

AGENDA

December 5, 2022

PLANNING COMMISSION/BOARD OF ZONING APPEALS

7:00 PM

Roll Call

Minutes

Meeting of November 7, 2022

Cases

CASE NO. 2022-305

Marc Fisher, the representative for the Mayerson JCC, is requesting to renew the previously approved modification to the JCC's Conditional Use Permit (CUP), which allowed a temporary accessory structure to be located in the front yard during the pandemic. The modification also allowed the temporary structure to be erected for more than seven consecutive days and more than 30 days in a calendar year.

The request to renew is to allow the frame of the structure to remain in place, while the fabric top and sides are removed for the winter months. The top and sides of the tent would be re-installed in April 2023 and remain in place until October 31, 2023.

CASE NO. 2022-308

Adam Greenberg, President of Novelart MFG CO, is seeking a zoning change to 3.5 acres of the Topicz property located at 2121 Section Road. The zoning change is to reclassify approximately 3.5 of the property's 11.2 acres from Residential A to Industrial B to be consistent with the remaining 7.7 acres, currently zoned Industrial B, and to permit industrial use of the property in its entirety.

The areas affected by the zoning change are along the Section Road frontage, the east, and the southern property lines.

New Business

Adjournment

**MINUTES OF THE REGULAR MEETING OF THE
AMBERLEY VILLAGE BOARD OF ZONING APPEALS/PLANNING COMMISSION
MONDAY, NOVEMBER 7, 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, November 7, 2022 at 7:00 p.m. Absent from the meeting was Village Solicitor Andrew Kaake. Roll was taken as follows:

PRESENT:

Rich Bardach
Susan Rissover
Scott Rubenstein
Rick Lauer
Craig Cappozzo

ALSO PRESENT:

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 asked if there were any corrections to the minutes of the October 3, 2022 meeting. There being none, the minutes were accepted as submitted.

CASE NO. 2022-230

Zoning Administrator Chris Fritsch introduced Case No. 2022-230, in which Kaye Sackenheim, property owner of 3614 Galbraith Road, sought 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 Lynnhaven Drive front yard. Village Code Section 154.15 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 be installed.

Mr. Fritsch said Ms. Sackenheim's property is located on the northeast corner of E. Galbraith Road and Lynnhaven Drive, and is zoned Residence B with just over .5 acre and two front yards. Due to the hardship created by having two front yards and a very small rear and side yard, Ms. Sackenheim is seeking a variance for the front yard fence to accommodate her dog. Since the backyard is mostly driveway and includes a slope, it would be difficult to fence.

Ms. Sackenheim of 3614 Galbraith Road addressed the Board, saying Mr. Fritsch's assessment was accurate, and there was no place in the rear of the property to accommodate a fence.

Mr. Bardach asked Mr. Lahrmer if there had been any feedback from residents, to which Mr. Lahrmer responded there had not.

Ms. Rissover said there was precedent across the street from Ms. Sackenheim's property, as well as with other properties containing two front yards. Ms. Rissover moved to approve the request for variance based on precedent and since the fence would be even with the front façade.

Mr. Rubenstein asked if the fence would be a flat-top fence, to which Ms. Sackenheim responded in the affirmative. Mr. Rubenstein seconded the motion, and the variance request was passed unanimously.

CASE NO. 2022-265

Mr. Fritsch said Paul and Kathleen Neff, property owners of 3109 N. Farmcrest Drive, were seeking a variance to Zoning Code Section 154.14, to allow for the installation of a fence to enclose a portion of the front yard on the North Farmcrest side of the property. Village Code Section 154.15 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 be installed.

He said the property is located on the northeast corner of North and South Farmcrest, and includes two front yards. The property is just over .5 acres and is zoned Residence A. 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 fence would be approximately 37' from the right of way line for North Farmcrest Drive, and would be installed to create a suitable outdoor living space for entertaining and to deter deer from eating decorative landscaping.

Mr. Neff addressed the Board and stated Mr. Fritsch's summary was accurate, but the fence would likely be 48" in height due to manufacturing availability.

Ms. Rissover asked if the fence would be installed on top of a retaining wall, to which Mr. Neff responded in the affirmative. She said initially she had concerns about the height, but the decreased height was better. She said the Board did not grant variances for deer, as the entire Village was impacted by them, but consideration was given for multiple front yards.

Mr. Neff added the fence would increase curb appeal, privacy, and the overall value of the home.

Mr. Lauer asked if the fence would be permitted if not for the corner lot and the two front yards, to which Mr. Brown replied it would.

Mr. David Ranz of 3116 South Farmcrest addressed the Board, saying he lives next door and the Neff's previous home projects have been first rate. He said he was in full support of the variance request.

Mr. James Zimmer of 3118 North Farmcrest addressed the Board to say he lives across the street from the Neffs and their property is always well-maintained. He said he could attest to the need for a privacy fence, and was confident it would be done tastefully.

Mr. Bardach asked the Village Manager if there had been any feedback from residents, to which Mr. Lahrmer responded there had not.

Mr. Rubenstein moved to approve the 48" fence installation, which was seconded by Mr. Cappozzo and passed unanimously.

CASE NO. 2022-266

Mr. Fritsch reported that John and Stacy Beresh, property owners of 8320 Crestdale Court, were seeking two variances from Zoning Code Section 154.12 to 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. 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 door cannot face the street. Therefore, variances are required for the building to exceed the square footage and allow the doors to face the street.

