

BOARD OF ZONING APPEALS MEETING
JUNE 25, 2019
7:00 P.M.

I CALL MEETING TO ORDER

Meeting called to order by Mr. Ramirez

II ROLL CALL

Members Present: Joe Ramirez, Dave Nienaber, Jeffrey Anderson, Robert Weidlich, Carolyn Ghantous, Carmen Daniels

Members Absent: Douglas Stahlgren

Staff Present: Randy Campion

III PLEDGE OF ALLEGIANCE

IV MINUTES OF THE REGULAR MEETING OF MAY 21, 2019

Chairman Ramirez: Summary of the minutes of the regular meeting of May 21, 2019. Chair will accept a motion to adopt those minutes.

Mr. Anderson: Move to adopt.

Mrs. Ghantous: Second.

Chairman Ramirez: Moved and second. All in favor voice vote.

(Minutes were adopted with a vote of 6-0 with one member absent.)

V CORRESPONDENCE

Chairman Ramirez: We do have correspondence from DeCastro. A letter written to Gregg Taylor.

Please accept this email as my client's request to table the above variance hearing until the next scheduled BZA meeting, which I understand is Tues., July 23rd, and Kerry has had a chance to test the lighting back shields that are on order and run a photometric study using this data.

So that being said, DeCastro will not be here tonight and we will move those to July. That was the only correspondence.

VI REPORTS

Report on Council

Mrs. Ghantous: Thank you Mr. Chairman. City Council met on Wednesday, June 19th. What was a little bit unusual, there were only four members present. That was different than anything I've ever had happen. The first item that we had was a proclamation from the Mayor recognizing National Parks and Recreation Month. He gave the proclamation to Greg Karle. After that we had a presentation from a man named Chris Jones. He is a representative of the Greater Cincinnati Energy Alliance. He came to talk to us about a financing tool called PACE (Property Assessed Clean Energy). That is available for commercial property owners who want to do projects to improve energy efficiency in their property. The Sheakley Company, which owns a big building over on Sheakley Way is already planning to take advantage of that and make a major improvement in their building which is always good for the city. There was a motion made to enter into a release and settlement agreement with an employee named Anthony Price and that was passed with 4 votes in favor. We had Ordinance No. 20-2019 and that was amending Ordinance No. 03-2019 to revise the pay table for the full-time, part-time, and seasonal employees. That was a first reading so no action was taken. We

had Ordinance No. 21-2019 authorizing an agreement between the City and the Board of Hamilton County Commissioners for Municipal road funds relative to the improvement of East Kemper Road. That was also a first reading so we didn't vote on that. Resolution R9-2019 was adopting the tax budget for the City for the year January 1, 2020 through December 31, 2020. That passed with a 4 to 0 vote. Then we had the last item, Resolution R10-2019 authorizing the execution of an agreement between the Board of Hamilton County Commissioners and the City of Springdale Police Department related to participation in the Hamilton County Quick Response Team and that passed with a 4 to 0 vote. That is unless I missed anything Jeff. Anybody have any questions?

Chairman Ramirez: What is the necessary number of members needed to vote?

Mrs. Ghantous: Four.

Chairman Ramirez: Four is the minimum?

Mrs. Ghantous: But, the first two items, the first two Ordinances, we would have voted on those had there been enough people because you have to have the super majority to vote on those kinds of things.

Mr. Anderson: I think is because the emergency clause requires a super majority.

Mrs. Ghantous: Emergency clause, right.

Mr. Anderson: So the first two, we wanted to get done sooner. They originally were proposed as emergency clause to get them done. One was a contract, one was an agreement for emergency response which would have been nice to do ahead of time but we weren't able to.

Mrs. Ghantous: So that's why they kind of became a first reading when we had three people. The three people were on vacation, it was kind of planned, I just think nobody really knew how it was going to impact. You know one person says I'm not going to be there, another person says I'm not going to be there, another person says, oh I'm not going to be there and then when we sat down, we were like ooh there is a lot of people that aren't here. So, that created a slight problem but we will vote on those items at the next meeting. That concludes my report.

Chairman Ramirez: Thank you for that report.

Report on Planning

Chairman Ramirez: Planning Commission met on June 11, 2019. We had three subjects. The Pretzel Baron, 311 Northland Boulevard under the Revised Development Plan, application 34969. That is going to affect us on the BZA because there were three items that are going to be pushed over to us for approval. Those items are reduction of the rear yard setback to 50 feet, reduction in the south property line buffer yard required by section 153.401 needs to be considered by the Board of Zoning Appeals and a variance granted and a reduction of the 30% open space required by section 153.253 to be considered by the Board of Zoning Appeals. I believe that they have 27%. So, the major reason for them coming before us was enlarging the proposed cooler expansion which was approved previously for 5,133 sq. ft. and they were asking for 8,465 sq. ft. After some discussion that was approved so those other three items I just spoke of will be on our plate next time we meet. The next or actually two I am going to put together are Princeton City School District, Board of Education for two reasons. Springdale Elementary School at 350 West Kemper Road and Princeton City Schools, Heritage Hill on 11961 Chesterdale Road. These are both for the same issue and it is the signage. They are going to go to a digital signage and it actually says on the agenda Klusty Sign but I believe that the meeting was actually the I.T. Director from Princeton showed up and make that presentation. They are doing this at all of the schools. That was approved. It wasn't anything major that we needed to do and they were more than accommodating anything that we wanted them to do that they would follow through on such as the base for the signs. So that was approved with a 6 to 0 vote. We had one member missing, Mr. Bauer.

That is all that we had on the Planning Commission. Any questions on those subjects? Mrs. Daniels.

