

BLUE ASH BOARD OF ZONING APPEALS

November 14, 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 7:04 p.m. on Monday, November 14, 2022 and requested a roll call.

MEMBERS PRESENT: Bruce Crutcher, Joe Hoelker, John Meyer, 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 October 10, 2022.

Chair Uckotter swore in those intending to speak.

ITEM 3. – Continued Hearings

None

ITEM 4. – New Hearings

a. 10123 Alliance Road – Atlantic Sign Company

Appeal to allow two wall signs above the first floor elevation to be located within 150-feet of each other

Paul Kleier explained the Zoning Code regulations and why a variance would be needed for the project. In response to questions from Board members, he explained the challenge of the irregular building shape, confirmed that these signs would not allow any remaining square footage for future signs on the east-facing diagonal of the building, and confirmed that there are two ground signs and an additional wall sign for the building.

Brooke Alini, of Atlantic Sign Company, explained the relationship between the two companies wanting signage and the challenge of needing to represent both equally.

There were no public comments.

In discussion, John Meyer noted a concern about clutter and the need for balanced aesthetics. Jeff Uckotter and Joe Hoelker agreed that a practical difficulty had not been demonstrated. Bruce Crutcher stated that he was in favor of accommodating businesses given the high occupancy rate of other office buildings.

In response to questions, Ms. Alini clarified that Communicare and New Vista are the only building occupants and shared information about how far signs of certain heights would be visible. She also argued for approval on the grounds of sufficient identification.

DECISION: Jeff Uckotter moved, Joe Hoelker seconded to deny the appeal for a variance in required distance between signs, but to grant a variance in maximum sign area if one is needed for a sign that combines the two proposed signs into one on the east-facing wall. 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

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Code would result in practical difficulty. These criteria are listed in the Staff Report. Following clarifying questions from Paul Kleier and John Meyer, and Bruce Crutcher commenting that he was in favor of the effort to support the businesses with an alternate variance, Chair Uckotter called for a vote. A roll call vote was taken. All members present voted aye. Motion carried.

b. 4102 Eagle Alley - Vongooru

Appeal to allow a front yard setback less than 5-feet

Paul Kleier explained the Zoning Code regulations and why a variance would be needed for the project, noting that the property is in a PUD. In response to questions by the Board, Mr. Kleier clarified that the pergola would not be an accessory structure because it would be attached to the house and that there is no elevation change in the yard.

Jeff Manger, contractor for the property owners, explained the need for a 10-inch variance in order to construct an aluminum pergola that would fully cover the patio. He said the pergola would be motorized and have moving louvers. He showed photos of an example pergola to the Board. Haree Vongooru showed a photo of the existing patio. In response to questions about anchoring a post in the wall around the patio, Mr. Manger explained that would be expensive and require a reconstitution of the wall. Since the posts would be anchored between the wall and the street, he agreed to wrap them in stone masonry to match the wall.

There were no public comments.

DECISION: Jeff Uckotter moved, Zeeshan Pasha seconded to approve the variance with the condition that posts exterior to the patio wall be wrapped up to the cap to match the patio wall. 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.

c. 4281 Berryhill Lane – Karl Hoalst

Appeal to allow front yard setback less than 50-feet

Paul Kleier explained the Zoning Code regulations and why a variance would be needed for the project. In response to a question, Mr. Kleier estimated there is 16-feet between the street and the property line.

Karl Hoalst explained the increase in household size and consequent need for an addition. He commented on the limitations due to the topography and past additions the property owners have already made.

Kady and Stuart Willison, the property owners, commented about the recent hardships their family and two adopted kids have faced. They stressed the importance of both the home expansion and porch addition in creating spaces the expanded family can share

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experiences together. They expressed the hope that this would be the final addition to the structure and said their neighbors are supportive.

Josh Katzman, 4287 Berryhill Lane, explained the function of front yards in the neighborhood and his belief that the additions would not impede his line of sight from his neighboring property.

In discussion, the Board agreed that the planned additions are attractive and not substantial.

There were no public comments.

DECISION: Joe Hoelker moved, John Meyer seconded to approve the variance as submitted. 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.

ITEM 5. – Miscellaneous Business

a. Meeting times

Paul Kleier explained that Planning Commission moved their meeting time and City Council considered the same.

DECISION: Jeff Uckotter moved, John Meyer seconded, to change the time of future Board of Site Arrangement/Board of Zoning Appeals meetings to 6:30 p.m. A voice vote was taken. All members present voted aye. Motion carried.

b. Alternate member swearing in

Paul Kleier swore in Andrew Wittkugel as an Alternate member of the Board of Site Arrangement/Board of Zoning Appeals.

ITEM 6. – Adjournment

DECISION: There being no further business Joe Hoelker moved, Bruce Crutcher seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 8:32 p.m.

Zeeshan Pasha, Secretary

MINUTES RECORDED BY:

Traci Smith