



## VILLAGE OF ST. BERNARD

110 Washington Avenue, St. Bernard, Ohio 45217

Phone: (513) 242-7770 • Website: [www.cityofstbernard.org](http://www.cityofstbernard.org)

REPORT TO THE VILLAGE OF ST. BERNARD BOARD OF ZONING APPEALS  
FOR MEETING DATE OF DECEMBER 8, 2025  
BZA 2026-02-001

**CASE NO. BZA: 2026-02-001**

**PROPERTY ADDRESS: 4227 Leonard, 4229 Leonard, 4231 Leonard and 4320 Vine Street**

**PARCEL ID #582-0013-0171-00; 582-0013-0170-00; 582-0013-0169-00 and 582-0013-0106-00**

**APPLICANT: The Kleingers Group for Roger Bacon High School**

### PROPOSED REQUEST:

The applicant is requesting two variances for the construction of a new parking lot for Roger Bacon High School.

#### **Variance 1: 1181.14 STANDARDS FOR ACCESSORY OFF-STREET PARKING.**

(a) Minimum Size of Space. Each off-street parking space shall have an area of not less than 180 square feet exclusive of access drives or aisles and shall be of usable shape and condition. Except in the case of dwellings, no parking area provided hereunder shall be less than 1,000 square feet in area.

Applicant is requesting the parking spots be 9x18 or 162 square feet. **A variance request of 10%.**

#### **Variance 2: 1181.15 DEVELOPMENT AND MAINTENANCE OF OFF-STREET PARKING AREAS.**

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:

(a) Screening and Landscaping. Off street parking areas for more than five (5) vehicles shall be effectively screened by landscaping on each side which adjoins or faces institutional premises or premises situated in any R-district. Such landscaping must be approved by a registered landscape architect and shall be maintained in a landscaping bed, free of weeds and with plantings maintained in good condition.

i. Evergreen shrubbery/ bush, which at maturity, will be a minimum of four (4) feet in height shall be required. Number shall be determined by type of shrub/bush to be planted.

ii. Flowering perennial plants: three (3) per required shrub or bush.

Applicant is proposing a four (4) foot solid fence in place of the landscaping. **A variance request of 100%**

### BACKGROUND INFORMATION

The subject property is located at 4320 Vine Street and 4227 Leonard, 4229 Leonard, and 4231 Leonard Avenue. The Leonard Ave properties are located on the west side of Leonard between Albert Ave and Orchard St. 4320 Vine Street is located on the east side of Vine between Mitchell Ave and Orchard St.



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According to the Hamilton County Auditor's website 4320 Vine Street (parcel 582-0013-0106-00) is 9.150 acres in size. 4227 Leonard Ave (parcel 582-0013-0171-00) is .165 acres; 4229 Leonard (parcel 582-0013-0170-00) is .110 acres; and 4231 Leonard (parcel 582-0013-0169-00) is .110 acres for a total lot area of 9.535 acres. The Auditors Office shows that the school was built in 1930.