Mrs. Daniels: Yes. Regarding the Princeton, the one at Heritage Hill, because I think it is awful bright where the high school sign is, that red is just glaring. Are they planning to do the same thing at Heritage Hill because that light, I'm telling you sometimes when you are turning that flashing red is just blinding.

Chairman Ramirez: That was under discussion and the IT Director told us that they are dimmable and if it was a problem with a neighbor that they would address that and they can dim the brightness of those signs.

Mrs. Daniels: That's right on my street so I will be paying attention to that one.

President Ramirez: Thank you for that question.

VII CHAIRMAN'S STATEMENT

Chairman Ramirez: We are going to skip the Chairman's Statement. Please note we do not have any residents or members in the audience.

VIII OLD BUSINESS

- A. DeCastro Management LLC, dba Kerry Automotive, 155 West Kemper Road and 150 Northland Boulevard, Springdale, Ohio, submitted a request for a Variance from Section 153.351(B) & (C) to increase the light levels. (Application 34781) **Public Hearing** (cont.)

Chairman Ramirez: Which as it was previously stated this was moved.

Mr. Anderson: Do we need to make a formal motion to continue that? I understood that we need to make a formal motion since it is an open public hearing. Can we make a formal motion to continue it, is that alright?

Chairman Ramirez: Sure.

Mr. Anderson: I think it is required.

Chairman Ramirez: Would you like to make that motion?

Mr. Anderson: I would, I didn't want to interrupt.

Chairman Ramirez: Sure.

Mr. Anderson: I'd like to make a motion to continue the hearing for DeCastro Management, application 34781 until the next meeting, next regular meeting which would be July 23rd.

Mrs. Ghantous: Second.

Chairman Ramirez: Moved and second. Secretary please poll.

(Secretary polled the members and the motion to continue was approved with a vote of 6-0 with 1 member absent.)

IX NEW BUSINESS

None.

X DISCUSSION

Chairman Ramirez: Is there anything for discussion at this time. I'd like to bring up something. It seems as if we are experiencing more special meetings then we have in the past and trying to get a handle on what is really needed and why some of these are taking place. I understand that if it's the City's problem or our problem with not passing an issue. We don't want to hinder the applicant but if it's the applicant's issue that they didn't have everything needed together and requests another meeting, I just bring it up for thought how you feel about that. We've had a few of them now on the BZA and the Planning. Anybody have an issue with that? Mr. Anderson.

Mr. Anderson: Thank you Mr. Chairman. I know this pretzel one is the first one that we have had for the BZA in a while. I know Planning had quite a few. Was this a problem in past years? I know that there was one application, I mean that one application for the pet suites I know was a real challenge.

Chairman Ramirez: The Red Dog. Correct, that's the one I'm thinking of.

Mr. Anderson: Okay. I just wanted to make sure I understand the problem. I know the one that we have the special meeting for next week was because of the timing between Planning and BZA so I guess it is a fair question. Do we expect more of them because we moved or I thought we moved it to make it easier?

Mr. Champion: Well, the Pretzel Baron meeting, it is my understanding it's a special meeting because they had to order this equipment so far in advance, is that it or am I confusing that with the silo? I thought it had to do with the equipment.

Ms. Morsch: It actually had to do with, they wanted to still request this, they still wanted the size of the freezer but we have to advertise so many times prior to a meeting and notify people with a minimum 15 days prior to a meeting and have it posted and we didn't have that ability to do that before tonight's meeting. The closest that we could do would be to get it to the 2nd.

Mr. Anderson: So, if they didn't get a special meeting, they'd end up waiting eight weeks from when they finished Planning to our next regular on schedule right? To make the July 23rd, that's what they would end up doing? So, for them it would be eight weeks because of the approval from Planning is that right?

Ms. Morsch: Yes, pretty much.

Chairman Ramirez: Any other thoughts on that?

Mrs. Ghantous: I'm not remembering any other special meetings.

Chairman Ramirez: Well I get some of them confused because I am on both of them but we've had the Red Dog, I think we had three meetings on that one.

Mrs. Ghantous: Did we have any special meetings though?

Mr. Anderson: Planning, I know Planning had a lot of extra effort to help that work. I know in my view in general, I want to help them when I can, it's already a long lead time, I get that it can be a burden so at least from my prospective, if it keeps businesses moving in Springdale right now I am okay giving up time especially if it is something where our process would slow them down. So I am very sensitive to things like manufacturing lead times and trying to accommodate that. I'd hate for us to get a reputation of not responding if the business is trying to work. I know that the Red Dog and Suites or whatever it was, was quite a chore and I appreciate that on the Planning side. At least from my participation, I'm open to it whenever we need to, to keep things moving but that's just me.

Chairman Ramirez: My concern is that, I really want to be here and I kind of plan my other activities, such as my knee surgery and my elbow surgery so I am here. So, I would feel bad if I wasn't able to make it. So, that's my thought and usually there is not a lot of lead time to make arrangements for a special meeting. Mrs. Daniels.

Mrs. Daniels: I too had to change some things around for that 2nd. I work part-time and I had to actually find someone to work for me so it does become an inconvenience when it is kind of a last minute, not enough time to switch things around. So, I kind of understand what you are saying.

Chairman Ramirez: Okay. I appreciate the comments.

XI ADJOURNMENT

Chairman Ramirez: Finally the chair will accept the nomination to adjourn.

Mr. Anderson: Move to adjourn.

Mrs. Ghantous: Second.

Chairman Ramirez: All in favor with a voice vote.

(Voice vote taken to adjourn 6-0.)

Chairman Ramirez: Pass 6-0 alright meeting is adjourned.

Respectfully submitted,

_____, 2019

Chairman, Joseph Ramirez

_____, 2019

Secretary, Carmen Daniels