

AGENDA

November 7, 2022

PLANNING COMMISSION/BOARD OF ZONING APPEALS

7:00 PM

Roll Call

Minutes

Meeting of October 3, 2022

Cases

CASE NO. 2022-230

Kaye Sackenheim, property owner of 3614 E. Galbraith Road, is seeking a variance from Zoning Code Section 154.14. If approved, the variance would allow for the installation of a fence to enclose a portion of the Lynnehaven Drive front yard.

CASE NO. 2022-265

Paul and Kathleen Neff, property owners of 3109 N. Farmcrest Drive, are seeking a variance to Zoning Code Section 154.14. The variance, if approved, would allow the installation of a fence to enclose a portion of the front yard on the North Farmcrest side of the property.

CASE NO. 2022-266

John and Stacy Beresh, property owners of 8320 Crestdale Court, are seeking two variances from Zoning Code Section 154.12. If approved, the variances would allow for the construction of a 12'x18' (216 square foot) pool house in the rear of the yard with the primary access facing toward the street.

New Business

Adjournment

**MINUTES OF THE REGULAR MEETING OF THE
AMBERLEY VILLAGE BOARD OF ZONING APPEALS/PLANNING COMMISSION
MONDAY, OCTOBER 3, 2022**

Chairperson Richard Bardach called to order the regular meeting of the Amberley Village Board of Zoning Appeals/Planning Commission at the Amberley Village Municipal Building in Council Chambers on Monday, October 3, 2022 at 7:00 p.m.

Roll was taken as follows:

PRESENT:

Rich Bardach
Susan Rissover
Scott Rubenstein
Rick Lauer
Craig Cappozzo

ALSO PRESENT:

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

Chairperson Bardach welcomed everyone to the meeting and led those in attendance in the Pledge of Allegiance.

Mr. Bardach introduced Craig Cappozzo as the newest member of the Planning Commission/Board of Zoning Appeals, as he was not present at the first hearing held on August 31, 2022. He said Mr. Cappozzo would be recusing himself from the meeting, as he is a neighbor to the applicant for variance. Mr. Cappozzo thanked the Board for the opportunity to serve, and stated he would be sitting in the audience for the meeting so he could speak as a resident.

Mr. Bardach asked if there were any corrections to the minutes of the August 31, 2022 meeting. There being none, the minutes were accepted as submitted.

CASE NO. 2022-208 (Continued from August 31, 2022)

Mr. Brown read an overview of Case No. 2022-208, in which Brandon Guttman, the property owner of 9091 Ambercreek Drive, is seeking two variances from Zoning Code Section 154.12 and 154.51 to allow construction of a detached garage with height and square footage that exceed the allowance of Amberley Village Code.

Mr. Brown summarized changes made to building plans which address concerns expressed by neighbors and the Board at the August 31 meeting, including additional landscaping, reduced square footage from 2,556 square feet to 2,389 square feet, and a height reduction of two feet. In addition, the revised plans include setbacks that exceed the 20-foot requirement per Village Code.

Mr. Brown said the Board has the authority to determine when a requested variance is in line with Village preservation standards, and reminded Mr. Guttman that even if the garage was approved by the BZA, it will still need the approval of the Home Owners' Association.

Mr. Guttman of 9091 Ambercreek Drive testified that Mr. Brown's comments covered the situation. He said he heard the feedback of neighbors and made changes to include a small footprint, lowered the roof height and moved further back from the property line. He said his next door neighbor is now in support of the plan.

He said he plans to remove the honeysuckle, keeping and relocating much of the existing foliage, and adding some new. He said there would be 13 species of pine.

Mr. Lauer recommended that Mr. Guttman refer to a professional landscaper, as there is currently a virus killing Norway Spruce trees. Mr. Guttman said he would check with their team, and was not particularly tied to that species.

Mr. Lauer asked Mr. Guttman about the status of the batting cage and other play structure reported on his property. Mr. Guttman said the play structure had been removed, but the batting cage was still there.

Mr. Lauer asked if there was a lighting plan. Mr. Guttman said there was no plan other than no use of flood lights.

Bryan Kruger of 9071 Ambercreek Drive said his initial meeting with Mr. Guttman had been at last month's BZA meeting, which was obviously not ideal. He said they had met since and did a walk-through of his home and sat on his deck so Mr. Guttman could get a better feel for his concerns. He said Mr. Guttman took down the play structure, which he appreciated. He said he had an opportunity to express his concerns regarding the obstructed view. Mr. Kruger said when he purchased his home, he couldn't see the Guttman's which factored into the price of his property. He said he just wants complete obstruction of the property, and is feeling skeptical of the proposed landscape plan because of the difficulty involved with relocating trees, and with limited sunlight to grow arborvitae.

Mr. Kruger asked the board if he should just trust Mr. Guttman on his word. He said he was willing to plant trees on his property in order to give him more control, and that Mr. Guttman verbally agreed to pay \$3,000 toward the purchase of a hedge of trees. He said they were able to find a compromise that works for both of them, but wanted Mr. Guttman to commit to the payment on record.

Mr. Lauer asked Mr. Kruger if he preferred the honeysuckle to remain or be removed, to which Mr. Kruger replied he would like them removed in the long-term. Mr. Lauer asked Mr. Kruger his thoughts on the Guttman's existing lighting. Mr. Kruger stated he was okay with the current lighting. Mr. Lauer asked Mr. Kruger about the Guttman's batting cage, to which Mr. Kruger said he doesn't hear it a lot and has no opposition to it.

Craig Cappozzo of 9074 Ridgeway Close said the virus to which Mr. Lauer referred earlier was called Needlecast, and is brutal to Blue Spruce trees, causing their needles to fall off. He said he loves his neighborhood, and the Guttman's are a part of that. He said he moved to Amberley Village because of its Tree City USA status. He said he sees trees from his corner lot that are irreplaceable, and are what blocks his house from bright lights that are often on late at night at the Guttman's.

Mr. Lauer asked for clarification regarding which trees Mr. Cappozzo was referencing. Mr. Cappozzo said they were 100-year-old Oak trees. He asked for clarification regarding the hardship standard by which the Board measures cases.

Ms. Rissover said this particular case was exempt from the hardship rule. She said the hardship rule allows the Board to decide on a case by case basis. She said she wanted to correct her previous record by stating hardship was not an issue in this case.

Mr. Guttman said he had no intention of removing trees. He said lighting will be capped to keep it down, and asked that people let him know if his boys do not turn off the lights at night.

Mr. Kruger asked Mr. Guttman to commit to the \$3,000 for the hedge row on record, to which Mr. Guttman agreed.

Susan Glazer of 9055 Rolling Ridge asked why the garage needed to be so high. Ms. Rissover said the height was to allow the slope of the hip roof to match the house. Mr. Brown said it was to get the right pitch to match the width.

Ms. Glazer then stated she wanted clarification on the garage lighting. She asked if the floodlights on the garage would match those on the house. She asked regarding the timeframe for noise restrictions, which Mr. Lahrmer confirmed was from 11 p.m. to 7 a.m.

Ms. Glazer asked why the batting cage was still there if it had been denied. She said she was concerned with the precedent this sets, and doesn't want to lose the country feel of the Village. She said it was only a matter of time if this was allowed, and asked the Board to consider all residents.

Mr. Bardach asked if there were any other comments via email or telephone, to which Mr. Lahrmer said there were not.

Mr. Lauer said he appreciated neighbors talking it out, and said this case was harder than most. He said he felt homeowners should be able to make orderly developments to their property within certain boundaries. Mr. Lauer added that car sizes have increased, and along with them the size of accessory structures. He said the plan was better this time than at first, and reminded Mr. Guttman that the case will still need to go to the HOA.

Mr. Rubenstein commended both Mr. Kruger and Mr. Guttman for working things out.

Mr. Bardach said he would like to see the lighting plan.

Mr. Lauer asked if the Board could require conditions if they approved the request.

Mr. Brown said lighting was not part of the zoning code, but that conditions could be placed on wattage, for example, for an accessory structure.

Mr. Lauer said he was not willing to have the Board enforce the \$3,000 arrangement between Mr. Guttman and Mr. Kruger. He then moved to approve the variance requests on the following conditions: that the landscaping be installed and maintained; that honeysuckle be removed; lighting on the garage matches the lights original to the house; that the Guttman's shield the current floodlights; and that existing mature trees be maintained.

Ms. Rissover asked how the Village would monitor the property, to which Wes responded staff would check on it. Mr. Lauer asked what if the foliage dies, to which Mr. Brown responded, "We can request a replacement."