Mr. Fritsch said the property is a one-acre, pie-shaped lot located in the cul-de-sac on Crestdale Court, and is zoned Residence A. He said the pool house/studio shed had been already purchased from the manufacturer and cannot be returned. The residents stated in their letter that without the variance, the restructuring and engineering of the pool and building will cause financial and physical hardship. Mr. Fritsch also noted the letter states the additional space is needed to store pool items and patio furniture, and the building doors will not be visible from the street.

Mr. Beresh said Mr. Fritsch's account of the request well summarized their position.

Mr. Stanley Shulman of 8340 Crestdale Court stated he was the Beresh's next door neighbor, and that he opposed the construction of the pool house unless an existing water drainage issue was addressed. He said the Beresh's were aware of the drainage problem, which involved excessive waterflow into his yard during heavy rains. He said they had tried to address the issue with straw at the property line, but had concerns that the construction of a poolhouse could cause more problems.

Mr. Lahrmer stated there had been no other resident feedback.

Mr. Bardach asked if there was record of water issues, to which Mr. Fritsch said the Village was aware of the problem. Mr. Fritsch said three or four properties on Arborcrest also drain into the area during hard rains, and that he has personally seen it.

Mr. Rubenstein asked if the shed would have any impact on the drainage issue.

Mr. Fritsch said that adding hard surfaces can make water run faster, but he could not predict the impact of the shed.

Ms. Rissover stated that, while she was sympathetic to Mr. Shulman's concerns, the Board didn't regulate hard surfaces.

Mr. Fritsch said riprap had been installed to slow the flow of water, which appears to have slowed the flow of the water. Mr. Shulman said it also brings dirt onto his property.

Mr. Lauer stated there were well-established regulations regarding water run-off responsibility, but those were overseen by Hamilton County and not the Amberley Village Board of Appeals. He said Mr. Beresh had a right to the requested variance if the requirements were met, and it would not be appropriate for the Board to hold that up.

Ms. Rissover asked if the properties were considered in the Village stormwater plan, to which Mr. Fritsch replied they were under consideration for a long-term project.

Mr. Beresh stated he was in support of a stormwater plan on their property.

Ms. Rissover said she wanted to create a record regarding future planning, but didn't think the shed would worsen the existing problem.

Mr. Lauer said he wished to add to the record that being unaware of the zoning regulations was not a factor being considered by the Board in the Beresh's request for variance. Mr. Rubenstein further added that even the money already spent on the shed could not be considered. Mr. Lauer then moved to approve the variance, which was seconded by Mr. Rubenstein and passed unanimously.

NEW BUSINESS

Mr. Lahrmer said there was already a case lined up for the Board's December meeting. He said it would be important for members to be in attendance, as a rezoning request slated for the agenda could impact the retention of one of our businesses in the Village.

There being no further business, the meeting was adjourned at 7:41 p.m.

Tammy Reasoner, Clerk of Council

Richard Bardach, Chairperson



7149 Ridge Road
Amberley Village, OH 45237

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

amberlevillage.org

PLANNING COMMISSION
MEETING NOTICE

WHEN: December 5, 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 Planning Commission on **Monday, December 5, 2022**, at 7:00 p.m. in the Council Chambers of the Amberley Village Municipal Building, 7149 Ridge Road. The public hearing will be held to review the following item:

Marc Fisher, the representative for the Mayerson JCC, is requesting to renew the previously approved modification to the JCC's Conditional Use Permit (CUP), which allowed a temporary accessory structure to be located in the front yard during the pandemic. The modification also allowed the temporary structure to be erected for more than seven consecutive days and more than 30 days in a calendar year.

The request to renew is to allow the frame of the structure to remain in place, while the fabric top and sides are removed for the winter months. The top and sides of the tent would be re-installed in April 2023 and remain in place until October 31, 2023.

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 **December 5, 2022** Planning Commission public meeting. If you have any questions, please feel free to contact Scot Lahrmer at 513-531-8675.

cc: *Marc Fisher, 8485 Ridge Road*
Mariam Crenshaw, 2502 Apple Ridge Lane
Peg. H. Niehaus, 2510 Apple Ridge Lane
Jane Seyfried, 8437 Ridge Road
Mark A. & Sandra L. Thomas, 2530 Apple Ridge Lane
John & Jacqueline Thomas, 2536 Apple Ridge Lane
Thomas E. & Nancy Horwitz, 2520 Apple Ridge Lane
Diane Rice, 2548 Apple Ridge Lane

Christine Thomas, 2558 Apple Ridge Lane
Stacy & Joseph Naberhaus, 2540 Apple Ridge Lane



7149 Ridge Road
Amberley Village, OH 45237

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

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Amberley Village Planning Commission Staff Report

December 5, 2022

Subject:

Marc Fisher, the representative for the Mayerson JCC, is requesting to renew the previously approved modification to the JCC's Conditional Use Permit (CUP), which allowed a temporary accessory structure to be located in the front yard during the pandemic. The modification also allowed the temporary structure to be erected for more than seven consecutive days and over 30 days in a calendar year.

The request to renew is to allow the frame of the structure to remain in place, while the fabric top and sides are removed for the winter months. The top and sides of the tent would be re-installed in April 2023 and remain in place until October 31, 2023.

Variance:

Accessory structure in the front yard

Item: Case#2022-305

Variance Request: Marc Fisher, the representative for the Mayerson JCC, is requesting to renew the previously approved modification to the JCC's Conditional Use Permit (CUP), which allowed a temporary accessory structure to be located in the front yard during the pandemic. The modification also allowed the temporary structure to be erected for more than seven consecutive days and more than 30 days in a calendar year.

The request to renew is to allow the frame of the structure to remain in place, while the fabric top and sides are removed for the winter months. The top and sides of the tent would be re-installed in April 2023 and remain in place until October 31, 2023.

