

Hamilton Township Board of Zoning Appeals November 14, 2024

Mr. Ziemba called the meeting to order and announce the matters before the Board at 6:00 p.m.

Members present:

Holly Roush
Adam Paul
Ryan Ziemba
Susan Erickson
Mark Wernery

Mr. Ziemba explained the procedures and guidelines the Board would use to reach a decision during the hearing. He asked any persons wishing to offer testimony or speak during the hearing to raise their right hand; an oath was administered.

Mr. Ziemba made a motion with the second from Mr. Paul to approve the October 22, 2024, regular meeting minutes.

All in favor. Aye.

Ms. Walton presented the staff report for the variance request located at 1324 W. Foster-Maineville Road, Maineville, Ohio 45039. The applicant is David Leever. The legal notice was published in *The Journal News* on November 3, 2024, and additionally was sent out to all neighboring property owners within two hundred feet of the subject parcel.

The applicant is requesting a variance from Section 4.9.3, Table 4-5 to approve building a single-family residence that would have 2 accessory structures in the front yard area. The property was purchased by the owner in January 2023 and currently includes two accessory structures, with no principal residence in place. The previous home on the property has been demolished. On October 7, 2024, an application was submitted to construct a single-family residence. While the property has frontage along Fosters-Maineville Road, access is provided via a 25-foot easement from the adjacent property to the east.

The owner has indicated that the buildable area of the property is limited due to the easement running through the middle of the lot, as well as the slope of the land.

Mr. Ziemba opened the floor to public comments and invited the applicant to address the Board.

Mr. Leever explained that his parents own the lot to the east and plan to build a house next to it. The property has a shared easement that provides access for the proposed house. The lot is heavily wooded and features a steep ravine at both the front and rear, which limits potential building sites.

Ms. Erickson inquired about the history of the existing accessory structures on the property and whether the house can be seen from the road. Mr. Leever clarified that the structures have been in place for an unknown period, but they were already there when his family moved to the property in the 1980s. One of the two structures is still in usable condition, while the other requires significant repairs. The proposed house will face Foster-Maineville and not be visible from the road.

Mr. Wernery inquired about the size of the lot in which Mr. Leever responded just over 3 acres.

Mr. Ziemba opened the floor to those in favor of the variance request. Ms. Leever, the applicant's mother, explained that her family has lived on the property for nearly forty years and that the structures have always been there. She added that the area is remote and expressed her desire to live next to her son and his family.

Mr. Ziemba invited comments from those in favor of or against the project, but no one responded.

The Board acknowledged that the property is unique, noting that the look of the property will not change for the view of the public due to the lot size and topography.

Mr. Wernery made a motion, seconded by Mr. Paul, approving the variance request to build a single-family residence that would have 2 accessory structures in the front yard area.

Roll Call: Mr. Paul
 Mr. Wernery
 Ms. Roush
 Ms. Erickson
 Mr. Ziemba

The variance request for 7519 Stillwater Drive was tabled due to the applicant and homeowner not being present at the meeting. The Board continued the case to the December 12th meeting.

Ms. Walton presented the staff report for the variance request found at 71 W. Towne Center State Route 48, Maineville, Ohio 45039. The applicant is Cincinnati Custom Signs. The legal notice was published in *The Journal News* on November 3, 2024, and additionally was sent out to all property owners within two hundred feet of the subject parcel.

The applicant is seeking a variance from Section 9.8.2(a) to permit the number of wall signs to exceed the limit established by the Zoning Code.

Under the Hamilton Township Zoning Code, wall signage is allowed on any side of a building that faces a public or private roadway. This provision permits one ground sign, not exceeding 40 square feet, and one wall sign, not exceeding 60 square feet, on the west side of the building. The

applicant has requested approval to install these signs, along with an additional 53.66 square foot wall sign on the east side of the building.

Mr. Ziemba opened the floor for public comments and invited the applicant to address the Board.

Ms. Twyla Heinlein, owner of Cincinnati Custom Signs, explained that the goal is to enhance visibility for drivers on State Route 48. The request involves installing standard franchise signage on both sides of the dock doors, ensuring visibility from both directions of the roadway.

Mr. Wernery inquired whether the proposed signage size would comply with the HT Zoning Code, should a variance not be required. Ms. Walton confirmed that it would.

Mr. Ziemba then asked if anyone wished to speak in favor of or in opposition to the variance. No one came forward.

The Board members unanimously agreed that the signage was necessary given the location.

Mr. Wernery made a motion with a second from Mr. Ziemba to approve a variance from the nonresidential sign regulations to allow installing a 53.66 SF wall sign on the east side of the building, for the property at 71 W. Towne Center Blvd., Maineville, Ohio 45039.

Roll Call: Mr. Wernery
 Ms. Roush
 Ms. Erickson
 Mr. Paul
 Mr. Ziemba

With no further business to discuss, Mr. Roush made a motion with a second from Mr. Paul to adjourn.

All in favor. Aye.