

AGENDA

August 5, 2024

PLANNING COMMISSION/BOARD OF ZONING APPEALS

7:00 PM

Roll Call

Minutes

Meeting of June 3, 2024

Cases

CASE NO. 2024-148

Jim Demetron, the property owner of 7411 Willowbrook Lane, is seeking two variances from Zoning Code Section 154.12 and one variance from Amberley Code 154.51. The variances, if approved, would allow for the construction of a 1,176 square foot detached garage with an overall height of 23.4 feet. The garage doors will face Willowbrook Lane. The Village Code permits a detached garage area to have a floor area of 800 square feet and measure 16 feet tall without the primary access garage doors facing the street.

New Business

Adjournment

**MINUTES OF THE REGULAR MEETING OF THE
AMBERLEY VILLAGE BOARD OF ZONING APPEALS/PLANNING COMMISSION
MONDAY, JUNE 3, 2024**

Chairperson Richard Bardach called to order a public hearing of the Amberley Village Board of Zoning Appeals/Planning Commission at the Amberley Village Municipal Building in Council Chambers on Monday, June 3, 2024, at 7:00 p.m. Absent from the meeting were Rick Lauer and Village Manager Scot Lahrmer.

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

Roll was taken as follows:

PRESENT:

Rich Bardach
Nimet Jeruzalmi
Craig Cappozzo
Scott Rubenstein

ALSO PRESENT:

Andrew Kaake, Village Solicitor
Chris Fritsch, Zoning Administrator
Tammy Reasoner, Clerk

Chairperson Bardach asked if there were any corrections to the minutes of the May 6, 2024, meeting. There being none, the minutes were accepted as submitted.

CASE NO. 2024-127

Mr. Fritsch introduced the case and background, including the need for a variance. He stated Jennifer Kash, the representative for the Mayerson Jewish Community Center (JCC), is seeking variances to the Village Code Sections 154.12 (A)(4), 154.12 (A)(10), and 154.51 (A)(2). The variances would allow for the construction of a temporary structure (40'Wx120'Lx10'H tent). The tent would be located behind the building on the asphalt pavement along the ballfield bordering the west property line. Staff also proposed a measure to allow the Village manager to approve the temporary tent in the future, similar to the arrangement with French Park.

Marc Fisher, CEO of the JCC, said Mr. Fritsch had well-summarized the JCC's request, and stated the need for the tent was temporary to accommodate programming while interior construction was taking place. He said the tent would not be seen from the street, and would only be used during the day.

Resident Tom Horowitz of 2520 Apple Ridge Lane said that while he was happy with Amberley Village, he felt that the JCC was a noisy neighbor. He said the organization was not there in 1993 when he purchased his home, and while the dumpsters were the noisiest disturbance, camp counselors at the summer camp used bullhorns for the games with the children, which were also loud. He asked if this was the same tent that was in front during the COVID-19 pandemic. He wanted a promise from the JCC that the tent would only be used from 9 a.m. – 3 p.m.

Ms. Kash said the intent on the part of the JCC was only to use the tent from 9 a.m. – 3 p.m.

Mr. Horowitz said he wanted assurance, as there were lots of car alarms, dumpster noise and parties that took place when the tent was in place previously. He said he hoped the intent expressed by the JCC was honorable.

Mr. Frank Niehaus of 2510 Apple Ridge Lane said that the same situation had happened when a tent was permitted at the front of the property and the JCC wished to later make it permanent. He said if the tent is due to construction, then there should be no reason to have it up every year, as this was not part of the original agreement.

Mr. Niehaus said he could understand needing the tent this year if there is construction, and he had no problem with approving it. What he had a problem with was approving it each year with no requirement to meet.

Mr. Fritsch clarified that it had been his suggestion to request the renewal without the need for a meeting, as he wished to simplify the process for approval as had been preceded by the arrangement in French Park.

Mr. Bruce Lazarus of 3140 N. Whitetree Circle said he was an active JCC member who had strongly objected to the previous tent, but supports this one with constraints. He said his concern was that it would be up longer than anticipated, and he doesn't want it allowed every year. He said if the JCC needs additional space, they should build an addition.

Mr. Horowitz requested to know how much time it would take to put the tent up and to take it down. Mr. Fisher said within 24 hours.

Mr. Bardach asked Mr. Fisher if Rumpke had been contacted about the dumpster noise, to which he replied yes. Mr. Bardach then asked if alternative locations for the tent had been researched, to which he said yes. Mr. Fisher cited reasons such as fire code, concerns with children in an unfenced area, and the small size of the JCC courtyard as reasons other locations had been ruled out. He said camp ends on August 19, and is the only reason a tent is needed.

Mr. Rubenstein asked if there are other instances where the Village Manager is permitted to authorize a variance. Mr. Fritsch said French Park was the only other example where this was allowed. Mr. Bardach asked what the process looked like for French Park, and Mr. Fritsch said they still have to apply each year with dates, but restrictions such as size and location remain the same from year to year.

Mr. Rubenstein stated the JCC tent was not supposed to be there every year, and suggested the variance only remain in effect from June 4 – August 19, 2024 from 9 a.m. – 3 p.m. daily. Mr. Cappozzo added the variance should not be recurring.

Mr. Rubenstein moved that the variance be passed with the above stated restrictions. Seconded by Ms. Jeruzalmi, the motion passed unanimously.

NEW BUSINESS

There being no further business, the meeting was adjourned at 7:22 p.m.

Tammy Reasoner, Clerk

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: August 5, 2024 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, August 5, 2024, 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 items:

Jim Demetrion, the property owner of 7411 Willowbrook Lane, is seeking two variances from Zoning Code Section 154.12 and one variance from Amberley Code 154.51. The variances, if approved, would allow for the construction of a 1,176 square foot detached garage with an overall height of 23.4 feet. The garage doors will face Willowbrook Lane. The Village Code permits a detached garage area to have a floor area of 800 square feet and measure 16 feet tall without the primary access garage doors facing the street.

If you are interested in reviewing the applications, you may do so by email request to the Village Clerk at tpreisoner@amberleyvillage.org, or you may attend the Monday, August 5, 2024, Commission/Board of Zoning Appeals public meeting in person. If you have any questions, please feel free to contact Scot Lahrmer at (513) 531-8675.

cc: *Jim Demetrion, 7411 Willowbrook Lane*
Kayla and Dean Connelly, 7400 Willowbrook Lane
Merrie Stillpass, 7370 Willowbrook Lane
Kenneth and Elizabeth Kuresman, 7350 Willowbrook Lane
Matthew and Itta White, 7303 Willowbrook Lane
Lynne Heyman, 7280 Meadowbrook Drive
Charles and Mazal Rosenblatt, 2508 Oakridge Drive



7149 Ridge Road
Amberley Village, OH 45237

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

amberleyvillage.org

Amberley Village Planning Commission Staff Report

August 5, 2024

Subject:

7411 Willowbrook Lane

Variance:

Square footage and height restrictions for an accessory structure, with doors facing the street.

Item: Case#2024-148

Variance Request: Jim Demetron, the property owner of 7411 Willowbrook Lane, is seeking two variances from Zoning Code Section 154.12 and one variance from Amberley Code 154.51. The variances, if approved, would allow for the construction of a 1,176 square foot detached garage with an overall height of 23.4 feet. The garage doors will face Willowbrook Lane. The Village Code permits a detached garage area to have a floor area of 800 square feet and measure 16 feet tall without the primary access garage doors facing 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.
- (2) No accessory structure shall be erected in any side yard within a distance from the near side lot line less than the least width of the side yard required for the principal building.
- (3) Accessory structures may be built in a rear yard not nearer to a rear or side lot than the side yard requirement for the principal structure.
- (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. A detached garage shall not cover more than 800 square feet, or more than 50% of the floor area of the principal structure, whichever is less. A detached garage is an enclosed accessory structure used for storage, including but not limited to the parking or storage of vehicles, that is not connected to the principal structure by means of an above ground structure, material, or equipment. No combination of accessory structures, whether enclosed or open to the sky, shall have an aggregate floor area greater than 50% of the principal structure, or greater than 50% of the required rear yard, whichever is less.
- (5) On a corner lot, no accessory building shall project beyond the front yard line on either street.
- (6) No accessory building shall be constructed on a lot until construction of 50% or more of the principal building has been completed.
- (7) The principal access of an accessory structure, such as primary access doors to a shed or garage, may not face a street.
- (8) No accessory structure shall be located in a public right-of-way or utility easement.

