

AGENDA

April 3, 2023

PLANNING COMMISSION/BOARD OF ZONING APPEALS

7:00 PM

Roll Call

Minutes

Meeting of February 6, 2023

Cases

CASE NO. 2023-390

Micah and Jessica Max, property owners at 8460 Springvalley Drive, are seeking a variance from Zoning Code Section 154.51 (A2) which states accessory structures in residential areas may not exceed 16 feet in height, or up to the same height as the principal structure, whichever is less. If approved, the variance would allow for the installation of a 480-square-foot, 18-foot high, detached garage in the rear yard near the north and east lot lines.

New Business

Adjournment

**MINUTES OF THE REGULAR MEETING OF THE
AMBERLEY VILLAGE BOARD OF ZONING APPEALS/PLANNING COMMISSION
MONDAY, FEBRUARY 6, 2023**

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, February 6, 2023 at 7:00 p.m. Absent from the meeting was Village Solicitor Andrew Kaake. Roll was taken as follows:

PRESENT:

Rich Bardach
Rick Lauer
Scott Rubenstein
Craig Cappozzo
Nimet Jeruzalmi

ALSO PRESENT:

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. He then welcomed the newest member of the Board of Zoning Appeals/Planning Commission, Nimet Jeruzalmi.

Mr. Bardach asked if there were any corrections to the minutes of the December 5, 2022 meeting. There being none, the minutes were accepted as submitted.

CASE NO. 2023-339

Village Zoning Administrator Chris Fritsch reported that Shai and Tova Scherer, property owners of 6700 Elbrook Avenue, had submitted a request for variances to Zoning Code Sections 154.12 (A) (2) (3) and (4) to allow for the construction of a 280-square-foot accessory structure in the rear yard of their property along the south property line and 10' from the east/rear property line.

Mr. Fritsch reported that the Scherers' letter to the Board stated they were converting their garage into additional living space, and would need the shed to store bikes, lawn mowers and outdoor equipment. In addition, there is a similar, approved accessory structure on their block.

If approved, the variances would enable the Scherers to erect a 280-square-foot shed along the rear south property line 10' from the east/rear property line.

Ms. Tova Scherer of 6700 Elbrook stated the family needed to make the house larger to accommodate their growing family and to stay in Amberley Village. She said the only traffic along the rear where the shed would be located was that of neighbors.

Mr. Cappozzo asked what was located next door along the property line. Mr. Fritsch showed a photo demonstrating there was nothing in that location.

Mr. Rubenstein asked if there was an existing fence, and Mr. Fritsch said there was a chain link fence. Mr. Rubenstein then asked if there was enough room to install a shed that would be in compliance with Village code. Mr. Fritsch showed an additional slide indicating the shed would have to be in the middle of the back yard in order to meet regulation requirements, which would limit the usability of the yard.

Ms. Scherer stated another neighbor with a similar situation had been granted permission to build a shed along the property line. Mr. Rubenstein confirmed there was precedence, and that the Board had granted a similar variance.

Mr. Bardach asked if the proposed shed was about the same size as the previously approved shed. Mr. Fritsch said the Scherers' proposed shed was 14'x20', and the previously approved shed was 10'x20'.

Mr. Rubenstein reminded the Board that conditions could be applied. Mr. Lauer asked if the shed would be built on a foundation, as the plan showed no concrete pad.

Ms. Jeruzalmi said she had no objection to the positioning of the shed, but the size is 1/3 larger than requirements. She said the design looks like a barn, which does not match the character of Amberley Village.

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

Ms. Jeruzalmi asked where the family would park, and Ms. Sherer responded parking would continue to be in the driveway.

Mr. Lauer said the zoning written for Residence A was difficult to apply to this particular street, as the service drive was unusual. He said he had no objection to the look of the shed, and would prefer to look at the shed than yard equipment and bikes. He said he appreciated the homeowners' desire to store their items neatly, as well as their intent to stay in the Amberley Village.

Mr. Rubenstein said he felt the request was similar to the variance that was previously approved and Mr. Bardach agreed. Mr. Rubenstein moved to approve the request for variances to Zoning Code Sections 154.12 (A) (2) (3) and (4) to allow for the construction of a 280-square-foot accessory structure in the rear yard of their property along the south property line and 10' from the east/rear property line. Seconded by Mr. Lauer, the motion passed unanimously.

NEW BUSINESS

There being no further new business, the meeting was adjourned at 7:16 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*

amberleyvillage.org

PLANNING COMMISSION
MEETING NOTICE

WHEN: April 3, 2023 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, April 3, 2023**, 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:

Micah and Jessica Max, property owners at 8460 Springvalley Drive, are seeking a variance from Zoning Code Section 154.51 (A2), which states accessory structures in residential areas may not exceed 16 feet in height, or up to the same height as the principal structure, whichever is less. If approved, the variance would allow for the installation of a 480-square-foot, 18-foot high, detached garage in the rear yard near the north and east lot 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 **April 3, 2023** Board of Zoning Appeals public meeting. If you have any questions, please feel free to contact Scot Lahrmer at 513-531-8675.

cc: ***Jessica & Mica Max 8460 Springvalley Drive***
James Wolfe & Luisa Gonzalez, 8440 Springvalley Drive
Nique Swan & Natalie Auzene-Swan, 3350 Longmeadow Lane
Jean Hope Davison Trust, 8495 Crestdale Court
Holly & Kraig Kibble, 3385 Lamarque Drive
Melissa Hoffman & William Olberding, 3365 Lamarque Drive



7149 Ridge Road
Amberley Village, OH 45237

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

amberleyvillage.org

Amberley Village Planning Commission Staff Report

April 3, 2023

Subject:

8460 Springvalley Drive

Variance:

560 square foot detached garage in rear yard over the 16' maximum height.

Item: Case#2023-390

Variance Request: Micah and Jessica Max, property owners at 8460 Springvalley Drive, are seeking a variance from Zoning Code Section 154.51 (A2) which states accessory structures in residential areas may not exceed 16 feet in height, or up to the same height as the principal structure, whichever is less. If approved, the variance would allow for the installation of a 480-square-foot, 18-foot high, detached garage in the rear yard near the north and east lot lines.

Zoning Code Review: § 154.51 HEIGHT REQUIREMENTS.

(A) Residential structures.

(1) Principal structures in residential areas may not exceed 35 feet in height.

(2) Accessory structures in residential areas may not exceed 16 feet in height, or up to the same height as the principal structure, whichever is less.

(B) Public, semi-public, or public service buildings, hospitals, institutions, churches, or schools, when permitted in a residential district, may be erected to a height not exceeding 60 feet, if the building is set back from each yard line at least three feet for each foot of additional building height above the height limit otherwise permitted in the district in which the building is to be located.

(C) Height limitations do not apply to spires, belfries, cupolas, water tanks, cooling towers, elevator penthouses, ventilators, chimneys, stacks, radio towers, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

(D) For the purposes of height measurements, a basement shall not be counted unless more than three feet six inches of its height projects above grade at the front building line, in which case it shall be counted.

('69 Code, § 151.51) (Ord. C-285, passed 7-8-68; Am. Ord. C-666, passed 10-10-89; Am. Ord. C-692, passed 10-9-90; Am. Ord. C-732, passed 4-13-92; Am. Ord. 2018-13, passed 2-11-19) Penalty, see § 154.99

Cross-reference:

Height regulations, § 154.26

Variance Review: Micah and Jessica Max, property owners at 8460 Springvalley Drive, are seeking a variance from Zoning Code Section 154.51 (A2) which states accessory structures in residential areas may not exceed 16 feet in height, or up to the same height as the principal structure, whichever is less. If approved, the variance would allow for the installation of a 480-square-foot, 18-foot high, detached garage in the rear yard near the north and east lot lines.

The letter to the board states the residents do not have an option of building an attached garage to their home due to the odd lot size. Additionally, they can't enlarge the footprint of the proposed garage due to the proximity of the east lot line, significant earth excavating to the north lot line and the shape of their lot. The proposed garage size would allow for lawn mowing equipment and maintenance access to the rear of their property. The residents are requesting an extra two feet in height for a car lift to be installed which will permit cars to be stacked vertically. The extra two feet in height would convert a typical 2-car garage into a 4-car garage.

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

March 15, 2023

Amberley Village Board of Zoning Appeals
Attn: Scot Lahrmer
Village Manager
7149 Ridge Road
Amberley Village, Ohio 45237

Dear Mr. Lahrmer and BZA Members,

We are planning on building a detached garage at our home, located at 8460 Springvalley Drive. We are requesting a variance to build a garage 18 feet tall at the maximum peak, which is outside the Amberley standard of 16 feet.

Due to the shape of our lot and the placement of our house, we do not have the option of adding an attached garage. We also cannot enlarge the footprint of the proposed garage (which would also necessitate a variance) due to the shape of our lot. Behind the proposed site, there would require significant earth work and the front corner is barely within the setback requirements. In addition, we need to ensure mowers and other lawn and/ or maintenance equipment can still access the rear yard. The variance request of two extra feet of height allows us to put a lift in the proposed garage to put two full size cars stacked vertically, therefore adapting a two-car garage to a four car garage.

