

BLUE ASH BOARD OF ZONING APPEALS

August 14, 2023

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ITEM 1. – Meeting Called to Order and Roll Call

Vice Chair John Meyer called the regular meeting of the Board of Zoning Appeals to order at 6:55 p.m. on Monday, August 14, 2023 and requested a roll call.

MEMBERS PRESENT: Carleton Brown, John Meyer, Zeeshan Pasha, and Andrew Wittkugel

MEMBERS NOT PRESENT: Joe Hoelker

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 May 8, 2023.

Vice Chair Meyer swore in those intending to speak.

ITEM 3. – Continued Hearings

None

ITEM 4. – New Hearings

a. 5413 Kenridge Drive – Tim & Mary Blood

Appeal to allow a front yard setback less than 50 feet.

Paul Kleier explained the proposed deck, the Zoning Code setback requirements, and what variance is being requested. Mr. Kleier confirmed that the variance would be for 7 feet less than the required 50 feet setback.

Tim Blood pointed out that many homes on Kenridge Drive have porches and that they were able to obtain a similar variance on a past home and received recognition for the improved aesthetics of the result. He also argued that there is a difference in distance to the street between the two sides of Kenridge. In response to questions from Andrew Wittkugel and John Meyer, Mr. Blood confirmed that the porch would remain open, the ornamentation of the rails would be similar to the renderings, and there would be one step down to the ground.

Richard Overman, a neighboring property owner, after being sworn in, spoke in favor of the appeal.

There were no other public comments.

In discussion, Zeeshan Pasha confirmed the distance between the deck and the street and John Meyer asked to see an aerial view of the street.

DECISION: Andrew Wittkugel moved, Zeeshan Pasha seconded to approve the appeal for a variance for a reduced front yard setback at 5413 Kenridge Drive as submitted. Vice Chair Meyer 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, Vice Chair Meyer called for a vote. A roll call vote was taken. All members present voted aye. Motion carried.

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b. 11255 Reed Hartman Hwy – Dirty Dough

Appeal to allow a wall sign with an area greater than 50% of the wall frontage.

Paul Kleier explained the proposed sign, the Zoning Code requirements for signs, and what variance is being requested. He clarified that the normal requirement for wall signs is 50% of the tenant space width is the maximum area, but that a 2005 variance granted to the owner of the strip center allowed wall signs to be up to 80% of the tenant space widths. Therefore, the proposed sign still requires a variance, but it is less substantial because it is closer to 80% than 50% of the width.

John Bestenlehner, Director of Operations for Dirty Dough, confirmed that he had been sworn in and argued that the sign would be consistent with neighbors and would provide needed visibility as a business new to the market. Andrew Wittkugel confirmed that the width is 20 feet and John Meyer confirmed the sign would be illuminated channel cloud. He answered Zeeshan Pasha that it would be illuminated and that this would be the only sign for Dirty Dough other than in the window.

There were no public comments.

In discussion, Paul Kleier explained why some existing signs may not meet Zoning Code requirements, pointing out two that received permits for signs that exceeds regulations and two that were required to reduce their sign sizes to be in compliance. John Meyer compared the size of the rendered sign to the existing sign and Carleton Brown stated that it looks proportionate. John Meyer confirmed how the code requires signs to be measured. John Bestenlehner was hesitant to agree to a reduction in size to 8'x2' in response to John Meyer's proposal to bring the sign into compliance with the 80% requirement. In response to a question from Andrew Wittkugel, Paul Kleier confirmed that granting this variance does not mean that the Board would have to approve similar variances in the future.

DECISION: Carleton Brown moved, Andrew Wittkugel seconded to approve the appeal for a variance for a wall sign greater than the maximum area at 11255 Reed Hartman Highway. Vice Chair Meyer 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, Vice Chair Meyer called for a vote. A roll call vote was taken. All members present voted aye. Motion carried.

ITEM 5. – Miscellaneous Business

a. Officer elections

Paul Kleier explained the process of elections and said officers could be the same as old ones or could be all new.

DECISION: Zeeshan Pasha moved, Carleton Brown seconded, to nominate John Meyer as Chair, Andrew Wittkugel as Vice Chair, and Zeeshan Pasha as Secretary of both the Board of Site Arrangement and Board of Zoning Appeals. A voice vote was taken. All members present voted aye. Motion carried.

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ITEM 6. – Adjournment

DECISION: There being no further business Zeeshan Pasha moved, Carleton Brown seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 7:34 p.m.

Zeeshan Pasha, Secretary

MINUTES RECORDED BY:

Traci Smith