(9) Accessory structures cannot be used as a dwelling, and may not be used as part of a home business or home occupation. Accessory structures may only be used in a manner consistent with, and incidental and subordinate to, the principal use on the property.

(10) Accessory structures with roofs or walls that are not rigid or durable, such as tents, canopies, and structures covered or clad in collapsible or other similar material such as fabric, nylon, plastic, or tarps, including but not limited to temporary utility or storage structures, portable carports, and shelters, may not be maintained for more than seven consecutive days or more than a total of 30 days in a calendar year.

(11) Accessory structures shall meet all other requirements set forth in this code.

(69 Code, § 151.12) (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. 2018-13, passed 2-11-19) Penalty, see § 154.99 §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:

Mr. Demetron, the owner of the property located at 7411 Willowbrook Lane, which spans 1.3 acres and is zoned as residence A, is proposing the construction of a detached 3-car garage in his backyard. The planned garage would occupy 1,176 square feet, have a height of 23.4 feet, and be positioned 30 feet away from the northern property line, with its primary entrance facing east towards the street.

The Village Code 154.12 (A)(4) states that no detached garage can exceed 800 square feet in size, while Code 154.12 (A)(7) specifies that the main access doors cannot face the street. Additionally, the requested variance under Village Code 154.51 (A)(2) concerns the garage's height, which is limited to 16 feet.

In his communication to the Board, Mr. Demetron explains that the proposed garage is necessary to accommodate large sport utility vehicles and household items that cannot fit in the existing attached garage designed for smaller vehicles. He also mentions a heating and air

conditioning issue in the home, for which ductwork was installed in the current garage, further reducing available storage space.

Mr. Demetrion emphasizes that the garage's design will complement the house in terms of appearance, materials, and overall ambiance.

Village Code Section 154.12 permits a detached garage to have a floor area of 800 square feet and does not allow garage doors to face the street. Please note that this section was created with the intention of allowing detached garages, and giving the ZBA/Planning Commission the authority to review site plans and impose conditions on any structures greater than 800 square feet or 16 feet tall.

Therefore, Mr. Demetrion is requesting variances from the Village Zoning Code.

Project Recommendations: This project should be considered on its merits.

To Amberley Village Zoning Board,

Thank for taking the time to evaluate my application for adding a 3 Door detached garage to my property.

Since the acquisition of my house, the current 2 door garage size and its condition, were not adequate to garage our cars. Also, and since our current shed size, is not sufficient for storage, we utilized the garage as our storage.

The situation was acceptable when my wife and I were living alone. With my wife's departure, and my daughter and her husband, along with my granddaughter moved in, the need for a decent garage and adequate storage facility, became dire. In addition, the bedroom above the existing garage had difficulty receiving sufficient heat/cooling flow, and it was necessary to add new ducting system directly from the 2nd Furnace located in the garage area. This modification, while it's necessary, voided the declaration of this space as a garage, as per the code.

Due to above stated facts, the need for 3 Door garage deemed necessary. However, due to the house size limitation, this 3 Door garage must be detached with ample space to garage current standard SUVs. The average 3 Door garage size width is between 32 to 38 feet and depth between 24 to 30 feet. However, and since this garage will have 2nd level for storage, it will require the addition of stairs to access the 2nd level. This will bring the average size **needed in access of 800 square feet. (Size Variance)**

With the removal of the existing shed, we will need additional outside space for storage. Which justifies the need for 2nd floor space above the garage for storage purposes. However, and for curb appeal, we have decided to replicate our front house existing Gable Dormers design, to the front of this proposed garage design. Due to the above, the height requirement **was in access of the 16 feet required. (Height Variance)**

The proposed garage will be facing the Willowbrook Ln Street mainly due to the lot space available for the plan. Facing south or Oakridge Drive, will not work due to the existing large Oak

tree. While, facing North (The Former Miller's property), will require at least an additional 20 feet for new driveway construction, and very likely to cross neighboring property line. This will add more hardship due to excavation, trees removal and new driveway construction. For the purposes of best **fit and function**, building the garage facing Willowbrook lane is the only choice available. **(Facing Street Variance)**

I am also including, PowerPoint presentation slides, showcasing 3D image of this proposed garage imposed on real images of 7411 Willowbrook property, from different neighbors view angles. All material construction, roofing, siding, windows and garage doors information are also included in the presentation.

Thank you again for your understanding and hope to obtain your unconditional approval.

Best regards,

Jim J. Demetrion

7411 Willowbrook Lane

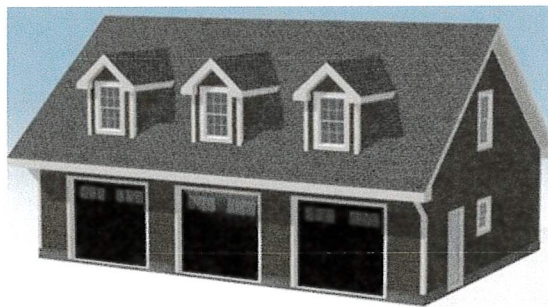
Cincinnati, Oh 45237

3 Door Detached Garage Zoning Project

Jim J. Demetrion

74 11 Willowbrook Lane
Cincinnati, OH 45237

6/2/2024



7411 Willowbrook Lane. 3 Door detached Garage zoning application

1

Zoning Approval / Zoning Variance / Property Zoning Change

Amberley Village
Mr. Scott F. Lehmer
Village Manager
7149 Ridge Road
Cincinnati, OH 45237

Date: 5/30/3024

You may email documents to the attention of office@amberleyvillage.org

RE: Zoning Project Approval

- Zoning Approval
- Zoning Variance
- Property Zoning Change
- Other

Dear Mr. Lehmer:

I hereby request approval for:

See attached document that includes
project description for 3-door
detached garage.

The proposed project is at the following address:

7411 Willowbrook Ln Cincinnati, OH 45237

I certify the attached plot and measurements are accurate.

Sincerely,

Jim J. Demetrien

Homeowner's Printed Name

[Signature]

Homeowner's Signature

manouh.bayh@me.com

Homeowner's Email Address

513-404-3550

Homeowner's Phone Number

Javier Gutierrez

J + Son Contracting LLC

Contractor's Name

5709 Jeffrey Pl Fairfield, OH

Contractor's Address

45014

gutierrezj1402@gmail.com

Contractor's Email Address

510-984-5243

Contractor's Phone Number

7411 Willowbrook Ln Cincinnati, OH 45237

Project Description:

Removing current Shedd and adding 3 door garage in its place.

This will be a TRADITIONAL STYLE THREE CAR 28 FT. X 42 FT. GARAGE WITH REAR SHED DORMER AND FRONT GABLE END DORMERS. THE FIRST FLOOR IS 1,176 SF TOTAL WITH A STAIR TO THE SECOND FLOOR (APPROX. 950 SF). THE GARAGE HAS THREE 9 FT WIDE X 8 FT TALL O.H. DOORS. THIS GARAGE IS DESIGNED WITH A CONCRETE FOUNDATION AND SLAB FLOOR, 2 X 6 WALLS, 2 X 10 SECOND FLOOR JOIST SUPPORTED WITH A BUILT-UP WOOD BEAM OR A STEEL BEAM (PLANS INCLUDE INFORMATION TO BUILD EITHER WAY) AND 2 X 10 ROOF RAFTERS @ 10/12 PITCH. THE HEIGHT FROM THE FLOOR TO THE TOP OF RIDGE IS 23'-4".

