

April 16, 2012

Mr. Jim Eichmann – Chairman
Mr. Ted Leugers – Co-Chairman
Mrs. Marlene McDaniel – Secretary
Mr. Tom Scheve – Member
Mr. Jim LaBarbara – Member
Mr. Jeff Heidel – Alternate

Item 1. – Meeting called to Order

Chairman Eichmann called the meeting of the Board of Zoning Appeals to order at 7:00 PM on Monday, April 16, 2012.

Item 2. – Roll Call of the Board

Mrs. McDaniel called the roll.

Members Present: Mr. LaBarbara, Mr. Scheve, Mr. Eichmann, Mr. Leugers,
Mr. Heidel and Mrs. McDaniel

Also Present: Greg Bickford, Harry Holbert and Beth Gunderson

Item 3. – Opening Ceremony

Mr. Eichmann led the Pledge of Allegiance.

Item 4. – Swearing In

Mr. Eichmann swore in those providing testimony before the board.

Item 5. – Approval of Minutes

Mr. Eichmann stated the next order of business was to approve the March 19, 2012 meeting minutes.

Mr. Eichmann asked for any corrections to the March 19, 2012 meeting minutes.

Mr. Eichmann entertained a motion to approve the March 19, 2012 meeting minutes.

Mr. Scheve moved to approve the March 19, 2012 meeting minutes.

Mr. Leugers seconded.

All voted – yes.

Item 6. – Old Business

B2012-03V
Allison Neel Craft
6560 Michael Drive
Cincinnati, OH 45243

Mr. Bickford read the resolution denying the variance request for case# B2012-03V in its entirety.

Mr. Eichmann asked for any comments.

Mrs. McDaniel called roll.

Mr. LaBarbara – AYE
Mr. Scheve – AYE
Mr. Eichmann – AYE
Mr. Leugers – AYE
Mrs. McDaniel – NEA

Item 6. – New Business

B2012-04V
John Ross
8901 Plainfield Road
Cincinnati, OH 45236

B2012-05V
John Ross
8905 Plainfield Road
Cincinnati, OH 45236

Mr. Holbert presented the case and case history for case# B2012-04V and for case# B2012-05V. Mr. Holbert explained the Planning and Zoning office had received a complaint about the existing fence, which is in disrepair, on the applicant's properties.

Mr. Eichmann asked if the Board had any questions for Mr. Holbert.

The board asked questions of Mr. Holbert.

Mrs. McDaniel asked about existing fence and wall.

Mr. Holbert stated the applicant intends to remove the existing fence and wall and, if approved, install a new eight foot tall fence. Mr. Holbert showed the board a photo of the fence style the applicant proposes to install.

Mr. Eichmann asked for clarification on what is the applicant's defined side and front yards and on who is the legal owner of the property.

Mr. Holbert stated the applicant's father is the owner of the property.

Mr. Bickford stated that the applicant is authorized to apply for the variances as the agent of the company.

Mr. Eichmann asked if the use of the property had anything to do with the variance.

Mr. Bickford said the use is grandfathered and has nothing to do with the variance requests.

Mr. Eichmann asked if there was anyone present from the public, including the applicant, who wished to address the board.

Mr. Holbert stated the applicant was not present.

Mr. Robert Koenig of 8916 Blossom Drive, Cincinnati, OH 45236, addressed the board. Mr. Koenig asked for clarification on the exact location of the proposed eight foot tall fence. Mr. Koenig expressed concern about the applicant parking junk cars on the residential part of the property.

Mr. Bickford stated the parking of junk cars would be subject to the requirements of the Sycamore Township Zoning Resolution and enforced by the Planning and Zoning Department.

Mr. Koenig stated he feels an eight foot fence would look too commercial and out of place and that he prefers a six foot fence.

Mr. Holbert said because of the grade of the land an eight foot tall fence would not appear so tall.

Ray Eigel of 8924 Blossom Drive, Cincinnati, OH 45236 addressed the board. Mr. Eigel said 80 feet of his property adjoins the applicant's property. Mr. Eigel stated his concern about the trailers, flat beds and mess on the property and that an eight foot tall fence would be better than leaving the property the way it is.

Mr. Scheve asked what the height of the existing fence is.

Mr. Holbert said the existing fence is six feet tall.

Mr. Barry Bowen of 8934 Blossom Drive, Cincinnati, OH 45236 addressed the board. Mr. Bowen said he has lived on Blossom since 1957 and expressed concern that the applicant was parking on parts of the property that are not grandfathered for use as a towing company and said he thought part of it had been an easement. Mr. Bowen said a fence is needed and long overdue. Mr. Bowen said the tow trucks and Cadillac parked near the street on Plainfield had not moved and may not even run.

