

AGENDA

September 9, 2021

PLANNING COMMISSION/BOARD OF ZONING APPEALS

5:00 PM

Roll Call

Minutes

Meeting of August 2, 2021

Cases

CASE NO. 2021-1968

Marc Fisher, the representative for the Mayerson JCC, is requesting to modify the previously approved variance which allowed a temporary accessory structure to be located in the front yard during the pandemic. The request is for the frame of the structure to remain permanently year-round, while the fabric top and sides would be removed during the winter months.

New Business

Adjournment

**MINUTES OF THE REGULAR MEETING OF THE
AMBERLEY VILLAGE BOARD OF ZONING APPEALS/PLANNING COMMISSION
MONDAY, AUGUST 2, 2021**

Chairperson Richard Bardach called to order the regular meeting of the Amberley Village Board of Zoning Appeals/Planning Commission in Council Chambers on Monday, August 2, 2021 at 7:00 p.m.

Roll was taken as follows:

PRESENT:

Rich Bardach
Rick Lauer
Susan Rissover
Scott Rubenstein
Scott Wolf

ALSO PRESENT:

Andrew Kaake, Village Solicitor
Wes Brown, Zoning Administrator
Scot Lahrmer, Village Manager
Tammy Reasoner, Clerk of Council

Chairman Bardach welcomed everyone to the meeting.

Chairman Bardach asked if there were any corrections to the minutes of the June 7, 2021 meeting. Mr. Wolf requested that the sentence referencing too many Little Libraries in one location be stricken, as his point was simply to ensure requests for Little Libraries continue to be brought before the Board. The minutes were approved as revised.

CASE NO. 2021-1936

Village Zoning Administrator Wes Brown introduced Case No. 2021-1936, in which Andrew Steinberg, the property owner of 7385 Elbrook Avenue, requested a variance to Zoning Code Section 158.15 (A). The variance would allow for the installation of solar energy panels on the front roof plane of the house. Mr. Brown said Zoning Code Section 158.15 (A) states that roof-mounted systems are not permitted in the front yard or on the front plane of a structure.

Mr. Steinberg said that panels facing east and south are the most efficient positioning, and that he was aware of other homes in the Village with east-facing panels on the front of the house. He said the panels selected had the least glare and would look seamless with the rest of the house. The proposal included the removal of a tree to allow full sun exposure, and overall, the project was good for the environment, would not affect neighbors, and would reduce pollution.

Mr. Wolf said the proposal was similar to another project on Twigwood, and the plan looked nice.

Ms. Rissover inquired about the removal of the tree, to which Mr. Steinberg replied that the tree had already been removed. He said that the sun panels offered a greater benefit than the shade offered by the tree, and would allow maximum efficiency.

Mr. Lauer said the Board has approved solar panels in the past, and moved to approve the variance. Chairman Bardach seconded the motion, and the motion passed unanimously.

CASE NO. 2021-1941

Mr. Brown said Corey Wirth, the property owner of 8360 Springvalley Drive, was requesting a variance to Zoning Code Section 154.12 (A) (1), which would allow for an accessory structure (playset) to remain located in the front yard. Mr. and Mrs. Wirth stated that given the topography of the property, including the slope of the backyard which sits above a creek which floods frequently, the front yard was the only safe option for the playset. He said the letter to the Board indicated that some landscaping had already been installed, and existing landscaping largely obscures the structure.

Ms. Wirth, her husband Mark and daughter Clara were in attendance at the meeting, where she stated they believed they were in compliance when the playset was installed. She said they were willing to install additional landscaping if necessary. She also said she had spoken to all surrounding neighbors, and there was no opposition to the structure. She provided a letter from Nils Kahlson of 8375 Springvalley Drive supporting the playset.

Ms. Rissover asked if the playset was fenced, to which Ms. Wirth said no.

Mr. Wolf said he had driven past the property and the driveway looked like it ended in a cliff to the backyard. He said the landscaping made it difficult to see the playset coming from the Galbraith direction of the street, but that a bit more would help camouflage the structure from the Longmeadow angle.

Ms. Rissover asked if the front yard fence had been approved, to which Mr. Brown replied it is grandfathered due to when it was installed.

Ms. Rissover expressed concern with setting a precedent for playsets in the front yard and said not every yard in the Village can accommodate this type of structure.

Mr. Lauer said he felt the difference in this case is the flooding in the back yard and the unique topography of the property, and if there were concerns regarding the condition of the playset down the road, as had been the case with others, that property maintenance enforcement could address the issue.

Ms. Rissover said she would like to see better screening from the street when coming from the Longmeadow direction of the property.

Jeff Reasoner of 8380 Springvalley Drive stated he was the next-door neighbor to the Wirths, and that his property shared the same topography. He said the volume of water that flows through when it rains makes it impossible to house any type of structure in the back. He cited a bridge on his property that he has seen floating during heavy rains, and said he had no problem with the location of the Wirth's play structure.

Mr. Rubenstein said he understood Ms. Rissover's concerns, but that there were very few homes in the Village with this type of topography.

Mr. Wolf made a motion to approve the variance on the condition that additional landscaping was installed to better shield the street. Mr. Bardach seconded the motion, and the variance was approved unanimously.

Ms. Rissover stated she voted to approve based on the flooding, and recommended Mr. Brown follow up with Ms. Wirth to determine where the additional landscaping should be planted.

