

BLUE ASH BOARD OF ZONING APPEALS

June 13, 2011

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ITEM 1. – Meeting Called to Order and Roll Call

Chairman Mark Kirby called the regular meeting of the Board of Zoning Appeals to order at 7:00 p.m. on Monday, June 13, 2011 and requested a roll call.

MEMBERS PRESENT: Mark Kirby, Julie Brook, Paul Collett, Jr., and Marc Sirkin

MEMBERS NOT PRESENT: Terry Peck

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

ITEM 2. – Approval of Minutes

The Board waived the reading and approved the minutes of the Board of Zoning Appeals regular meeting of November 8, 2010.

ITEM 3. – New Hearings

a. 4755 Lake Forest Drive – Von Lehman

Appeal to allow a second wall sign above the first floor elevation on a multi-story building in the M-1 Office-Industrial Zoning District. (The proposed sign would be a replacement of the existing sign that was approved on appeal to City Council in May 2006. The proposed sign is larger than the existing sign.)

PRESENT: Tony Maier-United Maier Signs, Inc., Appellant

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

Tony Maier of United Maier Signs said VonLehman has changed their corporate logo. They would like to remove the existing sign, patch the brick and put up the new sign as shown in the drawings that have been submitted. The new sign will be illuminated with LED's instead of neon, and only the "VL" will be illuminated at night. They feel the size is within the square footage of what they are allowed.

Paul Collett asked for clarification as to what they were approving. Dan Johnson said it was because of having two signs above the first floor and, in theory, when one sign was removed the variance was also removed. In terms of size, this sign is compliant and would not require a variance if it were the only sign on the building.

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

Marc Sirkin said compared to the size of the building and it being over 500-feet away from the intersection, he feels it is appropriate. Paul Collett agreed and feels our Blue Ash businesses should have proper signage.

DECISION: Paul Collett moved, Julie Brook seconded to approve a variance for the placement of a second wall sign above the first floor at 4755 Lake Forest Drive for the Von Lehman company per submission in considering there is an existing sign and this is a modification. A roll call vote was taken. All members present voted aye. Motion carried.

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ITEM 4. – Continued Hearings

There were no continued hearings.

ITEM 5. – Old Business

There were no continued hearings.

ITEM 6. – New Business

a. Nomination and Election of Officers

Dan Johnson advised the succession of the rotation of officers that the Board has followed in the past but said they are free to change the order. Paul Collett said he would like to continue the tradition of the rotation that is in place. The nominated slate was:

Paul Collett – Chair
Terry Peck – Vice Chair
Julie Brook - Secretary

DECISION: Julie Brook moved, Marc Sirkin seconded to approve the nominated slate. A voice vote was taken. All members present voted aye. Motion carried.

b. Rules of Procedure

Dan Johnson reviewed the Rules of Procedures and found that the Board of Zoning Appeals can adopt its own Rules of Procedures, which means it can also be changed whenever they like. The Rules of Procedures also clarify the Election of Officers, which states the elections shall be in the first meeting of each calendar year. Mr. Johnson provided a copy to the Board members so they could review and advise if there should be any changes. He said that at any point, not just the first meeting of the year, suggestions can be made for changes and voted on.

Mr. Johnson thought there were two things that might be reasonable to change and will provide a marked up copy for consideration at the next meeting. His two suggestions were:

1. Instead of doing the elections at the first meeting of each calendar year, he would suggest doing it in the July meeting or the first subsequent meeting if there is no meeting in July. The reason for that is because Council does its appointments to the Boards and Commission during its first meeting in July and this would allow that newest member to be taken into account when doing nominations.
2. Findings and Decisions - Under this section, he would suggest changing the time period from 30 days to 45 days or whatever the longest period would be before regular monthly meetings. He will also confirm with the City Solicitor on the 30 day limitation.

ITEM 7. – Adjournment

DECISION: There being no further business, Paul Collett moved, Julie Brook seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 7:10 p.m.

Mark Kirby, Chairman

MINUTES RECORDED BY:

Traci Smith