

BOARD OF ZONING APPEALS

NOVEMBER 14, 2016

The meeting was called to order at 5:30 p.m. by Chairman Craig Pickerel. Board members present were Greg Bade, Niki Decker, Craig Pickerel and Rob Vela (4). Jason Decker was absent (1). Also present was Mark Easterling, Zoning Inspector.

Approval of Minutes

Mr. Pickerel moved to approve the minutes of the October 10, 2016 meeting as submitted. Ms. Decker seconded and they were approved 2-0. Ayes: Decker and Pickerel (2). Abstain: Bade and Vela (2).

APPLICATION, 39-16 – Frederick Kotula is requesting one zoning exception for side yard setback relief. The property is located at 422 W. Fifth Street and is zoned as R-3 (Single Family Residential).

NOTE: *Chapter 1230.01 Intensity and Dimensional Standards:*

R-3 Zoning:

Front Yard = 35'

Rear Yard = 35'

Side Yard Min = 8'

Side Yard Total = 20'

1. The applicant is requesting the exception as to allow for an addition to be placed on the front of the primary residence to increase the size of the kitchen. The addition is approximately 29 Sq. Ft. and would sit approximately four (4) feet from the side yard property line.

Recommendation:

1. The Zoning Inspector recommends approval of the exception based on the uniqueness and size of the lot. The addition is not expanding any further into the side yard than what is already existing and would therefore not add to the property's nonconforming status.

Mr. Easterling reviewed Application 39-16. Fred Kotula, 102 Sherman Place, who is the owner of the subject property was present. Mr. Kotula said that the front steps of the residence were caving in and a planter fell off. When he went to replace them, he found there was a footer so he thought he'd add on to the kitchen. He said that it is an older home and the kitchen is not very big. He said this addition will also square up the house. Mr. Pickerel asked if any comments were received from neighbors, and Mr. Easterling said he did not hear from any of the neighbors.

Mr. Bade moved to approve Application 39-16. Mr. Pickerel seconded and it was unanimously approved.

APPLICATION, 40-16 – Aaron Greene on behalf of Mercy Health is requesting two zoning variances that would allow the installation of two wall signs that are larger than what is permitted. The property is located at 12623 Eckel Junction Road and is zoned as INS (Institutional Uses).

NOTE: *Chapter 1250.32(a) Permanent Signs Allowed:*

District: Corridor Overlay
Maximum Size: 10% up 75 SF per facade
Quantity: 1 per façade up to 3

1. The applicant is requesting a variance for each sign that would allow them to place wall signs on the building larger than the maximum of 75 square feet. The signs would be approximately 160 square feet, with one sign placed on the southern and the eastern façade of the building.

Recommendation:

1. The Zoning Inspector recommends approval of the variances. The signs would not show any negative impact to neighboring businesses or the Corridor Overlay, and would assist citizens in easily identifying the location of the facility as it sits behind several businesses. (Ch. 1275.02(c)(3) –A, C, D, F).

Mr. Easterling reviewed Application 40-16. There was no one present on behalf of the applicant. Mr. Pickerel clarified that there are two buildings at this site. Mr. Easterling said that they are two separate buildings. Mr. Bade said that he is concerned that the square footage is more than double what the Code allows, but he understands the smaller letters would be harder to see. Mr. Pickerel asked if we know the size of the Promedica sign across I-475. Mr. Easterling said that he does not know the size. Mr. Pickerel said that they look comparable.

Ms. Decker moved to table Application 40-16. Mr. Bade seconded. Ayes: Bade, Decker and Pickerel (3). Abstain: Vela (1).

APPLICATION, 41-16 – Phillip McConnell is requesting one zoning variance to permit the installation of a landscape screen of five (5) and six (6) foot bushes in his front and side yard. The property is a corner lot located at 1918 Kenton Trail and is zoned as R-3 (Single Family Residential).

NOTE: *1250.42(a)(3) The height and location of a fence, wall, structural screen, hedge or screen planting shall conform to the style/dimensional chart.*

NOTE: *1250.42(a)(4) Fences, walls, structural screens, hedges and screen plantings shall include all structures, shrubs, plantings or trees used to separate, enclose, screen or demarcate a boundary.*

NOTE: 1250.42(a)(5) *Fences, Walls, Structural Screen, Hedges and Screen Plantings:* For fencing purposes the side yard shall consist of the area between the front of the house to the midpoint of the side yard. Any portion of yard between the midpoint of the house and the rear façade of the home shall constitute a rear yard for fencing purposes only.

Zoning District	Front Yard		Side Yard	
	4'	6'	4'	6'
R-1 - R-5	P	Z	P	Z

P = Permitted, Z = Requires BZA Approval

1. The applicant is requesting permission to install bushes in his front and side yard in which the size and density of the bushes would create a landscape screen.

Recommendation:

1. The Zoning Inspector recommends approval of the variance with the condition that the bushes be maintained at a height no higher than six (6) feet. The proposed plan offers an alternative to privacy fencing that is visually attractive and adds the desired level of privacy and sound reduction from the heavy traffic on Carronade Drive. (Ch. 1275.02(c)(3) – C, D, E, F)

Mr. Easterling reviewed Application 41-16. Mr. McConnell was present. Mr. Pickerel asked if any comments were received from neighbors. Mr. Easterling said that the next door neighbor just wants to make sure that the bushes do not grow across the property line and he wants to be able to see when he pulls his car out. Mr. McConnell said that they will be back far enough that it won't be a problem. Mr. Vela asked how far the bushes will be off the bike trail. Mr. McConnell said that originally he planned right at the bike trail, but he changed it to 2' off the bike trail and they are the types of plants that won't grow out. Mr. Bade asked that Mr. McConnell hold to the 2' off the multi-use path so kids riding bikes don't end up in the bushes. Mr. Bade asked if Mr. McConnell would be doing any mounding and if so, are there any drainage easements along there. Mr. Easterling said there are no drainage easements. Mr. McConnell said that they will be removing sod and bringing in dirt but they won't be doing any mounding.

Mr. Bade moved to approve Application 41-16. The motion was seconded by Ms. Decker and was unanimously approved.

There being no further business, the meeting adjourned at 6:04 p.m.

Respectfully submitted,

Mary Jo Sutton