

# HARRISON BOARD OF ZONING APPEALS

## AGENDA

January 26, 2016

### I. CALL REGULAR MEETING TO ORDER

*Roll Call*

*Approve minutes of November 24, 2015*

*No meeting held December 22, 2015*

### II. VISITORS

Dave Sizemore

Frank Fugate, Woda Development

Jerry Wilson

Joe Madden, Cincy Asphalt

### III. OLD BUSINESS

*None*

### IV. NEW BUSINESS

*Application #8904*

*348 Deerfield - Home based business*

*By definition, all home based business require BZA approval*

*Application #8909*

*New Haven Road (Parcel #561-0022-0008-00) - Conditional Use*

*Application for an elderly retirement community. The property is zoned R3 which allows for 1 and 2 family residential, per Section 1143.02(C) (7), Nursing homes, elderly assisted living, and elderly retirement housing.*

*Applicant is also requesting a variance as part of the Conditional Use for a reduction in required parking spaces.*

*Application #8906*

*329 Harmony – side yard variance for shed.*

*Section 1147.06(A)(6) – Except as otherwise provided in this chapter, a detached accessory building or structure located in the rear yard shall be set back at least six feet (6') from the side and rear lot lines.*

*Applicant is requesting a variance for a side setback to be reduced from 6'-0" to 3'-5" from side property line.*

*Application #8881*

*10240 Harrison Ave – front yard fence variance*

*Cincy Asphalt is requesting a variance to install a 6 foot high security fence in the front yard of the business on Harrison.*

**Section 1147.16(F) Front Yards** No fence, wall, hedge, or planting shall be located in a front yard except in accordance with the following standards:

1. Hedges or other plantings not exceeding thirty-six inches (36") in height may be located in any front yard subject to the traffic visibility requirements at corner lots (see Section 1147.10B.).
2. Wire fences or walls not exceeding thirty-six inches (36") in height may be located in any front yard; they shall be set back at least three (3) feet from the front lot lines and be subject to the traffic visibility requirements at corner lots (see Section 1147.10B.).

**V. ADJOURNMENT**



THE CITY OF HARRISON  
BUILDING AND ZONING

Daniel Brooks, Building Official

300 George Street · Harrison, Ohio 45030

513.202.8494 Phone

513.367.3592 Fax

Contact: [sschlagbaum@harrisonohio.gov](mailto:sschlagbaum@harrisonohio.gov)

VARIANCE APPLICATION

Application Number: 8904 Date: 12-18-15

Project Address: 348 DEERFIELD DR

Property Owner: RICHARD MCDONALD

Applicant: ESTEL D. SIZEMORE

Applicant Address: 348 DEERFIELD DR

Applicant Contact Information: PH 513-309-3577 FAX \_\_\_\_\_ EMAIL MAX0432C@PL.COM

EXISTING USE: RESIDENTS CURRENT ZONING RESIDENTIAL

PLEASE INCLUDE THE FOLLOWING INFORMATION WITH APPLICATION

1. Nature of Variance: Describe generally the nature of the variance OPERATE SMALL BUSINESS  
FIREARM STORAGE

2. Plans drawn to scale must accompany this application showing dimensions and shape of the lot, size, and locations of existing buildings, the locations and dimensions of proposed buildings or alternations, and any natural or topographic peculiarities of the lot in question.

3. Justification of Variance: In order for a variance to be granted, the applicant must prove to Board of Zoning Appeals that the following items are true: (Please attach these comments on a separate sheet).

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
- B. That a literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
- C. That special conditions and circumstances do not result from the actions of the applicant.
- D. That nothing herein contained shall be construed as authorizing the Board of Zoning Appeals to effect changes to the Zoning Map or to add to the permitted or conditional uses in any Zoning District.
- E. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
- F. That the variance is not for a use which is not allowed in the district in which the property is located.



