

BLUE ASH BOARD OF ZONING APPEALS

February 12, 2018

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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 7:00 p.m. on Monday, February 12, 2018 and requested a roll call.

MEMBERS PRESENT: Tricia Downing, Joe Hoelker, Jeremy Kraus, Terry Peck, and Sal Wertheim

ALSO PRESENT: Community Development Director Dan Johnson and interested citizens

ITEM 2. – Approval of Minutes

The Board waived the reading and approved the minutes of the Board of Zoning Appeals regular meeting of January 8, 2018.

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. 10816 Millington Court – Iacono Creative Event Production

Appeal to allow a ground sign that exceeds maximum allowable dimensions and area and that does not include required landscaping

Michael Iacono, property owner and owner of Iacono Productions, explained his appeal for a variance for a ground sign adjacent to I-71. The building is blocked by Osterman Cron from the highway so wall signs are not a good option for his building. The visibility of the existing ground sign is obscured by three things: a chain link fence at the highway edge, guardrails, and volunteer trees.

At 55 mph it takes a person about 440 feet to read a sign, whereas at 25 mph a person needs only about 200 feet to read a sign of the same size. The sign is too low because of obstructions and should be larger to gain recognition from the highway. The proposed sign would not alter the character of the neighborhood and would not interfere with adjacent properties; it would not interfere with any government services. Allowing the variance would not change the spirit and intent of the Zoning requirements because of the speed visibility ratio. Lots on surface streets benefit from slower traffic on surface streets.

It would be easier to attract tenants to the building with the sign variances as proposed because of the exposure to I-71. The request is for more height, width, and area.

Tricia Downing asked about how tenants would be listed on the proposed sign. Michael answered that the proposed LED could list tenants in series. If the LED is not approved, the extra sign area would be large enough to include all tenants on the sign face.

Tricia Downing asked about lowering the base of the sign to bring the proposed closer to conforming. Jeremy Kraus asked about the width of the sign. Dan Johnson clarified that the proposed sign is almost 4-feet wider than the existing base. He explained that the current sign is probably compliant, except for the overall width.

Terry Peck said that she does not like the electronic message face. She does not want those to proliferate. Dan Johnson explained that consideration of the electronic message face is a Planning Commission responsibility. He explained that the BZA can grant a variance with a condition that the sign not have an electronic message face. In that case, the applicant could have a sign as approved by the BZA or potentially have a conforming sign with an electronic message face, but not both.

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Michael Iacono said that the intent would be to have a relatively static message face on the electronic message sign, similar to the sign at Summit Park. In answer to a question, he said the building has room for 6-7 tenants.

Tobi Iacono said that lowering the bottom of the sign as suggested would still leave the bottom of the sign in the area obstructed by the impediments described earlier. Michael noted that the height of the sign is their first priority.

In answer to questions from the BZA, Dan Johnson explained that the BZA has wide latitude to grant a variance to allow any of the options proposed by the applicant, or could grant a variance that is less than what was requested. He also explained that the issue of the proposed electronic message face may be tied to a variance, but that if the BZA denies the variance, the applicant is free to ask the Planning Commission for approval of it.

The Board briefly discussed the request not to landscape around the sign as normally required and generally agreed that the normal landscaping is no necessary because of the location of the sign.

Jeremy Kraus noted that he believes the proposed 3-foot 6-inch posts are too tall. He said that the width generally matching the width of the existing base is acceptable. He said he is okay with the top of the sign being at 10-feet. He is not in favor of the electronic message face and is thinks a proliferation of such signs along I-71 would be problematic. He thinks that the backlit sign would be better if the sign is larger than what the Code would normally allow. He clarified that the Planning Commission will review the LED face if the BZA does not include a condition in a variance for size.

Tricia Downing summarized that it appears that the Board is leaning to “option 3” with a condition that the sign not have an electronic message face. Dan Johnson agreed that a reference to the design in the appeal packet is sufficient to make an approval clear and that the owner could choose to change the graphics on the sign, but not the shape and configuration from what was proposed.

DECISION: Terry Peck moved, Joe Hoelker seconded to approve the appeal at 10816 Millington Court for a backlit sign, “option 3” on page 22 of the appeal packet, with a condition that the sign not have an electronic message face. A roll call vote was taken. All members present voted aye. Motion carried to approve.

b. 5151 Pfeiffer Road – Pfeiffer Woods

Appeal to allow a ground sign that exceeds maximum height

Tony Maier, United-Maier Signs, said the proposed sign area is 120 square feet with backlit panels and they are choosing the brick color to match the main portion of the building. The two existing ground signs will be removed and be consolidated into one central location.

The Board discussed their concerns with the proposed height of 12-feet, including how the design of the sign would be affected by allowing only 10-feet in height. Dan Johnson suggested that the Board could grant a variance for height if it wished, and let the owner figure out how to redesign the sign within the area and height allowed.

There were no public comments.

DECISION: Jeremy Kraus moved, Sal Wertheim seconded to approve the appeal at 5151 Pfeiffer Road for a ground sign not to exceed 120 square feet in area and 10 feet in total height. A roll call vote was taken. All members present voted aye. Motion carried to approve.

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c. 4475 Ellman Avenue – Matt Ruggles
Appeal to allow a reduced rear setback

Matt Ruggles is proposing to build a small three bedroom addition on the rear of the house which he said sits closer to the rear property line, but the house is also not square on the lot. Mr. Johnson explained how the lot is configured for regulatory purposes because this is a corner lot.

There was discussion about exactly where the lot line is relative to the proposed construction and the trees and other elements shown on the drawing. Dan Johnson explained that a legal survey would be required to determine accurate measurements before the City would issue any building permits.

There were no public comments.

The Board discussed the circumstances of the lot and did not have any concerns.

DECISION: Joe Hoelker moved, Jeremy Kraus seconded to approve the appeal at 4475 Ellman Avenue as submitted pending a legal survey. A roll call vote was taken. All members present voted aye. Motion carried to approve.

ITEM 4. – Continued Hearings

None

ITEM 5. – Miscellaneous Business

None

ITEM 6. – Adjournment

DECISION: There being no further business Jeremy Kraus 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 8:00 p.m.

Tricia Downing, Chair

MINUTES RECORDED BY:

Traci Smith