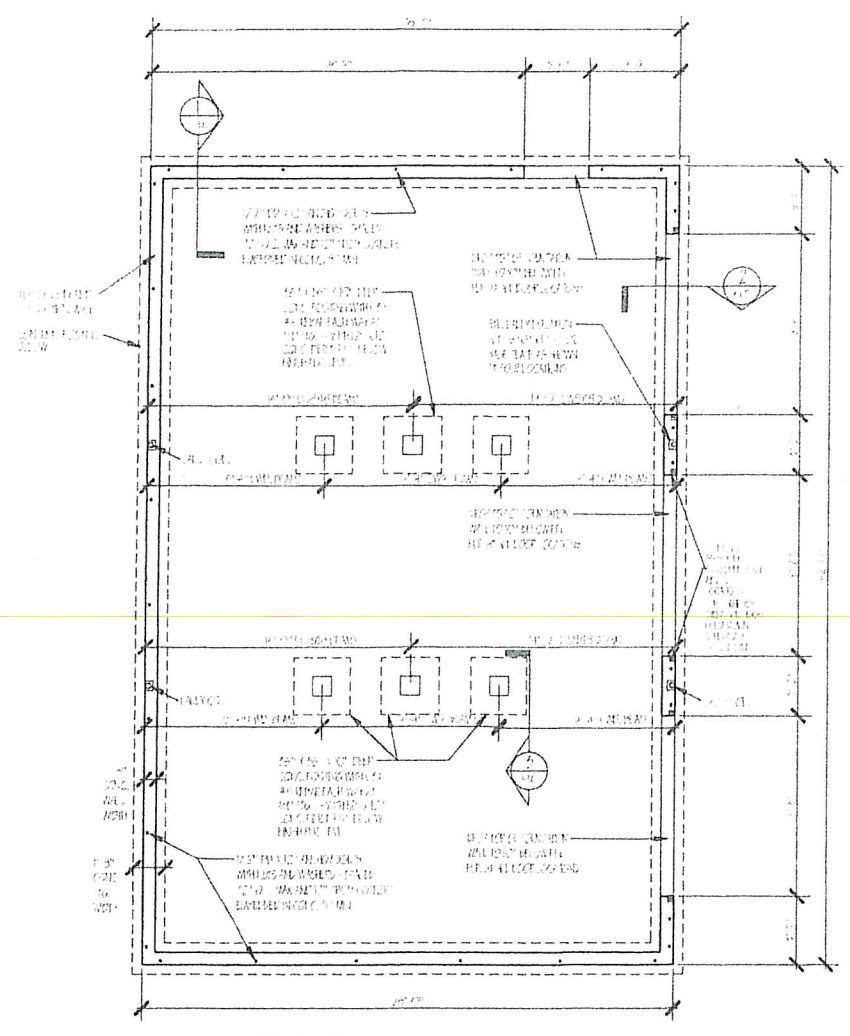
Variance 1- Doors Facing Willowbrook Ln Street

Variance 2- Size Variance 28X42= 1,176 square feet

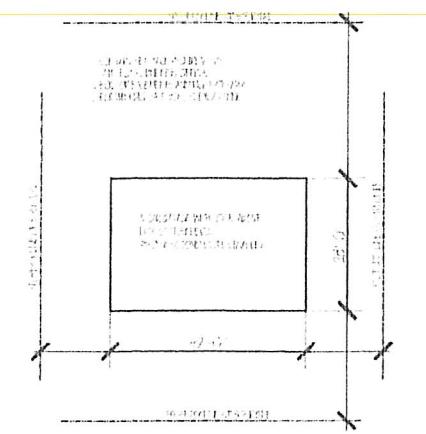
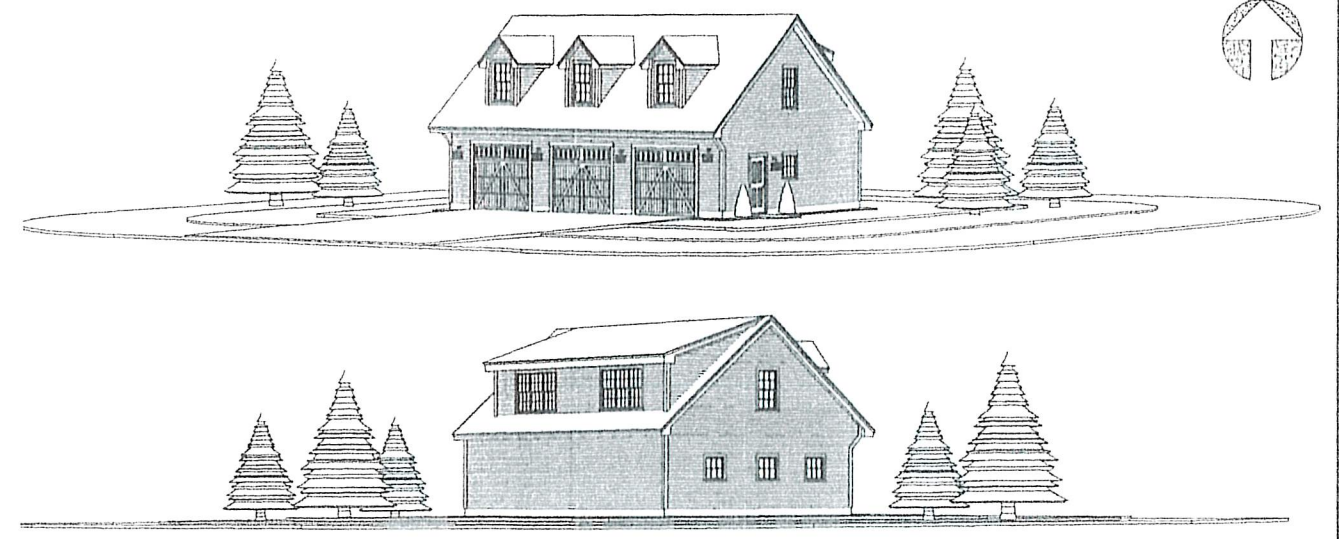
Variance 3- Height to top Roof Ridge= 23'-4"

application

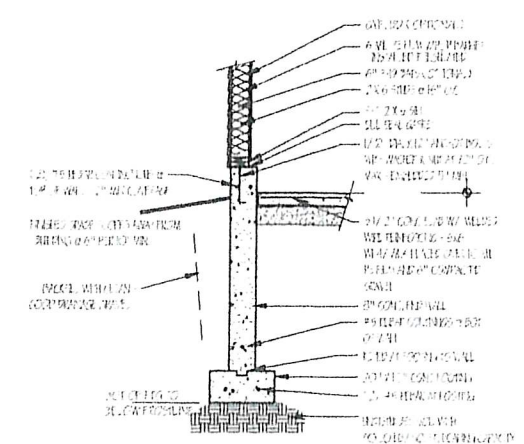
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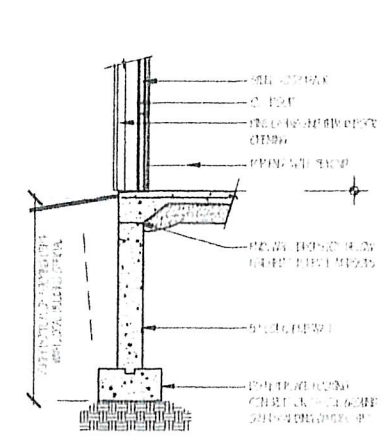
FOUNDATION PLAN
SCALE 1/4" = 1'-0"



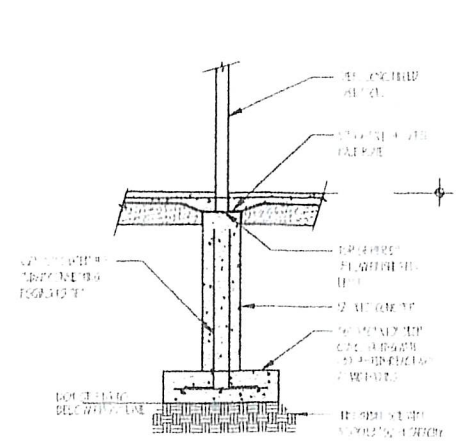
GENERAL REFERENCE SITE PLAN
SCALE 1/2" = 1'-0"



