



VILLAGE OF ST. BERNARD

110 Washington Avenue, St. Bernard, Ohio 45217
Phone: (513) 242-7770 • Website: www.cityofstbernard.org

Planning Commission
December 4, 2025 @ 6:00pm
Council Chambers
110 Washington Ave
St Bernard, Ohio 45217

Benjamin Fraley
Chairperson

Benjamin Fraley
Chairman

Taylor Vogt
Vice Chair

Kelly Valerius
Commissioner

Mark Wendling
Commissioner

Jonathon Stuchell
Commissioner

Roll Call:

1 Public Hearing(s)

FRALEY	VOGT	VALERIUS	WENDLING	STUCHELL

Swearing in of Those Providing Testimony to the Planning Commission:

Chair

Conflict of Interest Statement

Prior to consideration of the following agenda items, each member should examine the agenda to determine whether he or she has any conflict of interest with any agenda item.

If so, please note the agenda item for which you intend to abstain or recuse yourself as an exception to the upcoming motion. You may not discuss or vote on any item you have a conflict of interest with or act in any way to influence the deliberation or vote.

Motion: I move that a note be made upon the minutes that each member of the Planning Commission was furnished a copy of the agenda prior to its being considered at this meeting, and that, with the exception of the items so noted, no member has identified any conflict of interest regarding any agenda item.

Motion

FRALEY	VOGT	VALERIUS	WENDLING	STUCHELL

Roll Call of Vote

FRALEY	VOGT	VALERIUS	WENDLING	STUCHELL



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Adjournment:

Motion to Adjourn

Motion

FRALEY	VOGT	VALERIUS	WENDLING	STUCHELL

Roll Call of Vote

FRALEY	VOGT	VALERIUS	WENDLING	STUCHELL



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PLANNING COMMISSION CASE NO: 12-005-2025

PROPERTY ADDRESS: NA

PARCEL #: NA

APPLICANT: VILLAGE OF ST. BERNARD

PROPOSED REQUEST:

The applicant is proposing a Zoning Code Text Amendment to Chapter 1131 of the St. Bernard Zoning Ordinance titled "Board of Zoning Appeals"

BACKGROUND INFORMATION

The Village of St. Bernard established the Zoning Ordinance in October 1966. The most recent update to Chapter 1131 appears to have been adopted in 1996. The code changes at that time only appear to have affected certain portions of the code.

Staff worked with outside legal counsel to review the current code and the proposed changes which are presented to you tonight.

VILLAGE OF ST. BERNARD ZONING ORDINANCE

The following are the applicable sections of the St Bernard Zoning Ordinance:

Chapter 1131. Board of Zoning Appeals

Please refer to Exhibit A for the redline version of the Current Zoning Ordinance

STAFF COMMENTS:

Staff reviewed the current Ordinance and determined that certain updates were needed to bring the code into compliance with current state law and some sections needed to be updated for better organizational purposes.

Staff has changed wording throughout the code from Zoning Inspector to Zoning Administrator. As staff did with the Planning Commission, Staff has become the Secretary of the Board in order to take accountability for documenting the actions of the board and posting meeting notices, etc. Staff also added wording to allow the Mayor to appoint alternates to the board so that the board can continue to function in case of absences or conflicts of interest.

Staff notes that there will be changes to Section 1131.05.1 as the Zoning Code undergoes additional changes. Those changes cannot be made until other text amendments are presented and approved.



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The proposed \$200.00 fee would apply to residential and commercial alike. It is in line with the Hamilton County fee structure used through out the county. The \$200 fee is also consistent with jurisdictions outside of Hamilton County.

Staff is happy to answer any other questions which have not been specifically addressed.

Please refer to Exhibit B to see how the proposed text amendment would read without the strike throughs and changes outlined in red.

If the proposed changes are adopted, Staff has a BZA Procedure manual ready to present to the BZA for approval.

NEIGHBOR COMMENTS:

Staff has not received any comments at the writing of the Staff Report. The original Agenda was posted to the Village website fourteen (14) days prior to the meeting date. The Staff Report was posted a minimum of seven (7) days prior to the meeting date on the Village website.

MOTIONS

Motion to Approve: "I make a motion that Planning Commission recommend that Council hold a public hearing and take final action to APPROVE the Zoning Ordinance amendment to Chapter 1131 of the St. Bernard Zoning Ordinance titled "Board of Zoning Appeals".

Motion to Deny: "I make a motion that the Planning Commission recommend that Council hold a public hearing and take final action to DENY the Zoning Ordinance amendment to Chapter 1131 of the St. Bernard Zoning Ordinance titled "Board of Zoning Appeals".



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EXHIBIT A:

This is what was presented to Legal Counsel for review. Items in black reflect the current code language. Items in red are the proposed changes to the code, mainly for new language. Items in blue were my explanation to Legal Counsel why the change was being proposed. Items which have been struck thru have been eliminated or moved to another portion of the code.

CHAPTER 1131 Board of Zoning Appeals

1131.01 Appointment.

1131.02 Procedure.

1131.03 Hearings, Appeals, and Notices (combine .06 and .07)

1131.04 Stay of Proceedings

1131.05 Powers and Duties

~~1131.03 Quorum, etc.~~ I think quorum goes 1131.09

1131.06 Decisions (from 1131.08 and possibly add in 1131.15)

1131.07 Quorum

1131.08 Assistance from other departments.

1131.09 Applications.

~~1131.06 Appeals.~~ Move to 1131.03

~~1131.07 Hearings and fees.~~ Move to 1131.03

~~1131.08 Decisions.~~ Combined 1131.08

~~1131.09 Stay of proceedings.~~ 1131.04

~~1131.10 Powers.~~ Move to 1131.05

1131.10 Conditional uses.

~~1131.12 Interpretation of Zoning Map.~~ Move to 1131.05.01

~~1131.13 Variances authorized.~~ Move to 1131.05.03

~~1131.14 Variance: findings of the Board.~~ Move to 1131.05.03

~~1131.15 Variances: Board may reverse orders, etc.~~ 1131.06 Decisions (from 1131.08 and possibly add in 1131.15)

~~1131.16 Administrative review.~~ Move to 1131.05.04

CROSS REFERENCES

Appeals from zoning decisions - see Ohio R.C. 713.11

Definitions - see P. & Z. Ch. 1123

Enforcement - see P. & Z. Ch. 1125



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interpretation, by filing with the Zoning **Administrator Inspector** and with the Board a notice of appeal specifying the grounds thereof. **The Appeal shall be filed on forms as prescribed by the Board.** The Zoning **Administrator Inspector** shall ~~forthwith~~ transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

The Board of Zoning Appeals shall fix a reasonable time for the hearing of the application or appeal, give at least ten (10) days notice, in writing, to the parties in interest, give notice of such public hearing by one publication in one or more newspapers of general circulation in the Village at least ten (10) days before the date of such hearing and decide the same within a reasonable time after it is submitted. At the hearing any party may appear in person or by an attorney.

