

October 15, 2018

Mr. Jim Eichmann – Chairman  
Mr. Ted Leugers – Vice-Chairman  
Mr. Tom Scheve – Member  
Mr. Jeff Heidel – Member  
Mr. Steve Scholtz – Secretary  
Ms. Julie Glassmeyer - Alternate

**Item 1. – Meeting called to Order**

Chairman Eichmann called the meeting of the Board of Zoning Appeals to order at 6:30 P.M. on Monday, October 15, 2018.

**Item 2. – Roll Call of the Board**

Mr. Scholtz called the roll.

Members Present: Mr. Scheve, Mr. Leugers, Mr. Eichmann, Mr. Heidel and Mr. Scholtz

Members Absent: Ms. Glassmeyer

Staff Present: Harry and Beth Gunderson

**Item 3. – Opening Ceremony**

Mr. Eichmann led the Pledge of Allegiance.

**Item 4. – Swearing in of Those Providing Testimony**

Mr. Eichmann explained that this is a public hearing in which testimony will be given by staff and members of the public. He then swore in all those providing testimony.

**Item 5. – Approval of Minutes**

Mr. Eichmann stated the next order of business was to approve the September 17, 2018 meeting minutes.

Mr. Scholtz made a motion, seconded by Mr. Heidel, to approve the September 17, 2018 meeting minutes.

Mr. Scholtz called roll to approve the minutes.

Mr. Scheve – ABSTAIN  
Mr. Leugers - AYE  
Mr. Eichmann – AYE  
Mr. Heidel – AYE  
Mr. Scholtz – AYE  
Ms. Glassmeyer – ABSENT

**Item 6. – Old Business**

Case: SYCB170014  
Applicant: Kathleen Ryan, Esq.  
Location: 7292 Kenwood Road  
Request: Appeal Notice of Zoning Violations

Mr. Holbert stated the case was being continued again due to pending litigation.

Case: SYCB180025  
Applicant: Wayne Miller  
Location: 8506 Plainfield Road  
Request: Variance

Mr. Holbert presented the Resolution approving the variance request for Case SYCB180025.

Mr. Scholtz called roll.

Mr. Leugers – AYE  
Mr. Eichmann – AYE  
Mr. Heidel – AYE  
Mr. Scholtz – AYE

Case: SYCB180026  
Applicant: Paul Fede  
Location: 7840 Styra Lane  
Request: Variance

Mr. Holbert presented the Resolution approving the variance request for Case SYCB180026.

Mr. Scholtz called roll.

Mr. Leugers – AYE  
Mr. Eichmann – AYE  
Mr. Heidel – AYE  
Mr. Scholtz – AYE

Mr. Eichmann briefly explained how the hearing would proceed.

**Item 7. – New Business**

Case: SYCB180028  
Applicant: Randy Brunk, Cincinnati Hills Christian Academy  
Location: 11525 Snider Road  
Request: Conditional Use

Mr. Holbert presented the case and case history in a Power Point presentation. He noted the request is for a modification to an existing conditional use for a high school to construct a 40,740 square feet accessory use building for use as indoor athletic practice space. He then showed the adjacent zoning districts and the location of the proposed building on the property. Mr. Holbert showed photos of the existing conditions on the property. He then reviewed the demolition plan.

Mr. Holbert noted the applicant had made a few revisions in response to comments on the staff report. He reviewed the utility, grading and lighting plans noting they show zero foot candles at all property lines. Mr. Holbert then discussed the landscape plan stating it should screen vehicle lights from adjacent residential districts. He noted there should be no increase in traffic due to this project as it is for use by existing student body.

The Board asked questions of Mr. Holbert.

Mr. Scheve asked if the school would be losing parking spaces as a result of the project.

Mr. Holbert answered they would have a net increase in parking spaces.

Mr. Scholtz asked if the applicant is here before the Board because they are amending an existing conditional use.

Mr. Holbert answered yes, saying they have conditional use approval already as a school in a residential district. Whenever CHCA make changes to their existing site, they have to come back before the Board of Zoning Appeals.

Mr. Holbert noted the proposed structure would be located away from residential properties and is a practice facility only with no games being played there.

Mr. Holbert stated the signs on the renderings did not have dimensions but the applicant's response to the staff report added a condition on the cover sheet that signage will be in compliance with the Zoning Resolution. He said the accessory structure exceeds the maximum area and height.

Mr. Scheve asked about the impact the proposed structure would have on the impervious surface ratio.

Mr. Holbert said the proposed ISR is listed as .433. He noted water shed is regulated by Hamilton County.

Mr. Heidel asked if any of adjacent neighbors responded.

Staff answered no.

Mr. Eichmann asked about the effect of this project on parking along Snider Road during events and inquired about the entrance on Snider that he assumes is for maintenance.

Mr. Holbert deferred to the applicant.

