

**BOARD OF ZONING APPEALS  
MEETING MINUTES SUMMARY  
July 14, 2021**

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Paul Culter called the regular Sharonville Board of Zoning Appeals meeting of July 14, 2021 to order at 6:30 p.m.

Roll Call

- ◆ In attendance for roll call were Board of Zoning Appeals Members: Paul Culter, Dan Ison, Andrew Sasser, Matt Eggenberger, Glen Lovitt, and Tom Pernik. New Board Member, Daniel Kloppenburg, was also present at the meeting.
- ◆ 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 – Board Secretary), Ms. Jamie Kreindler (City Planner), and Ms. Sydney Yee (Urban Planning Co-Op).

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 9, 2021 were approved as written and distributed.

Old Business

- ◆ None

New Business

- ◆ **Request for variance to reduce the rear lot line setback from 15' to 10' for above ground swimming pool installation in the rear yard at 4148 Tepe Court – Steve and Jenny Daugherty – Sharonville Zoning Ordinance 1125.18**
  - The Applicants, Steve and Jenny Daugherty, are proposing to install an above ground pool in the rear yard of their property. Their property is located at 4148 Tepe Court in a R1-B (Residential One-Family) zone. They are requesting a setback reduction variance to install the new pool 10' from one side of the property line instead of 15'.
  - According to Sharonville Zoning Ordinance 1125.18(a)(1)A, private pools are permitted in residential districts as an accessory to a dwelling. Code Section 1125.18(a)(1)A requires that pools be installed in the rear yard of a property with a minimum 15' setback from the property lines. As shown on the site plan submitted by the Applicants, they are able to meet the 15' setback requirement on all but one side of the rear property. Their property at 4148 Tepe Court is located on a cul-de-sac, and on the west side of the rear yard, they are requesting to install the pool 10' from the lot line. On the north, east, and south lot lines, their site plan indicates zoning compliance with the minimum 15' setback requirement.

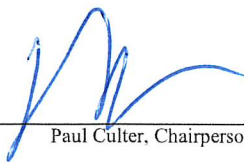
- The Applicants stated on their variance application that their lot is oddly shaped and that the granting of a variance shall be necessary to relieve hardship and preserve their rights to the reasonable and legitimate use of their property, rather than mere convenience. Their application for plan approval indicates that the above ground swimming pool is 18' in diameter. In addition, the Applicants stated in their letter to the Board that the pool will be enclosed by a 6' privacy fence and have a removable ladder per Code Section 1125.18(a)(1)B. Any lighting fixtures will not cast excessive brightness on the neighboring properties, and an electric permit will be obtained for installation of the electrical components of the pool's operation. (1125.18(a)(1)C)
- Mr. Kloppenburg inquired about which side of the property the filtration system will be located. Mr. Culter recommended adding a second condition which states that mechanical equipment related to the pool shall be located a minimum of 5' from the property line.
- The motion for passage by Mr. Lovitt was seconded by Mr. Pernik. Mr. Creech proceeded with a Roll Call Vote on passage.
- The motion was approved unanimously with the conditions below:
  1. Pool and all improvements shall be maintained in good repair and replaced as necessary to remain in compliance with the approved setback variance.
  2. Mechanical equipment shall be located a minimum of 5' from the lot line.

#### Discussion

- ◆ Ms. Kreindler announced the Downtown Loop Public Input Open House happening on August 4, 2021 from 6-8pm at the Sharonville Cultural Arts Center. The 3 focus areas are: Depot Square, Creek Road, and Walnut Street.
- ◆ Mr. Creech announced that Wendy Moeller, the consultant of Compass Point Planning, will give a brief presentation about the zoning code update process during the Planning Commission meeting later in the evening.
- ◆ Mr. Lovitt announced that this will be his last Board of Zoning Appeals meeting due to his new position on the City Council. Board members acknowledged Mr. Lovitt and thanked him for his time on the Board.

#### Adjournment

- ◆ The motion to adjourn was made unanimously. Chairperson Mr. Culter adjourned the meeting at approximately 6:50 p.m.




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Paul Culter, Chairperson




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John Creech, Secretary