

BLUE ASH BOARD OF ZONING APPEALS

April 11, 2022

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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 7:00 p.m. on Monday, April 11, 2022 and requested a roll call.

MEMBERS PRESENT: John Cordell, Bruce Crutcher, Zeeshan Pasha, Jeff Uckotter, and John Meyer (Alternate)

MEMBERS NOT PRESENT: Joe Hoelker

ALSO PRESENT: Community Development Assistant Paul Kleier

**ITEM 2. – Opening Ceremony**

Pledge of Allegiance

**ITEM 3. – Approval of Minutes**

The Board waived the reading and approved the minutes of the Board of Zoning Appeals regular meeting of March 14, 2022.

**ITEM 4. – Continued Hearings**

**a. 4100 Hunt Road – KM Blue Ash Development Co.**

Appeal to allow a ground sign that exceeds 10 feet in height and is set back less than 10 feet from the property line. (Tabled 1/10/2022)

Jeff Uckotter and John Meyer announced their recusal from this item because they were not present at the initial discussion during the January 10, 2022 meeting. Bruce Crutcher acted as Chair.

DECISION: Zeeshan Pasha moved, John Cordell seconded to bring item back to the table. A voice vote was taken. All members present voted aye.

Paul Kleier explained the changes in the design of the sign to reduce the number of variances needed from four to two and stated that Blue Ash Public Works had no concerns about the impact the sign would have on the view of the drivers.

Brad Johnson with Accent Signs and representing the appellant, explained that this sign would improve visibility of the property for people driving east on Hunt Road.

Bruce Crutcher expressed agreement that the sign would improve visibility, that it was important to support essential businesses such as Kroger, and that the appellant had made an effort to comply with the Zoning Code as far as possible.

There were no public comments.

DECISION: Zeeshan Pasha moved, John Cordell seconded to approve the appeal at 4100 Hunt Road. A roll call vote was taken. All members present voted aye.

All members present returned to their seats and Jeff Uckotter resumed as Chair.

**ITEM 5. – New Hearings**

**a. 9676 West Avenue – Five Daughters Construction**

Appeal to allow the split of one lot into two lots whose widths are each less than 40 feet.

Paul Kleier explained the appeal and that he had mistakenly stated the lot width requirement was 40 feet in the staff report. The correct lot width requirement for R-3 is 50 feet and both proposed properties need variances for the frontages along West

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Avenue and Cooper Road. Jeff Uckotter clarified that the current house is constructed on two lots, one of which is legally nonconforming with these requirements.

Ross Dykstra explained that he wanted to standardize the sizes of the two existing parcels in order to maximize space for setbacks and allow for a cleaner cut-up of the land. He explained that houses would be approximately 2,000-2,200 square feet. These are smaller than prior houses he has constructed in Blue Ash, which are closer to 2,800 square feet.

In discussion, Jeff Uckotter argued that this was an efficient use of land that would not hurt the character of the neighborhood. John Meyer suggested that ten feet reductions in lot width requirements may be substantial, but Jeff Uckotter responded that the keeping the legal nonconformity would have a similar result and that granting the variance would not increase the degree of nonconformity. He noted that granting the variance would allow for reduced front yard widths at the front and rear of both lots.

Janelle McLeod, 4579 Cooper Road, spoke about concerns on the property line between her southern property line and the northern boundary of the subject property.

There were no additional public comments.

DECISION: Bruce Crutcher moved, John Cordell seconded to approve the appeal at 9676 West Avenue. A roll call vote was taken. All members present voted aye.

Chair Uckotter retroactively swore in those who spoke.

**ITEM 6. – Miscellaneous Business**

**a. Rules of Procedure**

Paul Kleier explained the need to update the BZA Rules of Procedure and highlighted some of the proposed changes. Jeff Uckotter offered that it may be helpful to allow a Chair to serve for longer than one year because it takes time to acclimate to the role. Paul answered that while the position may rotate by tradition, the Rules do not require a *new* Chair to be elected each year, only that elections must be held annually.

DECISION: Bruce Crutcher moved, Zeeshan Pasha seconded to adopt the Rules of Procedure. A voice vote was taken. All members present voted aye.

**ITEM 7. – Adjournment**

DECISION: There being no further business John Cordell 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 7:46 p.m.

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John Cordell, Secretary

MINUTES RECORDED BY:

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Traci Smith