Seconded by Mr. Rubenstein, the motion passed as follows:

AYE:	Rissover, Rubenstein, Lauer	(3)
NAY:	Bardach	(1)

NEW BUSINESS

Mr. Lahrmer announced that Wes Brown would be preparing for retirement, and that Chris Fritsch would be his replacement, and had joined us for his first meeting. There being no other new business, Chairman Bardach announced the meeting was adjourned.

Tammy Reasoner, Clerk of Council

Richard Bardach, Chairperson

DRAFT



7149 Ridge Road
Amberley Village, OH 45237

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

amberlevillage.org

PLANNING COMMISSION
MEETING NOTICE

WHEN: November 7, 2022 at 7:00 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 Board of Zoning Appeals on **Monday, November 7, 2022** at 7:00 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 item:

Kaye Sackenheim, property owner of 3614 E. Galbraith Road, is seeking a variance from Zoning Code Section 154.14. If approved, the variance would allow for the installation of a fence to enclose a portion of the Lynnehaven Drive front yard.

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 **November 7, 2022** Board of Zoning Appeals public meeting. If you have any questions, please feel free to contact Scot Lahrmer at 513-531-8675.

cc: *Guangming Zhang, 3060 Glenfarm Ct*
Jessica Barnhart, 3590 E Galbraith Rd
Barbara & Richard Curtis, 3605 E Galbraith Rd
Kaye Brooks Sackenheim, 3614 E Galbraith Rd
Brendan & Cassie Saddlemire, 3625 E Galbraith Rd
Jessica & Blaine Odenweller, 3630 E Galbraith Rd
Dennis Webb, 3645 E Galbraith Rd
Martin J & Mary Sara Ganz, 8236 Lynnehaven Dr
Gregory & Kathleen Ballman, 8253 Lynnehaven Dr

Amberley Village Planning Commission Staff Report

November 7, 2022

Subject:

3614 E. Galbraith Road

Variance:

Front yard fence

Item: Case#2022-230

Variance Request: Kaye Sackenheim, property owner of 3614 E. Galbraith Road, is seeking a variance from Zoning Code Section 154.14. If approved, the variance would allow for the installation of a fence to enclose a portion of the Lynnehaven Drive front yard.

Zoning Code Review: Section 154.14 Fences, Walls and Hedges states; 'Notwithstanding other provisions of the Zoning Code, fences, walls and hedges not exceeding four and a half feet in height may be permitted in any required side or rear yard or along the edge of any yard, provided that no fence or wall, along the sides or front edge of any front yard or in any part of the front yard shall be permitted. Hedges not over two and a half feet in height may be permitted in a front yard.'

Variance Review: Ms. Sackenheim is the property owner of 3614 E. Galbraith Road and is seeking a variance from Zoning Code Section 154.14. If the variance is approved, it would allow for the installation of a fence to enclose a portion of the Lynnehaven Drive front yard.

Ms. Sackenheim's property is located on the northeast corner of E. Galbraith Road and Lynnehaven Drive. Her property is zoned Residence B and is just over .5 acres, with two front yards.

Due to the hardship created by having two front yards and very small rear and side yards, Ms. Sackenheim is seeking a variance for the front yard fence.

If approved, the fence would enclose a portion of the Lynnehaven Drive front yard and the rear yard between the driveway and the house. The letter to the Board states, when looking at the house, the Lynnehaven Drive front yard would be the west side of the house.

The letter to the Board also states that she has a small dog and is proposing to fence a portion of their side yard (Lynnehaven front yard) for the safety of the dogs while outside. The letter additionally states the backyard is mostly a driveway that slopes down to the lower level garage and would be difficult to fence and will not provide much of an area for the dog.

Also, if the variance is not approved, she could only fence the north side of the house, giving the dog a small area which would not be suitable for the dog's enjoyment.

The proposed fencing would be a 4' high ornamental black aluminum fence and would extend 41' into the Lynnehaven front yard to the right of way line for Lynnehaven Drive. The letter states the proposed fencing would be approximately 196' of total fencing.

Village Code Section 154.14, states that fences are permitted in a side or rear yard but does not permit

fences in any part of a front yard. Therefore, the variance is required for the fence to extend into the Hudson Parkway front yard.

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



Online Property Access

Parcel ID
526-0120-0025-00

Address
3614 E GALBRAITH RD

Index Order
Parcel Number

Tax Year
2021 Payable 2022

Property Information

Tax District	017 - AMBERLEY-CINTI CSD	Images/Sketches 
School District	CINCINNATI CSD	
Appraisal Area	52605 - AMBERLEY 05	
Auditor Land Use	510 - SINGLE FAMILY DWLG	
Owner Name and Address	Tax Bill Mail Address	
SACKENHEIM KAYE BROOKS 3614 EAST GALBRAITH RD CINCINNATI OH 45236 (call 946-4015 if incorrect)	SACKENHEIM KAYE BROOKS 3614 EAST GALBRAITH RD CINCINNATI OH 45236 (Questions? 946-4800 or treasurer.taxbills@hamilton-co.org)	
Assessed Value	Effective Tax Rate	Total Tax
74,430	77.791353	\$4,395.34
Property Description GALBRAITH RD 120 X 200 IRR LOT 141 ARBORCREST SUB SEC A		

Appraisal/Sales Summary

Year Built	1951
Total Rooms	6
# Bedrooms	2
# Full Bathrooms	2
# Half Bathrooms	0
Last Transfer Date	8/15/2022
Last Sale Amount	\$450,000
Conveyance Number	310573
Deed Type	WD - Warranty Deed (Conv)
Deed Number	
# of Parcels Sold	1
Acreage	0.548

Tax/Credit/Value Summary

Board of Revision	YES(12)
Rental Registration	No
Homestead	Yes
Owner Occupancy Credit	Yes
Foreclosure	No
Special Assessments	No
Market Land Value	49,930
CAUV Value	0
Market Improvement Value	162,700
Market Total Value	212,630
TIF Value	0
Abated Value	0
Exempt Value	0
Taxes Paid	\$4,395.34
Tax as % of Total Value	2.353%

Notes

I Want To...

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Property Summary
Appraisal Information
Levy Information
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Images
Special Assessment/Payoff
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Property Report



Date: 10/11/22

Mr. Scot F. Lahrmer
Village Manager
7149 Ridge Road
Cincinnati, OH 45237

RE: Zoning Approval - Variance

Dear Mr. Lahrmer:

I hereby request a zoning approval for:

A fence in my 2nd front yard, extending along driveway to my garage opening.
It will start at the front edge of the side of my house and extend to 15 ft from

Lynnehaven. See attached sketches, photos and letter for more info.

Have not decided which contractor to use due to timing and availability. Proposals for each are attached.

The structure is proposed at the following address:

3614 E Galbraith Rd

I certify the attached plat and measurements are accurate.

Contractor's Name

Contractor's Address

Telephone Number

Sincerely,

Kaye B. Sackenheim
Homeowner's Signature

Kaye B. Sackenheim
Homeowner's Printed Name

513-289-7665
Telephone Number (daytime)

Kaye B. Sackenheim

3614 E Galbraith Rd.

kayesackenheim@gmail.com

11 October 2022

Amberley Village Council

Dear Members of the Council,

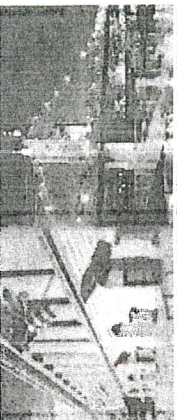
I recently purchased a home in Amberley, 3614 E Galbraith Rd. It is on the corner of Galbraith and Lynnehaven. I am requesting a variance to put a small fenced area at the side of my house, which is on Lynnehaven. I knew when I purchased the home that the front yard could not be fenced. I was unaware at the time that the side of my house would be considered my second front yard. This is distressing to me as I hesitated to buy the home originally because I have an enormous front yard that I cannot use, but I had a vision of the side and small area in the back as my garden as well as a protected area for my dog. I will list the reasons that I am requesting this variance.

