
**MINUTES OF SYMMES TOWNSHIP BOARD OF ZONING APPEALS
REGULAR MEETING
September 9, 2019**

The meeting was called to order at 7:00 p.m. Members of the Commission present were: Mr. Fowler, Mr. Horvath, and Mr. Wolfe.

Also present were: Bryan Snyder, Hamilton County Zoning Inspector and Luanne Felter, Zoning Secretary.

PUBLIC HEARING

MR. WOLFE noted that only three Board members out of five are in attendance tonight. Since three affirmative votes are required to approve a variance the applicants have the option to continue their case until next month if they have any reservations. Both applicants agreed to proceed.

MR. WOLFE convened the public hearing for BZA 2019-05 for the property located at 11906 Harbortown Drive.

MR. SNYDER stated that the applicant is proposing to construct a six-foot high wooden privacy fence in the front yard of the existing home which is located on the northeastern corner of the Harbortown and Montgomery Road intersection. The property is unique in that the bend in Harbortown Drive essentially creates three front yard areas on the property where normally there would only be two front yards on a corner lot. Since the Zoning Resolution requires front yard areas on all streets, even corner lots, to create a uniform setback along all public streets the required 50-foot front yard setback is required to be maintained without privacy fences along Montgomery Road. However, a four-foot fence with a 62% open face area such as a Kentucky board or split rail type fence is permitted. The proposed privacy fence would be very noticeable and would have a negative impact on this portion of the Montgomery Road corridor. Also, no other variances for privacy fences on corner lots have been granted in this vicinity.

WEI SHAN ZHENG (11906 Harbortown Drive, 45249) stated that he is the owner of this property. He would like to install a privacy fence along the busy roadway for the safety of his children when they are playing in the backyard. The way the lot is situated only a small portion of the property behind the home is permitted for a privacy fence and it is not practical for children to play. His neighbor next door has a similar fence so it will match.

RAINA CHEN (8199 Summer View Drive, Mason) stated that the children currently are not allowed out in the backyard because they do not have a safe area to play. They need to install a privacy fence because a split rail fence will not provide the privacy or safety along the busy roadway.

MR. FOWLER stated that he is not in favor of granting a variance for the privacy fence. The character of the yard areas was established when the home was constructed and purchased. There are clearly other options available to the homeowner that will provide security.

MR. HORVATH suggested that a Kentucky board fence would be a good compromise.

MR. WOLFE noted that the Board approved a variance for a privacy fence on Montgomery Road a few years ago and thinks they should be consistent. He made a motion to approve the request for the construction of a six-foot tall privacy fence located in the front yard of the home at 11906 Harbortown Drive. MR. HORVATH seconded the motion and the roll call vote was as follows: Mr. Fowler – ‘nay’, Mr. Horvath - ‘nay’ and Mr. Wolf – ‘aye’.

MR. WOLFE convened the public hearing for BZA 2019-06 for the property located at 11254 Terwilligers Valley Lane.

MR. SNYDER stated that this is a request for variance approval to construct a six foot by twelve-foot covered porch addition onto the front of an existing single-family home which is located on the northeast side of the Terwilligers Valley cul-de-sac. The porch is needed to protect the front door from deterioration from sun exposure and extreme weather conditions. The porch will be located over an existing front patio stoop and contain a wood frame with brick veneer. However, for some reason the house was constructed 40 feet from the right-of-way of Terwilligers Valley Lane making it noncompliant. All other homes on the surrounding lots including homes on a private drive located off the end of the cul-de-sac meet the required front yard setback. While the location of the home is noticeably closer to the street than the other homes the small single-story covered porch would not likely make much of a difference in perception as it would only extend six feet from the front of the home. There have also been several other setback variances granted within the Terwilligers Valley subdivision and nearby vicinity.

GREG KLEIN (Tanner-Klein Remodeling, 6643 Smith Road, 45140) stated that he has been hired as the contractor. Since the front door faces west to southwest it takes the brunt of the sun and extreme weather conditions. The installation of a front porch will protect the front door from deterioration and, in turn, protect their investment. He does not know of any other alternatives.

MR. FOWLER made a motion to approve the request for the construction of a covered porch addition with less front yard setback than required at 11254 Terwilligers Valley Lane.

MR. HORVATH seconded the motion and the roll call vote was as follows: Mr. Fowler – ‘aye’, Mr. Horvath – aye’ and Mr. Wolfe - ‘aye’.

ADMINISTRATIVE MATTERS

MR. FOWLER made a motion to approve the minutes of the May 6, 2019 meeting. MR. WOLFE seconded the motion and the roll call vote was as follows: Mr. Fowler – ‘aye’, Mr. Horvath – aye’ and Mr. Wolfe - ‘aye’.

ADJOURNMENT

MR. WOLFE adjourned the meeting at 8:40 p.m.

Approved:

Ralph Wolfe, Chairperson

Luanne Felter, Zoning Secretary