

BLUE ASH BOARD OF ZONING APPEALS

JUNE 12, 2006

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ITEM 1. – MEETING CALLED TO ORDER

Chairman John Berry called the regular meeting of the Board of Zoning Appeals to order at 7:00 p.m. on Monday, June 12, 2006.

MEMBERS PRESENT: John Berry, Paul Collett, Jr., Stephen Robinson, James Jones and Donald Fruechtemeyer

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

ITEM 2. – APPROVAL OF MINUTES

The Board waived the reading of the minutes of April 10, 2006.

DECISION: Don Fruechtemeyer moved, Jim Jones seconded the motion to approve the regular meeting minutes of April 10, 2006. A voice vote was taken. All members present voted aye. Motion carried.

The Board waived the reading of the minutes of May 8, 2006.

DECISION: Steve Robinson moved, Paul Collett seconded the motion to approve the regular meeting minutes of May 8, 2006. A voice vote was taken. All members present voted aye. Motion carried.

ITEM 3. – 3620 COOPER ROAD – Srinivasa R. Gowda

Variance for reduced lot width for a single-family residence

PRESENT: Pottapu V. Reddy, buyer
Koti Sreekrishna, buyer

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

P.V. Reddy explained their request for a variance to build on a lot with a width of 80-feet. John Berry mentioned this same request was approved by the Board of Zoning Appeals in May 2003. Dan Johnson noted that this application is only for lot width and is not intended to commit the applicant to the home shown in the plans. Mr. Johnson said the permitting process would check all the setbacks, height and other elements that were not part of the variance application.

Steve Robinson noted that the proposed 40-foot structure exceeds the height limitation in the Code. P.V. Reddy confirmed the house will meet all code requirements with the exception of the lot width.

Dan Johnson said the adjoining lots appear to be part of the same subdivision because they are all essentially the same width and size, and are surrounded by others that are not. Steve Robinson noted that there many lots on Cooper Road are less than the current R-1 District requirement.

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Aleksandra Marjanovic says her family owns the lot at 3632 Cooper Road and they do not have any issues with this request.

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

Steve Robinson said he did not have any objection with this and feels it fits with the rest of the lot widths. The other Board members agreed.

DECISION: Don Fruechtemeyer moved, Steve Robinson seconded to approve the variance in lot width at 3620 Cooper Road from the required 115-feet to 80-feet in width with reason being that this lot and adjacent lots are all 80-foot lots divided before R-1 zoning was put into effect. A roll call vote was taken. All members present voted aye. Motion carried.

ITEM 4. – 3870 BLACKWOOD COURT – Greg Tilsley

Variance for a retaining wall that exceeds 4-feet in height in the rear yard

PRESENT: Greg Tilsley, applicant
Marvin Werthaiser, owner

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

Greg Tilsley explained that the owner, Marvin Werthaiser, plans to create a backyard patio area including a 15 x 30-foot in-ground swimming pool with spa. The plan is terraced to allow for the swimming pool to be on the lowest level, as deep into the hill as possible. This is for both aesthetics and practical construction issues. The retaining wall is taller than was desired, but it was designed to compensate for the steep topography and to save as many of the mature trees as possible. The segmental retaining wall at the rear of the patio has been reviewed by several structural engineering companies for stability.

Mr. Tilsley said they are trying to be sensitive to the adjoining neighbors with the design. Larry Gill of Gill Landscaping prepared the landscaping plan, which includes a row of Norway Spruce along the west property line and additional plantings to help minimize the appearance of the elevated patio walls.

Greg Tilsley said that the 4-foot height limit is a difficult standard for hilly terrain. He said that a 4-foot stepped wall is possible, but it would be more detrimental to the existing trees, the hillside and neighboring properties.

Dan Johnson explained that the engineering of the wall would be reviewed and approved during the building permit process, after this hearing. If the plan goes beyond the scope of the Building Department, it would be reviewed by the City Engineer.

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

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DECISION: Steve Robinson moved, Don Fruechtemeyer seconded that a variance be granted at 3870 Blackwood Court permitting a wall to be erected to a total height of approximately 11-feet per submission on the basis that this permits homeowner and applicant to provide a reasonable modification to the property and to take into account the topography and in particular to preserve the green space at the rear of the lot with the understanding that project would be started within 12 months. A roll call vote was taken. All members present voted aye. Motion carried.

ITEM 5. – MISCELLANEOUS BUSINESS

Don Fruechtemeyer commented that the sign approved for Denny McKeown's Bloomin' Garden is beautifully hardscaped, but not yet landscaped.

John Berry said there was once again a 4 x 8-foot sign advertising the All Saints festival at the attorney's office on the corner of Catalpa. Dan Johnson said that our sign regulations allow, with the City Manager's approval, the ability to grant a permit for a temporary sign for a 14-day period with 60-days in between, but does not specify size or type. Steve Robinson asked if anyone applied for a permit at this location. Dan Johnson was not aware of any.

Paul Collett asked if the construction on Hunt Road is per submission. Dan Johnson said it was per submission and is a little deceiving since the wing wall on the existing home still needs to be removed. The contractor is waiting on a brick mason before removing in case repairs need to be done.

ITEM 6. – ADJOURNMENT

DECISION: There being no further business, Don Fruechtemeyer moved, Steve Robinson seconded to adjourn the meeting. A voice vote was taken. All members present voted aye. The meeting was adjourned at 7:48 p.m.

John Berry, Chairman

Stephen Robinson, Secretary

MINUTES RECORDED BY:

Traci Smith, Administrative Clerk