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.

In September 2021 Mr. Fisher received a modified Board of Zoning approval to permit the 50' W x 100'L x 21' H temporary structure to remain on the Mayerson JCC property located at 8485 Ridge Road. The approved modification to the variance allowed 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 approved 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 approval permitted the temporary structure to be reassembled in its current location in the spring of 2022 and remain until November 30, 2022.

With the approval, the structure was required to be brought back to the board to be re-evaluated in September 2022.

Marc Fisher, the representative for the Mayerson JCC, is requesting to renew the previously approved modified 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 will be re-installed in April 2023 and remain in place until October 31, 2023.

The letter to the Board states that having the option of an outdoor venue is appreciated by their "60 and better" members, who value the extra space and healthy environment present in the tent. In 2022, the JCC has hosted many programs, events, and meetings in the tent that have served the entire community as well as agencies from across Greater Cincinnati. 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 for programs and events in 2023 from April until October 31, 2023.

The modification of the existing 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, 2022.

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

Date: November 11, 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:

Tent frame to remain in place in current location and the sides and top of the tent to
be re-installed as of April 1, 2023 and remain in place through October 31, 2023.

The structure is proposed at the following address:

Maverson JCC, 8485 Ridge Rd, Cincinnati, OH 45236

I certify the attached plat and measurements are accurate.

Contractor's Name

Contractor's Address

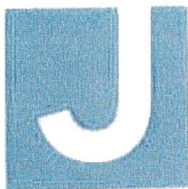
Telephone Number

Sincerely,

Marc Fisher
Homeowner's Signature

MARC FISHER
Homeowner's Printed Name

513.722.7234
Telephone Number (daytime)



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

Ronnen Isakov
PRESIDENT

Jen Stein
PRESIDENT-ELECT
AND TREASURER

Anna Sarembok
VICE PRESIDENT

Bob Oestreicher
VICE PRESIDENT

Lauren Guttman
SECRETARY

Marty Hiudt
IMMEDIATE
PAST PRESIDENT

Marc Fisher
CEO

Steve Barron

Tedd Friedman

Larry Juran

Mike Kadetz

Mark Knue

Ernesto Levy

Mollie Lewis

Yael Newman

Esther Pollock-Rootman

Stacey Schimberg

Abby Schwartz

November 11, 2022

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

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

Re: Zoning Variance Request

Dear Scot,

As you know, the JCC continues to buzz with increasing activity. In 2022, we have dramatically increased the frequency and volume of programs that are happening at the J, and membership continues to rebound from the pandemic. The addition of the tent in our parking lot has been very valuable in helping us accommodate these programs.

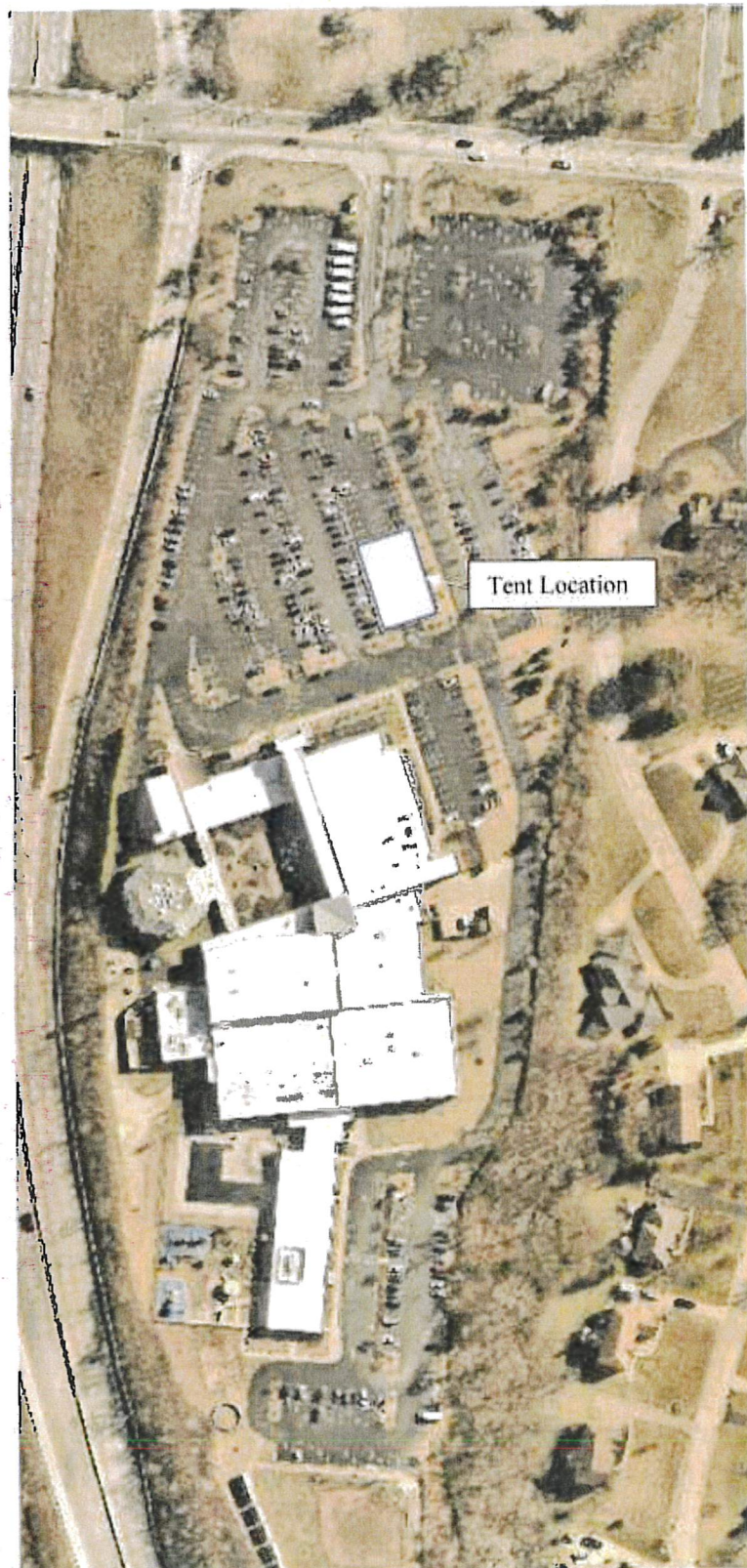
It is especially important to note that having the option of an outdoor venue is appreciated by our "60 & Better" members, who value the extra space and healthy environment present in the tent. Again in 2022, we have hosted many programs, events, and meetings in the tent that have served the entire community as well as agencies from across Greater Cincinnati.