1 FOUNDATION WALL DETAIL
SCALE 1/2" = 1'-0"



2 FOUNDATION WALL @ DOOR
SCALE 1/2" = 1'-0"



3 STEEL COLUMN / PIER DETAIL
SCALE 1/2" = 1'-0"

SECTION 1: FOUNDATION WALL DETAIL
SECTION 2: FOUNDATION WALL @ DOOR
SECTION 3: STEEL COLUMN / PIER DETAIL

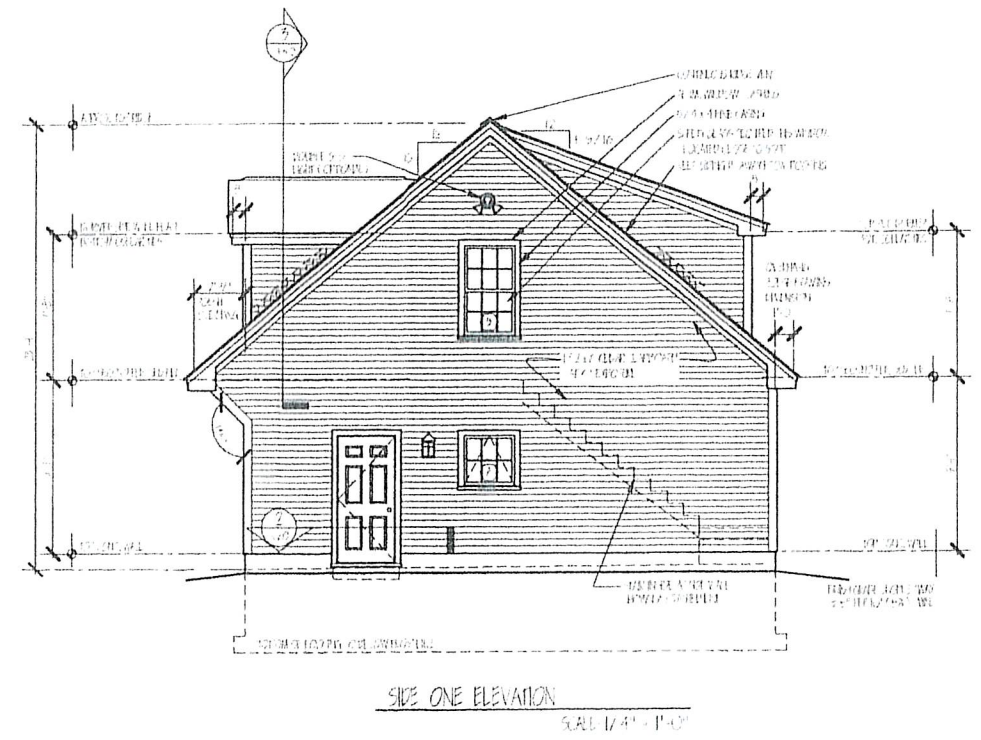
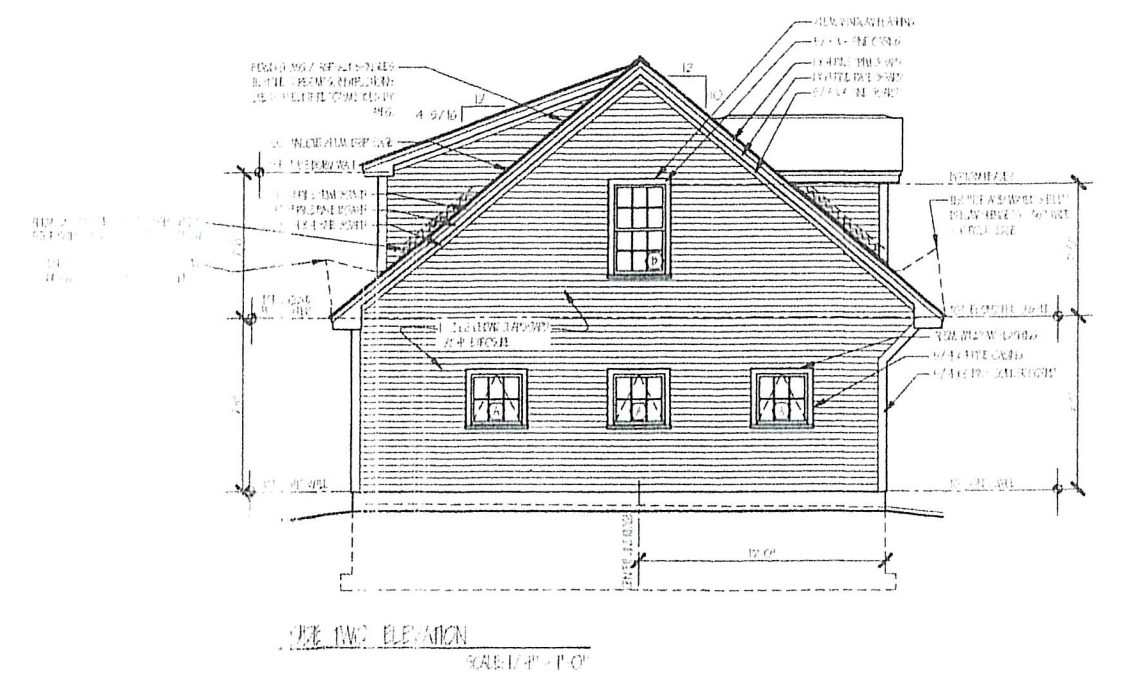
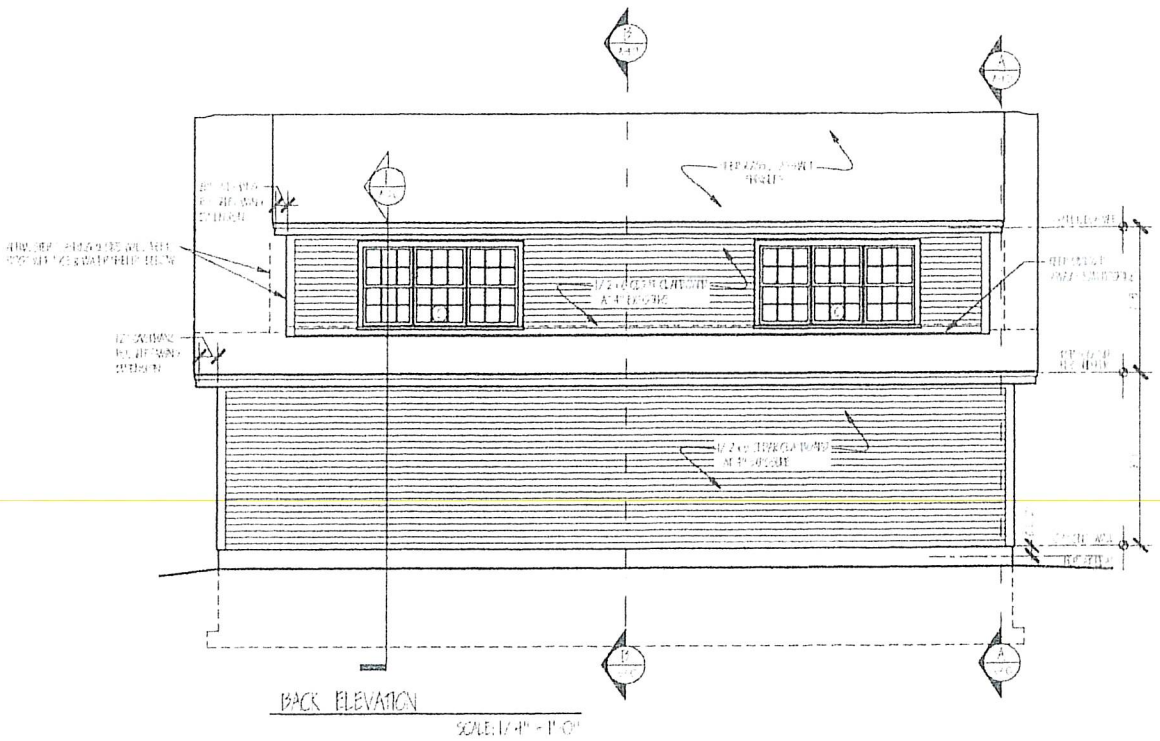
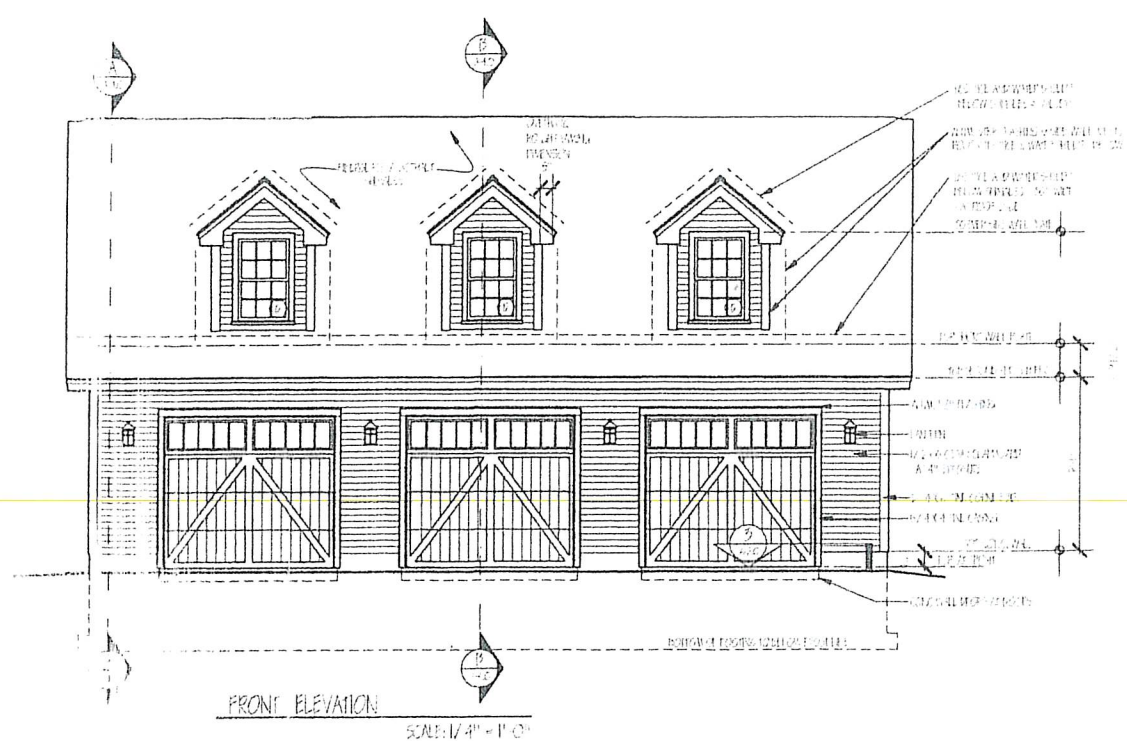
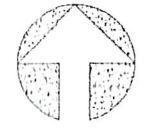