- **My backyard is mostly a driveway.** There is no usable backyard space other than the small area directly behind my screened porch. The driveway takes up all the backspace and it slopes down to the garage underneath the house. At the end of the driveway there is a very sloped area that joins my neighbor's yard next to me. There is also no access to that side of my house. Next to the driveway is another sliver of land that abuts the neighbor behind me. There is little space for me to entertain and greenspace for my dog to enjoy safely. Please see attached drawings and photos.
- **First Neighbor Issue 8236 Lynnehaven.** It would be a difficult proposal to put a gate across the driveway to connect with their fence. If I connect to the existing front edge it would cut through the center of the small greenspace behind my porch. It would not only be inconvenient, it would also be very unattractive for the neighborhood. If I put it forward of their gate, it would be essentially in the front part of their yard, which is also not attractive or meet Village guidelines. This is just not a feasible solution for me or my dog, nor for anyone coming to visit me.
- **Second Neighbor Issue 3630 E Galbraith.** The area that abuts my side neighbor's yard is so narrow, it would make it difficult to mow and maintain both our yards. This space is also not accessible for me from my house. They also have a dog that is blind and they use my driveway to walk to Lynnehaven so they don't have to go out to Galbraith which is so busy. I am happy to share this area with them, but putting a fence would prevent them from accessing it.
- **Safety of my dog.** I want to feel comfortable to work outside knowing that my dog is also safe and allowed to explore his space without being chained up. When he is chained up he barks which is not good for his health (or my stress level) as well as neighborhood noise disturbance. I do not want to use an electric fence as I don't want my dog to be even more fearful than he already is. Also, Galbraith is too busy to take the chance that he might break through while testing those boundaries. If I come out to work in my yard I have to tie up my dog or keep his leash attached to me. If I attach to the neighbors existing fence, the dogs would be constantly agitated and barking at each other.

- **Fence is step one of creating my outdoor living space.** The fence is just a starting point of the improvements I have planned to create my outdoor living space. To provide a little buffer and privacy for both my residence and my neighbor's, I have planted 5 giant arborvitae along the north side of the driveway. (They have expressed gratitude and excitement for this as it enhances their privacy). I am removing a tree next to my house on the Lynnehaven side. Normally I do not want to remove trees as I feel they are crucial to our environment. The tree was not properly maintained over the years and it has been hacked on instead of trimmed by an arborist. I consulted with the arborist who agrees that the tree is not healthy. It is also a threat to my roof and side of my house. When it is removed, I plan to plant another tree to replace it in a space closer to Lynnehaven. My front sidewalk wraps around the side of the house and joins the steps to the driveway. It is uneven and jutting up. I propose replacing the front sidewalk and extending it straight to Lynnehaven. This will allow me more area on the side of the house for plantings. It is more logical for delivery drivers and postmen to access the front of my house. No one accesses the front from the driveway. They just walk across the yard. The new walkway will be better and safer than the existing. I have a patio planned for install in the area directly behind my screened porch which will take up about 1/3 the space. My proposed fence will include this area by following the southern driveway side around to the edge of the garage. Please see separate attachments for the fence proposal. I have already started landscape improvements in this area which will expand after the fence and patio construction are completed. Additionally, I am working with a landscape designer for plantings around the fence line to disguise it and make the entire area more attractive. His initial plan is also attached to this paperwork.
 - Residents who live across Galbraith use the area on Lynnehaven along my property line to park their cars or their visitor's cars. I would like to have my garden area to give me some buffer from this as well as be attractive for those who choose to park there.
 - Long term plan is to replace the overgrown bushes on the corner of Galbraith and Lynnehaven for better visibility and safety for drivers.
- **Inspiration and Planning.** I love my neighborhood and intend to live here the remainder of my life barring unforeseen issues. I want to create and maintain an attractive space for myself as well as the neighborhood. Other homes here have influenced the vision for my property. 8271 Lynnehaven has the style of fence that I want to use. 8301 Lynnehaven has a beautiful garden and deck that is an enhancement to the attractiveness of the area, but still provides comfort and safety for their dog and family. I have talked with many of my neighbors and they are supportive and encouraging for my improvement plans. They have all welcomed my presence here and are excited to see my progress. I see my corner property as an invitation to the neighborhood and I want it to be as attractive as possible. My intention is to complete my entertainment and garden space by Spring.

I am requesting this variance so that I can create and enjoy my outdoor space as much as I do my new home. Thank you for considering my request.

Your neighbor, Kaye



COUNTY AUDITOR ON-LINE

Hamilton County Auditor Dusty Rhodes

138 East Court St., Cincinnati, Ohio 45202 • (513)946-4000 • dusty.rhodes@fuse.net

Online Property Address

< First > Prev Next > Last

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Parcel ID
526-0120-0025-00

Address
3614 E GALBRAITH RD

Index Order
Parcel Number

Tax Year
2021 Payable 2022

Property Map



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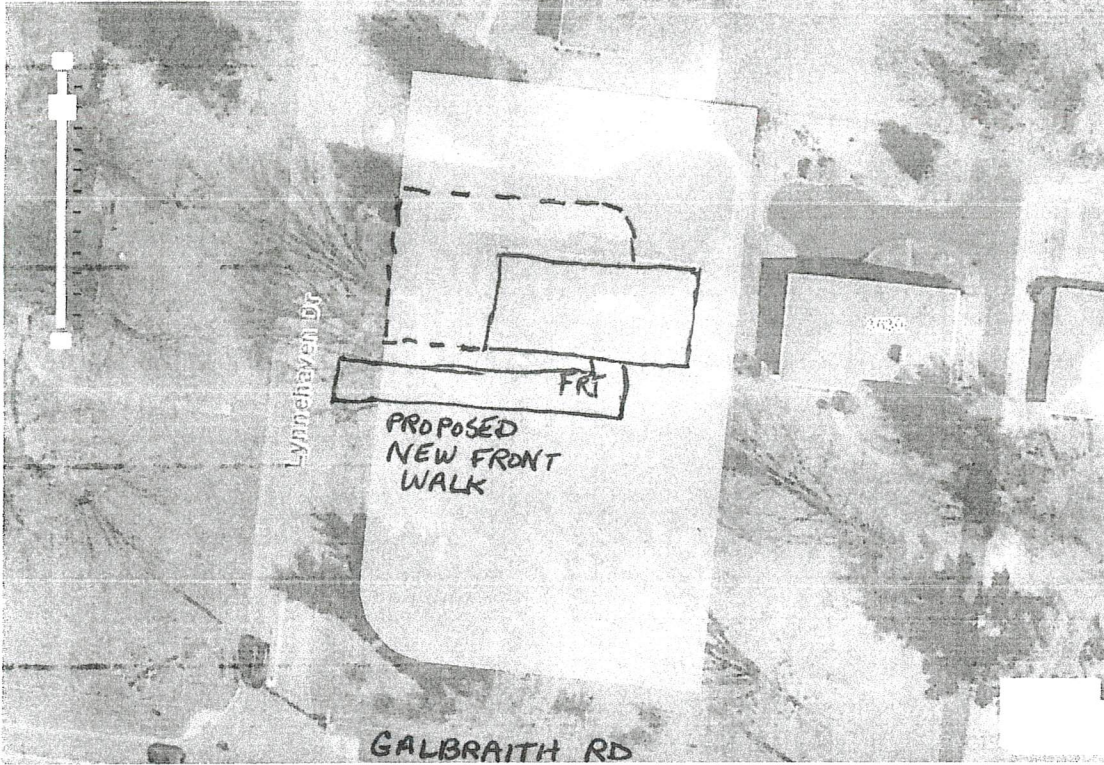
Parcel ID
526-0120-0025-00