In order to reduce setup and teardown costs each winter, as well as the wear-and-tear on the frame and our parking lot, we would like to continue to keep the frame in its current location year-round. The top and sides will be removed and cleaned each winter. We are requesting that the top and sides be permitted to be re-installed in the spring so that the tent will be available for events and programs from April 1 through October 31, 2023.

We appreciate our continued partnership with Amberley Village!

Marc Fisher
CEO
Mayerson JCC

Mayerson JCC 8485 Ridge Rd, Cincinnati, OH 45236
Tent Location December 2022

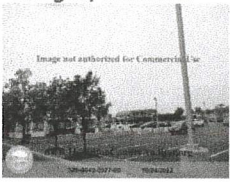




Online Property Access

Parcel ID 526-0040-0027-00
Address 8501 RIDGE 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	499 - OTHER COMM STRUCTURE	
Owner Name and Address	Tax Bill Mail Address	
JFC PROPERTIES LLC 8485 RIDGE RD CINCINNATI OH 45236 (call 946-4015 if incorrect)	JFC PROPERTIES LLC C/O MAYERSON JCC 8485 RIDGE RD CINCINNATI OH 45236 (Questions? 946-4800 or treasurer.taxbills@hamilton-co.org)	
Assessed Value	Effective Tax Rate	Total Tax
13,690	91.340496	\$1,250.46
Property Description WS RIDGE RD 15.611 ACS R1 -T4 -S26		

Appraisal/Sales Summary

Year Built	1970
Total Rooms	0
# Bedrooms	0
# Full Bathrooms	0
# Half Bathrooms	0
Last Transfer Date	7/6/2005
Last Sale Amount	\$3,900,000
Conveyance Number	37998
Deed Type	LW - Limited Warrant Deed (Conv)
Deed Number	59852
# of Parcels Sold	1
Acreage	15.611

Tax/Credit/Value Summary

Board of Revision	No
Rental Registration	No
Homestead	No
Owner Occupancy Credit	No
Foreclosure	No
Special Assessments	No
Market Land Value	494,940
CAUV Value	0
Market Improvement Value	21,732,630
Market Total Value	22,227,570
TIF Value	0
Abated Value	0
Exempt Value	22,188,450
Taxes Paid	\$1,250.46
Tax as % of Total Value	0.000%

Notes

1) 10-26-06 ST TO CORRECT PLAT

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7149 Ridge Road
Amberley Village, OH 45237

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

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PLANNING COMMISSION
MEETING NOTICE

WHEN: December 5, 2022 at 7:00 PM

WHERE: Amberley Village Municipal Building, 7149 Ridge Road

FROM: Scot Lahrmer, Village Manager

**NOTICE OF PUBLIC HEARING OF THE AMBERLEY VILLAGE
PLANNING COMMISSION:**

Please be advised there will be a public hearing held by the Amberley Village Planning Commission on Monday, December 5, 2022, at 7:00 p.m. in the Council Chambers of the Amberley Village Municipal Building, 7149 Ridge Road. The public hearing will be held to review the following item:

Adam Greenberg, President of Novelart MFG CO, is seeking a zoning change to 3.5 acres of the Topizc property located at 2121 Section Road. The zoning change is to reclassify approximately 3.5 of the property's 11.2 acres from Residential A to Industrial B to be consistent with the remaining 7.7 acres, currently zoned Industrial B, and to permit industrial use of the property in its entirety.

The areas affected by the zoning change are along the Section Road frontage, the east, and the southern property lines.

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 December 5, 2022 Planning Commission public hearing. If you have any questions, please feel free to contact Scot Lahrmer at 513-531-8675.

cc: *Joshua and Amanda Pransky, 2177 Bluegrass Lane*
Avraham and Shifra Motzen, 2179 Bluegrass Lane
Dov Katz and Abigail Bacon, 2181 Bluegrass Lane
Mark and Michelle Kirschner, 2182 Bluegrass Lane
Rafael and Sherri Zuroff, 2183 Bluegrass Lane
Mark and Michelle Kirschner, 2184 Bluegrass Lane
John Korra and Janet Van Leeuwen, 2186 Bluegrass Lane

