

A G E N D A

THE HAMILTON COUNTY BOARD OF ZONING APPEALS

REGULAR MEETING

Room 805-B, Administration Building

October 12, 2016

1:00 P.M.

Dan Spraul, Chairman/Presiding Officer

1. MEETING CALLED TO ORDER

2. ROLL CALL OF COMMISSIONERS

3. PLEDGE OF ALLEGIANCE

4. SWEARING IN OF WITNESSES

5. ADMINISTRATIVE ITEMS:

ADM10:

Approval of Minutes and Affirmation of Resolutions from the September 14, 2016 Regular Meeting

6. PUBLIC HEARINGS:

ZONING VARIANCES:

- A. CASE: Columbia 2016-03; 6913 Cambridge Avenue
REQUEST: To request a variance to allow construction of a detached accessory garage occupying more of the required area of the rear yard than permitted on the property located in a "C" Residence district
APPLICANT: Kent Bradley Roush, RA, Kent Bradley Roush Architects LLC (applicant); Mark S. & Holly Simes (owners)
LOCATION: Columbia Township: 6913 Cambridge Avenue, on the south side of Cambridge Avenue, east of Plainville Road (Book 520, Page 171, Parcels 206 & 444)
TRACT SIZE: Approximately 0.14 acres
- B. CASE: Green 2016-09; 1781 Anderson Ferry Road
REQUEST: To request a modification of a condition included in the Resolution Granting BZA case Green 2014-16 to allow a detached accessory garage with less setback than required in a "C" Residence District
APPLICANT: Catherine & Nicholas Kreiner (applicant & owners)
LOCATION: Green Township: 1781 Anderson Ferry Road, on the west side of the Anderson Ferry Road, approximately 500 feet south of the Anderson Ferry Road and Sidney Road intersection (Book 550, Page 142, Parcel 5)
TRACT SIZE: Approximately 1.44 acres
- C. CASE: Green 2016-11; 3574 Sandal Lane
REQUEST: To request a variance to allow construction of an addition to the existing single-family home with less side yard setback than required in an "A" Residence district
APPLICANT: Donald Schehr, Schehr Design LLC (applicant); Paul and Pam Rybolt (owners)
LOCATION: Green Township: 3574 Sandal Lane; on the east side of Sandal Lane approximately 660 feet north of Bridgetown Road (Book 550, Page 292, Parcel 163)
TRACT SIZE: Approximately 0.47 acres

7. OLD BUSINESS:

8. NEW BUSINESS:

9. DATE OF NEXT MEETING: November 9, 2016

10. ADJOURNMENT

NOTE: Individuals requiring special accommodations to participate in or attend any meeting or hearing should call the Planning & Development Office at 946-4550, ext. 2 seven days prior to the meeting.

HAMILTON COUNTY
BOARD OF ZONING APPEALS

RECORD OF PROCEEDINGS – SEPTEMBER 14, 2016 REGULAR MEETING

PAGE 1

SUMMARY OF ACTIONS

PRESIDING OFFICER: Abercrombie
MEMBERS PRESENT: Abercrombie, Joesting, Rosenberger, Roudebush
ABSENT: Spraul
STAFF PRESENT: B. Snyder, B. Stratton
LOCATION: Room 805, County Administration Bldg.
TIME: 1:00 PM – 1:52 PM

	AGENDA ITEMS	BZA Action	Vote	Conditions & Codes
SWEARING IN OF WITNESSES:	All those in attendance that provided testimony were sworn in by the Chairman of the Board			
ADMINISTRATIVE ITEMS:	ADM09: Disposition of Minutes and Affirmation of Resolutions from August 10, 2016	Approval	4-0-0	
VARIANCES:	Green 2016-10; Glenway Firestone Signs	Approval	4-0-0	1, 5
	Harrison 2016-01; 10890 New Biddinger Road	Approval	4-0-0	1, 5
ATTEST:	Chairman _____	Secretary 		
CONDITIONS AND CODES:	<ol style="list-style-type: none"> 1. Approval subject to standard covenants. 2. Approval subject to conditions recommended in the staff report. 3. Approval subject to conditions recommended by the RZC. 4. Approval pending receipt of favorable reports or required revisions. 5. Approval subject to conditions recommended by BZA. 			
ABBREVIATIONS IN MINUTES:	MSD - Metropolitan Sewer District ODOT - Ohio Department of Transportation SCS - U.S. Soil Conservation Service, Hamilton County Soil and Water Conservation District DPW - Hamilton County Department of Public Works ENG - Hamilton County Engineer ZNG - Hamilton County Zoning Administrator FPO - Township Fire Prevention Officer TPZ - Township Planning/Zoning Committee TT - Township Trustees			

HAMILTON COUNTY
BOARD OF ZONING APPEALS

RECORD OF PROCEEDINGS – SEPTEMBER 14, 2016

PAGE 2

ADMINISTRATIVE ITEMS

ADM09: DISPOSITION OF MINUTES

MOTION: To approve the minutes of the Regular Meeting of the Board of Zoning Appeals, August 10, 2016.

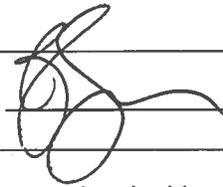
Moved: Roudebush Second: Joesting

VOTE: AYE: 4 Abercrombie, Joesting, Rosenberger, Roudebush
NAY: 0
ABSTAIN: 0

ACTION: APPROVED

ADJOURNMENT: The meeting was adjourned at 1:52 PM

ATTEST: Chairman: _____ Secretary: _____



Note: This Record of Proceedings is not an exact transcription, but a condensed version representing the ideas expressed at the Board of Zoning Appeals meeting.

HAMILTON COUNTY
BOARD OF ZONING APPEALS

RECORD OF PROCEEDINGS – SEPTEMBER 14, 2016

PAGE 3

ZONING VARIANCE: GREEN 2016-10; GLENWAY FIRESTONE SIGNS

REQUEST: To request a variance to allow building signs on three facades of an existing building in an "F" Light Industrial district

APPLICANT: Paul Grilli, ABC Signs, Inc. (applicant); Frank & Mauro Zappasodi Enterprises (owner)

LOCATION: Green Township: 6345 Glenway Avenue, on the southwestern side of Glenway Avenue, approximately 200 feet southeast of the Glenway Avenue and Westbourne Drive intersection (Book 550, Page 132, Parcel 248)

TRACT SIZE: Approximately 1.29 acres

SPEAKERS: B. Snyder, N. Duckworth

DISCUSSION: Staff Comments:

1. **B. Snyder** – Review of the Secretary's Report.
2. Did receive a letter from the Township in support of the project.

Applicant Comments:

1. **N. Duckworth** – The company is rebranding across the country. We are currently doing 3 - 4 stores. The proposed signs are substantially smaller signs than what is there now.
2. Only one sign on the building will be illuminated by a goose neck light and it's the sign above the entrance.
3. The owner is trying to continue with the same amount of signage that they have always had and simply switch out the sign on Glenway for a new one, but if they had to lose the one here, I don't think it would be a big deal nor have that much of an impact.
4. The only spot the word "Bridgestone" will appear is above the bay doors.

Commissioner Comments:

1. **M. Rosenberger** – I personally do not notice the sign on the façade facing Glenway Avenue when I drive on this stretch of road. I notice the pylon sign before the building sign.
2. **P. Roudebush** – I could vote either way on keeping or excluding the sign on the façade facing Glenway Avenue.
3. **C. Abercrombie** – Agree with Peggy. I could vote either way about the sign on the façade facing Glenway Avenue. It is smaller.

MOTION: To consider approval of Case Green ZVGT2016-10; Glenway Firestone Signs, a request for a variance to allow building signs on three facades of an existing building in an "F" Light Industrial district with Conditions per Attachment A.

Moved: Roudebush Seconded: Rosenberger

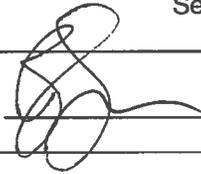
VOTE: AYE: 4 Abercrombie, Joesting, Rosenberger, Roudebush
NAY: 0
ABSTAIN: 0

BZA ACTION: APPROVAL with Conditions

ATTEST:

Chairman: _____

Secretary: _____



Note: This Record of Proceedings is not an exact transcription, but a condensed version representing the ideas expressed at the Hamilton County Board of Zoning Appeals meeting.

Attachment A

The Hamilton County Board of Zoning Appeals approves case Green ZVGT2016-10; Glenway Firestone Signs, a request for a variance to allow for building signs on three facades of an existing building in an "F" Light Industrial District with the following conditions:

Conditions:

1. That the applicant shall obtain all necessary zoning permits within 90 days.
2. That the building signage on the commercial building shall be constructed and maintained in accordance with the plats and plans submitted.

HAMILTON COUNTY
BOARD OF ZONING APPEALS

RECORD OF PROCEEDINGS – SEPTEMBER 14, 2016

PAGE 4

ZONING VARIANCE: HARRISON 2016-01; 10890 NEW BIDDINGER ROAD

REQUEST: To request a variance to allow for the construction of an accessory storage shed located within the front yard area on the property in an "A" Residence district

APPLICANT: Gary P. Kuhlmann (applicant), Gary P. & Diane M. Kuhlmann (owners)

LOCATION: Harrison Township: 10890 New Biddinger Road, at the southwest corner of the southern intersection of New Biddinger Road and Carolina Trace Road (Book 560, Page 110, Parcel 127)

TRACT SIZE: Approximately 1.29 acres

SPEAKERS: B. Snyder, D. Kuhlmann, T. Losekamp

DISCUSSION: Staff Comments:

1. **B. Snyder** – Review of Secretary's Report

Applicant Comments:

1. **D. Kuhlmann** – We started the project not knowing that the location would be in our front yard. We wanted to put it behind the turn-around for convenience since it was there already.
2. We located it behind the back porch, which we considered our back yard.
3. The rear yard slopes down to where the septic system is located. There is really no other place to put it.
4. The shed will have a brown vinyl siding with shingles to match the house. The doors will mimic the garage doors on the house.
5. There is a loft area for storage, mostly for stuff that has overcrowded the garage.
6. This is not a shed kit, but made from scratch.
7. Have checked with neighbors and no one has an issue with what we are doing.
8. Planned on landscaping around the shed, but had to stop before we got to that point.

Public Official Comments:

1. **T. Losekamp** – Harrison Township Trustee. Right now it is an eyesore because of the exposed plywood, but once it is covered up, it should not be a problem. If they could put a spruce tree or some sort of landscape material on the west side of the structure, it would help the appearance quite a bit.
2. It's a logical spot. The turn-around makes sense to put the shed there so they do not have to add another hard surface.

Commissioner Comments:

1. **Mr. Rosenberger** – Wonder if the shed is part of a kit or did someone construct it from scratch.
2. Would like to see something grow a little bit higher than just shrubs. I would be fine with evergreens.
3. Struggling with the height of the structure. It appears to be higher than the house.
4. **Ms. Roudebush** – Would agree with Mr. Losekamp to have landscape around the side and back of the shed. It would make it look nice.
5. Don't have a problem with the height as long as there were low shrubs to cover the foundation of the structure.
6. Was there looking at the structure today and I don't think it will look as tall once the darker colors are added and the roof is finished. If we make sure there are 3-4 hedges along the back and side, it would have the appearance of looking smaller than what it is.

7. Think it would look more uniform to put hedges along the side and rear instead of a single tree.
8. **R. Joesting** – Would lean more towards planting a tree behind the structure.
9. **C. Abercrombie** – Suggest that the applicant look through the plant list in the Appendix of the Zoning Resolution to get some ideas of plant materials to use.

MOTION:

To consider approval of Case Harrison ZVHT2016-01; 10890 New Biddinger Road, a request for a variance to allow the construction of an accessory storage shed located within the front yard area on the property located in an "A" Residence District with Conditions per Attachment A.

Moved: Joesting Seconded: Roudebush

VOTE:

AYE: 4 Abercrombie, Joesting, Rosenberger, Roudebush
NAY: 0
ABSTAIN: 0

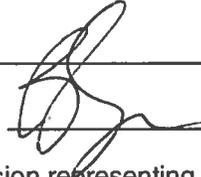
**BZA
ACTION:**

APPROVAL with Conditions

ATTEST:

Chairman: _____

Secretary: _____



Note: This Record of Proceedings is not an exact transcription, but a condensed version representing the ideas expressed at the Hamilton County Board of Zoning Appeals meeting.

Attachment A

The Hamilton County Board of Zoning Appeals approves case Green ZVHT2016-01; 10890 New Biddinger Road, a Request for a variance to allow for the construction of an accessory storage shed located within the front yard area on the property in an "A" Residence District with the following conditions:

Conditions:

1. That there shall be a minimum of four (4) shrubs planted along the north/street side and four (4) shrubs planted along the west/rear side of the detached accessory storage shed structure that are installed and maintained in accordance with the requirements of the Zoning Resolution.
2. That the siding, door, and roof colors and materials of the detached storage structure shall be consistent with the plats and plans submitted to the board and with testimony offered at the public hearing.
3. That the applicant shall obtain all necessary zoning permits within 90 days.
4. That the accessory structure shall be constructed in accordance with the plats and plans submitted.



SECRETARY’S REPORT

FOR CONSIDERATION BY THE BOARD OF ZONING APPEALS ON OCTOBER 12, 2016

**BZA
CASE:**

COLUMBIA 2016-03 (Variance Request)

6913 CAMBRIDGE AVE

REQUEST: To request a variance to allow construction of a detached accessory garage occupying more of the required area of the rear yard than permitted on the property located in a “C” Residence district

APPLICANT: Kent Bradley Roush, RA, Kent Bradley Roush Architects LLC (applicant). Mark S. & Holly Simes (owners)

LOCATION: Columbia Township: 6913 Cambridge Avenue, on the south side of Cambridge Avenue, east of Plainville Road (Book 520, Page 171, Parcels 206 & 444)

SITE DESCRIPTION:

Tract Size:	Approximately 0.14 acres
Frontage:	Approximately 45 feet on Cambridge Avenue
Zone District:	“C” Residence
Existing Dvlpmt:	Single-family house

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	“C” Residence	Single-family homes
South:	“E SPI-SC” Retail	Apartments
East:	“C” Residence	Single-family homes
West:	“C” Residence	Single-family homes

REQUEST: The applicant is proposing to construct a 24-foot by 24-foot (576 square-foot) detached accessory garage to the rear of the existing single-family home on the property. The proposed garage would be one story with a small attic storage area and would be constructed with hardiplank siding and a shingled gable roof. The garage would occupy 43% of the required 30-foot setback rear yard area where a maximum coverage of 30% is permitted. The applicant states that the garage is needed to replace the existing front entry single-car garage because the existing garage is functionally obsolete for today’s vehicles. The applicant also states that the garage is consistent with other detached garages in the area and that the garage cannot be moved forward out of the rear yard because the small width of the lot would not allow access if the garage were closer to the home.

FINDINGS:

Setback Variance Request: Detached accessory structure occupying 43% of the required area of the rear yard where a maximum coverage of 30% is permitted.

The proposed garage would be located in the southwest corner of the subject site and would be accessed by a new driveway along the western property line. The proposed garage would meet the required 3-foot setback from all property lines and would be the permitted maximum of 14.5 feet in height to the midpoint of the gable. Therefore, the structure would meet all of the requirements of the Zoning Resolution other than the maximum coverage of the rear yard.

There are two alternatives that would bring the detached garage structure into compliance with the Zoning Resolution. First, the garage could simply be made smaller. A maximum size of 405 square feet of the 30-foot rear yard area is permitted to be occupied by accessory structures. The garage could be reduced to a 20-foot by 20-foot, 400 square-foot size. This garage would still be able to accommodate 2 cars but the maneuvering space inside the garage would be severely limited. The garage could also be moved forward such that only 405 square feet of the garage remained within the required area of the rear yard. To accomplish this, the garage would have to be moved 10 feet to the north. Were the garage moved this far forward, the two car width would have to be accessed by a driveway that provides less maneuvering room around the house to access the bay closest to the middle of the lot. This could likely be accomplished but may not be ideal for everyday access.

The garage in the proposed location would be located directly adjacent to a similar sized garage on the adjacent property to the west. No variance was granted for this adjacent garage or any of the other similar sized and situated garages on this section of Cambridge Avenue. It is possible that these garages predate zoning in this portion of Columbia Township. Also, the proposed garage is located adjacent to existing vegetation along the southern property line that provides a buffer from the adjacent apartment building to the south. This apartment building also has an asphalt driveway that provides access to rear facing lower level garages in the basement of the building. Therefore, the proposed location of the detached accessory garage structure occupying more rear yard than permitted would not likely have any negative impact on the adjacent property to the west or the apartment building to the south.

There have been several variances granted in this portion of Columbia Township. However, the majority of these variances related to privacy fencing, many of which were on corner lots. There is one approved variance for a garage occupying greater than 30% of the rear yard area. This variance was approved for a home on Bramble Avenue, 2 streets to the north of the subject site.

STANDARDS:

Section 10-3.3 – Location. (Accessory Use and Structure)

Provides in relevant part: “No accessory use or structure shall be located in the front or side yard and the total combined area of all accessory structures shall not occupy more than thirty (30%) percent of the required area of the rear yard...”

This request is a variance based on “practical difficulties” and not based on a “use variance”, “unnecessary hardship” or “undue hardship”. The following factors should be used to determine if the accessory structure occupying more area of the required rear yard should be permitted to be located on the residential property:

1. Can the property in question yield a “reasonable return” or be used in any beneficial way without the variance?
2. Is the variance a substantial deviation from the zoning code?
3. Will the essential character of the neighborhood be substantially altered or would adjoining properties suffer substantial detriment as a result of the variance?
4. Will the variance adversely affect the delivery of governmental services, such as garbage removal, sewage disposal, or water lines?
5. Did the property owner purchase the property with knowledge of the zoning restrictions?
6. Can the property owner’s predicament be feasibly obviated through some method other than a variance? In other words, does the property owner have a remedy other than a variance, which would alleviate the problem?
7. Will the spirit and intent behind the zoning requirement be observed and substantial justice done by granting the variance?

BOARD’S ACTION: The Board is to consider the application for a variance to allow the detached accessory garage structure occupying more of the required area of the rear yard than permitted on the property in question located at 6913 Cambridge Avenue.

BDS

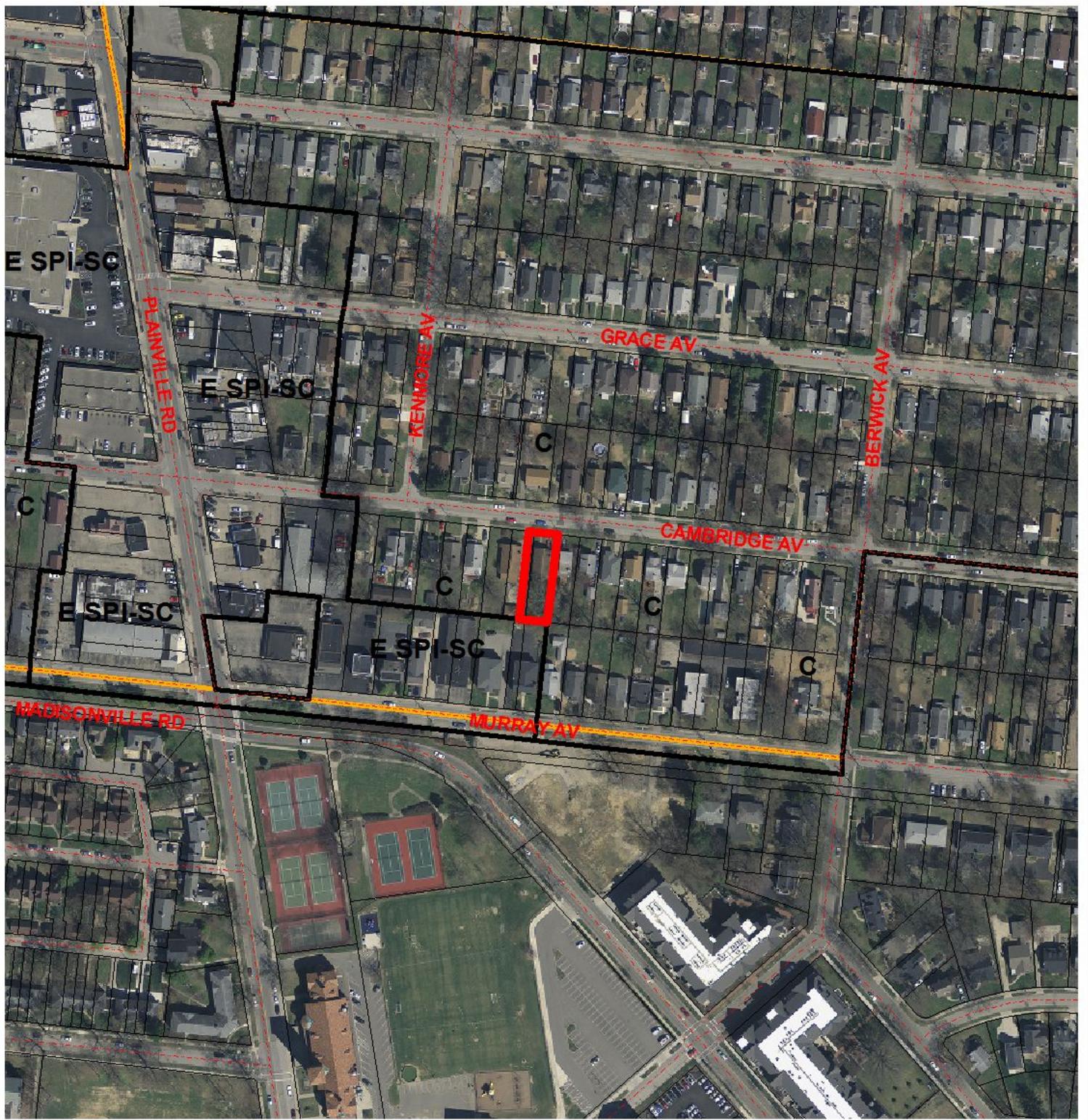
SITE PHOTOS



View of site looking south from Cambridge Avenue

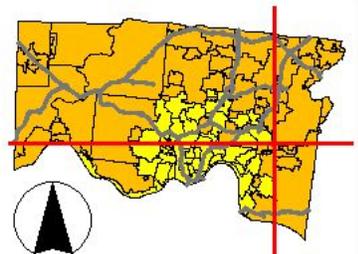


View of site looking south from Cambridge Avenue, rear yard area of proposed garage at center



VICINITY MAP

Case: Columbia ZVCT2016-03; 6913 Cambridge Ave
Request: Variance Approval



Printed: 9/30/2016
 Printed By: BRYAN SNYDER

DISCLAIMER: Neither the provider nor any of the parties of the Cincinnati area geographic information system (CAGIS) make any warranty or representation, either expressed or implied, with respect to this information's quality, performance, reliability or fit for a particular purpose. As a result, this information is provided "as is," and you, the recipient, are assuming the entire risk as to its quality and performance. In no event, will the provider or any party of CAGIS be liable for direct, indirect, incidental, or consequential damages resulting from any defect in the information or any other part of the map product, even if advised of the possibility of such damage. In particular, neither the provider nor any party of CAGIS shall have any liability for any of the information, programs or data used with or combined with the information, programs or data. Any "cableway" and "local" type information provided on this map is for conceptual planning purposes only. Political jurisdiction and limits recipient must refer to the 1982 FEVA locality/zip geonics. Large differences exist between actual flood prone areas and official FEMA flood "highways".



