**VILLAGE OF EVENDALE**

**BOARD OF ZONING APPEALS**

**MEETING MINUTES**

**AUGUST 22, 2019**

Pursuant to written notice, the meeting of the Board of Zoning Appeals (the “BZA”) was called to order by Chairman Dave Harwood at 7:35 pm on Thursday, August 22, 2019, in the Council Chambers of the Village of Evendale Municipal Building. Attending were members Dave Harwood, Rhett McGregor, Mike Reed, Tom Shanks and Ken Valentine. Supporting the BZA was Pam Morin (staff) and Andrew E. Rodney (staff).

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

New Business

**Case V-19-06. Applicants/Owners, Richard and Linda Flynn, filed a Variance application to permit construction of a detached garage at 2893 Cooper Road, Parcel ID 611-0080-0029 (the “Property”) within a Single-Family Residential zoning district. The request is for two (2) variances from Schedule 1266.04(A) of the Village of Evendale Zoning Code:**

1. **A Variance of 194 square feet from the maximum area allowed of 800 square feet for a detached garage in a single-family residential zoned district; and**
2. **A Variance of 11-7/8 inches from the maximum height allowed of 12 feet for a detached garage in a single-family residential zoned district.**

Mr. Reed recused himself from the Public Hearing due to an existing personal relationship with the Applicants.

A co-signed letter dated August 16, 2019 from Mary Ornella of 2877 Cooper Road and Jack Anderson of 2861 Cooper Road was distributed to the members of the BZA and the Applicants.

The Applicants provided a brief synopsis of the proposed project. They stated once the new garage is built, the old garage is to be demolished and replaced with a pool. Their stated need for the new, larger garage is to replace the existing garage which experiences flooding, store their three (3) vehicles indoors, and for additional storage to eventually house pool equipment. The new garage is to take the place of an existing shed in the same location.

Mr. Harwood inquired as to the size of the existing shed. The Applicants responded the existing shed is approximately 14’x18’.

Mr. Valentine acknowledged receipt of a letter from the neighbors claiming the existing shed was built without permits. The Applicant denied the claim and further refuted other claims noted in the letter. The Board requested clarification on permitting of the existing shed. Mr. Rodney clarified the shed was permitted and granted a Variance for side yard setback in 1992.

Mr. Shanks asked about the pitch of the roof on the proposed garage. The Applicants stated their intention was to match the pitch of the roof on the existing house.

The Applicant requested clarification of the 800 square foot maximum for a detached garage. Mr. Valentine confirmed that 800 square feet was the maximum permitted are for a detached garage.

Mr. McGregor noted the proposed garage meets the required setback, as opposed to the existing shed.

Mr. Valentine noted the proposed garage would be difficult to see from Cooper Road.

The Applicant provided photographs and discussed their intention for additional plantings along the driveway to further screen the garage.

Mr. Valentine requested clarification of the proposed pool location.

Mr. McGregor requested a timeline for the project. The Applicant provided their project sequencing, which included first demolishing the existing shed, next constructing the new garage, and finally demolishing the old garage.

A motion to approve the variances was made by Mr. McGregor with the condition that the existing garage was to be demolished within 75 days of a final inspection on the new garage by the Building Commissioner. Mr. Shanks seconded the motion. The motion passed by a 3-0 vote, with Mr. Valentine abstaining.

**Case V-19-05. Applicant, Justin Scalf of One Stop Signs representing SWE Evendale, LLC (Owner), filed a Variance application to permit a second wall sign on the south façade of a commercial building under construction at 10260 Reading Road, Parcel ID 611-0020-0429 (the “Property”) within a General Commercial zoning district. Per Section 1262.11 of the Village of Evendale Zoning Code, only one (1) wall sign is permitted.**

Prior to commencement of the Public Hearing, Mr. Harwood clarified the application request was for a Variance, not an Appeal as listed on the meeting agenda.

The Applicant distributed a packet of additional information for Board consideration which included photos of various walls signs in the vicinity of the subject property.

The Applicant summarized the request from Sherwin Williams to place a second building wall sign on the south building façade along Inwood Drive. The second wall sign is to be 68.25 square feet, which is larger than the primary sign on the west façade but in scale to the length of the south façade wall. The sign would ordinarily be permitted if it were the only wall sign. Mr. Scalf noted the building was located on a corner lot with public street frontage along both Reading Road and Inwood Drive with an empty lot to the south across Inwood Drive which allows for direct viewing of the south building façade from northbound Reading Road traffic. Mr. Scalf noted the presence of other secondary wall signs in the vicinity, while stating their value in attracting customers to the business. Mr. Scalf stated his belief that all of the Standards for Variance could be met in this instance.

The Applicant requested clarification if any opposition letters had been received. Mr. McGregor noted no such letter had been received.

Mr. McGregor requested clarification on illumination of the sign. Mr. Scalf confirmed all signs were to be internally illuminated.

Mr. Harwood noted neighboring businesses Fifth Third Bank and Walgreens have walls signs on multiple frontages. Mr. Shanks also noted the presence of multiple wall signs for the adjacent business to the north, Mr. Handyman.

Mr. Valentine stated a safety concern about visibility for truck deliveries and possible rear end crashes along Reading Road.

Mr. Harwood noted northbound traffic on Reading Road will see both wall signs at about the same time.

Mr. McGregor stated a preference that the wall signs not be illuminated. Mr. Reed followed up stating Inwood Drive was a residential street and the subject property was at the entrance to the neighborhood. He believed there was no material benefit to the sign on the south façade.

Mr. McGregor reiterated his preference that the sign not be illuminated.

The Applicant further clarified the proposed business hours, which were generally during daylight hours. Mr. Scalf stated the illumination of the sign could be adjusted for both time and brightness. Mr. Scalf reiterated the importance of signage generally to a business. He stated a willingness to turn the sign off outside of normal business hours. He also noted the distance between the subject property and the nearest residential property was substantial.

The Applicant requested clarification regarding ownership of the property across Inwood Drive. Mr. Harwood confirmed the parcel is owned by the Village.

Mr. Reed requested consensus from the Board on the validity of the request relative to the Standards of Approval.

A motion to approve the variances was made by Mr. Reed with the condition that the sign on the south façade shall only be illuminated during normal business hours. Mr. Valentine seconded the motion. The motion passed by a 5-0 vote.

Internal Business

Mr. Harwood acknowledged Mr. Reed’s 19 years of distinguished service to the Village in his role as a BZA member. A gift of engraved stemware was presented to Mr. Reed.

Without discussion or corrections, a motion to approve the minutes of the July 31, 2019 meeting was made by Mr. Shanks and seconded by Mr. Valentine. The motion passed by a 5-0 vote.

A motion to adjourn was made by Mr. Shanks and seconded by Mr. Valentine. The motion passed by a 5-0 vote.

The meeting was adjourned at 8:23pm.

Attest:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

David Harwood, Chairman

Board of Zoning Appeals

Meeting Minutes prepared by Andrew E. Rodney, Building, Planning, & Zoning Manager for the Village of Evendale.