

October 21, 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 on Monday, October 21, 2019 at 6:32 p.m.

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

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

Item 3. – Opening Ceremony

Mr. Eichmann led the Pledge of Allegiance.

Item 4. – Approval of Minutes

Mr. Eichmann stated the first order of business was the approval of the September 16, 2019 meeting minutes.

Mr. Scheve made a motion, seconded by Mr. Heidel, to approve the September 16, 2019 meeting minutes.

Mr. Scholtz called roll to approve the minutes.

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

Item 5. – Swearing in of Those Providing Testimony

Mr. Eichmann then swore in those providing testimony.

Item 6. – Old Business

Case: SYCB190014
Applicant: Kathleen Ryan, Esq.
Location: 7292 Kenwood Road
Request: Appeal Notice of Zoning Violations
This case is in litigation.

Case: SYCB190010
Applicant: Archbishop Moeller High School
Location: 7745 and 7755 Kennedy Lane
Request: Conditional Use

Case SYCB190010 was transcribed by a La Cartha J. Pate. The resulting transcripts are here by amended to these minutes.

Case: SYCB190016
Applicant: Dr. Paul Sohi
Location: 7230 Kenwood Road
Request: Appeal

The case was continued to November 18, 2019.

Case: SYCB190017
Applicant: Bryan Duncan
Location: 3850 E. Galbraith Road
Request: Conditional Use

Mr. Clark presented Case SYCB190017 in a PowerPoint.

Mr. Clark said the current zoning is "C" single family residential. The zoning compliance issue is 12-9 Vehicular Requirements. The request is for 86 spaces for 400 worshipers, when 103 spaces is required.

There was discussion about how many pieces of property are owned by the church.

Mr. Eichmann asked if the additional parking would be allowed for less than is required.

Mr. Clark said right.

Mr. Eichmann asked if this is commercial property.

Mr. Bickford said it is zoned residential, it is used as a church which is institutional.

Mr. Scheve asked Mr. Bickford how many residential houses would be effected.

Mr. Bickford answered there are eight houses that will about this lot.

Mr. Eichmann asked Mr. Bickford if they looked at it for maximum utilization of the property for parking.

Mr. Bickford answered they meet the criteria of the Zoning Resolution as far as what is required in terms of buffering, et cetera around the parking lot.

There was discussion about parking spaces and parking.

Mr. Eichmann asked if there were any other questions for the staff.

No response.

Mr. Bryan Duncan, Chaplin Architecture, 720 E Pete Rose, Cincinnati, OH 45202 way addressed the board.

Mr. Duncan said the main reason for the expansion of the parking lot is the existing church itself based on zoning codes allows for at least 400 worshipers. At 30 spots that would only accommodate approximately 120 worshippers. Right now the existing church doesn't have enough parking for what it could allow as an existing building that has been around for 70 years.

Mr. Eichmann asked if the fire code would allow them to have 400 people in that church at one time.

Mr. Duncan answered correct, actually building code allows them more zoning code allows them less.

Mr. Duncan said the reason they are not going for 103 spots that the zoning code requires is they are trying to meet the buffer requirements, landscape requirements and meet the maximum impervious surface ratio. They are trying to meet all the rest of the code except meeting 103 spots. They are trying to meet the code or exceed it as far as buffering. Currently, there is a dumpster that is exposed, they are putting an enclosure around it. The existing property to the west has an existing driveway that ties into their parking lot. They are maintaining that driveway into the parking lot.

Mr. Eichmann asked Mr. Duncan where the worshippers are parking today for services.

Mr. Duncan answered they are parking on the streets, a private parking lot in the shopping area. The main thing they are trying to bring parking onto their site. They have families attending this church that have children so they want to try to bring as many people on site as possible so they are not having to cross streets.

Mr. Duncan said this is not going to be a daycare. They have Sunday school, so children would only be attending Sunday school during services. He said they only have service on Sunday morning, they might have a meeting of 20-30 people sometimes during the evening but it is not a regular scheduled thing.

