

BLUE ASH BOARD OF ZONING APPEALS

May 9, 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 7:06 p.m. on Monday, May 9, 2022 and requested a roll call.

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

ALSO PRESENT: Planning & Zoning Administrator 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 April 11, 2022.

Chair Uckotter swore in those intending to speak.

**ITEM 3. – Continued Hearings**

None

**ITEM 4. – New Hearings**

**a. 9700 Ridgeway Avenue – Millard Rosselott**

Appeal to allow a back yard fence that exceeds 6 feet in height and a front yard fence that exceeds 6 feet in height and 30% solidity.

Paul Kleier explained the different regulations for front yard and rear/side yard fences, showed topographical lines for the property, and described why this appeal was before the BZA. Joe Hoelker clarified where a fence 6 feet tall and 100% solid would be permitted.

Millard Rosselott described the fence as being 10 feet closer to Brown Avenue than his house and aligned with the garage at 4575 Cooper Road. In response to a question from Jeff Uckotter about whether he had considered landscaping instead, Mr. Rosselott said that his greatest concern was the safety of his children, who have autism. Bruce Crutcher noted that he sees the safety of children as a hardship, but Jeff Uckotter questioned whether that would be a valid hardship given the criteria.

In discussion, Jeff Uckotter was sympathetic to the challenges of autism, but argued there was no hardship demonstrated to allow a variance for the front yard fence.

There were no public comments.

DECISION: Joe Hoelker moved, John Cordell seconded to deny the appeal at 9700 Ridgeway Avenue. 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 5. – Miscellaneous Business**

None

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**ITEM 6. – Adjournment**

**DECISION:** There being no further business Zeeshan Pasha moved, John Cordell seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 7:28 p.m.

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John Cordell, Secretary

MINUTES RECORDED BY:

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Traci Smith