NEW BUSINESS

There being no new business, Chairman Bardach announced the meeting was adjourned.

Tammy Reasoner, Clerk of Council

Richard Bardach, Chairperson



7149 Ridge Road
Amberley Village, OH 45237

513-531-8675 *phone*
513-531-8154 *fax*

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PLANNING COMMISSION
MEETING NOTICE

WHEN: September 9, 2021 at 5:00 PM
WHERE: Amberley Village Municipal Building, 7149 Ridge Road
FROM: Scot Lahrmer, Village Manager

Please be advised there will be a public meeting held by the Amberley Village Planning Commission and the Board of Zoning Appeals on **Thursday, September 9, 2021**, at 5:00 p.m. in the Council Chambers of the Amberley Village Municipal Building, 7149 Ridge Road. The public meeting will be held to review the following items:

Marc Fisher, the representative for the Mayerson JCC, is requesting to modify the previously approved variance which allowed a temporary accessory structure to be located in the front yard during the pandemic. The request is for the frame of the structure to remain permanently year-round, while the fabric top and sides would be removed during the winter months.

If you are interested in reviewing the application, you may do so Monday through Friday, 8:00 a.m. to 4:00 p.m. at the Amberley Village Municipal Building, 7149 Ridge Road, or you may attend the **Thursday, September 9, 2021**, Planning Commission and Board of Zoning Appeals public meeting. If you have any questions, please feel free to contact Scot Lahrmer at (513) 531-8675.

cc: Jane Seyfried, 8437 Ridge Road
Mariam Crenshaw, 2502 Apple Ridge Lane
Peg H. Niehaus, 2510 Apple Ridge Lane
Thomas E. & Nancy Horwitz, 2520 Apple Ridge Lane
Mark A. & Sandra L. Thomas, 2530 Apple Ridge Lane
John C., Jr. & Jacqueline B. Thomas, 2536 Apple Ridge Lane
Stacy Worthington-Naberhaus & Joseph B. Naberhaus, 2540 Apple Ridge Lane
Diane Rice, 2548 Apple Ridge Lane
Christine Thomas, 2558 Apple Ridge Lane



7149 Ridge Road
Amberley Village, OH 45237

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Amberley Village Planning Commission Staff Report

September 9, 2021

Subject:

JCC - 8485 Ridge Road

Variance:

Accessory structure in front yard

Item: Case#2021-1968

Variance Request: Marc Fisher, the representative for the Mayerson JCC, is requesting to modify the previously approved variance which allowed a temporary accessory structure to be located in the front yard during the pandemic. The request is for the frame of the structure to remain permanently year-round, while the fabric top and sides would be removed during the winter months.

Zoning Code Review:

Variance Review: Mr. Fisher, the representative for the Mayerson JCC, received a variance in 2020 which allowed a temporary accessory structure to be located on the property until November 30 and from April 1 to November 30 in 2021, if there was a need, due to the pandemic. The structure was approved by the Board to be relocated to the Ridge Road front yard in 2021. Mr. Fisher is requesting to modify this variance to allow the structure to remain in its current location permanently year-round.

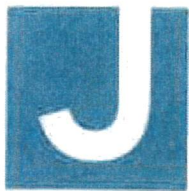
The proposed modification to the variance would allow the frame of the structure to remain in place year-round, while the fabric top and sides would be removed during the winter months.

The frame of the structure is proposed to remain in place year-round to reduce the setup and teardown cost each winter and reduce the wear and tear on the frame and parking lot.

The letter to the Board states that by the end of October, they will have hosted 250 programs under the tent this year. Also, with COVID cases increasing, membership rebounding, and their need for more program space, they have a need to continue utilizing the outdoor tent. Therefore, they are requesting approval to keep the tent permanently for the foreseeable future.

The modification of the existing variance or a new variance is required for the temporary structure to remain permanently on the property and be located in the Ridge Road front yard beyond November 30, 2021.

Project Recommendations: The project is to be considered on its merits.



The Manuel D. & Rhoda
MAYERSON JCC
on The Jewish Foundation of Cincinnati Campus

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Amy Susskind

Weiskopf

Felicia Zakem

August 13, 2021

Attn: Scot Lahrmer
Village Manager
7149 Ridge Road
Cincinnati, Ohio 45237

From: Marc Fisher
CEO
Mayerson JCC
8485 Ridge Road
Cincinnati, Ohio 45236

Re: Zoning Request

Dear Scot,

Over the past 18 months, the entire world has adapted to a new "normal" that continues to evolve on a daily basis. At the JCC we have continued to find creative and innovative ways to engage our members and the community at large while keeping health and safety at the forefront of our minds.

We appreciate the Village's previous approval for the temporary use of a tent on our property from April through October 2021. With COVID cases increasing, as well as the JCC's need for more program space with membership rebounding, we have a compelling need to continue using the outdoor tent for the foreseeable future. In order to reduce setup and teardown costs each winter, as well as the wear-and-tear on the frame and parking lot, we would like to propose that the frame remain in its current location permanently year-round. The top and sides would be removed and cleaned each winter.

From April-October 2021, the tent will have 'hosted' over 250 programs, events, and meetings that have served the entire community as well as agencies from across Greater Cincinnati.

We appreciate our continued partnership with Amberley Village and hope to host you in our tent soon!


Marc Fisher
CEO
Mayerson JCC

