

March 18, 2019

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, March 18, 2019.

**Item 2. – Roll Call of the Board**

Mr. Scholtz called the roll.

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

Staff Present: Greg Bickford, Kevin Clark, and Jessica Daves

**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 February 18, 2019 meeting minutes.

Mr. Scheve made a motion, seconded by Mr. Leugers, to approve the February 18, 2019 meeting minutes.

Mr. Eichmann called roll to approve the minutes.

Mr. Scheve –AYE  
Mr. Leugers -AYE  
Mr. Eichmann – AYE  
Mr. Heidel – AYE

**Item 6. – Old Business**

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

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

Case: SYCB190001  
Applicant: David Meranus  
Location: 7135 Hosbrook Road  
Request: Variance

Mr. Clark presented the resolution approving with conditions the variance request for case SYCB190001.

Mr. Eichmann asked if there was any further discussion.

Mr. Scheve –AYE  
Mr. Leugers -AYE  
Mr. Eichmann – NAY  
Mr. Heidel – AYE

**Item 7. – New Business**

Case: SYCB190002  
Applicant: David Meranus  
Location: 7135 Hosbrook Road  
Request: Variance

Mr. Clark presented the case and case history in a PowerPoint presentation for a fence requiring a variance located at 7135 Hosbrook Road. Current zoning is B single family residential. Mr. Clark stated the applicant requests a variance to Section 10-7 of the Zoning Resolution, location/height and open face area. He stated the maximum height requirement is 6ft for a fence accessory use and requires a principal use structure. The applicant requests to construct a fence on property that would create an accessory use where there is no principle structure, and construct a fence on a patio that exceeds the defined height allowance. The fence is compliant for size and open face area.

Mr. Clark presented and explained the aerial view of the property and parcels.

Mr. Eichmann asked Mr. Bickford if the fencing Mr. Meranus has proposed in the back yard would be permitted if they consider the three lots to be non-consolidated, and give him a variance.

Mr. Bickford answered exactly and explained the height.

Mr. Scheve asked if the parcels were consolidated, could he have done this except for the fence on top the retaining wall.

Mr. Bickford answered yes.

There was continued discussion about the fence variance and what would be compliant.

Mr. Scheve asked Mr. Bickford if staff is making any recommendation.

Mr. Bickford answered staff does not have an issue.

The discussion continued about the retaining wall, the fence, and the grade of the house.

Ms. Glassmeyer asked Mr. Bickford about the lots, the fence, and the care and maintenance of the other part of the fence.

Mr. Bickford answered you don't have to put a fence on the property line but they would still be responsible for the care and maintenance on both sides if it is not astride the boundary.

Mr. Eichmann asked if there were any further questions for staff.

Mr. David Meranus the applicant of, 7135 Hosbrook Road, Sycamore Township, OH 45243 addressed the Board.

Mr. Meranus pointed out the property, fence, and patio on the PowerPoint presentation.

There was discussion about the landscape screening of the wall, the fence, and the height railing requirement for building code.

Mr. Meranus presented a letter from Holy Trinity Kenwood Episcopal Church.

Mr. Meranus said the other reason he is requesting the variance is because there are 90 plus students in their daycare and that is why they wanted the screening. He also pointed out he still needs to have a safety rail.

There was discussion about consolidating the lots and the fence locations on the property.

Mr. Eichmann asked Mr. Meranus if the privacy fence was identical on both sides.

Mr. Meranus said he knows his obligation.

Ms. Glassmeyer asked Mr. Meranus about the guardrails.

Mr. Meranus explained about the requirements for the building permit.

Mr. Scheve asked Mr. Meranus if Hamilton County Building Department has to approve the rails.

Mr. Meranus answered yes.

Mr. Eichmann asked if anyone has any additional questions.

Mr. Leugers said Mr. Meranus has a hardship because he is on the border. He thinks Mr. Meranus should have the retaining wall and the fence because the church is not going to provide the buffer and Mr. Meranus shouldn't be required to provide one. He agreed to give Mr. Meranus a variance for the fence as submitted because he is going to put in four (4) Arborvitae in the other variance.

Mr. Scheve asked Mr. Leugers if he would be in favor of adding more landscaping along the proposed extension of the fence along the driveway.

Mr. Leugers said no.

There was continued discussion about relief, hardship, and the location being next to the church.

Mr. Leugers made a motion in case SYCB0002 to approve as submitted.

Mr. Scholtz seconded.

Mr. Scheve –AYE  
Mr. Leugers -AYE  
Mr. Eichmann – NAY  
Mr. Heidel – AYE

Mr. Scholtz-AYE

Mr. Eichmann closed the public comment.

**Item 8. – Date of Next Meeting**

Mr. Eichmann noted the date of the next meeting – Monday, April 15, 2019 at 6:30 p.m.

**Item 9. Miscellaneous Business**

There was discussion about case SYCB0003, the notification, and the case being a conditional use.

Mr. Scheve asked Mr. Bickford about the Moeller High School parking lot expansion case.

Mr. Eichmann asked Mr. Bickford about an ad in the paper for zoning volunteers for Sycamore Township in regard to.

Mr. Bickford said the Township is putting a land use board together to update the land use plan. This will be a citizen body that will make recommendations on the land use plan.

**Item 10. – Adjournment**

Mr. Eichmann entertained a motion to adjourn.

Mr. Scheve moved to adjourn, seconded by Mr. Heidel.

Vote: All AYE

The meeting adjourned at 6:35 P.M.

Minutes recorded by: Jessica Daves, Planning & Zoning assistant