I am happy to meet at our property anytime if anyone would find it helpful to make a site visit. Please find my contact information below if there are any questions.

Regards,

Micah Max
8460 Springvalley Drive
Amberley Village, Ohio 45236
513-520-9436
micahmax@mac.com



A. GENERAL DATA

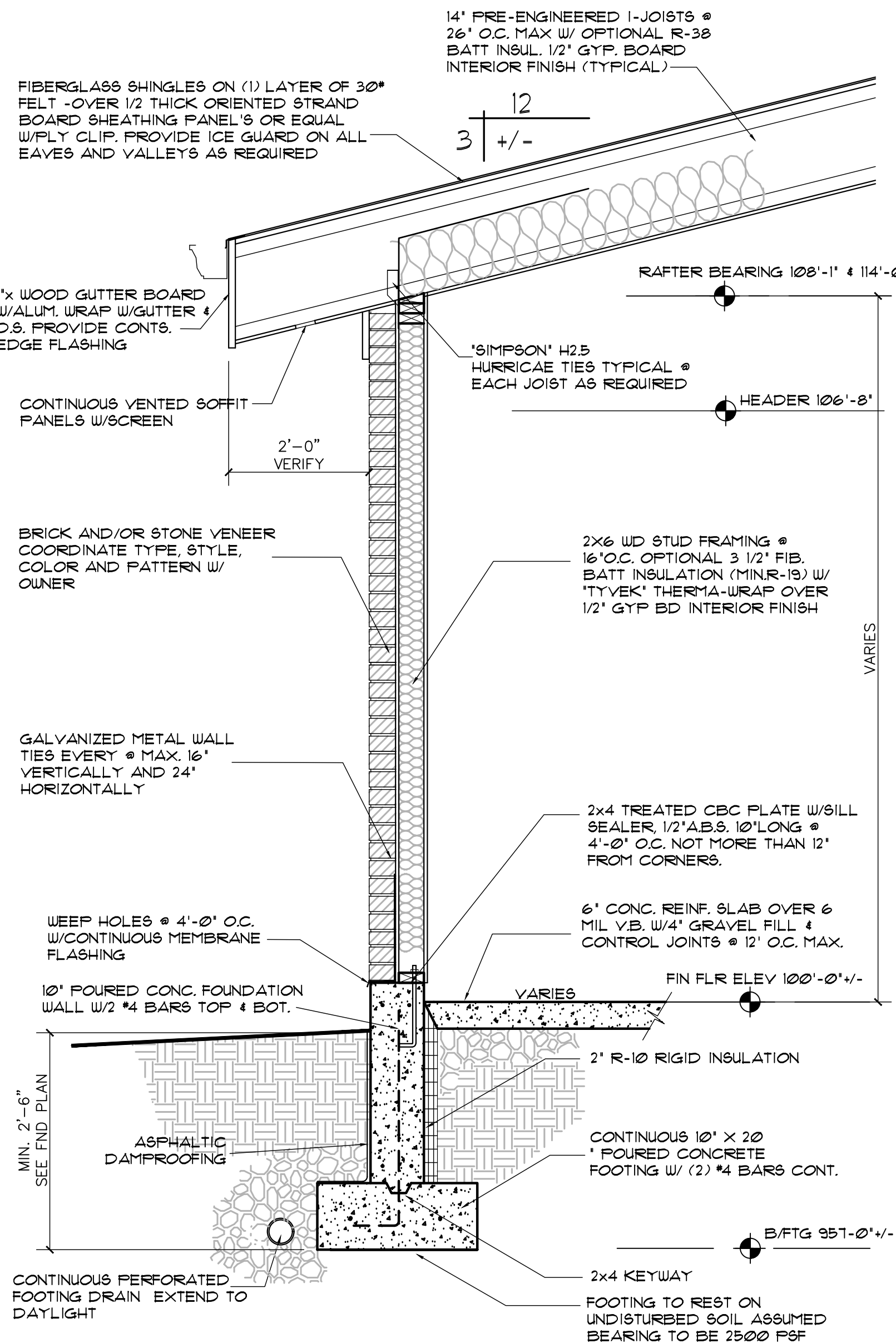
(ADDITIONAL CODE COMPLIANCE MAY BE NECESSARY DURING CONSTRUCTION.)
1. ALL WORK SHALL BE IN TOTAL COMPLIANCE W/ CITY, COUNTY & CURRENT 2019 R.C.O. (RESIDENTIAL CODE OF OHIO) FOR ONE AND TWO FAMILY DWELLINGS.
2. THE GENERAL CONTRACTOR SHALL THOROUGHLY REVIEW AND VERIFY ALL DIMENSIONS AND INFORMATION CONTAINED WITHIN THESE CONSTRUCTION DOCUMENTS. THE GENERAL CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS INCLUDING BUILDINGS, SITE CONDITIONS AND SOIL BEARING PRESSURE. ALL ERRORS, OMISSIONS AND INCONSISTENCIES ARE TO BE REPORTED TO THE ARCHITECT PRIOR TO BEGINNING CONSTRUCTION. FAILURE TO DO SO SHALL RELEASE THE ARCHITECT OF ANY RESPONSIBILITY. IF ANY INSUFFICIENT INFORMATION EXISTS, CONTACT THE ARCHITECT FOR CLARIFICATION BEFORE PROCEEDING WITH CONSTRUCTION.
3. ANY DEVIATION FROM THE INTENT OF THESE DOCUMENTS MUST BE APPROVED IN WRITING BY THE ARCHITECT AND OWNER PRIOR TO BEGINNING CONSTRUCTION OR DURING.
4. THE CONTRACTOR SHALL BRACE ENTIRE STRUCTURE AS REQUIRED TO MAINTAIN STABILITY UNTIL COMPLETE AND FUNCTIONING AS THE DESIGN UNIT.
5. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES OF CONSTRUCTION SELECTED BY THE CONTRACTOR.
6. THE CONTRACTOR WILL BE COMPLETELY RESPONSIBLE FOR THE CONDITIONS OF THE JOB SITE INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING CONSTRUCTION. WHEN ON SITE, THE ARCHITECT IS RESPONSIBLE FOR HIS OWN SAFETY BUT HAS NO RESPONSIBILITY FOR THE SAFETY OF OTHER PERSONNEL OR SAFETY CONDITIONS AT THE SITE.
7. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ALL UNDERGROUND UTILITIES FOR TWO FULL WORKING DAYS BEFORE DIGGING IS TO COMMENCE AND SHALL NOTIFY THE FOLLOWING AGENCIES:
OHIO UTILITIES PROTECTION SERVICE (OUPS) AT 1-800-362-2764 AND ANY OTHER AGENCY WHICH MIGHT HAVE UNDERGROUND UTILITIES INVOLVING THIS PROJECT AND ARE NONMEMBERS OF OUPS. IF DURING CONSTRUCTION, INTERFERENCE ARISES WITH EXISTING UTILITIES, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE UTILITY COMPANY INVOLVED.

B. DIMENSIONS

1. ALL EXTERIOR DIMENSIONS ARE TO THE FACE OF FOUNDATION WALLS OR TO THE FACE OF EXTERIOR WALL SHEATHING.
2. ALL INTERIOR DIMENSIONS ARE TO THE PARTITIONS. ALL INTERIOR PARTITIONS ARE 4" WIDE 2 X 4 STUDS UNLESS OTHERWISE INDICATED.