Deneal Gottesman, 2187 Bluegrass Lane
Shlomo Zalman Heigh and Arielle Tamar, 2188 Bluegrass Lane
Michael and Pamela Heigh, 2189 Bluegrass Lane
Jeffrey and Shanny Katzman, 2190 Bluegrass Lane
Stephen Moses, 2191 Bluegrass Lane
Eliyahu Rosenbaum and Chasya Devora, 2192 Bluegrass Lane
Shneur Friedman and Ahuva Wainhaus, 2193 Bluegrass Lane
Karen Chriqui, 2195 Bluegrass Lane
Robert and Judith Pransky, 2196 Bluegrass Lane
Robert and Judith Pransky, 2200 Bluegrass Lane
John Morton, 2202 Bluegrass Lane
Michael Goller, 2204 Bluegrass Lane
Yehuda and Deena Pfeffer, 2205 Bluegrass Lane
Isaac and Rivka Preis, 6600 Elbrook Avenue
Joseph and Adena Goldberg, 6670 Elbrook Avenue
David and Sarah Brotsky, 6680 Elbrook Avenue
Ariel and Suzanne Goodman, 6690 Elbrook Avenue
Shai and Tova Scherer, 6700 Elbrook Avenue
Elliott and Julia Polsky, 6710 Elbrook Avenue
William and Patricia Deloach, 6720 Elbrook Avenue
Bartley and Kayla Berger, 6730 Elbrook Avenue
Mark and Sherri Lehman, 6740 Elbrook Avenue
Ezra and Hanna Belsky, 6750 Elbrook Avenue
Betty Bedford, 6760 Elbrook Avenue
Michael Rootman and Esther Pollack, 6761 Elbrook Avenue
Gaye Evans, 6770 Elbrook Avenue
Aliza and Benzion Brand, 6771 Elbrook Avenue
Daivd and Chaya Spetner, 6781 Elbrook Avenue
Timothy Lemke and Robyn Bancroft, 6791 Elbrook Avenue
Elaine Pockrose, 6800 Elbrook Avenue
Marjorie Korelitz, 6801 Elbrook Avenue
William Roman, 6811 Elbrook Avenue
Benjamin and Elisa Travis, 6820 Elbrook Avenue
Michael and Haviva Horvitz, 6830 Elbrook Avenue
Freddie Mobley, 6841 Elbrook Avenue
Chana and Chaim Black, 6850 Elbrook Avenue
Zalman and Chaya Frager, 6880 Elbrook Avenue
Hillel Gray, 6881 Elbrook Avenue
Jennifer Trice, 6940 Elbrook Avenue
Stephen Perry and Mary Owensby, 6970 Elbrook Avenue
Yosef Noam and Elka Miriam Kerschner, 6990 Elbrook Avenue
Andrew and Megan Cox, 7020 Elbrook Avenue
Andrew and Rachel Sollafe, 6611 Meadow Ridge Lane
Jason and Jessica Roodman, 6616 Meadow Ridge Lane
Nechama Baras, 6621 Meadow Ridge Lane
Gayle Nyswonger, 6624 Meadow Ridge Lane
Gayle Statman, 6632 Meadow Ridge Lane
Claire Leist, 6640 Meadow Ridge Lane

Mayer and Cheryl Kahn, 6641 Meadow Ridge Lane
Menachem Rosenberg, 6650 Meadow Ridge Lane
David and Leah Meissner, 6660 Meadow Ridge Lane
Seth and Sharon Barry, 6661 Meadow Ridge Lane
Gregory and Pearl Spitz, 6670 Meadow Ridge Lane
Shalom and Bracha Zehnworth, 6680 Meadow Ridge Lane
Leroy Blannon, 6681 Meadow Ridge Lane
Alt Tova and Joseph Soloman, 6690 Meadow Ridge Lane
David and Mazil Mizrachi, 6700 Meadow Ridge Lane
Barry Silver, 6701 Meadow Ridge Lane
Chagit Hagage, 6710 Meadow Ridge Lane
Lin Laing, 6711 Meadow Ridge Lane
Esther Mehlman, 6720 Meadow Ridge Lane
Louis Kenan and Rute Rappaport, 6721 Meadow Ridge Lane
Susan Shapiro, 6740 Meadow Ridge Lane
Kenneth and Daisy Kattan, 6741 Meadow Ridge Lane
David and Shirley Snitzer, 6750 Meadow Ridge Lane
Elana Harris, 6761 Meadow Ridge Lane
Yosef Alden and Esther Brejt, 6770 Meadow Ridge Lane
Leila and Moshe Kibel, 6780 Meadow Ridge Lane
Cynthia Barnes-English, 6781 Meadow Ridge Lane
Julie Jackson, 6790 Meadow Ridge Lane
Yair Kugel, 6791 Meadow Ridge Lane
Carol and Frederick Burnett, 6800 Meadow Ridge Lane
Timothy Cook, 6810 Meadow Ridge Lane
Joyce Golin, 6820 Meadow Ridge Lane
Dale and Shelby Gubin, 6821 Meadow Ridge Lane
Ilene Raubvogel, 6830 Meadow Ridge Lane
Marilyn Sholiton, 6831 Meadow Ridge Lane
Brenda Miller, 6840 Meadow Ridge Lane
Myrtle Nelson, 6860 Meadow Ridge Lane
Fred and Aria Terrell, 6870 Meadow Ridge Lane
Raphael and Dena Weinschneider, 2193 Section Road
Dennis and Lisa Parker, 2195 Section Road
Philip Stemmer, 2197 Section Road
Raymond and Sharon Kelly, 2199 Section Road
Rychard Elias, 2201 Section Road
Marcus and Chana Crystal, 2203 Section Road
Natan and Esther Kunink, 2311 Section Road
Rachelle Greenberg, 2316 Section Road
Michael and Ann Moore, 2317 Section Road
Ervin Ellis and Deborah Jones, 2323 Section Road
Elaine Rowland, 2324 Section Road
Nicholas Mann, 2326 Section Road
Esther Deutch 2328 Section Road
Ezra and Daisy Kattan, 2329 Section Road
Ada Jimmar, 2330 Section Road

