

BLUE ASH BOARD OF ZONING APPEALS

September 11, 2023

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ITEM 1. – Meeting Called to Order and Roll Call

Chair John Meyer called the regular meeting of the Board of Zoning Appeals to order at 7:39 p.m. on Monday, September 11, 2023 and requested a roll call.

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

MEMBERS NOT PRESENT: Carleton Brown

ALSO PRESENT: Planning & Zoning Administrator Paul Kleier and City Architect Mike LeVally

ITEM 2. – Approval of Minutes

The Board waived the reading and approved the minutes of the Board of Zoning Appeals regular meeting of August 14, 2023.

Chair Meyer swore in those intending to speak.

ITEM 3. – Continued Hearings

None

ITEM 4. – New Hearings

a. 10635 Techwoods circle – Red Dog Pet Resort

Appeal to allow vinyl as a primary building material on a commercial facility.

Paul Kleier explained desire of the appellant for approximately 200 linear feet of an 8 foot high vinyl fence that, due to the advice of the City Architect Mike LeVally, is classified as an exterior wall that must comply with the Architectural Standards. The request is for a waiver of this requirement. Mr. LeVally stated vinyl would violate the building materials restriction as well as the requirement that all four sides be similar.

John Bishop argued that vinyl makes the most sense from an operations and affordability standpoint and pointed out the attempt to minimize the use of vinyl. He and Darrell Sears answered various questions about alternatives to vinyl, maintenance, and strategies to soften its impact.

In response to a question about the classification of the barrier as an exterior wall, Paul Kleier stated that the Board could choose to reject his interpretation of the Zoning Code. The Board discussed the possibility of inserting other materials to break up the use of vinyl.

DECISION: Andrew Wittkugel moved, Joe Hoelker seconded to approve the appeal for a variance for use of vinyl as a building material with the condition that the barrier be gray, masonry materials extend around the southeast corner of the property for at least eight feet, and that masonry pillars be installed on either side of the proposed gate. 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, Chair Meyer called for a vote. A roll call vote was taken. All members present voted aye. Motion carried.

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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 8:32 p.m.

Zeeshan Pasha, Secretary

MINUTES RECORDED BY:

Traci Smith