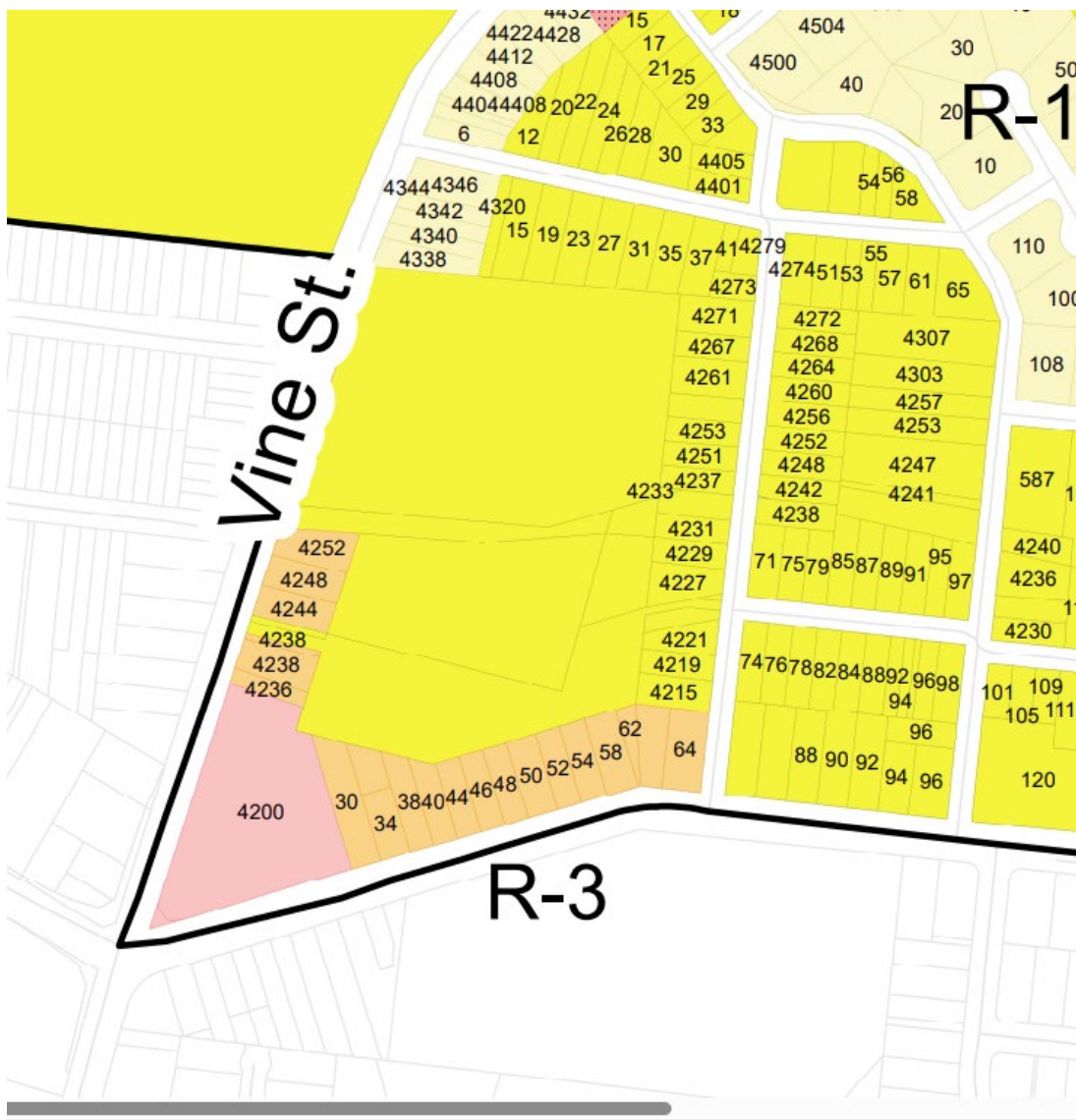


Figure 1: Zoning Map. Shows that the subject properties are within the "R-2 One and Two Family Residence District".



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The properties to the north in bright yellow are zoned R-2 One- and Two-Family Residence. The properties to the north in light yellow are zoned R-1, One Family Residence District. The properties in bright yellow to the South are zoned "R-2" One- and Two-Family Residence. The properties in tan are zoned R-3 Multi Family Residence District. The properties in pink are zoned B-1 Neighborhood Business District. The properties to the east in bright yellow are zoned R-2 One- and Two-Family Residence. The properties in bright yellow to the west are zoned "R-2" One- and Two-Family Residence. The properties in tan are zoned R-3 Multi Family Residence District.

### **St. Bernard Zoning Ordinance:**

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

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ii. Flowering perennial plants: three (3) per required shrub or bush.

Applicant is proposing a four (4) foot solid fence in place of the landscaping.

### **STAFF COMMENTS:**

Staff met with Steve Schad and Jon Powers of Roger Bacon High School in September 2025 to discuss the potential for a parking lot and what some of the requirements might be. At that time, there were no plans presented to Staff, it was only a discussion. One item that Staff



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discussed with Roger Bacon at that time was the desire to have the lots consolidated. Staff noted that the school and Friars club consisted of approximately sixteen parcels and that buildings crossed parcel lines as did parking lots. Staff advised that from zoning standards, that was not acceptable. Roger Bacon Staff responded that they understood the requirement and believed that was acceptable.