Jacob and Esther Rabenstein, 2335 Section Road
Stanley and Marilyn Diamond, 2347 Section Road



7149 Ridge Road
Amberley Village, OH 45237

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

amberleyvillage.org

Amberley Village Planning Commission Staff Report

December 5, 2022

Subject:

2121 Section Road - Topicz

Variance:

Zoning Change

Item: Case#2022-308

Variance Request: Adam Greenberg, President of Novelart MFG CO, is seeking a zoning change to 3.5 acres of the Topicz property located at 2121 Section Road. The zoning change is to reclassify approximately 3.5 of the property's 11.2 acres from Residential A to Industrial B to be consistent with the remaining 7.7 acres, currently zoned Industrial B, and to permit industrial use of the property in its entirety.

The areas affected by the zoning change are along the Section Road frontage, the east, and the southern property lines.

Zoning Code Review: Village Code Section 154.72 Changes by Council, Review by Planning Commission: The Council may from time to time amend, by ordinance, the number, shape, or area of districts established on the zoning map or the regulations set forth in this Zoning Code; but no such amendment shall become effective unless the ordinance proposing same shall first be submitted to the Planning Commission for review, recommendations and suggestions, and the Commission shall have been allowed a reasonable time, not more than 60 days, for consideration and report.

Village Code Section 154.73 Petitions for Zoning Map or Zoning Code Amendments: Any person or persons, other than Council or the Planning Commission, desiring an amendment of the Zoning Map or Zoning Code shall file a petition for such an amendment with the Village Clerk, together with a statement giving the names and addresses of the owners of all properties lying within 1,000 feet of any part of the property the zoning of which would be changed by the proposed amendment if enacted. In addition, such a petition shall comply with all provisions for petitions for change in the Zoning Map or Zoning Code (Zoning Plan) found in Art. VI, Sec. 3 of the Village Charter.

Variance Review: Adam Greenberg, President of Novelart MFG CO, is requesting to rezone a portion of the Topicz property located at 2121 Section Road. If the rezoning is approved, it would reclassify approximately 3.5 acres of the property from Residence A to Industrial B.

The Topicz property is an 11.2 acre parcel located in the southwest portion of the Village with 3.5 acres zoned Residence A and 7.7 acres zoned Industrial B. The area of the property to be affected by the

rezoning is along:

1. Section Road frontage to the north (front lawn)
2. East of their building
3. South of their building towards Ohio Pulp Mill and going west towards the Amberley Village corporation line.

As industrial buildings are not permitted in a residential zoning district, a zoning change would have to be granted to allow the expansion into these zones. The process for seeking a zoning code change is to file the request with the Council. The Village Council then refers the case to the Planning Commission (PC) which will hold a public hearing. The PC has 60 days to submit a recommendation to the Council. Once the Board's recommendation is submitted, Council will hold a public meeting and discuss the Board's recommendation and input from representatives from Topicz and Village residents before rendering a decision to approve or not approve.

Over the last 3-4 years, Village Manager Scot Lahrmer has had discussions with Adam Greenberg, President of Topicz, about expanding his business. Mr. Greenberg is the grandson of the late Marvin Schwartz and has been interested in growing Topicz. Expansion opportunities are limited on the existing property Topicz owns, so other sites within the Village have been considered in order to retain Topicz in Amberley Village. The property across the street at 2100 Section Road, owned by the Port, has been contemplated but that site is destined for advanced manufacturing with criteria set for the Port's property. Amberley Green has also been considered. However, Amberley Green doesn't lend itself to this type of land use. Sites outside the Village have also been considered, have merit and could serve Topicz well. In an effort to retain Topicz in the Village, staff has recommended Topicz request rezoning the remaining 3.5 acres of their property to match the industrial zoning. And while the remaining 3.5 acres may not provide sufficient land in which for Topicz to expand, it puts the necessary zoning in place for them to utilize their property and consider expansion to stay in the Village..

Mr. Greenberg submitted his rezoning request to the Village, which in turn was referred to the Village Council. In accordance with Village Code Section 154.72 on November 14, Council referred the request to rezone the 3.5 acres to the Amberley Planning Commission for review, recommendations and suggestions. This public hearing is being held in accordance with Village Code Section 154.73 to provide for public comment; during the public hearing, the applicant and members of the public may speak for or against the case being heard. Notices were mailed to property owners within 1,000 feet of Topicz.

The letter to the Planning Commission states that Topicz's economic impact on the Village over the last decade, since the \$4 million dollar expansion in 2013, has been substantial. Also, Topicz's leadership, vision, and goal is to continue to grow and bring more jobs to Amberley Village.

Mr. Greenberg presented a desire to construct a 45,012 square foot addition on the south end of the existing building, towards the Ohio Pulp Mill property line. However, due to the current Residence A zoning on the property, the expansion is not permitted, due to the industrial use of the proposed addition. Therefore, Village staff recommended applying for a rezoning of the residential area of the property to Industrial B to match that of the remaining 7.7 acres of the property, prior to developing plans for the expansion.

The Residence A portion of the property extends from Section Road approximately 200' south along the frontage, extends approximately 75' west along the east property line and extends approximately 75' north along the south property line. Rezoning the 3.5 acres is an extension of the existing Industrial B zoning that applies to the bulk of the property and is consistent with the properties in the Village to the north and south and the properties to the west in the City of Cincinnati.