GENERAL NOTES:
1. ALL FOUNDATION WALLS SHALL BE CONCRETE WITH REINFORCING BARS (REBAR) AS SHOWN ON THE PLAN.
2. THE FOUNDATION SHALL BE SET ON A GRADE OF 0'-0" UNLESS OTHERWISE NOTED.
3. ALL FOUNDATION WALLS SHALL BE FINISHED WITH A 2" THICK POLYURETHANE INSULATION BOARD.
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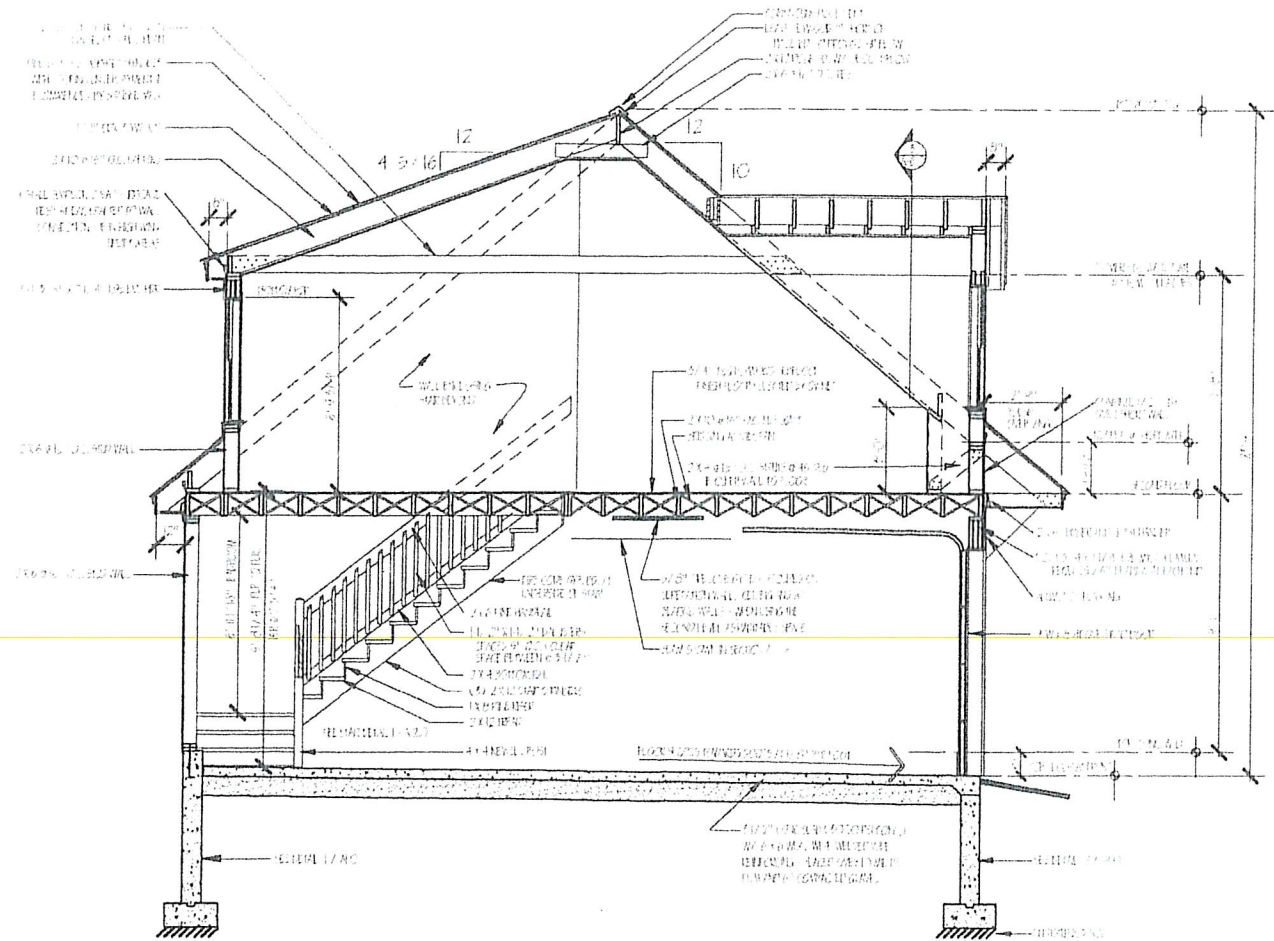
PROJECT: 3 CAR ADDITIONAL GARAGE FRONT & REAR DORMER
PLANS BY: PLANSBUILT CORPORATION