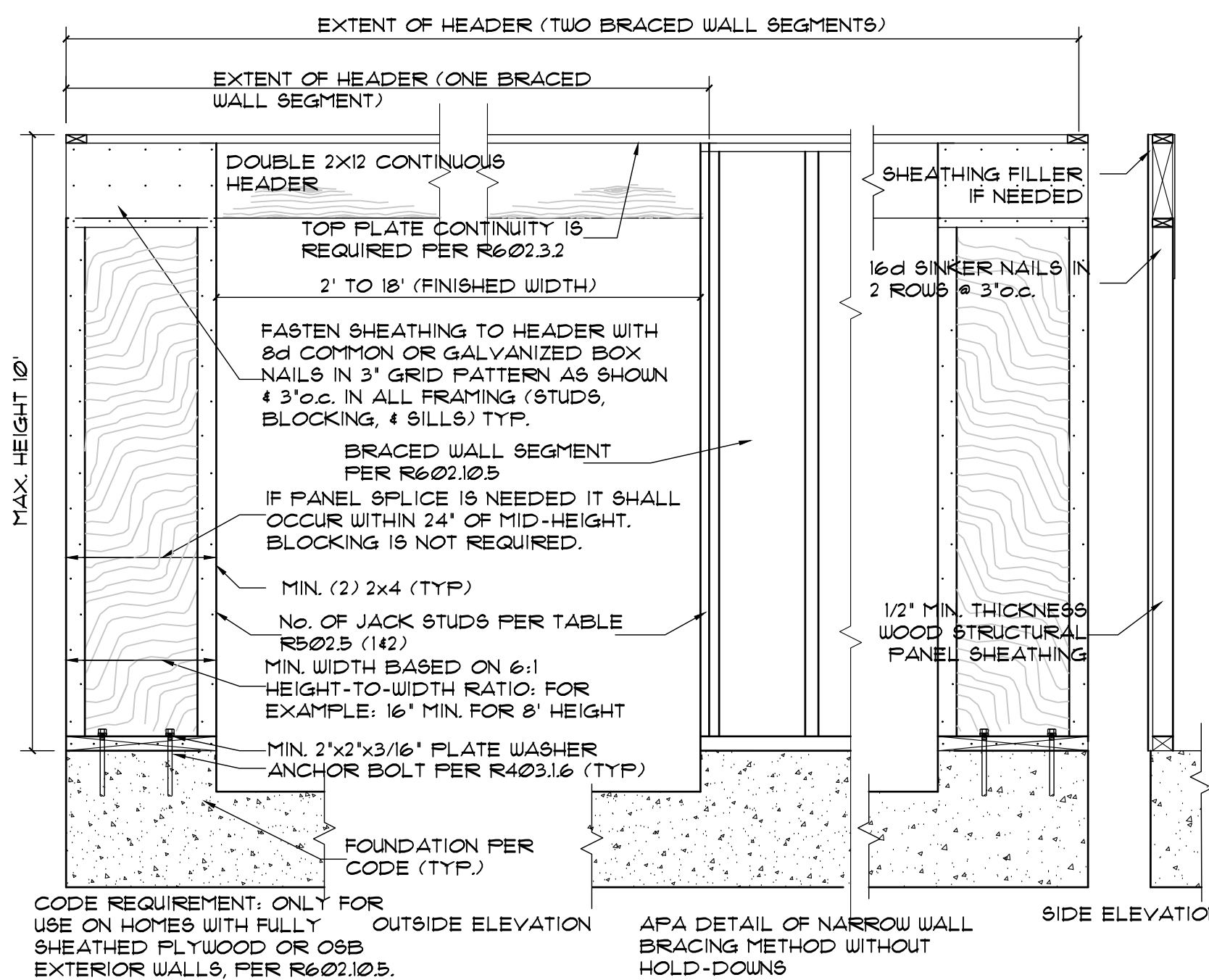
F. FRAMING

1. ALL LUMBER SHALL BE SOUTHERN YELLOW PINE #2 KILN DRIED OR BETTER (F_b = 1450 P.S.I. AND E = 1,600,000 P.S.I. MINIMUMS).
2. HEADER SCHEDULE: REFER TO SHEET T-1.
3. ALL LUMBER (INCLUDING MICROLAM TYPE MATERIAL) IN CONTACT WITH CONCRETE OR EXPOSED TO THE EXTERIOR SHALL BE PRESSURE TREATED OR WRAPPED IN VINYL/ALUM, CEDAR OR OTHER APPROVED MATERIAL.
A. ALL FASTENERS/CONNECTORS COMPATIBLE W/ TYPE A-105 GALVANIZED OR STAINLESS STEEL AS REQUIRED. ALL EXPOSED BOLTS & FASTENERS SHALL BE GALVANIZED OR STAINLESS STEEL.
4. FLOOR JOISTS SHALL BE DOUBLED BELOW ALL INTERIOR PARTITIONS THAT RUN PARALLEL TO JOISTS.
5. BRIDGING IN FLOOR AND CEILING JOISTS SHALL BE 1" X 3" CROSS BRIDGING (DOUBLE NAILED) OR FULL HEIGHT SOLID BRIDGING (OFFSET AND END NAILED) AT 6'-0" ON CENTER MAXIMUM.
6. NOTCHES IN THE TOP OR BOTTOM OF THE FLOOR OR ROOF JOISTS ARE NOT TO EXCEED ONE-SIXTH OF THE JOIST DEPTH NOR BE LOCATED IN THE MIDDLE ONE-THIRD OF THE SPAN. NO HOLES ARE TO BE BORED LARGER THAN ONE-THIRD OF THE JOIST DEPTH WITHIN TWO INCHES OF THE TOP OR BOTTOM OF THE JOISTS, NOR WITHIN TWO FEET OF THE JOIST BEARING NOTCHES AT THE END OF JOISTS ARE NOT TO EXCEED ONE-FOURTH OF THE JOIST DEPTH. ABSOLUTELY NO HOLES OR NOTCHES ARE ALLOWED IN BEAMS UNLESS APPROVED BY THE ARCHITECT. NOTCHES IN WALL STUDS ARE NOT TO EXCEED ONE-FOURTH OF THE STUD WIDTH AND NO HOLES ARE TO BE BORED GREATER THAN 40% OF THE STUD WIDTH.
7. PROVIDE 1/2" EXTERIOR GRADE PLYWOOD OR OSB PANELS NAILED AND GLUED ON ALL EXTERIOR WALL CONTINUOUS AS REQUIRED.
8. TRUSSES AND/OR PRE-ENGINEERED FLOOR TRUSSES SHALL BE DESIGNED BY A REGISTERED STRUCTURAL ENGINEER. THE GENERAL CONTRACTOR SHALL PROVIDE STAMPED, SEALED DRAWINGS WITH ASSOCIATED LAYOUT TO BUILDING DEPARTMENT PRIOR TO FRAMING INSPECTION. ALL WOOD TRUSSES SHALL CONFORM TO NFPA SPECIFICATIONS AND SHALL NOT BEAR ON ANY INTERIOR PARTITIONS UNLESS INDICATED TO DO SO ON CONSTRUCTION DOCUMENTS. ANCHOR ONLY ONE END OF ALL TRUSSES SHALL BE FASTENED TO RESIST UPLIFT FORCES SHOWN ON TRUSS DIAGRAMS, BUT FOR NEVER LESS THAN 150LBS. SCISSOR TRUSSES UNTIL ROOF DEAD LOADS HAVE BEEN APPLIED.
9. FIRE STOPPING SHALL BE PROVIDED IN WOOD-FRAME CONSTRUCTION IN THE FOLLOWING LOCATIONS:
• IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS, INCLUDING FURRED SPACES, AT THE CEILING AND FLOOR LEVEL.
• AT ALL INTERCONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL.
10. ALL 2 X 10'S AND 2 X 12'S TO BE NO. 2 SOUTHERN YELLOW PINE OR BETTER (F_b=1500, E=1,600,000), F_c (PERPENDICULAR) = 425 PSI, F_c (PARALLEL) = 1200 PSI, F_t = 675 PSI, F_v = 95 PSI UNLESS NOTED DIFFERENTLY ON THE DRAWINGS.
11. ALL FLOOR JOISTS SHALL BE LATERALLY SUPPORTED AT EACH END BY FULL DEPTH SOLID BLOCKING, EXCEPT WHERE ENDS OF JOISTS NAILED OR BOLTED TO A HEADER, BAND, OR RIM JOIST OR TO AN ADJOINING STUD. SOLID BLOCKING SHALL BE NOT LESS THAN 2" IN NOMINAL THICKNESS.
12. ALL FLOOR JOISTS SHALL BE SUPPORTED LATERALLY BY SOLID BLOCKING OR DIAGONAL BRIDGING (WOOD OR METAL) AT INTERVALS NOT EXCEEDING 8'-0" O.C.
13. TJI JOISTS AND MICROLAM BEAMS SHALL BE AS CALLED FOR ON THE DRAWINGS AND SHALL BE AS MANUFACTURED BY TRUSS JOIST MCILLAN OR APPROVED EQUAL AND SHALL BE INSTALLED IN COMPLETE ACCORDANCE WITH THE MANUFACTURERS INSTRUCTIONS FOR HANDLING AND INSTALLING. ANY CONFLICTS NOTED BETWEEN THESE DRAWINGS AND THE MANUFACTURERS INSTRUCTIONS SHALL TAKE PRECEDENCE.
14. FINAL ROOF FRAMING DESIGN SHALL BE THE RESPONSIBILITY OF THE TRUSS MANUFACTURERS ENGINEER. ALL WOOD TRUSSES SHALL BE PRE-ENGINEERED WOOD ROOF TRUSSES DESIGNED AND SEALED BY A REGISTERED ENGINEER BASED ON THE DESIGN LOADS REQUIREMENTS.
15. TRUSS MANUFACTURER SHALL PROVIDE A FIELD INSTALLATION PLAN INCLUDING ALL RECOMMENDED DIAGONAL AND LATERAL BRACING IN ACCORDANCE WITH THE WOOD TRUSS INSTITUTES REQUIREMENTS.
16. ALL TRUSSES SHALL BE FASTENED TO DOUBLE TOP PLATE W/ (OPTIONAL) SIMPSON HURRICANE TIES. INSERT BLOCKING BETWEEN ALL TRUSSES AT TOP AND FASTEN TO TOP PLATE W/ (OPTIONAL) SIMPSON FRAMING ANCHORS.
17. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY BRACING AND SHORING OF ALL RAFTER FRAMING IN ROOF AREAS TO INSURE STABILITY OF ENTIRE STRUCTURE DURING CONSTRUCTION.
18. ALL 2 X 6'S & 2 X 4'S USED FOR STUD WALLS ARE TO HAVE MIN. F_b = 500 PSI, F_c (PERPENDICULAR) = 425 PSI, F_c (PARALLEL) = 450 PSI, F_v = 10 PSI, E = 1,200,000 PSI.
19. ALL ROOF TRUSSES SHALL BE ANCHORED TO SUPPORTING MEMBERS FOR UPLIFT.
20. CUTTING OR DRILLING OF ANY TRUSS/JOIST MEMBER IS NOT PERMITTED WITHOUT WRITTEN APPROVAL OF THE ARCHITECT AND THE TRUSS DESIGN ENGINEER.
21. ROOF DECK IS TO BE 1/2" THICK EXTERIOR GRADE PLYWOOD UNO, USE 10D COMMON NAILS AT 5' O.C. AT EDGES AND 12" O.C. AT INTERMEDIATE SUPPORTS.
22. 1021 GUARDS- 36" HIGH & 5 1/4" SPACING, NO SPHERE LARGER THAN 4" CAN GO BETWEEN RAILS.
23. 1022 HANDRAILS-34" MIN, 38" MAX ABOVE TREAD
24. WALL BRACING TO BE METHOD #3 PER SECTION R602.10 2019 RCO BRACED WALL PANEL CONSTRUCTION METHODS.



