COLERAIN TOWNSHIP BOARD OF ZONING APPEALS
Regular Meeting
4200 Springdale Road - Cincinnati, Ohio 45251
Wednesday, October 24, 2018 – 6:30 p.m.

1. Meeting called to order.

2. Pledge of Allegiance.

3. Explanation of Procedures.

4. Roll Call.

5. Swearing in: appellants, attorneys and all speakers in the cases.

6. Hearing of Appeals:

Tabled from August 22, 2018:

BZA2018-010 – Request for variances from Section 8.3.1, Section 13.3.2, Section 13.4.2(D), Section 14.6.1, Section 14.6.2(A), Section 13.4.1, Section 14.5.1, and Section 13.4.2(C) in order to redevelop a property currently being used as an auto sales facility, as a newly developed auto sales facility.
Location: 10140 Colerain Avenue
Applicant/Owner: Mark Koeninger / Louis Zettler

BZA2018-015 – Request for variance from Section 13.7 to allow parking of a commercial food truck in residential driveway.
Location: 3407 Lapland Drive
Applicant/Owner: Kimberly Fread / Douglas Fread

7. Unfinished Business: None.

8. Approval of Minutes: August 22, 2018, and September 26, 2018.

9. Next Meeting: November 28, 2018.

10. Administrative Matters: None.

12. Adjournment.

Staff Report:	Board of Zoning Appeals
Case#	BZA2018-010
Variance Request:	Multiple for Redevelopment
Location:	10140 Colerain Ave.
Meeting Date:	October 24, 2018
Prepared by:	Marty Kohler Senior Planner

Mark Koeninger with KPA Architecture and Landscape, LLC representing property owner Louis Zettler has requested variances from Section 8.3.1, Section 13.3.2, Section 13.4.2(D), Section 14.6.1, Section 14.6.2(A), Section 13.4.1, Section 14.5.1, and Section 13.4.2(C) in order to redevelop a property located at 10140 Colerain Avenue, currently being used as an auto sales facility, as a redeveloped auto sales facility.

Case History:

An application for multiple variances was reviewed by the BZA at the August 22, 2018 meeting after which the case was tabled to give the applicant an opportunity at address concerns expressed by the Board. Staff met with the applicant after which a revised development plan was submitted.

Current Proposal

The revised development plan is very similar to the previous plan reviewed by the BZA. Key differences are as follows:

- The entry drives have been reduced in width to accommodate a one-way traffic pattern.
- Customer parking has been relocated to directly in front of the proposed building.
- The display cars adjacent to Colerain Ave. have been switched from parallel to perpendicular.
- The angle of parking along the south property line has been reversed.
- Three display car parking spaces have been added.
- Additional information regarding landscaping has been provided.
- A note was added to the plan indicating that a trash dumpster will not be used.
- A note has been added indicating that the developer will comply with storm water detention requirements.
- Shrubs have been added along the street frontage and south property line.
- Three trees have been added to the southeast corner of the site.
- A two foot six inch wide landscape strip has been added along the Colerain Ave. street frontage.
- The impervious surface area has been reduced from 87 percent to 82 percent.
- A pedestrian area has been indicated extending from the customer entry and a paved access is indicated between the public sidewalk and display car parking.

Variance Requests:

The following is the list of previous variance requests with the updates in italics indicating the impact to the plan based in the new version.

Section 8.3.1 – The minimum lot area in the B-2 zone is 1 acre. The plan indicates a net lot area of 0.33 acres. The variance request is for a 0.67 acre reduction from the minimum lot area. ***No Change is proposed by the applicant.***

Section 8.3.1 - The maximum lot coverage by impervious surfaces is 75 percent. The site plan indicates a lot coverage of 87 percent. The variance request is for an additional 12 percent of the site to be covered with impervious material. ***The impervious area has been reduced to 82 percent resulting in a request for an additional 7 percent of the site to be covered with impervious material than is allowed.***

Section 13.3.2 requires ten parking spaces for each 1000 square feet of building area and two spaces for each service bay. Based on the building size of 2,325 square feet and an allowance for a reduction for what appears to be a storage closet of 60 square feet allowed by section 13.3.1(D)(2) and an allowance for a ten percent reduction of overall parking spaces per section 13.3.4(B)(1) the required number of off street parking spaces is 20 exclusive of auto display spaces. Only 6 spaces are included in the plan. The variance request is for a 14 space reduction in parking spaces. ***No change is proposed by the applicant.***

Section 13.4.2(D) – The minimum setback for parking spaces on entries perpendicular to the right of way is 30 feet. The actual setback is 18 feet on the north and south property lines. The variance request is for a 12 foot reduction in the setback for perpendicular parking. ***No change, however the revised angle of the south row of parking helps to mitigate some of the safety concern.***

Section 14.6.1 - The minimum area for landscaping of a parking lot is 15% of the total area. No internal landscaping is proposed. The variance request is for the elimination of this requirement. ***No change is proposed by the applicant***.

Section 14.6.2(A) - A landscape island is required at the end of each row of parking including the parking along the street frontage. None are proposed. The variance request is for the elimination of this requirement. ***Landscape islands have been added at the ends of the parking spaces facing Colerain Ave. at 75 square feet each and a width of 5 feet. Section 14.6.2(A) requires a minimum size of 135 square feet each (60 square foot variance request) and Section 14.6.2(F) requires a minimum width of 9 feet (4 foot variance request). In addition, since the customer parking has been relocated to the front of the building, a landscape island is required at both ends of that row of parking and none is provided.***

Section 13.4.1 and 14.5.1 requires that the parking area have a 15-foot setback from the right-of-way and that the setback include landscaping. No setback of the parking from the right-of-way is proposed. The variance request is for the elimination of this requirement. ***A 2 foot 6 inch wide buffer strip has been added across the front of the property with shrubs indicated. Two canopy trees or three ornamental trees are required for this buffer strip and none are proposed. The variance request is for a 12 foot 6 inch reduction in the buffer strip width and elimination of the tree requirement for this section of buffer strip.***

Section 13.4.2(C) requires a pedestrian connection between the building customer entry and the public sidewalk along Colerain Ave. None is proposed. The variance request is for the elimination of this requirement. ***A four foot wide pedestrian walkway is proposed between customer parking spaces in front of the building and a four foot wide pavement from the public sidewalk to the edge of the display parking area. This pedestrian connection is required to be at least four feet wide and continuous from the customer building entry to the public sidewalk. The amended variance request is for a partial waiver of the pedestrian connection requirement.***

<u>New Item – Section 13.4.2</u> requires that access driveways for commercial development be at least 24 feet wide. The amended site plan has one way access with drives measuring 20 feet in width. A four foot width variance would be required for these driveways.

Staff Comments

1. While the narrowing of the drive isles for one-way traffic has helped to reduce impervious area and has added a small amount of landscaping, the key benefit is to the applicant by allowing an additional 3 display parking spaces. If this same space were used for landscape islands instead of additional display parking, the requirements for maximum impervious surface **(Section 8.3.1)**, landscape islands **(Section 14.6.2(A))** and pedestrian connection **(Section 13.4.2(C))** could be met.
2. The requirements for minimum widths of green buffer strips is to help assure that the plant material will have enough soil and rainwater penetration to survive. Staff questions if the proposed buffer strips will support thriving vegetation. The three trees proposed at the rear of the property are intended to serve as a substitute for trees along the right-of-way.
3. The pedestrian connection is helpful to avoid having pedestrians walking in vehicle entry drives. If pedestrians cannot walk easily between display cars, then they will likely choose to walk in vehicle travel lanes.
4. The Zoning Resolution does not differentiate between one way entrances and exits when setting the requirement for minimum drive width at the right-of-way. Staff has some concern regarding the safe entry and exit to this property given the congestion on

Colerain Avenue at this location. The design for these driveways will require the review and approval of the Ohio Department of Transportation.

5. The modification of the parking angle on the south property line and proposed landscape islands at the end of the front row of parking somewhat helps with the safety concern about the required 30-foot setback. It would be a greater concern if these spaces were designated as customer parking spaces.

Staff Findings:

1. The property in question would likely yield a reasonable return without the variances. The site can continue to be used for auto sales in its current condition as a non-conforming development. The property can reasonably be used as a permitted use in the B-2 General Business District within the limits of the zoning regulations.
2. The variances requested are substantial since allowances for landscaping, permeable surfaces, and good parking configurations are highly desirable for new developments.
3. The granting of the variances would grant a consideration that is not available to other property owners in the neighborhood. While the widening of Colerain Avenue over the years has impacted numerous property owners to various degrees, the impact on this property that was already non-conforming in size was more significant than other properties.
4. The granting of the variances would probably have a negative impact on neighboring property and would create a precedent to allow for other variances if requested by neighboring properties. The property is somewhat unique with a lot size that is substantially smaller than the minimum requirement.
5. Approval of the variances would not affect the delivery of government services.
6. There are no topographic issues related to this property which would constrain the reasonable application of the regulations without additional expenses.
7. By taking into consideration the benefit to the applicant if the variances are granted, as weighed against the potential detriment to the health, safety and welfare of the neighborhood and broader community, staff finds that substantial justice would be done by not granting the variances for the proposed auto sales facility.

Staff Recommendation:

APPROVAL OF THE VARIANCE REQUEST FROM SECTION 8.3.1 TO ALLOW FOR A 0.67 ACRE REDUCTION FROM THE MINIMUM LOT AREA REQUIREMENT OF ONE ACRE.

