

July 2, 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 4:00 P.M. on Monday, July 2, 2018.

**Item 2. – Roll Call of the Board**

Mr. Scholtz called the roll.

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

Members Absent: Mr. Heidel

Staff Present: Greg Bickford and Beth Gunderson

**Item 3. – Opening Ceremony**

Mr. Eichmann led the Pledge of Allegiance.

**Item 4. – Approval of Minutes**

Mr. Eichmann stated the next order of business was to approve the June 18, 2018 meeting minutes.

Mr. Eichmann asked for any corrections to the June 18, 2018 meeting minutes. No response.

Mr. Scheve made a motion to approve the June 18, 2018 meeting minutes.

Mr. Leugers seconded.

Mr. Scholtz called roll to approve the minutes.

Mr. Scheve – AYE  
Mr. Leugers - AYE  
Mr. Eichmann – AYE  
Mr. Scholtz – AYE  
Ms. Glassmeyer – AYE

Mr. Scheve asked for clarification regarding notification of the date of the special meeting.

Mr. Bickford stated all applicants and interested parties were notified of the special meeting date for all cases with resolutions being presented.

**Item 7. – Resolutions**

Case: SYCB180007

Applicant: John Ross

Location: 8905 Plainfield Road

Request: Variance

Mr. Bickford presented the Resolution approving with one modified condition the variance request for Case SYCB180007. Mr. Bickford noted the change to condition number six.

Mr. Scholtz called roll.

Mr. Scheve – AYE

Mr. Leugers – AYE

Mr. Eichmann - AYE

Mr. Scholtz – AYE

Ms. Glassmeyer - AYE

Case: SYCB180012

Applicant: Marshal Hyzdu, President, Moeller High School

Location: 7745 and 7755 Kennedy Lane

Request: Conditional Use

Mr. Eichmann read a statement he had written regarding the conditional use request for Moeller High School, Case SYCB180012. He noted the reasoning behind his vote against the denial of the conditional use and pointed out that, in his opinion, there was not enough discussion among the Board members after public comment was closed.

Mr. Scheve commented Mr. Eichmann's statement expresses the rationale behind his vote and asked if he was making a motion for the Board members to reconsider their votes.

Mr. Bickford stated there is no reason for a motion to reconsider; he will read the resolution and then the Board members may vote as they see fit. Mr. Bickford then read the Resolution denying the conditional use request for Case SYCB180012 in its entirety.

Mr. Scheve stated the resolution read properly reflects the vote and should be approved.

Ms. Glassmeyer agreed.

Mr. Leugers stated there are items in the resolution he doesn't remember discussing.

Mr. Scheve stated the Board directs the Law Director to prepare the wording of the resolution noting it is not verbatim but reflects the discussion during the hearing.

Mr. Eichmann argued the resolution states there is no public benefit to the parking lot which is not true. He cited examples of other school parking lots approved by the Board, such as Cincinnati Hills Christian Academy, stating if the Moeller proposal is not in agreement with the spirit and intent of the Zoning Resolution, then those parking lots wouldn't be either.

Mr. Scheve stated each case is different and noted, while he understands Mr. Eichmann has strong feelings about this, he does not understand re-litigating a decision already made.

Mr. Eichmann said he felt the Board's comments were rushed.

Mr. Scholtz stated they were not rushed noting the hearing went on for hours.

There was continued discussion regarding the Board's deliberations at the public hearing.

Mr. Scheve pointed out the applicant has the right to appeal the Board's decision.

Mr. Bickford stated the Board should vote on the resolution that was read.

Mr. Scholtz called roll.

Mr. Scheve – AYE  
Mr. Leugers – NAY  
Mr. Eichmann - NAY  
Mr. Scholtz – AYE  
Ms. Glassmeyer - AYE

Case: SYCB180014  
Applicant: William and Tracy Dominique  
Location: 11945 5<sup>th</sup> Avenue  
Request: Variance

Mr. Bickford presented the Resolution approving the variance request for Case SYCB180014.

Mr. Scholtz called roll.

Mr. Scheve – AYE  
Mr. Leugers – AYE  
Mr. Eichmann - AYE  
Mr. Scholtz – AYE  
Ms. Glassmeyer - AYE

Case: SYCB180016  
Applicant: Stacey Carpenter  
Location: 12114 1<sup>st</sup> Avenue  
Request: Variance

Mr. Bickford presented the Resolution approving with conditions the variance request for Case SYCB180016.

Mr. Scholtz called roll.

Mr. Scheve – AYE  
Mr. Leugers – AYE  
Mr. Eichmann - AYE  
Mr. Scholtz – AYE  
Ms. Glassmeyer - AYE

Case: SYCB180017  
Applicant: Josh Ditmore  
Location: 8661 Lancaster Avenue  
Request: Variance

Mr. Bickford presented the Resolution approving the variance request for Case SYCB180017.

Mr. Scholtz called roll.

Mr. Scheve – AYE  
Mr. Leugers – AYE  
Mr. Eichmann - AYE  
Mr. Scholtz – AYE  
Ms. Glassmeyer - AYE

**Item 6. – Date of Next Meeting**

Mr. Eichmann noted the date of the next meeting – Monday, July 16, 2018 at 6:30 p.m.

**Item 7. – Communication and Miscellaneous Business**

Mr. Scheve asked Mr. Bickford about the Board's resolutions being signed within 21 days.

Mr. Bickford stated the Zoning Resolution states a decision must be made within 21 days and, in the past, the straw vote has always been interpreted as the decision. He noted this will be clarified in the new Zoning Resolution.

There was discussion among the Board members and Mr. Bickford about the lengthy public hearing for Case SYCB180012 and what the Board may do in those situations. Mr. Bickford stated the Board may make a motion to continue a public hearing in progress due to unusually lengthy testimony, or make a motion to continue after public comment to allow for Board member deliberation at a later date.

Mr. Bickford introduced Zoning Inspector Ernie McFarlin to the Board members.

**Item 8. – Adjournment**

Mr. Eichmann entertained a motion to adjourn.

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

The meeting adjourned at 4:45 P.M.

Minutes recorded by: Beth Gunderson, Office Administrator