Each application or appeal shall be accompanied by a check payable to the Treasurer of the Village of St. Bernard, Ohio, or a cash payment **as determined by the Hamilton County Fee Schedule OR a fee of \$200.** ~~sufficient in amount to cover the cost of publishing and mailing the notices of the hearing, but in no event shall it be less than fifteen dollars (\$15.00).~~

I think if we go with the Hamilton County fee schedule, which we use already for other things, we don't have to adjust our code in future years. The county fee for residential is 193, but Commercial it starts at over \$1000.

(Ord. 12-1996. Passed 10-10-66.)

1131.04 STAY OF PROCEEDINGS

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning **Administrator Inspector** certifies to the Board of Zoning Appeals after notice of appeal shall have been filed with him, that by reasons of fact stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by an order which may, in due cause shown, be granted by the Board on application after notice to the Zoning **Administrator Inspector**, or by judicial proceedings.

1131.05 POWERS AND DUTIES

1131.05.1 GENERAL: The powers of the Board of Zoning Appeals shall be:

- (a) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination by an administrative official in the enforcement of this Zoning Ordinance;
- (b) To authorize, on appeal, variances as defined in Section 1123.82;
- (c) To grant a zoning certificate for conditional uses as hereinbefore specified and as defined in Section 1123.17;
- (d) To interpret the provision of this Zoning Ordinance as provided in Chapter 1141;
- (e) To authorize or prohibit additional uses as provided in Chapter 1171;
- (f) To permit the extension and/or substitution of a nonconforming use as provided in Chapter 1189;
- ~~(g) To permit the temporary use of a structure or premises in any district for a purpose or use that does not conform to the regulations prescribed elsewhere in this Zoning Ordinance for the district in which it is located; provided that such use be of a~~



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C. Variance Findings of the Board: No such variance of the provisions or requirements of this Ordinance shall be authorized by the Board of Zoning Appeals unless the Board finds that practical difficulties exist sufficiently to warrant a variance. ~~all of~~ In making this determination, the Board will consider the following factors and conditions exists:

- i. Will the property yield a reasonable return or can there be a beneficial use of the property without the Variance?
- ii. Is the Variance substantial?
- iii. Would the Variance cause a substantial alteration in the essential character of the neighborhood or cause substantial detriment to the adjoining properties?
- iv. Would the Variance adversely affect the delivery of government services?
- v. Did the property owners purchase the property with the knowledge of the zoning restriction?
- vi. Could the problem be solved in some other manner than granting the Variance?
- vii. Would the Variance preserve the spirit and intent of the zoning requirement and substantial justice be done by granting the Variance?

No Use Variances shall be granted by the Board.

~~—(a) That there are exceptional or extraordinary circumstances applying to the property in question, or to the intended use of the property, that do not apply generally to other properties or classes of uses in the same zoning district;~~

~~—(b) That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the same vicinity; and~~

~~—(c) That the authorizing of such variance will not be of substantial detriment to adjacent property and will not materially impair the purposes of this Zoning Ordinance or public interest.~~

~~—No grant of variance shall be authorized unless the Board specifically finds that the condition or situation of the specific piece of property, or the intended use of said property for which variance is sought—one or the other or in combination—is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such conditions or situations~~

(Ord. 12-1966. Passed 10-10-66.)

[This is revised to the Duncan Standards](#)

1131..05.4 ADMINISTRATIVE REVIEW.

In considering an appeal from an alleged error in the administration of this Zoning Ordinance, the Board of Zoning Appeals shall consider the intent and purpose of the provisions of this Zoning Ordinance that apply and the effect of the desired interpretation upon neighboring properties in the public interest. In exercising its power to review such an allegation, the Board may, in conformity with the provisions of statute and of this Zoning Ordinance, reverse or affirms wholly or partly, or may modify the order, decision or determination made and to that end shall have all powers of the officer from whom the appeal is taken.

(Ord. 12-1966. Passed 10-10-66.)



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Ordinance, or to grant any variance from the requirements stipulated in this Zoning Ordinance. The lined out portion was added to [Decisions 1131.08](#)
(Ord. 12-1996. Passed 10-10-66.)

1131.08 ASSISTANCE FROM OTHER DEPARTMENTS.

The Board of Zoning Appeals may call upon the Village departments for assistance in the performance of its duties, and it shall be the duty of such departments to render such assistance to the Board as may reasonably be required.
(Ord. 12-1996. Passed 10-10-66.)

1131.09 APPLICATIONS.

An application, in cases in which the Board of Zoning Appeals has original jurisdiction under the provisions of this Zoning Ordinance, may be taken by any property owners including a tenant, or by a governmental officer, department, board or bureau. Such application shall be filed with the Zoning ~~Administrator~~ Inspector who shall transmit the same to the Board.
(Ord. 12-1996. Passed 10-10-66.)

1131.06 APPEALS.

~~An appeal to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer of the Village affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty days after the decision, by filing with the Zoning Inspector and with the Board a notice of appeal specifying the grounds thereof. The Zoning Inspector shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.~~
(Ord. 12-1996. Passed 10-10-66.)

1131.07 HEARINGS AND FEES.

- ~~—(a) The Board of Zoning Appeals shall fix a reasonable time for the hearing of the application or appeal, give at least ten days notice, in writing, to the parties in interest, give notice of such public hearing by one publication in one or more newspapers of general circulation in the Village at least ten days before the date of such hearing and decide the same within a reasonable time after it is submitted. At the hearing any party may appear in person or by an attorney.~~
 - ~~—(b) Each application or appeal shall be accompanied by a check payable to the Treasurer of the Village of St. Bernard, Ohio, or a cash payment sufficient in amount to cover the cost of publishing and mailing the notices of the hearing, but in no event shall it be less than fifteen dollars (\$15.00).~~
- (Ord. 12-1996. Passed 10-10-66.)

1131.08 DECISIONS.

- ~~—(a) The Board of Zoning Appeals shall decide all applications and appeals within thirty days after the final hearing thereon.~~



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~~(h) Such other duties as may be necessary for the administration of the provisions of this Zoning Ordinance.~~

~~(Ord. 12-1996. Passed 10-10-66.)~~

1131.10 CONDITIONAL USES.

In considering an application for a conditional use, the Board of Zoning Appeals shall give due regard to the nature and condition of all adjacent uses and structures, and in authorizing a conditional use, the Board may impose such requirements and conditions with respect to location, construction, maintenance and operation - in addition to those expressly stipulated in this Zoning Ordinance for the particular conditional use - as the Board may deem necessary for the protection of the public health, safety, convenience, comfort, prosperity and general welfare and for the protection of adjacent properties.