Staff began reviewing the code to determine what requirements would be required for the construction of the parking lot. Staff notes the following requirements according to Chapter 1181 Off Street Loading and Parking:

### 1181.13 Schedule of Required Spaces

- Requires Churches and schools to have 1 parking spot for each ten seats in auditorium or 1 for each twenty classroom seats

### 1181.14 Standards for Accessory Off Street Parking

- Each parking space must be 180 sq feet
- One way traffic lanes may be reduced to not less than ten (10) feet
- Shall not be located more than 300 feet from nearest point of building

### 1181.15 Development and Maintenance

- Parking areas for more than five cars shall be effectively screened on each side which adjoins premises in any R- District by a masonry wall or solid fence. Parking for more than thirty vehicles requires a masonry wall.
- No part of any parking area for more than five vehicles shall be closer than ten feet to any dwelling, school, hospital...

Staff immediately recognized that that multiple parking lots which had been constructed in the Village were not in compliance, and that a parking lot request which had recently been approved was not going to be in compliance with 1181.15 Development and Maintenance- the parking lots did not have the required wall or fence, but only had landscaping. Staff drafted a text amendment to this section and presented it to legal council for review. The draft was then presented to Planning Commission and Village Council and adopted in December 2025. The text amendment eliminated the fence and wall requirements and replaced it with a landscaping which seemed to be how the previous requests were being approved.

Staff also took measurements to determine the setbacks from residential properties. Staff notes that the parking lots were setback ten feet from the property lines as best as could be determined. Staff does not recall if at that time measurements of the actual spaces were



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obtained. However, since this application was received, Staff has measured the square footage of parking spaces in several lots. Staff notes that the parking spaces in several lots measure 9x18 or 162 square feet.

On December 18, 2025 Staff met with Roger Bacon. At this time, Kleingers representatives were present with drawings for the proposed parking lot. Staff reviewed the drawings and provided feedback with the areas of concern which included screening requirements along abutting properties and parking space size.

After receiving the application Staff conducted additional research as part of the approval process. Staff notes that the code requires the school to have between 29-58 parking spots. The current lot has 49 parking spots. The proposed parking plan would add an additional 47 parking spots. Staff notes that the current zoning requirements do not account for any school staff, which is an additional 80 people. In reviewing other zoning codes, the requirements for parking are one spot for every five students plus a spot for staff or based on a square footage calculation. Under these calculations, the school would be required to have 116 spots for students and 80 additional spots for staff. Staff believes that the code is in need of further updates.

In terms of the parking space size, codes vary from jurisdiction to jurisdiction. Some are similar to St. Bernard; others mimic what is being requested by the applicant. Based on lots recently constructed, it appears that the 9x18 (162 sq ft) is what has been approved. Staff did not locate any documentation that showed the BZA reviewed and approved the reduced parking spaces. In the case of Roger Bacon, the smaller parking spots do help add spaces to the lot and bring them closer to full compliance.

### **Comments from Other Departments:**

The Fire Department required that the entry and exit lanes be a minimum of twenty (20) feet wide in order to gain access with equipment in case of emergency. Those changes were made and are reflected in the current plan which was approved by Fire.

No other departments provided feedback.

### **Neighbor Comments**

There are approximately ninety-five different property owners within 200 feet of the subject property. Staff mailed out a Notice of Public Hearing to each property owner. Staff also posted the notice of the Public Hearing to the Village website.



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Staff has not received any comments at the writing of the Staff Report. Staff did speak with two residents prior to the application being submitted. Gil Patton, 4262 Leonard, asked if there would be a public hearing. Staff advised that it depended on the requests. If variances were needed, a hearing would be held. In terms of an informational meeting, Staff advised that would be left to Roger Bacon to determine. Staff also spoke with Peggy Stoerr of 4254 Leonard with similar concerns.

### **VARIANCE REVIEW CRITERIA:**

#### **St. Bernard Zoning Ordinance**

Variance Conditions Prevailing: by reason of the exceptional narrowness, shallowness, or unusual shape of a specific piece of property on the effective date of this Ordinance, or by reason of exceptional topographic conditions or other extraordinary situation or condition of such piece of property, or of the use or development of the property immediately adjoining the piece of property in question, the literal enforcement of the requirements would involve practical difficulty or would cause unnecessary hardship (unnecessary to carry out the spirit and purpose of this Ordinance) the Board shall have the power to authorize a variance from the terms of this ordinance, so as to relieve the hardship. In authorizing such variance, the Board may attach thereto such conditions necessary in the interest of the furtherance of the purposes of the Ordinance and in the public interest. In authorizing a variance, with attached conditions, the Board shall require such evidence and guarantee or bond as it may deem necessary to enforce the compliance with the conditions attached.