Ms. Glassmeyer asked Mr. Duncan if besides Sunday during services they would never be using more than 30 of the spots.

Mr. Duncan said probably, there is nothing planned.

Mr. Eichmann asked if any of the public would like to comment.

Ms. Kathryn Schnierle, 8289 Wexford Ave, Sycamore Township, OH 45236, address the board.

Ms. Schnierle discussed concerns with getting out of her driveway and she is in favor of the parking lot.

Ms. Mary Kay Hoffman, 8277 Wicklow Ave., Sycamore Township, OH 45236 addressed the board.

Ms. Hoffman said the greenspace is being effected in her case so she opposes the parking lot.

Ms. Hoffman discussed concerns with the parking lot, the elderly walking that far to the front door, and the lighting.

Mr. Eichmann asked what kind of lights they are talking about in this case.

Mr. Duncan answered 16 foot pole lights.

There was continued discussion about lighting.

Ms. Judy Hamilton, 8283 Wicklow Ave., Sycamore Township, OH 45236 addressed the board.

Ms. Hamilton said she has the same concerns as Mary Kay Hoffman.

Ms. Hamilton discussed the deer when the greenspace is gone, water runoff and loss of home value.

Ms. Carol Friedman, 3773 Langhorst Ct., Sycamore Township, OH 45236, addressed the board.

Ms. Friedmann submitted pictures.

Ms. Friedman discussed her concerns with a parking lot being put in and the drainage, lighting, where snow will be pushed to and the dumpsters.

Mr. Tyler Amicon, Viox & Viox, 215 B Main Street, Milford, OH 45150, addressed the board.

Mr. Amicon explained the drainage, underground detention and the water flow.

Mr. Eichmann asked Mr. Amicon if this has to be approved by Hamilton County.

Mr. Amicon said yes.

Mr. Eichmann asked Mr. Amicon if the grassy property behind the parking lot that is still remaining, all that water, whatever was there today is going to stay there.

Mr. Amicon said they are not effecting that at all, if anything they are reducing.

Mr. Eichmann asked so the flooding they are getting right now from the property could continue.

Mr. Amicon answered it should decrease a bit.

Ms. Friedman asked Mr. Amicon what kind of landscaping they are planning on doing and she would assume if they are doing landscaping they will have mulch and dirt around that. What is going to prevent all that from washing down into her yard.

Mr. Amicon answered he does not know the specifics of what they plan to do with the landscaping but he is sure they can do something with the landscape to prevent.

Mr. Eichmann asked Mr. Amicon if they were doing anything to capture water outside of the curbed area.

Mr. Amicon answered no.

There was further discussion about drainage, water and water collection.

Mr. Amicon discussed the comment about having to walk so far, they are adding a new main entrance.

There was discussion about the church entrances, the existing parking and proposed parking.

Mr. Duncan said in response to the question about the dumpster right now the dumpster sits out in the open they are actually putting an enclosure on it.

Ms. Hamilton asked about the landscaping and the commitment to maintain.

Mr. Dave Wik, non-staff board member, 5117 Meadowview Ln, S. Lebanon, OH 45065, addressed the board.

Mr. Kevin Herd, non-staff board of Elders, 8333 Kelso Drive, Maineville, OH 45039, addressed the board.

Mr. Wik said they want to be a good neighbor that attracts the neighborhood to the church and they want to be a place where people want to be, so they are going to do everything they can to maintain a first class way.

Ms. Hamilton asked Mr. Wik if their Mason church still exists and if this is just a satellite.

Mr. Wik answered correct.

There was discussion about the services there on Easter Sunday and the attendance.

Ms. Hoffman asked Mr. Wig where they parked.

Mr. Wik answered on the streets, neighborhood and a temporary one day agreement from the shopping center owner to allow them to park there for three hours.

There was continued discussion about parking in the shopping center.

Mr. Eichmann asked about lighting and how they could adjust.