(Ord. 12-1996. Passed 10-10-66.)

1131.12 INTERPRETATION OF ZONING MAP.

~~Where the street or lot layout actually on the ground, or as recorded, differs from the street and lot lines as shown on the Zoning Map, the Board of Zoning Appeals, after notice to the owners of the property and after public hearing, shall interpret the Map in such a way as to carry out the intent and purpose of this Zoning Ordinance. In case of any question as to the location of any boundary line between zoning districts, a request for interpretation of the Zoning Map may be made to the Board and a determination shall be made by the Board. In considering an interpretation of the Zoning Map, the Board shall give due regard to the nature and condition of all adjacent uses and structures.~~

~~(Ord. 12-1996. Passed 10-10-66.)~~

1131.13 VARIANCES AUTHORIZED.

~~In authorizing a variance the Board of Zoning Appeals may attach thereto such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the interest of the furtherance of the purposes of this Zoning Ordinance and in the public interest. In authorizing a variance with attached conditions, the Board shall require such evidence and guarantee of bond, as it may deem necessary, that the conditions attached are and will be complied with.~~

~~(Ord. 12-1996. Passed 10-10-66.)~~

1131.14 VARIANCES: FINDINGS OF THE BOARD.

~~No such variance shall be authorized by the Board of Zoning Appeals unless the Board finds that all of the following facts and conditions exists:~~

~~—(a) That there are exceptional or extraordinary circumstances applying to the property in question, or to the intended use of the property, that do not apply generally to other properties or classes of uses in the same zoning district;~~



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EXHIBIT B

CHAPTER 1131 Board of Zoning Appeals

- 1131.01 Appointment.
- 1131.02 Procedure.
- 1131.03 Hearings, Appeals, and Notices
- 1131.04 Stay of Proceedings
- 1131.05 Powers and Duties
- 1131.06 Decisions
- 1131.07 Quorum
- 1131.08 Assistance from other departments.
- 1131.09 Applications
- 1131.10 Conditional uses.

CROSS REFERENCES

Appeals from zoning decisions - see Ohio R.C. 713.11

Definitions - see P. & Z. Ch. 1123

Enforcement - see P. & Z. Ch. 1125



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1131.04 STAY OF PROCEEDINGS

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board of Zoning Appeals after notice of appeal shall have been filed with him, that by reasons of fact stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by an order which may, in due cause shown, be granted by the Board on application after notice to the Zoning Administrator, or by judicial proceedings.

1131.05 POWERS AND DUTIES

1131.05.1 GENERAL: The powers of the Board of Zoning Appeals shall be:

- (a) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination by an administrative official in the enforcement of this Zoning Ordinance;
- (b) To authorize, on appeal, variances as defined in Section 1123.82;
- (c) To grant a zoning certificate for conditional uses as hereinbefore specified and as defined in Section 1123.17;
- (d) To interpret the provision of this Zoning Ordinance as provided in Chapter 1141;
- (e) To authorize or prohibit additional uses as provided in Chapter 1171;
- (f) To permit the extension and/or substitution of a nonconforming use as provided in Chapter 1189;
- (g) Such other duties as may be necessary for the administration of the provisions of this Zoning Ordinance.

(Ord. 12-1996. Passed 10-10-66.)

1131.05.2 INTERPRETATION OF ZONING MAP.

Where the street or lot layout actually on the ground, or as recorded, differs from the street and lot lines as shown on the Zoning Map, the Board of Zoning Appeals, after notice to the owners of the property and after public hearing, shall interpret the Map in such a way as to carry out the intent and purpose of this Zoning Ordinance. In case of any question as to the location of any boundary line between zoning districts, a request for interpretation of the Zoning Map may be made to the Board and a determination shall be made by the Board. In considering an interpretation of the Zoning Map, the Board shall give due regard to the nature and condition of all adjacent uses and structures.

(Ord. 12-1996. Passed 10-10-66.)

1131.05.3 VARIANCES AUTHORIZED.

A. In authorizing a variance the Board of Zoning Appeals may attach thereto such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the interest of the furtherance of the purposes of this Zoning Ordinance and in the public interest. In authorizing a variance with attached conditions, the Board shall require such evidence and guarantee of bond, as it may deem necessary, that the conditions attached are and will be complied with.

(Ord. 12-1996. Passed 10-10-66.)



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decide in favor of an applicant in any matter on which the Board has original jurisdiction under this Zoning Ordinance, or to grant any variance from the requirements stipulated in this Zoning Ordinance.

A. The Board of Zoning Appeals shall decide all applications and appeals within thirty days after the final hearing thereon.

B. A Notice of the Board's decision shall be transmitted to the applicant or appellant. Such decision shall be binding upon the Zoning Administrator and observed by him, and he shall incorporate the terms and conditions of the same in the zoning certificate to the applicant or appellant, whenever a certificate is authorized by the Board.

C. A decision of the Board shall not become final upon the date the findings of fact, conclusions of law, or the minutes are approved.

D. Any party adversely affected by the decision of the Board may appeal to the Court of Common Pleas of Hamilton County as provided based on Ohio Law.

E. In exercising its power, the Board of Zoning Appeals may, in conformity with the provisions of statute and of this Zoning Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as ought to be made, and to that end shall have all powers of the officer from whom the appeal is taken.

No order of the Board permitting the erection or alteration of a building shall be valid for a period longer than twelve (12) months unless a building permit for such erection or alteration is obtained and the work has started within such period or, where no erection or alteration is necessary, the permitted use is established within such period.

1131.07 QUORUM

Three (3) members of the Board of Zoning Appeals shall constitute a quorum.
(Ord. 12-1996. Passed 10-10-66.)

1131.08 ASSISTANCE FROM OTHER DEPARTMENTS.

The Board of Zoning Appeals may call upon the Village departments for assistance in the performance of its duties, and it shall be the duty of such departments to render such assistance to the Board as may reasonably be required.

(Ord. 12-1996. Passed 10-10-66.)

1131.09 APPLICATIONS.

An application, in cases in which the Board of Zoning Appeals has original jurisdiction under the provisions of this Zoning Ordinance, may be taken by any property owners including a tenant, or by a governmental officer, department, board or bureau. Such application shall be filed with the Zoning Administrator who shall transmit the same to the Board.

(Ord. 12-1996. Passed 10-10-66.)

