

BLUE ASH BOARD OF ZONING APPEALS

March 11, 2013

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**ITEM 1. – Meeting Called to Order and Roll Call**

Chair Terry Peck called the regular meeting of the Board of Zoning Appeals to order at 7:00 p.m. on Monday, March 11, 2013 and requested a roll call.

MEMBERS PRESENT: Terry Peck, Paul Collett, Jr., Mike Duncan, Mark Kirby and Marc Sirkin

ALSO PRESENT: Community Development Director Dan Johnson and Administrative Clerk Traci Smith

**ITEM 2. – Approval of Minutes**

The Board waived the reading and approved the minutes of the Board of Zoning Appeals regular meeting of November 5, 2012.

**ITEM 3. – New Hearings**

**a. 9270 Plainfield Road – Taco Bell**

Appeal to allow a menu board sign larger than 35 square feet

PRESENT: Richard Semple, Tri-State Signs – Appellant

Chair Terry Peck swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

Richard Semple said the new menu board is one foot lower than what is currently in place, has a dark bronze border and is more attractive. This is the new industry standard for Taco Bell at all their new locations across the United States. Any modifications in size would compromise the content of the board, which provides uniformity for their customers to other Taco Bell locations.

In answer to a question by Marc Sirkin, Dan Johnson confirmed that this location would be allowed two 35 square foot boards, but only asking for one 45 square foot.

Paul Collett asked if the ordering speaker would now be located in the board or remain separate. Mr. Johnson said the application contained a separate speaker which would match the proposed menu board and remain in the current location.

As there were no further questions Chair Peck closed the public hearing.

DECISION: Marc Sirkin moved, Mike Duncan seconded to approve the menu board for the Taco Bell located at 9270 Plainfield Road as submitted. A roll call vote was taken. All members present voted aye. Motion carried.

**b. 3681 Tiffany Ridge Lane – Bipin Prabhakar**

Appeal to allow a fence more than 30 percent solid and more than 4 feet in height in a front yard area (same project also under consideration by BSA)

PRESENT: Bipin Prabhakar – Appellant

Chair Terry Peck swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

Bipin Prabhakar said he would like to have a fence to create a space for the kids to play. The fence would be the same style to match the neighbor's shadowbox privacy fence.

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Mr. Collett commented that the neighbor's fence does not proceed past their house towards Mohler Road. He does not think the privacy fence would achieve anything more than what could be achieved with a split rail fence. He feels granting a privacy fence close to Mohler Road is not in keeping with the Code and the aesthetics of the neighborhood. The other Board members agreed and had the same concerns with it being in the front yard of his neighbor to the east.

As there were no further questions Chair Peck closed the public hearing.

DECISION: Mike Duncan moved, Paul Collett seconded to deny appeal for a privacy fence in the Mohler Road front yard for the property located at 3681 Tiffany Ridge Lane. A roll call vote was taken. All members present voted aye. Motion carried.

**ITEM 4. – Continued Hearings**

None

**ITEM 5. – Old Business**

None

**ITEM 6. – New Business**

None

**ITEM 7. – Adjournment**

DECISION: There being no further business Paul Collett moved, Marc Sirkin seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 7:23 p.m.

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Terry Peck, Chair

MINUTES RECORDED BY:

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Traci Smith