**RURAL ZONING COMMISSION
HAMILTON COUNTY, OHIO
OFFICE OF THE ZONING INSPECTOR**
138 E Court Street • Room 801 • Cincinnati, OH 45202
(513) 946-4550

APPLICATION NO
(DO NOT WRITE IN THIS SPACE)
Z160374

BZA CASE NO
(DO NOT WRITE IN THIS SPACE)
ZVCT201603

NOTICE OF REFUSAL

TO APPLICANT **KENT BRADLEY ROUSH**
4142 AIRPORT ROAD, STE 303
CINCINNATI, OH
45226

TO OWNER **MARK & HOLLY SIMES**
6913 CAMBRIDGE AVENUE
CINCINNATI, OH
45227

AUDITOR'S ID NUMBER
BOOK: 520 PAGE: 171 PARCEL: 206 (& 444 being consolidated)

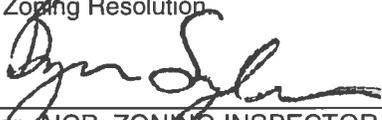
Your application dated September 13, 2016 for a zoning certificate for the construction of a detached garage exceeding the size permitted at premises designated as **6913 CAMBRIDGE AVENUE** is hereby refused on this 13th day of September, 2016 under Table 1-6, Section 10-3.3 and Section 20-1 of the zoning resolution in that:

Table 1-6 et seq. of the Zoning Resolution and the Columbia Township District Maps designate said premises to be in the "C" Single Family Residence District.

Section 10-3.3 Location. No accessory use or structure shall be located in the front or side yard and the total combined area of all accessory structures shall not occupy more than thirty (30%) percent of the required area of the rear yard. Where the principal structure is at least two hundred (200) feet from the right-of-way, an accessory structure may then be located within the front or side yard but must be at least one hundred (100) feet from the right-of-way, and all district setback requirements shall be maintained. In the case of panhandle lots, the area of the panhandle cannot be used for calculating the lot area or be counted towards setback from the right-of-way line or edge of easement. Decks providing access to the principal structure shall not be considered detached structures and shall be subject to the same minimum setback requirements as principal structures.

Section 20-1 Provides in relevant part: "... (N)o land shall be occupied or used and no building, structure or sign shall be located, constructed, reconstructed, enlarged or structurally altered, nor work commenced upon the same, nor occupied or used in whole or part for any purpose whatsoever until the County Zoning Inspector has issued a Zoning Certificate. ..."

An appeal from this decision to the County Board of Zoning Appeals is governed under **Sections 21-1, 21-2, 21-5.1(a), 21-6,** and **22-2** of the Zoning Resolution.


Bryan D. Snyder, AICP, ZONING INSPECTOR


Mary Berta Coggeshall, AICP,
ZONING PLANS EXAMINER

NOTE: ANY APPEAL MADE FROM THIS REFUSAL MUST BE FILED WITH THE BOARD OF ZONING APPEALS WITHIN TWENTY (20) DAYS AFTER THE DATE OF THIS REFUSAL. **FOR FURTHER INFORMATION,** CONTACT THE ZONING PLAN EXAMINER, OFFICE OF THE ZONING INSPECTOR (513) 946-4550.



APPLICATION FORM

Submit Completed Application To: The Hamilton County Board of Zoning Appeals, County Administration Building, 138 E. Court Street, Room 801, Cincinnati, OH 45202 Phone: (513) 946-4550

Prepare a Letter referring to instructions in the "User's Guide" and including:

- a. The principal points set forth in this case shall be the same as those under which the administrative officer acted, whether the granting or refusal of a zoning certificate or any other decision based upon the regulation of the Zoning Resolution.
- b. A clear and accurate description of the proposed use
- c. Specific reference to the Chapter and Section(s) of the Zoning Resolution which, it is claimed, authorize the determination sought

NAMES AND ADDRESSES

Applicant KENT BRADLEY ROUSH, RA Owner MARK S. AND HOLLY SIMES
Address 4142 AIRPORT RD, 3RD FLOOR, SUITE 3 Address 6913 CAMBRIDGE AVE
CINCINNATI, OH 45226 CINCINNATI, OH 45227
Email Address roushcincinnati@aol.com Email Address MSIMES@cinci.rr.com

The undersigned KENT BRADLEY ROUSH hereby appeals under Chapter 21 & 22 and Section(s) 10-3.3 of the Zoning Resolution to permit the construction of a NEW DETACHED 2-CAR GARAGE / ACCESSORY STRUCTURE IN THE REAR YARD OF THE EXISTING SINGLE-FAMILY RESIDENCE. THE DETACHED GARAGE FOOTPRINT OF 576 S.F. WILL EXCEED 30% MAX REAR YARD COVERAGE. - IT WILL BE 43% OF THE REAR YARD. in accordance with the plats, plans and other data hereto attached and made a part of this case.

PROJECT IDENTIFICATION

ZONE DISTRICT	AUDITOR'S BOOK NO.	AUDITOR'S PAGE NO.	AUDITOR'S PARCEL NO.	LOT NO.
<u>'C'</u>	<u>520</u>	<u>171</u>	<u>206</u>	<u>779 / PART 778</u>
Project Location: <u>6913 CAMBRIDGE AVE., CINCINNATI, OH 45227 (COLUMBIA TOWNSHIP)</u> <u>MADISON PLACE</u>				

I hereby depose and say that all the above information and that statements contained in all of the exhibits transmitted herewith are true.

[Signature]
Applicant Signature



Sworn to and subscribed before me, this 12 day of September
Misty Comarata
Notary Public, State of Ohio
My Commission Expires 07-22-2018

[Signature]
Notary Public

APPLICATION FORM (continued)

APPLICATION NUMBER
2 OCT 2016-03

Address of Subject Property 6913 CAMBRIDGE AVE Township COLUMBIA

	NAME	ADDRESS	CITY	STATE	ZIP CODE	PHONE NO.
OWNER	MARK S. & HOLLY SIMES	6913 CAMBRIDGE AVE	CINCINNATI	OH	45227	(513) 509-2696
CONTRACTOR	TO BE DETERMINED ——— TO BE DETERMINED					
PLANS BY	KENT BRADLEY ROUSH ARCHITECTS, LLC	4142 AIRPORT Rd. 3RD FL. STE 3	CINCINNATI	OH	45226	(513) 321-9242
APPLICANT	KENT BRADLEY ROUSH	4142 AIRPORT Rd. 3RD FL. STE 3	CINCINNATI	OH	45226	(513) 321-9242

TYPE OF IMPROVEMENT: (Describe briefly proposed work)

NEW, DETACHED, 2-CAR GARAGE, (576 SQ. FT) TO BE LOCATED IN REAR YARD OF EXISTING SINGLE-FAMILY RESIDENCE.

PROPERTY OWNERSHIP

BZA ACTION REQUESTED

Private

Public (Federal, State, Local)

Corporate

Other

Appeal

Variance

Conditional Use

Compatible Non Conforming Use

Non Conforming Use

Other

State in detail all existing and proposed uses of this building or premises:

Existing Use SINGLE-FAMILY RESIDENTIAL

Proposed Use SINGLE-FAMILY RESIDENTIAL

Commercial

Residential

Estimated cost of improvement for which this application is being made:

\$ 30,000.

The owner(s) of this building and undersigned, do hereby covenant and agree to comply with all of the laws of the State of Ohio and the Zoning Resolution of the County of Hamilton, pertaining to building and constructing the proposed building or structure or making the proposed change or alteration in accordance with the plans and specifications submitted herewith, and certify that the information and statements given on this application, drawings and specifications are to the best of their knowledge, true and correct.

Application By: Kent Bradley Roush Address 4142 AIRPORT Rd., 3RD FL. STE 3 CINCINNATI, OH 45226

DO NOT WRITE BELOW THIS LINE

Adopted: _____ Journalized: _____

BZA Filing Fee: _____ Cash _____ Check # _____

**APPLICATION FOR VARIANCE
HAMILTON COUNTY OHIO BOARD OF ZONING APPEALS**

Name of Property Owners:

Mark S. and Holly Simes

Name of Applicant:

Kent Bradley Roush, RA
Kent Bradley Roush Architects, LLC
4142 Airport Rd., 3rd Floor, Suite 3, Cincinnati, OH 45226
phone: (513) 321-9242

Address of property:

6913 Cambridge Ave.
Cincinnati, OH 45227
(Columbia Township, Hamilton County, OH)

Auditor's Plat: Book 520, Page 171, Parcel 206

Zoning Classification: 'C' Residential

Nature of Variance:

The owner's of the property are seeking a variance to Section 10-3.3 to allow for 43% (vs. the required 30% maximum) coverage of the required rear yard area for the construction of a new, detached, 2-Car Garage Accessory Structure for an existing single-family residence.

The subject property, located at 6913 Cambridge Ave. in Columbia Township, Hamilton County, OH, is 45' wide x 138.15' deep, 0.143 acres in size and slopes down approximately 3 feet from the front to the back. The required rear yard setback area of 45 feet wide x 30 feet deep is 1,350 square feet. The subject property is currently occupied by a 1-story, circa 1931, single-family residence with a small, 1-Car Garage at the basement level. The property owner's, Mr. Mark and Mrs. Holly Simes, wish to, along with other home improvements, abandon the existing 1-Car Basement Garage and build a new, 24' x 24' (576 square foot), detached 2-Car Garage. (The 1-Car Basement Garage is obsolete by current standards and automobile sizes). The new garage is proposed to be located at the rear/ southwest corner of the lot. The proposed location is consistent with the location of the majority of detached garages in the neighborhood and will thus not adversely change the nature, visually or functionally, of the neighborhood. In addition, the proposed size is consistent with current 2-Car Garage standards.

Justification of Variance:

a) The request is related to a unique physical condition of the subject property:

Due to the narrowness of the existing lot, strict adherence to the zoning code would present a unnecessary hardship in building a functional 2-Car Garage by current standards. Strict adherence would allow for a structure of 405 square feet. A garage of this footprint area could only measure roughly 20' x 20' (outside dimensions), allowing for interior dimensions which would be functionly impractical for use as a 2-Car Garage with present day vehicle sizes. Also, the placement of the proposed garage at the rear-most part of the lot, and thus in the rear yard setback, is necessitated by the location of the existing residence. If the garage is pulled forward, vehicular ingress and egress would be hampered by its closeness to the residence.

**PROPOSED SIMES DETACHED GARAGE, 6913 CAMBRIDGE AVE.
APPLICATION FOR VARIANCE
HAMILTON COUNTY BOARD OF ZONING APPEALS
Page 2 of 3**

b) The need for a variance is not self-created:

The narrowness of the lot was a condition that was present prior to the owner's purchase of the property; nothing that the owners have done has created the need for the variance.

c) Denial of the request would deny the property owner substantial rights:

The majority of the homes in the neighborhood were originally constructed with small, 1-Gar Garages. These garages are solely inadequate to accommodate current automobile sizes and typical vehicles per household. The presence of latter-built, 2-car Detached Garages located to the rear of properties is commonly seen on the street, indeed all over the Madison Place neighborhood. As a matter of fact, the Sime's new garage will be roughly in line with and comparable in size to the detached garage of their neighbor directly to the west.

d) The alleged hardship or difficulty is not merely a request for special privilege:

As stated in Item 'c', many homes in the Sime's neighborhood have detached, 2-Car Garages for off-street parking located in the rear setback area. The ability to have off-street parking which is adequate by current standards is not a special privilege for this neighborhood.

e) The request must be in harmony with the purposes of the Zoning Resolution:

One intent of the maximum rear yard coverage requirement is to insure that accessory structures do not visually over-power the principal structure. The Sime's new garage will not visually overpower the existing residence due not only to the fact that it's proposed location would put it as far away from the principal structure as possible, but also, because it will sit slightly below the principal structure in elevation due to the slope of the lot. In addition, care was taken in the design of the new garage to assure it did not exceed the maximum height requirement of 14'-6" to mid-line of the gabled roof, as well as, compliment the existing house in form and materials. Another intent of maximum lot coverage is to mitigate detrimental issues associated with stormwater runoff. Inadequate permeable area to absorb water from rainfall can lead to flooding and erosion. Stormwater issues are being addressed by a drainage plan engineered by MessCo Engineering and detailed on the Site & Drainage Plan drawing submitted with this variance application.

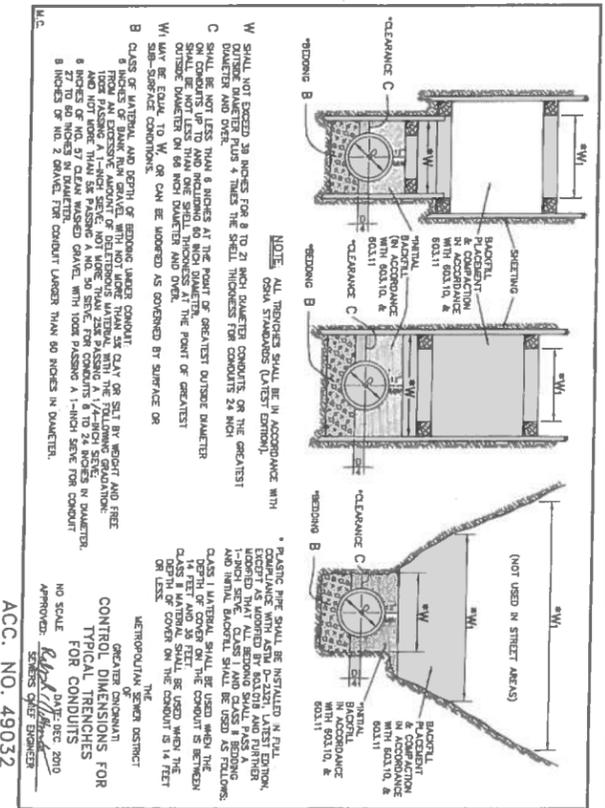
While stormwater management engineering is common for commercial projects, the fact that the property owners employed an engineer to develop a drainage plan for their residential project speaks to the lengths they are willing to go to maintain the spirit of the zoning code.

**PROPOSED SIMES DETACHED GARAGE, 6913 CAMBRIDGE AVE.
APPLICATION FOR VARIANCE
HAMILTON COUNTY BOARD OF ZONING APPEALS
Page 3 of 3**

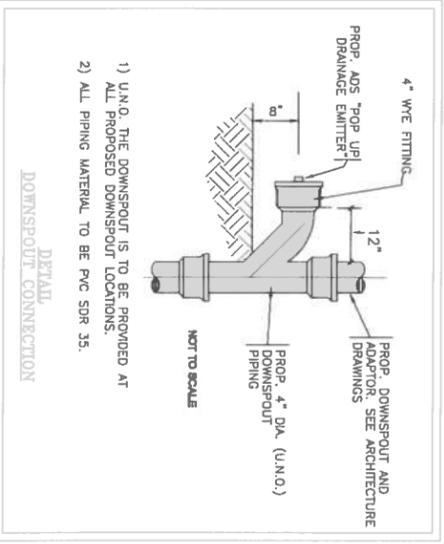
f) The building of the garage would **not** be materially detrimental to the public welfare. Many of the streets in the Madison Place area are narrow and the situation of driving on them is made more hazardous by on-street parking. The provision of adequate off-street parking is highly desirable and beneficial to all using the streets in the neighborhood by alleviating congestion. The proposed location of the garage would not impair the supply of light to neighboring properties and other improvements in the vicinity.

The danger of flood or fire is **not** increased due to the proposed implementation of drainage/ stormwater management techniques and the inclusion west and south garage walls as fire separation walls because of these walls' proximity to adjacent property lines.

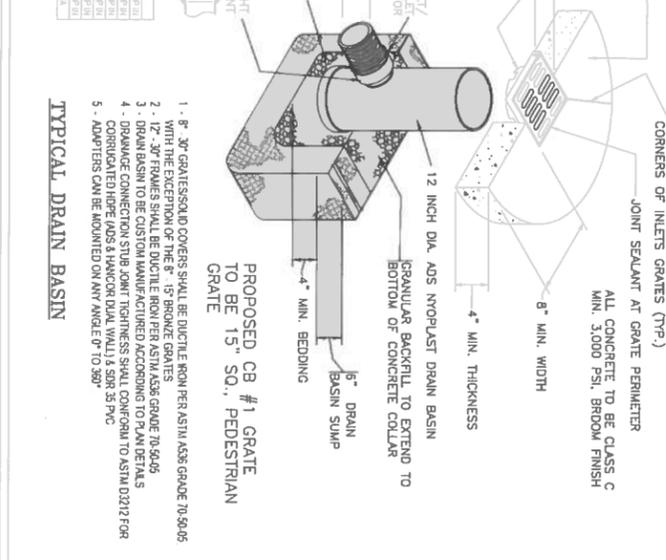
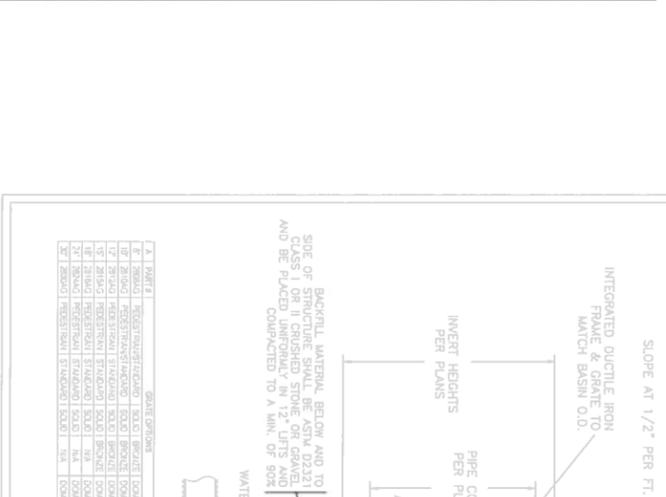
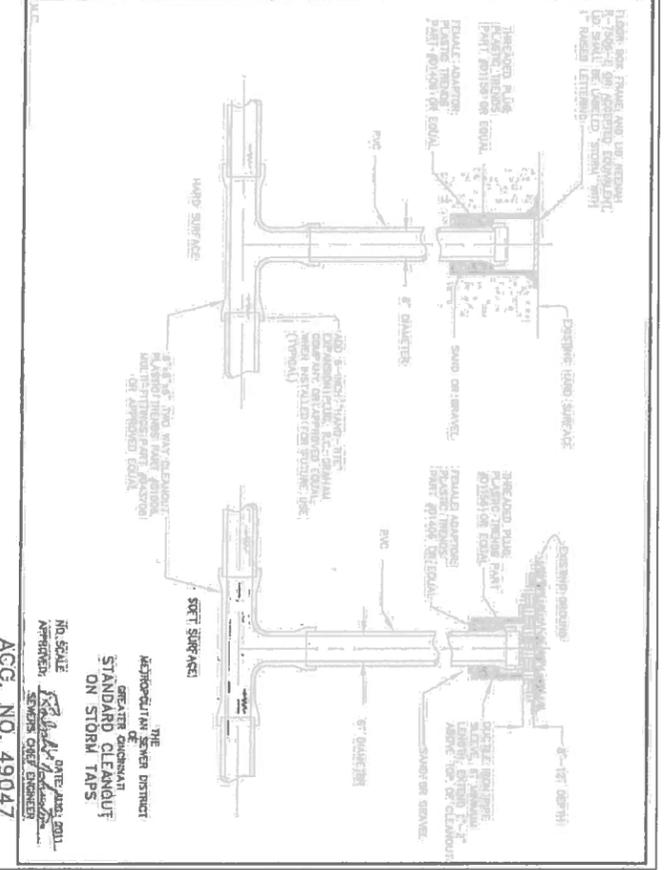
The use of the lot and garage is to remain a single-family use and thus would **not** increase the need for additional public utilities or facilities in the area or endanger the public health or safety.



- NOTES**
- 1) ALL STORM PIPE LESS THAN (12) INCHES IN DIAMETER SHALL BE PVC SDR 35 PER ASTM 3034. MAX. BEND = 45°
 - 2) IN ADDITION TO THE ACC. NO. 49032 DETAIL, ALL PIPES TO BE INSTALLED PER ODOT ITEM 603. ALL PIPE BEDDING TO BE CLASS B PER ODOT ITEM 603.06, TYPE 1. ALL PIPE BACKFILL IT TO BE PER ODOT ITEM 603.10.
 - 3) CONTRACTOR TO PROVIDE CONCRETE COLLAR AROUND STORM INLETS PER THE STANDARD DETAIL.
 - 4) CATCH BASIN GRADE SHALL BE PEDESTRIAN GRADE.
 - 5) SEE THE ARCHITECTURAL SITE PLAN DRAWINGS FOR ADDITIONAL NOTES AND DETAILS.
 - 6) EXISTING SEWER DATA PER MSD RECORDS.
 - 7) DRAIN BASIN TO HAVE AGGREGATE BOTTOM.
 - 8) ALL PROPOSED DOWNSPOUTS ARE TO DRAIN ON TO SPLASH BLOCKS AND FLOW TO PROPOSED CB #1 OR ARE TO BE PIPED DIRECTLY TO THE PROPOSED STORM PIPING/INLET SYSTEM, IF PIPED TO STORM SYSTEM, DOWNSPOUT TO HAVE DOWNSPOUT CONNECTION PER DETAIL.
 - 9) CONTRACTOR TO VERIFY THE EXISTING 6" DIA. SEWER LATERAL FROM THE TIE OF THE PROPOSED 4" DIA. STORM THROUGH THE EXISTING COMMON CONNECTION WITH #6915 IS FREE OF DEBRIS, PIPE OFFSETS AND PIPE BREAKS. REPAIR OR REPLACE AS REQUIRED.