Address
3614 E GALBRAITH RD

Index Center
Parcel Number

Tax Year
2021 Payable 2022

Aerial Imagery



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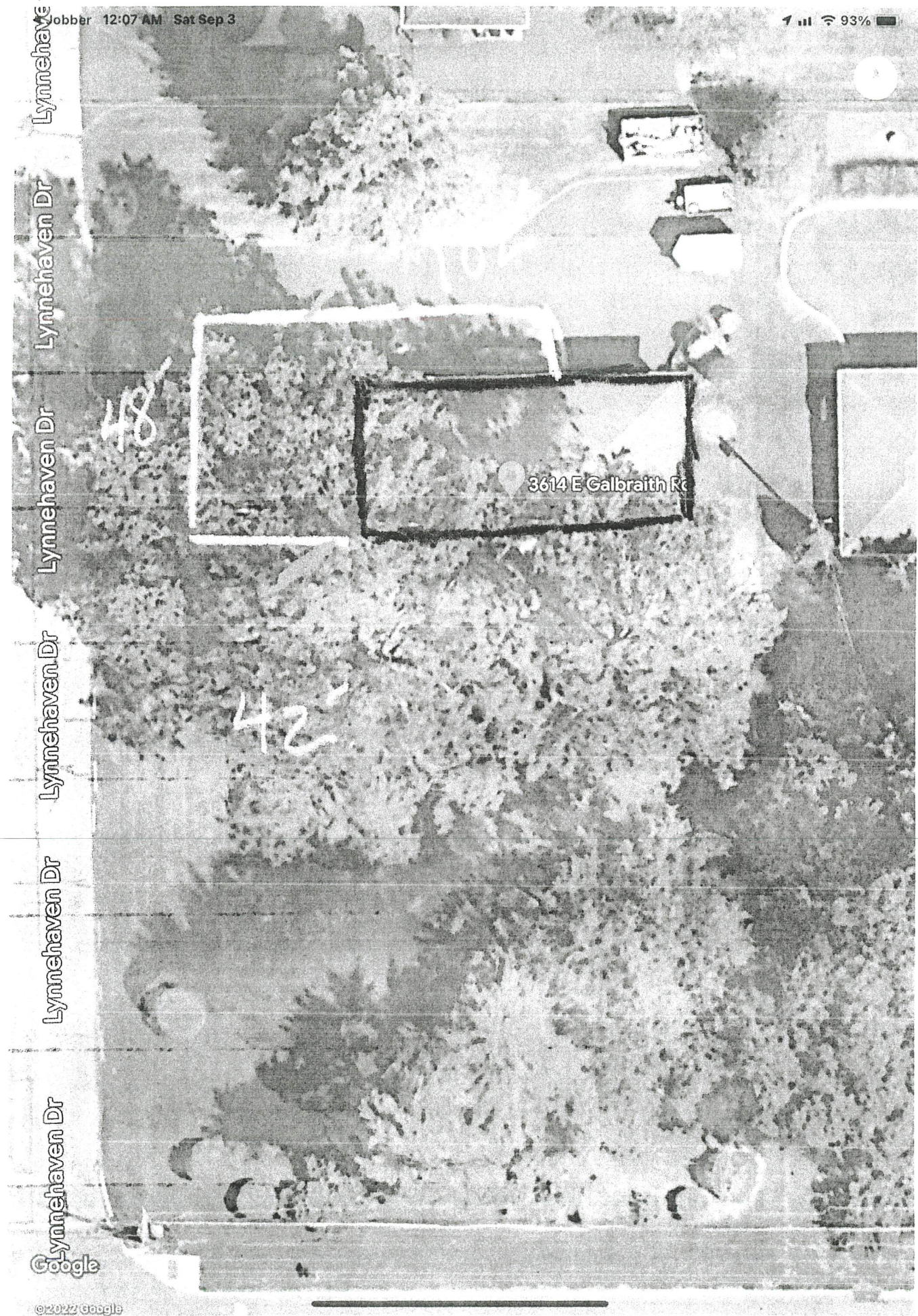
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 WEDGE version 4.0 R141 - 08/10
 Data updated: 2022-03-17

DOTTED LINE IS PROPOSED FENCE





Estimate #15213

AWAITING RESPONSE

Kaye Sackenheim

3614 East Galbraith Road / Cincinnati, Ohio 45236
513-289-7665

Sent on
09/01/2022

An outstanding deposit of \$3,322.00 will be required to begin.

Job Contact Info
Kaye 513-289-7665

Job Estimator:
Chad Conaway
chad@millsfence.com (513) 488-4446

Aluminum Ornamental Fence

NON-TAXABLE

Furnish and install 33 sections of 4' high black aluminum ornamental fence and 2-5' single gates by Ultra Aluminum. All post to be set in concrete. Lifetime warranty from Ultra.

TOTAL

\$6,644.00

Subtotal	\$6,644.00
Total	\$6,644.00
Deposit Required	\$3,322.00

Hello Kaye

Thanks for meeting with me yesterday. If you have any questions please call email or text.

Thanks again

Chad

Terms and Conditions of Sale

Terms of payment are noted on Mills Fence's invoice. Interest will be charged at 1-1/2% per month (18% per year) on all past due accounts. With respect to commercial customers only, all costs of enforcement of these terms and conditions of sale and collection of any balance due, including, but not limited to, reasonable attorney's fees incurred by Mills Fence, shall be paid by customer. Mills Fence reserves the right to cancel this order, delay delivery, repossess materials or demand immediate

Estimate Contract

FULLY INSURED



8711 Lily Drive
Loveland, Ohio 45140
Phone: 513-253-8694
fenceguy1964@yahoo.com

"We Do It Right"

MEMBER BBB

⑬



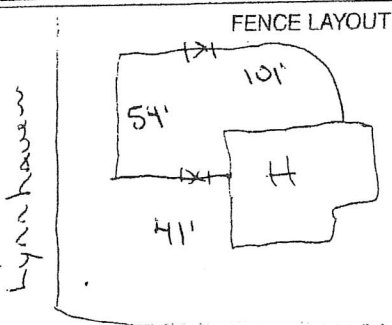
PROPOSAL SUBMITTED TO	Kaye Sackenheim	PHONE	289-7665	DATE	8-29-22
STREET	3614 E. Galbraith Rd.	TYPE OF WORK	FENCE	DECK	CONCRETE
CITY, STATE, AND ZIP CODE	Cincinnati 45236	MAP LOCATION			

Description of proposed work:

Install approx 190' of 4' tall, black flat top Aluminum fence (w/ 3ft) @ 5890.00
Also, two 4x4 gates w/ hardware @ 900.00

We Propose hereby to furnish materials and labor listed above for the sum of: \$

6790.00



1x1 = 4' gate

House drawing is not accurate.
Gates will be 5"

2yr. labor warranty / all posts in concrete

note extra for rock/root prevents drilling equipment

Galbraith

Please f

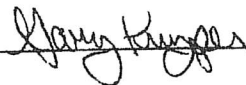
fence-pro.com

PAYMENT TERMS: FENCING: 1/2 DOWN, 1/2 @ COMPLETION DECKING: 1/3 DOWN, 1/3 @ FRAME, 1/3 @ FINAL

* Homeowners are responsible for obtaining their own permits. * Credit card payments require a 2% additional bank fee

Customers are responsible for property line and fence locations. Basic clean-up is included with all bids. Any additional clean-up requests by homeowner will be at an additional charge. Fence Pro is not responsible for any damage to underground utilities or drains if not marked properly. If utilities are marked, we will accept responsibility. We are also not responsible for splitting, shrinking or warping of ANY lumber. All warranties are subject to individual job specifications. Any material warranties are provided through the manufacturer, NOT Fence Pro. Fence Pro is NOT responsible for small dogs getting through the fence.

Authorized Signature



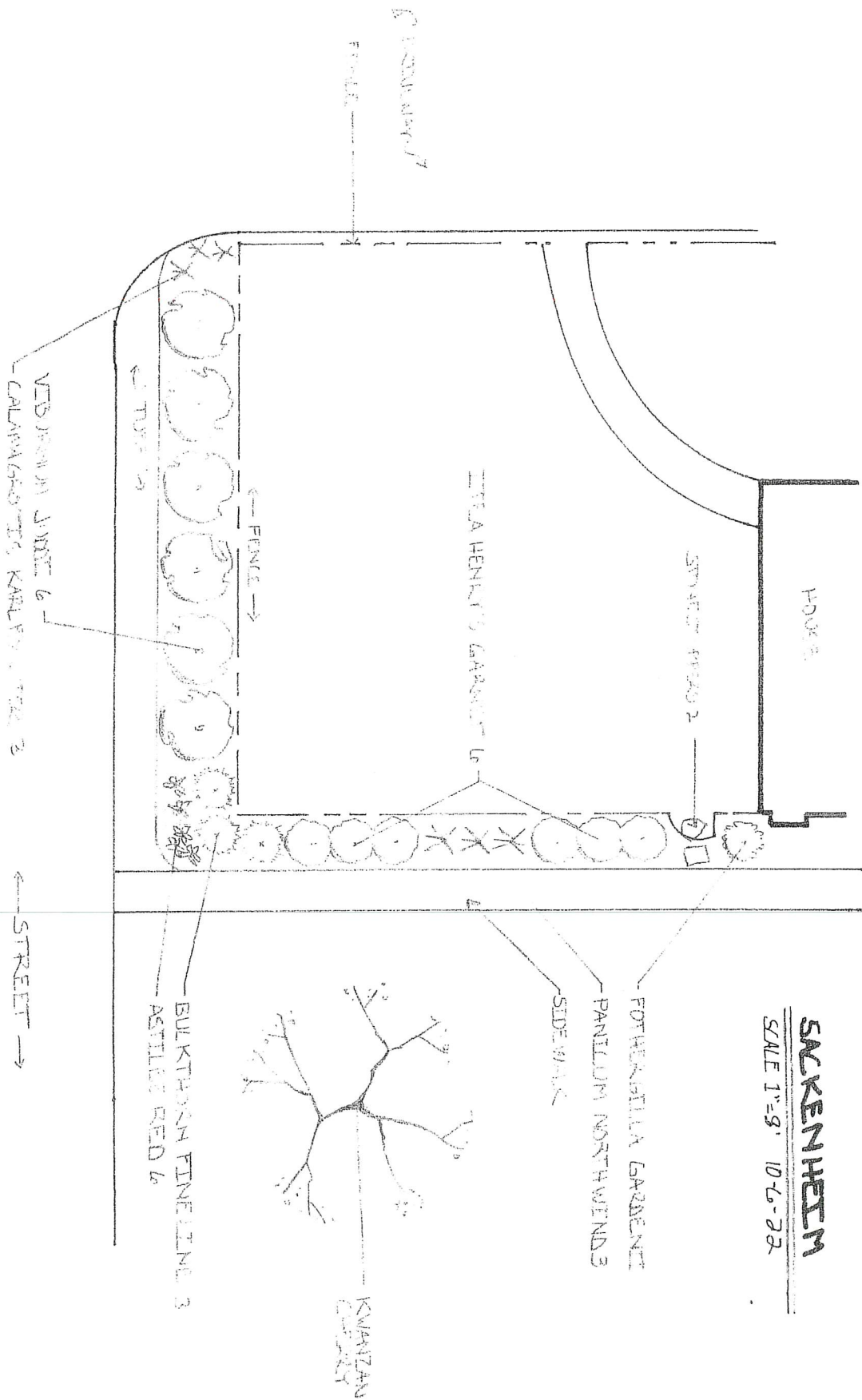
Note: This estimate may be withdrawn by us if not accepted within 30 DAYS days.