APPROVAL OF THE VARIANCE REQUEST FROM SECTION 13.4.2(D) TO ALLOW FOR A REDUCTION FROM THE MINIMUM SETBACK FOR PERPENDICULAR PARKING ON ENTRANCE DRIVES ON THE NORTH AND SOUTH PROPERTY LINES FROM 30 FEET TO 18 FEET.

APPROVAL OF THE VARIANCE REQUEST FROM SECTIONS 13.4.1 AND 14.5.1 TO REDUCE THE MINIMUM WIDTH OF THE STREETSCAPE BUFFER FROM 15 FEET TO 2 FEET SIX INCHES ON THE CONDITION THAT THE REQUIRED TREE PLANTING IN THE BUFFER STRIP BE ACCOMMODATED ELSEWHARE ON THE SITE.

DENIAL OF **ALL OF THE REMAINING** VARIANCE REQUESTS.

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October 5, 2018

Colerain Township
Board of Zoning Appeals

Re: Car Connections Zoning Variance Application

Below please find our response to the Colerain Township BZA Justification for Variance request.

It should be noted that this entire application, as well as the justifications listed below, are all precipitated by the fact that the Car Connections Owner would not have needed to incur time and expense of a BZA Zoning Variance request were it not for the State of Ohio Department of Transportation roadway project. The need for this variance is solely the result of the property Owner's loss of land, frontage and a safe, navigable entry to his property, and internal circulation within his property. The ODOT project that expanded the roadway in front of the Car Connections property took a significant amount of the frontage depth leaving the Car Connections property unsafe to enter, and inoperable as an auto sales facility. In fact, the entire need for relocating the existing building and altering the existing site is based upon damages and hardships inflicted upon the owner of Car Connections as a direct result of the ODOT roadway project.

***Requests for additional information*:**

1. The proposed landscape, installation methods, species and locations of all plants are shown on the landscape drawing.
2. Parking lot lighting shown on Lighting Plan. Detailed photometrics of exterior lighting can be provided before BZA if required.
3. There is no storm water retention required by Hamilton County Soil & Water per Abercrombie & Associates.
4. There are no site easements or legal restrictions that affect the proposed site design.
5. Parking calculations included on drawing.

***Justification of Variance*:**

1. Describe the variance requested, referring to the specific relevant sections of the Zoning Resolution (as indicated in the Refusal letter or Violation letter).
    i. Section 8.3.1 Minimum lot area in B-2 Zone is 1 acre.
        1. As a result of the roadway expansion project the Car connections property was drastically altered and forced to alter the rest of the site to make the property a functional auto sales lot. Before the roadway project the Car Connections property was a grandfathered parcel not affected by the 1 acre lot size minimum. After the roadway project the property is no longer a grandfather parcel and does not meet the minimum lot size requirements for the B-2 Business Zone.
        2. Car Connections requests a variance to the 1 acre minimum lot size to 0.33 acre.

ii. Section 8.3.1 the maximum lot coverage by impervious surfaces is 75%.
    1. As indicated on Z1 of our drawings, the percentage of impervious pavement is 82%.
    2. The Car Connections property after the roadway project is no longer a grandfather parcel and does not meet the maximum lot coverage by impervious surfaces for the B-2 Business Zone.
    3. The site will be used as it was before the roadway project occurred with a similar percentage of impervious to pervious lot coverage.
    4. Car Connections requests a variance to the maximum lot coverage by impervious surfaces as indicated on the submitted site plan of 7% from 75% to 82%.

iii. Section 13.3.2 requires 10 parking spaces per 1000 square feet of building area and 2 parking spaces for each service bay.
    1. The Car Connections property after the roadway project is no longer a grandfather parcel and does not meet the minimum parking requirements for the B-2 Business Zone.
    2. Our parking requirement calculations are based on the information below (this is a slight change to the submitted drawings) –
        a. FLOOR AREA = 1,929 SQ. FT. / 1000 = 1.929 *10 = 19.29 = 20 SPACES
        b. SECTION 13.3.1.D(2) ALLOWABLE 20% REDUCTION IN TOTAL PARKING SPACES = 4 LESS PARKING SPACES
        c. REQUIRED parking = 16 PARKING SPACES
        d. PROVIDED = 6 PARKING SPACES
        e. The site will be used as it was before the roadway project occurred with a staff of only (3) employees maximum.
        f. The regulations being applied to the Car Connections site are based on larger auto sales facilities.
        g. Many times zoning regulations allow for occupation loads and parking requirements to be based on actual staff on the premises.
        h. In the case 6 parking spaces outside of auto sales display areas would be more than provided before the roadway project and allow for a full time staff of 3 plus 3 visitors.

b. Section 13.4.2(d) – Minimum setback for parking spaces at entries is 30 feet.
    i. The Car Connections property after the roadway project is no longer a grandfather parcel and does not meet the minimum setback for parking spaces as required in the B-2 Business Zone.
    ii. The site plan has been altered and reviewed with Zoning Staff so that we no longer have a minimum setback variance for parking.

c. Section 14.6.1 – Minimum area for landscaping of a parking lot is 15% of total area.
    i. The Car Connections property after the roadway project is no longer a grandfather parcel and does not meet the minimum landscape requirements for the B-2 Business Zone.
    ii. Before the roadway project the Car Connections site did meet the minimum landscape requirement.
    iii. Car Connections has altered the site so that including the landscape beds around the building, there is a total ratio of 15% of the total site to landscape area. No variance required.

d. Section 14.6.2(a) – A landscape island is required at the end of each row of parking including along street frontage.
    i. The Car Connections property after the roadway project is no longer a grandfather parcel and does not meet the minimum landscape requirements for the B-2 Business Zone.
    ii. The site has been altered to add landscape islands at the end of the display area along the frontage. The islands are smaller than requested, but to make them any larger will cause the loss of additional display are spaces.
    iii. After working with the staff and as a compromise to the interior parking islands requirement, which we feel is not practical for this site with only (6) parking spaces, we have added landscape around the perimeter of the site to screen the parking area.

e. Section 13.4.1 & 15.5.1 requires that the parking area have a 15 foot setback from the right-of-way and that the setback include landscaping.
    i. The Car Connections property after the roadway project is no longer a grandfather parcel and does not meet the minimum buffer requirements for the B-2 Business Zone.
    ii. Before the roadway project the Car Connections site did meet the minimum requirement for the 15 foot landscape buffer.
    iii. After the roadway project that area was removed from the property. The property no longer has the depth needed to provide a full 15 foot deep buffer area, the required parking, and the relocated building.
    iv. We have added a 2 foot parking buffer along the frontage as a compromise. Therfoer, Car Connections requests a variance to the minimum landscape buffer requirement as indicated on the submitted site plan from 15 feet to 2 feet.

f. Section 13.4.2(C) requires a pedestrian walkway between the building customer entry and the sidewalk on Colerain Avenue.
    i. A walkway has been added so the variance is no longer required.

2. Affirm that the use requested is permitted in the zoning district where the property is located.
    i. Per Table 8-1 Automotive Sales is a permitted Use in District B-2 General Business District.

3. Describe how the variance is not contrary to the public interest.
    i. Per Colerain Township Zoning the *"B-2 General Business District is intended to provide for a wide range of retail sales and services that would relate to the varied needs of the Township, the business community, and the visitor. The general uses in this district rely heavily on vehicular traffic and thus are located appropriately on arterial roadways and highways".*
        1. Before the roadway project the Car Connections site was a long standing viable business that provided a needed resource of auto sales to the Colerain Township area.
        2. Even though the proposed site does not meet some of the requirements for the B-2 Zone, the proposed building and site improvements provide both safety and aesthetic improvements to the site compared to how the site was altered after the ODOT roadway project.
        3. These improvements will not only make the Car Connections site safer for customers, but will also provide an aesthetically improved site and building that benefits all surrounding properties.