- KEYNOTES**
- | | |
|---|--|
| 1 | EXISTING SLUMP PIT TO REMAIN |
| 2 | PROPOSED 4" DIA., SDR 35, PIPING TO CONNECT TO SLUMP PIT |
| 3 | PROP. FOUNDATION DRAIN, 4" DIA., ADS PERF. N-12 HDPE MATERIAL, SEE ARCH. DWGS. FOR ADDITIONAL SPECS. & DETAILS |



LEGEND

- 800(p) - PROPOSED ELEVATION
- X.629.41 - EXISTING SPOT ELEVATION
- ST - STORM PIPING
- S - SANITARY PIPING
- PROP. - PROPOSED
- CB - PROP. STORM INLET
- FD - FOUNDATION DRAIN

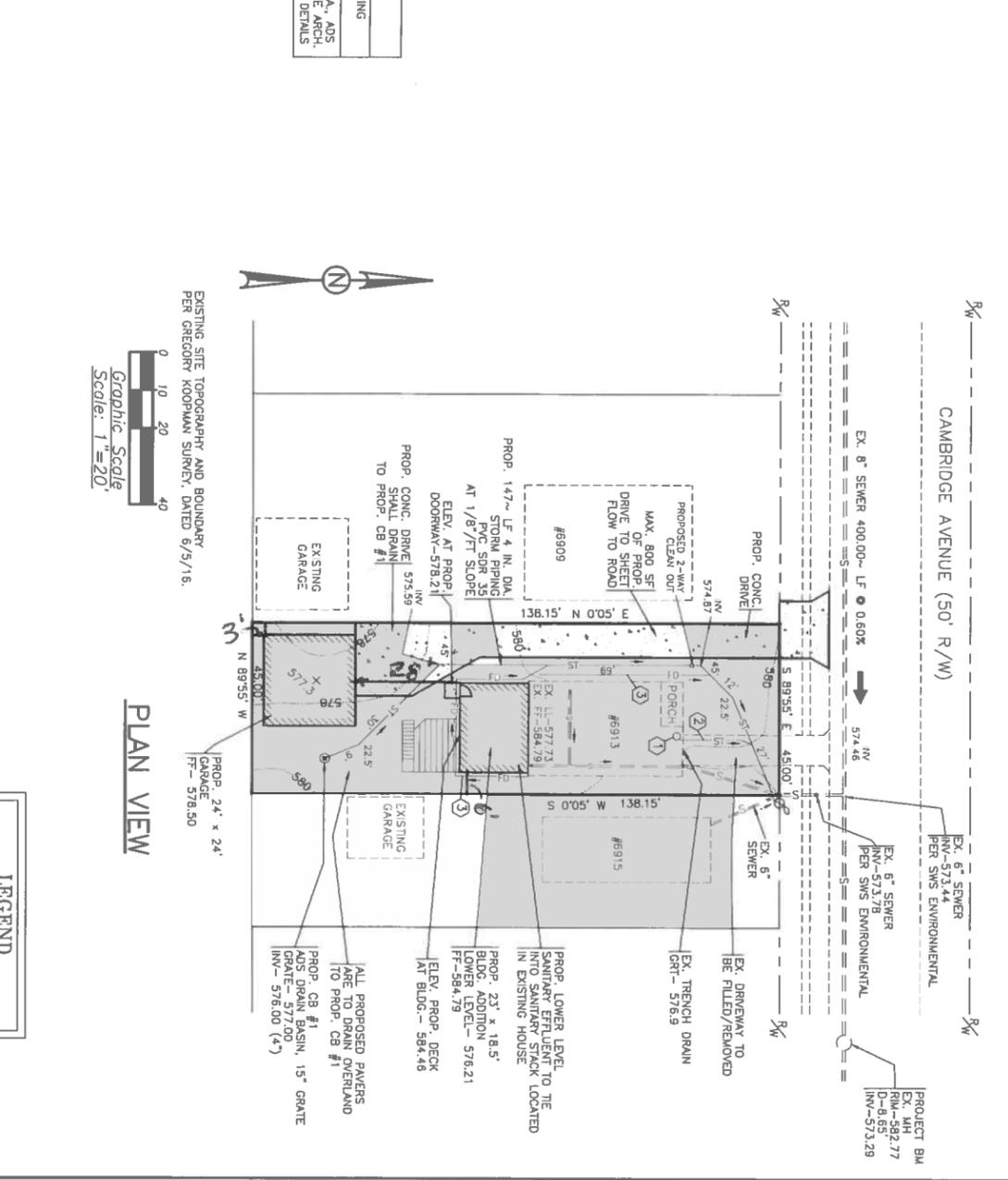
2 WORKING DAYS BEFORE YOU DIG

CALL TOLL FREE 800-362-2764

MesCo Engineering
2766 WASSON ROAD
CINCINNATI, OHIO 45209
513-731-2500

PROPOSED BUILDING ADDITION AND GARAGE
6913 CAMBRIDGE AVE.
COLUMBIA TOWNSHIP
HAMILTON COUNTY, OHIO

DATE: 8/9/16
SCALE: AS SHOWN
DRAWN: STM
PAGE: 1 OF 1
JOB #: 2016





SECRETARY'S REPORT

FOR CONSIDERATION BY THE BOARD OF ZONING APPEALS ON OCTOBER 12, 2016

**BZA
CASE:**

GREEN 2016-09 (Variance Request)

1781 ANDERSON FERRY

REQUEST: To request a modification of a condition included in the Resolution Granting BZA case Green 2014-16 to allow a detached accessory garage with less setback than required in a "C" Residence District

APPLICANT: Catherine & Nicholas Kreiner (applicant & owners)

LOCATION: Green Township: 1781 Anderson Ferry Road, on the west side of the Anderson Ferry Road, approximately 500 feet south of the Anderson Ferry Road and Sidney Road intersection (Book 550, Page 142, Parcel 5)

SITE DESCRIPTION:	Tract Size:	Approximately 1.44acres
	Frontage:	Approximately 185 feet on Anderson Ferry Road
	Zone District:	"C" Residence
	Existing Dvlpmt:	Single-family home and pool

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	"C" Residence	Single-family homes
South:	"C" Residence	Single-family homes
East:	"C" Residence	Single-family homes
West:	"B" & "C" Residence	Single-family homes

REQUEST: The site was the subject of a previous BZA case related to the proposed accessory structure. A variance to allow the 1,200 square-foot detached garage to be located 10 feet from the northern property line where a 25-foot setback is required was approved by the BZA as part of case Green 2014-16. The approval included the condition that the front façade facing Anderson Ferry Road shall be constructed with full height brick veneer to match the color of the brick on the existing home. The applicant completed the plans required by the approval and was issued a Zoning Certificate for construction of the approved building with a brick veneer façade facing Anderson Ferry Road.

The applicant states that during the construction process it was found that the required brick veneer was beyond their budget for the structure and claim that the

requirement was a hardship to complete the project. The applicant states that they contacted the "Board of Zoning" and was told to work with the building inspector to provide a letter indicating the change to vinyl. This letter was provided to the building inspector and the applicant received a Certificate of Occupancy from the Building and Inspections division. Following this, the applicant received a zoning violation notice stating that an inspection of the property found that the garage had been completed in violation of the BZA condition requiring a brick veneer façade. Therefore, the applicant is now requesting approval from the Board to allow the existing garage with vinyl siding facing Anderson Ferry Road to remain on the property.

FINDINGS:

Accessory Structure Variance Request: Modification of Condition #1 of BZA case Green 2014-16 requiring a brick veneer façade for an accessory structure setback 10 feet where a 25-foot setback is required.

The condition requiring a brick veneer façade was agreed to by the applicant as part of the hearing for case Green 2014-16 and was placed on the structure by the Board as part of the Resolution Granting the garage. A copy of the final approved Resolution was provided to the applicant following the hearing. The applicant was required to note on the approved plans that the front façade was to be constructed with brick veneer and was granted a Zoning Certificate with the brick veneer façade clearly indicated. Despite conversations with the building inspector regarding the zoning requirements, the applicant did not contact the Secretary of the Board who prepared the resolution, the administrative assistant that attended the hearing and answers the main zoning phone line, the plans examiner who worked with the applicant to issue the Zoning Certificate, nor the zoning inspector who was supposed to be contacted by the applicant to set up a final zoning inspection prior to completion of the project. Any one of these individuals would have provided accurate information regarding the process for changing the zoning conditions of the BZA approval.

Regardless of the history of the construction of the garage, the request to modify the condition has been made to the Board and should be considered as any other variance request. The original approval was to allow a garage with 1,200 square feet in area to be located 10 feet from the northern property line where a 25-foot setback is required. The garage is more than 1,032 square feet in area but less than 2,000 square feet, as permitted for lots greater than 1 acre in size. The garage is also located wholly within the rear yard of the subject site as permitted by the Zoning Resolution. The location of the garage closer to the northern property line makes it more visible from Anderson Ferry Road as it allows the space between the home and the garage to be increased. The Board found this to be appropriate provided that the front façade of the garage be made to look compatible with the existing home.

As a result of the discussion at the hearing, the Resolution Granting case Green 2014-16 required that the garage be constructed with a brick veneer façade facing Anderson Ferry Road, that the garage include a hipped style roof, and that the colors of the siding and trim on the remaining facades of the garage match the color of the trim on the existing house. The trim on the house is a dark grey/slate color.

The applicant constructed the garage with a hipped roof and shingles that match the existing house and used siding that closely approximates the color of the trim on the house. The white trim on the garage does not match the home, as there is no white trim on the house except the color of the windows and gutters, but there was no other trim color on the house to provide a contrast for the grey. As a result of the trim and the lack of brick veneer on the front façade, the garage does not closely match the style of the home, which was the intent of the Board.

Despite this lack of consistency with the existing home, the garage is fairly attractive and appears to be well constructed. The lighting details along the front façade and the garage doors that match the color and style of the existing home provide a high quality appearance. As stated earlier, the garage is located behind the rear corner of the home and the increased distance between the garage and the house that resulted from the setback variance allow the garage to be less associated with the house and less visible than if it were located closer to the road. Existing vegetation next to the garage also help screen the view from Anderson Ferry Road.

As stated in the previous report related to the original variance request, there have been several variances granted on properties surround the site. These included other variances for accessory structures with reduced setback and more height than permitted. Three parcels to the north fronting Ebenezer Road is a flag lot that was granted a variance to permit an attached residential garage to be converted to living/office space.

STANDARDS:

Section 10-12.1 – Area and Height.

Provides in relevant part: “On parcels of one (1) acre or less, no more than 1,032 square feet in area and 14.5 feet in height...On parcels greater than one (1) acre and having a minimum width of 150 feet at the building line, no more than 2,000 square feet in area and 24 feet in height...”

Section 10-12.2 – Setback.

Provides in relevant part: “No detached accessory structure having 1,032 square feet or less in floor area and 14.5 feet in height...shall be closer than three feet (3’) from any property line...When permitted by Section 10-12.1, no detached accessory structure having more than 1,032 square feet in floor area or being more than 14.5 feet in height...shall be closer than 25 feet from any property line.”

Conditions from BZA Case 2014-16

1. That the eastern façade of the detached accessory garage structure facing Anderson Ferry Road shall be constructed with full height brick veneer to match the color of the masonry on the existing single-family house on the property.
2. That the colors of the siding and trim on the remaining facades shall be compatible with the color of the trim of the existing single-family house on the property.
3. That the detached accessory garage structure shall be used for residential and storage purposes only.
4. That the detached accessory garage structure shall be constructed with a hipped style roof.

5. That the detached accessory garage structure shall be constructed as shown on the plats and plans submitted to this Board.
6. That the Zoning Certificate for the detached accessory garage structure shall be obtained within ninety (90) days of the adoption of this Resolution.

This request is a variance based on “practical difficulties” and not based on a “use variance”, “unnecessary hardship” or “undue hardship”. The following factors should be used to determine if Modification of Condition #1 of BZA case Green 2014-16 requiring a brick veneer façade for an accessory structure setback 10 feet where a 25-foot setback is required should be granted:

1. Can the property in question yield a “reasonable return” or be used in any beneficial way without the variance?
2. Is the variance a substantial deviation from the zoning code?
3. Will the essential character of the neighborhood be substantially altered or would adjoining properties suffer substantial detriment as a result of the variance?
4. Will the variance adversely affect the delivery of governmental services, such as garbage removal, sewage disposal, or water lines?
5. Did the property owner purchase the property with knowledge of the zoning restrictions?
6. Can the property owner’s predicament be feasibly obviated through some method other than a variance? In other words, does the property owner have a remedy other than a variance, which would alleviate the problem?
7. Will the spirit and intent behind the zoning requirement be observed and substantial justice done by granting the variance?

BOARD’S ACTION: The Board is to consider the application for a variance to allow the applicant to modify Condition #1 of BZA case Green 2014-16 to allow the vinyl-sided accessory structure with a 10-foot setback where a 25-foot setback is required to remain as constructed on the property.

BDS

SITE PHOTOS



View of home (left) and detached garage looking west from Anderson Ferry Road



View of home and detached garage looking west from driveway



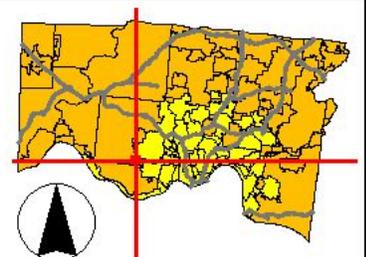
View of detached garage



VICINITY MAP

Case: Green ZVGT2016-09; 1781 Anderson Ferry Rd

Request: Variance Approval



Printed: 9/30/2016
 Printed By: BRYAN SNYDER

D B C L M V E R
 Neither the provider nor any of the parties of the Cincinnati area geographic information system (CAGIS) make any warranty or representation, either expressed or implied, with respect to this information's quality, performance, reliability, or fitness for a particular purpose. As a result, this information is provided "as is", and you, the recipient, are assuming the entire risk as to its quality and performance. In no event, will the provider or any party of CAGIS be liable for direct, indirect, incidental, or consequential damages resulting from any defect in the information or any other part of the map product, even if advised of the possibility of such damages. In particular, neither the provider nor any party of CAGIS shall have any liability for any of the information, errors, or omissions, including those arising from the use of geocoding and information programs or data. Any "outdoor" and "indoor" information provided on this map is for conceptual planning purposes only. Final determination of liability is the responsibility of the user. Large differences exist between actual field conditions and official FEMA flood insurance maps.



RURAL ZONING COMMISSION
HAMILTON COUNTY, OHIO
OFFICE OF THE ZONING INSPECTOR

138 E Court Street • Room 801 • Cincinnati, OH 45202
(513) 946-4550

NOTICE OF REFUSAL

APPLICATION NO
(DO NOT WRITE IN THIS SPACE)

Z20140312(R)

BZA CASE NO
(DO NOT WRITE IN THIS SPACE)

ZVGT201609

TO Mr. & Mrs. Nicholas Kreiner
OWNER: 1781 Anderson Ferry Road
Cincinnati, Ohio 45238

TO Mr. & Mrs. Nicholas Kreiner
APPLICANT: 1781 Anderson Ferry Road
Cincinnati, Ohio 45238
513-703-4795

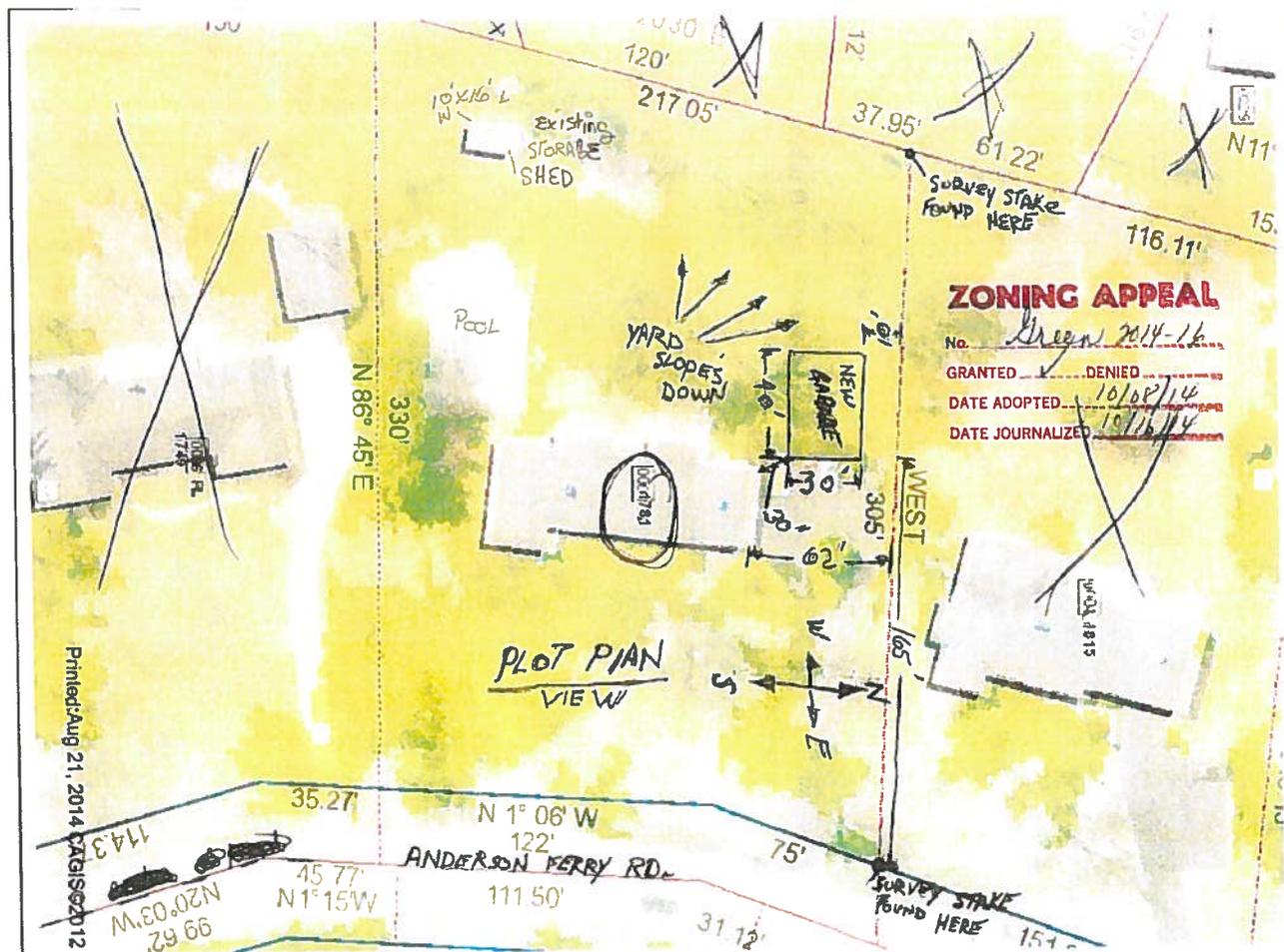
AUDITOR'S ID NUMBER
BOOK: 0550 PAGE: 0142 PARCEL: 0005

Your application dated July 25, 2016 for a zoning certificate requesting the modification of a condition of a Board of Zoning Appeals case that approved the construction of a 1200 sq. ft. garage, with less side yard setback than required, at premises designated as **1781 Anderson Ferry Road** is hereby refused on this 25th day of August, 2014 under Table 1-6, BZA Case Green 2014-16 and Sections 20-1 of the zoning resolution in that:

Table 1-6 et seq. of the Zoning Resolution and the Green Township District Maps designate said premises to be in the "C" Residence District as further regulated by Board of Zoning Appeals (BZA) Resolution Green 2014-16.

BZA GREEN
2014-16

Condition #1. That the eastern façade of the detached accessory garage structure facing Anderson Ferry Road shall be constructed with full height brick veneer to match the color of the masonry on the existing single-family house on the property.



**RESOLUTION
GRANTING**

**CASE NO. GREEN 2014-16 (ZVGT201416)
FOR THE APPROVAL OF A DETACHED ACCESSORY STRUCTURE WITH LESS
SETBACK THAN REQUIRED ON THE PROPERTY IN QUESTION**

WHEREAS, Catherine and Nicholas Kreiner, appellants & owners, on August 26, 2014, filed Case No. Green 2014-16 (ZVGT201416) with the Hamilton County Board of Zoning Appeals, under Chapters 21 and 22 of the Zoning Resolution, seeking a variation of the literal enforcement of Section 10-12.2 of the Zoning Resolution as applied to the property located at 1781 Anderson Ferry Road, Green Township, Hamilton County, Ohio, and

WHEREAS, said property in question being known as Auditors ID Number: Book 550, Page 142, Parcel 5, and

WHEREAS, appellant on August 26, 2014, applied to the Hamilton County Zoning Plans Examiner seeking a zoning certificate for the construction of a 1,200 square-foot detached accessory garage structure setback 10 feet from the northern property line on the property in question, and

WHEREAS, said Zoning Plans Examiner acting upon said application on August 26, 2014 refused to issue said Zoning Certificate, the reasons being based upon the maps and regulations of the Zoning Resolution, and

WHEREAS, a public hearing was held on October 8, 2014 on said Case No. Green 2014-16 (ZVGT201416), notice of which hearing was given by regular mail, to parties of interest within 200 feet of the subject property and also by publication in a newspaper of general circulation in the County, at least ten (10) days prior to the date of said hearing, in accordance with Section 303.15 of the Ohio Revised Code, and

WHEREAS, Section 1-6 of the Zoning Resolution and the "Green Township District Maps" designate said premises to be located in the "C" Residence District, and

WHEREAS, Section 10-12.1 Accessory Structure Area and Height.