1131.10 CONDITIONAL USES.

In considering an application for a conditional use, the Board of Zoning Appeals shall give due regard to the nature and condition of all adjacent uses and structures, and in authorizing a conditional use, the Board may impose such requirements and conditions with

2025 BZA SCHEDULE OF FEES

CONDITIONAL USES	FEE
Conditional Uses	\$923.00 plus \$193.00 per acre pertaining to the area of the conditional use.
MODIFICATIONS	
Modifications to approved Conditional Uses	\$744.00

VARIANCES AND APPEALS

VARIANCES	FEE
RESIDENTIAL	
Proposed improvements valued up to \$25,000	\$193.00
Proposed improvements valued over \$25,001	\$289.00
COMMERCIAL	
Proposed Improvements valued up to \$500,000	\$923.00
Proposed Improvements valued between \$500,001 and \$1,000,000	\$1,296.00
Proposed Improvements valued between \$1,000,001 and \$10,000,000	\$1,835.00
Proposed Improvements valued above \$10,000,000	\$3,685.00
ZONING CERTIFICATE	
Issuance of a Zoning Certificate	Fees are based on the Use type shown in Appendix 6- Zoning Certificates
PENALTIES	
The Board of Zoning Appeals may invoke a penalty fee of up to two times the application fee when a project is commenced prior to obtaining an approval.	
APPEALS	
Appeal to any order, decision, or determination made by an Administrative Official	\$564.00

NONCONFORMING USE AND COMPATIBLE NONCONFORMING USE APPLICATIONS

NONCONFORMITIES	FEE
Nonconforming Uses of Land and Structures	\$104.00
Noncomplying Structures	No Charge
Nonconforming Lots of Record	No Charge
COMPATIBLE NONCONFORMING USES	
Application for Compatible Nonconforming Uses	\$564.00
Notice of Refusal Letter	\$126.00
Legal Advertisement	\$74.00
5% technology fee will be added to all fees effective 1/17/17	

Make checks payable to the Hamilton County Treasurer. All processing fees are nonrefundable.

St. Bernard Planning Commission
November 6, 2025
6:00 p.m.
MEETING MINUTES

The Planning Commission was called to order at approximately 6:05 p.m. by Mr. Fraley. The Pledge of Allegiance was recited.

Upon call of the roll, members in attendance were Mr. Benjamin Fraley, Ms. Taylor Vogt, Ms. Kelly Valerius, Mr. Jonathon Stuchell and Mr. Mark Wendling. Also, in attendance was Andrew Schweier, Zoning Administrator.

Mr. Fraley reviewed the hearing procedures and performed a group swearing in.

Mr. Fraley called for the first case.

Staff read the conflict-of-Interest statement. No conflicts were noted. Commissioner Fraley made a motion and Commissioner Valerius seconded the motion. The motion was passed unanimously.

Staff presented case 11-002-2025. Case 11-002-2025 is a request to Amend Chapter 1181.15(a) and 1181.15(b) of the St. Bernard Zoning Ordinance. Staff report is submitted as part of the minutes for the record.

The Board had the following questions for Staff:

Commissioner Fraley asked if Friars would be in compliance with this change and Staff advised that they would be considered in compliance. Commissioner Fraley asked about the other lots and if they would need a variance. Staff advised that this zoning change would not bring them into compliance as the were constructed under the current code, a variance would be required to gain compliance and avoid issues in future years.

Commissioner Vogt asked about codifying the setback from the roadway because that seemed unclear and requested that it be the same ten feet as currently in the code for other parcels.

Mayor Stuchell asked about specifying certain types of shrubbery that would be appropriate. Staff advised that there was language requiring a landscape architect which staff believed was sufficient to accomplish the goal, but they could add specifics if they wanted to.

Commissioner Fraley called for anyone to speak in favor or against the request. No one from the audience spoke on the matter, and the public meeting was closed.

Commissioner Fraley asked about the height requirement for the shrubs and bushes. Staff advised there was discussion about keeping the height in the code but it was ultimately left out. Commissioner Vogt requested codifying the setback from the roadway because that seemed unclear and requested that it be the same ten feet as currently in the code for other parcels. The board had a discussion and concluded that a minimum height of four feet at maturity so that the lot was effectively screened was the intent. The discussion included conversation about the shrubs at the library and the consensus was that the shrubs could provide screening if allowed to grow.

A motion was made by Commissioner Fraley and seconded by Commissioner Vogt to approve October Minutes. A roll call vote was taken and the motion passed unanimously.

Miscellaneous

Staff advised that the first BZA case had been scheduled for December 8 in regards to a fence for P&G. They are requesting a six foot fence along three street frontages. Staff advised that the current code does not distinguish between residential, commercial and only permits a four-foot fence. Staff advised that they would like to change this code, but it is not ready for review so a variance is required.

Staff advised that the BZA section of the code has been re-written and legal counsel has reviewed. It will come before the board in December.

Mayor Stuchell asked about two other potential BZA cases and Staff advised that neither one has been submitted at this time. But staff was keeping contact with both potential applicants.

A motion was made and seconded to Adjourn. All voted in favor. The meeting was closed.

Respectfully submitted,

Benjamin Fraley, Chairman

Andrew Schweier, Secretary



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Council Chambers
110 Washington Ave
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Benjamin Fraley Chairman	Taylor Vogt Vice Chair	Benjamin Fraley Chairperson Kelly Valerius Commissioner	Jonathon Stuchell Mayor	Mark Wendling Safety Services Director
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Roll Call:

3 Public Hearing(s)

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Swearing in of Those Providing Testimony to the Planning Commission:

Chair

Conflict of Interest Statement

Prior to consideration of the following agenda items, each member should examine the agenda to determine whether he or she has any conflict of interest with any agenda item.

If so, please note the agenda item for which you intend to abstain or recuse yourself as an exception to the upcoming motion. You may not discuss or vote on any item you have a conflict of interest with or act in any way to influence the deliberation or vote.

Motion: I move that a note be made upon the minutes that each member of the Planning Commission was furnished a copy of the agenda prior to its being considered at this meeting, and that, with the exception of the items so noted, no member has identified any conflict of interest regarding any agenda item.

Motion

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Roll Call of Vote

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING



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Agenda Item #3

Case No 11-004-2025

Zoning Map Amendment

Staff is requesting a Zoning Map Amendment to change two (2) properties from R-3 Multi Family to B-1 Neighborhood Business District. The subject properties are located on Vine Street.

Motion

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Roll Call Vote

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Old Business:

Notice of Decision:

10-001-2025

Motion

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Roll Call Vote

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Minutes

October 2, 2025

Motion

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING

Roll Call Vote

FRALEY	VOGT	VALERIUS	STUCHELL	WENDLING



VILLAGE OF ST. BERNARD

110 Washington Avenue, St. Bernard, Ohio 45217
Phone: (513) 242-7770 • Website: www.cityofstbernard.org

PLANNING COMMISSION CASE NO: 11-002-2025

PROPERTY ADDRESS: NA

PARCEL ID # NA

APPLICANT: VILLAGE OF ST. BERNARD

PROPOSED REQUEST:

The applicant is proposing a Zoning Text Amendment to Chapter 1181 Off-Street Parking and Loading; Section 1181.15(a) Development and Maintenance of Off-Street Parking Areas: Screening and Landscaping and 1181.15(b) Minimum Distances and Setbacks.

