

BLUE ASH BOARD OF ZONING APPEALS

February 11, 2019

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ITEM 1. – Meeting Called to Order and Roll Call

Acting Chair Jeremy Kraus called the regular meeting of the Board of Zoning Appeals to order at 7:01 p.m. on Monday, February 11, 2019 and requested a roll call.

MEMBERS PRESENT: Brian Gath, Jeremy Kraus, and Sal Wertheim

MEMBERS NOT PRESENT: Tricia Downing, Joe Hoelker, and Terry Peck

ALSO PRESENT: Community Development Director Dan Johnson,
Community Development Assistant Paul Kleier, 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 14, 2019.

Acting Chair Kraus 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. 4522 Chesswick Drive – Gus & Trishna Keiser

Appeal to allow a 6-foot privacy fence in a front yard area.

Gus Keiser said they are proposing to build a privacy fence to help keep their dog and young children safe in their yard due to the foot traffic on the walking path along the rear property line. They are on a corner lot, but would like to keep as much of their yard as possible while keeping it aesthetically pleasing to the neighborhood. Mr. Keiser stated that he did not know how far back the fence must be from the sidewalk on Lansford.

Mr. Johnson answered that there is no standard setback for a fence from a sidewalk because it is normally not permitted; it is only allowed with a variance. He also stated that the walkway to the rear is in the Brown Avenue right-of-way, which is public property. The Board does not have the authority to grant a variance for a fence in that area.

There were no public comments.

The Board discussed the location and commented on the uniqueness of this lot.

DECISION: Brian Gath moved, Sal Wertheim seconded to approve the appeal at 4522 Chesswick Drive as submitted. Acting Chair Kraus stated there was a motion on the table. For the record, this decision is based on a finding by each member, and the Board as a body, that the application does, or does not, satisfy the factors in Section 1127.07(a)(4) subsections “A” through “J”. Based on the evidence provided, these factors determine if the variance complies with the purpose and intent of this Zoning Code and determine whether literal enforcement of this Zoning Code would result in practical difficulty. These criteria are listed in the Staff Report. As there were no comments or additional discussion, Acting Chair Kraus called for a vote. A roll call vote was taken. All members present voted aye. Motion carried to approve.

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ITEM 4. – Continued Hearings

None

ITEM 5. – Miscellaneous Business

None

ITEM 6. – Adjournment

DECISION: There being no further business Brian Gath moved, Sal Wertheim seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 7:18 p.m.

Jeremy Kraus, Acting Chair

MINUTES RECORDED BY:

Traci Smith