On parcels of one (1) acre or less, no more than 1,032 square feet in area and 14.5 feet in height measured to the mean height level between eaves and ridge for gable, hip and gambrel roofs. On parcels greater than one (1) acre and having a minimum width of not less than 150 feet at the building line, no more than 2,000 square feet in area and 24 feet in height measured to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

WHEREAS, Section 10-12.2 Setback.

No detached accessory structure having 1,032 square feet or less in floor area and 14.5 feet in height measured to the mean height level between eaves and ridge shall be closer than three feet (3') from any property line. When permitted by Section 10-12.1, no detached accessory structure having more than 1,032 square feet in floor area or being more than 14.5 feet in height

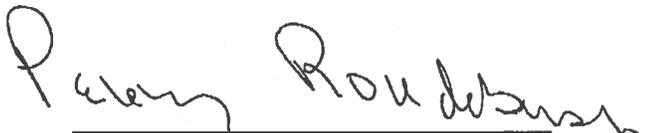
5. That the detached accessory garage structure shall be constructed as shown on the plats and plans submitted to this Board.
6. That the Zoning Certificate for the detached accessory garage structure shall be obtained within ninety (90) days of the adoption of this Resolution.

BE IT FURTHER RESOLVED, that all plats, plans, applications, and data submitted be, and hereby are, made a part of this Resolution

ADOPTED, at a regularly scheduled meeting of the Hamilton County Board of Zoning Appeals in session this 8th, day of October, 2014

Mr. Beck Absent, Mr. Abercrombie Yea, Mr. Rosenberger Yea,
Mrs. Roudebush Yea, Mr. Spraul Yea

APPROVED: Motion to approve the variance requested



Peggy Roudebush
Chair of the Board



Bryan Snyder, AICP
Development Services Administrator



HAMILTON COUNTY
Board of Zoning Appeals
RECEIVED

Case No: ZVGT 2016-09
Filed: July 25, 2016

AUG 01 2016 APPLICATION FORM

Submit Completed Application to: Hamilton County Board of Zoning Appeals, County Administration Building, 138 E. Court Street, Room 801, Cincinnati, OH 45202 Phone: (513) 946-4550

Prepare a Letter referring to instructions in the "User's Guide" and including:

- a. The principal points set forth in this case shall be the same as those under which the administrative officer acted, whether the granting or refusal of a zoning certificate or any other decision based upon the regulation of the Zoning Resolution.
- b. A clear and accurate description of the proposed use
- c. Specific reference to the Chapter and Section(s) of the Zoning Resolution which, it is claimed, authorize the determination sought

NAMES AND ADDRESSES

Applicant Nick & Cathy Kreiner Owner Nick & Cathy Kreiner
Address 1781 Anderson Ferry Rd Address 1781 Anderson Ferry Rd
Cinti Ohio 45238 Cinti. OH 45238
Email Address CKRSVP@YAHOO.COM Email Address CKRSVP@YAHOO.COM

The undersigned Cathy Kreiner hereby appeals under Chapter 21 & 22 and Section(s) _____ of the Zoning Resolution to permit the construction of a oversized garage with vinyl siding that was already approved to build.

_____ in accordance with the plats, plans and other data hereto attached and made a part of this case.

PROJECT IDENTIFICATION

ZONE DISTRICT	AUDITOR'S BOOK NO.	AUDITOR'S PAGE NO.	AUDITOR'S PARCEL NO.	LOT NO.
<u>C</u>	<u>550</u>	<u>0142</u>	<u>0005</u>	

Project Location: 1781 Anderson Ferry Rd Cinti. OH 45238

I hereby depose and say that all the above information and that statements contained in all of the exhibits transmitted herewith are true.

Catherine M Kreiner
Applicant Signature

Sworn to and subscribed before me, this 25th

day of



REBECCA J. STRATTON
Notary Public, State of Ohio
My Commission Expires June 13, 2021

APPLICATION FORM (continued)

APPLICATION NUMBER

Address of Subject Property 1781 Anderson Ferry Rd Township Green

	NAME	ADDRESS	CITY	STATE	ZIP CODE	PHONE NO.
OWNER	Nick & Cathy Kreiner	1781 Anderson Ferry Rd	Cinti	OH	45238	513-703-4795
CONTRACTOR	Rick Fitzgerald	unknown				
PLANS BY	Nick Kreiner	See above	"	"	"	"
APPLICANT	SAME	"	"	"	"	"

TYPE OF IMPROVEMENT: (Describe briefly proposed work)

garage with vinyl siding on front elevation in lieu of brick front

PROPERTY OWNERSHIP

- Private
- Public (Federal, State, Local)
- Corporate
- Other

BZA ACTION REQUESTED

- Appeal
- Variance
- Conditional Use
- Compatible Non Conforming Use
- Non Conforming Use
- Other

State in detail all existing and proposed uses of this building or premises:

Existing Use garage

Proposed Use garage

Commercial

Residential

Estimated cost of improvement for which this application is being made: \$ _____

The owner(s) of this building and undersigned, do hereby covenant and agree to comply with all of the laws of the State of Ohio and the Zoning Resolution of the County of Hamilton, pertaining to building and constructing the proposed building or structure or making the proposed change or alteration in accordance with the plans and specifications submitted herewith, and certify that the information and statements given on this application, drawings and specifications are to the best of their knowledge, true and correct.

Application By: Cathy Kreiner Address 1781 Anderson Ferry Rd
DO NOT WRITE BELOW THIS LINE

Adopted, _____ Journalized: _____

BZA Filing Fee: _____ Cash _____ Check # _____

July 25, 2016

Hamilton County Board of Zoning Appeals
County Administration Building
138E Court Street, Room 801
Cincinnati, OH 45202

Subject: Nicholas & Cathy Kreiner, Case #ZC20160074
1781 Anderson Ferry Road
Cincinnati, OH 45238
APPLICATION FOR VARIANCE OF GARAGE BUILDING

Dear Hamilton County Board of Zoning Appeals:

On June 16, 2016, we received a letter (copy attached) stating that the materials used on the front of our garage were not correct as indicated on the plans. A telephone conversation with Jason Pastoor, Zoning Inspector, indicated he needed to speak with Bryan Snyder to determine what we needed to do.

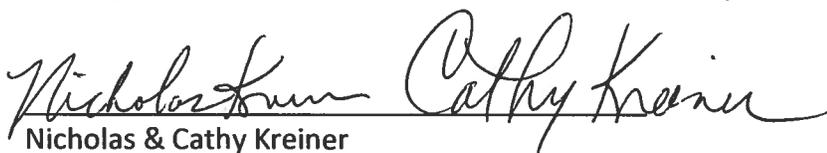
A follow-up call to Mr. Pastoor indicated we needed to repeat the process of permit application with new plans showing vinyl siding on the front instead of the brick veneer on the original plans.

Prior to approval of the original permit for garage construction, we needed a variance due to the property line. A Zoning Board member stopped by to inspect the property. At that time she told my husband that the front of the garage would need to be brick veneer rather than vinyl to match the color of the house brick. He submitted the plans with the brick veneer listed and they were approved. However, as the construction proceeded, we found the cost of the veneer was beyond our budget and would be a hardship to complete the project.

I called the Board of Zoning and was told that since I did not live in a HOA restricted type area all we would have to do was type a letter indicating a change to vinyl to give to our final inspector. I provided such letter (copy attached) to Jim D'Andrea at the final inspection on October 27, 2015. We received our Certificate of Occupancy and Use on October 28, 2015.

We are asking the Board to approve our submitted plans to keep the installed vinyl siding on the garage front. There are at least four other brick homes located within one mile with detached garages having vinyl siding on all four sides.

Thank you for your time and consideration in resolving this matter.

Handwritten signatures of Nicholas and Cathy Kreiner in cursive script.

Nicholas & Cathy Kreiner
513-703-4795
ckrsvp@yahoo.com



HAMILTON COUNTY
Rural
Zoning
Commission

NOTICE NUMBER GRE-16-047
DATE ISSUED 06/16/2016
DATE INSPECTED 06/16/2016
SUBJECT ADDRESS 1781 ANDERSON FERRY RD
PARCEL NUMBER 055001420005
PROPERTY ZONING C
CASE NUMBER ZC20160074

Page 1 of 1

COPY

KREINER CATHY & NICK
1781 ANDERSON FERRY RD
CINCINNATI OH 45238-3636

Dear Owner/Occupant,

A recent inspection of your property located at the above subject address reveals the following violation(s):

138 E COURT ST RM 801
CINCINNATI, OH 45202-1224

GENERAL INFORMATION

(513) 946-4550
(513) 946-4475 (FAX)

**Board of
County Commissioners**

Greg Hartmann
Chris Monzel
Todd Portune

**Rural
Zoning Commissioners**

Joel Comeilus
Christain James
Robert Polewski
David Steinriede
Ken Luken

**Secretary/
Executive Director**

Todd Kinsky, AICP

**Development Services
Administrator/
County Zoning Inspector**

Bryan Snyder, AICP

Construction of detached accessory garage structure violating Hamilton County Board of Zoning Appeals Case No. Green 2014-16 (ZVGT201416) adopted October 8th, 2014, condition: "That the eastern facade of the detached accessory garage structure facing Anderson Ferry Road shall be constructed with full height brick veneer to match the color of the masonry on the existing single-family house on the property". Upon inspection, documented accessory garage structure with non-brick veneer siding on eastern facade.

You are hereby directed to accomplish the above action(s) no later than (30) days from receipt of this notice.

Another inspection will be made after the above deadline to determine the status of the violation(s) at that time. Failure to comply with this order will result in a citation of \$115.00, \$155.00 or \$275.00 being issued for every day the violation(s) remains.

PLEASE NOTE: You may appeal any decision of the Administrative Official relevant to this notice by filing an appeal with the Board of Zoning Appeals within twenty (20) days from receipt of this notice.

Should you have any questions concerning this matter, you can contact me at 946-4474 between the hours of 7:30 a.m. and 9:30 a.m., Monday thru Friday.

Sincerely,

JASON PASTOOR
946-4474
jason.pastoor@hamilton-co.org

Zoning Inspector

COPY

County of Hamilton

DEPARTMENT OF PLANNING AND DEVELOPMENT
801 County Administration Building
138 East Court Street
Cincinnati, Ohio 45202
Telephone (513) 946-4550
FAX (513) 946-4511

CERTIFICATE OF OCCUPANCY AND USE

This certificate issued pursuant to the requirements of all applicable Building Code Regulations certifying that at the time of issuance, to the best of our knowledge and belief, this structure was in compliance with the various ordinances of the jurisdiction regulating building construction or use.

Permit Number: B14003930P
Project: ACCESSORY 30' X 40' GARAGE

Building Use: R-4
Type of Const: 5B

Building Address: 1781 ANDERSON FERRY RD GREE
1781 ANDERSON FERRY RD., GREEN TWP

Owner of Building: KREINER CATHY & NICK
Owner Address: 1781 ANDERSON FERRY RD
CINCINNATI OH
45238

Special Stipulations/Conditions: Trusses not designed for storage.
Building not to be heated or cooled.
Building is non-habitable.



Building Official

Date: Oct 28, 2015

COPY

August 7, 2015

Hamilton County Dept. of Planning and Development
801 County Administration Building
138 East Court Street
Cincinnati, OH 45202

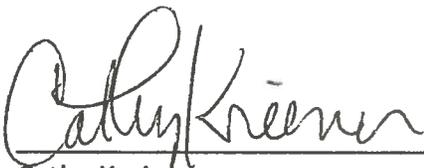
Subject: Building Permit #B14003930P (Accessory Structure)
Cathy and Nick Kreiner
Location: 1781 Anderson Ferry Road, Cincinnati, Ohio 45238
Green Township

Dear Sir:

We will be changing the planned material on the front of our garage from a brick veneer to a slate vinyl siding with a white trim.

This change will enhance the appearance of the garage as it will complement the color of the vinyl siding on the other three sides of the garage.

Sincerely,



Cathy Kreiner
513-703-4795 (cell)
ckrsvp@yahoo.com



Nick Kreiner
513-478-0981 (cell)

Copy



Hamilton County

Department of Zoning Inspections
Room 804 County Administration Bldg
138 E Court St, Cincinnati OH 45202
(513) 946-4550

Zoning Certificate

Zoning Certificate Number: **Z20140312Z**

Project Address: 1781 ANDERSON FERRY RD

Parcel: 055001420005

Lot No.:

Issued To: KREINER CATHY & NICK
1781 ANDERSON FERRY RD
CINCINNATI OH

45238

Certificate Type: ACCESSORY/TEMPORARY

Structure Area (SqFt): 0 Number of residential Units: 0

Land Use type: SINGLE FAMILY DETACHED

Zone District: C

Project Description: DETACHED GARAGE

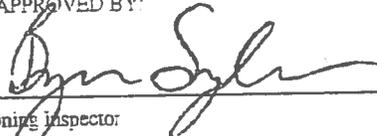
Zone Amendment No.:	Date:
BCC Resolution No.:	Date:
FDP No.:	Date:
BZA No.:	Date:

ZONING CERTIFICATE FEE: \$ 413.00 Date Paid: 10/27/2014

It is hereby certified that the above use as shown on the plans and plans submitted with the above numbered Zoning Certificate Application, conforms with all applicable provisions of the Hamilton County Zoning Resolution. The issuance of this Certificate does not allow the violation of the Hamilton County Zoning Resolution or other governing Regulation. This Certificate will be presented to the Hamilton County Department of the Building Commissioner to enable issuance of requested building permits. A FINAL INSPECTION MUST BE SCHEDULED BY THE APPLICANT BY CALLING 513-946-4550. Final inspections will be made within three (3) working days of the request and must be completed prior to the issuance of a Certificate of Occupancy by the Building Commissioner.

ALL ZONING CERTIFICATE FEES ARE NONREFUNDABLE.

APPROVED BY: _____ Date: 10/27/2014



Zoning Inspector:

APPLICANT COPY

1781 Anderson Ferry Rd.

GIN OH 45-238

Parcel ID #

55001420005

300k 550

Page 0142

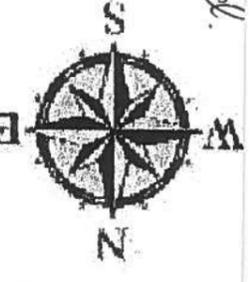
Zone C

OWNERS

Nick + CATHY KREIMER

Nick cell 478-0981

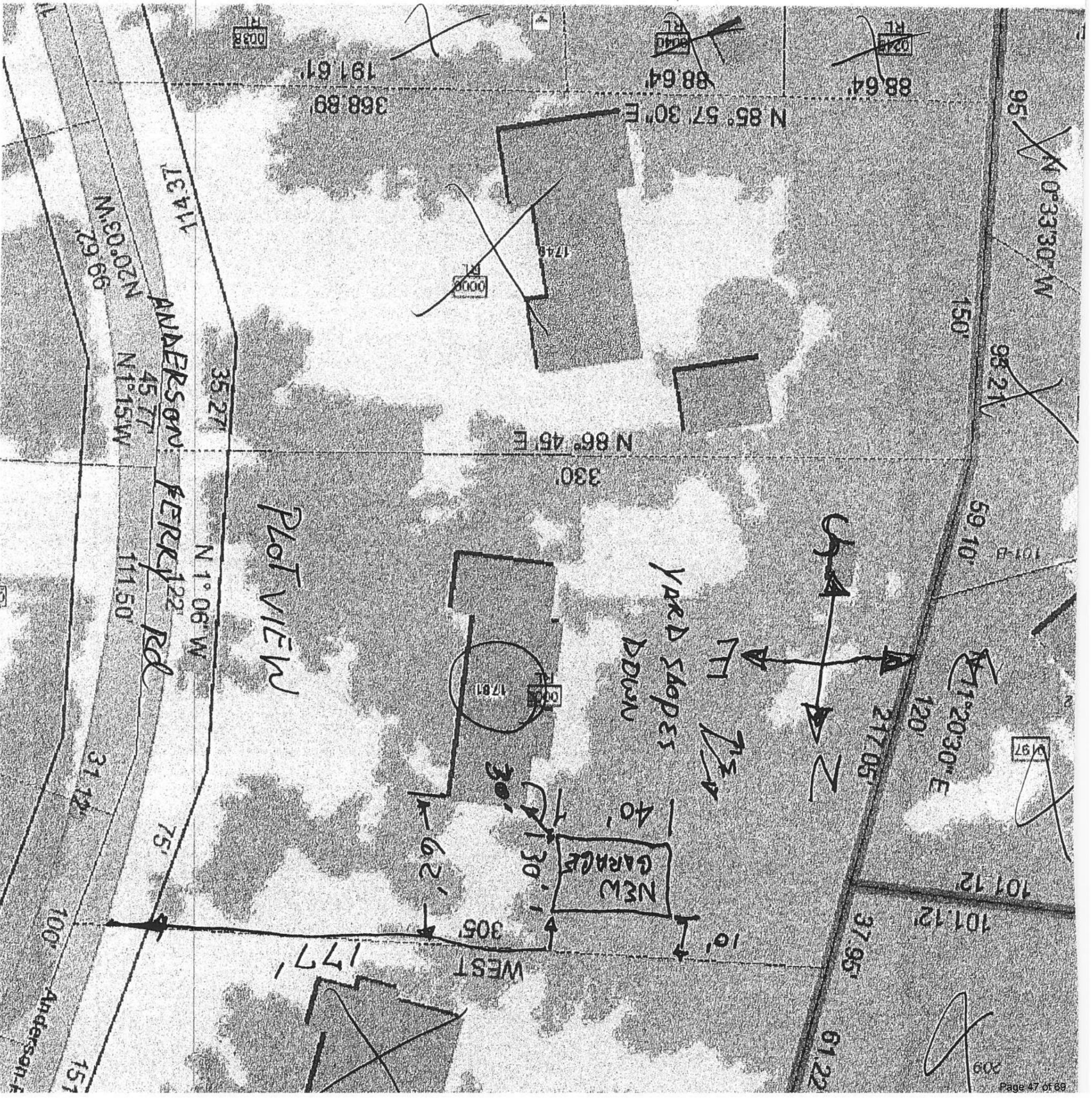
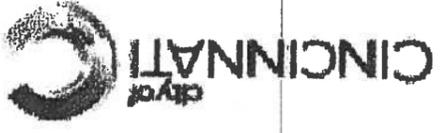
Cathy cell 703-4795



