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Board of Zoning Appeals
Meeting Minutes
Case #VC2020-010 & VC2020-011
October 12, 2020

The Board of Zoning Appeals of Pierce Township, Clermont County, Ohio met at 6:30pm, on Monday October 12, 2020, via Zoom Video Conference.

CALL TO ORDER/ROLL CALL

Vice Chairman Ryan Holte called the meeting to order. Board members answering roll call Mr. Ryan Holte, Mr. Ray Lembke, Mrs. Lynn Holman, Mr. Fred Heyse, and Mr. Bob Sander. Township personnel who were also present: Mr. Eddie McCarthy, Planning & Zoning Administrator and Warren Ritchie, Township Legal Counsel.

PLEDGE OF ALLEGIANCE

Vice Chairman Ryan Holte led everyone in the Pledge of Allegiance.

APPROVAL OF MINUTES FROM SEPTEMBER 21, 2020 MEETING

Mr. Sander made a motion, seconded by Mr. Lembke to approve the minutes of the September 21, 2020 hearing to modify the 1st & 2nd to the adjournment motion.

Roll call on motion: Mr. Holte, yea; Mr. Sander, yea; Mrs. Holman, yea; Mr. Heyse, yea; Mr. Lembke, yea.

OATH TAKEN BY ATTENDEES

Vice Chairman Holte administered the oath to attendees.

CASE #VC2020-010

Vice Chairman Holte opened the hearing on case #VC2020-010.

STAFF REPORT FOR CASE #VC2020-010

Mr. McCarthy presented his staff report for BZA case #VC2020-010. An application for one (1) dimensional variance(s), from Pierce Township Zoning Resolution, 4.06(F)(12) "Solar panels are permitted when attached to the roof of a principal or accessory building", to install ground mounted solar panels (1 Array of 545 sq. ft), max 11' in height.

PRESENTATION FROM APPLICANT

Mr. Murch gave his testimony about why he is requesting the variance for the solar panels. He also has the same solar panels where he resides now. The property has been agricultural and will remain the same.

Explained about the function of the solar panels and the location of the solar panels. Paul from solar company stated the documents submitted that showed existing modules were in error.

The Board asked the applicant if there would be a 2nd array of solar panels, visibility to the adjacent property owner(s), maintaining the vegetation, moving parts (cause noise), any questions/complaints from adjacent property owner(s), location of solar panels, house, & winery, and existing modules.

PUBLIC COMMENT

None

MOTION

Mr. Lembke made a motion, seconded by Mr. Heyse to close the public hearing.

Roll call on motion: Mr. Holte, yea; Mr. Sander, yea; Mrs. Holman, yea; Mr. Heyse, yea; and Mr. Lembke, yea. Motion passes.

Mr. Heyse made a motion, seconded by Mr. Lembke to approve the variance and substantially agree with the findings of staff and agree with staff conclusion with the following conditions:

- 1) The applicant must comply with all federal, state and local regulations.
- 2) The applicant is to maintain a vegetative buffer between the array and all properties to the south and west.

Roll call on motion: Mr. Holte, yea; Mr. Sander, yea; Mrs. Holman, yea; Mr. Heyse, yea; and Mr. Lembke, yea. Motion passes.

STAFF REPORT FOR CASE #VC2020-011

Mr. McCarthy presented his staff report for BZA case #VC2020-011. An application for two (2) dimensional variance(s), from Pierce Township Zoning Resolution, 4.06-1, which requires Detached Accessory Garages to be located in the Rear Yard and from 4.06-2, which limits accessory building lot coverage to no more than 1,700 sq. ft (on lots >2 but <5 acres) in area. The applicant is proposing to place an 1,800 sq. ft accessory structure in the front yard.

PRESENTATION FROM APPLICANT

Mr. & Mrs. Fraley gave their testimony about why they are requesting the two variances for the location and size of the garage. They do not want to remove any more trees to place the garage in the rear of the yard. They plan on planting a few more trees to replace the few that are dead. They spoke about the drainage from the adjacent property owner property to their property how if they removed more tree it might cause issues.

PUBLIC COMMENT

Mr. & Mr. Eisenlohr spoke and asked about the variance. They can slightly see the home and have no issue with the garage but they do not agree with removing more trees.

MOTION

Mr. Lembke made a motion, seconded by Mr. Heyse to close the public hearing.

Roll call on motion: Mr. Holte, yea; Mr. Sander, yea; Mrs. Holman, yea; Mr. Heyse, yea; and Mr. Lembke, yea. Motion passes.

DELIBERATION BY BOARD OF ZONING APPEALS

The board discussed their concerns on not having a rendering of the garage to make their decision to approve the variance; location, setback, height, color of the garage; and tabling the public hearing to get more information on the garage.

Mr. & Mrs. Fraley stated they need drawings for Clermont County Building department so they can provide the drawings to the board to make their decision and a site plan.

MOTION

Mr. Lembke made a motion, seconded by Mr. Heyse to continue hearing in progress to be rescheduled as expeditiously as reasonable possible in compliance with Ohio law once we've received the additional information of what the board has outlined.

Roll call on motion: Mr. Holte, yea; Mr. Sander, yea; Mrs. Holman, yea; Mr. Heyse, yea; and Mr. Lembke, yea. Motion passes.

ADJOURNMENT

At 8:00 PM, Mr. Heyse made a motion to adjourn seconded by Mr. Sander Roll call on Motion: Roll call on motion: Mr. Holte, yea; Mr. Sander, yea; Mrs. Holman, yea; Mr. Heyse, yea; and Mr. Lembke, yea. Motion passes.

ATTESTED;

The foregoing minutes were approved by the Pierce Township Board of Zoning Appeals on June 21, 2021.

Ryan Holte, Vice Chairman

Date