#### **Variance-Findings of the Board:**

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. In making this determination, the Board will consider the following factors:

I. Will the property yield a reasonable return or can there be a beneficial use of the property without the Variance?

APPLICANT'S RESPONSE: There is still value and use of the property without the variance. However, this parking expansion will improve the safety for neighborhood and traveling public by reducing the need for on street parking.





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**Staff Comment:** Yes, there can be a beneficial use of the property without the requested Variances.

### II. Is the Variance substantial?

**APPLICANT'S RESPONSE:** We do not feel the variances are substantial.

1) The parking space dimension variance to 9'x18' is consistent with many other existing parking lots in St. Bernard with the same dimension, including the newly constructed St Bernard-Elmwood Place HS and a large parking lot along railroad Avenue. Furthermore, for comparison, the City of Cincinnati code allows for parking spaces to be 9x18. This is especially impactful in tight urban areas.

2) The proposed 4' high fence is not substantial as it still meets the spirit and intent of the Zoning Code.

**Staff Comment:**

The request is to reduce the parking space size by ten percent or 18 square feet. Staff does not view this as significant.

The request to replace landscaping with a fence seems significant at 100%, but the fence would have been approved by Staff without a variance two months ago. Landscaping is not feasible on the retaining wall and the fence is a better alternative with up to a twenty-foot drop. The fence meets the spirit and intent of the code to block the light from cars and screen the lot from view. Neither variance request is substantial.

### III. Would the Variance cause a substantial alteration in the essential character of the neighborhood or cause a substantial detriment to the adjoining properties?

**APPLICANT'S RESPONSE:** No, the variances will not cause a detriment to the adjoining properties:

1) The parking space size reduction will likely not be noticeable, the reduction in on street parking will be noticed by the neighborhood.

2) The proposed 4' high fence will screen the vehicles and headlights from the adjacent residential property



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**Staff Comment: The variance requests will not cause a substantial alteration or detriment to the adjoining properties.**

IV. Would the Variance adversely affect the delivery of governmental services?

**APPLICANT'S RESPONSE: No**

**Staff Comment: No, government services would not be affected.**

V. Did the property owners purchase the property with the knowledge of the zoning restriction?

**APPLICANT'S RESPONSE: The property was purchased prior to the adoption of the current zoning code**

**Staff Comment: The Zoning Code was not adopted until 1966. Roger Bacon High School was built in the 1930's and preexisted the zoning code.**

VI. Could the problem be solved in some other manner other than the granting of the Variance?

**APPLICANT'S RESPONSE:**

1) The parking space dimension variance allows us to provide more off-street parking. Without the variance, the parking space yield will be reduced. Again, the intent is to provide as much off-street parking as practical, thereby improving safety.

2) Proposed 4' solid fence- it is not practical to provide a landscape buffer at the top of a retaining wall. The fence is also being provided for reasons of safety and security

**Staff Comment: The Applicants could comply with the Zoning Ordinance by making the parking spaces 180 square feet. However, the most recently approved parking lots all have 162 square feet parking spaces. The school needs the additional parking and the larger spaces will reduce the number of available spaces.**

**In the case of the landscaping and retaining wall, Staff does not believe the problem can be solved in another manner.**





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VII. Would the Variance preserve the spirit and intent of the zoning requirement and substantial justice be done by granting the variance?

**APPLICANT'S RESPONSE:** Yes. Commercial/ Industrial property have no distinction from residential property in the current ordinance regulations regarding fences.

**Staff Comment:** Staff believes that the granting of the variances does preserve the spirit and intent of the zoning code for the reasons previously stated.

### **Decision Of Board of Zoning Appeals:**

The Board shall act by resolution; and the concurring vote of three (3) members of the Board shall be necessary to reverse any order or determination of the Zoning Administrator, to 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. 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.

### **ACTION:**

The Board of Zoning Appeals shall approve, approve with conditions, or deny the applicants variance request.

Should the BZA approve the applicant's request, the following conditions should be considered for each request:

1. The BZA approves waiving the thirty (30) day waiting period to allow the applicant to receive any needed permits. The applicant hereby acknowledges that any work completed prior to the end of the appeal period is at their own risk.
2. The Applicant shall perform a lot combination to combine the properties into a single parcel or two parcels keeping the school on one parcel and Friars club on a second parcel. This decision is left to Roger Bacon and the Friars.
3. The Applicants will require all students of Roger Bacon High School to park on property and will take action to prevent the students/staff from parking on Leonard Ave.