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Contact: sschlagbaum@harrisonohio.gov

APPLICATION FOR CONDITIONAL USE

Application Number: 8909 Date: 122315

Project Address: New Haven Road

Property Owner: Robert J. & Lolene M Winter

Applicant: Frank Fugate Wood Group

Applicant Address: 229 Hobbs V. Hays Blvd Wadsworth, Ohio 43081

Applicant Contact Information: PH 614-396-3200 FAX 614-396-3243 EMAIL ffugate@woodgroup.com

EXISTING USE: Vacant - Farmhouse - crops Current Zoning R-3

DESCRIPTION OF CONDITIONAL USE: Conditional Use # 7 property to be developed as elderly retirement housing Gid 30-002-71-03  
Parking increases to require the number of spaces from 88 to 45 SPACES per section 1159.08.

PLEASE PROVIDE THE FOLLOWING SUPPORTING INFORMATION WITH APPLICATION:

1. SEVEN (7) SETS of plans for the proposed use showing the location of building, parking and loading areas, traffic access and circulation drives, open space, landscape, utilities, signs, yards, and refuse service areas.
2. A narrative statement relative to the above requirements and explain the economic, noise, glare, and odor effects on adjoining property and general compatibility with adjacent and other properties.
3. A list of all contiguous property owners.

The undersigned requests a conditional use permit for the use specified above. If this application is approved, it is understood that it shall only authorize that particular use described in this application and any conditions or safeguards required by the Board. If this use is discontinued for a period of more than six (6) months, this permit shall automatically expire. If a Zoning Certificate is not issued (paid) within six (6) months, all action on this application shall be voided.

Applicant's Signature:

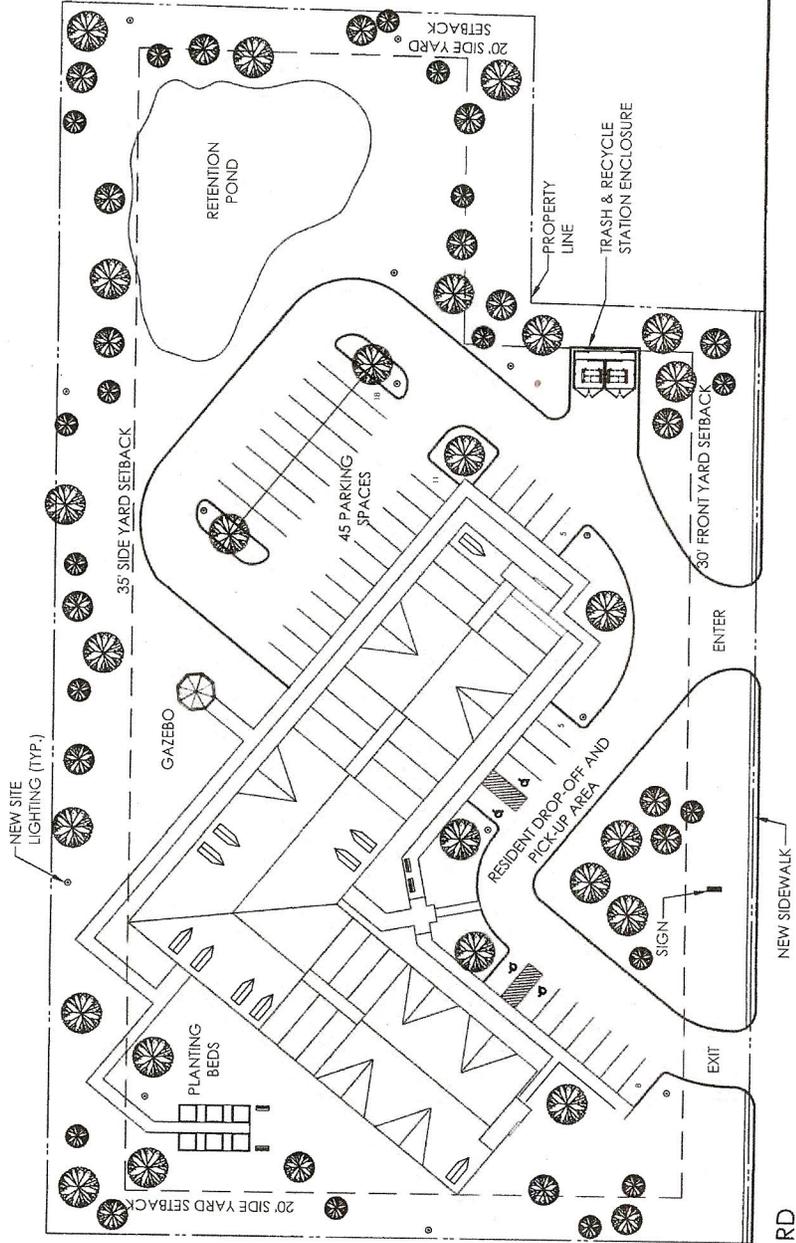
Name FS Fugate Date 12-23-2015

Application Fee \$150  PAID  CASH  CHECK # \_\_\_\_\_

Revised 2-15

**PRELIMINARY**  
 THIS DRAWING IS FOR  
 INFORMATION ONLY  
 NOT FOR BIDDING  
 OR CONSTRUCTION

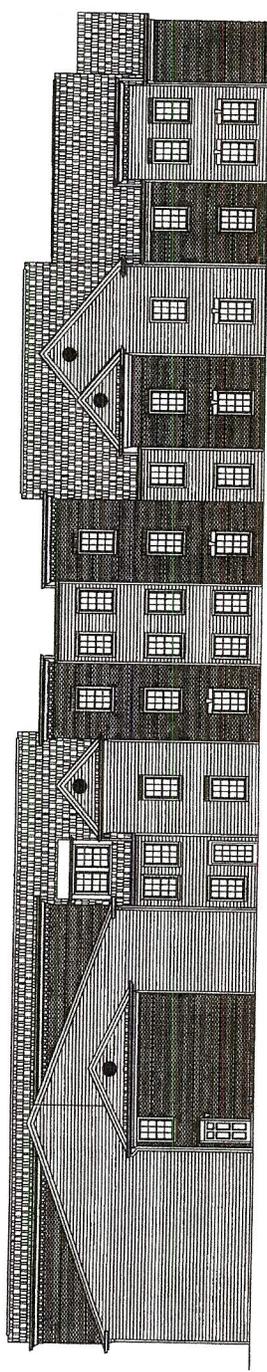
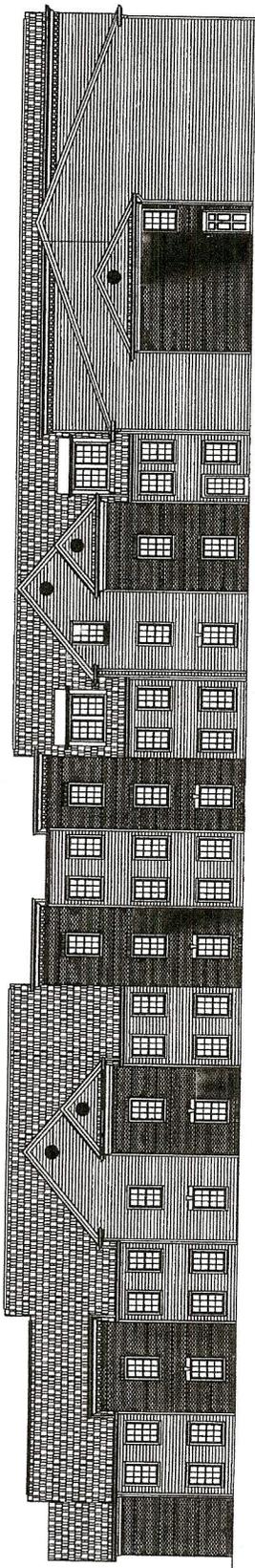
3.5 ACRES  
 PARCEL #  
 561-0022-0008-00