30

Acceptance of Estimate - The above prices, specifications and responsibilities are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature: _____

Date of Acceptance: _____





7149 Ridge Road
Amberley Village, OH 45237

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

amberlevillage.org

PLANNING COMMISSION
MEETING NOTICE

WHEN: November 7, 2022 at 7:00 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 Board of Zoning Appeals on **Monday, November 7, 2022** at 7:00 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 item:

Paul and Kathleen Neff, property owners of 3109 N. Farmcrest Drive, are seeking a variance to Zoning Code Section 154.14. The variance, if approved, would allow the installation of a fence to enclose a portion of the front yard on the North Farmcrest side of the property.

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 **November 7, 2022** Board of Zoning Appeals public meeting. If you have any questions, please feel free to contact Scot Lahrmer at 513-531-8675.

cc: *Paul & Kathleen Neff, 3109 N Farmcrest Dr*
Larry & Brenda Weaver, 3110 N Farmcrest Dr
James & Gail Zimmer, 3118 N Farmcrest Dr
David & Laura Ranz, 3116 S Farmcrest Dr
Sarah Steenblock, 3119 N Farmcrest Dr
Matthew Singer, 3121 S Farmcrest Dr
Kelly Leon & Steven Watkins, 3109 S Farmcrest Dr
Jacob & Elsie Suer, 6744 Hudson Parkway
Robert Uphaus & Joanne Grueter, 6725 Hudson Parkway



7149 Ridge Road
Amberley Village, OH 45237

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

amberleyvillage.org

Amberley Village Planning Commission Staff Report

November 7, 2022

Subject:

3109 N. Farmcrest Drive

Variance:

Front Yard Fence

Item: Case#2022-265

Variance Request: Paul and Kathleen Neff, property owners of 3109 N. Farmcrest Drive, are seeking a variance to Zoning Code Section 154.14. The variance, if approved, would allow the installation of a fence to enclose a portion of the front yard on the North Farmcrest side of the property.

Zoning Code Review: Section 154.14 Fences, Walls and Hedges states; 'Notwithstanding other provisions of the Zoning Code, fences, walls and hedges not exceeding four and a half feet in height may be permitted in any required side or rear yard or along the edge of any yard, provided that no fence or wall, along the sides or front edge of any front yard or in any part of the front yard shall be permitted. Hedges not over two and a half feet in height may be permitted in a front yard.'

Variance Review: Mr. and Mrs. Neff are the property owners of 3109 North Farmcrest Drive and are seeking a variance from Zoning Code Section 154.14. Their property is located on the northeast corner of North and South Farmcrest, with two front yards. The property is just over .5 acres and is zoned Residence A.

Due to the hardship created by having two front yards, Mr. and Mrs. Neff are seeking the variance to enclose a portion of their front yard on N. Farmcrest Drive. The letter to the Board states, when looking at the house, the North Farmcrest Drive front yard would be the north-west side of the house and in most cases be a side yard.

The letter to the Board also states that a fence will be used to deter deer destruction of her garden and enhance/maintain a suitable outdoor living space to entertain family and friends. The letter additionally states they are unable to grow decorative landscapes due to the deer population.

The proposed fencing would be a 54" high ornamental black aluminum fence enclosing a small portion of the front yard, extending 28' into the North Farmcrest front yard. The letter states the proposed fencing would be approximately 37' from the right of way line for N. Farmcrest Drive.

Village Code Section 154.14, states that fences are permitted in the side or rear yard but does not permit fences in any part of the front yard. Therefore, the variance is required for the fence to extend into the North Farmcrest front yard.

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

Date: October 16, 2022

Mr. Scot F. Lahrmer
Village Manager
7149 Ridge Road
Cincinnati, OH 45237

RE: Zoning Approval - Variance

Dear Mr. Lahrmer:

I hereby request a zoning approval for:

A 54 inch tall, wrought iron style
(aluminum) garden enclosure on the north
side of our home to discourage deer
destruction and enhance/maintain outdoor
living space. See attached letter for details.
The structure is proposed at the following address:

3109 N. Farmcrest Dr. Cincinnati, OH 45213

I certify the attached plat and measurements are accurate.

EADS FENCE
Contractor's Name

131 Broadway, Loveland
OH 45140
Contractor's Address

513-677-4040
Telephone Number

Sincerely,

Kathleen Neff / Paul Neff
Homeowner's Signature

Kathleen Neff / PAUL NEFF
Homeowner's Printed Name

513-531-5111 (Paul)
Telephone Number (daytime)

October 16, 2022

Amberley Village Board of Zoning Appeals,

Please consider our request for a variance for installation of a street facing garden fence located on our residential property at 3109 N Farmcrest Dr, in Amberley Village.

Our plans consist of a decorative, 54 inch tall, wrought iron style (aluminum) garden enclosure on the north side of our house to enhance our property and discourage deer from destroying our garden. Please see attached diagram of our property for location and dimensions of enclosure and attached description of the fence style and features.

The variance is requested as our fence will be visible from the street as we are on a corner lot. This location is necessary as the garden needing protection surrounds, and is integral to, our side porch and patio, which is our outdoor living space. Without the fencing, we are unable to grow decorative landscape and flowers to maintain our garden and natural privacy screen as the deer are aggressive in destroying our plants. This is the only suitable location for our garden and outdoor living space as the entrance to our home and porch sits on the northern side of our house which faces the street.