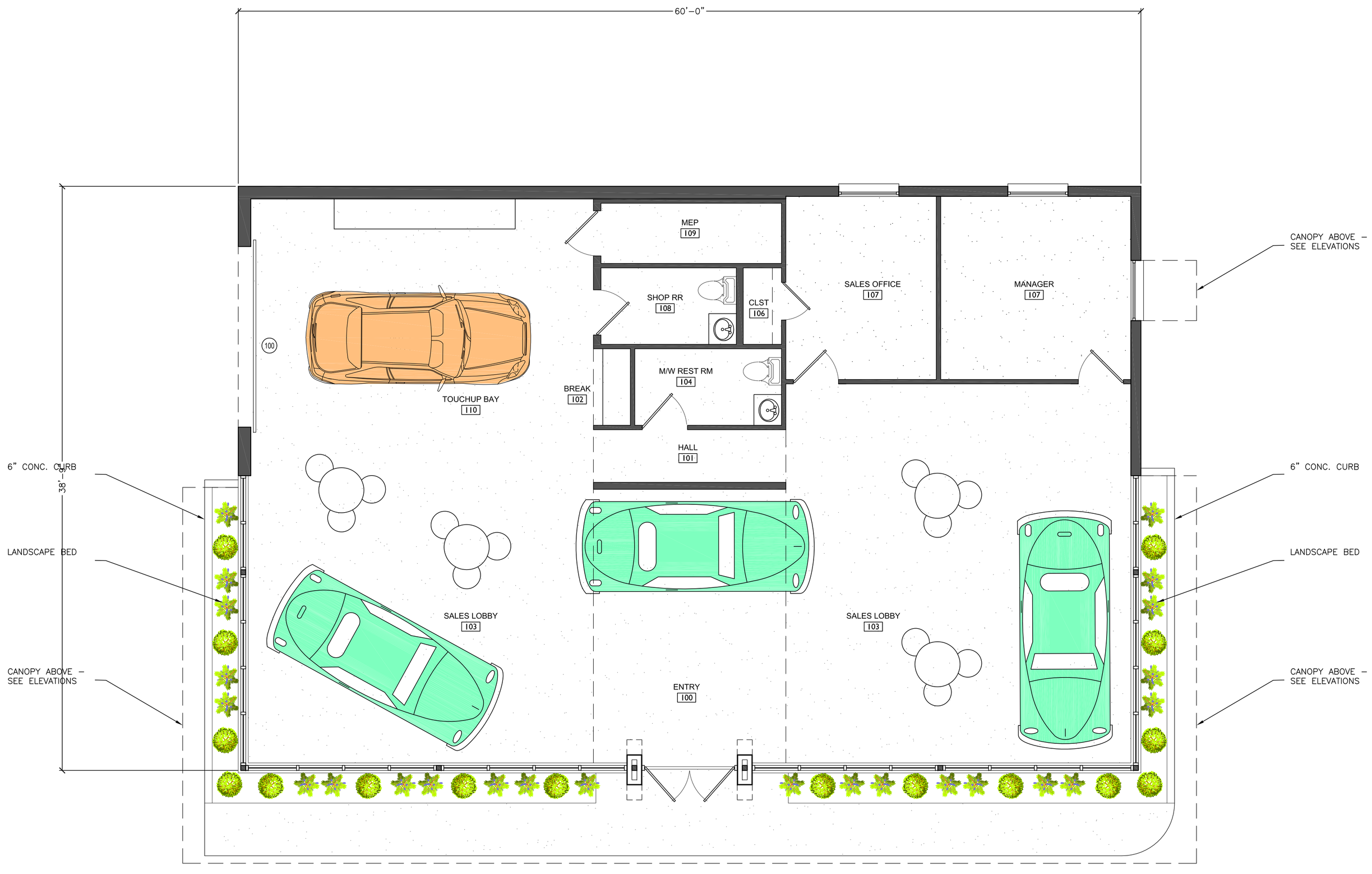
4. Describe how a literal enforcement of the zoning resolution would result in unnecessary hardship. Describe the specific hardship(s) related to special conditions unique to the individual property for which a variance is being requested.
    i. The Car Connections site did not have zoning issues or hardships until the property was altered by the ODOT roadway project.
    ii. After the roadway project, the Car Connections site was left with no front-yard buffer; reduced land area; building structure unsafely located directly in the path of cars entering the site; an existing building that is now located within the required front-yard building setback; significantly reduced auto display area; and a site that can no longer efficiently function as an auto sales location.
    iii. As a result, the Owner of Car Connections is forced to spend significant sums of money to move the existing building and improve the existing site so that his business is once again a safe, functional, and efficient auto sales operation.
    iv. Based on these hardships place on the Owner by the roadway project, we feel the variances should be granted to restore the business to its usable condition before the project.

5. Affirm that the need for a variance is not a result of the applicant's or owner's actions.
    i. The Car Connections site did not have zoning issues or hardships until the property was altered by the ODOT roadway project.

This concludes the justification for variance request.

Sincerely,

Mark D. Koeninger, R.A. NCARB
KPS Architecture & Landscape, LLC



1 Z2 PROPOSED FLOOR PLAN

SCALE: 1/8" = 1'-0"

0 8 16 24

KPS PROJECT NUMBER:
Car Connection

ISSUE DATE:
04/04/2018

KPS PROJECT CONTACT:
Mark Koeninger

REVISIONS:

1 REVISED 09/24/2018

PROJECT NAME & ADDRESS:

A NEW SALES FACILITY FOR

CAR CONNECTION

10140 COLERAIN AVENUE
CINCINNATI, OHIO 45241

KPS ARCHITECTURE & LANDSCAPE, LLC
7000 HOSPITAL DRIVE
FAIRFIELD, OHIO 45014
ARCHITECTURE - LANDSCAPE - GROUNDS

EMBOSSED SEAL:

PROFESSIONAL SEAL:

STATE OF OHIO
MARK D. KOENINGER
11824
REGISTERED ARCHITECT

MARK D. KOENINGER
OHIO LICENSE #11824
EXPIRES 12.31.2019

SHEET INFO:

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- BID SET
- PERMIT SET
- FOR CONSTRUCTION

SET NO.

SHEET NO.
Z2

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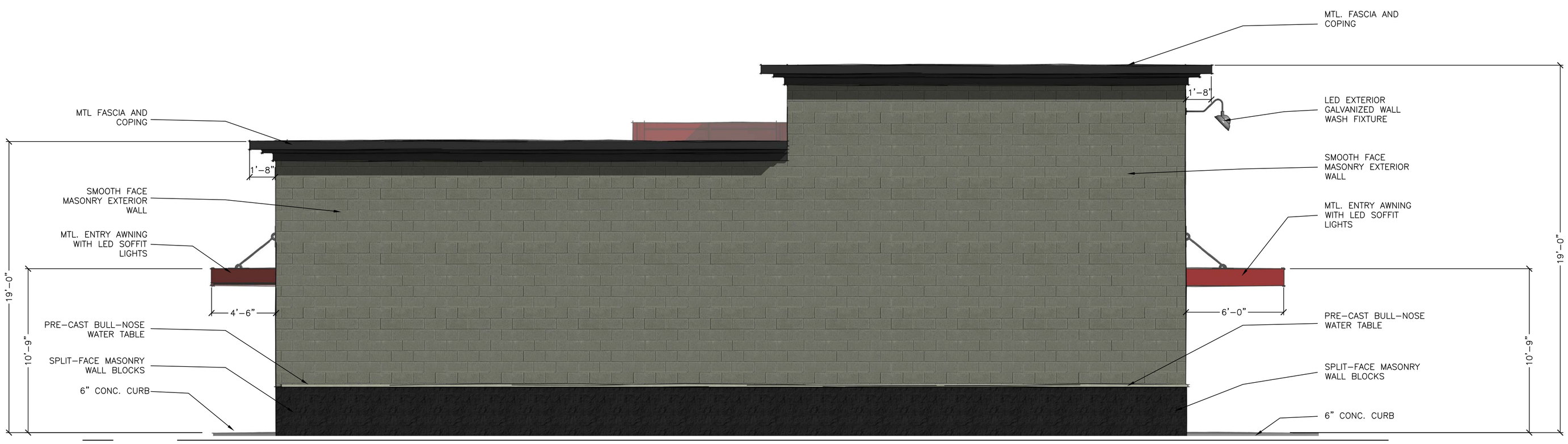

2 / Z3 REAR ELEVATION

SCALE: 1/4" = 1'-0"

0 4 8 12

1 / Z3 FRONT ELEVATION

SCALE: 1/4" = 1'-0"

0 4 8 12

KPS PROJECT NUMBER:
Car Connection
ISSUE DATE:
04/04/2018
KPS PROJECT CONTACT:
Mark Koeninger
REVISIONS:

REVISED 09/24/2018

PROJECT NAME & ADDRESS:

A NEW SALES FACILITY FOR

CAR CONNECTION

10140 COLERAIN AVENUE
CINCINNATI, OHIO 45241

KPS ARCHITECTURE & LANDSCAPE, LLC
5151 PFEIFFER ROAD, SUITE 300
FAIRFIELD, OHIO 45014
ARCHITECTURE - LANDSCAPE - GROUNDS

EMBOSSED SEAL:

PROFESSIONAL SEAL:

STATE OF OHIO
MARK D. KOENINGER
11824
REGISTERED ARCHITECT

MARK D. KOENINGER
OHIO LICENSE #11824
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SHEET NO.
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ALL NOTES

2 A3.1 RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

0 4 8 12

1 A3.1 LEFT ELEVATION

SCALE: 1/4" = 1'-0"

0 4 8 12

KPS PROJECT NUMBER:
Car Connection
ISSUE DATE:
04/04/2018
KPS PROJECT CONTACT:
Mark Koeninger
REVISIONS:

REVISED 09/24/2018

PROJECT NAME & ADDRESS:

A NEW SALES FACILITY FOR

CAR CONNECTION

10140 COLERAIN AVENUE
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PROFESSIONAL SEAL:

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REGISTERED ARCHITECT

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OHIO LICENSE #11824
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FILE NAME:

LANDSCAPE NOTES

1. SEE SITE PLAN FOR CURBS, WHEEL STOPS, AS REQUIRED BY ARTICLE 13 OF COLERAIN TOWNSHIP ZONING.

2. ALL SIDEWALKS, CURB CUTS EXISTING TO REMAIN

3. STREETSCAPE BUFFER – PER SECTION 14.5.1.A – NO STREETSCAPE BUFFER LANDSCAPE REQUIRED FOR PARKING LOTS WITH UNDER 20 SPACES (THIS DOES NOT INCLUDE DISPLAY AREA).

4. PER SECTION 14.6.3 LANDSCAPE 15% OF PARKING AREA REQUIRED FOR PARKING LOT LANDSCAPE.

PARKING AREA = 180 SQ. FT. *.15 = 27 SQ. FT. OF PARKING LOT LANDSCAPE.