CAGIS Online Map

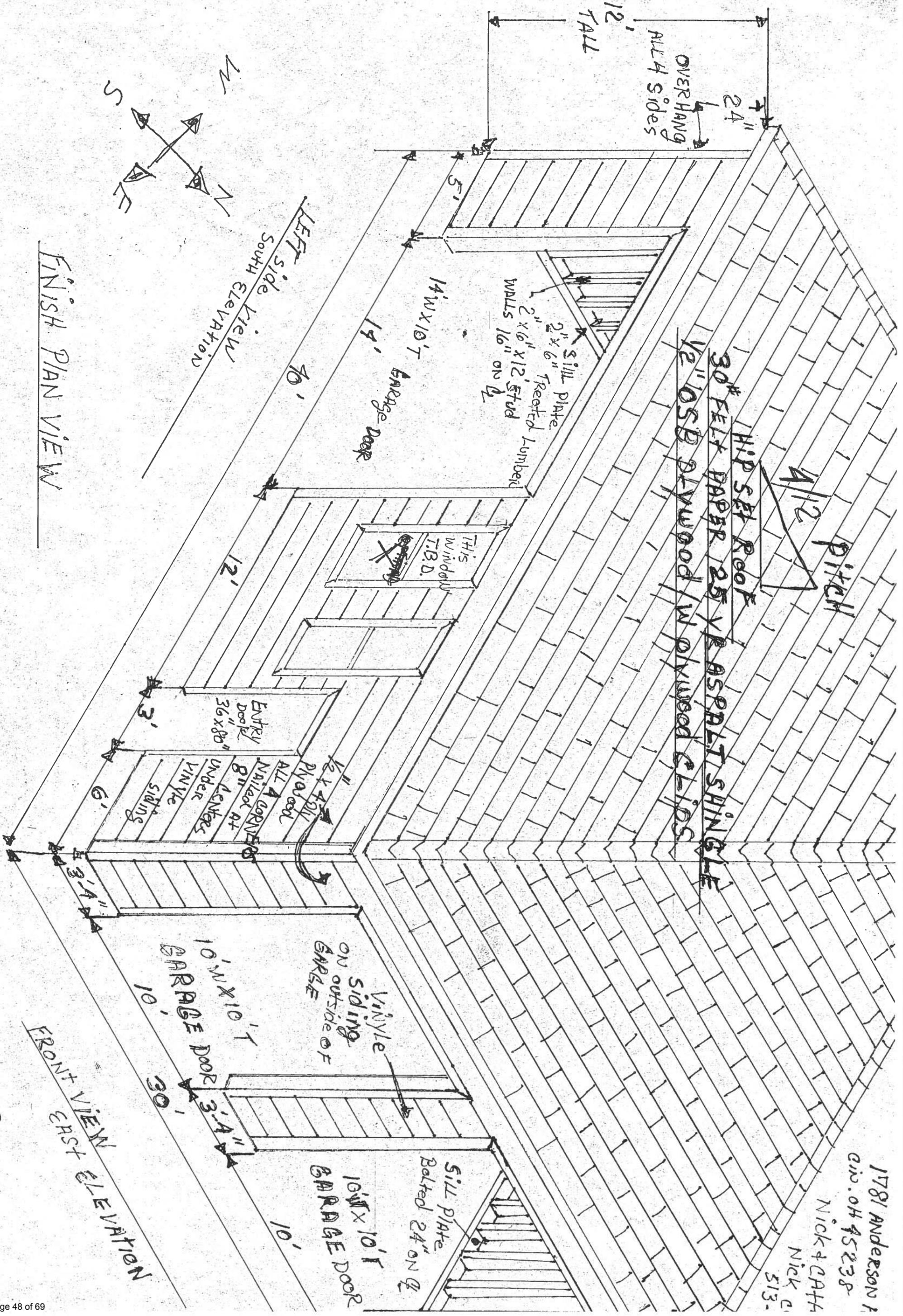
Hamilton County Ohio

Printed: Jul 20, 2016 © CAGI





FINISH PLAN VIEW

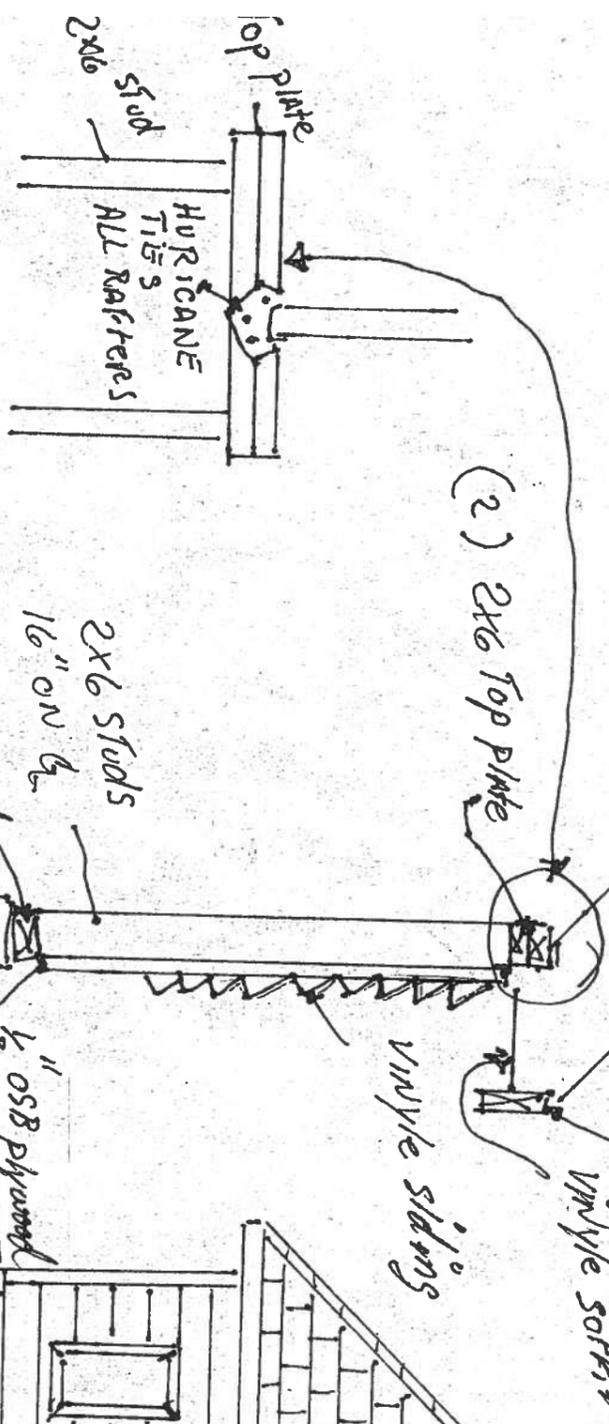


1781 ANDERSON P
CIV. 04 45238

NICK & CATH
NICK C
513-

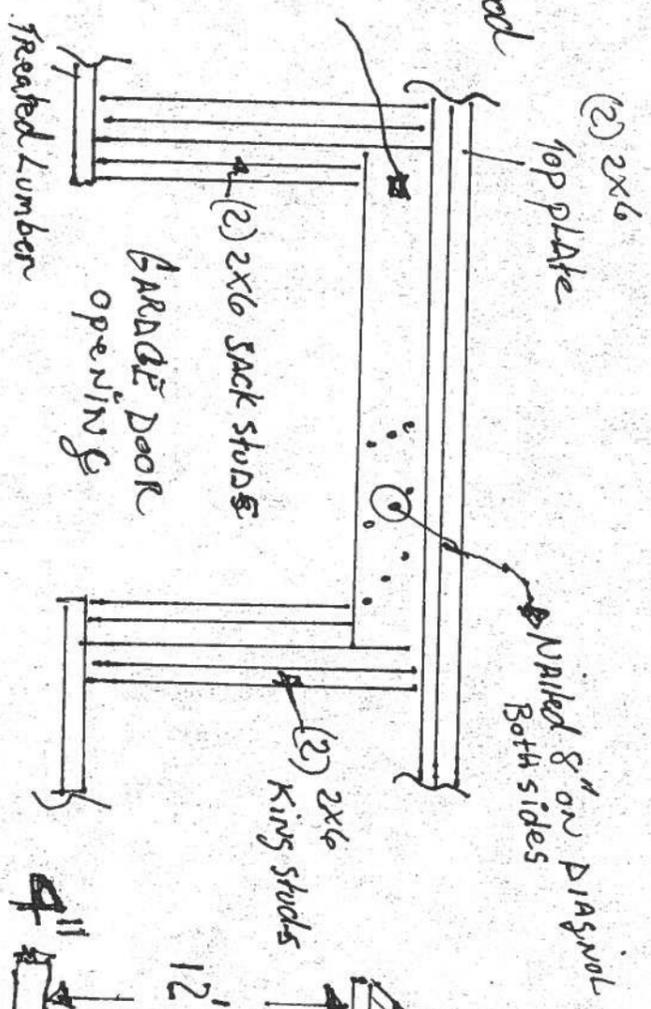
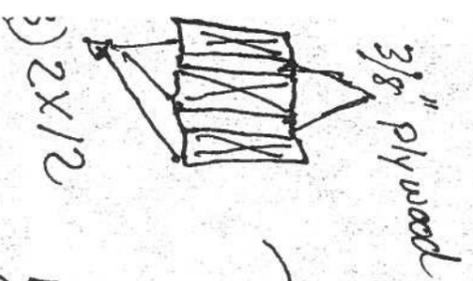
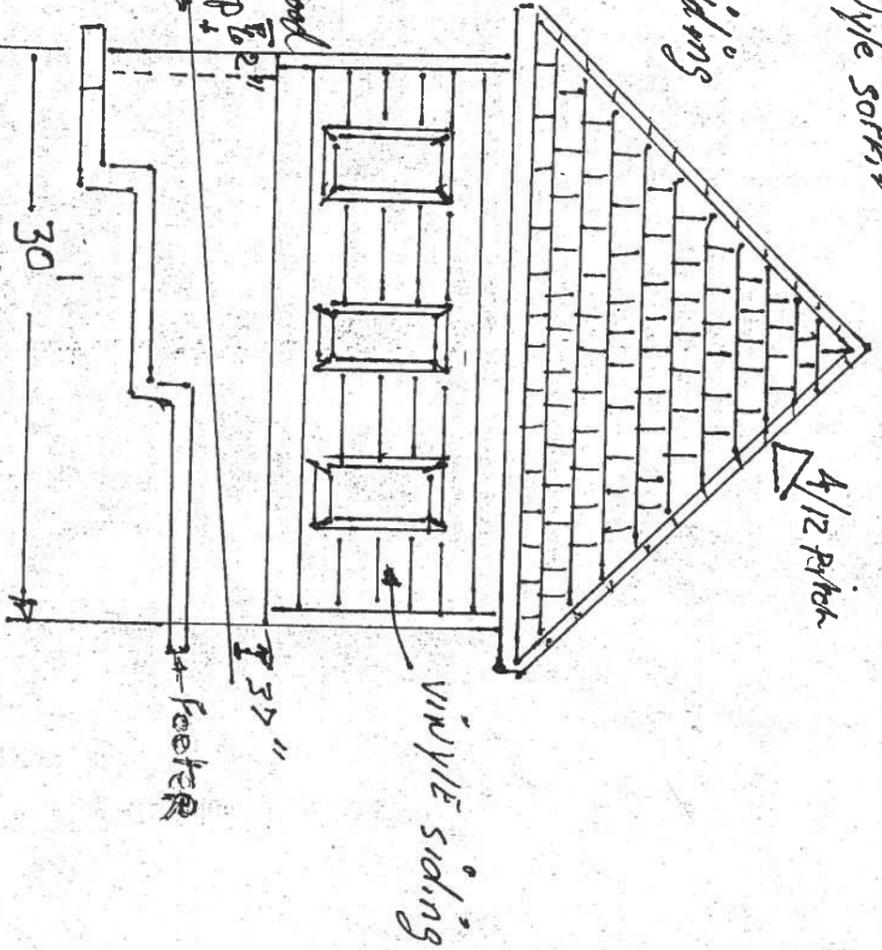
ENGINEERED

2x6 RAFTER WRAP ON VINYL



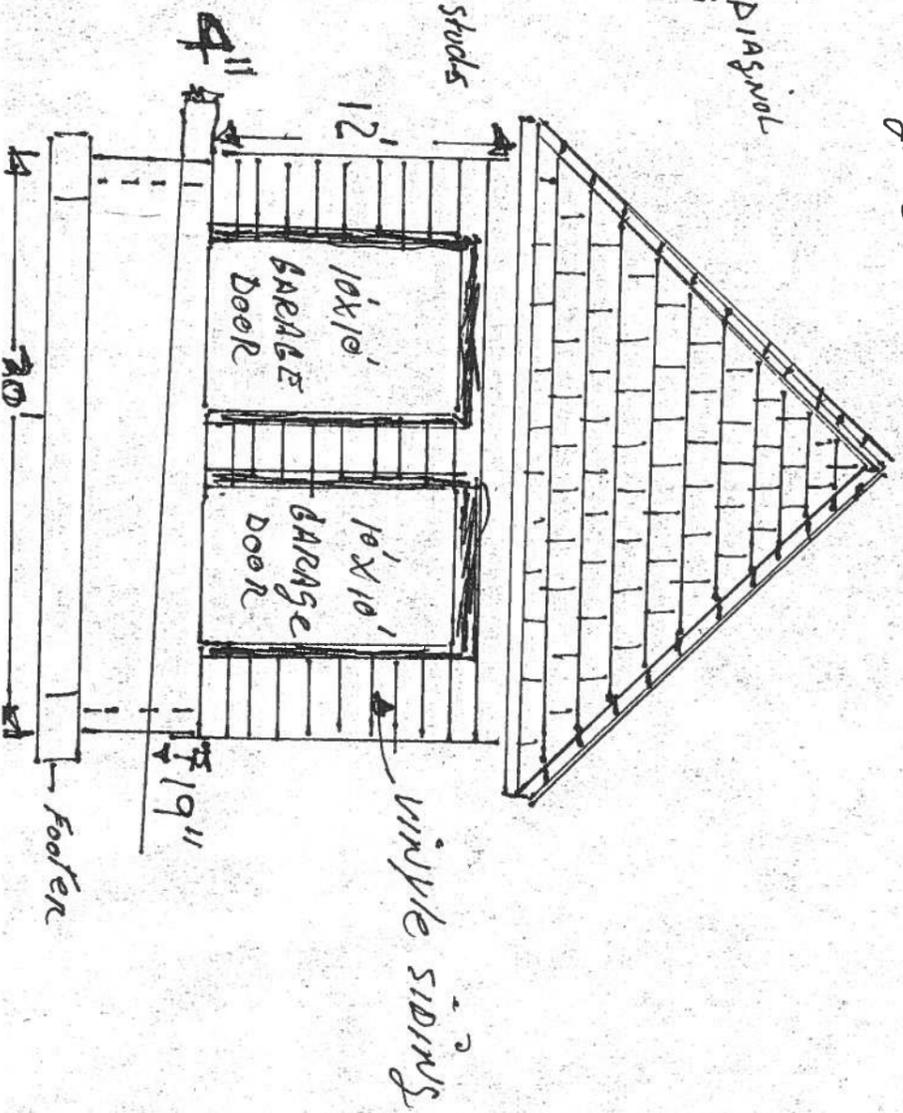
Reg. grade ± 0
maintain 4" of wall above grade

WEST ELEVATION

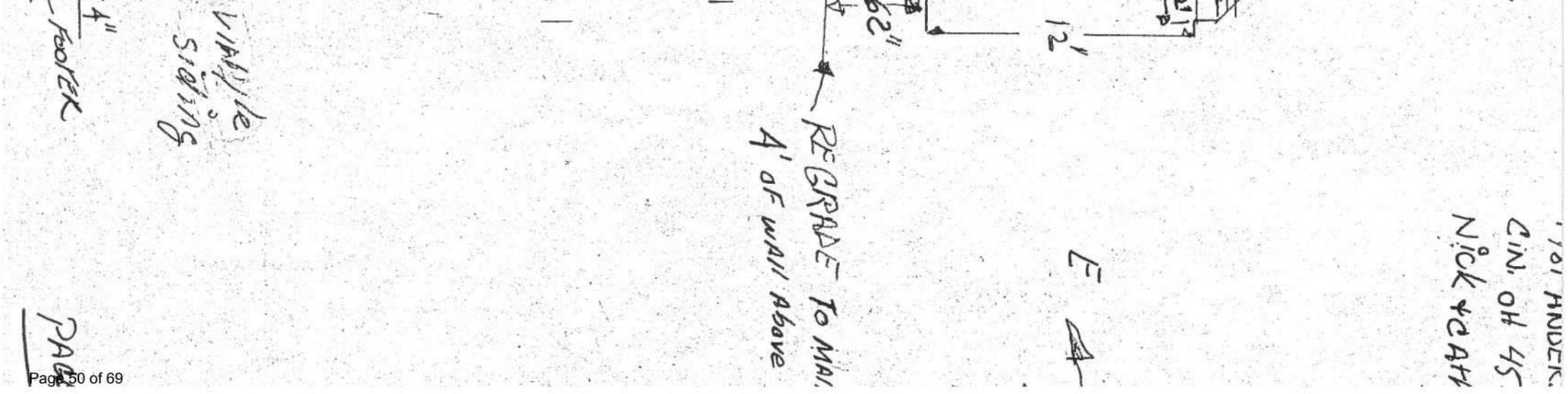
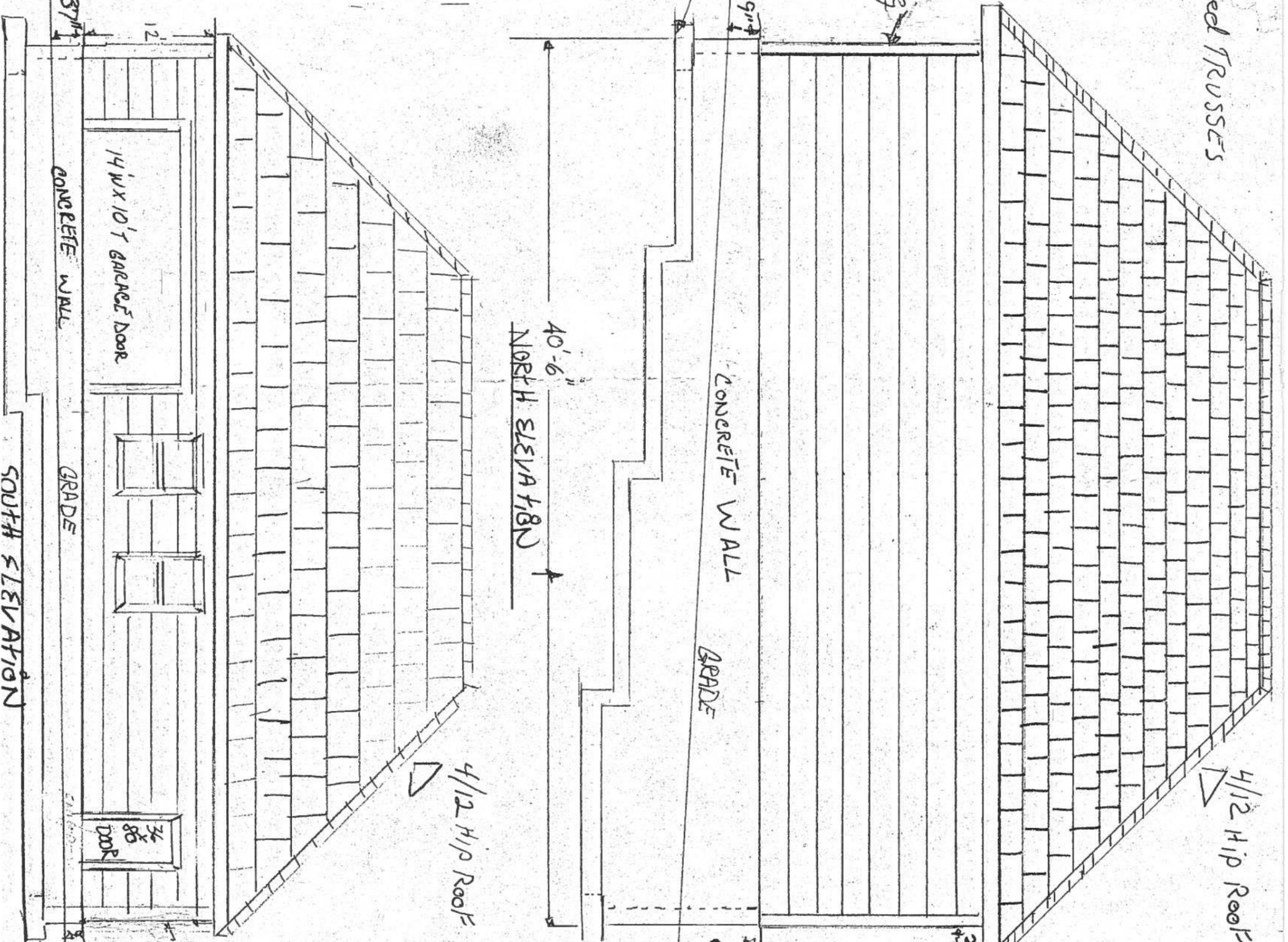
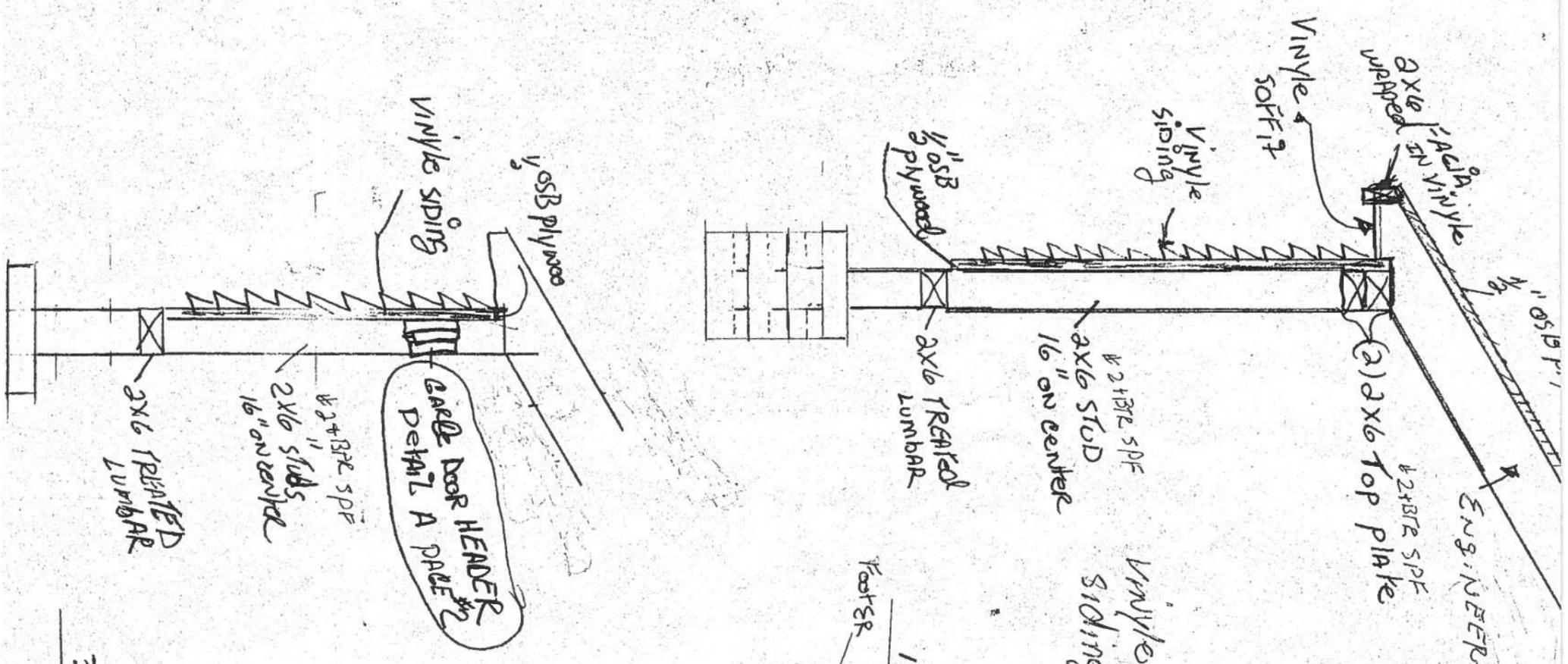