BACKGROUND INFORMATION

The Village of St Bernard established the Zoning Ordinance related to Chapter 1181 in October 1966, by Ordinance number 12-1966. Staff does not see any updates to this Chapter since the original Ordinance was passed.

Staff participated in a planning meeting for an expansion of a parking lot and reviewed Chapter 1181 in order to provide information to the applicants as to the zoning requirements. Upon review of the Ordinance, Staff observed that several lots appear to have been constructed without meeting the current code.

Staff does not believe that the current code, adopted in 1966, is the most practical way of addressing the screening. Staff believes that it is appropriate to update the code.

VILLAGE OF ST. BERNARD ZONING ORDINANCE

The following are the applicable sections of the St Bernard Zoning Ordinance:

Chapter 1181.15: Every lot hereinafter used as a public or private parking area including a public parking lot as well as motor vehicle and trailer sales lots shall be developed and maintained in accordance with the following requirements:

Chapter 1181.15(a) Screening and Landscaping: Off Street parking areas for more than five vehicles shall be effectively screened on each side which adjoins or faces institutional premises or premises situated in any R-district by a masonry wall or solid fence. Such wall or fence shall not be less than four feet in height and shall be maintained in good condition. Where the capacity of the parking area exceeds thirty vehicles, it shall be screened by a masonry wall of at least the height hereinabove prescribed.

1181.15(b) Minimum Distances and Setbacks: No part of any parking area for more than five vehicles shall be located closer than ten feet to any dwelling, school, hospital, or other



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The east side of the parking area abuts the walking path for Friars Club and is approximately one hundred and twenty-nine (129) feet long. There are twelve (12) evergreen shrubs in this location.

The shrubs are located about every eleven (11) feet at this location and the trees are located every twenty-five (25) feet. See Exhibit B

Friars Club: This project was approved in 2024. The Friars Club parking lot is currently under construction. The parking area is designed to have thirty-four (34) parking spaces. The location of the parking lot is in and adjacent to an R-District. As such, the parking lot would be required to have a four-foot brick wall on three sides of the lot.

Staff spoke with the developer of the Friars Club parking lot, Robert Painter. Staff was advised that the screening requirements were never discussed with the Applicant.

Staff met with Annie Timmons and Sandy Sieben of the Friars Club on October 6, 2025. SIEBEN and TIMMONS were both unaware of the screening requirements and advised that it was not a discussion during the planning process. The Friars Club has no landscaping plan at this time as a result of the miscommunication by the Village. Friars Club has stated that they will work with Staff to install appropriate landscaping.

Staff spoke with Mike Besl, Board President of the Friars Club and explained to Mr. Besl the plans moving forward with the Text change and the Zoning Map change.

Staff notes that there is a public parking area located on Vine Street at Bertus Street which does have a brick wall surrounding the lot on Vine Street, Bertus Street, and the adjoining residential parcel. Staff notes that the wall is not "unpierced" as stated in the code. See Exhibit C.

There is a second public parking lot on Vine Street and Baker which does have the brick wall along Vine, and Baker. Staff notes that this wall is not "unpierced" as stated in the code. See Exhibit D.

There is a minimal amount of landscaping at each of these two parking areas.

Section 1181.16 Modifications allows the board of zoning appeals to modify, reduce, or waive the foregoing requirements. Staff was unable to locate any documents or reports which would indicate that such a waiver or modification was sought or granted.

Additionally, Staff spoke with Village employees who may have had knowledge of these issues being discussed during the planning phase and no one was able to provide additional insight.



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1181.15 (a) Screening and Landscaping and Section 1181.15(b) Minimum Distances and Setbacks

Motion to Deny: "I make a motion that the Planning Commission recommend that Council hold a public hearing and take final action to DENY the Zoning text amendments to Section(s) 1181.15 (a) Screening and Landscaping and Section 1181.15(b) Minimum Distances and Setbacks.



VILLAGE OF ST. BERNARD

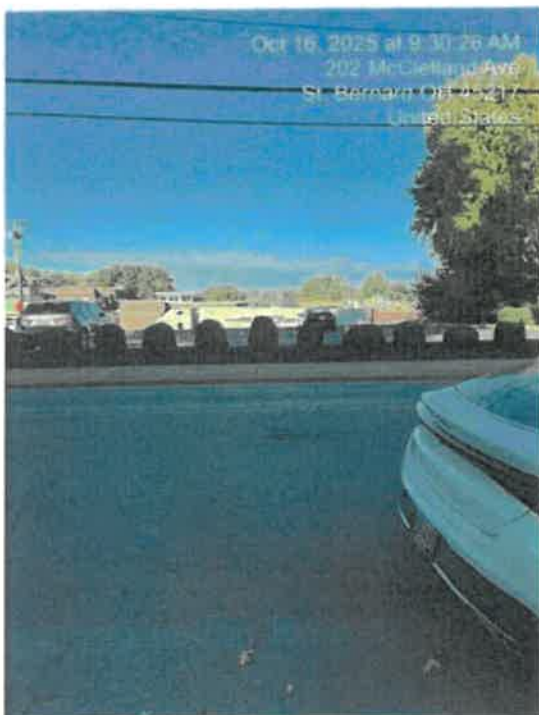
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The public lot by the library does not have a fence or wall as was required.

The shrubs are about 2-3 feet tall. These shrubs are planted closer together but due to their size do not screen the parking lot effectively. They are an evergreen style shrub which will maintain color throughout the winter.

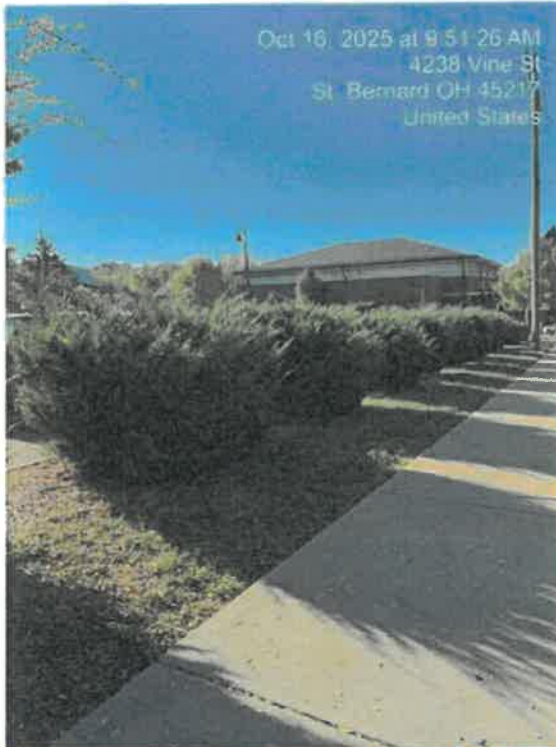
These shrubs could provide adequate screening if allowed to grow and they would not be trimmed back.