FOUNDATION PLAN
REFERENCE SITE PLAN
DETAILS AND NOTES

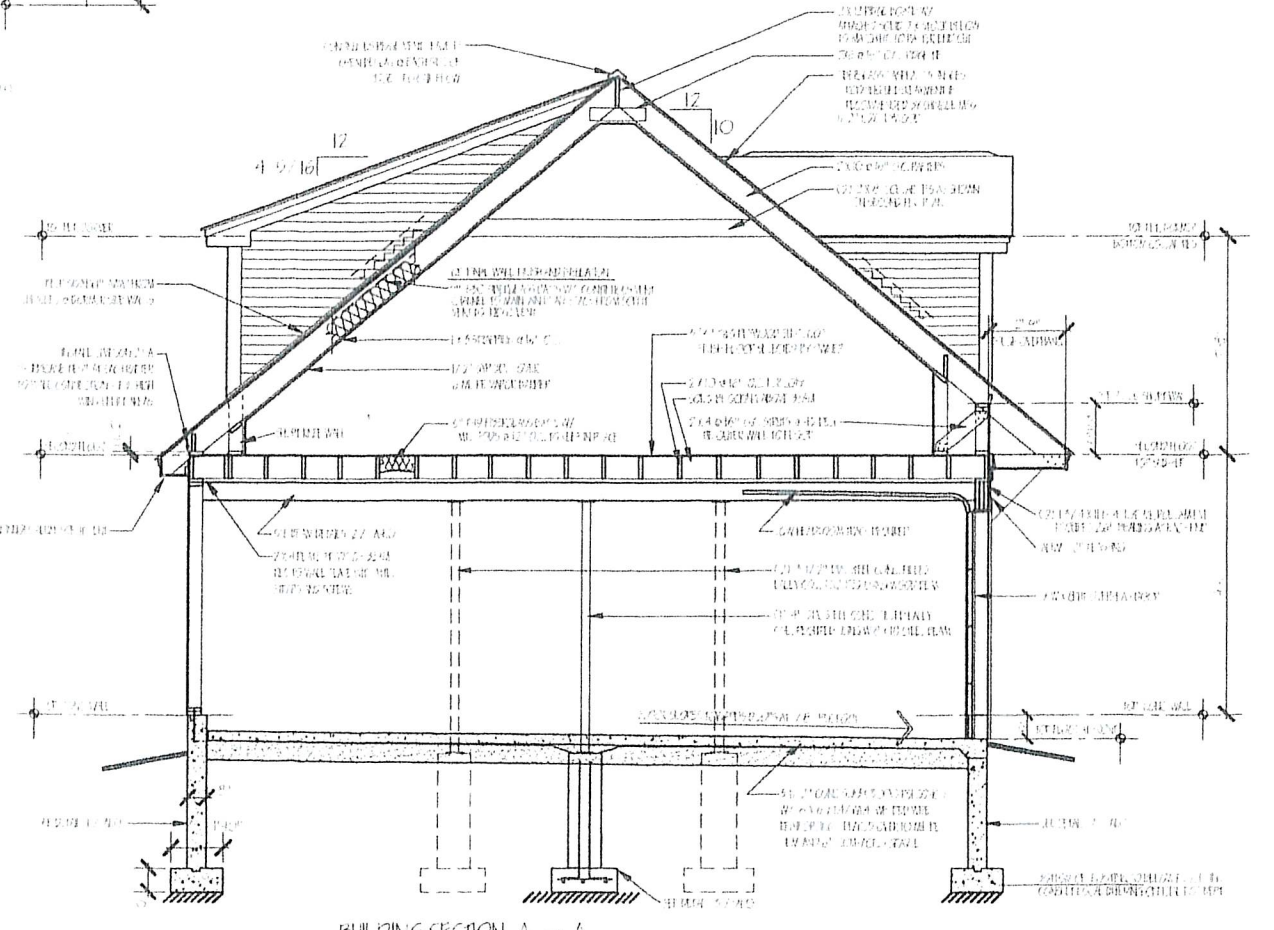
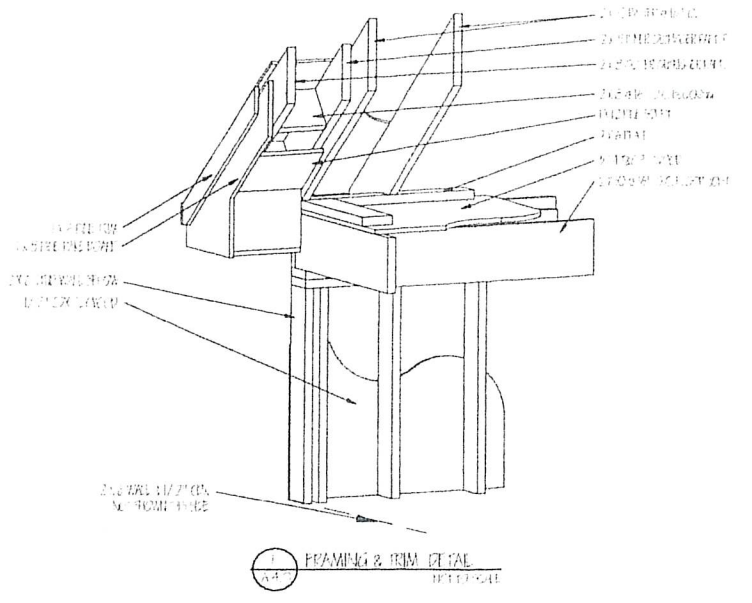
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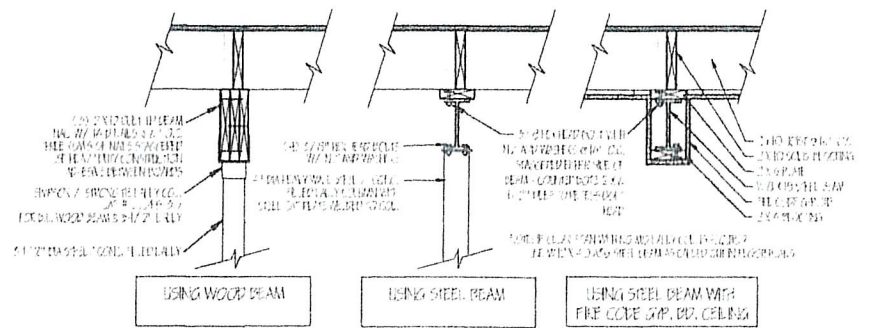
PROJECT: 3 CAR TRADITIONAL GARAGE FRONT & REAR DORMER PLANS BY: PLANSBUILD 1234567890	
DESIGN # 5008-004	
DATE: 7/12/24	
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BUILDING SECTION B -- B
SCALE: 3/8" = 1'-0"

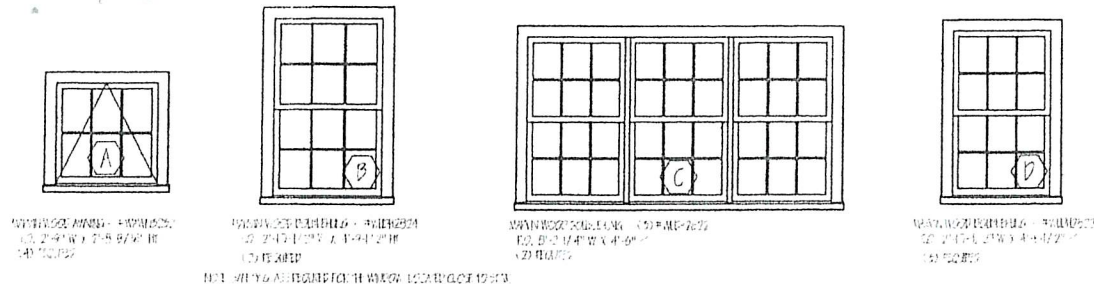


BUILDING SECTION A -- A
SCALE: 3/8" = 1'-0"

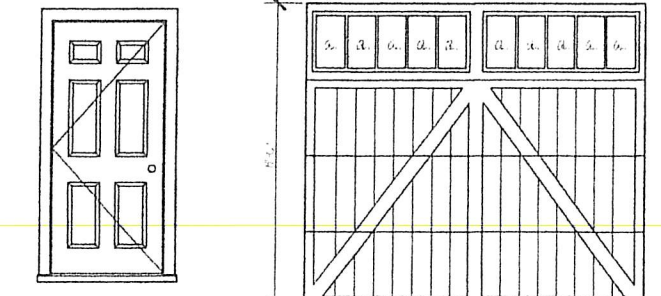


2 BEAM DETAILS
SCALE: 1" = 1'-0"

PROJECT: 3 CAR TRADITIONAL GARAGE FRONT & REAR JOINER	PLANS BY: PLANSBUILD
DATE: 2/2/24	SCALE: AS NOTED
DESIGN #: S608-004	SCALE: AS NOTED
DATE: 2/2/24	SCALE: AS NOTED
A 4.0	

