

BLUE ASH BOARD OF ZONING APPEALS

FEBRUARY 11, 2008

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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 6:58 p.m. on Monday, February 11, 2008.

MEMBERS PRESENT: Paul Collett, Jr., Tom Adamec, and Marc Sirkin

MEMBERS NOT PRESENT: Julie Brook and John Berry

ALSO PRESENT: Assistant Community Development Director Dan Johnson and Administrative Clerk Traci Smith

ITEM 2. – APPROVAL OF MINUTES

The Board waived the reading of the minutes of January 14, 2008.

DECISION: Marc Sirkin moved, Tom Adamec seconded the motion to approve the regular meeting minutes of January 14, 2008. A voice vote was taken. All members present voted aye. Motion carried.

ITEM 3. – 4126 Hunt Road – Kahn Signs & Awnings, Inc. (for Phonzz.com)

Appeal to allow a wall sign that exceeds the maximum permitted area in a C-2 district

PRESENT: Sam Kahn, Appellant
Basil Assad, Owner

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

Sam Muhammed Shameem (aka Sam Kahn) and Basil Assad introduced themselves to the Board. Mr. Kahn said the Blue Ash location of Phonzz.com, a retail cell phone store, is the fifth of ten stores to be opened in the Cincinnati area. He said the Blue Ash Code only allows for a 14 square foot sign based upon the linear frontage of their store and they would like to install a 20 square foot sign. He explained that the store is approximately 500-feet from Hunt Road due to the large parking lot and a 14 square foot sign would not be seen at the street from that distance. He commented that right now this sign is their only means of advertising that their business is there and without the exposure to the traffic on the street the store may not survive at this location in Blue Ash. He explained that Exhibit B shows how the sign would look from the street if it were done at the size allowed by our Code. Mr. Kahn said the sign would be within the sign band area provided by the property owner. The sign would not block any adjacent tenants or a view of their property.

The Board asked about the details of the sign. Dan Johnson said it would be internally illuminated channel letters with a box underneath. Paul Collett asked if this was in compliance with the guidelines of the property owner. The applicant provided an approved drawing signed by the agent for the property owner which he showed to the Board members.

Paul Collett expressed concern about other tenants asking for larger signs if this variance were granted. Mr. Kahn said he does not feel this would be the case as this sign will look smaller than the existing tenant signs in the plaza. Mr. Collett said he does not have a problem with the sign and feels it is a reasonable size. He added that

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the Board likes to work with developers and new businesses coming in, but the profitability of the store is not the concern of the Board.

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

Marc Sirkin and Tom Adamec both said they do not have any problems with sign, especially since it is so far back from the street.

A discrepancy was noted between the 28-foot frontage of the tenant space as described in the application and Mr. Kahn's description during the meeting. Mr. Collett commented that the difference did not have a substantial bearing on the appeal.

DECISION: Tom Adamec moved, Marc Sirkin seconded to grant a variance to Phonzz.com at 4126 Hunt Road to be per plan as submitted per the powers of the Board. A roll call vote was taken. All members present voted aye. Motion carried.

Dan Johnson added that he had contacted the International Sign Association, an industry group that frequently provides sign information at planning and zoning conferences. Its information says that a sign parallel to (or anything other than perpendicular) a 25 mph, two-lane road, and immediately adjacent to the road should be a minimum of 50 square feet and 12-feet tall. It also says the sign should be larger if set back from the road, although it does not provide a formula to calculate the necessary increase in size.

ITEM 4. – MISCELLANEOUS BUSINESS

Dan Johnson advised the Board that he is requiring a survey for construction that is within a certain distance of a property line, if no setback requirement exists, and a certain distance from the setback, if a setback is required.

ITEM 5. – ADJOURNMENT

DECISION: There being no further business, Marc Sirkin moved, Tom Adamec seconded to adjourn the meeting. A voice vote was taken. All members present voted aye. The meeting was adjourned at 7:18 p.m.

Paul Collett, Jr., Chairman

MINUTES RECORDED BY:

Traci Smith, Administrative Clerk