ISLANDS IN THE PARKING AREAS REQUIRED TO CONTAIN 2 TREES PER 15 PARKING SPACES OR 16 TREES. 6 SHRUBS PER 15 PARKING SPACES OR 48 SHRUBS

DUE TO SMALL SIZE OF PARKING AREA PARKING ALTO LANDSCAPE PROVIDED AT EACH ENTRY TO PARKING LOT AREA. – (2) TREES AND 6 SHRUBS PROVIDED AS REQUIRED.

5. A SEPARATE PERMIT WILL BE APPLIED FOR SIGNAGE AND ALL SIGNS WILL COMPLY WITH ARTICLE 15 OF THE COLERIAN TOWNSHIP ZONING.

LANDSCAPE LEGEND

TREE A = DECIDUOUS CANOPY TREE CLEVELAND PEAR (Pyrus Calleryana) – WITH MIN. CALIBER OF 2.5 INCHES AT PLANTING & A MATURE SPREAD OF 15' OR MORE

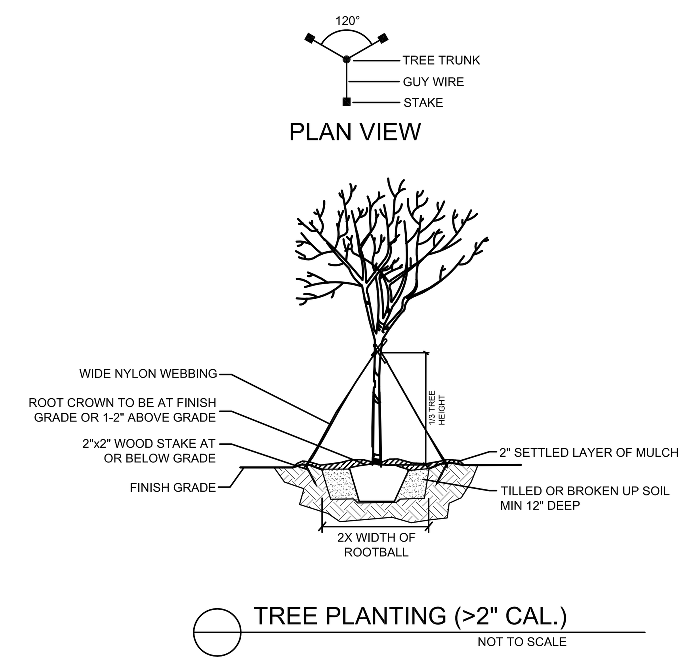
SHRUB B = EVERGREEN OR JUNIPER WITH MATURE SPREAD OF 4' OR MORE. GOLDEN MOP (Chamaecyparis pisifera) BOXWOOD (Buxus 'Green Mountain')

SHRUB C = CRIMSON BARBERRY WITH MATURE SPREAD OF 3' OR MORE.

PERENNIAL = STELE DE ORO DAY LILY WITH MATURE SPREAD OF 2'

PERENNIAL = LILLY TURF WITH MATURE SPREAD OF 18"

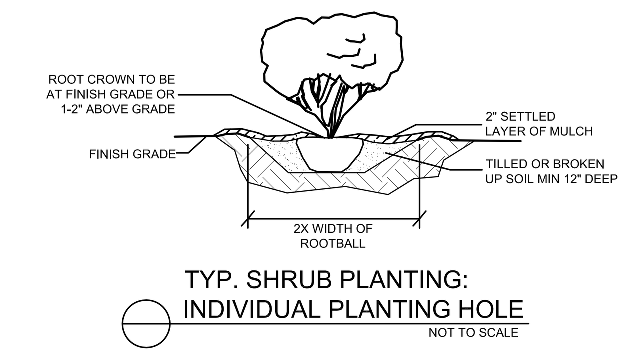
PERENNIAL = COREOPSIS "MOONBEAM" WITH MATURE SPREAD OF 18"



TREE PLANTING (>2" CAL.)
NOT TO SCALE

NOTES: TREE PLANTING (>2"CAL.)

1. ALL PLANT MATERIALS SHALL BE IN ACCORDANCE WITH THE AMERICAN STANDARDS FOR NURSERY STOCK (ANSI Z60.1-2004). PLANT ACCORDING TO ANSI A300 PART 6.
2. DIG THE PLANTING HOLE A MINIMUM OF 2x WIDTH OF ROOTBALL FOR AT LEAST THE FIRST 12 INCHES OF DEPTH. BELOW 12 INCHES, DIG HOLE WIDE ENOUGH TO PERMIT ADJUSTING. DO NOT DIG THE HOLE DEEPER THAN ROOT BALL DEPTH.
3. SCARIFY THE SUBGRADE AND SIDES OF THE PLANTING HOLE WHEN PLANTING IN CLAY SOILS (MORE THAN 15% CLAY).
4. LIFT AND SET THE TREE BY ROOT BALL ONLY. DO NOT LIFT USING THE TREE TRUNK AND DO NOT USE TREE TRUNK AS A LEVER.
5. SET THE TOP OF THE ROOT BALL LEVEL WITH THE SOIL SURFACE OR SLIGHTLY HIGHER IF THE SOIL IS PRONE TO SETTLING.
6. AFTER THE TREE IS SET IN PLACE, REMOVE BURLAP, WIRE AND STRAPS FROM AT LEAST THE UPPER 1/3 OF THE ROOTBALL.
7. BACKFILL WITH EXISTING SOIL THAT HAS BEEN WELL-TILLED OR BROKEN UP. DO NOT ADD AMENDMENTS TO THE BACKFILL SOIL. AMEND THE SURFACE WITH MULCH.
8. USE THREE 2" X 2" WOOD STAKES DRIVEN INTO UNDISTURBED SOIL A MINIMUM OF 16 INCHES. SPACE STAKES EQUALLY AROUND THE TREE.
9. ATTACH 3/4" NYLON WEBBING TO CONNECT THE TREE TO STAKES. ATTACH WEBBING AT 1/3 THE TREE HEIGHT.
10. APPLY A 2-3" (SETTLED) DEPTH OF PINE STRAW OR BARK MULCH TO THE PLANTING SURFACE. LEAVE A 2" SPACE AROUND THE TRUNK FOR AIR CIRCULATION.
11. PRUNING SHALL BE LIMITED TO DEAD, DISEASED, OR BROKEN LIMBS ONLY AND SHALL BE IN ACCORDANCE WITH ANSI A300 SPECIFICATIONS.
12. REMOVE ANY TRUNK WRAP REMAINING AT TIME OF PLANTING. NO WRAPS SHALL BE PLACED ON TRUNK.



TYP. SHRUB PLANTING:
INDIVIDUAL PLANTING HOLE
NOT TO SCALE

NOTES: TYPICAL SHURB PLANTING, INDIVIDUAL PLANTING HOLE

1. DIG PLANTING HOLE AT LEAST 2X THE WIDTH OF THE ROOT BALL OR CONTAINER.
2. SCARIFY SUBGRADE AND SIDES OF PLANTING HOLE WHEN PLANTING IN CLAY SOIL.
3. SET THE TOP OF THE ROOT BALL LEVEL WITH THE SOIL SURFACE, OR 1-2" ABOVE IF THE SOIL IS PRONE TO SETTLING.
4. IF CONTAINER GROWN PLANT, GENTLY SLIDE PLANT OUT OF CONTAINER. DISTURB THE ROOTS.
5. IF B&B PLANT, REMOVE BURLAP FROM AT LEAST THE TOP 12 INCHES OF THE ROOTBALL, WITHOUT DISTURBING THE ROOTBALL. REMOVE ALL CORD FROM THE TRUNK. REMOVE BURLAP AND WIRE BASKET (IF PRESENT) FROM THE ROOT BALL.
6. BACK FILL THE PLANTING HOLE WITH EXCAVATED NATIVE SOIL, BROKEN UP OR TILLED. WATER TO REMOVE AIR POCKETS. DO NOT ADD AMENDMENTS.
7. PLACE PINE STRAW OR BARK MULCH ON THE SURFACE TO A (SETTLED) DEPTH OF 1 TO 3 INCHES.

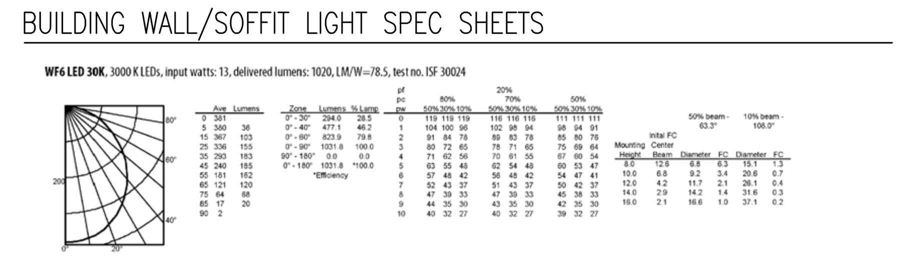
LIGHTING LEGEND

BUILDING SOFFIT / WALL LIHTS EQUAL TO IITHONIA WF6 6" LED DOWNLIGHT, 13W, 3,000K – MOUNT UNDER SOFFIT OR IN WALL FIXTURE. SOFFIT FIXTURES @ 8' A.F.G – WALL FIXTURES @ 15' A.F..G

FIXTURE A = RAB LIGHTING OR EQUAL ES TYPE II DISTRIBUTION CUT-OFF POLE LIGHT FIXTURE. "DARK-SKY" APPROVED. MOUNTED ON 20' STEEL POLE

FIXTURE B = (2) RAB LIGHTING OR EQUAL ES TYPE II DISTRIBUTION CUT-OFF POLE LIGHT FIXTURE. "DARK-SKY" APPROVED. MOUNTED ON 20' STEEL POLE

BUILDING WALL/SOFFIT LIGHT SPEC SHEETS



POLE MOUNTED FIXTURE SPEC SHEETS

ALED2T78

Specification Grade Area lights available in IES Type II distributions. For use in parking lots, roadways, pathways and general area lighting. Mounts to 4" square steel poles at 15-25'. Designed to replace 250W Metal Halide Area Lights. Patent Pending thermal management system. 5 Year Warranty.