NEW HAVEN RD

ARCHITECT OF RECORD: <b>PCI DESIGN GROUP, INC.</b> 229 HUBER VILLAGE BLVD, SUITE 200 WESTERVILLE, OH 43081 <small>Copyright © 2015 PCI Design Group, Inc. All Rights Reserved</small>	DEVELOPER: <b>THE WODA GROUP</b> 229 HUBER VILLAGE BLVD, SUITE 100 WESTERVILLE, OH 43081	PROJECT TYPE: <b>SENIOR COMMUNITY</b>	PROJECT NAME: <b>HARRISON GREENE NEW HAVEN ROAD HARRISON, OHIO</b>	PROJECT TYPE: <b>OHIO TAX CREDIT SUBMISSION 2016</b>	DATE: 2015-12-23 DRAWN BY: A. G.	SHEET: <b>A-1</b>	SITE PLAN

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ARCHITECT OF RECORD: <b>PCI DESIGN GROUP, INC.</b> 278 WESTERN VILLAGE BLVD, SUITE 230 WESTERVILLE, OH 43081 <small>Copyright © 2015 PCI Design Group, Inc. All Rights Reserved.</small>	DEVELOPER: <b>THE WODA GROUP</b> 278 HUBER VILLAGE BLVD, SUITE 100 WESTERVILLE, OH 43081	PROJECT TYPE: <b>SENIOR COMMUNITY</b>	PROJECT NAME: <b>HARRISON GREENE NEW HAVEN ROAD HARRISON, OHIO</b>	PROJECT TYPE: <b>OHIO TAX CREDIT SUBMISSION 2016</b>	DATE: 2015-12-23 DRAWN BY: A.G.	SHEET: <b>A-2</b> ELEVATIONS
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Online Property Access

**Parcel ID** 561-0022-0008-00      **Address** NEW HAVEN RD      **Index Order** Parcel Number      **Tax Year** 2015 Payable 2016

**I Want To...**

- Start a New Search
- Email the Auditor
- View the Online Help
- Auditor's Home

Property Information		
<b>Tax District</b> 193 - HARRISON-HARR-SOUTHWEST		<b>Images/Sketches</b> 
<b>Appraisal Area</b> 56101 - HARRISON VIL 01	<b>Land Use</b> 500 - RESIDENTIAL VACANT LAND	
<b>Owner Name and Address</b> WINTER ROBERT J & JOLENE M 215 S VINE ST HARRISON OH 45030 <i>(call 946-4015 if incorrect)</i>	<b>Mailing Name and Address</b> WINTER ROBERT J & JOLENE M 215 S VINE ST HARRISON OH 45030 <i>(call 946-4800 if incorrect)</i>	
<b>Assessed Value</b> 31,500	<b>Effective Tax Rate</b> 55.033439	<b>Total Tax</b> \$1,569.36
<b>Property Description</b> NS NEW HAVEN RD 5.6072 AC R1E-T2-S17		

Appraisal/Sales Summary	
Year Built	
Total Rooms	
# Bedrooms	
# Full Bathrooms	
# Half Bathrooms	
Last Sale Date	5/10/2014
Last Sale Amount	\$0
Conveyance Number	
Deed Type	SF - Sheriff Deed (EX)
Deed Number	315146
# of Parcels Sold	1
Acreage	5.607
Front Footage	0.00

Tax/Credit/Value Summary	
Board of Revision	YES(15)
Rental Registration	No
Homestead	No
Owner Occupancy Credit	No
Foreclosure	No
Special Assessments	Yes
Market Land Value	90,000
CAUV Value	0
Market Improvement Value	0
Market Total Value	90,000
TIF Value	0
Abated Value	0
Exempt Value	0
Taxes Paid	\$0.00
Tax as % of Total Value	1.661%

**Notes**  
1) 9/21/15 BOR 14-803052 decrease to 90,000 1) 8/13/14 correct plat for TY 2014

Transfer History					
Year	Conveyance #	Selling Price	Sale Date	Previous Owner	Current Owner
2014		0	5/10/2014	ROBERTSON JAMES E TR & JEAN M VARELMANN	WINTER ROBERT J & JOLENE M
2013		0	5/21/2013	ROBERTSON VIRGINIA M & JEAN M VARELMANN	ROBERTSON JAMES E TR & JEAN M VARELMANN
1999	0	0	12/22/1999	Unknown ROBERTSON VIRGINIA M & JEAN M VARELMANN	ROBERTSON VIRGINIA M

