

**BOARD OF ZONING APPEALS
MEETING MINUTES
August 14, 2019**

Chairperson Paul Culter called the regular Sharonville Board of Zoning Appeals meeting of August 14, 2019 to order at 6:30 p.m.

Roll Call

- ◆ In attendance for Board of Zoning Appeals Members Roll Call: Chairperson Paul Culter, Dan Ison, Madeleine Dressing, Tom Pernik, and Dustin Goldie.
- ◆ Absent with notice: Andrew Sasser and Matt Eggenberger.
- ◆ In attendance on behalf of City Council: Councilman Rob Tankersley
- ◆ Also in Attendance Community Development Staff: Mr. John Creech (Director of Community Development- Board Secretary), Mrs. Sarah Dircks (City Planner- Presenting), Ms. Jamie Kreindler (Summer Co-Op – Presenting), Ms. Donna Hollingsworth (Code Enforcement- Recording Minutes) and Mrs. Gina Good (Administrative Clerk – 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 12, 2019 were approved as written and distributed.

Old Business

- ◆ None

New Business

- ◆ **Variance of 176 square feet to install a 676 sq. ft. detached two car garage (oversized accessory structure) in a Residential (R1-B) Zoned District – 4209 Cornell Road.**
 - Ms. Jamie Kreindler presented the applicant's submitted variance request:
 - Sharonville Ordinance 1125.02(c) limits detached garages to a maximum of 500 sq. ft.
 - The applicant is seeking a variance of 176 square feet to build detached 2 car garage.
 - If approved the applicant has agreed to use similar building material cohesive to the surrounding residential area.
 - The applicant, Mr. Richard Gelhaus and his wife, Mrs. Peggy Gelhaus, property owners of 4209 Cornell Road, were both in attendance to address the Board of Zoning Appeals.
 - Mr. Gelhaus answered the Board's questions regarding the proposed plans:
 - The existing trees are healthy and he does not intend to remove them to install the garage.
 - The honeysuckle will be removed as part of the garage installation.
 - The retaining wall was previously installed prior to purchasing the property to stabilize the hill; they've had no past issues with erosion or water related to the retaining wall.
 - The plan includes extending the retaining wall and installing the garage 7' away from the side property line, rather than installing the garage in the middle of the rear yard.
 - The proposed garage will be for personal use only; to store one antique vehicle, to store their other two personal vehicles, and to have room for a shelving wall.
 - Mr. Richard Gelhaus confirmed if approved, the structure will be an aesthetically pleasing structure with materials cohesive to the houses in the neighborhood, muted colored vinyl

siding, trimming on the windows.

- All property owners within 100 feet of the property were notified of the applicant's variance request. There was one neighbor in attendance in opposition to the request:
 - Mr. Kenneth Park, owner of 4257 Cornell Road and 4225 Cornell Road, arrived after the presentation by Ms. Kreindler and partway through Board questioning of Mr. Gelhaus. Mr. Park stated he is in opposition to the granting of the variance request.
 - Mr. Park stated that he resides four doors down, 4257 Cornell Road, in the City of Blue Ash, but owns the property next to the applicant, 4225 Cornell Road, in Sharonville.
 - Mr. Park explained that he did not believe the variance should be granted due to the potential loss of property value. He voiced concerns of the aesthetics and noted that he didn't want an oversized structure to be allowed to virtually consume the entire back yard.
 - The Board continued with their line of question of the applicant to address the concerns of Mr. Park and to further clarify the final use and design of the garage prior to making a decision.
 - The garage would be off to the side of the property and be a muted color.
 - The applicant can already install a two car garage by code; the applicant is requesting a variance of 176 sq. ft. to accommodate a full sized truck and room for tools and shelving.
 - After consideration, a motion for Roll Call was made by Mr. Ison, seconded by Mr. Goldie.
 - Mr. Creech proceeded with a Roll Call Vote for variance approval. Three votes were made in affirmation for variance passage and Mr. Pernik abstained.
- ◆ **Setback Variance to install a side yard fence on a corner lot property in a Residential (R1-B) Zoned District fronting Conestoga Ct – 3567 Grandview Avenue – Kyle Louder - Sharonville Zoning Ordinance 1125.10 (b).**
- Mrs. Dircks presented the applicant's submitted variance request:
 - Sharonville Ordinance 1125.10 setback requirements only permit fences on the side and rear yard; corner lot properties are considered to have two front yards.
 - Mrs. Dircks gave a visual depiction of the allowed fenced in area, per code, which prohibits fences on the side of the house that fronts Conestoga Ct.
 - The applicant has an existing fenced in area, which was built within the permitted fenced in area, which he reports suffers from storm water issues.
 - The applicant's variance request would allow a fence to be built to the front right of way facing Conestoga Ct.
 - The applicant, Mr. Kyle Louder and his wife Ms. Brianna Louder, property owners of 3567 Grandview Avenue, were both in attendance to address the Board of Zoning Appeals.
 - Mr. Louder answered the Board's questions regarding the proposed plans:
 - The proposed layout will allow him and his family to utilize more of their actual yard as their lot is on a corner, limiting space in the back. Mr. Louder clarified the type of fence to be installed will either be chain link or split rail with mesh. He also confirmed there is no desire to install a privacy fence. Furthermore, they will be removing the section of existing fence as there will be no further need to have it.
 - All neighbors within 100ft of the property were notified of the applicant's variance request.

- There was no opposition to the request.
- The motion for passage by Tom Pernik was seconded by Madeleine Dressing. There being no discussion, Mr. Creech proceeded with a Roll Call Vote on passage.
- Motion was approved unanimously.
- ◆ **Setback Variance of 3' – Request to reduce the minimum setback of an accessory structure off the back of the house (main structure) from 20 feet to 17 feet in a Residential (R1-B) Zoned District – 10774 Teal Drive – Andrew Smith of AM Smith Construction LLC on behalf of Darla Taylor- Sharonville Zoning Ordinance 1125.02 (c).**
 - Ms. Jamie Kreindler presented the applicant's submitted variance request:
 - Sharonville Ordinance 1125.02(c) requires a minimum of 20 feet setback between a house (main structure) and a shed (accessory structure)
 - Applicant is requesting a setback variance of 3' to install shed 17' from the house.
 - A recently removed shed was 17' away from house but there was no record of a prior variance or building permit documented for the original shed construction or setback approval.
 - Andrew Smith, of AM Smith Construction – 108 Pleasant Street, 45154 – was present on behalf of the property owner, Darla Taylor.
 - Mr. Smith confirmed that the recently removed shed was pre-existing when Ms. Taylor purchased the property.
 - The new structure is the same size and will be at the same location as the previously dilapidated one, and the concrete pad had already been poured.
 - A retaining wall would have to be installed to place it further back.
 - There is already an existing sidewalk leading to the previously removed shed.
 - All neighbors within 100ft of the property were notified of the applicant's variance request.
 - There was no opposition to the request since according to the Board, the applicant is requesting to replace like for like.
 - The motion for passage by Dan Ison was seconded by Dustin Goldie. There being no discussion, Mr. Creech proceeded with a Roll Call Vote on passage.
 - Motion was approved unanimously.

Discussion

- ◆ None

Adjournment

- ◆ The motion by Dan Ison to adjourn the meeting was seconded by Tom Pernik. Chairperson Paul Culter adjourned the meeting at 7:02 p.m.

Paul Culter, Chairperson

John Creech, Secretary