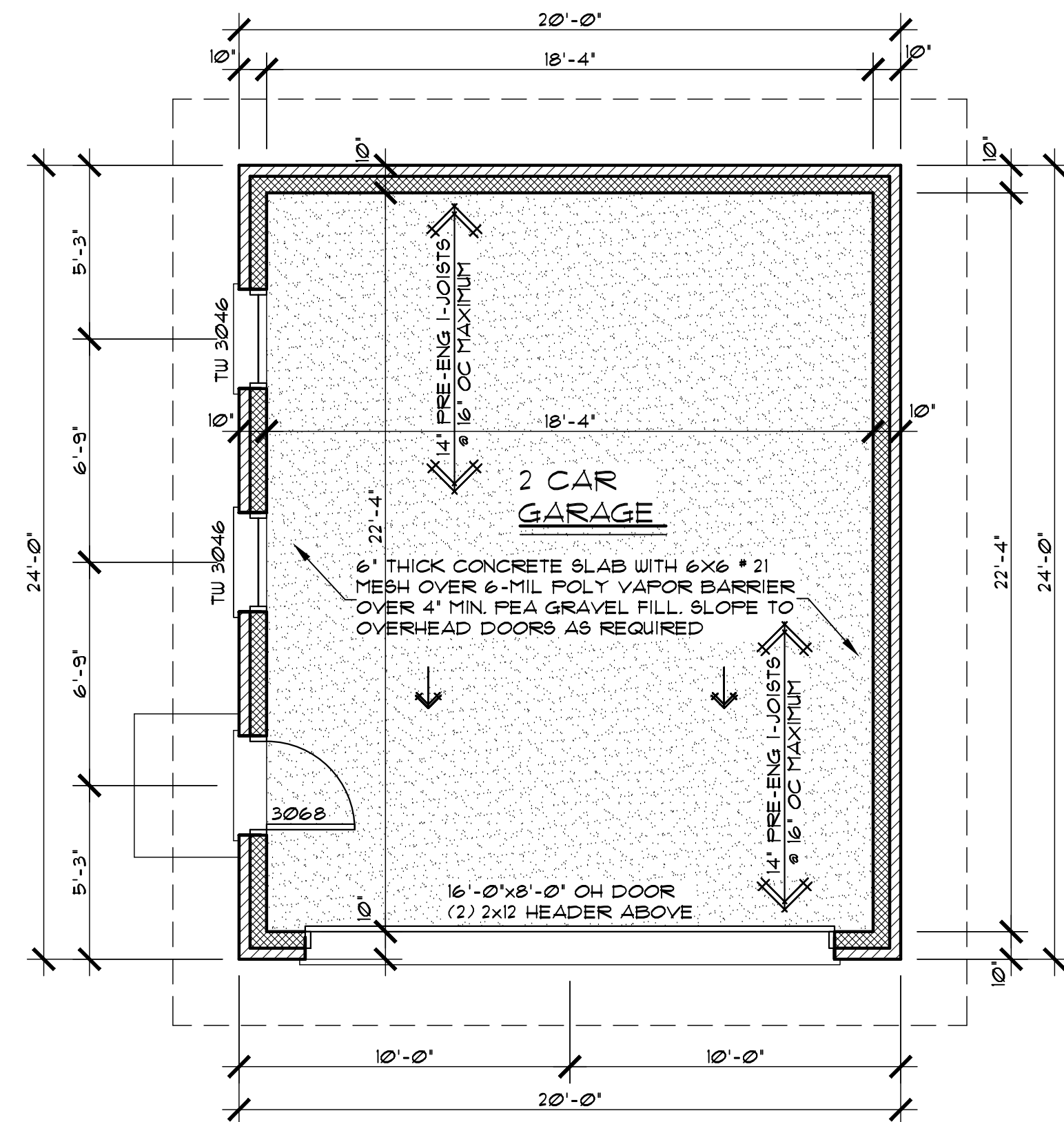
SECTION

SCALE: 3/4" = 1'-0"



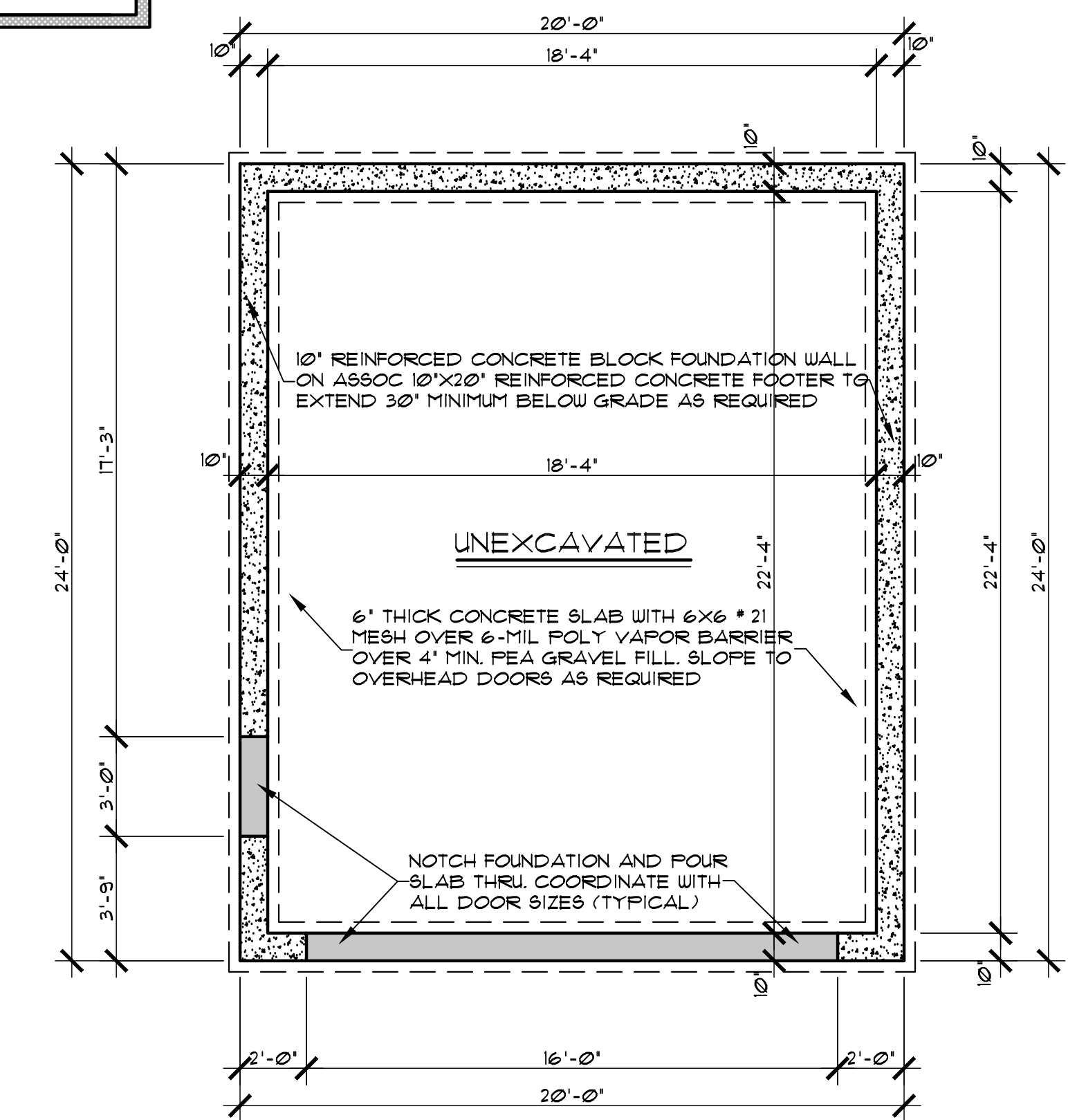
SECTION

SCALE: 3/4" = 1'-0"



