

**BLUE ASH BOARD OF ZONING APPEALS**

**MAY 14, 2007**

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**ITEM 1. – MEETING CALLED TO ORDER**

Chairman Paul Collett called the regular meeting of the Board of Zoning Appeals to order at 7:03 p.m. on Monday, May 14, 2007.

**MEMBERS PRESENT:** John Berry, Julie Brook, Paul Collett, Jr. and Marc Sirkin

**ALSO PRESENT:** Assistant Community Development Director Dan Johnson, Administrative Clerk Traci Smith, Assistant to the City Manager Kelly Osler and interested citizens

**ITEM 2. – APPROVAL OF MINUTES**

The Board waived the reading of the minutes of April 9, 2007.

**DECISION:** John Berry moved, Marc Sirkin seconded the motion to approve the regular meeting minutes of April 9, 2007. A voice vote was taken. All members present voted aye. Motion carried.

Newly hired Assistant to the City Manager Kelly Osler was introduced to the Board members.

**ITEM 3. – 9511 RAILROAD AVENUE – John & Denise Schehr**

Variance to allow a reduced side setback for a residential accessory building in an R-3 district

**PRESENT:** John Schehr, owner

Chairman Collett swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

John Schehr explained to the Board that he would like to tear down his existing garage and build a new 20x30 foot detached garage in the same location as the existing garage. This requires a variance as the right side of garage sits almost on the property line, which abuts a church parking lot. Mr. Schehr explained that, for security reasons, he did not intend to put a window on the side of the garage that faces the parking lot. Since the new garage will be slightly narrower than the existing garage, the side setback will be increased by approximately one foot.

As there were no further questions Chairman Collett closed the public hearing portion of the meeting.

The Board members felt the aesthetics from the church parking could be improved with windows or shutters, but understand the security reasons why Mr. Schehr did not want to add windows.

**DECISION:** Marc Sirkin moved, Julie Brook seconded to grant approval for a setback less than 5-feet at 9511 Railroad Avenue allowing a garage to be built on the same footprint with an additional 6-feet to the rear of his property establishing that the front line of the new garage will be at the existing front line and the south line of the new garage will be at the existing garage line. A roll call vote was taken. All members present voted aye. Motion carried.

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**ITEM 4. – 6070 KENRIDGE DRIVE – Jose Garcia, Jose Garcia Design**

Variance to allow a reduced rear setback for a residential addition in an R-2 district

PRESENT: Jose Garcia, applicant

Chairman Collett swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

Jose Garcia said this property is located between Kenridge Lake and the driveway to the Bethesda Tri-Health facility. The request is for a rear setback of less than 30-feet to allow for an addition. The two areas of addition would be a master suite and an extension of the existing unenclosed carport and fence/storage structure. There is no immediate neighbor to the rear of the property. The owner would like to make the rear of the property more inviting and less noisy. The area will be heavily landscaped to cut down on noise from the Bethesda driveway and from I-71.

The Board asked if the carport area could be less than 30-feet. Mr. Garcia explained that the existing carport would become a roofed terrace. The new carport will have space for two cars, storage, and a grill.

There was some confusion about the rear property line and it was determined that the proposed rear setback would be much greater than originally requested. The actual setback will almost satisfy the 30 foot requirement although the exact distance could not be determined.

As there were no further questions Chairman Collett closed the public hearing portion of the meeting.

DECISION: John Berry moved, Marc Sirkin seconded to grant a variance to 6070 Kenridge Drive to reduce the rear yard setback, based upon submitted plans, to approximately 4-feet 10-inches based upon a drawing titled Bizarri-Travis House Addition and that 4-foot 10-inch setback being measured from a line noted as South 20 degrees 3 minutes 10 seconds west and the length of a 103.46-feet. A roll call vote was taken. All members present voted aye. Motion carried.

**ITEM 5. – 10691 KENWOOD ROAD – Roland Ponchot**

Variance to allow a reduced front setback for a new commercial building in an M-1 district

PRESENT: Roland Ponchot, applicant  
Sue Russell, owner of Kenwood Tile & Stone

Chairman Collett swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

Roland Ponchot said they are requesting a reduced front setback from Ritter Avenue to build a new commercial warehouse structure and explained that this would allow use of the property to be maximized. A portion of the property was lost when Kenwood Road was widened.