VILLAGE OF ST. BERNARD

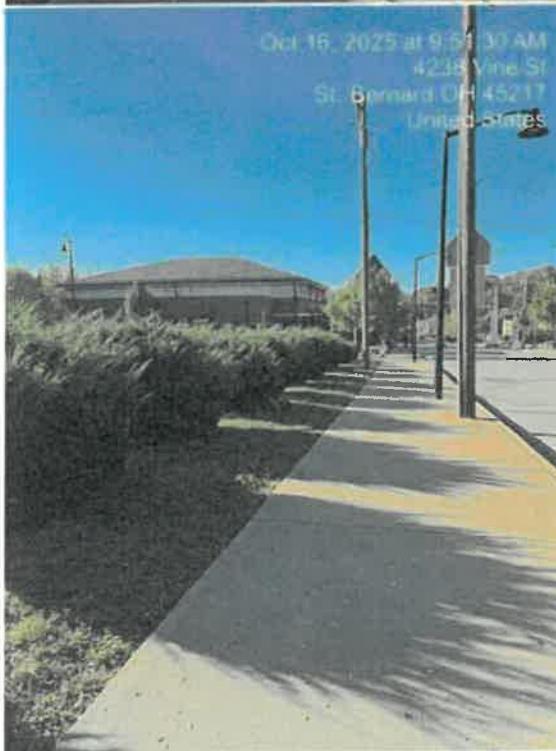
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This is the Safety Services Lot which is required to have a brick wall due to the number of parking spaces.

These shrubs are 4 to 5 feet tall, planted further apart as noted in the staff report. They are also an evergreen style shrub.

Staff believes that these provide an adequate screening of the parking lot.





VILLAGE OF ST. BERNARD

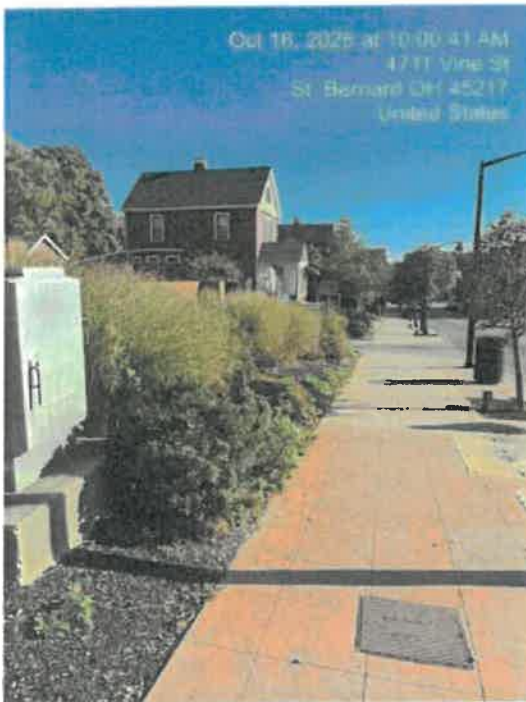
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Exhibit D: Municipal Lot Vine and Baker



This is the Municipal lot at Vine and Baker. It has the required brick wall and landscaping to break up the view.

Staff believes that as the code is currently written, this is a good example of what would be required for the Library, Safety Services, and the Friars Club parking lots.





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except where such property is in another block or on another street which the lot in question does not abut.

(c) Surfacing. Any off-street parking area must be paved with either blacktop or concrete to provide a durable and dustless surface. The area must be graded and drained to dispose of all surface water away from adjacent properties, and must be arranged and marked as to provide for orderly and safe loading, unloading, parking, and storage of all vehicles.

(d) Lighting. Lighting used to illuminate any off-street parking area shall be so arranged as to reflect the lighting away from adjoining premises.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Note:

This is an example of how the draft ordinance would appear. Staff will work with the Law Director to adopt the appropriate format and language to present to Council. Staff believes that this will be presented to Council in December



VILLAGE OF ST. BERNARD

110 Washington Avenue, St. Bernard, Ohio 45217

Phone: (513) 242-7770 • Website: www.cityofstbernard.org

PLANNING COMMISSION CASE NO: 11-003-2025

PROPERTY ADDRESS: 4238 Vine; 4244 Vine; 4248 Vine; 4252 Vine

PARCEL #: 582 0013 0258 00; 582 0013 0241 00; 582 0013 0242 00; and 582 0013 0243 00.

APPLICANT: VILLAGE OF ST. BERNARD

PROPOSED REQUEST:

The applicant is proposing a Zoning Map Amendment to the above listed addresses and Parcels. Parcel # 582 0013 0258 00; 582 0013 0241 00; 582 0013 0242 00; and 582 0013 0243 00 would be re-zoned from R-3 to R-2

The address 4238 Vine Street is actually two parcels on the Auditors website, one being owned by the Village and the other parcel being owned by St. John's Province.

BACKGROUND INFORMATION

The Village of St Bernard established the Zoning Ordinance and related Zoning Map in October 1966. The most recent Zoning Map appears to have been adopted in 2011. Staff has recently added color to the zoning map to more effectively represent the zoning districts.

Staff participated in a planning meeting for an expansion of a parking lot and reviewed Chapter 1181 in order to provide information to the applicants as to the zoning requirements. Upon review of the Ordinance, Staff observed that the parking lot currently being built for The Friars Club is located in a different zoning district than the principal structure. The parking lot is located in an R-3 District while the principal structure is in the R-2 District. This would place the parking lot in violation of the zoning code.

The Friars Club and Roger Bacon High School occupy approximately sixteen (16) different parcels on their complex. Both entities are part of the same organization, the Province of St. John's the Baptist

VILLAGE OF ST. BERNARD ZONING ORDINANCE

The following are the applicable sections of the St Bernard Zoning Ordinance:

Chapter 1181.12: Accessory off-street parking spaces shall be located in the same or a less restricted district as those in which the principal use is permitted, provided however that the Board of Zoning Appeals may authorize as a conditional use subject to the provisions of Chapter 1131 the establishment and operation of accessory off street parking facilities in such sections of any R-District which either abut either directly or across an alley any B or M-District subject to the following requirements:



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Staff made the decision to initiate the change as a result of approving the project without requiring the BZA hearing or requiring the Friars Club to make the zoning change. Staff believed that due to the oversight on the Villages part, this was the correct path forward.

Staff recommends that 4238 Vine Street, Parcel # 582 0013 0258 00; 4244 Vine Street, Parcel # 582 0013 0241 00; 4248 Vine Street, Parcel #582 0013 0242 00; and 4252 Vine Street, Parcel #582 0013 0243 00 be re-zoned from R-3 to R-2 as this matches the zoning of the principal structure.