LED Info		Driver Info	
Watts:	78W	Type:	Constant Current
Color Temp:	5100K (Cool)	120V:	0.66A
Color Accuracy:	67	208V:	0.41A
L70 Lifespan:	100000	240V:	0.35A
LM79 Lumens:	7,716	277V:	0.30A
Efficacy:	97 LPW	Input Watts:	79W
		Efficiency:	98%

Technical Specifications

UL Listing:
Suitable for wet locations as a downlight.

Lumen Maintenance:
100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations.

IES Classification:
The Type II distribution is ideal for wide walkways, on ramps and entrance roadways, bike paths and other long and narrow lighting applications. This type is meant for lighting larger areas and usually is located near the roadside. This type of lighting is commonly found on smaller side streets or jogging paths.

Effective Projected Area:
EPA = 0.75

LEDs:
Six (6) multi-chip, 13W, high-output, long-life LEDs.

Driver:
Constant Current, Class 2, 2000mA, 100-277V, 50-60Hz, 1.1A, Power Factor 99%

THD:
5.0% at 120V, 12.3% at 277V

Ambient Temperature:
Suitable for use in 40°C ambient temperatures.

Surge Protection:
4kV

Cold Weather Starting:
The minimum starting temperature is -40°F/-40°C.

Thermal Management:
Superior heat sinking with external Air-Flow fins.

Housing:
Die cast aluminum housing, lens frame and mounting arm.

Color Consistency:
3-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color.

Color Stability:
LED color temperature is warrantied to shift no more than 200K in CCT over a 5 year period.

Color Uniformity:
RAB's range of CCT (Correlated color temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2008.

Reflector:
Specular vacuum-metallized polycarbonate

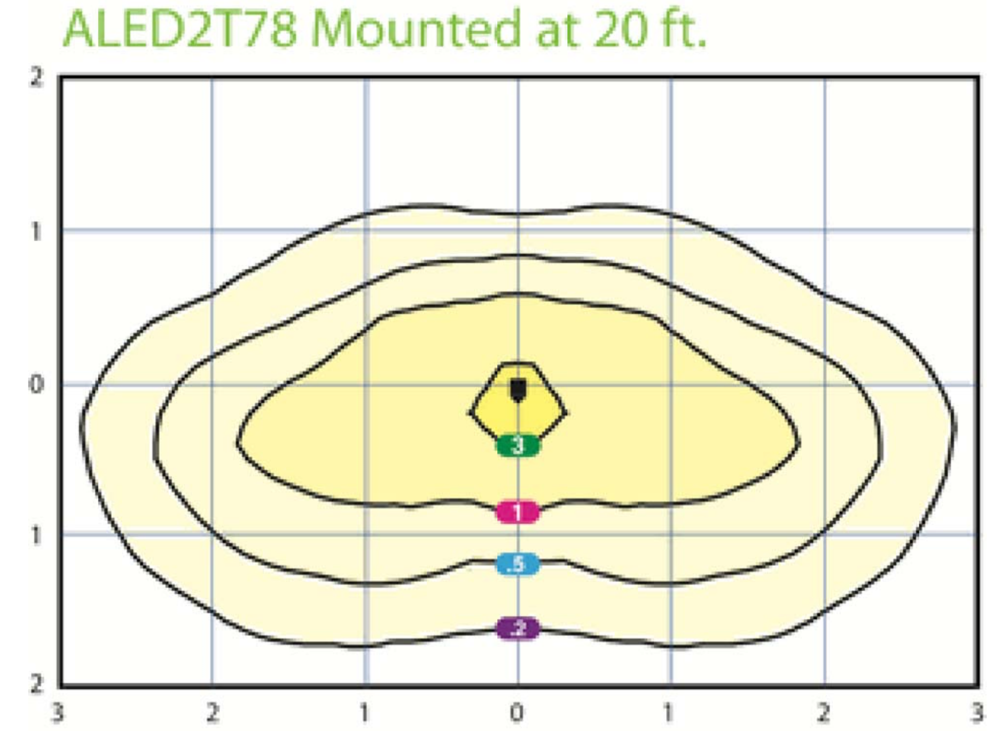
Gaskets:
High temperature silicone gaskets.

Finish:
Our environmentally friendly polyester powder coatings are formulated for high-durability and long-lasting color, and contains no VOC or toxic heavy metals.

Surge Protector:
ALED78 is available with a 6kV surge protector (SP6). SP6 available.

Green Technology:
Mercury and UV free.

ALED2T78 Mounted at 20 ft.



Multiples of Mounting Height • Values shown in Footcandles

LANDSCAPE & LIGHTING PLAN

1/Z5 SCALE: 1/8" = 1'-0"

0 8 16 24

A NEW SALES FACILITY FOR
CAR CONNECTION
10140 COLERAIN AVENUE
CINCINNATI, OHIO 45241

KPS PROJECT NUMBER: Car Connection
ISSUE DATE: 04/04/2018
KPS PROJECT CONTACT: Mark Koeninger
REVISIONS:
△ REVISED 09/24/2018
PROJECT NAME & ADDRESS:

KPS ARCHITECTURE & LANDSCAPE, LLC
513-795-1680
P.O. BOX 181287
FAIRFIELD, OHIO 45018
ARCHITECTURE - LANDSCAPE - GROUNDS

EMBOSSED SEAL:
PROFESSIONAL SEAL:
STATE OF OHIO
MARK D. KOENINGER
11824
REGISTERED ARCHITECT

MARK D. KOENINGER
OHIO LICENSE #11824
EXPIRES 12.31.2019

SHEET INFO:
☐ FOR REVIEW ONLY
☐ BID SET
☐ PERMIT SET
☐ FOR CONSTRUCTION

SET NO.
SHEET NO. Z5

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FILE NAME:

LANDSCAPE NOTES

1. SEE SITE PLAN FOR CURBS, WHEEL STOPS, AS REQUIRED BY ARTICLE 13 OF COLERAIN TOWNSHIP ZONING.

2. ALL SIDEWALKS, CURB CUTS EXISTING TO REMAIN

3. STREETSCAPE BUFFER – PER SECTION 14.5.1.A – NO STREETSCAPE BUFFER LANDSCAPE REQUIRED FOR PARKING LOTS WITH UNDER 20 SPACES (THIS DOES NOT INCLUDE DISPLAY AREA).

4. PER SECTION 14.6.3 LANDSCAPE 15% OF PARKING AREA REQUIRED FOR PARKING LOT LANDSCAPE.

PARKING AREA = 180 SQ. FT. *.15 = 27 SQ. FT. OF PARKING LOT LANDSCAPE.

ISLANDS IN THE PARKING AREAS REQUIRED TO CONTAIN 2 TREES PER 15 PARKING SPACES OR 16 TREES. 6 SHRUBS PER 15 PARKING SPACES OR 48 SHRUBS

DUE TO SMALL SIZE OF PARKING AREA PARKING ALTO LANDSCAPE PROVIDED AT EACH ENTRY TO PARKING LOT AREA. – (2) TREES AND 6 SHRUBS PROVIDED AS REQUIRED.

5. A SEPARATE PERMIT WILL BE APPLIED FOR SIGNAGE AND ALL SIGNS WILL COMPLY WITH ARTICLE 15 OF THE COLERIAN TOWNSHIP ZONING.

LANDSCAPE LEGEND

TREE A = DECIDUOUS CANOPY TREE CLEVELAND PEAR (Pyrus Calleryana) – WITH MIN. CALIBER OF 2.5 INCHES AT PLANTING & A MATURE SPREAD OF 15' OR MORE

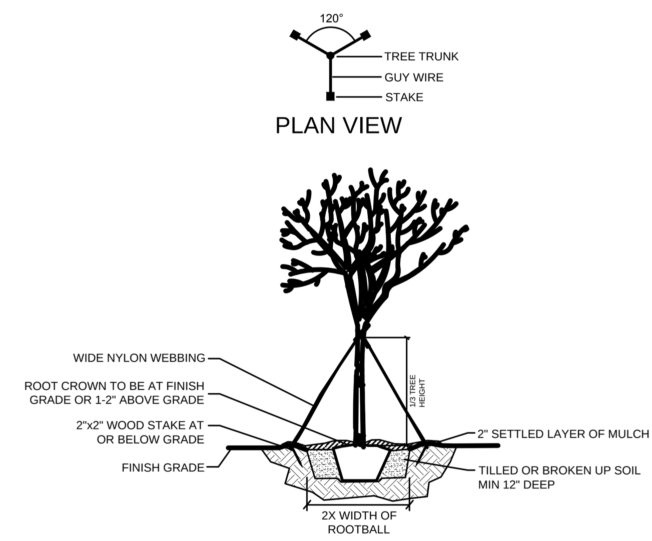
SHRUB B = EVERGREEN OR JUNIPER WITH MATURE SPREAD OF 4' OR MORE. GOLDEN MOP (Chamaecyparis pisifera) BOXWOOD (Buxus 'Green Mountain')

SHRUB C = CRIMSON BARBERRY WITH MATURE SPREAD OF 3' OR MORE.

