



COLERAIN TOWNSHIP BOARD OF ZONING APPEALS

Minutes

4200 Springdale Road – Cincinnati, Ohio 45251

Wednesday, September 24, 2025 – 6:00 PM

1. Meeting Called to Order
Board Chair Roberto called the meeting to order at 6:00pm.
2. Pledge of Allegiance
All recited the Pledge of Allegiance.
3. Explanation of Procedures
Board Chair Roberto gave the Explanation of Procedures to staff and the public.
4. Roll Call
Present and Voting: Board Member Owens, Board Member Bartolt, Board Chair Roberto, Alternate Board Member Smith, Alternate Board Member Thieman

Absent and Not Voting: Board Member Schupp, Board Member Sidow
5. Swearing in: appellants, attorneys, and all speakers in the cases
Board Chair Roberto swore in those who wished to speak.
6. Hearing of Appeals
 - a. **BZA-25-29:** Variance to permit a reduced setback for an accessory structure at 7918 Thompson Road.
 - **Staff Presentation:** Presentation given by Development Director, David Miller
 - **Details of case:** The applicant wishes to place their 30x30 pole barn in the front yard of their property, 10ft away from the property line. The applicant lives in the Rural Estate Residential zone of Colerain Township and has around five acres of property with a panhandle lot with several unique physical constraints. The topography, septic system placement, house placement, and other existing site features limits potential locations for their proposed structure. The applicant emphasizes that their identified location is the only practical location for their barn.
 - **Staff Recommendation:** Approval
 - **Applicant Presentation:** Not Present
 - **Meeting attendees speak in favor or against case:**

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- **Against:**

- Rick & Sue Ferris - 7914 Thompson Rd. The applicant submitted 7 pieces of documents showing the applicant's property.
- Agnes & Dan Wells - 8082 E Miami River Rd

- **Concerns:**

- Rick believed that the applicant would have other options for where he could place his structure. The structure does not need to be 10ft from the property line and instead, could be placed by the house or further back than the proposed 10ft. Sue's concern is that the variance setback is too much as the 50-foot setback is in place for a reason and changing it to 10-feet for a variance would be a drastic change. She also believes there to be a liability issue for the two properties. Such as if a tree were to fall from their property and damage the structure, then it would be their fault.
- Agnes's concern is that if the board approves this structure, the property owner could then go to the property line abutting her property and apply that 10ft setback variance to her side. Her concern is that if you allow the setback variance, then you are opening the doors for everyone in the township. She also stated that they had a fence going along their property and the applicant knocked it out and never replaced it, even though he said he would. Dan is concerned about the driveway expansion the applicant will be doing and their fence being taken down and not replaced. Their opinion is also that the drop from 50-ft to 10-ft is a dramatic drop.

Motion: Board Member Bartolt motioned to close the public portion. Board Member Owens seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)

Questions for the Applicant:

- **Board Member Owens:** Asked staff if the applicant knew he could have the choice to have his case at the current meeting or wait until they were present and able to make the presentation. Mr. Miller stated that he knew the options for meeting dates but the applicant's preferred meeting date was September 24, 2025 because if it were to be approved, the timeline after approval would line up better for the applicant to place the structure on their property and also get their driveway paved before the end of paving season. The October meeting would not allow this to happen. Board member Owens understood, but feels it looks confusing to the public because the applicant can't state their case to the

board.

- **Board Member Bartolt:** Asked staff what the dimensions are of the shed. Staff stated it will be a 30x30 foot shed, at 12ft tall. Mr. Bartolt then asked about the applicant's letter, which described their septic tank location. Mr. Bartolt wanted to know where the septic tank was relative to the site plan shown on the screen. Staff stated that the septic tank is to the left of the house. Mr. Bartolt stated that he wanted to know where the septic tank was relative to the proposed barn because he wanted to know if it would be in the way if the proposed barn were to move another 20ft from the property line. Mr. Bartolt asked to speak with the neighbors who live at 7914 Thompson Rd. Mr. Bartolt asked the neighbors if they could see the structure from their home. The neighbors stated that they have trees that hide it but once the leaves are down, then they would be able to see the shed from their home. Mr. Bartolt then asked what their main complaint was, other than it being close to the property line. The neighbor answered by stating they feel the variance is too drastic of a setback jump and that it was something they didn't want to look at from their backyard.
- **Board Member Smith:** Asked staff for clarification on the site plan that shows the distance from property lines. The clarification was to ensure that the 55ft setback was okay because the requirement is 50ft from the property line and the 10ft setback is the issue since it is not 50ft from the property line. Mr. Miller confirmed Ms. Smith's question about the setbacks.
- **Board Member Thiemann:** No questions
- **Board Chair Roberto:** Asked staff if this was the reason we scheduled the meeting. Staff stated the meeting was for this and for the other case at the meeting. Mr. Roberto then clarified that originally, it was for this case and then the second case got added on. Mr. Roberto asked the staff if his logic was correct. Staff stated yes. Mr. Roberto made his statement, which claimed that if we accommodated to be here for the applicant, they should at least show up to accommodate the board. Mr. Roberto said that if you wanted to be represented, you should represent yourself, and it's not staff's responsibility to represent the applicant. Mr. Roberto stated he is in agreement with the neighbors and does not believe he should be granted the variance. There is also no hard evidence to show why the applicant couldn't place the structure somewhere else on the property and, since the owner could not be there for the meeting, they will not be able to understand that hardships. Mr. Roberto stated that he would be a no when voting.