NEIGHBOR COMMENTS

Staff has not received any comments at the writing of the Staff Report. The original Agenda was posted to the Village website thirty (30) days prior to the meeting date and the Staff Report was posted seven (7) days prior to the meeting date.

A two hundred (200) foot radius from the center of the property identified seventeen property owners. A written notification about the map change request was sent to 15 owners and/or occupants.

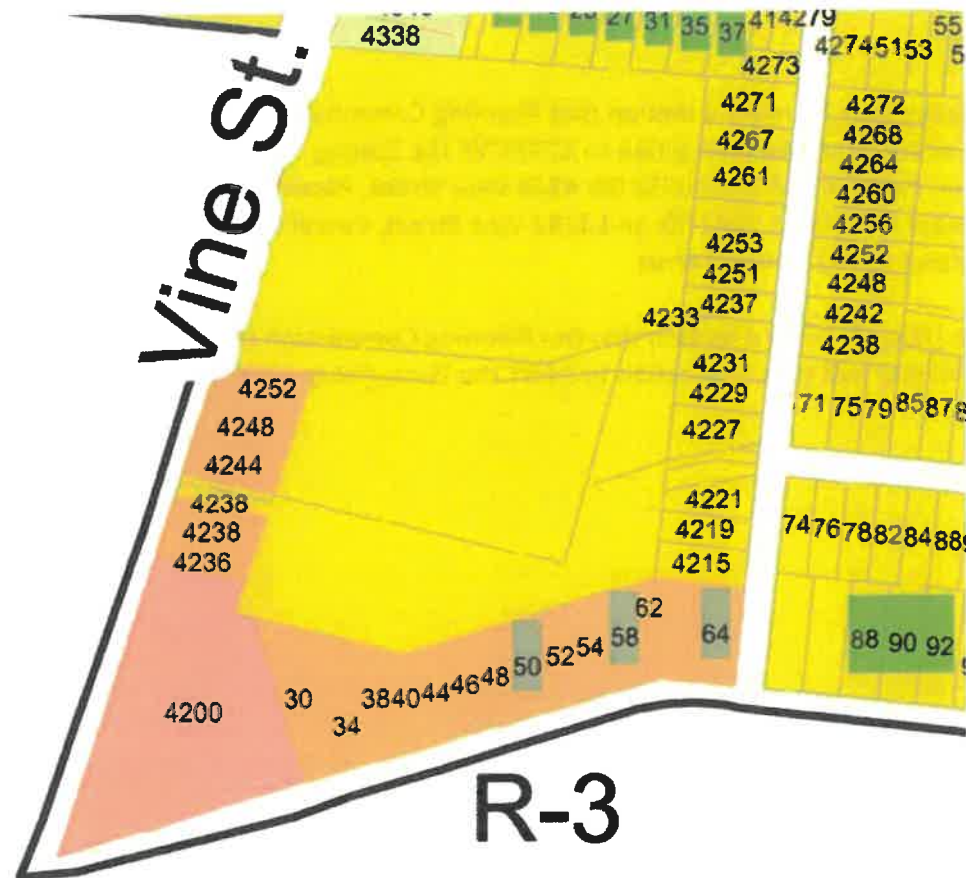


These are the property lines as obtained from Hamilton County CAGIS.



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The areas shaded tan are the R-3 Zoning District. As is shown on the map, there are two parcels showing the address of 4238 Vine Street. Both of the parcels are zoned R-3 currently.

The area shaded in the yellow is the R-2 District which is where the Friars Club and Roger Bacon High School are located. Staff is requesting that parcels 582 0013 0258 00; 582 0013 0241 00; 582 0013 0242 00; and 582 0013 0243 00 which make up the parking lot for the Friars Club be re-zoned to R-2 to bring the parking lot into compliance.



VILLAGE OF ST. BERNARD

110 Washington Avenue, St. Bernard, Ohio 45217
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NOTICE OF PUBLIC HEARING

A public hearing will be held before the Village of St Bernard Planning Commission on Thursday November 6, 2025 at 6:00pm in Council Chamber, 110 Washington Ave, St Bernard Ohio 45217. The following case is scheduled to be presented:

PLANNING COMMISSION CASE NO: 11-003-2025

PROPERTY ADDRESS: 4238 Vine; 4244 Vine; 4248 Vine; 4252 Vine

PARCEL #: 582 0013 0258 00; 582 0013 0241 00; 582 0013 0242 00; and 582 0013 0243 00.

APPLICANT: VILLAGE OF ST. BERNARD

PROPOSED REQUEST:

The applicant is proposing a Zoning Map Amendment to the above listed addresses and Parcels. Parcel # 582 0013 0258 00; 582 0013 0241 00; 582 0013 0242 00; and 582 0013 0243 00 would be re-zoned to R-2.

VILLAGE OF ST. BERNARD ZONING ORDINANCE

The following are the applicable sections of the St Bernard Zoning Ordinance:

Chapter 1181.12: Accessory off-street parking spaces shall be located in the same or a less restricted district as those in which the principal use is permitted, provided however that the Board of Zoning Appeals may authorize as a conditional use subject to the provisions of Chapter 1131 the establishment and operation of accessory off street parking facilities in such sections of any R-District which either abut directly or across an alley any B or M-District subject to the following requirements:

- (a) Such parking area shall be accessory to one or more business or industrial establishments located in said adjoining B or M-district.
- (b) each entrance and exit of such parking area shall be distant at least twenty feet from any adjacent lot in any R district
- (c) No sign of any kind shall be established and maintained on such parking area except signs used for the direction of traffic.
- (d) No motor vehicle repair work or other services shall be conducted on such parking area.
- (e) Such parking area shall be subject to all applicable requirements of this chapter and to any additional requirements or conditions which may be determined necessary by the Board for the protection of adjacent property.

You are receiving this notice because you own or reside in a property located within 200 feet of the subject properties. If you have any comments concerning this matter, you may



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110 Washington Avenue, St. Bernard, Ohio 45217
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PLANNING COMMISSION CASE NO: 11-004-2025

PROPERTY ADDRESS: 4236 Vine Street and 4238 Vine Street

PARCEL #: 582 0013 0244 00; 582 0013 0177 00

APPLICANT: VILLAGE OF ST. BERNARD

PROPOSED REQUEST:

The applicant is proposing a Zoning Map Amendment to the above listed addresses and Parcels. The listed addresses and Parcels would be re-zoned to B-1.

The address 4238 Vine Street is actually two parcels on the Auditors website, one being owned by the Village and the other parcel being owned by St. John's Province. The listed parcel is owned by the Village and is part of the Village parking lot for Safety Service Center.

