

BOARD OF ZONING APPEALS MEETING  
AUGUST 24, 2021  
7:00 P.M.

I CALL MEETING TO ORDER

Meeting called to order by Chairman Anderson

II ROLL CALL

Members Present: Jeffrey Anderson, Dave Nienaber, Tom Hall, Carolyn Ghantous, Michelle Miller, David Gleaves

Members Not Present: Douglas Stahlgren

Staff Present: Carl Lamping

III PLEDGE OF ALLEGIANCE

IV SUMMARY MINUTES OF THE REGULAR MEETING OF JULY 27, 2021

Mr. Nienaber stated two corrections, use of the same word incorrectly twice.

Mr. Anderson stated the changes would be made.

Motion to approve the minutes as amended presented by Mr. Nienaber and seconded by Mrs. Ghantous.

(Voice vote taken and the amended minutes were approved with a 6 to 0 vote).

V CORRESPONDENCE - None

VI REPORTS

Report on City Council

Mrs. Ghantous provided a report on City Council meeting held on August 18, 2021. The new hires from the past year in the Fire Department were introduced. There were 4 ordinances and 1 resolution. 4 ordinances passed with a 6-0 vote, and the resolution passed with a 6-0 vote.

Report on Planning Commission

Mr. Hall provided a report on the Planning Commission for August 10, 2021. There were 2 cases that were scheduled for the meeting. The first case was passed 7-0 as prepared, and the second case was passed 7-0 with modifications.

VII CHAIRMAN'S STATEMENT

Chairman Anderson read the Chairman's Statement.  
Two members of the audience were sworn in.

## VIII OLD BUSINESS

- A. New Fence at Smithfield Packaged Meats located at 801 E. Kemper Road, Springdale, OH, is requesting a variance from the Zoning Code Section 153.253 (E) (5) (a) to allow a fence in the front yard.  
**PUBLIC HEARING** (BZA Application 20211152)  
(At the request of the applicant to be heard at September BZA Meeting)

## IX NEW BUSINESS

- A. New Accessory Building for Electrical Service Equipment at Kroger IC&B Facility, located at 11801 Chesterdale Road, Springdale, OH, is requesting a variance from the Zoning Code Sections 153.253 (E) (20) and 153.253 (C) to allow an accessory structure in a front yard, and to allow more than one accessory structure on a parcel.  
**PUBLIC HEARING** (BZA Application 20211133)

Mr. Lamping provided an overview of the application describing the work that the applicant wants to do that would require a variance.

Jeff Flaherty, 1 Moock Rd, Wilder, KY, Civil Engineer for the applicant. He stated the site is very limited as to placement of this building to get the electrical equipment in. There is another project going on and they want to use the same trench to meet all storm water requirements for this project.

Mr. Anderson pointed out previous zoning cases in regards to neighboring properties and screening. He questioned the intentions of screening.

Mr. Lamping stated the location of the building and the angle of the Kroger building will give visual screening from the existing structure. He does not believe this building will be visible from Kemper Commons.

Mr. Anderson asked if the applicant would be agreeable to a condition in the variance being the building would be screened or not visible from the retail side.

Fernando Cruz, applicant, stated that it will be screened and all the hvac condensers will also be screened.

Mr. Anderson stated this is mentioned because the variance lives with the property. If the property was ever altered in the future the variance to have an additional structure would still remain. That additional structure could be located in a difference place on the site, but would need to comply with the conditions of the variance.

Mr. Lamping stated the screening that is being discussed is not required for an accessory building. He stated he believes Mr. Anderson is speaking in regards to the mechanical equipment.

Mr. Anderson confirmed he was talking about the mechanical equipment.

Mr. Lamping stated that is a code requirement and they will meet that code. It is not part of the variance.

Mr. Nienaber stated to approve a variance there needs to be a reason to why you want it. He is in favor of the variance because of the location and it will not be visible to anyone else.

Mr. Anderson stated he does not know that the zoning code takes in views from the highway. He believes this is an accommodation that makes sense.

Mr. Nienaber made a motion to grant a variance to Zoning Code Sections 153.253 (E) (20) and 153.253 (C) to the owner of 11801 Chesterdale Rd, per Board of Zoning Appeals application 20211133. The variance is to allow an accessory structure in a front yard, north between the main building and I-275. The variance also allows one additional accessory building on the site.

Ms. Ghantous seconded the motion.

The roll was called and the variance was approved with a 6-0 vote.

X DISCUSSION

Ms. Miller questioned if there was a section on the property that was newly concreted.

Mr. Lamping confirmed that they have a building permit to construct an addition that will contain a freezer for the ice cream process.

XI ADJOURNMENT

Mr. Nienaber made a motion to adjourn.

Ms. Ghantous seconded the motion.

Chairman Anderson adjourned the meeting.

Respectfully submitted,

\_\_\_\_\_, 2021 \_\_\_\_\_  
Chairman, Jeffrey Anderson

\_\_\_\_\_, 2021 \_\_\_\_\_  
Secretary, Tom Hall