

FAIRFIELD BOARD OF ZONING APPEALS
FAIRFIELD MUNICIPAL BUILDING
5350 PLEASANT AVENUE
FAIRFIELD, OH 45014

AGENDA

12/3/14

Roll Call

Pledge of Allegiance

Approval of Previous Meetings Minutes:

-November 5, 2014 Meeting Minutes

Old Business:

Case No. BZA-14-0029 – Use Variance to operate used car dealership/car repair in the M-2 zoning district – 3120 Production Dr.:

A variance request submitted by Michael E. Jacobs, Esq., authorized agent, for the property located at 3120 Production Dr., in the M-2 zoning district.

A used car dealership is not a permitted use in the M-2 zoning district. The applicant is requesting a use variance. Section 1137.08(a) of the zoning code in reference to a use variance states “No use variance shall be authorized by the Board of Zoning Appeals unless the Board finds, beyond reasonable doubt, that all of the following facts and conditions exist:

- (1) The requested variance stems from a condition which is unique to the property at issue and not ordinarily found in the same zone or district;
- (2) The hardship condition described in Section 1133.01(86) is not created as a result of actions by the applicant;
- (3) The granting of such variance will not adversely affect the rights of adjacent property owners;
- (4) The granting of such variance will not adversely affect the public health, safety or general welfare;
- (5) Such variance will be consistent with the general spirit and intent of the Zoning Code;
- (6) The variance sought is the minimum which will afford relief to the applicant; and
- (7) There is no other economically viable use which is permitted in the zoning district.”

New Business:

Case No. BZA-14-0030 – Accessory Structure in side yard setback – 2629 Windage Dr.:

A variance request submitted by Philip Trimboli, for the property located at 2629 Windage Dr., lot no. 3580 in the R-0 zoning district.

Section 1143.06 (a) of the zoning code states “...no accessory building shall be erected in any required yard or court, except a rear yard...” The applicant is requesting a variance to construct a 10 x 12 shed in the side yard setback of the property. The proposed shed will replace the existing shed, in the same location.

Case No. BZA-14-0031 – Monument sign height to exceed 24 feet- 7200 Dixie Hwy.:

A variance request submitted by Joshua Yauger, for Furniture Fair, for the property located at 7200 Dixie Hwy., in the C-3A zoning district.

Section 1187.08 (c)(4) of the zoning code states “The height of a freestanding sign shall not exceed twenty-four feet...” The applicant is requesting a variance to raise the existing monument sign height from 24 feet to 32 feet.

Case No. BZA-14-0032 – Fenced outdoor seating area – 1115 Magie Ave.:

A variance request submitted by Sandra Coffey, for The Elbo Room, for the property located at 1115 Magie Ave., lot no. 829 in the C-3 zoning district.

Section 1165.04 (a) of the zoning code states “All businesses, services or processing shall be conducted wholly within a completely enclosed building...” The applicant is requesting a variance to designate an outdoor fenced area for smoking.

lkm

cc: Arthur Pizzano, City Manager
Alisha Wilson, Clerk of Council (9)
Timothy Bachman, Development Services Director
BZA Members (7)
BZA File