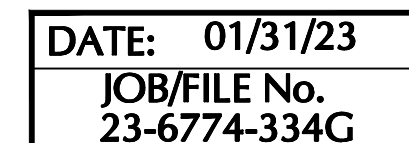
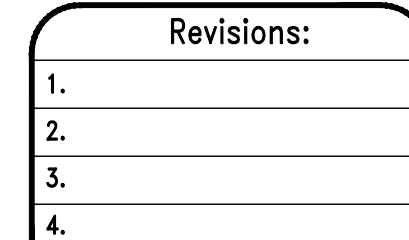
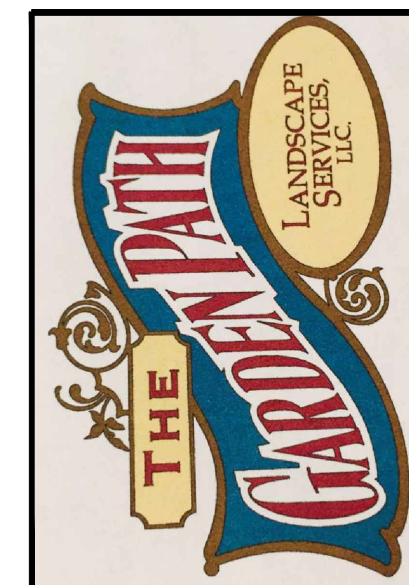
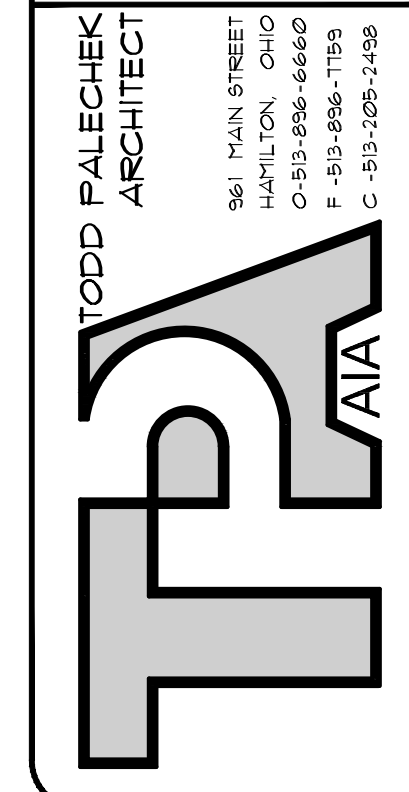
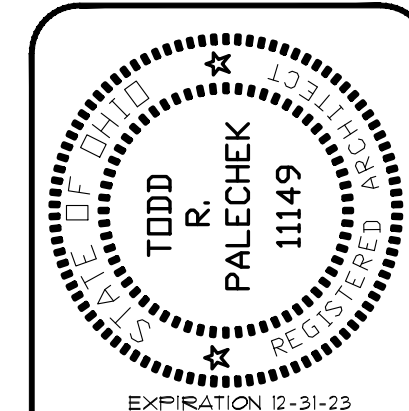
FLOOR PLAN

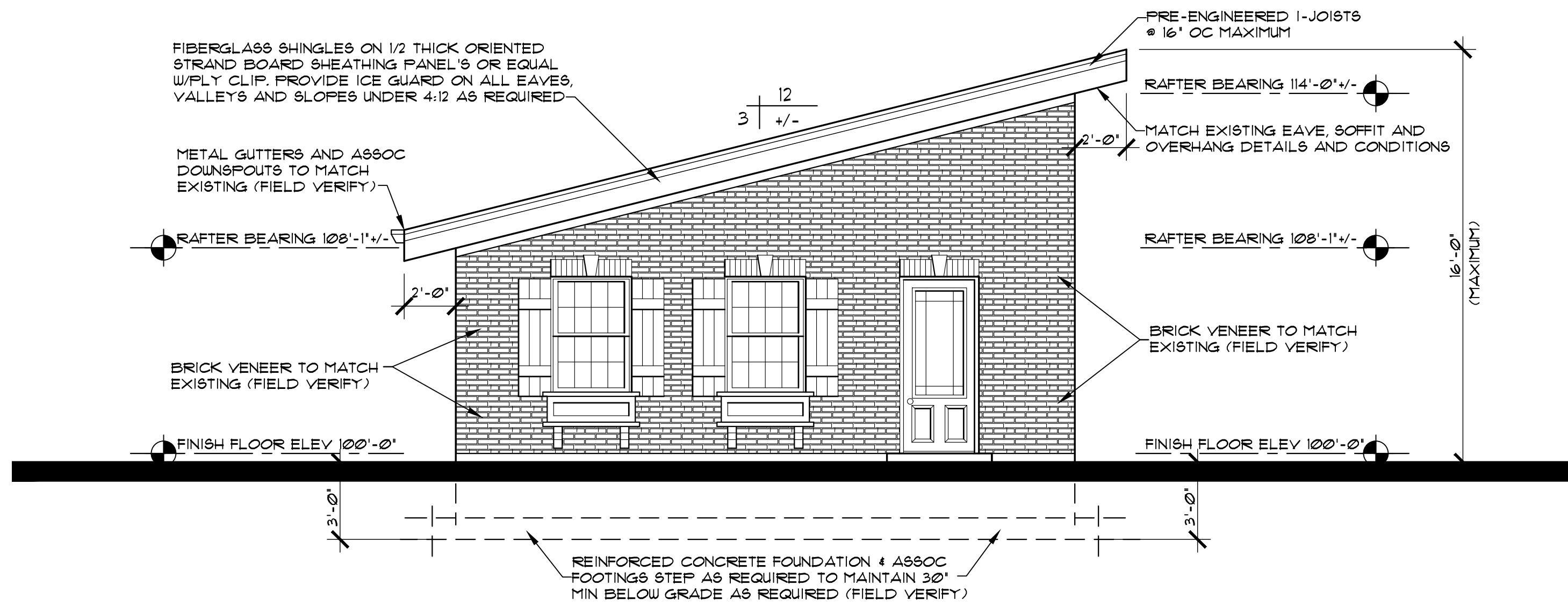
SCALE: 1/4" = 1'-0"



FOUNDATION PLAN

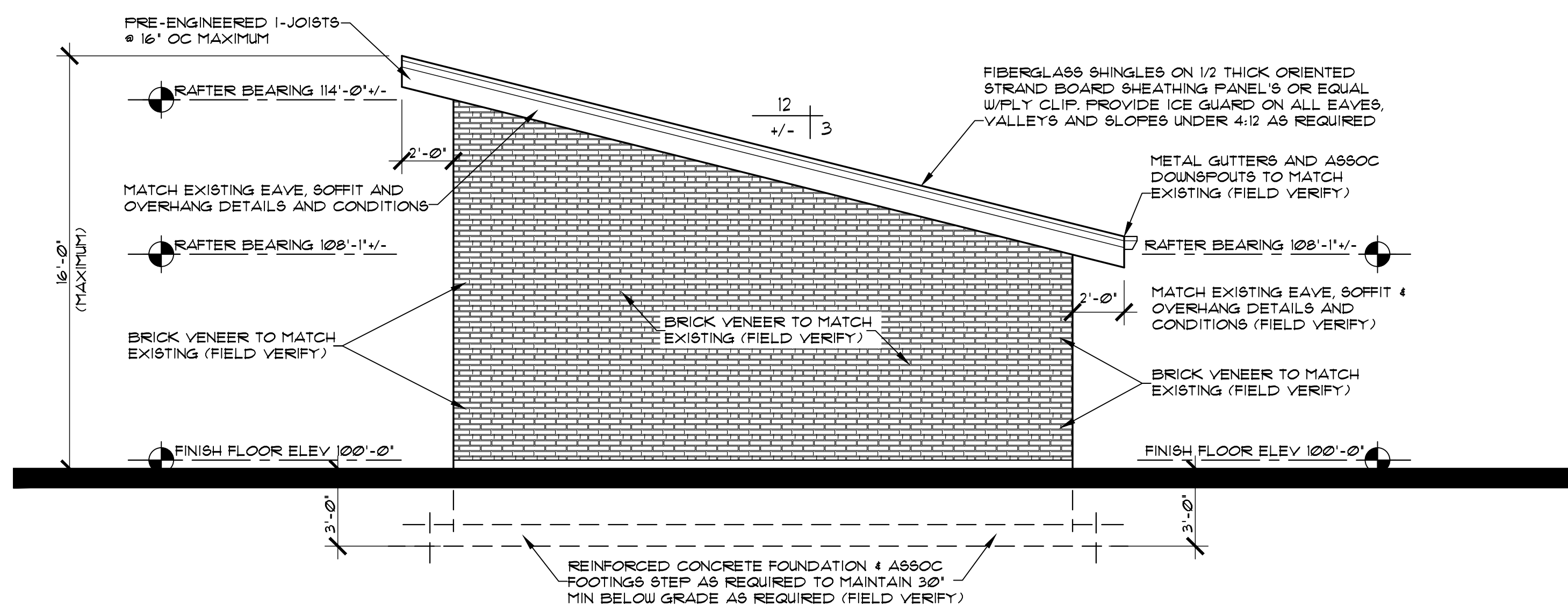
SCALE: 1/4" = 1'-0"