BACKGROUND INFORMATION

The Village of St. Bernard established the Zoning Ordinance and related zoning Map in October 1966. The most recent Zoning Map appears to have been adopted in 2011. Staff recently worked with Hamilton County to have the Zoning Map updated so that it reflects the various zoning districts with the appropriate American Planners Association colors.

Staff participated in a planning meeting for an expansion of a parking lot and reviewed Chapter 1181 in order to provide information to the applicants as to the zoning requirements. Upon review of the Ordinance, Staff observed that the parking lot for Safety Services Center is located in a different zoning district than the principal structure.

The Safety Service Center was built in 2014. The Safety Service Center is on three parcels of land. The primary structure is located at 4200 Vine Street which is zoned B-1. The parking lot for Safety Service is on 4236 Vine Street and 4238 Vine Street which are zoned R-3.

VILLAGE OF ST. BERNARD ZONING ORDINANCE

The following are the applicable sections of the St Bernard Zoning Ordinance:

Chapter 1181.12: Accessory off-street parking spaces shall be located in the same or a less restricted district as those in which the principal use is permitted, provided however that the Board of Zoning Appeals may authorize as a conditional use subject to the provisions of Chapter 1131 the establishment and operation of accessory off street parking facilities in such sections of any R-District which either abut either directly or across an alley any B or M-District subject to the following requirements:

- (a) Such parking area shall be accessory to one or more business or industrial establishments located in said adjoining B or M-district.



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A two hundred (200) foot radius of the property identified sixteen property owners. Fourteen written notifications about the map change were mailed out.

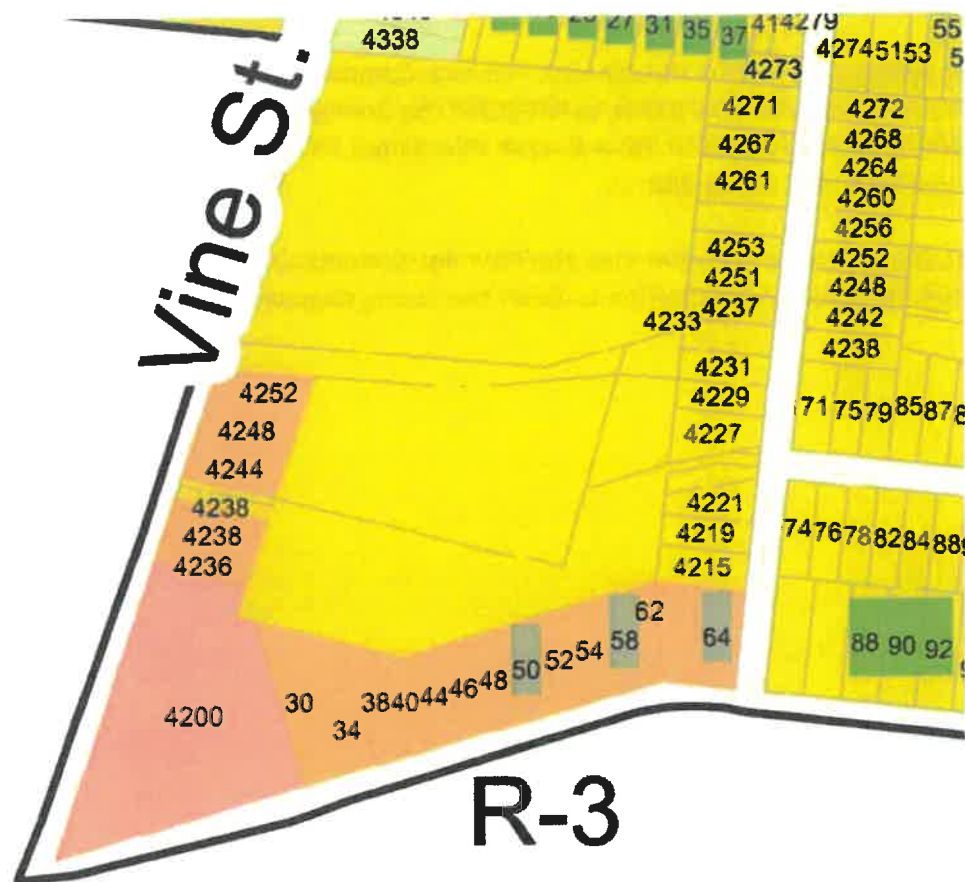


These are the property lines as obtained from Hamilton County CAGIS.



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This is a screen shot of the Zoning Map with addresses. The areas shaded tan are the R-3 Zoning District. As is shown on the map, there are two parcels showing the address of 4238 Vine Street. Both of the parcels are zoned R-3 currently. One is owned by the Village and one is owned by The Province of St. John the Baptist.

The area shaded in the pink is the B-1 Business District which is where the Safety Service Center is located. Staff is requesting that parcels 582 0013 0244 00 and 582 0013 0177 00 which make up the parking lot for Safety Service Center be re-zoned to B-1 to bring the parking lot into compliance.



VILLAGE OF ST. BERNARD

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NOTICE OF PUBLIC HEARING

A public hearing will be held before the Village of St Bernard Planning Commission on Thursday November 6, 2025 at 6:00pm in Council Chamber, 110 Washington Ave, St Bernard Ohio 45217. The following case is scheduled to be presented:

PLANNING COMMISSION CASE NO: 11-004-2025

PROPERTY ADDRESS: 4236 Vine Street and 4238 Vine Street

PARCEL #: 582 0013 0244 00; 582 0013 0177 00

APPLICANT: VILLAGE OF ST. BERNARD

PROPOSED REQUEST:

The applicant is proposing a Zoning Map Amendment to the above listed addresses and Parcels. The listed addresses and Parcels would be re-zoned to B-1.

VILLAGE OF ST. BERNARD ZONING ORDINANCE

The following are the applicable sections of the St Bernard Zoning Ordinance:

Chapter 1181.12: Accessory off-street parking spaces shall be located in the same or a less restricted district as those in which the principal use is permitted, provided however that the Board of Zoning Appeals may authorize as a conditional use subject to the provisions of Chapter 1131 the establishment and operation of accessory off street parking facilities in such sections of any R-District which either abut either directly or across an alley any B or M-District subject to the following requirements:

- (a) Such parking area shall be accessory to one or more business or industrial establishments located in said adjoining B or M-district.
- (b) each entrance and exit of such parking area shall be distant at least twenty feet from any adjacent lot in any R district
- (c) No sign of any kind shall be established and maintained on such parking area except signs used for the direction of traffic.
- (d) No motor vehicle repair work or other services shall be conducted on such parking area.
- (e) Such parking area shall be subject to all applicable requirements of this chapter and to any additional requirements or conditions which may be determined necessary by the Board for the protection of adjacent property.

You are receiving this notice because you own or reside in a property located within 200 feet of the subject properties. If you have any comments concerning this matter, you may