Images

Image Photo 3/28/2015

**Parcel ID**

561-0022-0008-00

**Address**

NEW HAVEN RD

**Index Order**

Parcel Number

**Tax Year**

2015 Payable 2016

Pictometry Aerial Imagery

[\[View Full-Size\]](#)





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Contact: [sschlagbaum@harrisonohio.gov](mailto:sschlagbaum@harrisonohio.gov)

**VARIANCE APPLICATION**

Application Number: 8906 Date: 12/21/15

Project Address: 229 HARMONY DR HARRISON, OH 45030

Property Owner: JEAN & JERRY WILSON

Applicant: SAMB

Applicant Address: SAMB

Applicant Contact Information: PH 476-1969 FAX \_\_\_\_\_ EMAIL JERRY W 939 @ AOL.COM

EXISTING USE: RESIDENTIAL CURRENT ZONING RESIDENTIAL

PLEASE INCLUDE THE FOLLOWING INFORMATION WITH APPLICATION

1. Nature of Variance: Describe generally the nature of the variance TO APPROVE A SHED  
TO BE MINIMUM OF 41 FEET SIDE PROPERTY  
LINE

2. Plans drawn to scale must accompany this application showing dimensions and shape of the lot, size, and locations of existing buildings, the locations and dimensions of proposed buildings or alternations, and any natural or topographic peculiarities of the lot in question.

3. Justification of Variance: In order for a variance to be granted, the applicant must prove to Board of Zoning Appeals that the following items are true: (Please attach these comments on a separate sheet).

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
- B. That a literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
- C. That special conditions and circumstances do not result from the actions of the applicant.
- D. That nothing herein contained shall be construed as authorizing the Board of Zoning Appeals to effect changes to the Zoning Map or to add to the permitted or conditional uses in any Zoning District.
- E. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
- F. That the variance is not for a use which is not allowed in the district in which the property is located.





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**VARIANCE APPLICATION**

Application Number: 888 / Date: 11/24/2015

Project Address: 10240 Harrison Avenue

Property Owner: Barrett & Lucas LLC.

Applicant: Cincinnati Asphalt Co.

Applicant Address: 10240 Harrison Ave.

Applicant Contact Information: PH 513-367-0250 FAX 513-715-0430 EMAIL Jmadden@cincyasphalt.com

EXISTING USE: Office, Shop & Equipment Storage CURRENT ZONING B4

PLEASE INCLUDE THE FOLLOWING INFORMATION WITH APPLICATION

1. **Nature of Variance:** Describe generally the nature of the variance At our property, there was an existing chain link fence that was rusting heavily, so we removed it. When we requested a permit to install a new fence, it was denied. Since the removal of the fence, we have caught, on numerous occasions, people trespassing on our property at night, looking into vehicles, and have had multiple pieces of heavy equipment tampered with, that if we had not caught in time, could have led to a serious injury or fatality. This poses not only a safety risk, but also poses continued risk for theft and vandalism. We are requesting permission to install a 5' - 6' height fence along the concrete edge of our property against Harrison Avenue. This would include a sliding gate as well.
2. **Plans drawn to scale must accompany this application showing dimensions and shape of the lot, size, and locations of existing buildings, the locations and dimensions of proposed buildings or alternations, and any natural or topographic peculiarities of the lot in question.**
3. **Justification of Variance:** In order for a variance to be granted, the applicant must prove to Board of Zoning Appeals that the following items are true: (Please attach these comments on a separate sheet).
  - A That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
  - B. That a literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
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  - F. That the variance is not for a use which is not allowed in the district in which the property is located.



VARIANCE APPLICATION - PAGE 2

4. Seven (7) copies of application and all information or documentation submitted.
5. List of all property owners and addresses contiguous to or directly across from property.
6. An application fee of \$150 paid at the time of application.

I certify that the information contained in this application and its supplements are true and correct.

Applicant's Signature:

Name 

Date 11/24/2015

Application Fee \$150

PAID  CASH  CHECK # 50283

PROPOSED FENCING

10240 Harrison Ave

GATE - 35'

18'

18'

18'

130'

63'