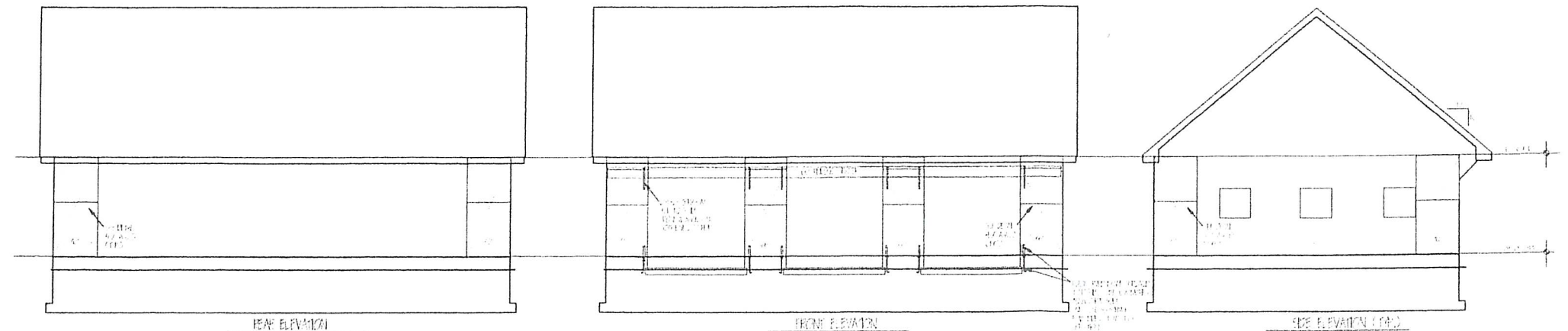
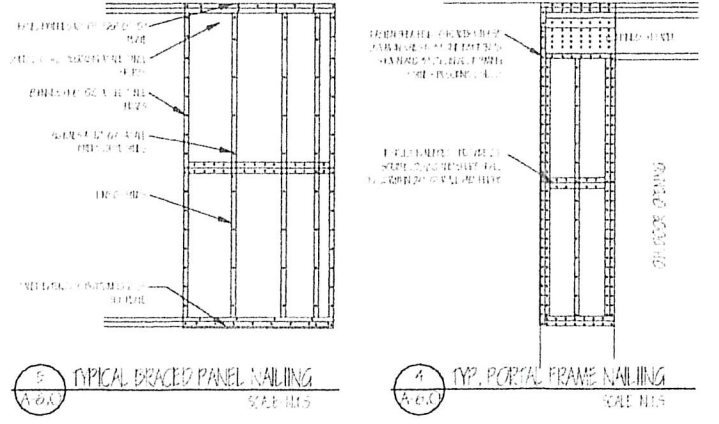
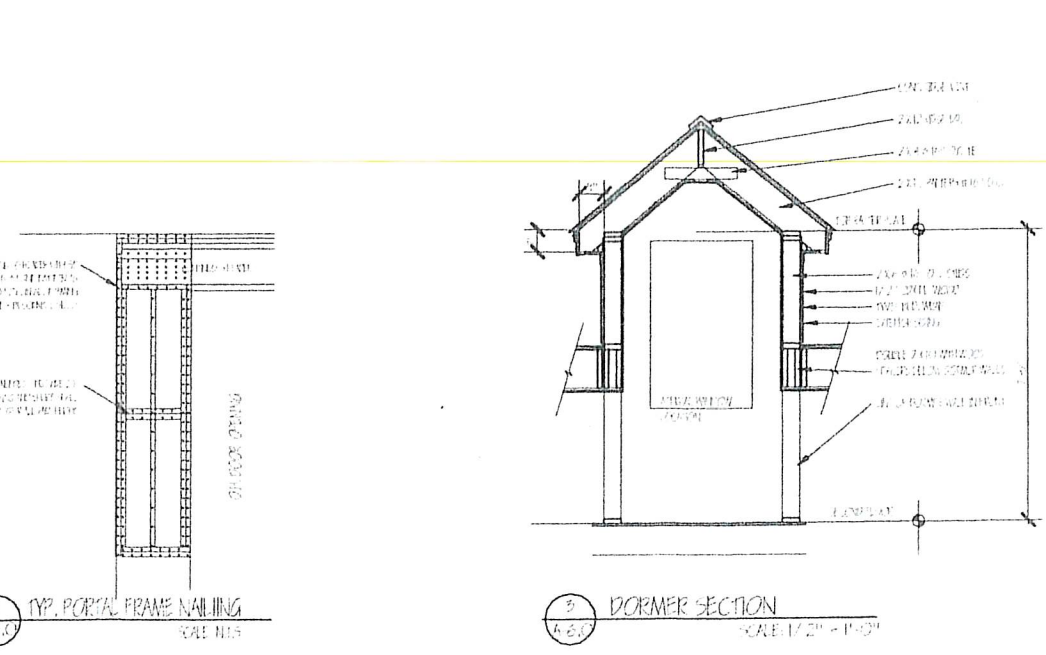
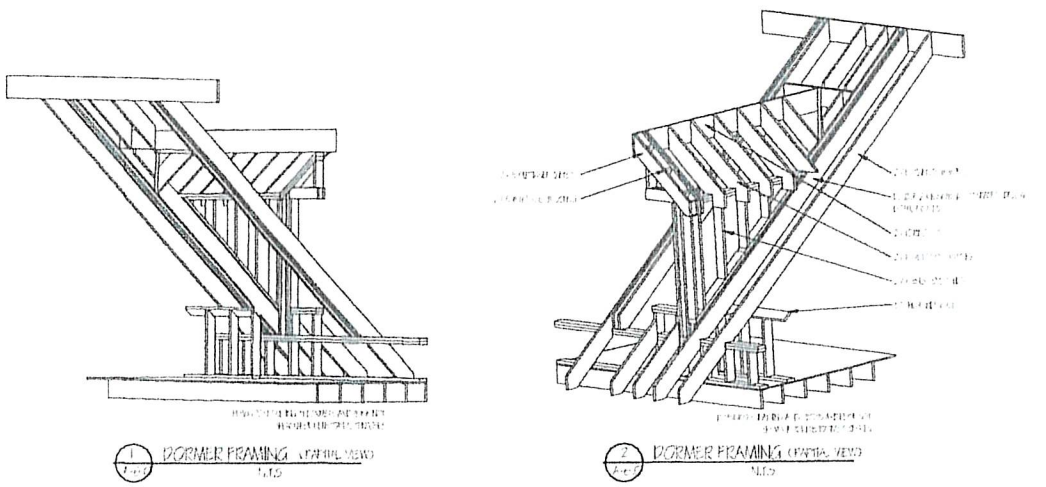


WINDOW BRACING SHALL BE PROVIDED FOR ALL WINDOWS. BRACING SHALL BE PROVIDED FOR ALL WINDOWS WITH GLASS PANELS. BRACING SHALL BE PROVIDED FOR ALL WINDOWS WITH GLASS PANELS. BRACING SHALL BE PROVIDED FOR ALL WINDOWS WITH GLASS PANELS.



DOOR BRACING SHALL BE PROVIDED FOR ALL DOORS. BRACING SHALL BE PROVIDED FOR ALL DOORS WITH GLASS PANELS. BRACING SHALL BE PROVIDED FOR ALL DOORS WITH GLASS PANELS. BRACING SHALL BE PROVIDED FOR ALL DOORS WITH GLASS PANELS.

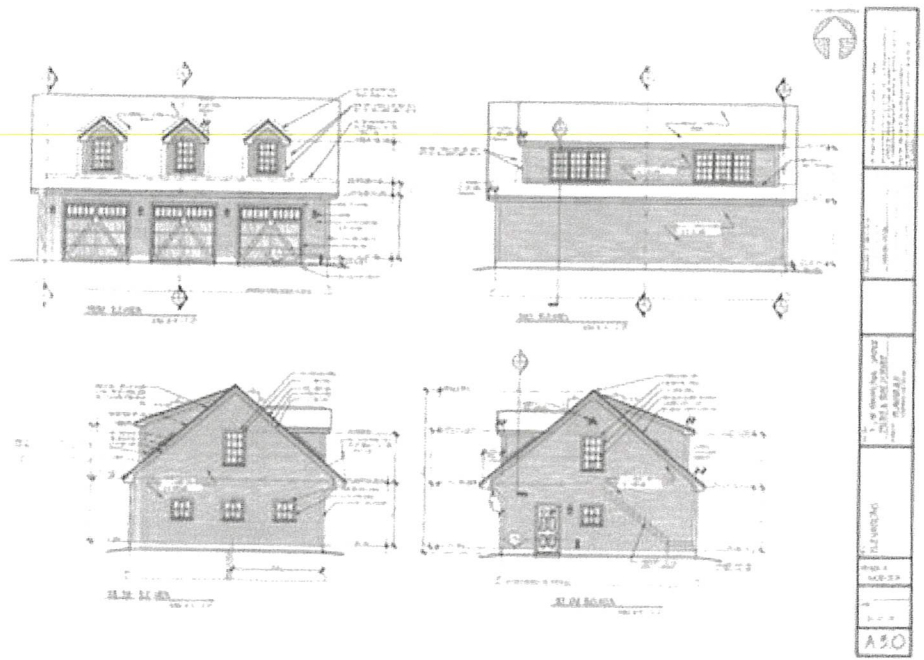
DOORS AND WINDOWS SCALE 1/2" = 1'-0"



WALL BRACING DIAGRAMS SCALE N.T.S. USING "FULLY SHEATHED" EXTERIOR WALLS & NO GWS INSTALLED ON ALL INTERIOR WALLS DESIGN PER IRC & APA GUIDELINES

