

BLUE ASH BOARD OF ZONING APPEALS

May 13, 2019

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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, May 13, 2019 and requested a roll call.

MEMBERS PRESENT: Tricia Downing, Brian Gath, Joe Hoelker, and Terry Peck

MEMBERS NOT PRESENT: Jeremy Kraus 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 April 8, 2019.

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. 9999 Carver Road – Truepoint Wealth Counsel

Appeal to allow a distance less than 150 feet between wall signs above the first floor elevation

Steve Condon, President of Truepoint Wealth Counsel, described the proposed sign, which would be on a different face of the Landings building than the existing sign. This sign would be important in allowing clients to find their location and as a marketing technique.

Joe Hoelker expressed concern about limiting the number of signs on the building and Dan Johnson offered that a condition of approval could be to prohibit any additional signage on the building.

Mike Cassidy of Preferred Resources shared that research has shown signs improve people’s knowledge of where a particular business is located.

Brian Gath asked whether the owner of the Landings buildings could be approached about developing a sign plan for the rest of the buildings. Tricia Downing reminded the Board of the fact that they will likely be presented with more sign variance appeals as tenants in office buildings want signs. Other discussion was related to how many additional signs would be sensible for the building and where they could be located.

DECISION: Joe Hoelker moved, Brian Gath seconded to approve the appeal at 9999 Carver Road as submitted with the condition that only one additional sign be permitted on the northeast (front) and one additional sign on the southeast (rear) elevations of the building and no signs on the northwest side of the building including signs at other elevations on the building. Chair Downing 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. The final comment was from Joe Hoelker to verify that further signs would need landlord approval. As there were no further comments or additional discussion, Chair Downing called for a vote. A roll call vote was taken. All members present voted aye. Motion carried to approve.

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b. 4522 Chesswick Drive – Gus & Trishna Keiser

Appeal to allow a shorter distance between a front yard fence and a sidewalk than was specified in the design approved by the BZA on February 11, 2019

Gus Keiser explained that the reason for this second appeal was an error in the design measurements he presented to the Board on February 11, 2019. He clarified that the fence was almost completely constructed when he learned of the discrepancy regarding the current distance between the sidewalk and the fence and what was in the design measurements.

There were no public comments.

Brian Gath pointed out that the original distance in the design was probably arbitrary and he has no objection to the shorter distance.

DECISION: Brian Gath moved, Joe Hoelker seconded to permit as constructed with the condition that construction be complete within 45 days. Chair Downing 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, Chair Downing called for a vote. 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 Joe Hoelker moved, Brian Gath seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 8:10 p.m.

Tricia Downing, Chair

MINUTES RECORDED BY:

Dan Johnson