

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

AGENDA

4/1/13

Roll Call

Pledge of Allegiance

Approval of Previous Meetings Minutes:

-April 3, 2013 Meeting Minutes

Old Business:

Case No. BZA-12-0016 – Asphalt grinding for parking area – 3240 Production Dr.:

A variance request was submitted and heard by the board at the May 2012 meeting regarding using rolled and graded asphalt grinding for a parking lot. At that time, the board approved the variance, with one stipulation being “Variance is for one year and will be evaluated at that time.”

Case No. BZA-13-0011 – Multiple variances relating to a proposed addition, Sidewalk waiver – 5742 Pleasant Ave.:

A variance request submitted by Rolling Hills Baptist Church, for the property located at 5742 Pleasant Ave., lot no. PT 354 in the R-0 zoning district. This variance was tabled from last month, pending inspection and evaluation of the drainage issues by the City Engineer and further project discussion between the church and the neighbors.

Variance 1. Section 1147.05 (a) of the zoning code requires a 60’ side yard setback. The applicant wants to construct an addition to the church, 55’ from the property line.

Variance 2. Section 1147.05 (b) requires a 20 foot horizontal buffer and 6 foot vertical screening to any adjoining A or R districts. The submitted site plan shows an 11.8 foot buffer and no screening between them and the neighboring residential properties.

Variance 3. Section 1180.04 (c) states “...retaining walls in rear or side yards may be no more than seventy-two inches in height.” There is a proposed retaining wall on the submitted site plan, which is 9 feet tall at its highest point.

Waiver 1. Section 1184.01 states “Unless sidewalks are already constructed, sidewalks for public use shall be installed along all public streets by the owner of any abutting lot or parcel upon which a new building is constructed...” The applicant is requesting a sidewalk waiver.

New Business:

Case No. BZA-13-0016 – Deck in front yard setback – 3 Carousel Circle:

A variance request submitted by Kevin Holmes, for the property located at 3 Carousel Circle, lot no. 10917 in the R-1 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’s property has double frontage, both on Carousel Circle and John Gray Rd. The applicant wants to construct a deck around their existing pool in what is considered their back yard, but is technically a front yard, according to the zoning code.

Case No. BZA-13-0017 – Fence in street side yard setback – 4442 Rita Mae Dr.:

A variance request submitted by Mike Schaber, for the property located at 4442 Rita Mae Dr., lot no. 13312 in the R-0 zoning district.

Section 1180.04 (b)(1) of the zoning code states “...fences and hedges may be located only in side or rear yards, except that on corner lots, fences and hedges are not permitted in the street side yard or in that portion of the rear yard which is closer to the side street right-of-way line than the required zoning front yard depth for a principal structure.” The property is a corner lot. The applicant wants to install a 6’ vinyl privacy fence in their street side yard, 13 feet into the setback.

Case No. BZA-13-0018 – 7 foot fence with barbed wire – 9545 Le Saint Dr.:

A variance request submitted by Mark Mages of Roofing Supply Group Cincinnati, for the property located at 9545 Le Saint Dr., lot no. 9656 in the M-2 zoning district.

Variance 1. Section 1180.04 (b)(1) of the zoning code states “...fences and hedges shall not exceed six feet in height above the elevation of the ground where located.” The applicant wants to install a 7 foot tall chain link fence with 3 strands of barbed wire.

Variance 2. Section 1180.04 (b)(1) of the zoning codes states “...fences and hedges may be located only in side or rear yards, except that on corner lots, fences and hedges are not permitted in the street side yard or in that portion of the rear yard which is closer to the side street right-of-way line than the required zoning front yard depth for a principal structure.” The property is a corner lot. The applicant wants the fence to extend approximately 53 feet into the street side yard setback.

Case No. BZA-13-0019 – 3 Real estate signs over 15 square feet – 6120 S. Gilmore:

A variance request submitted by Tom Scheid of Cincinnati Financial Corp., for the property located at 6120 S. Gilmore Rd., lot no. 9521 in the B-1 zoning district.

Section 1187.07 (a)(7) of the zoning code allows one 15 square foot real estate sign in the B-1 zoning district. The applicant wants to install two 26 square foot signs in the existing cabinets and one 120 square foot banner on the south side of the building.

Case No. BZA-13-0020 – Gravel parking lot – 1205 Hicks Blvd.:

A variance request submitted by Enrique Salinas, for the property located at 1205 Hicks Blvd., lot no. 3731 in the C-3 zoning district.

Section 1183.05 (c) of the zoning code states “All off-street parking areas including driveways, entrances, exits, lanes and aisles shall be surfaced with an asphaltic or Portland cement binder

pavement so as to provide a durable, dustless surface; shall be so graded and drained as to dispose of all surface water accumulated within the area; and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of self-propelled vehicles.” The applicant wants to keep the existing gravel drive and parking lot for a proposed car sales lot.

Case No. BZA-13-0021 - Accessory building too close to property line – 6052 Arcade Dr.:

A variance request submitted by Hezekiah Childs Jr. for the property located at 6052 Arcade Dr., lot no. 3669 in the R-0 zoning district.

Section 1143.06 (a) of the zoning code states “Accessory buildings and structures shall be distant at least six feet from all lot lines or adjoining lots...” The applicant wants to replace a shed on an existing concrete slab. The proposed shed will be 4 feet from the property line.

Case No. BZA-13-0022 – Pole sign in D-1A, off site sign, extension of non-conforming use – 5128 Pleasant Ave.:

A variance request submitted by Waldo Hornung, for the Cell Phone Doctor, for the property located at 5128 Pleasant Ave., lot no. 1288 in the D-1A zoning district.

Variance 1. Section 1187.02 (a)(4) of the zoning code requires a sign to be located “...on the premises upon which such sign is located...” The proposed sign will be located on the existing pole sign on the parcel next door, which is owned by the same individual.

Variance 2. Section 1187.07 (d) does not permit pole signs in the D-1A zoning district. Installation of a sign on the existing pole sign is an extension of a non-conforming use, as described in Section 1198.02(a) of the zoning code. This requires Board of Zoning Appeals approval.

Elections

lkm

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