**VILLAGE OF EVENDALE**

**BOARD OF ZONING APPEALS**

Minutes from the July 22, 2020 Meeting

Evendale Municipal Building, 10500 Reading Rd. Evendale, Ohio

Pursuant to written notice, the meeting of the Board of Zoning Appeals was called to order by Chairman David Harwood at 6:00 pm on Wednesday, July 22, 2020, in Council Chambers. In attendance were BZA members Thomas Shanks and Doug Lohmeier. Supporting the BZA were Timothy Burke (Village Solicitor) and Andrew E. Rodney, AICP (Building, Planning, & Zoning Manager). Member Rhett McGregor was absent.

Those present recited the Pledge of Allegiance to the Flag of the United States of America.

Mr. Harwood read the Opening Statement.

Those present who intended on providing testimony were duly sworn in by Mr. Harwood.

**NEW Business:**

1. EDB20-7: Elizabeth Bailey (Applicant), 3380 Mohler Woods Lane. Applicant proposes to construct a fence in the front yard at 3380 Mohler Woods Lane (Parcel #611-0080-0383) in a R, Residential zoning district. The Applicant is requesting the following Variance from Chapter 1266 of the Village Codified Ordinances:

Variance #1: To construct a fence within the front yard along Mohler Road. Per Schedule 1266.04(A), fences are prohibited in a front yard.

Mr. Rodney summarized the staff report and the observed unique conditions of the property, which include a functional side yard that by definition is a front yard along Mohler Road. He also noted the presence of significant vertical grades to the north and west of the home which prevent reasonable use of those areas for yard areas. Mr. Rodney stated the only usable yard area available to the owner was the portion of the front yard along Mohler Road proposed to be fenced. He stated staff is supportive of the variance request due to these unique circumstances, but recommends the Board adopt the following conditions of approval:

Condition #1: No portion of any fence constructed in the front or side yard shall extend past the south façade of the house.

Condition #2: No portion of any fence constructed in the front yard shall exceed four (4) feet in height.

Condition #3: Additional landscaping shall be installed atop the mound along Mohler Road to screen the fence from view. A landscape plan shall be approved by the Building, Planning, & Zoning Manager.

Mr. Harwood invited the Applicant to address the Board.

Ms. Bailey noted her agreement with the staff recommendation, stating she has no objection to the proposed conditions of approval.

Mr. Shanks requested clarification of the fence location and height.

Mr. Rodney responded by noting the proposed fence height and location on a photo included in the meeting packet.

Mr. Lohmeier asked what determines the definition of various yards in the Mohler Woods subdivision.

Mr. Rodney summarized that yards are determined by the lot orientation relative to the adjacent public right-of-way, in this case Cooper Road and Mohler Road. He further noted the lots along Cooper Road will likely come to the Board as well to request a variance for a fence along Cooper Road.

Mr. Shanks requested clarification on the location of the proposed landscaping.

Ms. Bailey noted the planned addition of four (4) new trees plus replacement of an existing tree that is dead.

Mr. Shanks and Mr. Lohmeier requested clarification on the proposed location of the fence relative to the house.

Ms. Bailey clarified where the proposed fence would intersect the east wall of the house.

Mr. Lohmeier noted his concern was visibility of the fence from Mohler Road, but stated the addition of landscaping would assuage his concerns.

Mr. Shanks requested clarification regarding how much of the fence would be visible from Mohler Road.

Ms. Bailey responded that approximately half of the total fence height would be visible from Mohler Road.

Motion by Mr. Lohmeier was seconded by Mr. Shanks to approve the Variance request with the staff recommended conditions.

Mr. Lohmeier asked what entity owned the vacant forested land to the north.

Mr. Rodney responded the land was owned by the Village of Evendale.

There was no further discussion. The motion passed by a 3-0 voice vote.

There was no Old Business on the agenda.

There were no communications shared under Internal Business.

Motion by Mr. Lohmeier was seconded by Mr. Shanks to adjourn the meeting. There was no discussion. The motion passed by a 3-0 voice vote.

The meeting adjourned at approximately 6:10pm.

Attest:

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David Harwood, Chairman

Board of Zoning Appeals

Meeting Minutes prepared by Andrew E. Rodney, AICP, Building, Planning, & Zoning Manager.