

BLUE ASH BOARD OF ZONING APPEALS

November 13, 2017

Page 1

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

Chair Tricia Downing called the regular meeting of the Board of Zoning Appeals to order at 7:01 p.m. on Monday, November 13, 2017 and requested a roll call.

MEMBERS PRESENT: Tricia Downing, Brian Gath, Joe Hoelker, and Jeremy Kraus

MEMBERS NOT PRESENT: Sal Wertheim and Terry Peck

ALSO PRESENT: Community Development Director Dan Johnson

**ITEM 2. – Approval of Minutes**

The Board waived the reading and approved the minutes of the Board of Zoning Appeals regular meeting of October 9, 2017.

Chair Downing swore in all those in attendance wishing to testify for any of the agenda items and gave a brief overview of the Board of Zoning Appeals.

**ITEM 3. – New Hearings**

**a. 4465 Victor Avenue – A. Don & Debi Whitman**

Appeal to allow an accessory building that does not satisfy the minimum setback requirement in the R-3 Residential District

Mr. Whitman explained request for adding a garage to this property by using the existing driveway and concrete pad. To accomplish this, they would need a variance for the side setback of 1-foot, 6-inches. The rear setback variance was not as important to him as the side variance. He said the house is under contract to sell and part of agreement includes being able to put in a garage.

There were no public comments, so Chair Downing closed for discussion amongst the Board.

DECISION: Brian Gath moved, Joe Hoelker seconded to approve the appeal at 4465 Victor Avenue for a setback on east property line of 3-feet, 6-inches, but no variance on south property line. A roll call vote was taken. All members present voted aye. Motion carried to approve.

**b. 9250 Blue Ash Road – Holthaus Lackner Signs**

Appeal to allow a ground sign than normally permitted in the DT Downtown District

Charlie Holthaus said the ground size they are requesting is 11-inches too tall, but they are within the overall square footage that is permitted for that area. The reason for the extra height is to get visibility above an existing fence. The fence does not belong to this property owner; it belongs to the State and separates this property from the access road to Cross County Highway.

Chair Downing opened for public comments; however, there were none.

DECISION: Joe Hoelker moved, Jeremy Kraus seconded to approve the appeal at 9250 Blue Ash Road as submitted. A roll call vote was taken. All members present voted aye. Motion carried to approve.

BLUE ASH BOARD OF ZONING APPEALS

November 13, 2017

Page 2

**c. 4900 Myrtle Avenue – Ross Dykstra**

Appeal to allow a reduced front setback in the R-3 Residential District

Mr. Dykstra said their request is for a 5.3-foot variance on a side yard, which is actually considered a front yard since it is a corner lot, to accommodate the size of the house that the owner of the property would like to construct. He explained that, without a variance as proposed, it would be very difficult for any new home to be constructed on this lot.

Mr. Johnson explained to the Board the rule of establishing the average setback with other principle structures on the same side of the street and within 300-feet. There is only one other residential structure on the intersection of Jefferson and Laurel, which is 15.3-feet, so this lot would be entitled to the same setback.

Chair Downing opened for public comments. Seeing none, public comments were closed and the Board discussed.

DECISION: Brian Gath moved, Joe Hoelker seconded to approve the appeal and allow plan as submitted. A roll call vote was taken. All members present voted aye. Motion carried to approve.

**ITEM 4. – Continued Hearings**

None

**ITEM 5. – Old Business**

None

**ITEM 6. – New Business**

Mr. Johnson advised Board that a response is needed by end of week to register anyone interested in attending the December zoning training in Dayton.

**ITEM 7. – Adjournment**

DECISION: There being no further business Brian Gath moved, Joe Hoelker seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 7:40 p.m.

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Tricia Downing, Chair

MINUTES RECORDED BY:

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Traci Smith