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This is an overview of the entire campus of Roger Bacon High School and Friars Club.





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The subject parcels which will become the parking lot and exit are outlined in red.

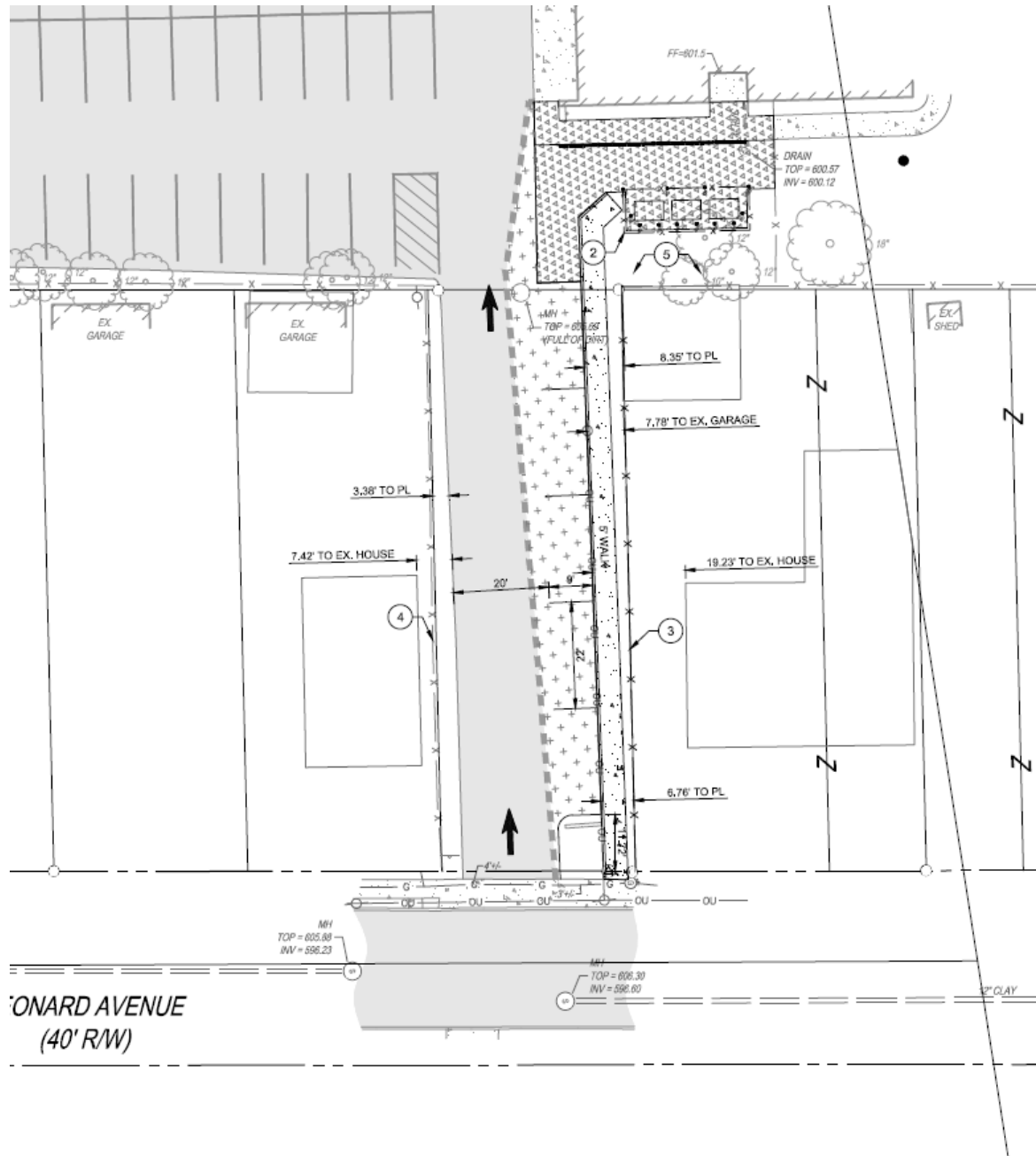


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This is the existing north drive which connects to the current parking lot. This will become a one way entry. The applicants are proposing five parking spaces along this area. The code requirements are applicable for more than five parking spaces so the parking lot requirements do not apply. The applicant is proposing to place a solid four foot fence on the north side along 4261 Leonard