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

Mr. Scott Phillips, Attorney with Frost Brown Todd who serves on the CHCA Board, of 9277 Centre Pointe Drive, Suite 300, West Chester, OH 45069 addressed the Board. Mr. Phillips noted this project is not intended to be any type of expansion, rather, is to be used by existing students for practice facility only.

Mr. Scheve asked where the students will practice baseball outdoors since the field will be replaced by the building.

Mr. Phillips answered they will move the outdoor baseball facility off campus. He noted there will be a net stall parking gain and commented in terms of parking on Snider Road, the school does not approve of it and would support no parking signs on Snider Road.

Mr. Scheve said the facility is too big and too high and asked why it can't be built smaller and shorter.

Mr. Phillips answered the size of the building is necessary to accommodate locker room space and to function for indoor practice. He said the building would not work pursuant to code and will be a benefit to the community to move practice indoors.

Mr. Scheve asked why the materials of this building are different than others on the campus.

Mr. Phillips answered the building is not visible on three sides, therefore, it is not necessary to use the same materials as the other buildings on campus. He noted this was more economical and will not detract from aesthetics.

Mr. Scholtz asked how much out of compliance this accessory building would be.

Mr. Holbert answered it is 40 times larger than permitted in a residential district.

Mr. Phillips pointed out the typical accessory use structure in a residential district is a shed. This is a school campus in a residential district. He stated the applicant will comply with any and all staff recommendations to be good neighbors.

Mr. Eichmann asked why the application doesn't include expanded parking to eliminate the parking issues along Snider Road.

Mr. Phillips stated the goal is to maintain some green space. HE said the parking lot proposed will be for kids or parents dropping off to practice. He noted CHCA does not encourage people to park on Snider Road and is willing to work with staff and police to try to address that. He said he will speak to security about it.

Mr. Eichmann asked about parking in the drive aisle.

Mr. Phillips said there is security at football games who will enforce no parking there.

Mr. Holbert noted there will be multiple reviews and fire chief will look at the plan and make recommendations.

There was discussion about the process and the multiple reviews of the plans for the proposed project.

Mr. Eichmann asked if there will be an expansion of this building in future.

Mr. Phillips stated this should accommodate their needs noting there are no plans for future expansion.

Mr. Scheve asked about the robotics building that was approved for across the street.

Mr. Phillips answered funding to do that has not yet materialized noting the school may go back to that original plan at some point in the future.

Mr. Scheve asked why the Board should approve such a large structure when CHCA already has courts in school and a robotics facility was approved for across street.

Mr. Eric Taylor, Director of Athletics, Cincinnati Hills Christian Academy, 11525 Snider Road, Cincinnati, OH 45249, addressed the Board. Mr. Taylor explained the high demand for gym time at CHCA.

Mr. Eichmann asked why CHCA can't build the field house on another part of the campus in Symmes Township.

Mr. Taylor answered streamlining to one facility is better and noted the benefits of the proposed location for the building.

Mr. Eichmann asked about access to the field off Snider Road.

Mr. Taylor said that entrance is not used.

Mr. Phillips said there are almost 1200 students in k-12 at CHCA and 85% of them participate in sports. He stated gym space is very tight.

Mr. Eichmann asked if there would be tournaments played there.

Mr. Phillips answered no, it would be for practice only.

Mr. Eichmann asked if there was anyone present from the attending public who wished to comment on the case. No one from the public was present.

Mr. Leugers said the proposal is a net benefit to the community. He stated the applicant has complied with all staff's suggestions. Mr. Leugers pointed out the plan is well buffered and, as far as size goes, the Board cannot hold the school to the same requirements as a residence. HE stated he is in support of approving the Conditional Use request.

Mr. Heidel agreed.

Mr. Scholtz said as father of a kid who had to go to other facilities for practice, he understands that gym space is hard to get. He spoke in favor of CHCA having a facility on site for its students.

Mr. Scheve agreed with the other members.

Mr. Eichmann entertained a motion.

Mr. Scheve made a motion, seconded by Mr. Leugers, to approve the Conditional Use request for Case SYCB180028 with the conditions listed in the staff report and the condition that the shrubbery be moved from the inside to the outside of the 90 degree turn.

Mr. Scholtz called roll.

Mr. Scheve – AYE

Mr. Leugers - AYE

Mr. Eichmann - AYE

Mr. Heidel – AYE

Mr. Scholtz – AYE

**Item 8. – Date of Next Meeting**

Mr. Eichmann noted the date of the next meeting – Monday, November 19, 2018 at 6:30 p.m.

**Item 9. Miscellaneous Business**

There was discussion of the Board member salary.

**Item 10. – Adjournment**

Mr. Eichmann entertained a motion to adjourn.

Mr. Scheve moved to adjourn, seconded by Mr. Scholtz. Vote: All Aye.

The meeting adjourned at 7:38 P.M.

Minutes recorded by: Beth Gunderson, Office Administrator