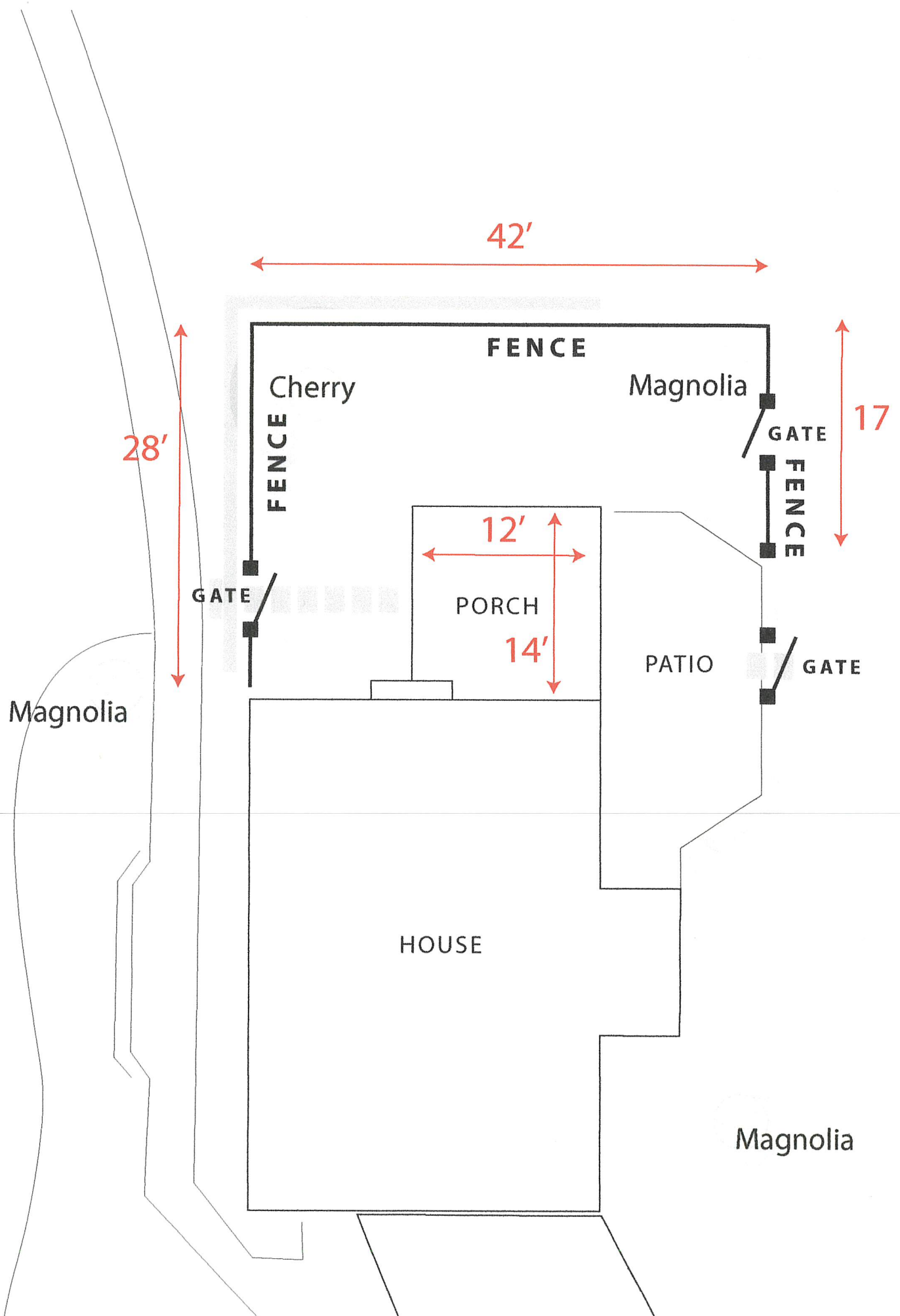
A suitable, semi-private, outdoor living space where we can entertain family and friends during the ongoing viral pandemic is a necessary feature of our home as I am immunocompromised from a recent kidney transplant and we need to continue to observe precautions. Without the fence, we are unable to maintain our landscape and garden surrounding our outdoor living space due to the persistent deer problem.

The addition of a garden fence will enhance our property as our landscape within the enclosure will thrive and add beauty to our property. To improve the overall aesthetic of the northern side of the property we are planning on removing the adjacent unhealthy Maple tree and planting 3 deer resistant evergreens. We have also recently planted 3 ginko and 2 maple trees along the property line along N Farmcrest to shield our fence from the street.

Thank you for your consideration,

Kathleen Neff
Paul Neff







Village Prepared Map/diagram. CF 10-27-2022

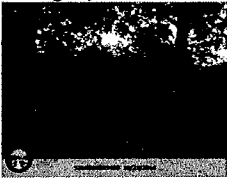




Online Property Access

Parcel ID 526-0010-0034-00 **Address** 3109 N FARMCREST DR **Index Order** Parcel Number **Tax Year** 2021 Payable 2022

Property Information

Tax District	017 - AMBERLEY-CINTI CSD	Images/Sketches 
School District	CINCINNATI CSD	
Appraisal Area	52611 - AMBERLEY 11	
Auditor Land Use	510 - SINGLE FAMILY DWLG	
Owner Name and Address	NEFF PAUL L & KATHLEEN B 3109 N FARMCREST DR CINCINNATI OH 452131111 (call 946-4015 if incorrect)	Tax Bill Mail Address CORELOGIC 3001 HACKBERRY RD IRVING TX 750630156 (Questions? 946-4800 or treasurer.taxbills@hamilton-co.org)
Assessed Value	110,980	Effective Tax Rate 77.791353
Property Description	3109 N FARMCREST R2-T4- S30 NE 128.19 X 141.15 IRR	
Total Tax	\$7,465.20	

Appraisal/Sales Summary

Year Built	1939
Total Rooms	9
# Bedrooms	4
# Full Bathrooms	3
# Half Bathrooms	1
Last Transfer Date	7/23/2003
Last Sale Amount	\$399,100
Conveyance Number	11452
Deed Type	SV - Survivorship Deed (Conv)
Deed Number	10280
# of Parcels Sold	1
Acreage	0.530

Tax/Credit/Value Summary

Board of Revision	No
Rental Registration	No
Homestead	No
Owner Occupancy Credit	Yes
Foreclosure	No
Special Assessments	No
Market Land Value	85,260
CAUV Value	0
Market Improvement Value	231,830
Market Total Value	317,090
TIF Value	0
Abated Value	0
Exempt Value	0
Taxes Paid	\$7,465.20
Tax as % of Total Value	2.353%

Notes

I Want To...

Start a New Search
 Email the Auditor
 View the Online Help
 Auditor's Home

View:

Property Summary
 Appraisal Information
 Levy Information
 Transfer
 Value History
 Board of Revision
 Payment Detail
 Tax Distributions
 Images
 Special Assessment/Payoff
 Tax Lien Certificates
 CAGIS Online Maps
 Aerial Imagery
 Owner Names

Print:

Current Page
 Property Report



7149 Ridge Road
Amberley Village, OH 45237

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

amberlevillage.org

PLANNING COMMISSION
MEETING NOTICE

WHEN: November 7, 2022 at 7:00 PM

WHERE: Amberley Village Municipal Building, 7149 Ridge Road

FROM: Scot Lahrmer, Village Manager

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John and Stacy Beresh, property owners of 8320 Crestdale Court, are seeking two variances from Zoning Code Section 154.12. If approved, the variances would allow for the construction of a 12'x18' (216 square foot) pool house/studio shed in the rear of the yard with primary access facing toward the street.

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 **November 7, 2022** Board of Zoning Appeals public meeting. If you have any questions, please feel free to contact Scot Lahrmer at 513-531-8675.

cc: *John & Stacy Beresh, 8320 Crestdale Court*
Joseph & Kelly Haverkamp, 8300 Crestdale Court
Stanley & Jane Shulman, 8340 Crestdale Court
Myrtis Powell, 8315 Crestdale Court
Barbara Lee Hampton, 8279 Arborcrest Drive
Nelson & Sarah Horseman, 8301 Arborcrest Drive
David & Stacey Landesberg, 8323 Arborcrest Drive



7149 Ridge Road
Amberley Village, OH 45237

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

amberleyvillage.org

Amberley Village Planning Commission Staff Report

November 7, 2022

Subject:

8320 Crestdale Court

Variance:

Pool House in the rear yard

Item: Case#2022-266

Variance Request: John and Stacy Beresh, property owners of 8320 Crestdale Court, are seeking two variances from Zoning Code Section 154.12. If approved, the variances would allow for the construction of a 12'x18' (216 square foot) pool house in the rear of the yard with the primary access facing toward the street.

Zoning Code Review: 154.12 ACCESSORY STRUCTURES.

(A) An accessory structure is permitted in a residential district if it meets the following restrictions:

(1) No accessory structure shall be erected in a front yard.

(4) Except as otherwise provided in the zoning code, individual enclosed accessory structures that are not open to the sky, either wholly or partially, such as sheds, garages, garden buildings, and pool houses, shall not cover a total of more than 200 square feet of floor area. Floor area means the area of the ground floor of the structure that creates a footprint of the structure on the property.

(7) The principal access of an accessory structure, such as primary access doors to a shed or garage, may not face a street.

Variance Review: Mr. and Mrs. Beresh are the property owners of 8320 Crestdale Court and are requesting two variances to Zoning Code Sections 154.12 (A) (4) and 154.12 (A) (7). Mr. and Mrs. Bereshs' property is a 1 acre pie-shaped lot located in the cul-de-sac on Crestdale Court and is zoned Residence A.

The variances, if approved, would allow for the construction of a 216 square foot accessory structure (pool house/studio shed) in the rear yard with the primary access doors facing the street..

The proposed pool house/studio shed would be 12'x18' (216 square feet). The letter to the Board states that they misunderstood the regulations and thought the pool house/studio shed only had to be less than 50% of the floor area of the house. Therefore, they have already purchased the pool house/studio shed, which can not be returned. The residents advised, if not approved by the board, the restructuring and engineering of the pool and building will cause hardship financially and physically. If not approved, it will delay the timely completion of the project.

The letter to the board also states that the additional space in the pool house/studio shed is needed for additional storage of pool items and patio furniture. If the variance is not approved, the resident states they will have to store pool equipment, toys and patio furniture under a tarp in the rear yard. Additionally, the building doors will not be visible from the street and, by facing the pool, will allow better access to the building.

Village Code Section 154.12 (A) (4) (7) states that an enclosed accessory structure shall not cover more than 200 square feet in floor area and primary access doors can not face the street.