PERENNIAL = STELE DE ORO DAY LILY WITH MATURE SPREAD OF 2'

PERENNIAL = LILLY TURF WITH MATURE SPREAD OF 18"

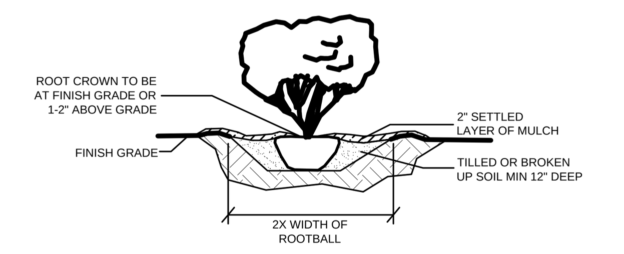
PERENNIAL = COREOPSIS "MOONBEAM" WITH MATURE SPREAD OF 18"



TREE PLANTING (>2" CAL.)
NOT TO SCALE

NOTES: TREE PLANTING (>2"CAL.)

1. ALL PLANT MATERIALS SHALL BE IN ACCORDANCE WITH THE AMERICAN STANDARDS FOR NURSERY STOCK (ANSI Z60.1-2004). PLANT ACCORDING TO ANSI A300 PART 6.
2. DIG THE PLANTING HOLE A MINIMUM OF 2x WIDTH OF ROOTBALL FOR AT LEAST THE FIRST 12 INCHES OF DEPTH. BELOW 12 INCHES, DIG HOLE WIDE ENOUGH TO PERMIT ADJUSTING. DO NOT DIG THE HOLE DEEPER THAN ROOT BALL DEPTH.
3. SCARIFY THE SUBGRADE AND SIDES OF THE PLANTING HOLE WHEN PLANTING IN CLAY SOILS (MORE THAN 15% CLAY).
4. LIFT AND SET THE TREE BY ROOT BALL ONLY. DO NOT LIFT USING THE TREE TRUNK AND DO NOT USE TREE TRUNK AS A LEVER.
5. SET THE TOP OF THE ROOT BALL LEVEL WITH THE SOIL SURFACE OR SLIGHTLY HIGHER IF THE SOIL IS PRONE TO SETTLING.
6. AFTER THE TREE IS SET IN PLACE, REMOVE BURLAP, WIRE AND STRAPS FROM AT LEAST THE UPPER 1/3 OF THE ROOTBALL.
7. BACKFILL WITH EXISTING SOIL THAT HAS BEEN WELL-TILLED OR BROKEN UP. DO NOT ADD AMENDMENTS TO THE BACKFILL SOIL. AMEND THE SURFACE WITH MULCH.
8. USE THREE 2" X 2" WOOD STAKES DRIVEN INTO UNDISTURBED SOIL A MINIMUM OF 16 INCHES. SPACE STAKES EQUALLY AROUND THE TREE.
9. ATTACH 3/4" NYLON WEBBING TO CONNECT THE TREE TO STAKES. ATTACH WEBBING AT 1/3 THE TREE HEIGHT.
10. APPLY A 2-3" (SETTLED) DEPTH OF PINE STRAW OR BARK MULCH TO THE PLANTING SURFACE. LEAVE A 2" SPACE AROUND THE TRUNK FOR AIR CIRCULATION.
11. PRUNING SHALL BE LIMITED TO DEAD, DISEASED, OR BROKEN LIMBS ONLY AND SHALL BE IN ACCORDANCE WITH ANSI A300 SPECIFICATIONS.
12. REMOVE ANY TRUNK WRAP REMAINING AT TIME OF PLANTING. NO WRAPS SHALL BE PLACED ON TRUNK.



TYP. SHRUB PLANTING: INDIVIDUAL PLANTING HOLE
NOT TO SCALE

NOTES: TYPICAL SHURB PLANTING, INDIVIDUAL PLANTING HOLE

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7. PLACE PINE STRAW OR BARK MULCH ON THE SURFACE TO A (SETTLED) DEPTH OF 1 TO 3 INCHES.

LIGHTING LEGEND

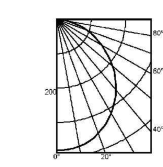
BUILDING SOFFIT / WALL LIHTS EQUAL TO IITHONIA WF6 6" LED DOWNLIGHT, 13W, 3,000K – MOUNT UNDER SOFFIT OR IN WALL FIXTURE. SOFFIT FIXTURES @ 8' A.F.G – WALL FIXTURES @ 15' A.F..G

FIXTURE A = RAB LIGHTING OR EQUAL ES TYPE II DISTRIBUTION CUT–OFF POLE LIGHT FIXTURE. "DARK–SKY" APPROVED. MOUNTED ON 20' STEEL POLE

FIXTURE B = (2) RAB LIGHTING OR EQUAL ES TYPE II DISTRIBUTION CUT–OFF POLE LIGHT FIXTURE. "DARK–SKY" APPROVED. MOUNTED ON 20' STEEL POLE

BUILDING WALL/SOFFIT LIGHT SPEC SHEETS

WF6 LED 30K, 3000 K LEDs, input watts: 13, delivered lumens: 1020, LM/W=78.5, test no. ISF 30024



Ave		Lumens
0	381	
5	380	36
15	367	103
25	336	155
35	293	183
45	240	185
55	181	162
65	121	120
75	64	68
85	17	20
90	2	

Zone	Lumens	% Lamp
0° - 30°	294.0	28.5
0° - 40°	477.1	46.2
0° - 60°	823.9	79.8
0° - 90°	1031.8	100.0
90° - 180°	0.0	0.0
0° - 180°	1031.8	*100.0

*Efficiency

pf	20%								
pc	80%			70%			50%		
pw	50%	30%	10%	50%	30%	10%	50%	30%	10%
0	119	119	119	116	116	116	111	111	111
1	104	100	96	102	98	94	98	94	91
2	91	84	78	89	83	78	85	80	76
3	80	72	65	78	71	65	75	69	64
4	71	62	56	70	61	55	67	60	54
5	63	55	48	62	54	48	60	53	47
6	57	48	42	56	48	42	54	47	41
7	52	43	37	51	43	37	50	42	37
8	47	39	33	47	39	33	45	38	33
9	44	35	30	43	35	30	42	35	30
10	40	32	27	40	32	27	39	32	27

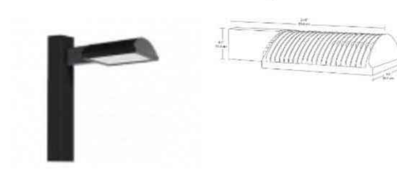
Mounting Height	Inital FC Center Beam	50% beam - 63.3° Diameter	FC	10% beam - 108.0° Diameter	FC
8.0	12.6	6.8	6.3	15.1	1.3
10.0	6.8	9.2	3.4	20.6	0.7
12.0	4.2	11.7	2.1	26.1	0.4
14.0	2.9	14.2	1.4	31.6	0.3
16.0	2.1	16.6	1.0	37.1	0.2

POLE MOUNTED FIXTURE SPEC SHEETS

ALED2T78

Specification Grade Area lights available in IES Type II distributions. For use in parking lots, roadways, pathways and general area lighting. Mounts to 4" square steel poles at 15-25'. Designed to replace 250W Metal Halide Area Lights. Patent Pending thermal management system. 5 Year Warranty.

Color: Bronze   Weight: 32.0 lbs



LED Info

Watts:	78W
Color Temp:	5100K (Cool)
Color Accuracy:	67
L70 Lifespan:	100000
LM79 Lumens:	7,716
Efficacy:	97 LPW

Driver Info

Type:	Constant Current
120V:	0.66A
208V:	0.41A
240V:	0.35A
277V:	0.30A
Input Watts:	79W
Efficiency:	98%

Technical Specifications

UL Listing:
Suitable for wet locations as a downlight.

Lumen Maintenance:
100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations.

IES Classification:
The Type II distribution is ideal for wide walkways, on ramps and entrance roadways, bike paths and other long and narrow lighting applications. This type is meant for lighting larger areas and usually is located near the roadside. This type of lighting is commonly found on smaller side streets or jogging paths.

Effective Projected Area:
EPA = 0.75

LEDs:
Six (6) multi-chip, 13W, high-output, long-life LEDs.

Driver:
Constant Current, Class 2, 2000mA, 100-277V, 50-60Hz, 1.1A, Power Factor 99%

THD:
5.0% at 120V, 12.3% at 277V

Ambient Temperature:
Suitable for use in 40°C ambient temperatures.

Surge Protection:
4kV

Cold Weather Starting:
The minimum starting temperature is -40°F/-40°C.

Thermal Management:
Superior heat sinking with external Air-Flow fins.

Housing:
Die cast aluminum housing, lens frame and mounting arm.

Color Consistency:
3-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color.

Color Stability:
LED color temperature is warrantied to shift no more than 200K in CCT over a 5 year period.

Color Uniformity:
RAB's range of CCT (Correlated color temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2008.