The Board members discussed their concerns regarding parking and maneuverability for trucks making deliveries and cited the comments of the City Engineer.

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As there were no further questions Chairman Collett closed the public hearing portion of the meeting.

The Board members were in agreement that allowing this variance would be an injustice to the intent they felt the City had for this corner and granting the variance would not be moving forward in the overall plan.

**DECISION:** Marc Sirkin moved, Julie Brook seconded to deny the variance requested for the front setback of less than 30-feet from Ritter Avenue at 10691 Kenwood Road based upon the comments of the City Engineer relative to vehicular access and parking and that a reduced front setback would contribute to a larger building that does not meet the general intent of the Master Plan for this vicinity. A roll call vote was taken. All members present voted aye. Motion carried to deny.

**ITEM 6. – 9323 BLUE ASH ROAD – Gerry Brankamp, CARSTAR Collision Care of Blue Ash**

Appeal of Zoning Administrator's decision to deny a permit to expand commercial parking into an R-3 district

**PRESENT:** Gerry Brankamp, applicant  
Jerry West, applicant

Chairman Collett swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

Gerry Brankamp explained that Carstar owns property at the corner of Blue Ash Road and Hunt Road which is zoned residential. He explained they are in desperate need of additional customer parking and feel the best place to add this parking is along the Hunt Road side of the property, which is zoned residential. He said they would also like to add an additional egress to the property in the event of a stopped train or an emergency.

Paul Collett said he felt that a second curb cut from the Blue Ash Road side of the property would be a better solution for safety reasons, especially given the amount of traffic as noted in the appeal letter.

The Board members generally did not like the prospect of taking away green space adjacent to the residences on Hunt Road. They thought that additional parking on the south side of the building, which is already zoned commercial, would be a better solution for the applicant. The Board was concerned about headlights disturbing residences. Gerry Brankamp stated they would be willing to put up a fence. The Board did not feel this would be a good solution. Jerry West stated the parking spaces would actually be pointed away from the residential property.

Paul Collett asked for public comments. Pat Bernard, Amber Baas and Gene Reddish commented that they are opposed to using the residential property for parking and driveway. They cited potential water and flooding issues because of changes in the grade. They also felt that a driveway on Hunt Road would add to the congestion at the intersection of Hunt and Blue Ash Roads.

Paul Collett summarized the discussion by reiterating that a possible solution for additional parking would be to use the other side of the property and would hope they would maintain as much green space as possible, keeping the buffers maintained as well.

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As there were no further questions, Chairman Collett closed the public hearing portion of the meeting.

John Berry noted that while he would like to help the business thrive, the Board needs to protect the residents. He suggested that mounding and heavy landscaping could soften the parking lot. Paul Collett felt that adding an exit onto Hunt Road was not a good solution as it is already congested. Julie Brook felt that residential property should be maintained as residential. Mark Sirkin did not like the idea of taking away the green space and did not believe that the safety concerns were likely enough to justify allowing a commercial use on the residentially zoned property.

**DECISION:** Julie Brook moved, Marc Sirkin seconded to deny a variance for expanding the parking area and driveway into the residential zoning district at 9323 Blue Ash Road. A roll call vote was taken. All members present voted aye. Motion carried to deny.

**ITEM 7. – MISCELLANEOUS BUSINESS**

John Berry commented about the festival sign in the front yard of a business on Kenwood Road. Dan Johnson said an item on his agenda for this summer is to suggest amendments to the Code on how items which are temporary in nature are enforced.

Dan Johnson advised the Board members that the Ohio State University Extension in Hamilton County is doing a professional development series for Planning and Zoning Board members on June 8, 2007 if anyone is interested.

**ITEM 8. – ADJOURNMENT**

**DECISION:** There being no further business, John Berry moved, Julie Brook seconded to adjourn the meeting. A voice vote was taken. All members present voted aye. The meeting was adjourned at 9:01 p.m.

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Paul Collett, Chairman

MINUTES RECORDED BY:

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Traci Smith, Administrative Clerk