Therefore, variances are required for the building to be constructed as submitted.

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

10/12/2022

he Beresh Family

8320 Crestdale Ct Cincinnati OH 45236

Wes Brown

Amberley Village Zoning and Permits Board

Request for Variance

Prior to knowing the under 200 square foot rule for accessory buildings, we had purchased a storage shed that measures 12 x 18 feet. The studio shed was purchased to provide storage for our pool equipment, toys and outdoor furniture and be used as a changing room/pool house. We currently do not have a place to store these items that is protected from the elements and so they would be in our back yard stored under a tarp. The purchased building we are hoping to have built is 16 square feet over the regulation and we are asking for the board to approve a size variance waiver.

We are also requesting that the doors of the structure face the pool which would be "street facing" according to Amberley code. However, the pool and shed/pool house are located behind our home and are not visible from the Crestdale Ct. Please allow our combination shed/pool house doors to face the pool for better access to the items stored inside and for ease of entering into the pool from the building .

If we are not granted these variances, it would cause a hardship on us both physically and financially. The building was already purchased and the concrete foundation was already approved. To make this a water tight structure, the contractor and concrete companies have to pour the foundation slab to the exact measurements of the structure that will be build on it. Not only would we be out thousands of dollars if we had to purchase a smaller building, we would also have to halt the current progress of the project and await new shed/pool house blueprints, foundation plans, concrete contractors and a new timeline for completion. We would need to re-do the layout of the current pool in mid progress to design a different layout that is function and looks appealing. We ask you kindly to accept our apologies for our error and to please approve this variance so we can continue within the budget that we have available and stay working towards a timely completion of this beautiful project.

Please consider granting this waiver for size variance. If you have any further questions, I can be reached at 815-263-8016

The Beresh Family

9-16-22
Wbrown@amberleyvillage.org

Date: 9-16-22

Mr. Scot F. Lahrmer
Village Manager
7149 Ridge Road
Cincinnati, OH 45237

RE: Zoning Approval

Dear Mr. Lahrmer:

I hereby request a zoning approval for:

New detached 2 car garage build (24x24)
and a new poolhouse (12x18) build.

The structure is proposed at the following address:

8320 Crestdale Ct.

I certify the attached plat and measurements are accurate.

Weaver Barns
Contractor's Name

5852 Dixie Hwy
Fairfield, OH 45014
Contractor's Address

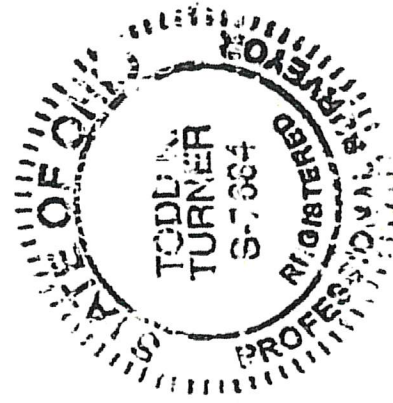
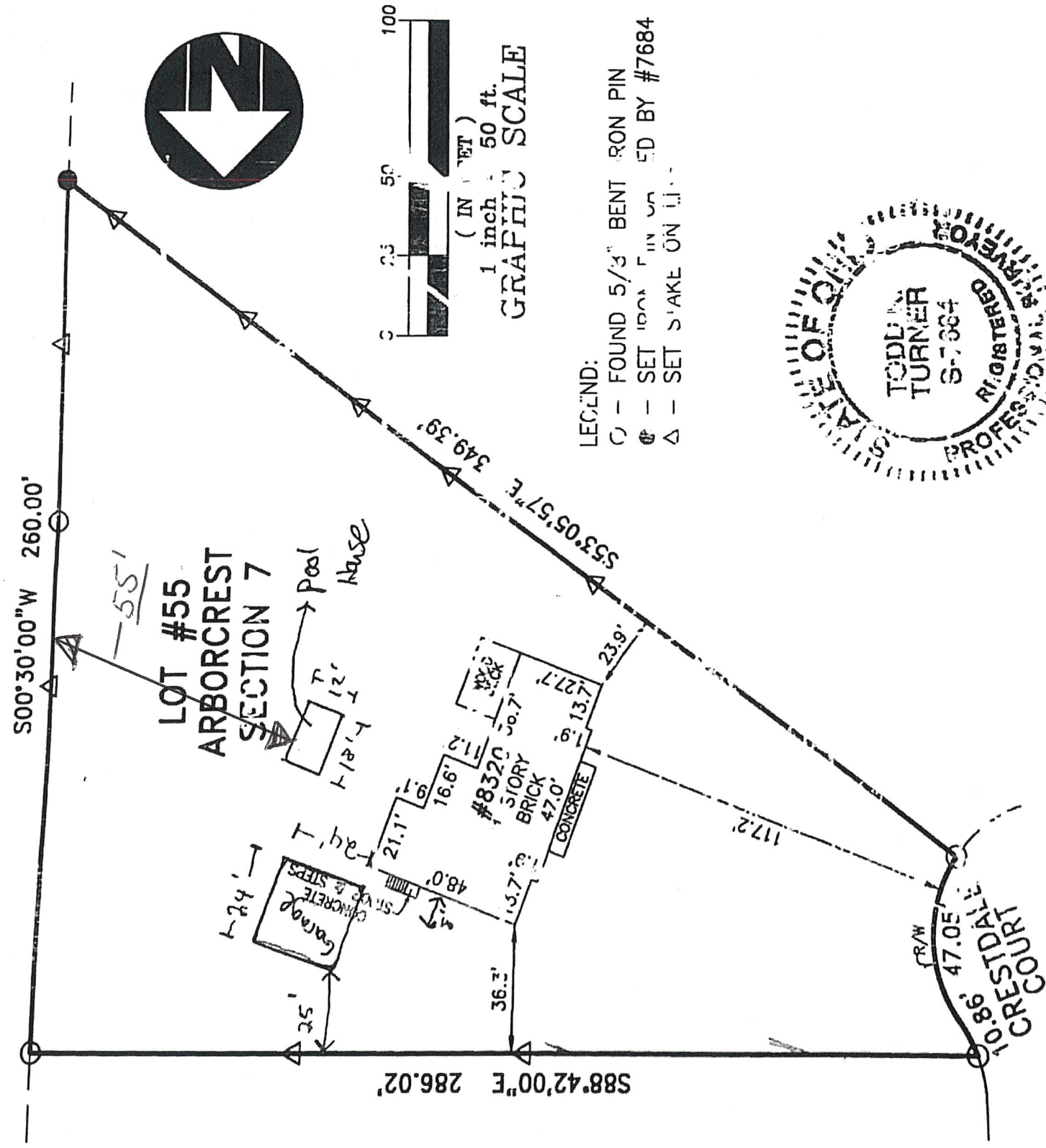
513-860-2417
Telephone Number

Sincerely,


Homeowner's Signature

John & Stacy Beresh
Homeowner's Printed Name

(815) 263-8016
Telephone Number (daytime)



John Turner

FIELD SURVEY EXHIBIT

TRI-STATE LOCATION SERVICES
 4514 FOREST TRAIL LANE
 LIBERTY TOWNSHIP, OH
 45011-2453
 (P) 513-823-7722

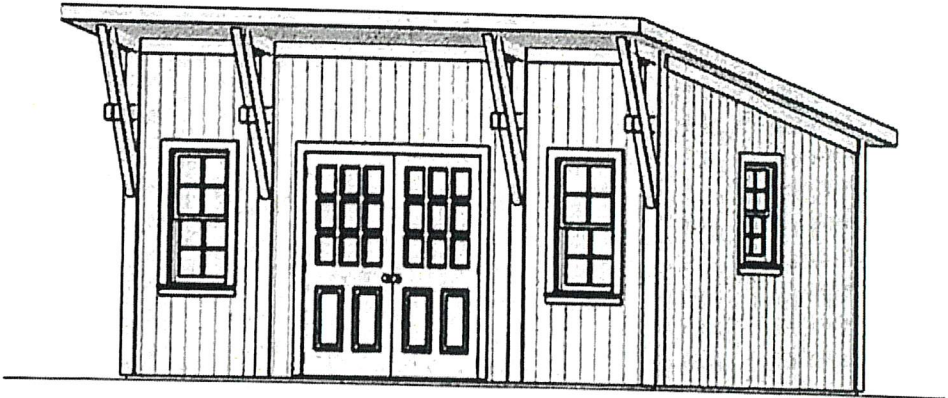
BERESH PROPERTY
 8320 CRESTDALE COURT
 CINCINNATI, OHIO 45236