Reflector:
Specular vacuum-metallized polycarbonate

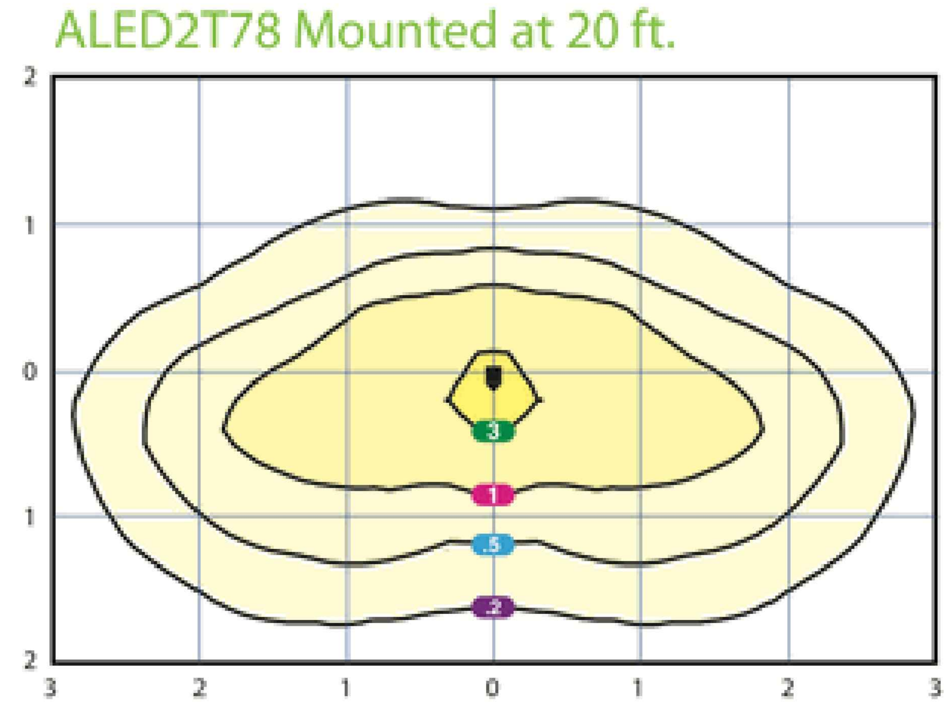
Gaskets:
High temperature silicone gaskets.

Finish:
Our environmentally friendly polyester powder coatings are formulated for high-durability and long-lasting color, and contains no VOC or toxic heavy metals.

Surge Protector:
ALED78 is available with a 6kV surge protector (SP6). SP6 available .

Green Technology:
Mercury and UV free.

ALED2T78 Mounted at 20 ft.



Multiples of Mounting Height • Values shown in Footcandles

1/Z5 LANDSCAPE & LIGHTING PLAN
SCALE: 1/8" = 1'-0"
0 8 16 24

KPS PROJECT NUMBER: Car Connection
ISSUE DATE: 04/04/2018
KPS PROJECT CONTACT: Mark Koeninger
REVISIONS:
REVISED 09/24/2018

PROJECT NAME & ADDRESS:

A NEW SALES FACILITY FOR
CAR CONNECTION
10140 COLERAIN AVENUE
CINCINNATI, OHIO 45241

KPS ARCHITECTURE & LANDSCAPE, LLC
P.O. BOX 181287
FAIRFIELD, OHIO 45018
ARCHITECTURE - LANDSCAPE - GROUNDS

EMBOSSED SEAL:

PROFESSIONAL SEAL:

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MARK D. KOENINGER
11824
REGISTERED ARCHITECT
All Rights Reserved

MARK D. KOENINGER
OHIO LICENSE #11824
EXPIRES 12.31.2019

SHEET INFO:
☐ FOR REVIEW ONLY
☐ BID SET
☐ PERMIT SET
☐ FOR CONSTRUCTION

SET NO.
SHEET NO.
Z5

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STEHLIN'S
MEAT
MARKET
Car Connection Inc.

Staff Report:	Board of Zoning Appeals
Case#	BZA2018-015
Variance Request:	Use Variance
Location:	3407 Lapland Drive
Meeting Date:	October 24, 2018
Prepared by:	Jesse Urbancsik Planner

Property owners Douglas and Kimberly Fread have requested a variance from section 13.7.3 to allow for the parking of a commercial food truck vehicle in a residential driveway where such parking is prohibited.

Case History:

The subject property is zoned R-6 Urban Residential and contains a single family house constructed in 1957. The lot size and width are non-conforming but are consistent with other development in the neighborhood and has not been significantly modified since the original development. The R-6 minimum lot size is 7,500 square feet and the applicant's lot is 5,967 square feet. The required minimum lot width is 65 feet and the applicant's lot is 50 feet wide. The house has a single car-width driveway leading to a lower level single car attached garage. On street parking on Lapland Drive is restricted to one side of the street due to the narrow pavement width.

Current Proposal

On August 2, 2018, the applicant was issued a Notice of Violation for the parking of a commercial vehicle in the driveway. The applicant submitted an application for appeal to the Board of Zoning Appeals on September 17, 2018, requesting permission to park the food truck in the driveway. The food truck measures 25 feet long and 8 ½ feet tall and is parked within 5-7 feet from the side property line.

The owners of the property, Jennifer and Douglass Fread, are requesting a variance for the allowance of parking a commercial vehicle in their driveway in the front yard on an unlimited time basis. Parking of commercial vehicles are prohibited within residential neighborhoods, on private property and on public streets.

Zoning Regulations

A Commercial Trailer shall mean any towed vehicle, open or enclosed, specifically designed for the purpose of transporting equipment, tools, supplies, materials or goods of a similar nature that will not permit human habitation for travel, recreation, vacations or other transient purposes and that is not a Utility Trailer. Section 13.7.3 states that no truck, construction equipment, commercial trailer or other vehicle of a business or industrial nature shall be parked upon a residential lot except:

(A) A 1-ton pickup truck with a maximum length of 18 feet and maximum height of 7 feet including the bed, cap, tool boxes, or other accessories. No tow truck, stake body, or dump truck may be parked on a residential lot.
(B) A passenger van not to exceed 1 ton and 18 feet in length. No step van or chassis van shall be parked on a residential lot without approval from the Board of Zoning Appeals.
(C) Limousines or other stretch vehicles shall not be parked on a residential lot unless otherwise authorized by the Board of Zoning Appeals

Section 13.3.2(B) requires that a single family residence have two off-street parking spaces. The subject property has a single lane driveway that is about 40 feet in length from the house to the public sidewalk. The driveway can likely accommodate two standard size residential vehicles parked end-to end without blocking the public sidewalk. The allowance for the food truck would not allow for two additional vehicles to be parked on the property (including a vehicle parked in the garage).

Section 13.6 allows for recreational vehicles to be parked on residential property in the R-6 zone in the side or rear yard on a paved surface and at least 5 feet from the side or rear property lines. The subject food truck does not meet the definition of a recreation vehicle. A recreational vehicle shall mean a vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven, which may be designed as temporary living accommodations, and is used for recreational, camping, and travel use. Recreational Vehicles may include, but are not limited to truck trailers, truck campers, pop-up tents, boats, jet skis, personal watercraft, snowmobiles, camping trailers, and self- propelled campers. The recreational vehicle standards are provided in this staff summary to give some understanding of how vehicles accessory to residential areas, not appropriate sized for some residential neighborhoods are addressed. Due to the narrow lot and topography of the site, it would be extremely difficult to store a recreational vehicle on this property. Recreational vehicles are allowed to be parked on the driveway in the front yard for a maximum of 3 days for loading and unloading.

Staff Findings:

1. The property in question would likely yield a reasonable return without the variance. The property can reasonably be used as a single family residence under current zoning regulations. The nature of the hardship in this case is that the applicant is not wanting to make arrangement for parking the vehicle in another location.
2. The variance requested is substantial since commercial vehicles parking in a residential neighborhood is not in keeping with typical household vehicles.
3. The granting of the variance would grant a consideration that is not available to other property owners in the neighborhood.
4. The granting of the variance would probably have a negative impact on neighboring property since the number of vehicles per household has increased significantly since the development of this neighborhood in the 1950s making the neighborhood overcrowded with regular household vehicles. The granting of this request could create a precedent to allow for similar variances if requested by neighboring properties.

5. Approval of the variance could possibly affect the delivery of government services.
6. There are no topographic issues related to this property which would constrain the reasonable application of the parking regulations without additional expenses.
7. By taking into consideration the benefit to the applicant if the variance is granted, as weighed against the potential detriment to the health, safety and welfare of the neighborhood and broader community, staff finds that substantial justice would be done by not granting the variance for allowing the parking of a commercial vehicle in a residential district.

Staff Recommendation:

DENIAL OF THE VARIANCE REQUEST.

APPLICATION FOR APPEAL
COLERAIN TOWNSHIP BOARD OF ZONING APPEALS

4200 Springdale Rd
Cincinnati, Ohio 45251
(513) 385-7505; Fax (513) 245-6503

An appeal must be filed within 20 calendar days of the action causing the appeal (ORC 519.15)

Application number: BZA _____

Owner: Douglas Fread Applicant: Kimberly Fread

Property Address: 3407 Lapland Dr

City: Cin State/Zip: OH

Applicant Address: Same

City: _____ State Zip _____

Phone: 513-441-8490

Auditor's Book-Page-Parcel Number: **510** -- _____ -- _____

Zoning Classification: _____

Appeal to (check one): Refusal to issue Zoning Certificate _____ Citation for Violation _____

Required Documents:

- [x] Signed, typewritten *Justification of Variance* statement addressing the items listed on the reverse of this page - **8 copies**.
- [x] Site Plan (surveyor/engineer's seal may be required) and construction drawings - **8 copies**.
- [x] Names and addresses of adjacent property owners (use County Auditor's records) - **2 copies**.
- [x] Plat showing adjacent property owners - **2 copies**.
- [x] Fees.