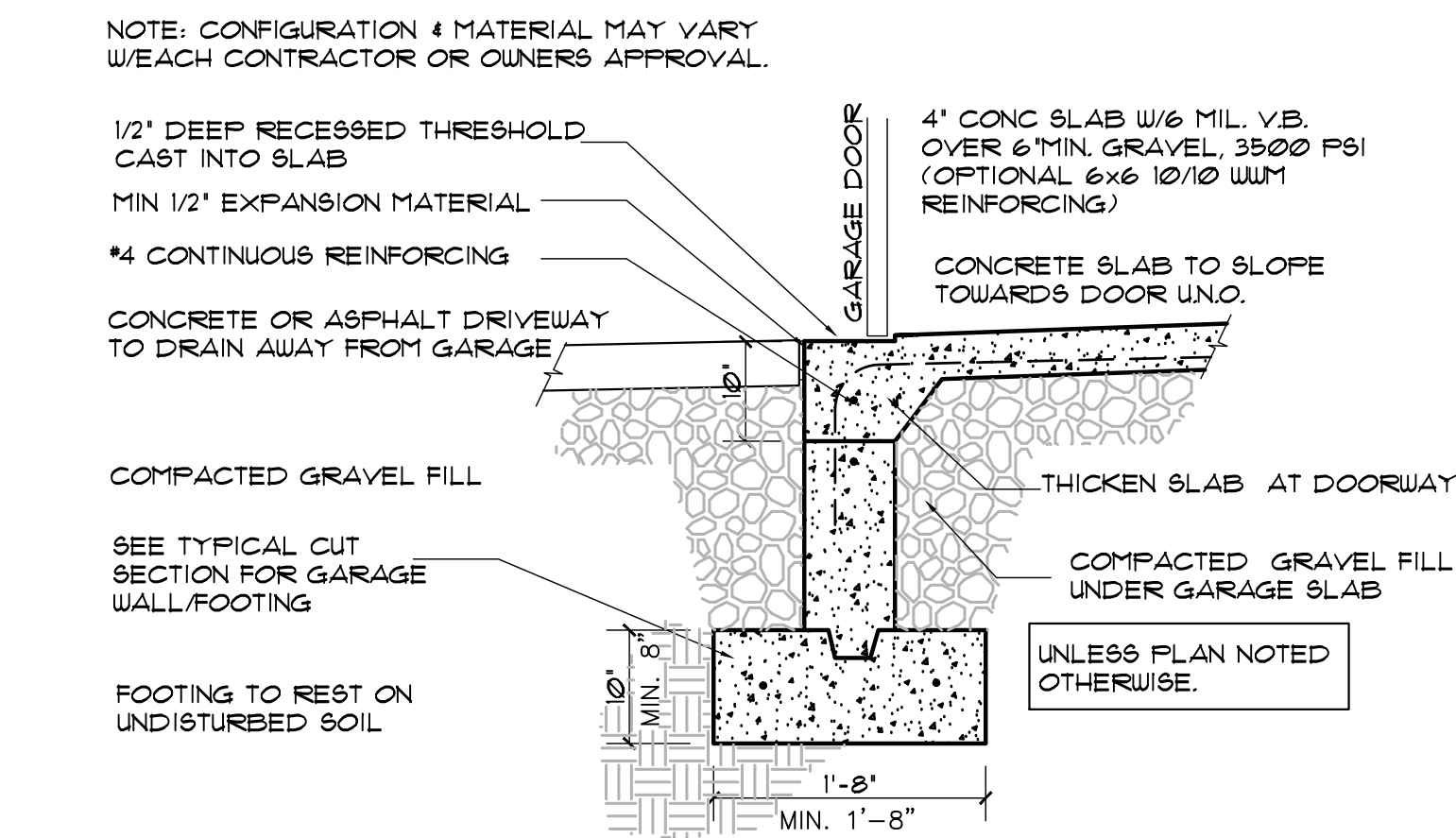
LEFT-SIDE ELEVATION

SCALE: 1/4" = 1'-0"



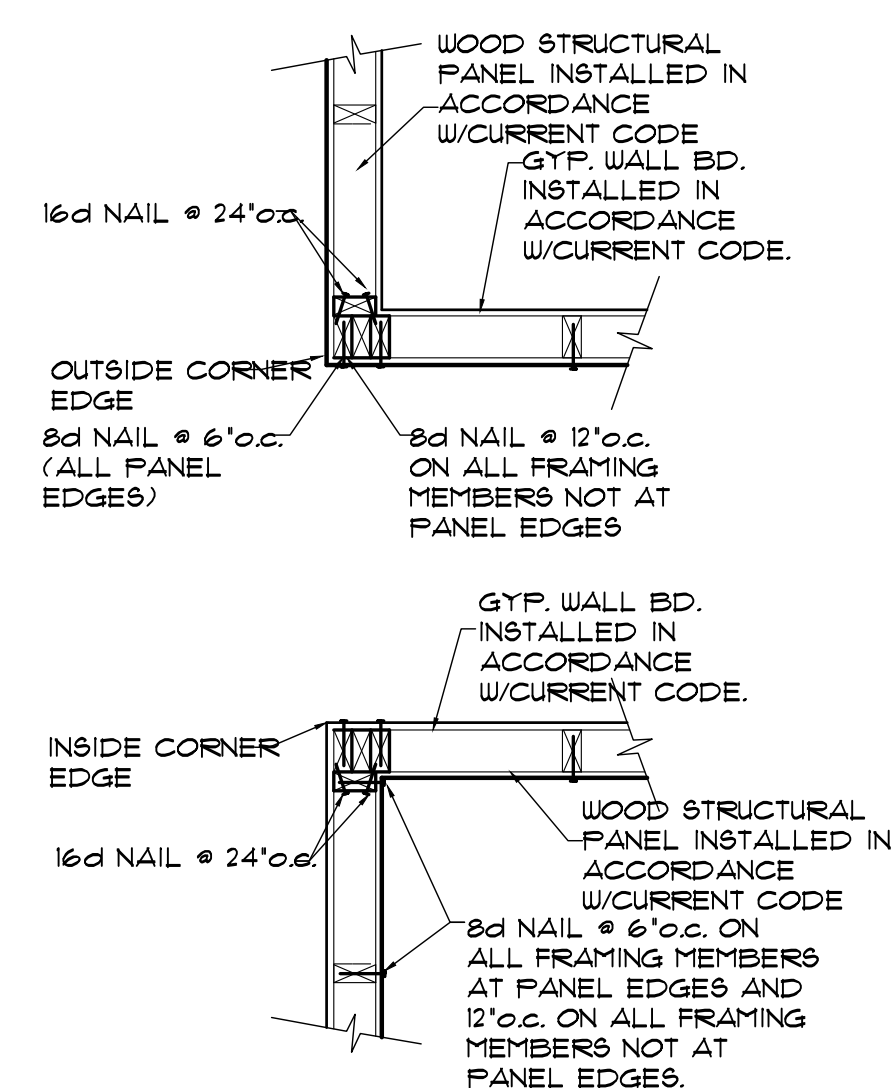
RIGHT-SIDE ELEVATION

SCALE: 1/4" = 1'-0"



