

BLUE ASH BOARD OF ZONING APPEALS

February 13, 2023

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

Chair Bruce Crutcher called the regular meeting of the Board of Zoning Appeals to order at 7:43 p.m. on Monday, February 13, 2023 and requested a roll call.

MEMBERS PRESENT: Bruce Crutcher, Joe Hoelker, John Meyer, Zeeshan Pasha, and Andrew Wittkugel

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 January 9, 2023.

Chair Crutcher swore in those intending to speak.

**ITEM 3. – Continued Hearings**

None

**ITEM 4. – New Hearings**

**a. 4685 Alpine Avenue – Five Daughters Construction**

Appeal to allow a front yard setback less than 21 feet and a rear yard setback less than 25 feet

Paul Kleier explained the Zoning Code requirements, the site layout, and the variances being requested. He shared that a neighbor called to say they were not in favor of the variance.

No representatives for Five Daughters or the property were present.

DECISION: Joe Hoelker moved, John Meyer seconded to table the appeal for a variance at 4685 Alpine Avenue. As there were no comments or additional discussion, Chair Crutcher called for a vote. A voice vote was taken. All members present voted aye. Motion carried.

**b. 9495 West Avenue – Thomas McKinney**

Appeal to allow an accessory structure with an area that exceeds 7% of the property square footage.

Paul Kleier explained the Zoning Code requirements, the site layout, and the variance being requested.

Thomas McKinney shared his desire to build a larger shed than what exists, and to remove the existing shed once the new one is installed. He said he was uncertain whether it would be ultimately placed in the southwest or northwest corner of the property, but that it would observe required setbacks. He commented of other properties with larger than allowable accessory structures, including 9636 West Avenue. He confirmed that he would not use it for business purposes and that he can divert water runoff into his yard. He expressed his intent to use shake or vinyl siding.

In discussion, the Board agreed that the request was not substantial and discussed whether to impose conditions on locating the shed.

DECISION: Joe Hoelker moved, Zeeshan Pasha seconded to approve the appeal for a variance for 9495 West Avenue as submitted. Chair Crutcher 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

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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 Crutcher called for a vote. A roll call vote was taken. All members present voted aye. Motion carried.

**c. 5371 Bell Avenue – Jason Altieri**

Appeal to allow an accessory structure in a front yard less than 5 feet from the property line.

Paul Kleier explained the Zoning Code requirements, the layout of the proposed shed, and the variance being requested.

Jason Altieri explained the limitations of the property imposed by the short side setbacks and the topography of the rear yard. He pointed out that his lot is uniquely shaped and that a shed would match the house. He answered questions about location, access to the property, and interactions with neighbors.

In discussion, the Board agreed that the lot was an odd shape and that they were reassured that neighbors seem supporting or indifferent.

DECISION: Zeeshan Pasha moved, John Meyer seconded to approve the appeal for a variance for 5371 Bell Avenue as submitted. Chair Crutcher 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 Crutcher called for a vote. A roll call vote was taken. All members present voted aye. Motion carried.

**ITEM 5. – Miscellaneous Business**

None

**ITEM 6. – Adjournment**

DECISION: There being no further business Zeeshan Pasha moved, Joe Hoelker seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 8:21 p.m.

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Zeeshan Pasha, Secretary

MINUTES RECORDED BY:

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Traci Smith