



COLERAIN TOWNSHIP BOARD OF ZONING APPEALS

Meeting Minutes
4200 Springdale Road - Cincinnati, Ohio 45251

Wednesday, May 24th, 2023 – 6:30 p.m.

Meeting Called to Order by: Mr. Roberto at 6:30 p.m.

Pledge of Allegiance: Led by: Mr. Roberto.

The Explanation of Procedures was presented by: Mr. Roberto.

Roll Call: Ms. Owens – aye; – Mr. Schupp – aye, Mr. Sidow – aye,
Mr. Roberto – aye.

Present as Staff was: Mr. Stephen Springsteen and Mr. Jarrod Alig.

Mr. DeMoss was also present as an alternate and was seated to the Board in place of Mr. Bartolt.

Swearing In: Mr. Roberto swore in the appellants, attorneys, and all speakers in the cases.

Hearing of Appeals:

BZA2023-04	The property owner is requesting variances to §12.9.4 Table 12-11; and §15.8.3 (C) from the Colerain Township Zoning Resolution.
Location:	5560 Blue Rock Road.
Applicant:	John Lucas, K4 Architecture.
Property Owner:	Zillig, Edward Charles TR.

Mr. Roberto introduced the case.

Presentation was provided by Staff. Staff noted the current zoning, topography, and surrounding conditions. Staff displayed the site plan and described the reasons for the variances being sought based upon the proposed site plan.

Staff described the relevant Colerain Township Zoning Resolution Articles, Sections, and definitions. Staff outlined the criteria for zoning variances as stated in the Colerain Township Zoning Resolution and the Duncan Factors.

Staff's Recommendation was for: **APPROVAL** of the requested variances with the following conditions:

1. The applicant shall provide Staff with a photometric analysis indicating that the installed, or “as-built” (actual) light levels (lumens) adhere to the proposed lighting plan included with this submittal;
2. That light pollution levels from the installed (actual) light levels (lumens) will not cause any unsafe lighting levels, or glare at any point relative to the proposed fixtures included with this submittal. Specifically, that the applicant agrees that absolutely no increased nuisance, or danger will be caused to the public by the approval of the requested variance. Should it be determined by Planning & Zoning Staff that any installed lighting causes any danger or nuisance to the public, then any variance granted by the Colerain Township Board of Zoning Appeals relative to §12.9.4 Table 12-11 shall become null and void, and the applicant, property owner, or any future property owner(s) shall be ordered to immediately replace any non-compliant lighting fixture(s) to remediate any unsafe condition(s);
3. That the off-premises sign (billboard) shall be removed prior to the Zoning Administrator issuing any zoning certificate(s) related to the applicant’s proposed improvements (per zoning certificate Z2005-413).

This Concluded Staff’s Presentation.

APPLICANT PRESENTATION:

The applicants, John Lucas, 555 Gest Street, Cincinnati, Ohio 45203, and Tim Klink, 3955 Montgomery Road, Cincinnati, Ohio, 45212, gave a presentation.

Mr. Roberto asked if anyone was present to speak in favor, or in opposition. Hearing none, Ms. Owens made a motion to close the public portion; Mr. Schupp seconded the motion.

Roll Call: Ms. Owens – aye; Mr. DeMoss – aye, Mr. Schupp – aye,
Mr. Sidow – aye, Mr. Roberto – aye

Motion to close the public portion passed unanimously.

The Board asked questions of staff and the applicant.

Mr. Roberto asked if one of the recommendations could be revised to allow for the development of the property to take place while the Billboard would be removed and add a deadline it would need to be removed by. Jarrod stated that staff could revise the third condition to be that no final zoning certificate would be issued until there was a final zoning inspection that could only be passed with the removal of the billboard.

Mr. Schupp made a motion to approve BZA2023-04 with the staff’s revised recommendations; Ms. Owens seconded.



Mr. Roberto asked if any Board members had any discussion on the matter. Hearing no requests for discussion, Mr. Roberto asked for a Roll Call vote.

Roll Call: Ms. Owens – aye; Mr. DeMoss – aye, Mr. Schupp – aye, Mr. Sidow – aye, Mr. Roberto – aye

BZA2023-04 –Request for the variances to §12.9.4 Table 12-11; and §15.8.3 (C) was APPROVED with conditions 5-0.

Approval of the Minutes:

March 29th, 2023, Minutes:

Mr. Roberto asked a motion to be made to approve the minutes from March 29th, 2023.

Mr. Sidow made a motion to approve the minutes from March 29th, 2023, seconded by Ms. Owens.

Mr. Roberto requested a Roll Call vote.

Roll Call: Ms. Owens – aye; Mr. DeMoss – aye, Mr. Schupp – aye, Mr. Sidow – aye, Mr. Roberto – aye

Administrative Matters:

Mr. Alig shared that there was an open house scheduled for 4:00 on May 3rd at the Community Center for a Zoning Resolution Open House.

Adjournment:

A motion was made by Mr. Schupp, and seconded by Mr. Sidow, to adjourn the meeting at approximately 6:50 P.M.

Roll Call: Ms. Owens – aye; Mr. DeMoss – aye, Mr. Schupp – aye, Mr. Sidow – aye, Mr. Roberto – aye

Meeting adjourned.



Respectfully Submitted:

Jarrold Alig, Zoning Administrator

Secretary:

Dionne Owens, Secretary

Accepted by:

Ronald J. Roberto, Chairperson