Village staff believes that extending the industrial zoning to the entire parcel will maximize the future use of the property. If approved, all structures must still meet the required setbacks in Industrial B zoning regulations, which are 20' from all interior lot lines and 50' from the right away at Section Road.

Following the public hearing, the Planning Commission is to make a recommendation to Council to approve the rezoning, approve with conditions or deny the rezoning.

Once the Council receives the Planning Commission's recommendation, consideration of the application will begin including a public hearing. The Council has the option of approving or denying as recommended by the Planning Commission, approving with additional conditions or denying the rezoning.

Project Recommendations: Village Staff, recommends the rezoning of the 3.5 acres along the Section Road frontage, along the east and south property lines.

Topicz 2121 Section Road

3.5 Acres



Topicz 2121 Section Road

3.5 Acres

**Residential Zoning
(In Green)**

Front is 200' from
the property line

Side is 75' east of the
property line

Rear is 75" from
south property line

****Approximate
distances**

Topicz 2121 Section Road

11.2 total acres

124,898 sqft of building



NOVELART MANUFACTURING COMPANY
AMBERLEY VILLAGE CINCINNATI, OHIO 45237 513-351-7700

11/9/22

Mr. Scot Lahrmer
Village Manager
Amberley Village, Ohio
7149 Ridge Road
Cincinnati, Ohio 45237

Re: Request for Rezoning - 2121 Section Road, Amberley Village, OH 45237

Dear Mr. Lahrmer:

Novelart Manufacturing Company dba Topicz, being owner of approximately 11.2 acres of land located at 2121 Section Road in Amberley Village, Ohio ("Property") petitions the legislative authority of Amberley Village, Ohio, pursuant to the provisions of Section 713.10 et seq., Ohio Revised Code, to rezone the southern portion of the Property, east side and northern side described in the documents attached here to as Exhibit "A1".

I, Adam Greenberg am the grandson of late owner Marvin Schwartz. Our business history in Amberley village dates back to the late 1950's when my great grandfather, Charles Klein had our business built by Sidney Warm. Our family is third and fourth generations Cincinnatians which have ties to Amberley village for many decades. It's my intention to maintain and stay in Amberley village, as we have welcomed and flourished with the community. A large part of our employee workforce lives close to our operation and we are very proud to be able to support local jobs within our community.

Our economic impact in Amberley village over the last decade has been substantial as we spent over \$4 million on our last expansion in 2013. Topicz leadership's, vision, and goal is to continue to grow and bring more jobs to the community. In order to achieve this, we are seeking rezoning of a portion of our property from residential A (approximately 3.5 acres) to industrial B, totaling 11.2 acres to maximize our property for future expansion.

Our future expansion will be funded privately using our financial resources and our bank.

A benefit of the ownership of Topicz is our ability to ensure a result that is compatible with the goals and needs of the community while yielding the highest and best return in job creation and tax revenue.



NOVELART MANUFACTURING COMPANY
AMBERLEY VILLAGE CINCINNATI, OHIO 45237 513-351-7700

Topicz respectfully requests this legislative authority to rezone the property at 2121 Section Rd (parcel #'s: 526-0030-0008-00 & 526-0030-0001-00. We appreciate your consideration of this request and look forward to partnering with Amberley Village in the rezoning of our site. Please call, should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Greenberg', written over a horizontal line.

Adam Greenberg

President



Online Property Access

Parcel ID
526-0030-0001-00

Address
2101 SECTION 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 52601 - AMBERLEY 01		
Auditor Land Use 340 - LIGHT MANUFACTURING		
Owner Name and Address NOVELART MFG CO PO BOX 37191 CINCINNATI OH 45222 (call 946-4015 if incorrect)	Tax Bill Mail Address NOVELART MFG CO BOX 37191 ROSELAWN STA CINCINNATI OH 45222 (Questions? 946-4800 or treasurer.taxbills@hamilton-co.org)	
Assessed Value 1,189,970	Effective Tax Rate 91.340496	Total Tax \$108,692.46
Property Description SECTION RD 316.85 X 1114.08 IR H FRANKS EST SUB		

Appraisal/Sales Summary

Year Built	1951
Total Rooms	0
# Bedrooms	0
# Full Bathrooms	0
# Half Bathrooms	0
Last Transfer Date	2/4/1960
Last Sale Amount	\$0
Conveyance Number	0
Deed Type	WE - Warranty Deed (EX)
Deed Number	
# of Parcels Sold	1
Acreage	11.243

Tax/Credit/Value Summary

Board of Revision	No
Rental Registration	No
Homestead	No
Owner Occupancy Credit	No
Foreclosure	No
Special Assessments	No
Market Land Value	626,310
CAUV Value	0
Market Improvement Value	2,773,590
Market Total Value	3,399,900
TIF Value	0
Abated Value	0
Exempt Value	0
Taxes Paid	\$108,692.46
Tax as % of Total Value	0.000%

Notes

** 3/4/16 - 6yr EZ Abatement - 75% of increase - began TY 2014 thru TY 2019 - back to taxable 2020 pay 2021

I Want To...

