

December 15, 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, December 15, 2014.

**Item 2. – Roll Call of the Board**

Mr. LaBarbara called the roll.

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

Also Present: Harry Holbert and Beth Gunderson

**Item 3. – Opening Ceremony**

Mr. Eichmann led the Pledge of Allegiance.

**Item 4. – Approval of Minutes**

Mr. Eichmann stated the next order of business was to approve the November 17, 2014 meeting minutes.

Mr. Eichmann asked for any corrections to the November 17, 2014 meeting minutes. No response.

Mr. Scheve moved to approve the November 17, 2014 minutes as written.

Mr. Leugers seconded.

Mr. LaBarbara called roll.

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

**Item 5. – New Business**

SYCB140014  
Jeremy Mainous  
10792 Montgomery Road  
Variance

Mr. Eichmann explained what a variance is and the process by which the Board makes decisions regarding whether or not to grant a variance request.

Mr. Holbert presented the case and case history in a power point presentation. He said the applicant's request is for a variance to Section 13-12.4 of the Zoning Resolution to

install a 45 square foot building sign where a 27.5 square foot sign would be permitted. Mr. Holbert explained the amount of signage allowed is dependent on the lineal frontage of the tenant space.

The Board members asked questions of Mr. Holbert.

Mr. Eichmann and Mr. Scheve asked for clarification on existing and proposed signage.

Mr. Scheve asked if the proposed sign from the applicant's Blue Ash location is smaller than the existing sign at the location in question.

Mr. Holbert answered yes. Mr. Holbert noted the applicant could keep the frame of the existing sign and install a face change on that sign as of right.

Mr. Eichmann asked Mr. Holbert for clarification on how signs are measured.

Mr. Holbert explained staff draws a rectangle around the sign and measures the square feet of the rectangle.

Mr. Eichmann asked about how the dancers on the applicant's proposed sign were measured.

Mr. Holbert said a rectangle was drawn around the channel letters and dancers.

Mr. Scheve asked if there was vacant space included in that measurement since the dancers extend past the letters.

Mr. Holbert answered yes.

The Board asked for clarification on measuring signs and if staff always measured signs the same way.

Mr. Holbert said he could find only two cases in the last seven years in which signs were measured differently.

Mr. Scheve asked how large the sign would be if the bottom of the dancer's skirt were not included.

Mr. Holbert answered approximately 25 square feet.

Mr. Eichmann asked if the proposed sign consisted of channel letters.

Mr. Holbert answered yes.

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

Mr. Jeremy Mainous, applicant and Arthur Murray franchisee, of 9729 Kenwood Road, Cincinnati, OH, addressed the Board. Mr. Mainous reported that Arthur Murray had been in business for 102 years and the dancers on the sign are the traditional logo for the company.

Mr. Scheve asked if the logo on the sign was part of the franchise agreement.

Mr. Mainous stated the company gave him suggested signs he did not necessarily think he would lose the franchise if he did not include the logo but felt the logo is important for customer recognition. Mr. Mainous noted the business had grown substantially at their current Blue Ash location and since they already have the sign from that location they would like to move it over to their new space.

Mr. Eichmann asked if the applicant had thought of any alternatives.

Mr. Mainous answered he and his wife had considered a smaller sign, but, if denied, would probably install a sign face change on the existing sign. He noted the channel letter sign looks better.

Mr. Heidel asked if the proposed sign would fit within the current sign.

Mr. Mainous answered it probably would.

Mr. LaBarbara asked if any of the current sign would remain if the variance were granted.

Mr. Mainous answered no.

Mr. Eichmann asked Mr. Holbert if the applicant would be permitted to put the new sign within the existing frame as of right.

Mr. Holbert answered no.

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. Leugers said the proposed sign is smaller than the existing sign and better looking. He noted there is precedence for granting variances when the proposed is smaller than the existing sign even though it is not fully compliant.

Mr. LaBarbara agreed.

Mr. Scheve pointed out if the variance were denied; the applicant could install a sign face change as of right which would be unattractive. He noted the proposed sign would be an improvement over the existing sign.

Mr. Heidel agreed.

Mr. Eichmann entertained a motion.

Mr. Leugers made a motion to approve case SYCB140014 as submitted.

Mr. Heidel seconded.

Mr. LaBarbara called roll.

Mr. Heidel – AYE

Mr. Scheve – AYE

Mr. Eichmann – AYE  
Mr. Leugers – AYE  
Mr. LaBarbara – AYE

Mr. Holbert said staff would prepare a resolution for the next meeting.

**Item 6. – Date of Next Meeting**

Mr. Eichmann noted the date of the next meeting – Tuesday, January 20, 2015.

**Item 7. – Communications and Miscellaneous Business**

No report.

**Item 8. – Adjournment**

Mr. Scheve moved to adjourn.

Mr. Leugers seconded.

Vote: All Aye

The meeting adjourned at 7:28 P.M.

Minutes Recorded by: Beth Gunderson, Planning & Zoning Assistant