Office use only:		
	Appeal Fee:	350 -
	Legal Notice:	30 -
	Mailing/adjacent Property Owners:	2 -
	Total Amount Paid:	382 -

An application for appeal will not be accepted until all of the requirements are met.
Failure to appear at the scheduled public hearing may result in dismissal of the appeal.

Signature of Property Owner: _____

Signature of Applicant (if not the Owner): _____

RECEIVED
SEP 17 2018
COLERAIN ZONING

(over)

Mail body: My Notes and InkPad

To whom it may concern,

The reasoning for us asking for zoning is because the food truck is an all electric truck and the refrigeration systems need to stay plugged in when not in use and also to charge the plumbing system on it.

Sincerely,
Kimberly j Fread

http://www.inkpadnotepad.com
My Notes and InkPad

RECEIVED
SEP 17 2018
COLERAIN ZONING

WEB

NEW

Taken 8/2/2018

COLERAIN
EST. 1794

COLERAIN TOWNSHIP
NOTICE OF ZONING CODE VIOLATION

POLICE DEPARTMENT COLERAIN TOWNSHIP OHIO

PROPERTY ADDRESS: 3407 Lapland Dr, Cincinnati, OH

NOTICE ISSUED TO: Douglas & Jennifer Fread **DATE:** 8/2/18

VIOLATIONS THAT MUST BE CORRECTED WITHIN (21) DAYS

ZONING VIOLATIONS

- ☐2.6 Zoning Certificate Required
- ☐7.2 Permitted Uses, Residential
- ☐7.3 Site Development Standards
- ☐7.4 Agricultural and Residential Use-Specific Regulations
- ☐8.2 Permitted Uses, Business
- ☐8.3 Site Development Standards
- ☐8.4 Business Use-Specific Regulations
- ☐10.2 Accessory Buildings and Uses
- ☐10.3 Home Occupations
- ☐10.4 Temporary Uses
- ☐11.2 Existing Nonconforming Buildings and Uses
- ☐11.3 New Construction on Single Nonconforming Lots of Record
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- ☐11.5 Nonconforming Uses and Variances
- ☐11.6 Nonconforming Uses of Land
- ☐11.7 Nonconforming Uses of Structures
- ☐11.8 Expansion of a Nonconforming Use
- ☐11.9 Termination of Nonconforming Uses
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- ☐12.1 Lot Measurements and Requirements
- ☐12.2 Height Measurements and Requirements
- ☐12.3 Yard/Setback Measurements and Requirements
- ☐12.4 Vision Clearance Triangle
- ☐12.5 Waste Receptacles
- ☐12.6 Storage in Vehicles
- ☐12.7 Licensing of Vehicles
- ☐12.8 Fencing
- ☐12.9 Outdoor Lighting
- ☐12.10 Outdoor Display, Sales, and Storage
- ☐12.11 Architectural Design Standards
- ☐12.12 Pets

ZONING VIOLATIONS (CONT)

- ☐13.3 Required Parking Spaces
- ☐13.4 Design of Parking Spaces and Aisles
- ☐13.5 Stacking Space Requirements
- ☐13.6 Parking and Storage of Recreational Vehicles & Utility Trailers in Residential Districts
- ☒13.7 Vehicles Permitted in a Residential District
- ☐13.8 Off-Street Loading Requirements
- ☐14.4 Landscaping Materials and Standards
- ☐14.5 Required Buffers
- ☐14.6 Parking Area Landscaping
- ☐14.7 Maintenance of Landscaping
- ☐15.3 Compliance with Signage Requirements
- ☐15.5 General Sign Standards
- ☐15.6 Prohibited Signs
- ☐15.8 Permanent On-Premises Signs
- ☐15.9 Off-Premises Signs (Billboards)
- ☐15.10 Temporary Signs
- ☐15.11 Maintenance of Signs
- ☐15.12 Nonconforming Signs

OTHER

☐ _____

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Colerain Township Code Enforcement Officer
4200 Springdale Rd.
Cincinnati, OH 45251

An appeal from this Notice of Violation is governed under Sections 3.3.2 and 4.4 of the Zoning Resolution and must be filed within 20 days. Contact the Planning & Zoning Office for information regarding appealing this Notice: 513-385-7505, 4200 Springdale Rd., Cincinnati, Ohio.

TO AVOID PENALTIES, THIS VIOLATION MUST BE CORRECTED WITHIN 21 DAYS. IF THIS VIOLATION IS NOT CORRECTED WITHIN 21 DAYS A CITATION WILL BE ISSUED REQUIRING A PAYOUT FINE OF $130 OR COURT APPEARANCE.

Quality Publishing Co.

NOTICE OF ZONING VIOLATION

Date: August 02, 2018

To: DOUGLAS K FREAD
3407 LAPLAND DR
CINCINNATI, OH 45239-5414

Location: 3407 LAPLAND DR Parcel No.: 5100081022900

You are hereby advised that you are in violation of the Colerain Township Zoning Resolution, specifically, Article 13 Section 13.7.

The nature of this violation is as follows:

No truck, construction equipment, commercial trailer or other vehicle of a business nature shall be parked on a residential lot except: 1-ton pick up truck with 18 ft. max. length and 7 ft. max. height. Tow and dump trucks are prohibited.

Unless this violation is corrected or otherwise made to comply within 21 days of this notice, you will be subject to the penalty as provided by the Colerain Township Zoning Resolution.

The Ordinance provides that: "Any person, firm or corporation violating any regulation, provision, amendment or supplement to this Ordinance, or failing to obey any lawful order of this township issued in pursuance there of shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than five hundred ($500.00) dollars. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense."

If you wish to appeal this violation you must file a notice of appeal with the township within twenty (20) days of the date of this letter detailing the grounds upon which the appeal is based.

Please contact me at upon compliance with this section of the Colerain Township Zoning Ordinance.

Thanking you in advance for your cooperation.

Zoning Inspector

These setbacks shall not apply to a recreational vehicle or utility trailer which is parked and fits entirely within a carport.

13.6.6 There shall be no maximum number of recreational vehicles or utility trailers that may be stored in enclosed garages or accessory structures; however, all such structures shall be subject to all other applicable standards of this Resolution.

13.6.7 The recreational vehicle or utility trailer shall be maintained and be in good condition and safe for effective performance of the function for which it is intended. The exterior of the vehicle shall be intact.

13.6.8 Recreational vehicles and utility trailers designed for street use or street transport shall be roadworthy.

13.6.9 Recreational vehicles and utility trailers that require a license, registration, or permit, shall be properly licensed, registered, and shall display the required permit. Recreational vehicles are subject to the Colerain Township Junk Vehicle Resolution

13.6.10 All recreational vehicles and utility trailers shall be parked or stored on a paved surface. The parking areas for recreational vehicles shall be clean and free of weeds.

13.6.11 A recreational vehicle or utility trailer which fits entirely within a carport shall be deemed to be parked outside. Such recreational vehicle shall be subject to the Colerain Township Junk Vehicle Resolution.

13.6.12 Recreational vehicles and utility trailers shall be parked or stored in the rear or side yard.

13.6.13 Recreational vehicles and utility trailers shall be screened using landscaping or an enclosure of solid fencing or materials similar to those used for other structures on the property.

13.6.14 One recreational vehicle or utility trailer may be temporarily parked in the front driveway for not more than 3 days in a single month for the purpose of loading or unloading the vehicle.

(Amended 12/11/07)

13.7 Vehicles Permitted in a Residential District

13.7.1 Parking of vehicles accessory to a residential use shall be limited to those vehicles actually used by the resident for personal use, agricultural use, or temporary parking for guests. Vehicles not in keeping with residential character shall not be permitted.

13.7.2 In no case shall a residentially zoned parcel be used for the parking or storing of a semi trailer or tractor. Parcels that are exempt from zoning due to the agricultural use of the property shall be exempt from this provision if the semi-trailer or tractor is used in conjunction with the exempt agricultural use.

13.7.3 No truck, construction equipment, commercial trailer or other vehicle of a business or industrial nature shall be parked upon a residential lot except:

(A) A 1-ton pickup truck with a maximum length of 18 feet and maximum height of 7 feet including the bed, cap, tool boxes, or other accessories. No tow truck, stake body, or dump truck may be parked on a residential lot.

(B) A passenger van not to exceed 1 ton and 18 feet in length. No step van or chassis van shall be parked on a residential lot without approval from the Board of Zoning Appeals.

(C) Limousines or other stretch vehicles shall not be parked on a residential lot unless otherwise authorized by the Board of Zoning Appeals.

13.7.4 Outside parking of automobiles, station wagons, personal pick-ups, and passenger vans shall be located not closer than 3 feet to a side or rear lot line, except in the case of a legal nonconforming driveway location.

13.7.5 All vehicles are subject to the Colerain Township Junk Vehicle Resolution

13.8 Off-Street Loading Requirements

13.8.1 Applicability

The application of these loading requirements shall be limited to the same applicability as defined in Section 13.2 (Applicability) of this Article.

13.8.2 Exemptions

All residential uses shall be exempt from these off-street loading requirements.

(A) **Number of Off-Street Loading Spaces Required**

Off-street loading spaces shall be provided in accordance with the schedule set forth in Table 13-12 (Off-Street Loading Requirements) and shall not conflict or overlap with any areas used for parking.

Table 13-12 Off-Street Loading Requirements

Gross Floor Area of Structure (square feet)	Number of Required Loading Spaces
0-10,000	0
10,001-50,000	1
50,001-100,000	2
100,001-200,000	3
200,001-400,000	4
Each additional 200,000	1