

**PLANNING COMMISSION  
MEETING MINUTES  
March 11, 2020**

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**Commission Secretary John Creech called the regular Sharonville Planning Commission meeting of March 11, 2020 to order at 7:00 p.m.**

**Roll Call**

- ◆ In attendance for Roll Call were Planning Commission Members: Mr. Jim Lukas, Mr. Bill Martin, Mr. Sam Schutte, and Mr. Bill Knight. Mr. Creech noted that Mayor Hardman was running late and will join the meeting later.
- ◆ Councilman Rob Tankersley was in attendance to provide insight on behalf of City Council where applicable.
- ◆ Also in attendance were Community Development staff: Mr. John Creech (Director of Community Development - Commission Secretary), Mrs. Sarah Dircks (City Planner- Presenting), Mrs. Gina Good (Administrative Specialist – Recording Minutes).

**Approval of Meeting Minutes Written Summary and Audio Recording**

- ◆ The written summary of minutes and audio recording from the regular Planning Commission meeting of February 12, 2020 were approved as written and distributed.

**Old Business**

- ◆ None

**New Business**

- ◆ Conditional Use permit to have the unfinished side of a privacy fence for a Single Family Residential Use located in the General Business (GB) Zoned District face the abutting property– 3520 Maple Avenue – Gregg Sutter - Sharonville Zoning Ordinance 1125.10.
  - Sarah Dircks presented background information on the case:
    - Gregg Sutter, owner of 3520 Maple Avenue, requested a conditional use permit to have a privacy fence with the unfinished side of the fence facing their abutting property owners.
    - This case came to the City’s attention on 12/16/2019 as a result of the applicant beginning work on an 8’ privacy fence without a permit.
    - The applicant owns a non-conforming single family residence in the GB zoned district, abutting various GI zoned properties.
    - The applicant began installing a fence without a permit, and continued work despite issuance of cease order (12/16/19) and notice of violation (12/27/19).
    - On 2/19/2020 the Sharonville Mayor’s Court allowed a continuance so the applicant could seek a 2’ height variance from the Board and conditional use permit from the Commission.

- Andy Motan, fence contractor, spoke on behalf of Mr. Sutter:
  - Mr. Motan stated that “Now it’s the time to ask forgiveness rather than permission, to do the right thing”
  - Mr. Motan proposed to install a double sided privacy fence to maintain visual appeal to both sides and offered to work with neighbors.
- Abutting property owners were in attendance to speak out in opposition to the request:
  - Pam Folberth, owner of 11427 Lebanon Road, spoke of the lack of un-neighborly interaction with the fence installation. They have created a crafting niche business in Sharonville and fear the fence might bring down value of property.
  - Barbra and Joe Dial, owner of 11427 Lebanon Road, accompanied by their attorney from Finny Law Firm in opposition of the fence.
    - The Dials stated that their fence was ripped out by applicant upon installation of the new fence, and they were not consulted of the fence.
    - They believe the lot needs to be surveyed and he might be encroaching.
    - The City has regulations and rules and they should be followed.
  - Anne Lively, property manager for Monty Properties Park 42, supplied images for Planning Commission to illustrate how visible the fence is from their property.
- After careful consideration, and taking note of public comment and the facts presented before them, the motion to deny the Conditional Use permit by Sam Schutte was seconded by Bill Knight. Mr. Creech proceeded with a Roll Call Vote on denial.
- Motion was unanimously denied and the applicant was given 30 days to remove the fence.
- ◆ Resolution 20-1: Resolution in support of the Sharonville 2030 Comprehensive Plan and recommendation by Planning Commission for City Council Approval
  - Wendy Moeller with Compass Point Planning presented an overview of the Sharonville 2030 Comprehensive Plan.
  - After discussion, Planning Commission determined there was not enough information properly distributed in a timely manner for them to confidently vote on passing the comprehensive plan.
  - Motion to table the discussion until another Planning Commission date.
  - The motion to table the discussion and present the 2030 plan directly to the

Planning Commission and City Council by Sam Schutte was seconded by Bill Martin. Mr. Creech proceeded with a Roll Call Vote to table the discussion.

◆ **Adjournment**

- The motion by Bill Knight to adjourn the meeting was seconded by Sam Schutte. The meeting was adjourned at 8:06 p.m.

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Kevin Hardman, Chairperson

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John Creech, Secretary