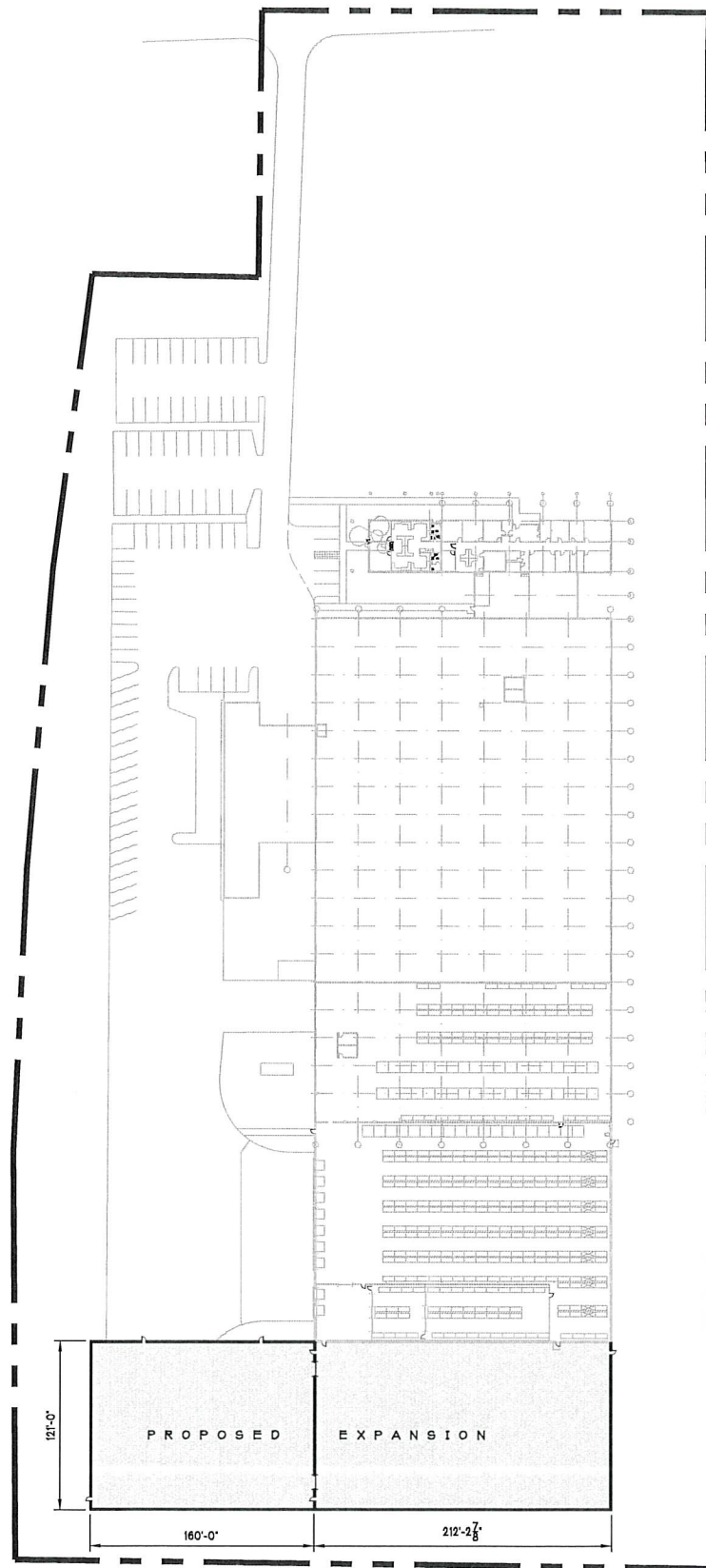
Start a New Search
Email the Auditor
View the Online Help
Auditor's Home

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



 **PROPOSED SITE PLAN**
SCALE: 1" = 60'



 **EXISTING SITE PLAN**
SCALE: 1" = 60'



Proposed Expansion for:
TOPICZ
2121 Section Road
Cincinnati, Ohio 45237

REV. DATE CK'D

Drawn By: Checked:

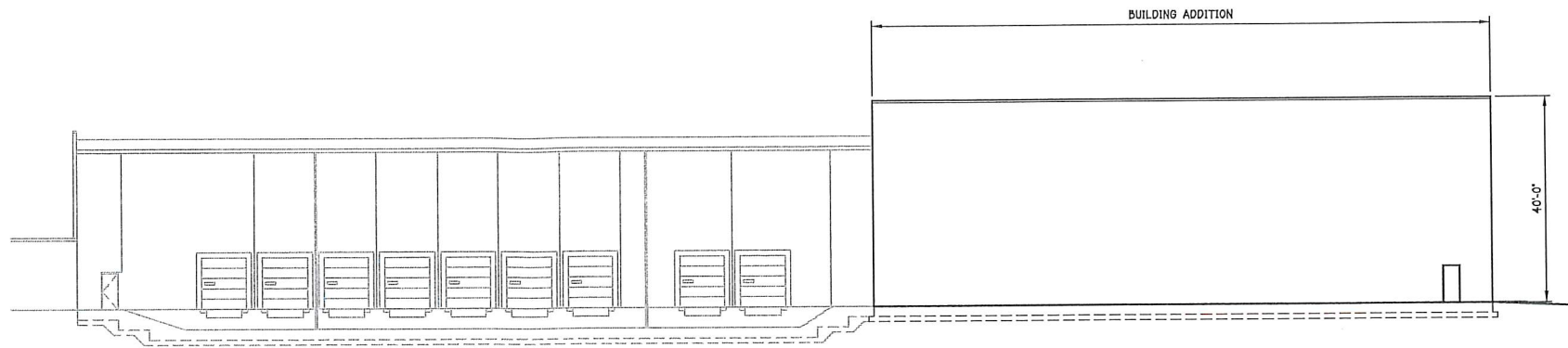
Preliminary
Not For
Construction

Date: Job No:

A1
of



PHOTO KEY PLAN
SCALE: NTS



WEST ELEVATION OF ADDITION
SCALE: 1/16" = 1'-0"



GRADE LEVEL SITE PHOTO
SCALE: N.T.S.



AERIAL SITE PHOTO
SCALE: N.T.S.