Detail A HEADERS

ALL GARAGE DOOR OPENINGS



1781 ANDERSON Fern
 CINDY 45238
 Nick + Cathy KREMER
 Nick cell 513-478-09

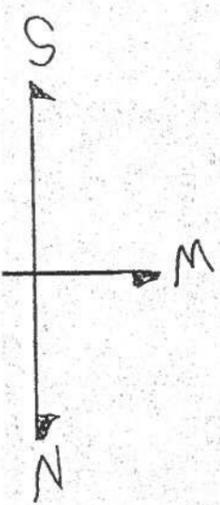


101 HNDER.
 CIN. OH 45
 NICK REAR

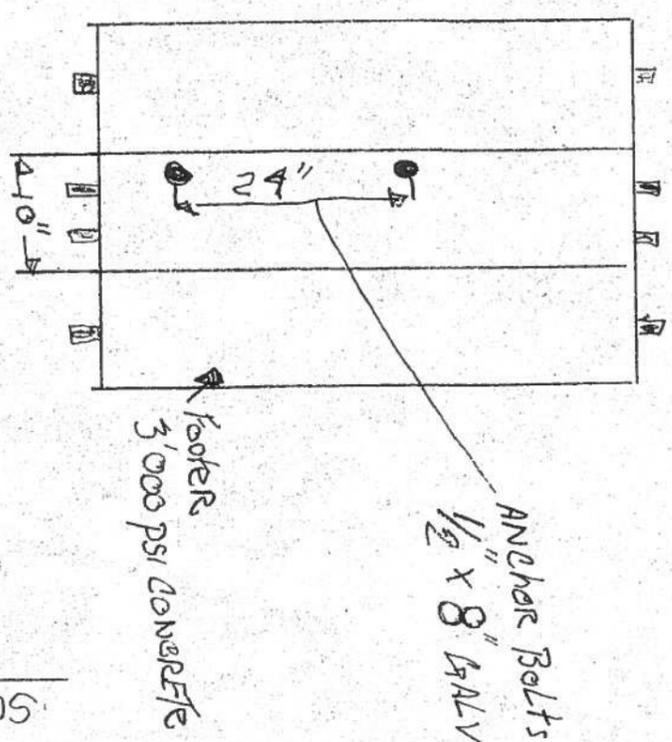
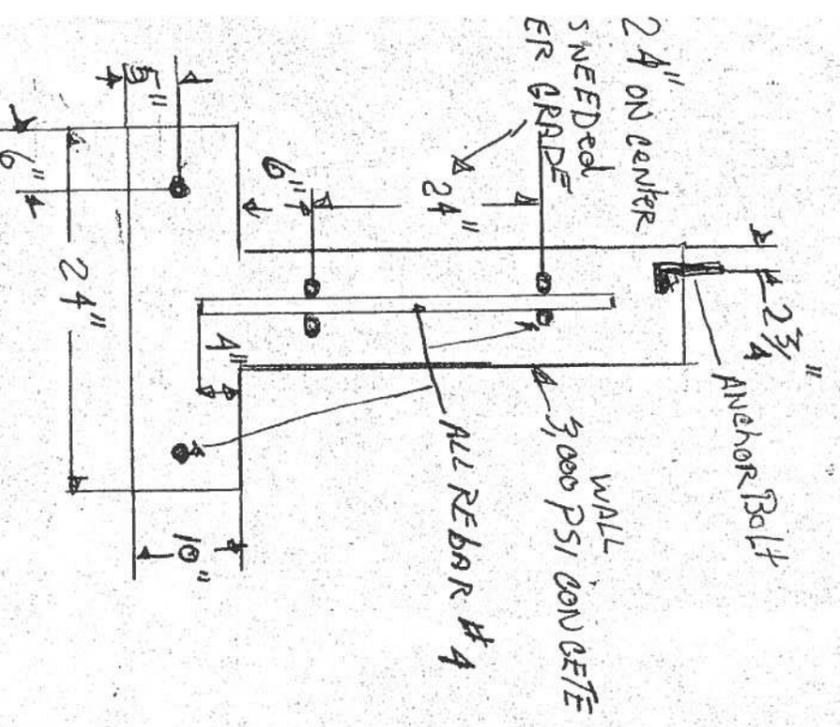
E A

RE GRADE TO MA.
 4' OF WALL ABOVE

FOOTER WALLS & FLOOR

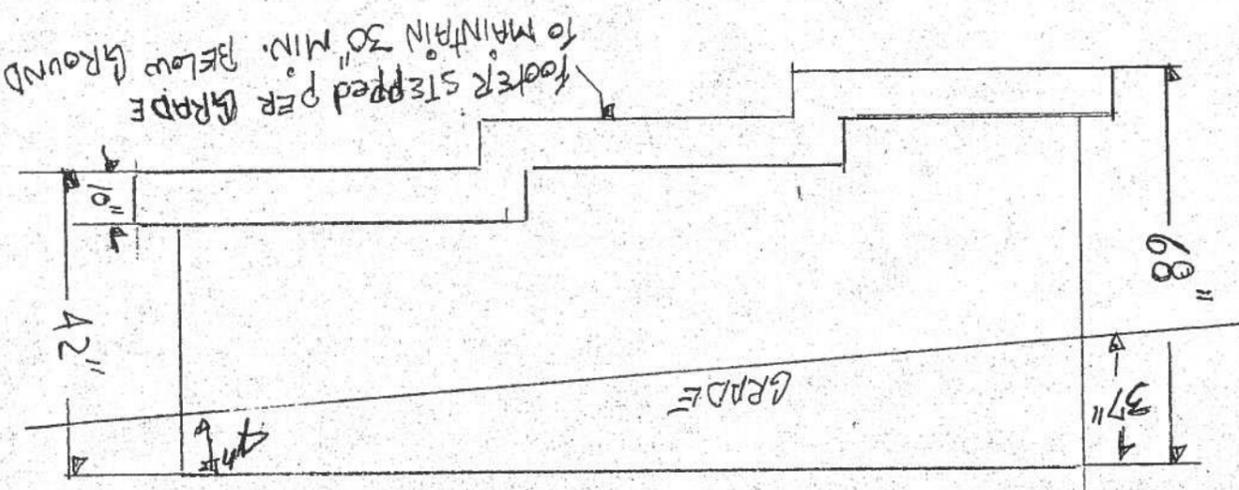


FOOTER + WALL DETAIL

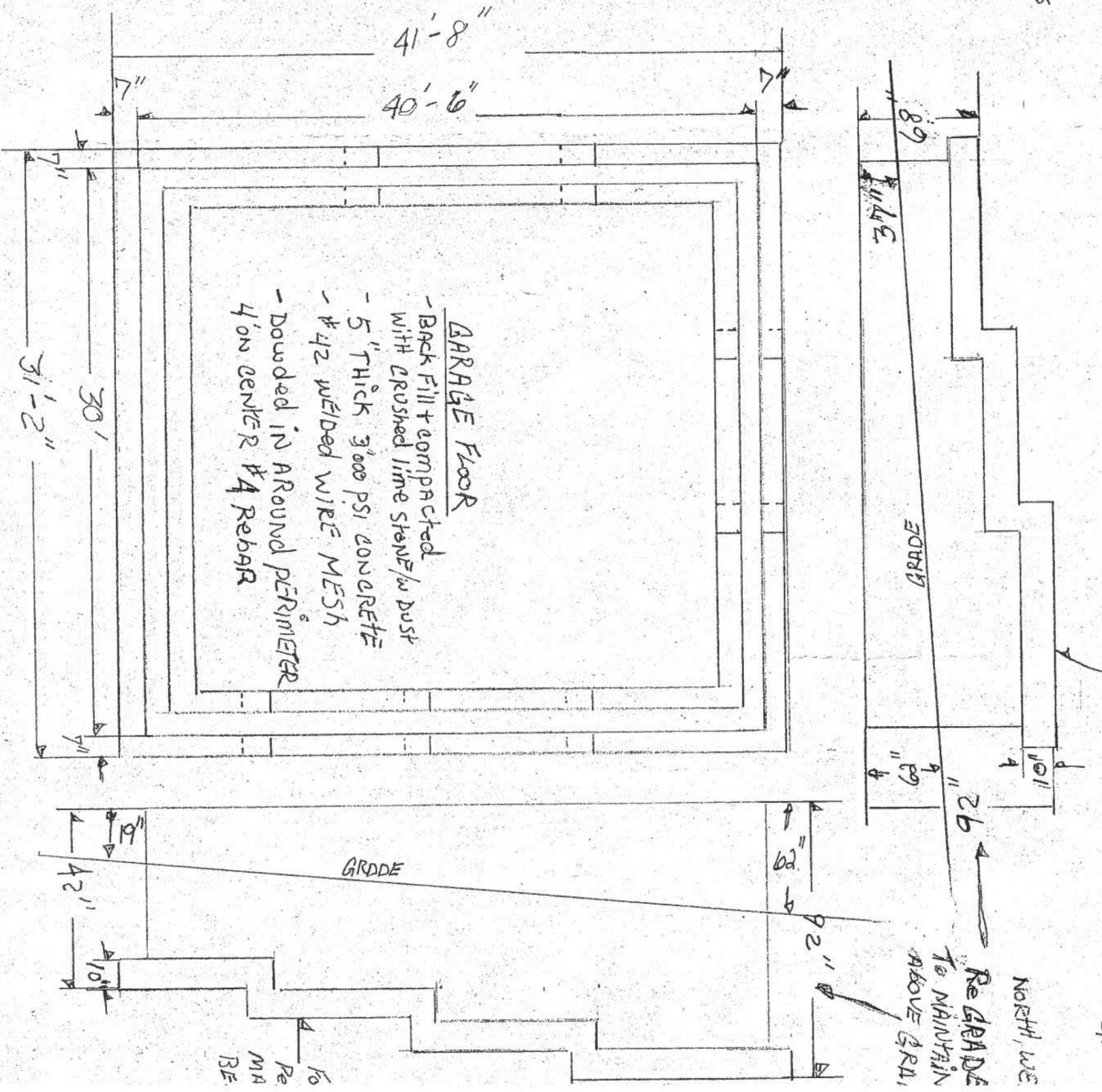


ANCHOR BOLTS 24" ON CENTER + 8" FROM CORNERS
1/2" x 8" GALVANIZER ANCHOR BOLTS

SOUTH ELEVATION



WEST ELEVATION



FOOTER STEPPED PER GRADE 30" MIN BELOW GROUND

Re GRADE TO MAINTAIN ABOVE GRADE NORTH, WE



SECRETARY'S REPORT

FOR CONSIDERATION BY THE BOARD OF ZONING APPEALS ON OCTOBER 12, 2016

**BZA
CASE:**

GREEN 2016-11 (Variance Request)

3574 SANDAL LANE

REQUEST: To request a variance to allow construction of an addition to the existing single-family home with less side yard setback than required in an "A" Residence district

APPLICANT: Donald Schehr, Schehr Design LLC (applicant), Paul and Pam Rybolt (owners)

LOCATION: Green Township: 3574 Sandal Lane; on the east side of Sandal Lane, approximately 660 feet north of Bridgetown Road (Book 550, Page 292, Parcel 163)

SITE DESCRIPTION:	Tract Size:	Approximately 0.47 acres
	Frontage:	106 feet on Sandal Lane
	Zone District:	"A" Residence
	Existing Dvlpmt:	Single-family home

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	"A" Residence	Single-family homes
South:	"A" Residence	Single-family homes
East:	"A" Residence	Single-family homes
West:	"A" Residence	Single-family homes

REQUEST: The applicant is proposing to demolish a portion of the existing residence in order to construct an addition to wrap around the side and rear of the existing attached garage. The applicant states that the purpose of the addition is to house a personal workshop to accommodate woodworking and other hobbies. The addition would have a side yard setback to the north property line of 8.57 feet, which is less than the required 15 foot side yard setback in the "A" Residence District. The addition would meet the minimum setback requirements for the front yard to the west and the rear yard to the east. The addition would include an entrance door and window in the front. The existing garage would be resided to match the shake siding of the proposed addition. This siding would be different than the house. The addition would also have a shingle roof.

FINDINGS: **Setback Variance Request:** Reduction in side yard setback from 15 feet to 8 feet

on the northern property line

The existing home currently does not meet the side yard setback on the northern part of the lot or front yard setback. The side yard requires a 15 foot setback and front yard requires 50 foot setback in the "A" Residence District. It not clear how the home was constructed without meeting the required setbacks. It appears that there may have been an addition built on to the north side of the house without a building permit, which is why the current building stands approximately 12 feet from the property line. However, as the house was constructed in 1987, staff was not able to verify what setbacks were approved as part of the building permit. The applicant is proposing to demolish the current addition, which is approximately 10.5 feet wide and 12 feet from the property line, and to build the new workshop which would extend 14 feet from the garage. This would result in the proposed workshop addition being located approximately 9.32 feet from the northern property line in the front and 8.5 feet in the back of the addition.

Immediately to the north of the lot are two 20 foot panhandles that provide frontage for the lots to the rear. Only one driveway exists between these two lots and it is located on the panhandle area further to the north. The panhandle hearest to the subject site does not include access to that property as this nearest lot shares a driveway with three other homes located to the south. The addition would create an approximate 35 foot distance from the proposed workshop to the neighboring panhandle driveway and an 85 foot distance to the closest house to the north. According to the applicant, the owner of the flag lot directly north has no issue with the proposed addition that would encroach into the side yard adjacent to their property line.

There are seven lots to the south that were developed as part of the Waterview Esates subdivision. Of them, four currently violate side yard setback requirements. All four were built between 1985 and 1987 and would have been subject to the same side yard setback of 15 feet. One home is located approximately 8 feet from its side yard property line, one home is located approximately 12 feet from its side yard property line, and one home crosses approximately 3 feet over the property line onto the adjacent lot. All are located in the "A" Residence District requiring a 15 foot side yard setback. In the plan, all are platted with 15 feet side yard setbacks, but for some reason this did not occur and there are no known variances to allow any of these setbacks. However, there have been several variances granted in this portion of Green Township. One includes the construction of a garage addition. Two variances allow additions in side yards, one being an attached deck.

STANDARDS:

Table 4-6 – Side Yard

Within the "A" Residence district there shall be a side yard setback of not less than fifteen (15) feet.

This request is a variance based on "practical difficulties" and not based on a "use variance", "unnecessary hardship" or "undue hardship". The following factors should be used to determine if the side yard setback on the north side should be allowed to be reduced from 15 feet to 8 feet on the property in question:

1. Can the property in question yield a “reasonable return” or be used in any beneficial way without the variance?
2. Is the variance a substantial deviation from the zoning code?
3. Will the essential character of the neighborhood be substantially altered or would adjoining properties suffer substantial detriment as a result of the variance?
4. Will the variance adversely affect the delivery of governmental services, such as garbage removal, sewage disposal, or water lines?
5. Did the property owner purchase the property with knowledge of the zoning restrictions?
6. Can the property owner’s predicament be feasibly obviated through some method other than a variance? In other words, does the property owner have a remedy other than a variance, which would alleviate the problem?
7. Will the spirit and intent behind the zoning requirement be observed and substantial justice done by granting the variance?

BOARD’S ACTION: The Board is to consider the application for a variance to allow the applicant to construct an addition on the existing single-family home with less side yard setback than required on the property in question located at 3574 Sandal Lane.

PCK/BDS

SITE PHOTOS



View of site on right and flag lot driveway, looking east from Sandal Lane



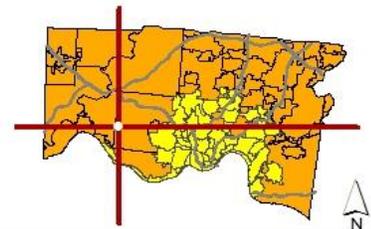
View of proposed addition location in the side yard looking east from Sandal Lane



VICINITY MAP

Case: Green ZVGT2016-11; 3574 Sandal Lane
Request: VARIANCE APPROVAL

Printed: 10/12/2016
 Printed By: PAIGE KRANBUHL



DISCLAIMER:
 Neither the provider nor any of the parties of the Cincinnati area geographic information system (CAGIS) make any warranty or representation, either expressed or implied, with respect to this information, its quality, performance, merchantability, or fitness for a particular purpose. As a result this information is provided "as is", and you, the recipient, are assuming the entire risk as to its quality and performance. In no event, will the provider or any party of CAGIS be liable for direct, indirect, incidental, or consequential damages resulting from any defect in the information or any other part of the map product, even if advised of the possibility of such damages. In particular, neither the provider nor any party of CAGIS shall have any liability for any other information, programs or data used with or combined with the information received, including the cost of recovering such information, programs or data. Any floodway and flood fringe information provided on this map is for conceptual planning purposes only. For official determination of limits recipient must refer to the 1982 FEMA floodway fringe maps. Large differences can exist between actual flood prone area and official FEMA flood fringe areas.



**RURAL ZONING COMMISSION
HAMILTON COUNTY, OHIO
OFFICE OF THE ZONING INSPECTOR**
138 E Court Street • Room 801 • Cincinnati, OH 45202
(513) 946-4550

APPLICATION NO
(DO NOT WRITE IN THIS SPACE)
Z160373

BZA CASE NO
(DO NOT WRITE IN THIS SPACE)
ZVGT201611

NOTICE OF REFUSAL

TO DONALD J. SCHEHR
APPLICATN 7690 MITCHELL PARK DRIVE
CLEVES, OH
45002

TO PAUL & PAM RYBOLT
OWNER 3574 SANDAL LANE
CINCINNATI, OH
45248

AUDITOR'S ID NUMBER
BOOK: 550 **PAGE:** 292 **PARCEL:** 163

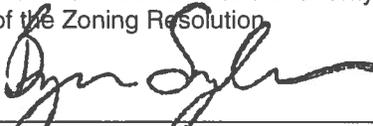
Your application dated September 12, 2016 for a zoning certificate for the construction of a workshop addition with less side yard setback than required at premises designated as **3574 SANDAL LANE** is hereby refused on this 12th day of September, 2016 under Table 1-6, Table 4-6 and Section 20-1 of the zoning resolution in that:

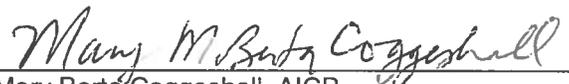
Table 1-6 et seq. of the Zoning Resolution and the Green Township District Maps designate said premises to be in the "A" Single Family Residence District.

Table 4-6 **Minimum Yard Requirements –**
Side Yard Minimum – 15 feet.

Section 20-1 Provides in relevant part: "... (N)o land shall be occupied or used and no building, structure or sign shall be located, constructed, reconstructed, enlarged or structurally altered, nor work commenced upon the same, nor occupied or used in whole or part for any purpose whatsoever until the County Zoning Inspector has issued a Zoning Certificate. ..."

An appeal from this decision to the County Board of Zoning Appeals is governed under **Sections 21-1, 21-2, 21-5.1(a), 21-6,** and **22-2** of the Zoning Resolution.


Bryan D. Snyder, AICP, ZONING INSPECTOR


Mary Berta Coggeshall, AICP
ZONING PLANS EXAMINER

NOTE: ANY APPEAL MADE FROM THIS REFUSAL MUST BE FILED WITH THE BOARD OF ZONING APPEALS WITHIN TWENTY (20) DAYS AFTER THE DATE OF THIS REFUSAL. **FOR FURTHER INFORMATION, CONTACT THE ZONING PLAN EXAMINER, OFFICE OF THE ZONING INSPECTOR (513) 946-4550.**



APPLICATION FORM

Submit Completed Application To: The Hamilton County Board of Zoning Appeals, County Administration Building, 138 E. Court Street, Room 801, Cincinnati, OH 45202 Phone: (513) 946-4550

Prepare a Letter referring to instructions in the "User's Guide" and including:

- a. The principal points set forth in this case shall be the same as those under which the administrative officer acted, whether the granting or refusal of a zoning certificate or any other decision based upon the regulation of the Zoning Resolution.
b. A clear and accurate description of the proposed use
c. Specific reference to the Chapter and Section(s) of the Zoning Resolution which, it is claimed, authorize the determination sought

NAMES AND ADDRESSES

Applicant DONALD J. SCHEHR Owner PAUL & PAM RYBOAT
Address 7690 MITCHELL PARK DRIVE Address 3574 SANDAL LANE
CLEVES, OHIO 45002 CINCINNATI, OHIO 45248
Email Address drgw93sch@aol.com Email Address nupamula64@yahoo.com

The undersigned DONALD J. SCHEHR hereby appeals under Chapter 21 & 22 and Section(s) of the Zoning Resolution to permit the construction of a WORKSHOP ADDITION

in accordance with the plats, plans and other data hereto attached and made a part of this case.

PROJECT IDENTIFICATION

Table with 5 columns: ZONE DISTRICT, AUDITOR'S BOOK NO., AUDITOR'S PAGE NO., AUDITOR'S PARCEL NO., LOT NO. Values: A, 550, 292, 163, 3

Project Location: 3574 SANDAL LANE CINT. O. 45248

I hereby depose and say that all the above information and that statements contained in all of the exhibits transmitted herewith are true.

Donald J. Schehr (Signature)

Sworn to and subscribed before me, this 12th day of

Notary Public seal for Rebecca J. Stratton, Notary Public, State of Ohio, My Commission Expires June 13, 2021

2160373

APPLICATION FORM (continued)

APPLICATION NUMBER
2V@2016-11

Address of Subject Property 3574 SANDAL LANE Township GREEN

	NAME	ADDRESS	CITY	STATE	ZIP CODE	PHONE NO.
OWNER	PAUL & PAM BYBOLT	3574 SANDAL LANE	CINTI	O.	45248	502-9761
CONTRACTOR	T.B.D. / OWNER TO BE G.L.					
PLANS BY	SCHEHL DESIGN LLC	1690 MITCHELL PARK DR.	CLEVES	O.	45002	467-9456
APPLICANT	DONALD J. SCHEHL	1690 MITCHELL PARK DR.	CLEVES	O	45002	467-9456

TYPE OF IMPROVEMENT: (Describe briefly proposed work)

ADD A WORKSHOP ADDITION ONTO AN EXISTING SINGLE FAMILY RESIDENCE

PROPERTY OWNERSHIP

BZA ACTION REQUESTED

- Private
- Public (Federal, State, Local)
- Corporate
- Other

- Appeal
- Variance
- Conditional Use
- Compatible Non Conforming Use
- Non Conforming Use
- Other

State in detail all existing and proposed uses of this building or premises:

Existing Use SINGLE FAMILY RESIDENCE

Proposed Use SAME WITH WORKSHOP ADDITION

- Commercial
- Residential

Estimated cost of improvement for which this application is being made:

\$ 55,000.00

The owner(s) of this building and undersigned, do hereby covenant and agree to comply with all of the laws of the State of Ohio and the Zoning Resolution of the County of Hamilton, pertaining to building and constructing the proposed building or structure or making the proposed change or alteration in accordance with the plans and specifications submitted herewith, and certify that the information and statements given on this application, drawings and specifications are to the best of their knowledge, true and correct.

