

Board of Zoning Appeals

March 28, 2024

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

Members present: Adam Paul
 Michael Blomer
 Mark Wernery
 Susan Erickson

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

Ms. Cathy Walton presented the staff report for the variance request. The subject property is located at 7743 Turtle Hollow Maineville, Ohio 45039. The applicant is Felisha Smith. The legal notice was published in *The Pulse Journal* on Sunday, March 14, 2024, and additionally was sent out to all neighboring property owners within two hundred feet of the subject parcel. The applicant has requested a variance from Section 4.9.5.M in order to construct an 18' x 12' unenclosed deck 3.5 feet into the rear yard setback of 30 feet.

Mr. Blomer invited the applicant to come forth.

Felisha Smith is representative for Jaguar Construction, working at the property of David Burnes located at 7743 Turtle Hollow Road. Her client is requesting a 3.5-foot variance for an 18'x12' deck. Ms. Smith believes the request is reasonable and the proposed deck will not be oversized. Mr. Burns' property backs up to an open space owned by the Village of the Green HOA and would not affect any neighboring parcels.

Mr. Blomer asked Ms. Smith if the deck plans have been approved by the HOA.

Ms. Smith stated that she is not sure if the homeowner has had the plans approved.

Mr. Blomer stated that a variance could be granted, and the HOA could deny, trumping the decision from the Board this evening.

Mr. Wernery requested to see the site plan and agrees with the applicant that due to the size of the yard the request classifies as a hardship.

With no residence in attendance Mr. Blomer closed the floor to deliberate.

With no question or further comments, Mr. Wernery made a motion with the second from Mr. Paul to approve the variance at 7743 Turtle Hollow, Maineville, OH 45039, a requested variance

from Section 4.9.5 in order to construct an 18'x12' unenclosed deck with 3.5 feet into a rear yard setback of 30 feet.

Roll call:	Adam Paul	Yes
	Michael Blomer	Yes
	Susan Erickson	Yes
	Mark Wernery	Yes

Ms. Cathy Walton presented the staff report for the variance request. The subject property is located at 6400 St Rt 48, Maineville OH 45039. The legal notice was published in *The Pulse Journal* on Sunday, March 14, 2024, and additionally was sent out to all neighboring property owners within two hundred feet of the subject parcel. The applicant has requested a variance from Section 9.8.3 B in order to allow each tenant of a multi-tenant building to have 1.5 square feet per lineal foot for wall signage where 1 square foot is permitted and to allow a maximum of 75 square feet per sign where 60 square feet is permitted.

Mr. Blomer invited the applicant to come forth.

Mr. Baumgart is representing Myers Y. Cooper, requesting 1.5 feet of signage of frontage for each of the tenants, a standard for a single tenant building for most commercial properties throughout Cincinnati, Ohio. He is asking for a variance for the entire property instead of having eleven different variance requests come in front of the Board in the future. He thinks with the current code the signs would look diminutive for the property, with a 28-foot-tall facade. Mr. Baumgart states that the request is not a substantial variance, would not adversely impact the character of the neighborhood, and will not deter potential tenants.

Mr. Bloomer asked Mr. Baumgart the façade material is made out of.

Mr. Baumgart explained the building will consist of brick, iris, and a painted insulated foam system.

Mr. Wernery asked if there would potentially be up to eleven tenants.

Mr. Baumgart thinks that will be unlikely to have eleven tenants at any given time to fulfill the eleven available bays. Currently there are three different businesses that are looking at multiple bays, which would come together and be limited to one sign.

With no neighboring residence in attendance to agree or rebuttal the variance, Mr. Blomer closed the floor to deliberate.

Mr. Blomer and Mr. Wernery said that the Township is attracting more businesses, and agree the Board is going to be faced with questions regarding incidents like the one tonight and it is important to be business friendly but taking it case by case.

The Board discussed the presence of other shopping centers within the Township and agreed that the distance from the road meets the applicant's request.

Mr. Baumgart clarified the location of where the signs will be located on front of the building, and not looking to be located on the side of the building.

Mr. Paul said that the hardship is that the industry's standard in the area is one ½ feet and would be a disadvantage. Another hardship is for the owner of the building to fill with tenants because the sign square footage is less than what is expected by other Township, villages or municipalities.

Mr. Blomer made a motion with a second from Mr. Paul to approve the requested variance for 6400 S Ohio 45039 from section 9.8.3 (B) to allow each tenant 1.5 square feet per foot lineal foot for wall signage where one square foot is permitted and to allow a maximum of seventy-five square feet per sign sixty square feet.

Roll Call:	Mark Wernery	Yes
	Adam Paul	Yes
	Susan Erickson	Yes
	Michael Blomer	Yes

Mr. Blomer made a motion with a second from Mr. Paul to approve the January 11, 2024, Board of Zoning Appeals meeting minutes.

All in favor. Aye

Mr. Blomer asked the Board and Ms. Walton if there was a formalized decision limiting the number of cases that the Board would have each meeting.

Mr. Wernery stated he remembers the discussion, but a decision was not made. Ms. Walton confirms she was not able to find anything that states there is a limitation of cases per meeting.

With no further business to discuss, Mr. Blomer made a motion with a second from Mr. Paul to adjourn at 6:32 pm.

All in favor. Aye