

**BOARD OF ZONING APPEALS
MEETING MINUTES SUMMARY
August 11, 2021**

Paul Culter called the regular Sharonville Board of Zoning Appeals meeting of August 11, 2021 to order at 6:30 p.m.

Roll Call

- ◆ In attendance for roll call were Board of Zoning Appeals Members: Paul Culter, Andrew Sasser, Matt Eggenberger, and Daniel Kloppenburg. Dan Ison and Tom Pernik were absent with notice.
- ◆ 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 July 14, 2021 were approved as written and distributed.

Old Business

- ◆ None

New Business

- ◆ **Request for variance to keep two pole-mounted signs on the front corners of the lot at 11656 Lebanon Road (Formerly B & V Beverage) – Kevin Lally – Sharonville Zoning Ordinance 1153**
 - The Applicant, Kevin Lally, is requesting a variance to keep two pole-mounted signs on the front corners of the property located at 11656 Lebanon Road. This is the location of the former business B & V Beverage, and the property is zoned GB (General Business). According to Sharonville Zoning Ordinance 1153, the signs on the Applicant's property are considered to be abandoned, and the time period to repair or remove the signs has lapsed. On June 3, 2021, City of Sharonville Code Enforcement Officer, Donna Hollingsworth, sent a violation notice to Mr. Lally requiring that the signs in their entirety, including pole structures, be removed by July 3, 2021. On July 2, 2021, Mr. Lally submitted a variance application to the Department of Community Development requesting an extension for the signs.
 - In the Applicant's letter to the Board, Mr. Lally stated that the two signs in question are permanent pole-mounted signs that stand on the two front corners of the lot along Lebanon Road. The Applicant stated that the signs are each located approximately 20 feet back from the right-of-way and measure approximately 4' x 5' in size. Furthermore,

the Applicant explained in his letter that the signs have been on the property since the 1960s when his grandfather built the building and operated his business as B & V Beverage. Over the years, the business has been leased to different owners. At this time, the Applicant is requesting to keep the two pole-mounted signs on the property until a new tenant is found; a review of the online commercial real estate listing service CoStar Group as well as a site visit indicated that the property is not actively listed for sale or lease.

- Mr. Culter proposed to add a fifth condition stating the following: One sign on the south side of the property must be removed within 1 year of the variance approval. A motion was made to add this fifth condition, after discussion it was unanimously approved to add another condition.
- Seeing no further discussion, the motion for passage by Mr. Sasser was seconded by Mr. Kloppenburg. Mr. Creech proceeded with a Roll Call Vote on passage.
- The motion was approved unanimously with the condition(s) below:
 1. A temporary appeal is granted for 1 year, or less, if the owner enters into a contract for the sale or lease of the property during the time period.
 2. Prior to the transfer or lease of the property, the owner is required to disclose to purchaser of any Board of Zoning Appeals requirements to modify or improve the signs.
 3. A temporary appeal from removing the signs does not grandfather the signs from having to comply with zoning regulations and design standards. When a new use occupies the building, a permit will be required to update the signs to current zoning code standards.
 4. If the signs have not been updated within 1 year, a demo permit will be required to remove the signs from the property.
 5. The one sign located on the south side of the property will be removed within 1 year.

◆ **Request for variance to install a 4' tall aluminum fence in the front yard on a corner lot located at 3797 Creek Road – Maria Groff – Sharonville Zoning Ordinance 1125.10(b)**

- The Applicant, Maria Groff, is proposing to install a 4' tall aluminum fence in the front yard of a corner lot at Creek Road and Sharondale Road. Her property is located at 3797 Creek Road in a R1-B (Residential One-Family) zone. She is requesting a variance to install a 4' tall aluminum fence in the front yard facing Sharondale Road.
- According to Sharonville Zoning Ordinance Code Section 1125.10(b), fences are not permitted in the front yard of a corner lot. The Applicant is requesting a deviation of this code section to install a new 4' fence made of black aluminum on a corner lot at the intersection of Creek Road and Sharondale Road. The new fencing will be located on the front yard to the southeast of the property facing Sharondale Road as well as in the side and the rear yards.

- The Applicant stated on her variance application that her lot is a corner lot and that the granting of a variance shall be necessary to relieve hardship and preserve her rights to the reasonable and legitimate use of her property, rather than mere convenience. The Applicant stated in her letter to the Board that the fence would frame the sides of the house. The house is located 30' from the sidewalk, and the Applicant is proposing to extend the fencing 26' along Sharondale Road, leaving 4' of greenspace between the fence and the sidewalk. The Applicant is requesting this variance in order to create a safe area for her dogs to play outside as well as reduce the amount of foot traffic cutting through her property. The granting of this variance would allow the Applicant to freely use her property.
- Mr. Culter questioned the fence extending 26', stating that the variance request is a bit excessive. The Applicant explained that she wants to extend the fence in order to be able to use her side yard.
- A neighbor at 3785 Creek Road attended the meeting and spoke in favor of the fence variance being approved.
- The motion for passage by Mr. Sasser was seconded by Mr. Eggenberger. Mr. Creech proceeded with a Roll Call Vote on passage.
- The motion was approved unanimously with the condition(s) below:
 1. Fence and all improvements shall be maintained in good repair and replaced as necessary to remain in compliance with the approved variance.