Application By: Donald J. Schehl Address 1690 MITCHELL PARK DR. 45002

DO NOT WRITE BELOW THIS LINE

Adopted: _____ Journalized: _____

BZA Filing Fee: _____ Cash _____ Check # _____

SCHEHR DESIGN LLC

7690 Mitchell Park Drive
Cleves, Ohio 45002
(513) 467- 9456

September 12, 2016

The Hamilton County Board of Zoning Appeals
County Administration Building
138 East Court Street, Room 801
Cincinnati, Ohio 45202
Attn: Mr. Brian Snyder – BZA Secretary / Development Services Administrator

Re: Zoning Appeal for a Residential Addition Project
Date of Hearing: October 12, 2016
Applicant Name: Donald J. Schehr
Property Located at: 3574 Sandal Lane – Cincinnati, Ohio 45248
Auditors Reference – Book 550, Page 292, parcel 163
Type of Appeals Requested: Side Yard Setback

Dear Mr. Snyder,

It is the purpose of this letter to request a Variance Hearing under Chapters 21 & 22 of the Zoning Resolution, for the granting of a variance for this property. According to these chapters the Board of Zoning Appeals has the authority to grant this variance.

Mr. & Mrs. Paul & Pam Rybolt, owners of the property, desire a Variance to allow the construction of a Workshop Addition, onto their home. This Variance Request would be for a Side Yard Setback. This property is located in an “A” Residential district. According to Table 4-6 this type of district requires a 50’-0” front yard setback, which we exceed, and a 15’ Side Yard Setback. The appeal would allow the construction of the noted addition at 8.57’ from the side property line.

When Paul & Pam purchased their home in July of 2015, they were like a lot of couples that were purchasing unkempt properties from the bank. Their property was an eyesore in the area. The prior homeowners had no regard for their neighbors, for the Building Code or any Zoning Ordinances. They seemingly built whatever they wanted, wherever they wanted it to go. They also let Mother Nature run wild as there was a ton of brush all over the property.

Paul and Pam have done a significant amount of work to their home both inside and outside to make this a much improved property in their area. They bought this property because they loved the area, the proximity to various places of interest and their work.

A review of this lot on the attached Cagis map, reveals that they have a beautiful pond in their back yard. It is well maintained and makes for a scenic view from the rear of their home. One can also discern that where their home is located on this particular .468 acre parcel, is about the only place that it could have been built. Although the home was built in 1987, it doesn't appear to have been built according to what the Zoning Ordinance would have allowed back then, and there is no record of a Variance for the original build. Regardless, we are where we are today.

The primary hardship presented in this project is the location of the home on the existing lot as well as the configuration of the lot, especially considering the pond in the back. Also, when they bought this property, they had no idea that the property was a non-conforming existing use. As it sits, it does not meet front yard setback requirements. With all of that being said, when they bought their house, it just seemed to fit right into the overall look and layout of their neighborhood.

In fact though, there are 2 pan handle lots that run to the left side of their home that are owned by the families behind them. The homeowner with the panhandle right next to them has no issue with Paul and Pam using this land for their own purposes. From the street, one would never perceive that the one pan handle even exists.

The 15' side yard setback is the real issue. But again with the panhandle lot being there, and Paul and Pam having use of that land, from the street the addition will appear to meet present side yard setback requirements.

As a matter of lifestyle, Paul is a woodworking and hobby enthusiast. He owns several model air planes of various sizes that he enjoys building and maintaining in his garage. If it is not an airplane, it is some other type of woodworking project, that Paul has going on in his workshop. The challenge presented by using the Garage as his workshop area, is that there is truly no place for Pam to park a car. As a result, they have a real need for a space for Paul's Workshop. This addition will open up the Garage area for its intended purpose. Having a vehicle locked away for the evening and out of the elements is a situation enjoyed by seemingly all of their neighbors, and is not at all an unusual desire in today's world.

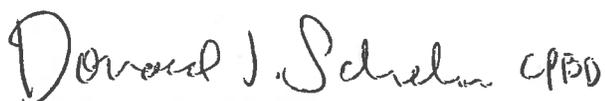
This project will not materially diminish or impair established property values within the surrounding area, but in fact, will increase property values as a result of the additional financial investment in this property. This project will have no impact on the delivery of governmental services nor have an impact on public health and safety nor increase the danger of fire or flood.

The granting of a variance in this case will not be contrary to the public interest. In fact trying to configure an addition that would meet the setback parameters would not be nearly as aesthetically pleasing as this proposed addition. Nor would the space function well as a workshop area.

In conclusion, the spirit and intent behind the zoning resolution would be observed and substantial justice done in the granting of this variance. They have reviewed their desires with their neighbors and none of them have raised an objection to their proposal. The neighbors have been complimentary in their conversations, expressing their appreciation for the improvements made to this home and property. Paul & Pam's primary desire for this project is to be able to give each other the spaces they each need for continued enjoyment and convenience for their combined lifestyles.

If you should have any questions as to this request please call me and we will respond promptly. Otherwise we will look forward to seeing you at the October 12th hearing.

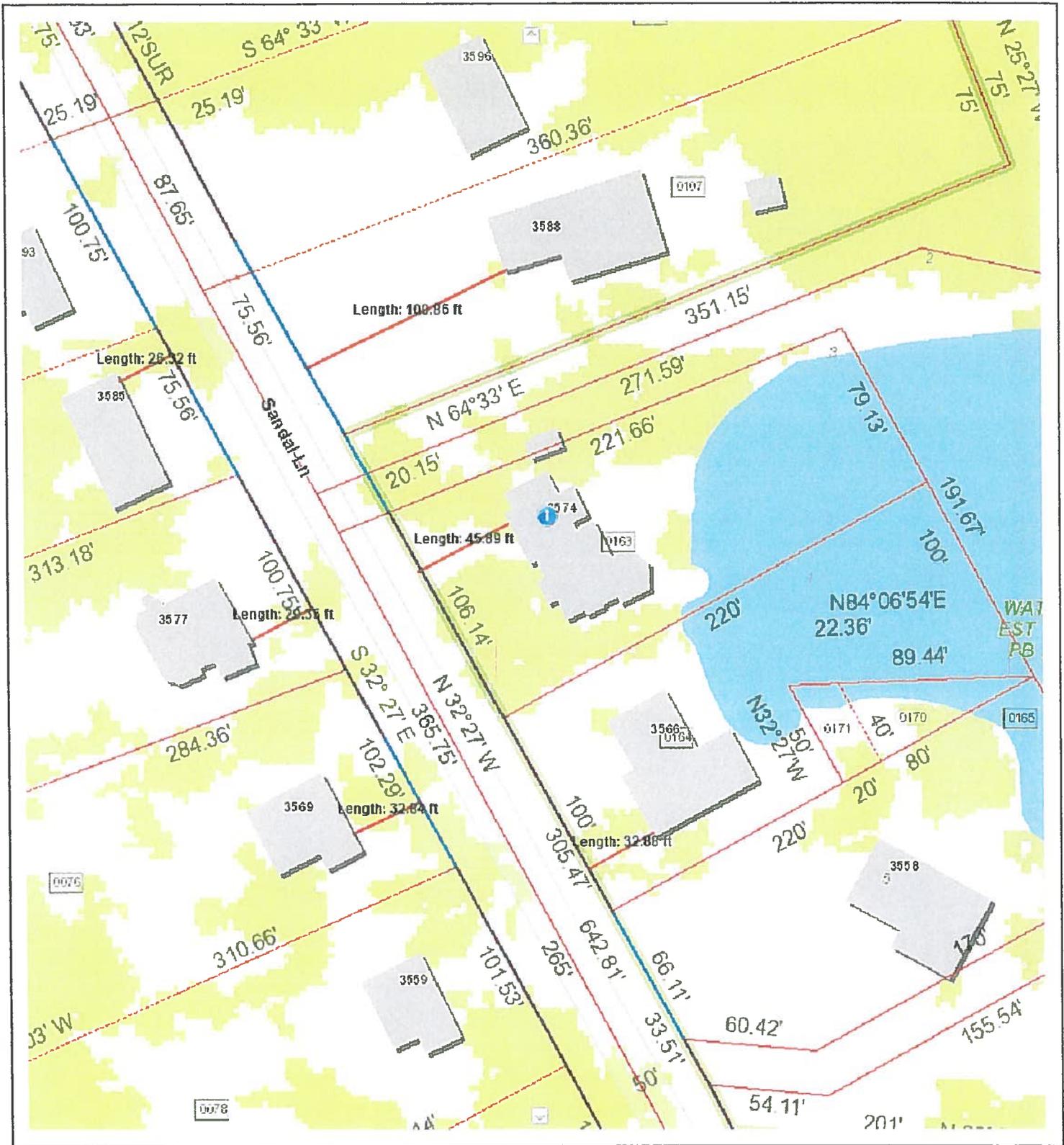
Yours Truly,



Donald J. Schehr CPBD
Schehr Design LLC

Cc: Mr. & Mrs. Paul & Pam Rybolt, Homeowners

Professional Member of the American Institute of Building Design
Certified Professional Building Designer



CAGIS Online Map



Hamilton County  Ohio

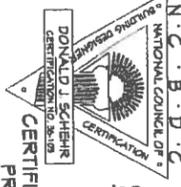
Printed: Aug 31, 2016 ©CAGIS



SITE PLAN
SCALE: 1"=20'
.468 ACRES



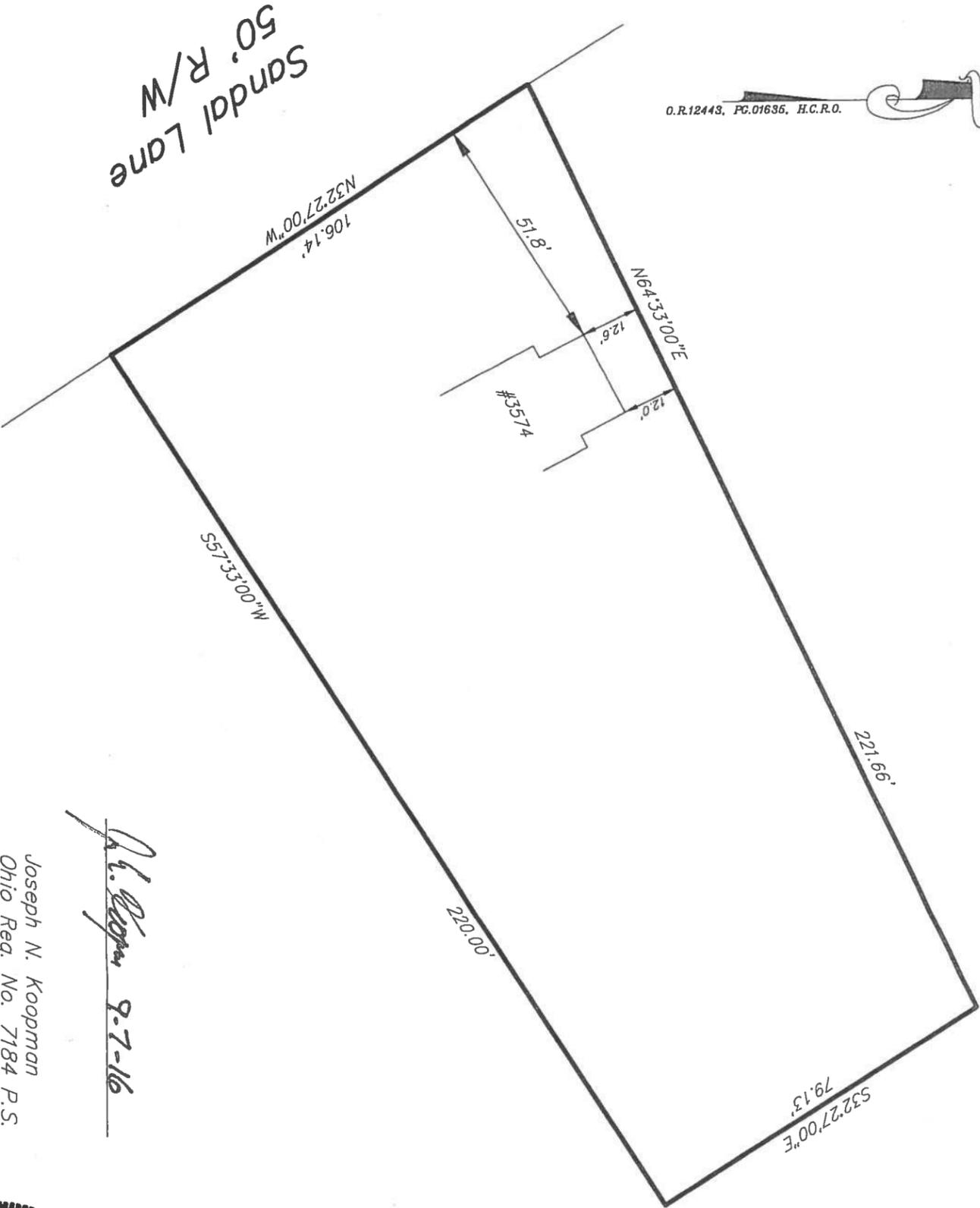
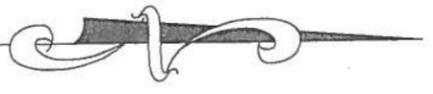
NOTE:
OWNER IS TO BE THE
GENERAL CONTRACTOR



PLANS BY:
SCHEHR DESIGN LLC
7690 MITCHELL PARK DRIVE
CLEVES, OHIO 45002
PH. & FAX(513)467-4456
CERTIFIED PROFESSIONAL BUILDING DESIGNER
PROFESSIONAL MEMBER AIBD

DATE: 9-12-16
REVISED:
SHEET NO.
S1 OF 1

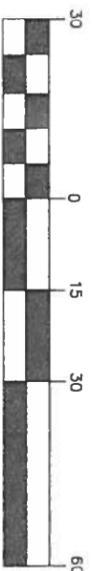
PROPOSED WORKSHOP ADDITION PROJECT FOR:
MR. & MRS. PAUL & PAM RYBOLT
3574 SANDAL LANE
CINCINNATI, OHIO 45248



NOTE: The professional surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose. No abstract of title, nor title commitment, or results of a title search were furnished to the surveyor. All documents of record reviewed are noted hereon. There may exist other documents of record that may affect this surveyed parcel.

NOTE: Subsurface and environmental conditions were not surveyed or examined or considered as part of this survey. No evidence or statement is made concerning the existence of underground or overhead conditions, containers or facilities that may affect the use or development of the property.

NOTE: In providing this boundary survey no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on the site, whether private, municipal or public owned.



(IN FEET)
1 inch = 30 ft.

GRAPHIC SCALE

House Location

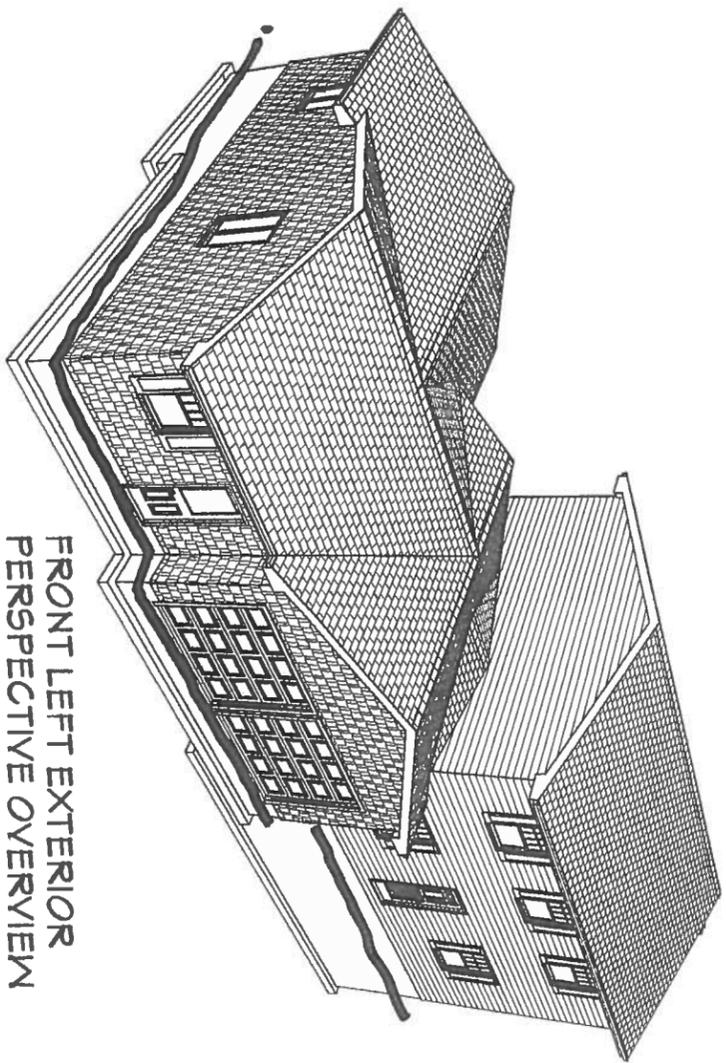
3574 Sandal Lane
550-292-163
Lot 3

Waterview Estates Subdivision
P.B. 253, PG. 37 H.C.R.O.
Sec. 33, T. 3 F.R. 2
Green Township
Hamilton County, Ohio
Scale: 1"=30' September, 2016

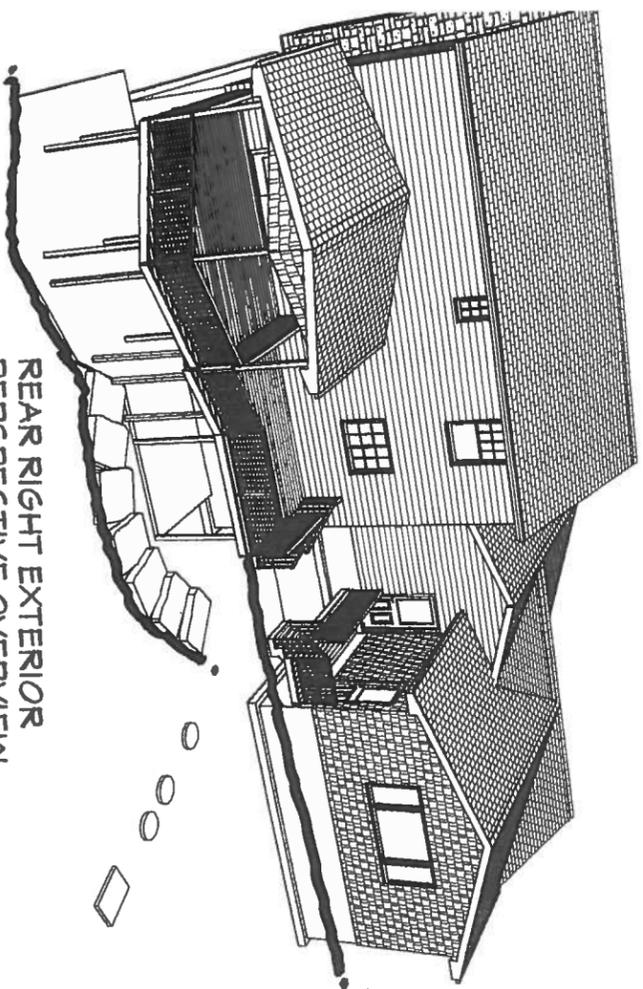
J. N. Koopman 9-7-16

Joseph N. Koopman
Ohio Reg. No. 7184 P.S.
5545 Stokeswood Ct.
Cincinnati Ohio, 45238
H. 513.922.2752
C. 513.235.2855