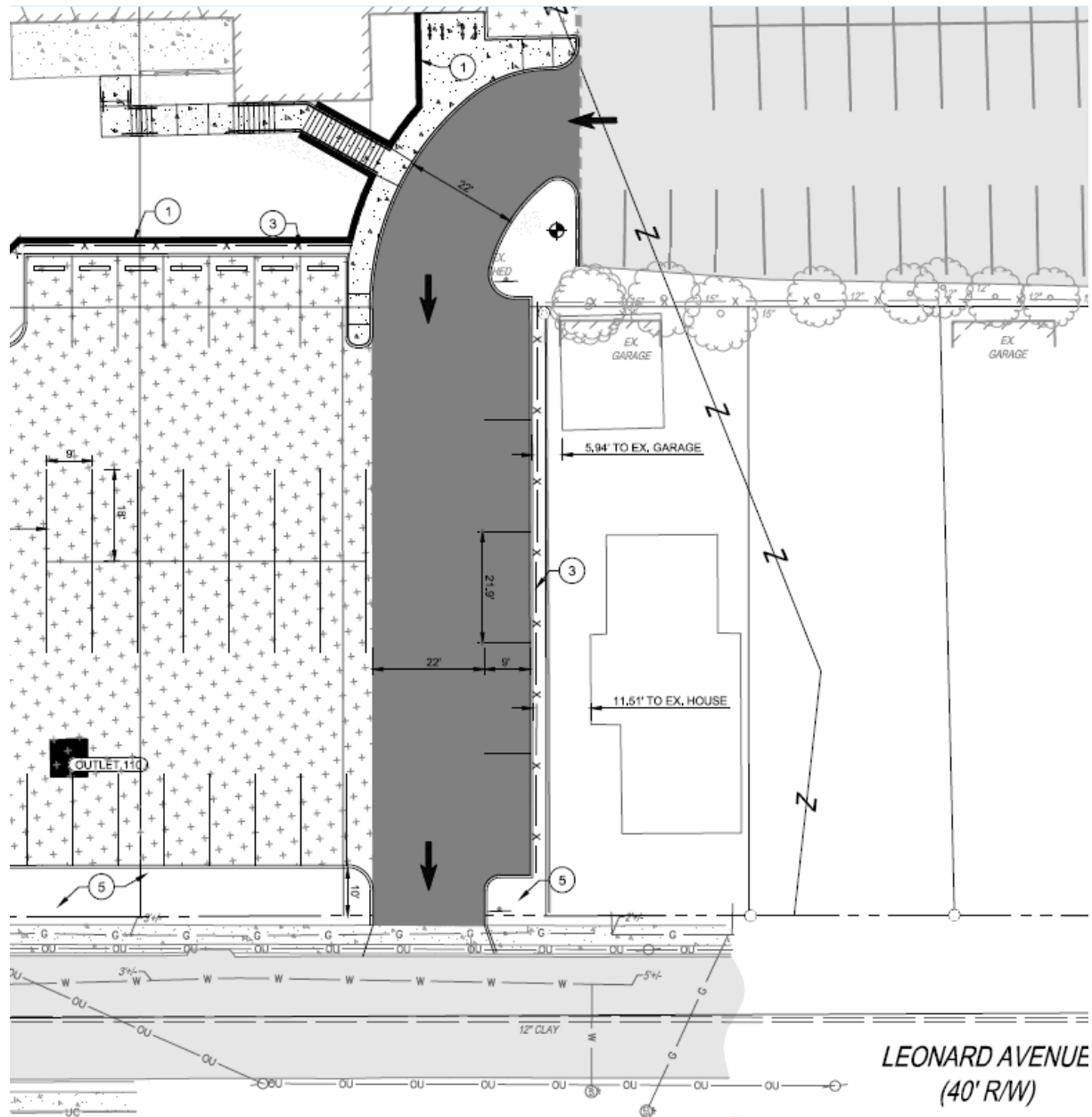


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\* 565.96

This is the proposed one way exit drive next to 4233 Leonard. There are five parking spots proposed along the exit drive. The parking regulations are not applicable under this proposal. The applicant is proposing a four foot solid fence on the property line. If the Board believes that the exit lane and parking lot are one unit, the regulations would apply. The variance request would be for the fence which the applicant is already proposing.

