

BLUE ASH BOARD OF ZONING APPEALS

December 13, 2021

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

Chair Jeff Uckotter called the regular meeting of the Board of Zoning Appeals to order at 7:21 p.m. on Monday, December 13, 2021 and requested a roll call.

MEMBERS PRESENT: John Cordell, Bruce Crutcher, Joe Hoelker, Zeeshan Pasha, and Jeff Uckotter

ALSO PRESENT: Community Development Assistant Paul Kleier

**ITEM 2. – Approval of Minutes**

The Board waived the reading and approved the minutes of the Board of Zoning Appeals regular meeting of November 8, 2021.

Chair Uckotter swore in those intending to speak.

**ITEM 3. – New Hearings**

**a. 3680 Tiffany Ridge – Barbara Eden**

Appeal to allow a fence in a front yard area that is more than four feet in height and more than 30% solid.

Paul Kleier explained the proposed project and why it would require a variance. Using street-view functions on the computer and projector he showed a number of fences at other properties along Mohler Road. He confirmed there is no place in the back yard where a fence of this type would be allowed without a variance.

Barbara Eden explained her desire for the fence including for safety and privacy. She provided additional photos to the Board that had not been submitted prior.

There were no public comments.

In discussion, Jeff expressed concern about creating a tunnel effect and negatively impacting the character of neighborhood, though he is sympathetic that the trees at that property are no longer providing good screening. Joe Hoelker stated that matching the style of other fences along Mohler Road would be acceptable to him. The Board discussed the viability of landscaping to provide privacy, proper location around existing trees, and ways to discourage kids from climbing over the fence.

DECISION: Joe Hoelker moved, Bruce Crutcher seconded to approve a variance for a Kentucky 4-board style fence to match the height and style of other fences along Mohler Road and that it be located between the trees and the house. Chair Uckotter 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 Uckotter called for a vote. A roll call vote was taken. All members present voted aye. Motion carried to approve with conditions.

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**b. 4601 Cooper Road – Lauren Taubert**

Appeal to allow a fence in a front yard area that is more than four feet in height and more than 30% solid.

Paul Kleier explained the proposed project and why it would require a variance. He explained that the fence had already been installed, but still needs a variance and permit approval to stay. He confirmed that a Kentucky 3-board fence, 4-feet high fence would be legal in the area.

Lauren Taubert explained that she disliked the existing chain link fence and wanted to replace it for privacy reasons. Her fence company had not said anything about a permit.

There were no public comments.

In discussion, the Board agreed that there was no hardship to justify a variance in a front yard area and that the fencing company was at fault for failing to explore permitting.

DECISION: John Cordell moved, Joe Hoelker seconded to deny the appeal at 4601 Cooper Road. Chair Uckotter 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 Uckotter called for a vote. A roll call vote was taken. All members present voted aye. Motion carried to deny.

**ITEM 4. – Continued Hearings**

None

**ITEM 5. – Miscellaneous Business**

None

**ITEM 6. – Adjournment**

DECISION: There being no further business Bruce Crutcher moved, Zeeshan Pasha seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 8:04 p.m.

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John Cordell, Secretary

MINUTES RECORDED BY:

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Traci Smith