DRAWN BY: T.K.T., P.S. DATE: AUGUST 20, 2020
 SCALE: 1" = 50' JOB NUMBER: 2020-512

Stacy Beresh

12X18 STUDIO

August 2022

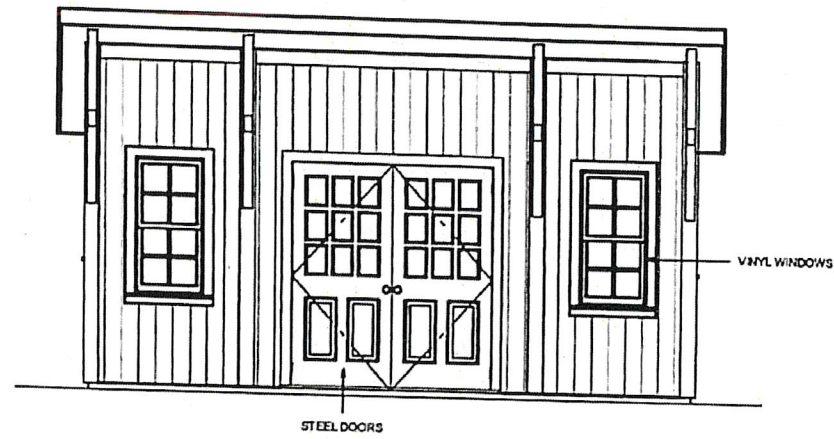


- DRAWING INDEX:
- A-1 ELEVATIONS
 - A-2 FOUNDATION PLAN
 - A-3 FIRST FLOOR PLAN
 - F-1 CROSS SECTIONS

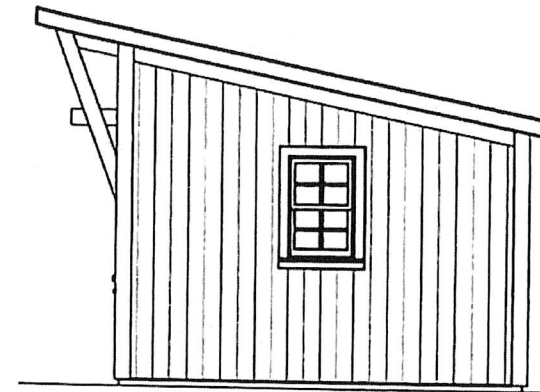


Cincinnati, OH

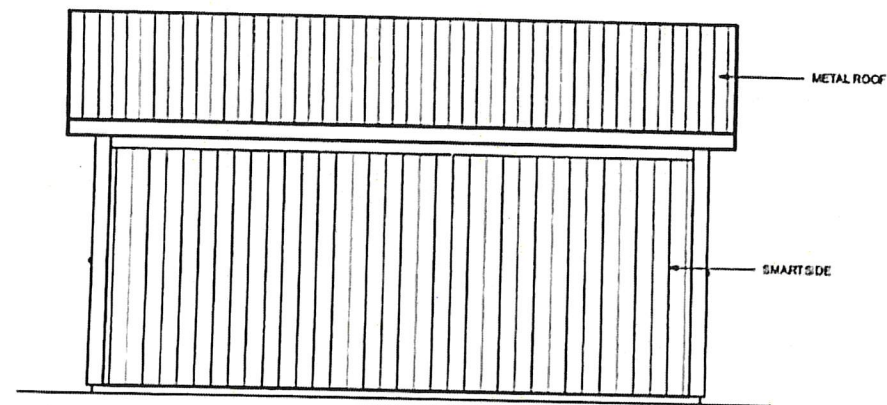
Stacy Beresh



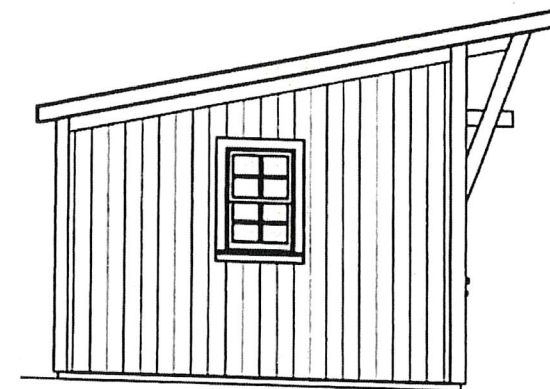
FRONT EXTERIOR ELEVATION



RIGHT EXTERIOR ELEVATION



REAR EXTERIOR ELEVATION



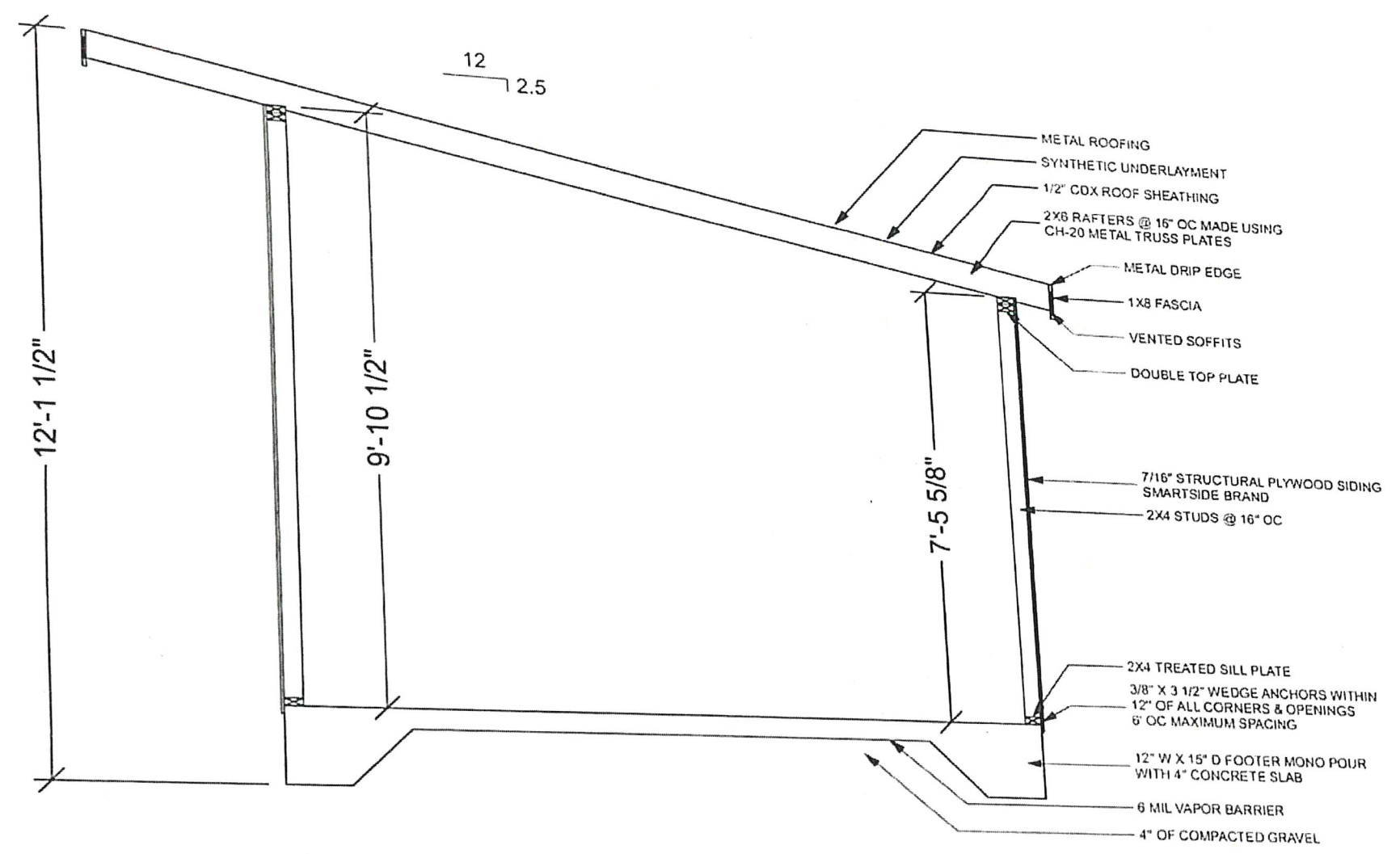
LEFT EXTERIOR ELEVATION



ELEVATIONS

Stacy Beresh
8320 Crestdale Court
Cincinnati, OH 45236

REVISED:
R/10/2023
DRAWN BY:
RC
SHEET SIZE:
11" X 17"
SCALE:
1/4" = 1'
SHEET:
A-1



FRAMING SECTION

SCALE: 1/2" = 1'

A
F-1



CROSS SECTIONS

Stacy Beresh
Crescenta Court