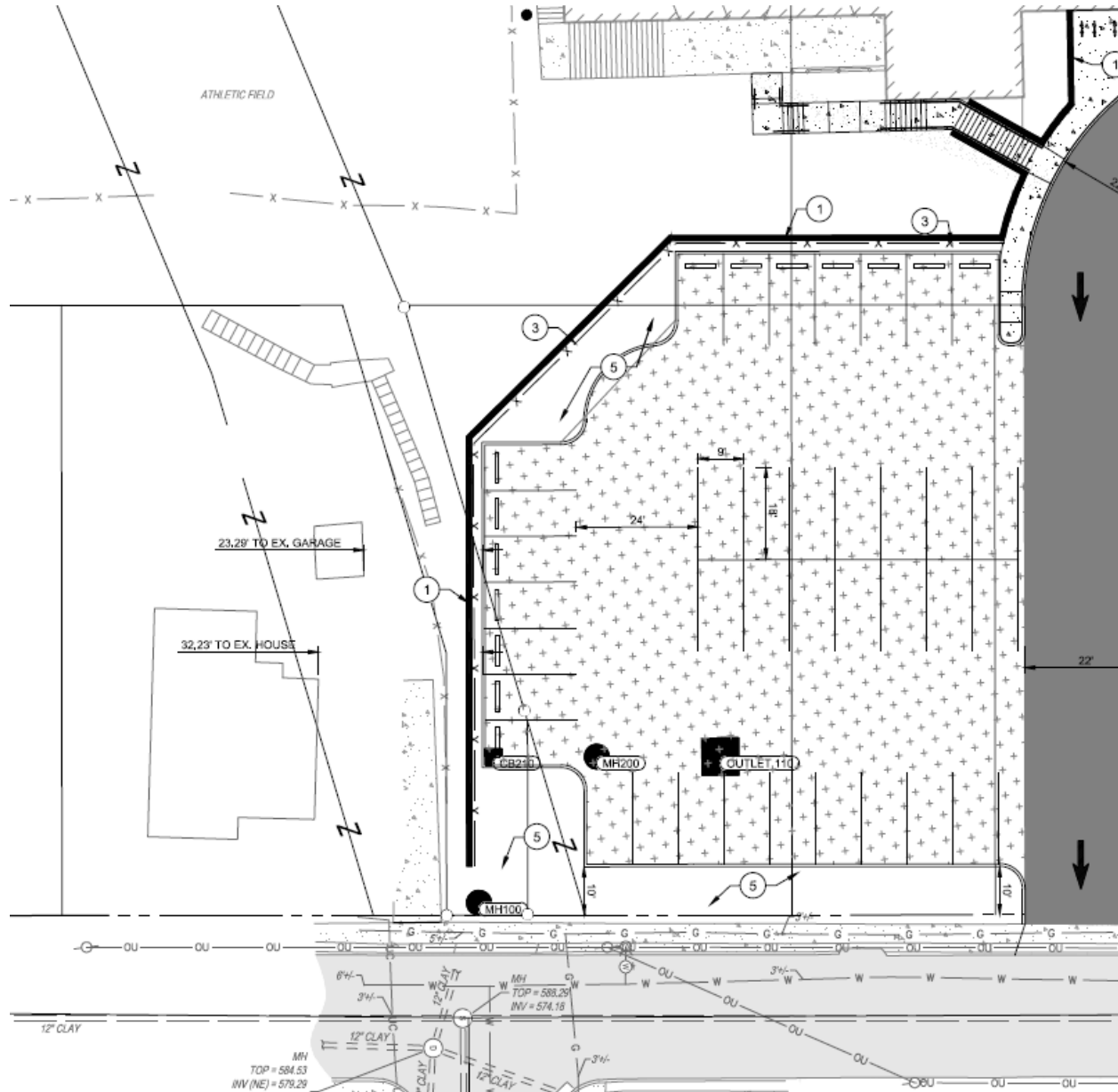


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This is the proposed parking lot next to 4221 Leonard. The dark line on the edge of the parking lot is the retaining wall which is proposed for the lot. The fence is shown on the retaining wall as well. The parking spaces are shown as 9x18.





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This map shows the topography from the edge of the current house at 4227 Leonard to the southwest property line. There is a twenty-foot drop in that span which Staff views as significant.