

FAIRFIELD BOARD OF ZONING APPEALS
FAIRFIELD MUNICIPAL BUILDING
5350 PLEASANT AVENUE
FAIRFIELD, OH 45014

AGENDA

9/1/10

Roll Call

Pledge of Allegiance

Approval of Previous Meetings Minutes:

- August 4, 2010 Minutes

Old Business:

Case No. BZA-10-0020, Appeal of letter regarding parking lot lighting, 800 Wyoming Ave.:

An appeal submitted by Ralph Bucheit, owner of the property located at 800 Wyoming Ave., lot no. 10402 in the R-1 zoning district.

Fairfield Church of Christ, which is located at 745 Symmes Rd., entered into negotiations with the city on behalf of an adjoining resident in July 2008, regarding their parking lot lighting. The discussions involved COF 1183.05 (d) which reads: "any lighting used to illuminate any off-street parking area shall be so arranged as to reflect the light away from adjoining properties." The church addressed the concerns and was in compliance by November 2008. The church recently re-lamped the exterior light fixture and the City staff determined that the church is still in compliance. Mr. Bucheit is appealing the City's finding because he believes the church is in violation.

1. Secretary's Presentation
2. Building Superintendent Comments
3. Applicant Comments
4. Interested Party Comments on Appeal
5. Public Hearing
6. Decision

New Business:

Case No. BZA-10-0025, Variance to waive paving requirement for accessory structure door over 6' wide, 261 Littlebrook Dr.:

A variance request submitted by Charles Wiles, for the property located at 261 Littlebrook Dr., lot no. 3552 in the R-1 zoning district.

Section 1143.06 (f) of the zoning code states "An accessory building or structure which has a door opening(s) greater than six feet in width...must have paved access in accordance with subsection 1183.05(c)." The applicant is requesting a variance to waive the requirement to pave a driveway to a newly constructed 360 sq ft shed that has a door exceeding 6 feet in width.

1. Secretary's Presentation
2. Building Superintendent Comments
3. Applicant Comments
4. Interested Party Comments on Appeal
5. Public Hearing
6. Decision

Case No. BZA-10-0026, Accessory structure closer than 6 feet to the property line , 665 Shady Ln.:

A variance request submitted by Nancy Sims, for the property located at 665 Shady Ln. lot no. 1374 in the R-1 zoning district.

Section 1143.06 (a) of the zoning code states “Accessory buildings and structures shall be distant at least six feet from any dwelling situated on the same lot...and at least six feet from all lot lines or adjoining lots which are within any A or R District or are used for residential purposes.” The applicant would like to construct a shed 3 feet from the property line. A variance of 3 feet is needed.

1. Secretary’s Presentation
2. Building Superintendent Comments
3. Applicant Comments
4. Interested Party Comments on Appeal
5. Public Hearing
6. Decision

Case No. BZA-10-0027, Rebuild nonconforming accessory structure, 5466 Tallwanda Dr.:

A variance request submitted by Gary Perschke, for the property located at 5466 Tallawanda Dr., lot no. 2659 in the R-1 zoning district.

Section 1198.05 of the zoning code states “Any nonconforming building or structure damaged more than sixty percent (60%) of its then fair market value, exclusive of foundations, at the time of damage by fire, flood, explosion, wind, earthquake, war, riot or other calamity or act of God, shall not be restored or reconstructed and used as before such occurrence unless authorized by the Board of Zoning Appeals.” The applicant would like to rebuild an 1840 sq ft accessory structure that was damaged more than 60% by fire.

1. Secretary’s Presentation
2. Building Superintendent Comments
3. Applicant Comments
4. Interested Party Comments on Appeal
5. Public Hearing
6. Decision

Case No. BZA-10-0028, Accessory structure closer than 6 feet to the property line, 890 Abbot Dr.:

A variance request submitted by Cliff Bown, for the property located at 890 Abbot Dr., lot no. 12248 in the R-0 PUD zoning district.

Section 1143.06 (a) of the zoning code states “Accessory buildings and structures shall be distant at least six feet from any dwelling situated on the same lot...and at least six feet from all lot lines or adjoining lots which are within any A or R District or are used for residential purposes.” The applicant would like to construct an outdoor fireplace 18” from the property line. A variance of 4’ 6” is required.

1. Secretary’s Presentation
2. Building Superintendent Comments
3. Applicant Comments
4. Interested Party Comments on Appeal
5. Public Hearing
6. Decision

Case No. BZA-10-0029, Outdoor entertainment, 5120 Pleasant Ave. Unit C:

A variance request submitted by Eric Judd, for the property located at 5120 Pleasant Ave. Unit C, lot no. 1286 in the D-1A zoning district.

Section 1174.04 which is located in the D-1A section of the zoning code refers back to Section 1157.04 (a), which states “All businesses, services or processing shall be conducted wholly within a completely enclosed building.” The applicant would like to conduct business on an outdoor patio.

1. Secretary’s Presentation
2. Building Superintendent Comments
3. Applicant Comments
4. Interested Party Comments on Appeal
5. Public Hearing
6. Decision

lkm

cc: Arthur Pizzano, City Manager
Angie Johns, Clerk of Council (9)
Timothy Bachman, Development Services Director
BZA Members (7)
BZA File