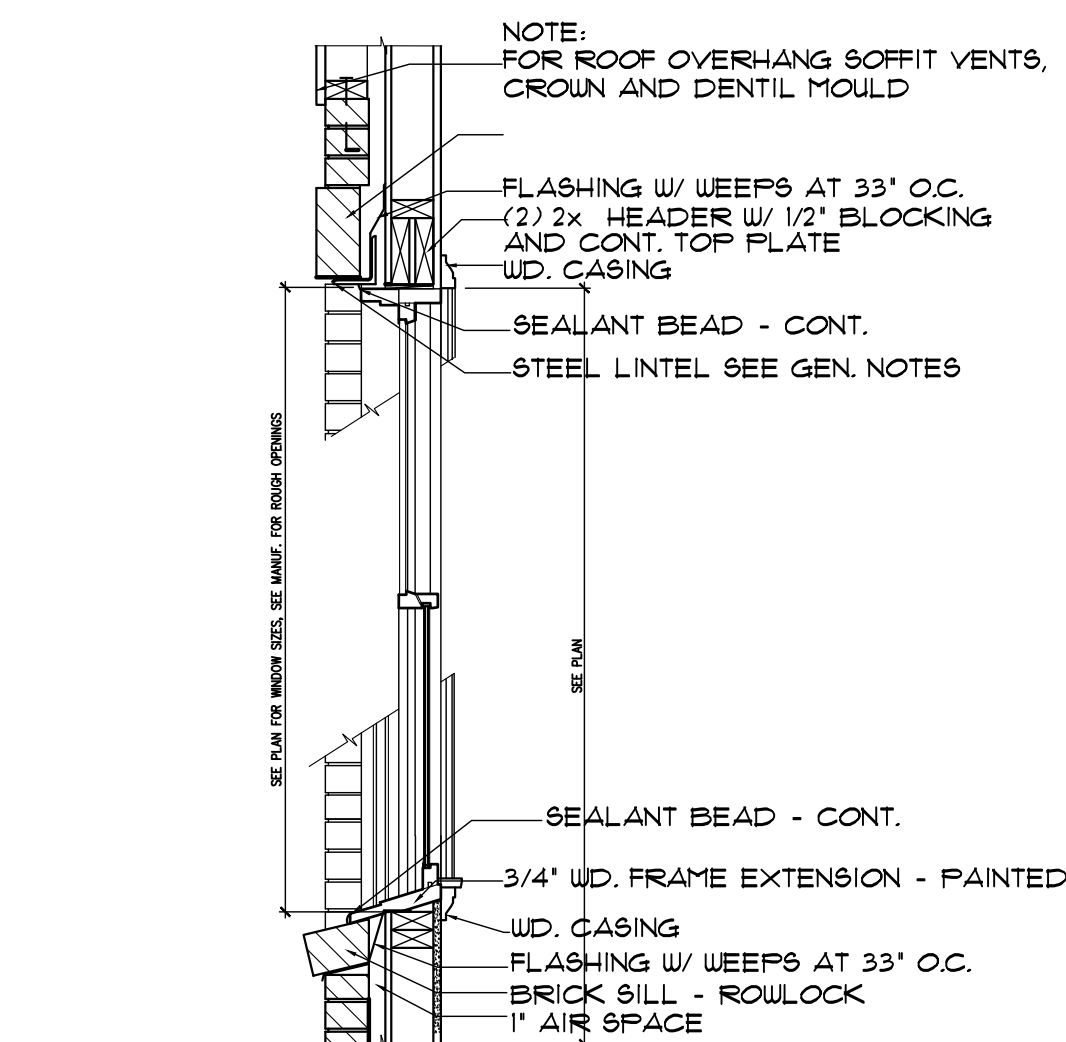
DETAIL

SCALE: 3/4" = 1'-0"



DETAIL

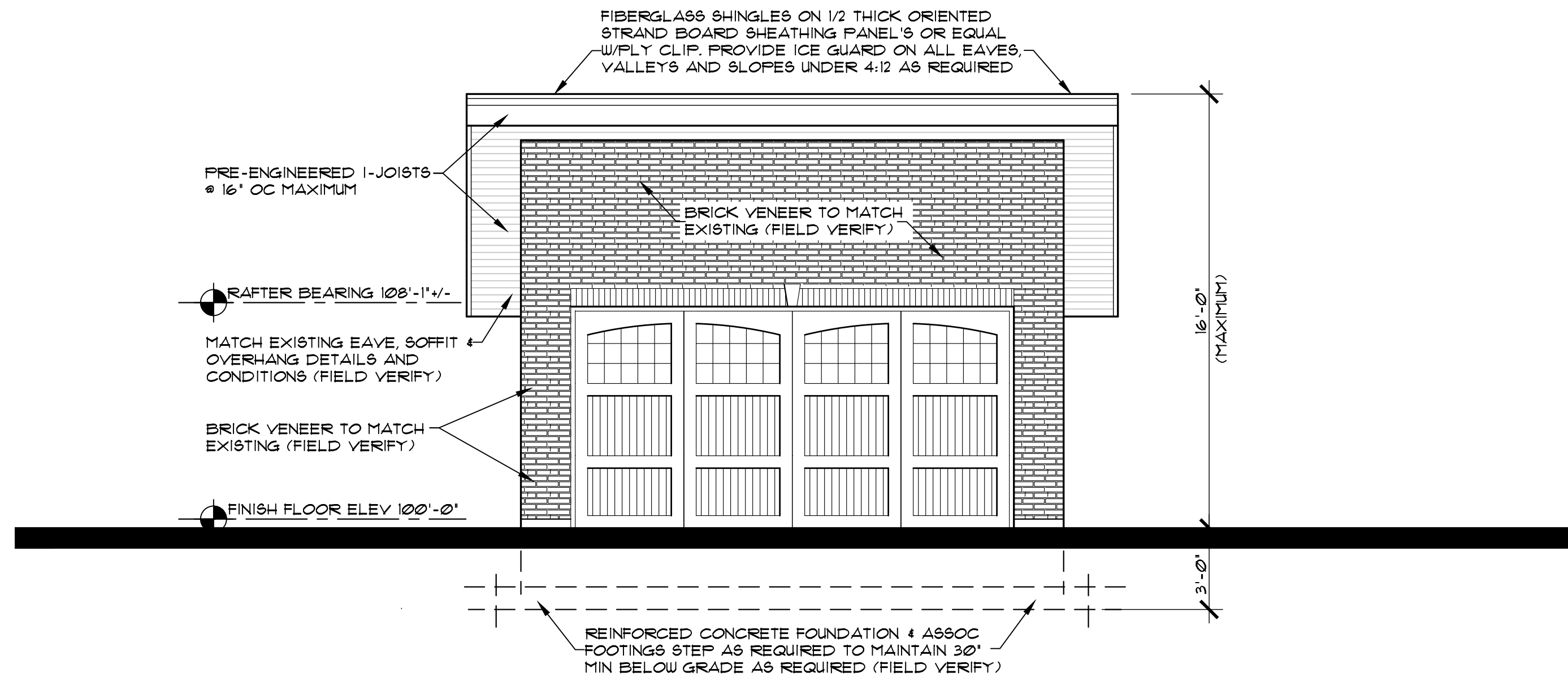
SCALE: 3/4" = 1'-0"



NA

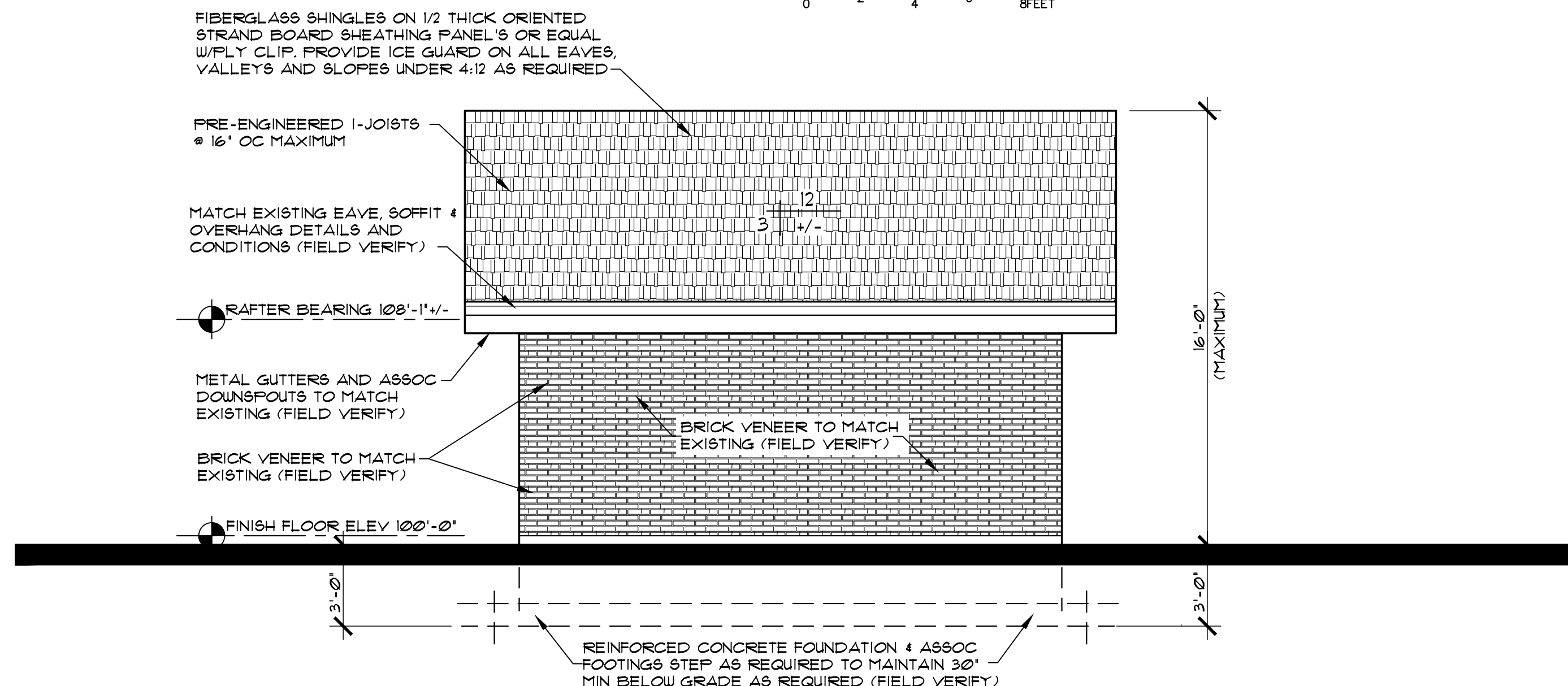
TYPICAL WINDOW INSTALLATION

SCALE: 3/4" = 1'-0"