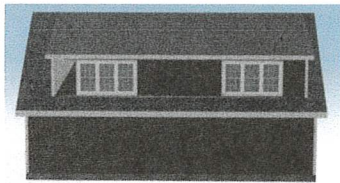
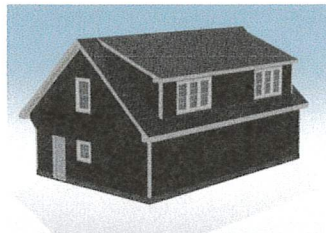
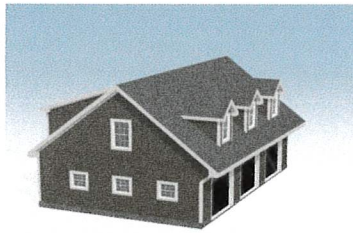
PROJECT: 3 CAR TRADITIONAL GARAGE FRONT & REAR DORMER PLANSET
 CLIENT: PLANSBUILT
 DATE: 12/17/21
 DESIGN # 5008-004
 SCALE AS NOTED
 SHEET: A6.0

3-door garage_2024-05-30_095344 (1) 1/4"



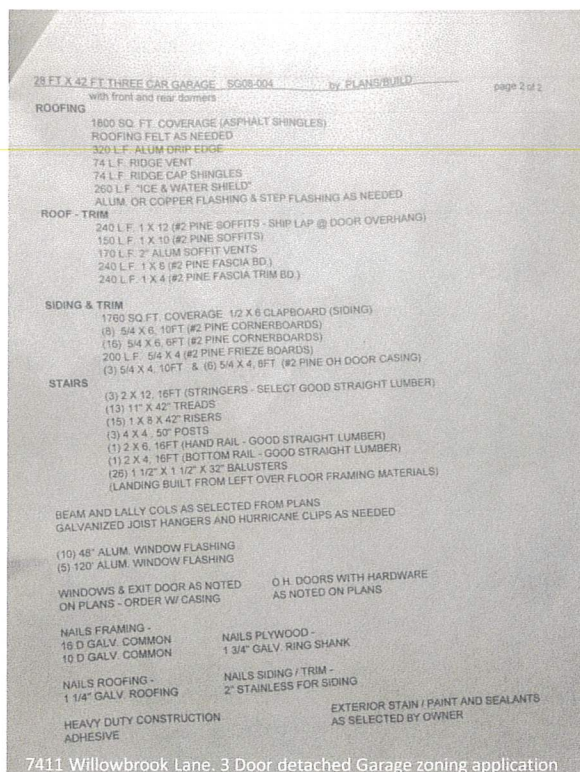
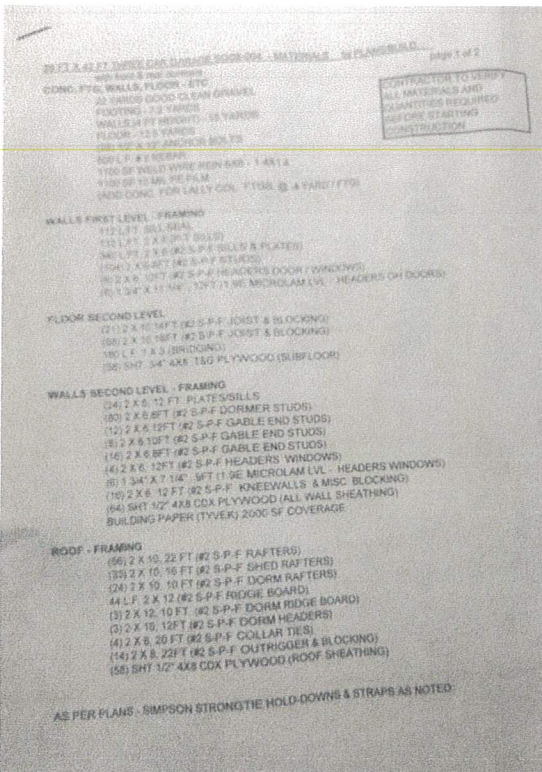
7411 Willowbrook Lane. 3 Door detached Garage zoning application

3D Views of Garage



7411 Willowbrook Lane. 3 Door detached Garage zoning application

Construction Material List.



• Roof

- Match current roof Material and Color.
- GAF STAINGURARD PLUS Shingles
- Cedar Falls Color



• Siding

- Match back siding, both Material & Color
- Vinyl Market SquareD4.5" Dutchlap. Peppercorn Color.

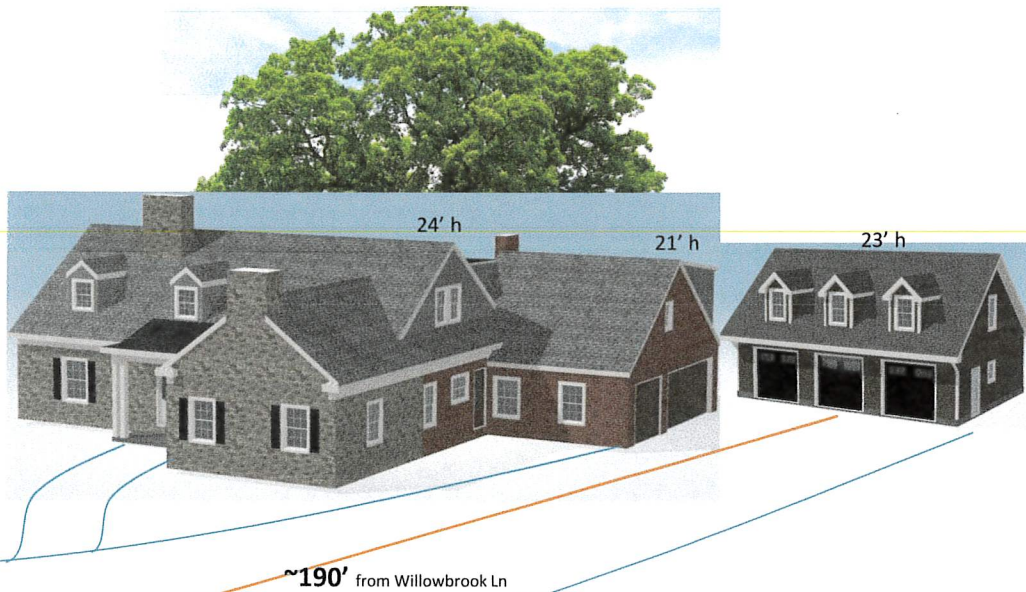


• Garage Doors

- Classic Steel Material
- 3 @ 9X7_Color (White or Black)

• Windows

- Vinyl, Double latch
- White color



Overview of the House and the proposed 3 D Detached Garage

- HOVER 3D software is used to generate the 3 D images.
- The software can create 3D images from Pics of the property from specific angles.
- The Software can create 3D images from PDF plans (Garage)
- The dimensions of both properties are comparable

7411 Willowbrook Lane. 3 Door detached Garage zoning application 8



7411 Willowbrook Lane. 3 Door detached Garage zoning application

**Imposed 3D HOVER
created garage into real
images of the house as
seen from 7370
Willowbrook Ln front
property.**



7411 Willowbrook Lane, 3 Door detached Garage zoning application

**Imposed 3D HOVER
created garage into real
images of the house as
seen from 7400
Willowbrook Ln front
property.**



Imposed 3D HOVER created garage into real images of the house as seen from the 7500 Willowbrook In front property.



7411 Willowbrook Lane, 3 Door detached Garage zoning application

- **Current Garage Space.**
- **According to HVAC company and due the installation of the flexible ducting system, seen in black, will NO longer permitted as garage space.**
- **The space is unfit and inadequate space.**
- **Our plan is to close opening and convert to Gym/Exercise room**



- **Difficult and Hardship for Garage doors to facing North**
- 1. **Need at least 20 feet for driveway constructions. Leaves little to NO footage to neighbors property line.**
- 2. **Additional cost &Hardship for excavation ,trees removal and construction new driveway.**

7411 Willowbrook Lane. 3 Door detached Garage zoning application



- **Best Fit & Function to face Willowbrook Ln.**
- 1. **Existing Shed will be removed.**
- 2. **Construction will start at existing driveway end (See Pic)**
- 3. **No additional excavation or driveway construction cost is required.**

7411 Willowbrook Lane. 3 Door detached Garage zoning application



Current view of property driveway, and car parking situation!