Mr. Wik answered they want the ability to be able to light that space so people feel safe walking back to their cars, by no means is it going to be something they need on every night.

Mr. Scheve asked Mr. Wik if they had the lights on when they are having service there.

Mr. Wik answered correct.

There was further discussion about lighting and the size of the lights.

Mr. Scheve asked if there was a way to reduce the size of the lights.

Mr. Duncan answered the one thing the height gives you is less poles. If you go with something lower you're going to have to have more lights.

There was discussion about the lighting, lighting poles, possible lighting conditions.

Mr. Bickford explained if the board is inclined to approve this they could put a condition on there just give him a basic lighting condition. They would have to submit a plan that staff is satisfied with and can provide a report to them as to what the lights are going to do by November 6th.

Mr. Scheve asked Mr. Duncan if they could do that by November 6th.

Mr. Duncan said they could do that but he is concerned about what the stipulations are on the one side where it is 10 feet away. If they have to do zero foot candles 20 feet from the property line. Then they have a row of parking that has no foot candles and then it becomes an unsafe condition.

Ms. Glassmeyer asked Mr. Bickford if they had to put the stipulations specifically on there or could they present it next month.

Mr. Bickford answered they could present it next month but your code allows for zero foot candles at the property line.

There was discussion about the residents and the applicant coming up with a plan.

Ms. Friedman asked how close is this parking lot going to be to her property, how much landscaping, who is going to maintain it, and snow removal.

Mr. Duncan answered the corner of the curb coming back he believes it is 10 feet from her property.

Mr. Eichmann said it says 10 feet 11 inches on the plan.

Mr. Herd said that is a part of their monthly budget, on their main campus today they have a line item for landscaping maintenance. They hire a company to maintain all the landscaping on the main campus. There will be a line item for this campus as well. A professional company coming in and maintaining

Ms. Friedman asked if the edge of the landscaping was going to abut right up to her fence.

There was an explanation of the landscaping location near her adjacent property.

Ms. Hoffman asked if they could find stuff that is as deer resistant as possible.

Mr. Scheve asked what kind of trees they are planting.

Mr. Eichmann said there is a whole plant ledger.

Mr. Bickford asked Mr. Duncan how many existing trees they are going to cut down.

Mr. Duncan said he thinks there are two or three that need to be removed but that's closer to the building.

Mr. Bickford asked how many trees they are proposing to plant.

Mr. Duncan said they met or exceeded the landscaping requirements.

There was discussion about the landscaping.

Mr. Bickford said in staff's opinion the amount of landscaping on this site is going to increase.

Mr. Leugers made a motion on Case SYCB190017 to approve with a revised lighting plan approved by staff being submitted no later than November 6th.

Mr. Scheve seconded.

Mr. Scholtz called roll.

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

Mr. Heidel – AYE
Mr. Scholtz – AYE

Case: SYCB190018
Applicant: Five Star Equity Investors, LLC
Location: 6100, 6331, 6341, 6491, & 6551 Kugler Mill Road
Request: Conditional Use

Continued to November 18, 2019.

Item 7. - New Business

Case: SYCB190019
Applicant: Michael Mackey
Location: 8709 Antrim Court
Request: Variance

Continued per applicant's request.

Item 8. – Date of Next Meeting

Mr. Eichmann noted the date of the meetings – Monday, November 18, 2019 and November 6, 2019.

Item 9. - Communications and Miscellaneous Business

Mr. Bickford discussed Planning and Zoning Workshops.

Item 10.-Adjournment

Mr. Eichmann entertained a motion to adjourn.

Mr. Leuger moved to adjourn.

Mr. Scheve seconded.

Mr. Scholtz called roll.

Mr. Scheve – YES
Mr. Leugers-YES
Mr. Eichmann- YES
Mr. Heidel – YES
Mr. Scholtz – YES

The meeting adjourned at approximately 11:40 P.M.
Minutes recorded by: Jessica Daves, Planning & Zoning assistant