◆ **Request for variance to construct 500 square foot shuffleboard court and 300 square foot bocce ball court as well as replace patio in the rear yard of the property at 4211 Allenhurst Close Court – Joanne McKee – Sharonville Zoning Ordinance 1125.02(f)**

- The Applicant, Joanne McKee, is proposing to construct a 500 square foot shuffleboard court and a 300 square foot bocce ball court as well as remove and replace a 546 square foot patio in the rear yard of the property located at 4211 Allenhurst Close Court. This property is zoned R1-B, Residential One-Family. The combined 800 square foot courts are defined as accessory uses or structures per Sharonville Zoning Ordinance Definitions 1123.01 and 1123.154. Since the aggregate total of the Applicant's proposed accessory uses is greater than 500 square feet, a variance is required for the work.
- According to Sharonville Zoning Ordinance 1125.02(f), accessory structures in a residential district cannot exceed 500 square feet in total size. The total of this Applicant's proposed plan is approximately 1,346 square feet, which is larger than the maximum square footage allowed for accessory structures; thus, a variance is required. As shown on the application and site plans submitted by the Applicant, the proposed shuffleboard court is 10' x 50' (500 square feet), the proposed bocce ball court is 6' x 50' (300 square feet), and the patio replacement is 19.5' x 28' (546 square feet).

the abutting lot at 3859 Beaver Creek Circle share a common rear lot line that is at an angle to the front lot line and reduces the rear usable yard area.

- A neighbor at 10613 Sarazen Court, Mr. Beckjord, was present at the meeting and spoke against approving the variance request. He explained that he sees too many sheds and garages from his backyard. In addition, he stated that the shed is approximately 49 inches from his property line.
- The motion for passage by Mr. Sasser was seconded by Mr. Eggenberger. Mr. Creech proceeded with a Roll Call Vote on passage.
- The motion was approved unanimously with the condition(s) below:
 1. Shed and all improvements shall be maintained in good repair and replaced as necessary to remain in compliance with the approved variance.

◆ **Request for variance to temporarily allow portable storage unit for furniture in the driveway at 10635 Lemarie Drive – Craig Hunt – Sharonville 1125.22**

- The Applicant, Craig Hunt, is requesting to temporarily allow a portable storage unit in his driveway. The property is located at 10635 Lemarie Drive in a R1-B (Residential One-Family) zone. According to Sharonville Zoning Ordinance 1125.22, portable storage units are not allowed for a period more than 7 consecutive days or 14 total days in any 180 day period. On June 23, 2021, City of Sharonville Code Enforcement Officer, Donna Hollingsworth, sent a violation notice to Mr. Hunt notifying him that portable storage units in the driveway are not permitted without a permit. He was instructed to remove the storage unit from his property by July 23, 2021. Mr. Hunt is requesting to allow the portable storage unit in his driveway for a period of time longer than 7 consecutive days. Thus, he requires variance approval from the Board.
- As stated on Mr. Hunt's variance application, he is installing hardwood floors on the second floor of his home, which involves temporarily emptying two bedrooms of furniture. The Applicant does not have a garage, and as a result, he is using the portable storage unit to store the furniture while redoing his floors. As shown on the site plan submitted by the Applicant, the proposed location for the temporary portable storage unit is in the front of the property on the center of the driveway.
- The motion for passage by Mr. Sasser was seconded by Mr. Eggenberger. Mr. Creech proceeded with a Roll Call Vote on passage.
- The motion was approved unanimously with the condition(s) below:
 1. The portable storage unit must be situated on the driveway and setback from neighboring lot lines as submitted on the Applicant's site plan. In addition, the portable storage unit cannot block the public sidewalks.

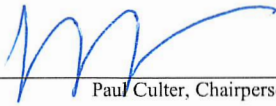
2. Once Mr. Hunt finishes installing the new hardwood floors on the second floor of his home, he will be required to remove the portable storage unit from the property within 7 days. The portable storage unit will be removed within 60 days of the granting of this variance.
3. The portable storage unit must be locked and secured at all times while temporarily on the property.

Discussion

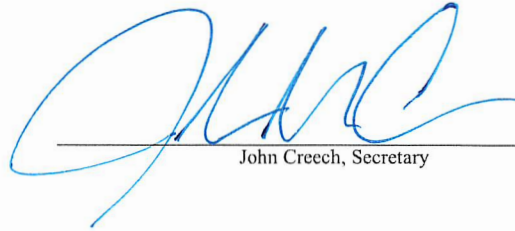
- ◆ None

Adjournment

- ◆ The motion to adjourn the meeting was made by Mr. Sasser. Mr. Culter adjourned the meeting at 7:45 p.m.



Paul Culter, Chairperson



John Creech, Secretary