

**BOARD OF ZONING APPEALS  
MEETING MINUTE SUMMARY  
July 8, 2020**

---

**Chairperson Paul Culter called the regular Sharonville Board of Zoning Appeals meeting of July 8, 2020 to order at 6:30 p.m. via Zoom.**

**Roll Call**

- ◆ In attendance via Zoom for Roll Call were Board of Zoning Appeals Members: Paul Culter, Dan Ison, Matt Eggenberger, Andrew Sasser, and Tom Pernik. Additionally, Councilman Rob Tankersley was also in attendance to provide insight on behalf of City Council where applicable. Member Dustin Goldie was excused absent with notice.
  
- ◆ Also in Attendance were Community Development Staff: John Creech (Director of Community Development - Board Secretary), Sarah Dircks (City Planner - Presenting), and 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 Board of Zoning Appeals meeting of June 10, 2020 were approved as written and distributed.

**Old Business**

- ◆ None

**New Business**

- ◆ Variance for oversize accessory structure in single family residential (R1-B) – 4195 Carriagelite Drive – Art Hall - S.C.O.1125.02.
  - The applicant requested a 4’ height and a 130 sq. ft. area variance to build to an 18 ft. tall and approximately 630 sq. ft building to use for personal storage and as an art workshop.
  - Sharonville Codified Ordinance Section 1125.02 limits accessory structures to 14 ft. in height and 500 sq. ft. in area. Structures are permitted only in the side and rear yard and may not be used as an accessory dwelling unit.
  - The proposed building requested would be painted yellow to match the exterior color of his residence and would have landscaping installed around the building.
  - The City received two calls from neighboring property owners with the following concerns:
    1. The applicant works in construction. Would the new structure be used for a home occupation or would it increase the work being done on his property?
    2. There are various cars parked in the driveway and along the street. Will the new structure move things currently in this garage so that he can pull cars into the garage?

- Mr. Hall, the applicant, addressed neighbor concerns by explaining the proposed building would not be used commercially. He does not have a home occupation. Work on his property has occurred due to the ongoing renovation to his house since he purchased it. Furthermore he will be able to move his cars into the garage once items have been moved from the garage into the new shed.
- Mark Sharpshair, a neighbor, was in attendance during the meeting and reported he had no issue with the structure. He also supported his claim that the work on his property was related to the renovations he has made to fix his residence.
- The motion for passage by Mr. Eggenberger was seconded by Mr. Sasser. Mr. Creech proceeded with a Roll Call Vote on passage.
- Motion was approved unanimously with the conditions below:
  1. The applicant must meet other zoning setback requirements; accessory structure shall be installed at least 5 ft. or greater away from the property line.
  2. All improvements and work indicated on construction drawings/documents shall be approved as part of this variance and must be installed and maintained in good repair and replaced as necessary to remain in compliance.
  3. The variance height request was modified from 2 ft. to 4 ft. to install an 18 ft. tall building.
- ◆ Eric and Charlotte VonStein, owners of 10650 Robindale Drive, located in the single family residential (R1-B) zoned district are requesting a 12 ft. variance from the minimum rear yard setback requirement to construct a mudroom on the back of their house, 23 ft. 4 in. away from their rear property line.
  - Upon review of the applicant's request, submitted June 5, 2020, the application was denied because it did not comply with the City's Codified Ordinance 1131.05. On June 22, 2020 the applicant submitted a variance request from Section 1131.05 to construct their requested mudroom 23 ft. 4 in. from their rear yard property line.
  - Due to the position of the home, their side yard is utilized as a backyard and the backyard is primarily used as a driveway. The back of the house is approximately 31 ft. from their rear property line, which is 4 ft. less than the minimum setback of 35 ft. The applicant is seeking a variance to install a building addition / mudroom entrance off of the back of the house to enter the house from their side yard.
  - The applicant submitted a letter which was distributed to the Board prior to the meeting explaining their request and with 19 signatures from neighbors supporting their request.
  - The motion for passage by Mr. Ison was seconded by Mr. Sasser. Mr. Creech proceeded with a Roll Call Vote on passage.

- Motion was approved unanimously with the conditions below:
  1. All improvements and work indicated on construction drawings/documents shall be approved as part of this setback variance and must be installed and maintained in good repair and replaced as necessary to remain in compliance with the approved variance.
  
- ◆ Variance request to reduce the parking requirements from 34 to 17 spaces for the a 100 guest event center - 3885 Creek Road in Central Business District (CBD) – 3385 Creek Road- Tyler Parker of Storm Properties LLC.
  - Tyler Parker, owner of 3385 Creek Road, located in the Central Business District received a use and parking variance on May 13, 2020 to reduce the parking requirements from 25 to 17 to allow a 75 seat church to lease their building. The applicant is requesting to modify their variance request to increase the parking variance to reduce the parking requirements from 34 to 17 to allow a 100 seat event center to lease their building. The request would increase the variance from 8 spaces to 17 spaces less than the parking code requirements.
  - Section 1151.04 of the City code requires that there is 1 parking space for every 3 seats of public assembly.
  - Mr. Culter stated that he believes the problem with parking within the City is that currently the City is using suburban parking standards and trying to implement them in a downtown parking area.
  - The motion to modify the variance so that it would not be a requirement to maintain a valid parking agreement, but encourage them to seek one was passed unanimously.
  - The motion for passage on the revised variance by Mr. Eggenberger was seconded by Mr. Ison. Mr. Creech proceeded with a Roll Call Vote on passage.
  - Motion was approved with the modified condition, but Mr. Pernik abstained from voting. The following conditions must be followed:
    1. Building permits are prior to construction and certificates of occupancy are required for all new tenants. Variance approval does not guarantee fire or building official approval.
    2. The applicant is not required to maintain shared-parking or parking-lease agreements, but they are encouraged to seek agreements.
  
- ◆ Variance of 9’ to install a pool 6’ away from the property in a single family residential (R1-B) Zoned District – 4173 Stonecreek Way – John & Amy Sharpshair - Sharonville Zoning Ordinance 1125.18

- Upon review of the applicant's request, submitted June 15, 2020, the application was denied. Section 1125.18 of the City code requires that all pools and their equipment be installed no closer than 15 ft from any abutting property line.
- Due to the curvature of the street and the placement of their house on the lot, their rear yard does not meet the 35' minimum setback requirements for houses within the R1-B zoned district. The property owner has a deck on the west side of their property installed approximately 21' from the rear property line.
- The property owner of 4167 Stonecreek Way was in attendance during the meeting with some initial concerns the pool could negatively affect her vegetable garden. Her concerns were resolved after seeing the site plan with the pool on the other side of the yard.
- The motion for passage by Mr. Sasser was seconded by Mr. Pernik. Mr. Creech proceeded with a Roll Call Vote on passage.
- Motion was approved unanimously with the conditions below:
  1. All improvements and work indicated on construction drawings/documents shall be approved as part of this setback variance and must be installed and maintained in good repair and replaced as necessary to remain in compliance with the approved variance.
  2. Permit approval will be required prior to any construction or installation.

**Adjournment**

- ◆ The motion by Mr. Culter to adjourn the meeting was seconded by Mr. Pernik. Chairperson Mr. Culter adjourned the meeting at 8:15 p.m.

---

Paul Culter, Chairperson

---

John Creech, Secretary