Motion: Alternate Smith motioned to deny the variance request. Board Member Thiemann seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)



Mr. Roberto stated after the vote that if the applicant would like to appeal their decision, they can do so through the Municipal Courts of Hamilton County within the next 30 days following this meeting.

b. **BZA-25-30:** : Variance to allow an accessory structure in the front yard of a commercial business at 8770 Colerain Avenue.

- **Staff Presentation:** Presentation given by Development Director, David Miller
- **Details of case:** The applicant's request is to allow an accessory structure to be located in the front yard of their property as the Zoning code does not allow accessory structures to be located in the front yard. The subject property is an affiliate to Jeff Wyler Dealer Group. The applicant began discussion in mid-2025 with the Township about using the former Golden Corral/Sprortztown as a welcome center. The parking area would serve as overflow employee parking for nearby Wyler Dealerships, including; Honda, Kia, Nissan, and the anticipated Hyundai Location. This structure would be used to shuttle employees from 8770 Colerain Ave to their respective sites to free up parking for display cars and customer parking. The shelter was proposed to resemble a typical bus stop structure with mitigated factors to screen it from Colerain Ave. The applicant had indicated that detailed shelter plans will be submitted to the Township for review if the variance were to be approved.
- **Staff Recommendation:** Approval
- **Applicant Presentation:** The applicant submitted packets to the board in regard to their plan for the site. The applicant had letters from the MSP Group who are their civil engineers on the project and the plaza itself. He also had emails between Colerain Staff, the engineer, himself, and the project manager. He also shared that there is an overall site pan that gave the location of the structure. There is also a mock drawing that shows what they want it to look like at the end of the project.
- **Meeting attendees speak in favor or against the case:** None

Motion: Board Member Bartolt motioned to close the public portion of the meeting. Board Member Thiemann seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)

Questions for the Applicant:

- **Board Member Owens:** No questions
- **Board Member Bartolt:** Looked for clarification that the welcome center idea is not what is being discussed but instead it will just be the shuttle station that

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will take employees to different dealership sites. Staff and Applicant stated yes.

- **Board Member Smith:** No questions
- **Board Member Thiemann:** Asked the applicant if they'll be able to see any part of the structure from Colerain Ave. The applicant stated that when it's up, you might be able to see it if there are no cars in the lot but as of right now, in the site's condition, you would not be able to see the structure from the street.
- **Board Chair Roberto:** Asked the applicant if this structure will be totally enclosed or if this will be open to the elements and if anyone can go into the space. The applicant stated that it will be an enclosed structure. The applicant is unsure about the locking mechanism they will put in place. Mr. Roberto asked staff if they could put a condition in the motion to make this a secure space. Staff stated that it could be a condition suggested in the motion. The applicant also wanted to state that they have 24/7 security that will notify management about any activity on or near their property.

Motion: Board Member Bartolt motioned to approve the variance. Board Member Thiemann seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)

7. Unfinished Business

8. Approval of Minutes

a. Minutes from August 27, 2025

Motion: Board Member Owens motioned to approve the August 27, 2025, meeting minutes. Board Member Bartolt seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)

9. Next Meeting: October 22, 2025

Cases will be heard on this meeting date.

10. Administrative Matters

There are no administrative matters.

11. Adjournment

Motion: Board Member Owens motioned to adjourn the meeting. Board Member Thiemann seconded the motion.

Vote Result: Passed. Yes (5), No (0), Abstained (0)

Approval of Meeting Minutes

Colerain Township Board of Zoning Appeals

4200 Springdale Road • Cincinnati, OH 45251

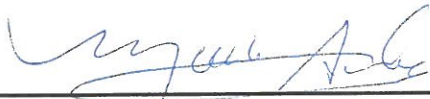
Meeting Date: Wednesday, September 24, 2025 – 6:00 P.M.



Mr. David J. Peters, Board of Zoning Appeals Administrator

3/2/25

Date



Mr. Mark Schupp, Secretary

2/25/26

Date



Mr. Ronald J. Roberto, Chairman

2/25/26

Date

Official Record Retention: Approved meeting minutes are archived in the following locations:

- A printed copy in the Colerain Township Board of Zoning Appeals Minutes Book
- A digital file on the Zoning Administration drive at **08 Board of Zoning Appeals > 05 Minutes**, labeled with the **BZZ** prefix and record number listed above
- An electronic copy in CivicClerk, associated with the relevant meeting

Meeting minutes prepared by **Ms. Juliana Petti**, Assistant Board of Zoning Appeals Administrator