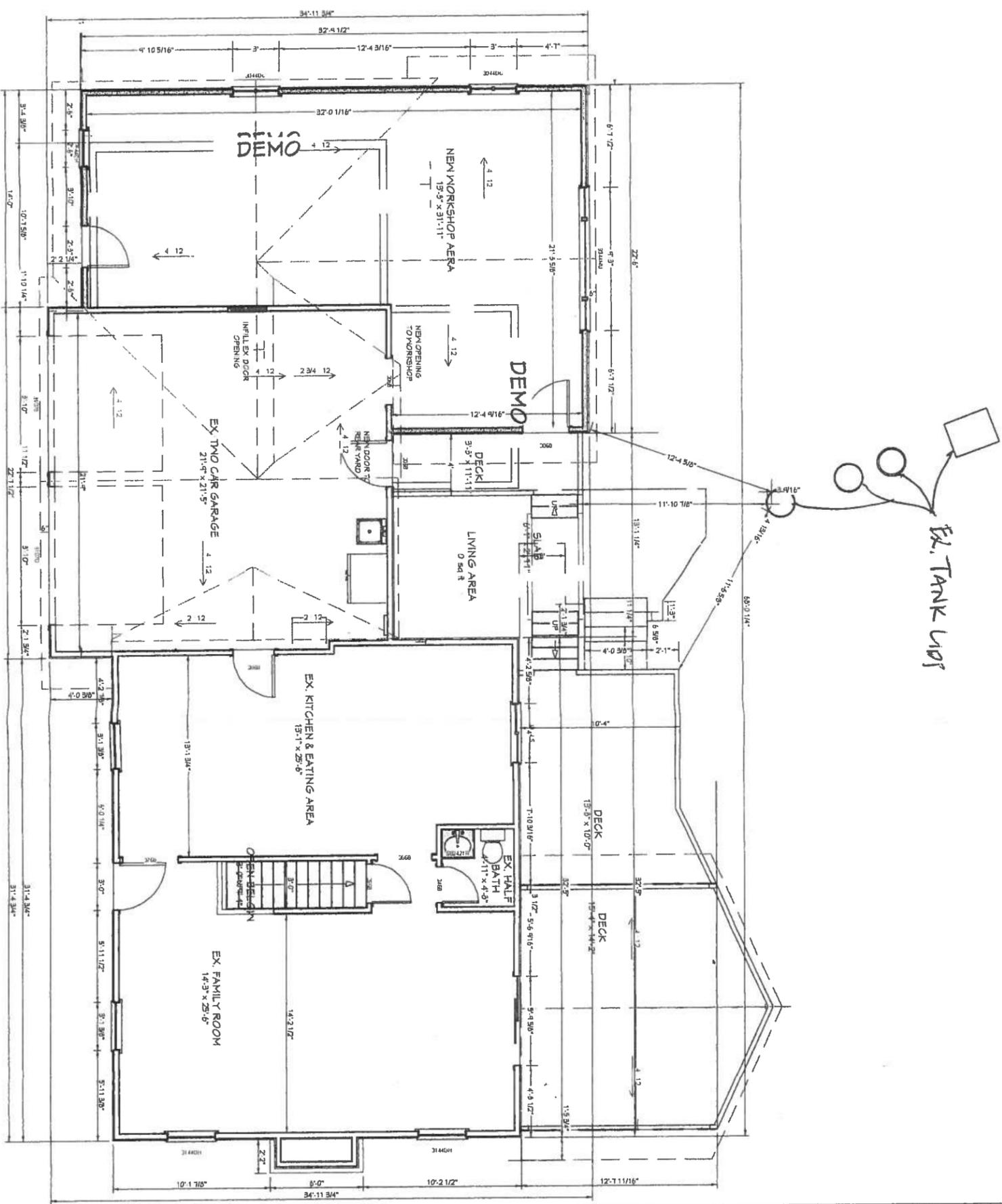




FRONT LEFT EXTERIOR
PERSPECTIVE OVERVIEW



REAR RIGHT EXTERIOR
PERSPECTIVE OVERVIEW

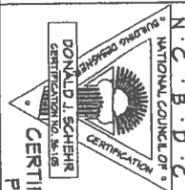


OVERALL FIRST FLOOR PLAN

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

PROPOSED WORKSHOP ADDITION PROJECT FOR:
MR. & MRS. PAUL & PAM RYBOLT
3574 SANDAL LANE
CINCINNATI, OHIO 45248

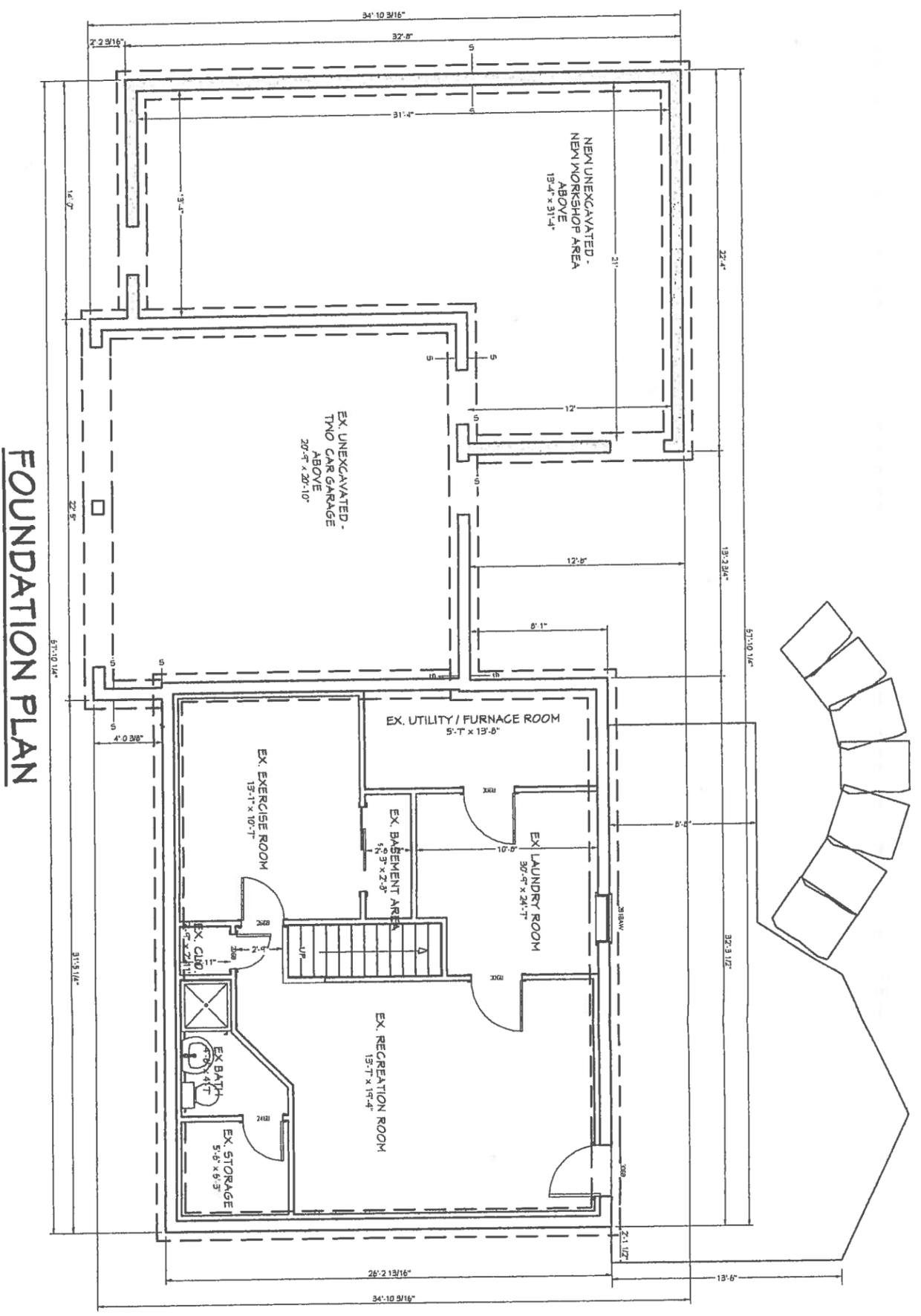
NOTE:
OWNER IS TO BE THE
GENERAL CONTRACTOR



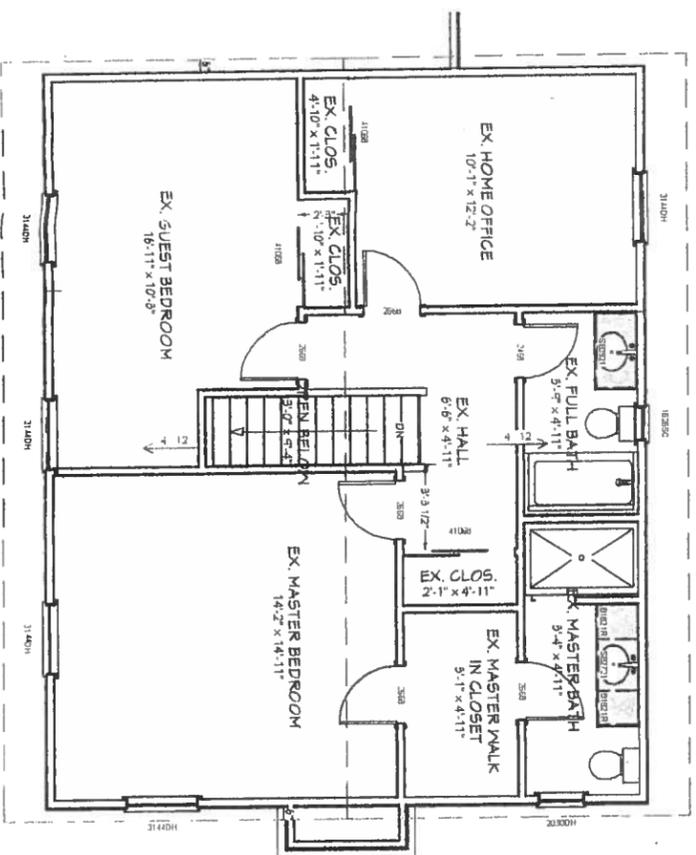
PLANS BY:
SCHERH DESIGN LLC
1690 MITCHELL PARK DRIVE
CLEVES, OHIO 45002
PH. & FAX (513) 467-4456

A1
BD

DATE: 4-12-16
REVISED:
SHEET NO. **1** OF **3**



FOUNDATION PLAN

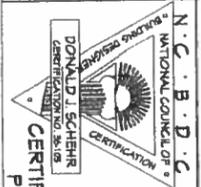


SECOND FLOOR PLAN

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

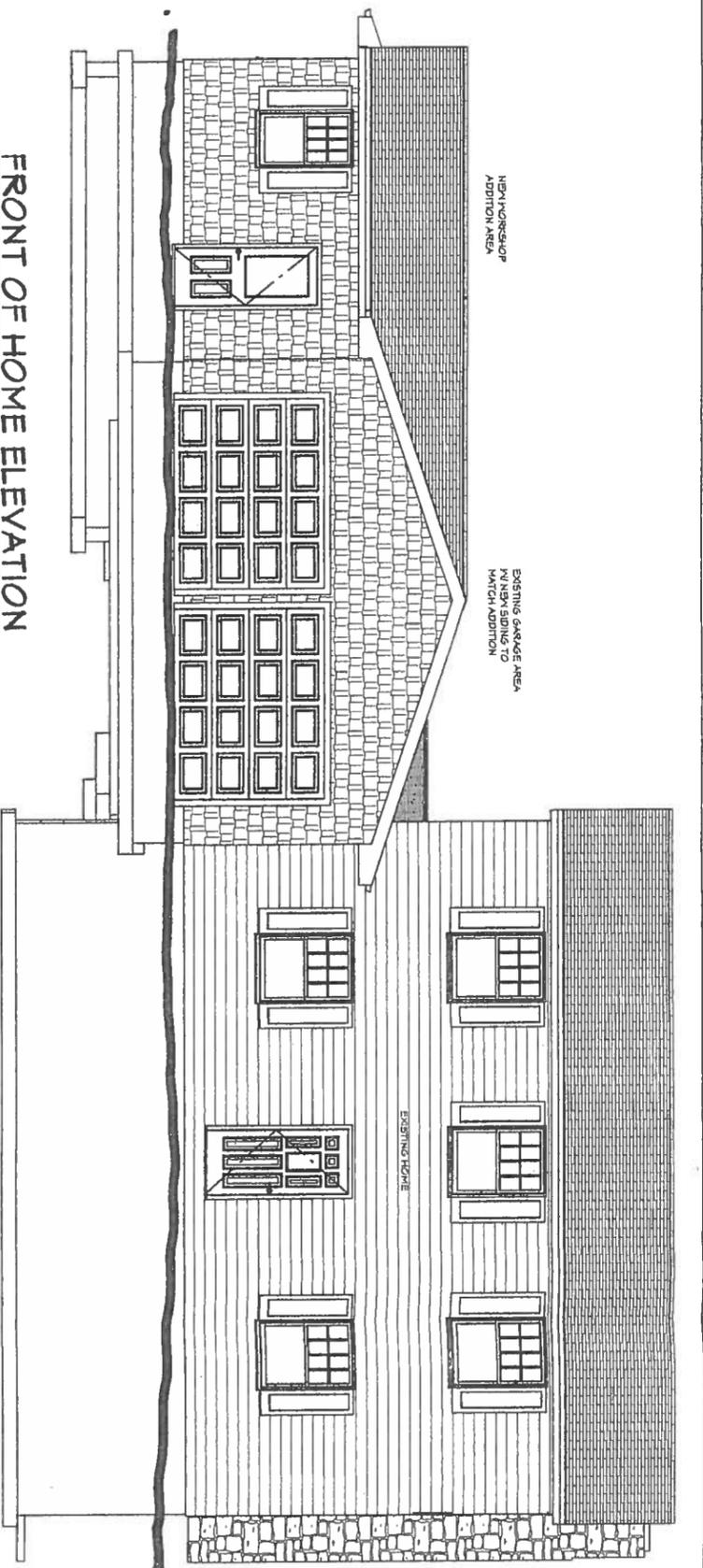
PROPOSED WORKSHOP ADDITION PROJECT FOR:
MR. & MRS. PAUL & PAM RYBOLT
 3574 SANDAL LANE
 CINCINNATI, OHIO 45248

NOTE:
 OWNER IS TO BE THE
 GENERAL CONTRACTOR



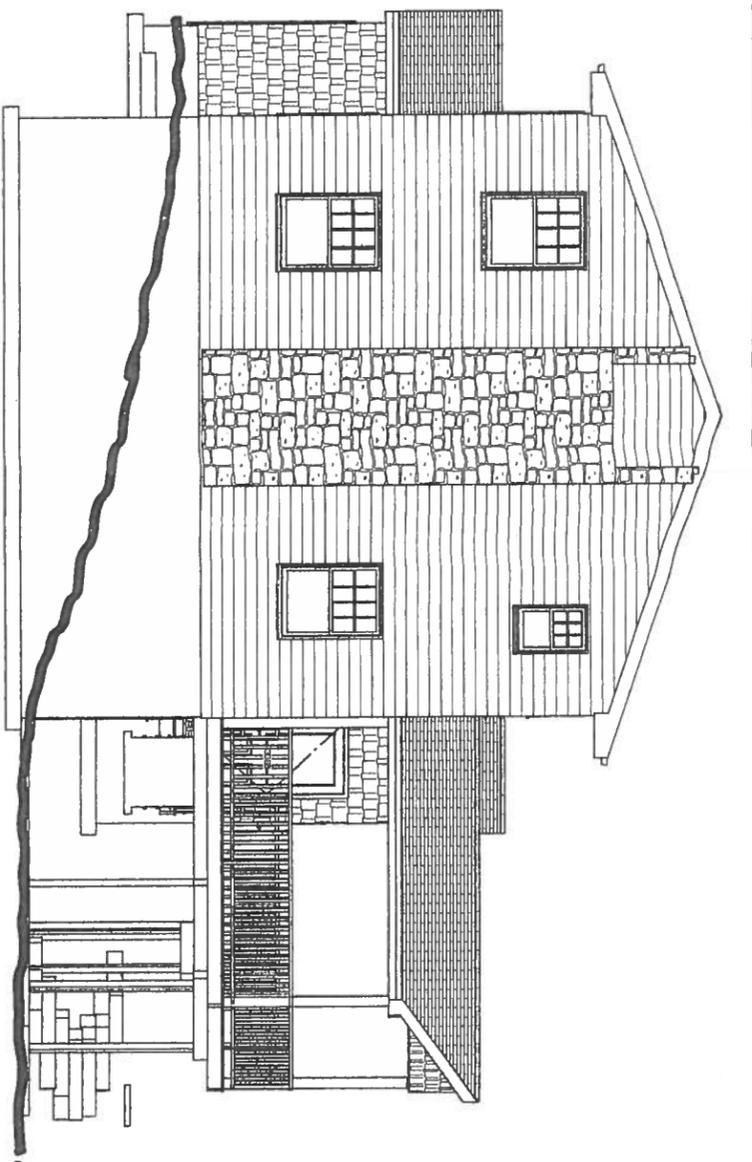
PLANS BY:
SCHEHR DESIGN LLC
 7690 MITCHELL PARK DRIVE
 CLEVELAND, OHIO 45002
 PH. & FAX (513) 467-4456
 CERTIFIED PROFESSIONAL BUILDING DESIGNER
 PROFESSIONAL MEMBER AIBD

DATE: 4-12-16
 REVISED:
 SHEET NO.
2 OF **3**



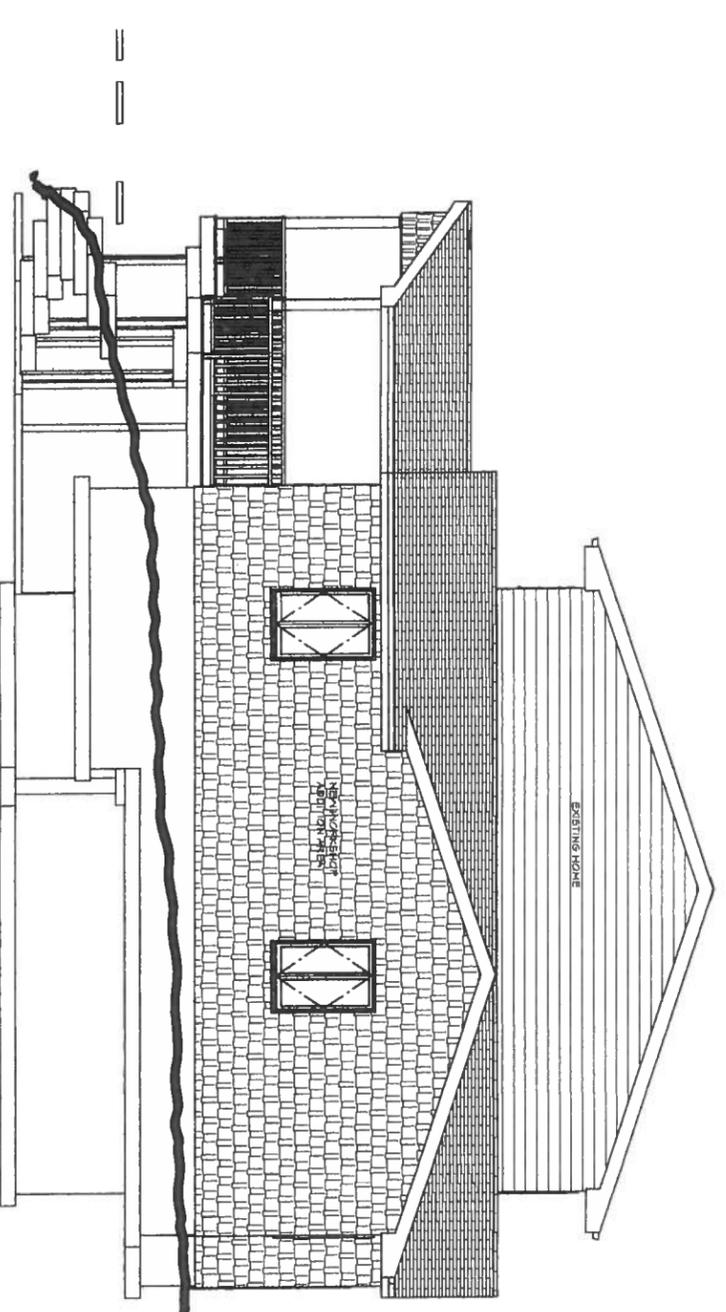
FRONT OF HOME ELEVATION

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



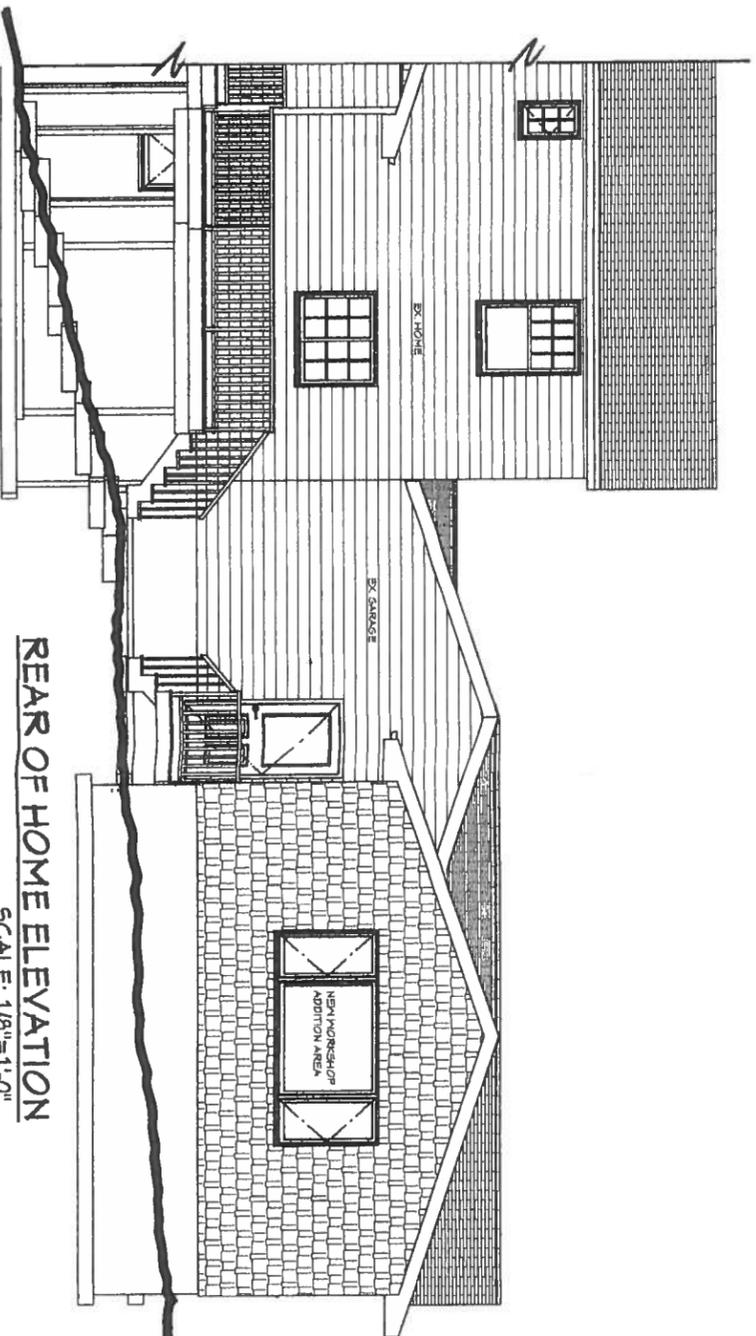
RIGHT SIDE OF HOME ELEVATION

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



LEFT SIDE OF HOME ELEVATION

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



REAR OF HOME ELEVATION

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

PROPOSED WORKSHOP ADDITION PROJECT FOR:
MR. & MRS. PAUL & PAM RYBOLT
 3574 SANDAL LANE
 CINCINNATI, OHIO 45248

NOTE:
 OWNER IS TO BE THE
 GENERAL CONTRACTOR

N.C.B.D.C.
 NATIONAL COUNCIL OF
 BUILDING DESIGNERS
 DONALD T. SCHEHR
 CERTIFIED PROFESSIONAL BUILDING DESIGNER
 PROFESSIONAL MEMBER AIBD

PLANS BY:
SCHEHR DESIGN LLC
 7640 MITCHELL PARK DRIVE
 CLEVELAND, OHIO 45002
 PH. & FAX(513)467-9456

DATE: 9-12-16
 REVISED:
 SHEET NO.
3 OF 3