Mr. Eichmann asked if the lots had to be consolidated before a fence could be installed.

Mr. Holbert stated consolidation is not required for the installation of a fence if all parcels have the same owner.

Mr. Eichmann closed the floor to comments and questions from the public.

The board discussed the issues brought before them.

Mrs. McDaniel asked for clarification on the towing company as a grandfathered use.

Mr. Bickford said the applicant's business is a legal non-conforming use because it was in business prior to the township establishing regulatory authority in 1999-2000.

Mr. Eichmann noted the board had received a letter from a neighbor opposing the variance request who had some concerns about drainage.

Mr. Holbert stated a fence would not affect drainage on the property.

Mr. Holbert stated that if the board was inclined to approve the variance, staff had conditions prepared to recommend:

1. The applicant must reseal the driveway and all asphalt.
2. All vehicles must be parked behind the fence.
3. The front yard must be seeded and strawed.
4. The existing fence and wall must be removed.

Mr. Leugers suggested adding a condition that the gate for the fence remains closed.

Mr. Eichmann made a motion to approve case# B2012-04V on the condition that it is associated with case# B2012-05V.

Mr. Leugers seconded.

Mrs. McDaniel called roll.

Mr. LaBarbara – AYE
Mr. Scheve – AYE
Mr. Eichmann – AYE
Mr. Leugers – AYE
Mr. McDaniel – AYE

Mr. Eichmann moved to approve case # B2012-05V with the following conditions:

1. The applicant must reseal the driveway and all asphalt.
2. All vehicles, including those parked on the front paved surface near Plainfield Road, are to be parked behind the fence.
3. The front yard must be seeded and strawed.
4. The existing fence and wall must be removed.
5. The gate for the new eight foot fence is to remain closed at all times except when entering or exiting with a vehicle.

Mr. Scheve seconded.

Mrs. McDaniel called roll.

Mr. LaBarbara – AYE
Mr. Scheve – AYE
Mr. Eichmann – AYE
Mr. Leugers – AYE
Mr. McDaniel – AYE

B2012-06V
Laura Stankorb
8869 Roundhill Road
Cincinnati, OH 45236

Mr. Holbert presented the case and case history for case# B2012-06V. Mr. Holbert stated that the staff report neglected to report that the proposed garage addition does not meet the rear yard setback requirement. What the applicant believed to be a side yard is actually defined as a rear yard. Therefore the request would include a variance to both the front and rear yard setbacks.

Mr. Scheve asked if the hardship was because the house is built at a diagonal.

Mr. Holbert said yes and also because the property is on a corner lot.

Mr. Eichmann asked if the applicant was present and wished to address the board.

Laura Stankorb of 6227 Coachlite Way, Cincinnati, OH 45243, applicant and architect for the proposed addition, addressed the board. Ms. Stankorb stated that 45% of the property is front yard and unbuildable area. She said she does not know of any other houses in the neighborhood on corner lots that are built on a diagonal facing the intersection like the property in question. Ms. Stankorb explained that the existing garage was small and lacked storage space. She said the owners are committed to a nice looking addition that would add curb appeal to the home.

Mrs. McDaniel asked what the owners planned to store in the old garage if the new addition was built.

Kim Bonn of 8869 Roundhill Road, Cincinnati, OH 45236, the property owner, addressed the board. Mrs. Bonn stated that they want to be able to park a third vehicle and store bikes and other items. The garage would be a tandem allowing for three vehicles.

Mr. LaBaraba asked if the addition would match the existing house.

Ms. Stankorb said they will match the brick, siding and gable and the new addition will flow with the rest of the house.

Mr. Eichmann closed the floor to comments and questions from the public.

Mr. Leugers said the corner lot was a hardship justifying approval of the variance.

Mrs. McDaniel moved to approve case# B2012-06V as submitted.

Mr. Leugers seconded.

Mrs. McDaniel called roll.

Mr. LaBarbara – AYE

Mr. Scheve – AYE

Mr. Eichmann – AYE

Mr. Leugers – AYE

Mr. McDaniel – AYE

Item 7. – Date of Next Meeting

Mr. Eichmann noted the date of the next meeting – Monday, May 21, 2012.

Item 8. – Adjournment

Mr. Eichmann adjourned the meeting at 8:24 PM.

Minutes Recorded by: Beth Gunderson
 Planning & Zoning Assistant