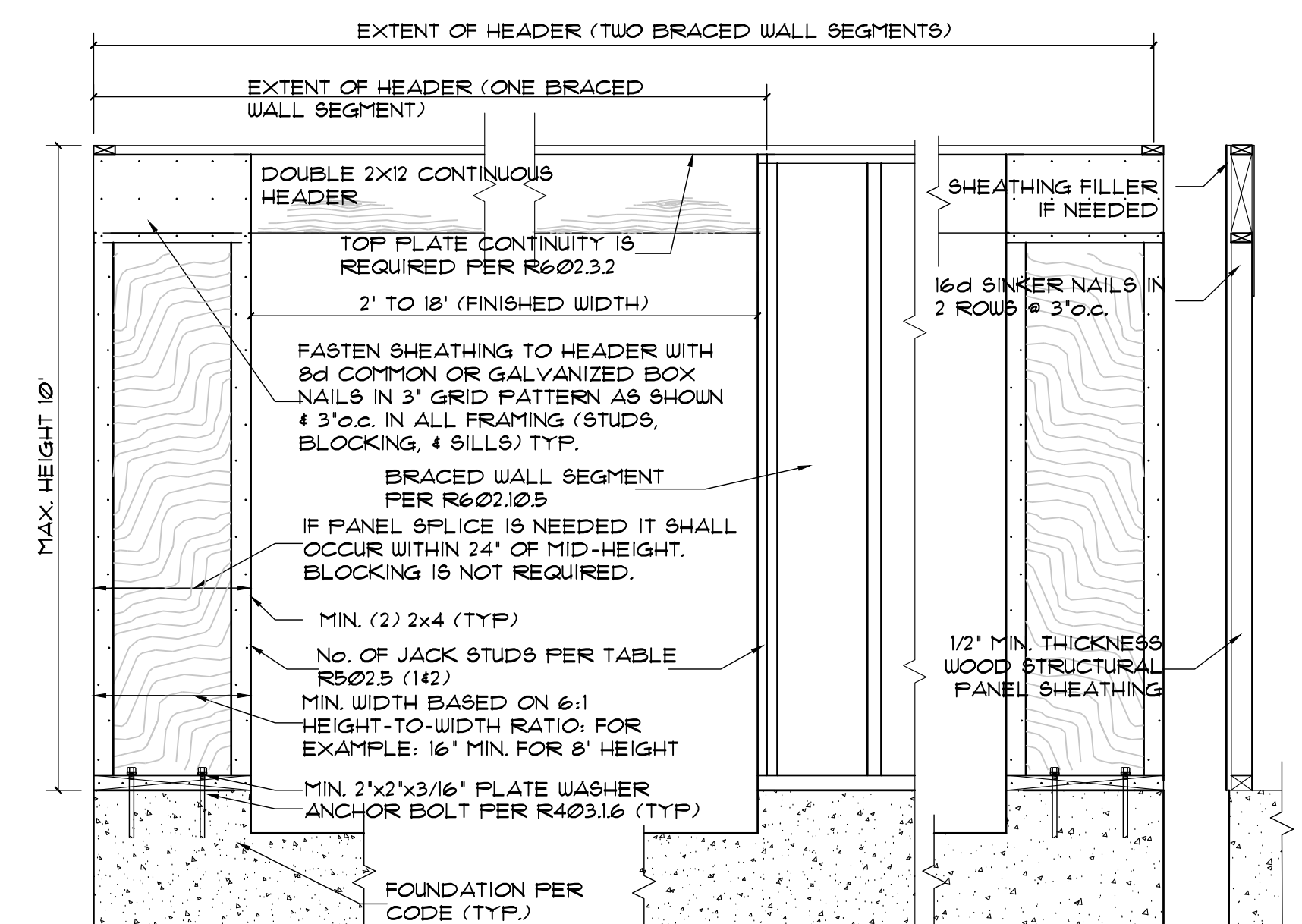
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

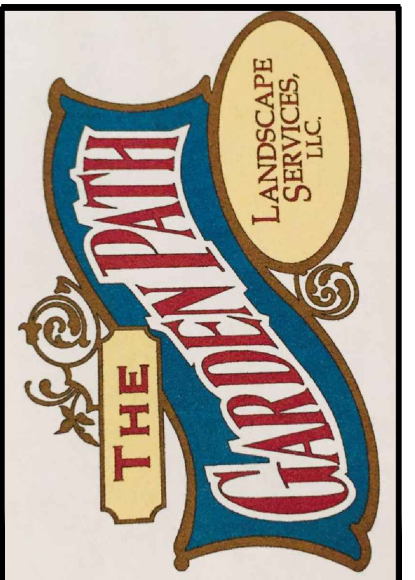
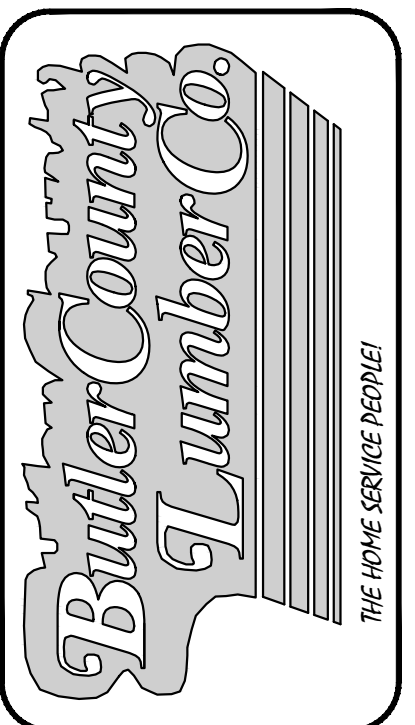
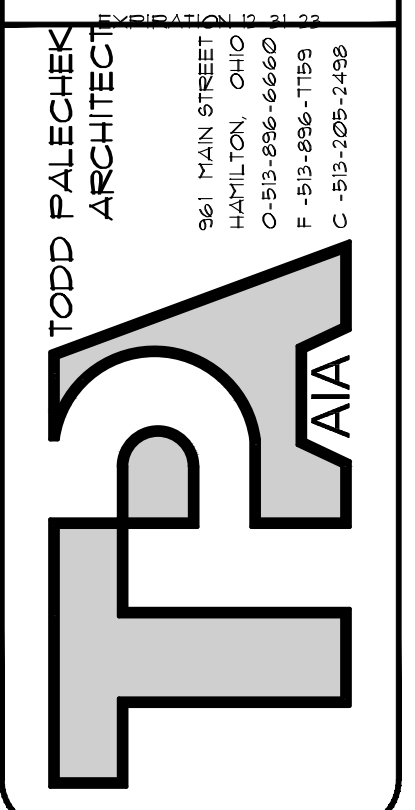
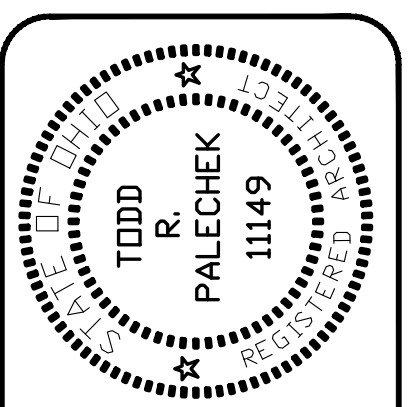
SCALE: 1/4" = 1'-0"



CODE REQUIREMENT: ONLY FOR USE ON HOMES WITH FULLY SHEATHED FLYWOOD OR OSB

SECTION

SCALE: 3/4" = 1'-0"



PROPOSED CARRIAGE HOUSE
FOR EXISTING RESIDENCE:
MR. & MRS. MICAH MAX
8460 SPRINGVALLEY DRIVE
CINCINNATI, OHIO 45236

Revisions:
1.
2.
3.
4.

DATE: 01/31/23
JOB/FILE No.
23-6774-334G

A-2