monday, July 21, 2014.

Item 9. – Communications and Miscellaneous Business

Mr. Scheve asked about case B2014-02V and how many times the applicant could request a continuance. Mr. Holbert said that would be up to legal counsel.

Item 10. – Adjournment

Mr. Scheve moved to adjourn.

Mr. Heidel seconded.

The meeting adjourned at 7:45 P.M.

Minutes Recorded by: Beth Gunderson, Planning & Zoning Assistant