



FAIRFIELD MUNICIPAL BUILDING  
5350 PLEASANT AVENUE  
FAIRFIELD, OH 45014

## BOARD OF ZONING APPEALS

### AGENDA

June 2, 2021

6:00 p.m.

Roll Call

Pledge of Allegiance

Approval of Previous Minutes:

- May 5, 2021 Meeting Minutes

### Old Business

#### **Case No. BZA-21-6 – Fence Exceeding 6 Feet Tall/Accessory Off Street Parking – 4325 Muhlhauser Rd**

A variance request submitted by Joshua Lewis of iVCP Muhlhauser 2 LLC, for the property located at 4325 Muhlhauser Rd, Lot No. 13271, in the M-2 zoning district.

*Under sections 1173.01 and 1173.02 of the zoning code, accessory parking is not a permitted use or a conditional use in the M-2 zoning district.*

*Section 1180.04 (b)(1) of the zoning code states, fences “shall not exceed six feet in height above the elevation of the ground where located.”*

The parcels are located behind two multi-tenant buildings, and have been undeveloped for years due to the topography. The adjacent property owner (business is on a parcel located in West Chester Township) would like to develop the land for additional parking at their expense. They also are requesting to install a 9-foot tall chain link fence with barbed wired to secure the parking area.

This case was tabled at our May meeting.

### New Business

#### **Case No. BZA-21-8 – Sign location/Name of Off-Site Business/Exceeds allowable height – 465 Nilles Rd**

Three variance requests submitted by Steve Weeks, Tri-State Signs, on behalf of the owner, for the property located at 465 Nilles Road, Lot No. 10675, in the D-1 zoning district.

*Section 1187.05 (d)(1), (d)(4), and (d)(6) of the zoning code states, the sign shall only identify the name, address and phone number of the building or occupant on the premises where the sign is located; shall only be located in the center eighty percent (80%) of the property frontage; and the total ground sign height, including support structures, shall not exceed eight feet.*

Pfefferle Tire needs signage out at the road, and is requesting to have an off-site sign on Sunoco's monument sign. Sunoco is requesting a variance for a new sign in the same location as the existing sign. The sign is not in the center 80% of the lot frontage and it exceeds the eight (8) foot tall maximum ground sign height.

**Case No. BZA-21-9 – Accessory Structure Exceeding 500 SF – 5972 Flaig Drive**

A variance request submitted by Vesal Born, for the property located at, Lot No. 8630, in the R-1 zoning district.

*Section 1143.06 (a) of the zoning code states, "...accessory buildings or structures shall not exceed 500 square feet except on parcels zoned A-1 which are two acres or more in size."*

The homeowner is requesting to build a 768 sf garage (24 ft x 32 ft) for storage of multiple vehicles (cars, boats, and jet skis) as well as hobby driven equipment.

**Case No. BZA-21-10 - Change of Commercial Use to Residential Use – 5292 Old Gilmore Road**

A use variance request submitted by Robert Link, for the property located at 5292 Old Gilmore Road, Lot No. 2845, in the C-2 zoning district.

*Section 1159.01(a) of the zoning code states residential uses are not permitted in the C-2 zoning district.*

The owner, Robert Link is requesting to change the current commercial use of the property to a residential use.

**Case No. BZA-21-11– Outdoor seating – 465 Nilles Unit C**

A variance request submitted by Clinton King and Elizabeth Duffie, for the property located at 465 Nilles Road Unit C, Lot No. 10675, in the D-1 zoning district.

*Section 1165.04 (a) of the zoning code states "All businesses, services or processing shall be conducted wholly within a completely enclosed building..."*

The applicants are requesting additional outdoor space to accommodate more customers and an area to play outdoor games.

cc: Don Bennett, Acting City Manager  
Alisha Wilson, Clerk of Council (9)  
Greg Kathman, Development Services Director  
BZA Members (7)