

AGENDA

May 15, 2025

PLANNING COMMISSION/BOARD OF ZONING APPEALS

7:00 PM

Roll Call

Minutes

Meeting of April 7, 2025

Cases

CASE NO. 2025-74

Paul Hogan is the property owner of 9150 Ambercreek Drive and is seeking variances from Zoning Code Sections 154.12 (2)(3)(4). The variances, if approved, would allow for the construction of a 1,878 square foot detached garage with an overall height of 14'8". The Village Code permits a detached garage to have a floor area of 800 square feet and be 20' or more from a side and rear lot line.

New Business

Adjournment

**MINUTES OF THE REGULAR MEETING OF THE
AMBERLEY VILLAGE BOARD OF ZONING APPEALS/PLANNING COMMISSION
MONDAY, MARCH 7, 2025**

Chairperson Richard Bardach called to order the meeting of the Amberley Village Board of Zoning Appeals/Planning Commission at the Amberley Village Municipal Building in Council Chambers on Monday, March 7, 2025, at 7:00 p.m.

Chairperson Bardach welcomed everyone to the meeting and led the Pledge of Allegiance for those in attendance and roll was taken as follows:

PRESENT:

Rich Bardach
Nimet Jeruzalmi
Craig Cappozzo
Rick Lauer
Scott Rubenstein

ALSO PRESENT:

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

Chairperson Bardach asked if there were any corrections to the minutes of the March 11, 2025 meeting. There being none, the minutes were accepted as submitted.

CASE NO. 2025-51

Mr. Fritsch introduced Case # 2025-51, in which Michael and Lori Heaton, the property owners of 7600 Ridge Road sought a variance to the Village Code Section 154.14 (A), which would allow for 127' of 54" high Simtek fencing to be installed in the front yard, approximately 32' from the right of way line for Ridge Road.

Mr. Heaton explained that Duke Energy had cut down greenery in the right-of-way that once blocked their yard from the street, so they wished to expand the wall that was approved by the Board of Zoning Appeals in 2022.

Mr. Cappozzo asked if the current ornamental wall would stay in place, to which Mr. Heaton replied yes. Mr. Cappozzo remarked that the wall could not really be seen from the street.

Mr. Lauer inquired why the wall was considered to be in the front yard versus the side yard given the positioning of the front of the house. Mr. Fritsch explained that the property borders Ridge Road. Mr. Lauer stated it was like a corner lot, but not.

Mr. Rubenstein asked why the current wall stopped where it did. Mr. Heaton explained that Duke Energy had cut down the greenery that was there when the original wall was built.

Ms. Jeruzalmi regarding the length and height of the fence, to which Mr. Fritsch responded the Board of Zoning Appeals had limited the height.

Mr. Rubenstein stated the Heaton's circumstances were unique. Mr. Heaton said the fence would be allowed if it weren't located in what was considered to be the front yard. Mr. Lauer asked if the original variance granted for the fence was only for height, to which Mr. Heaton responded yes.

Mr. Rubenstein asked if there was a plan for landscaping, and Mr. Heaton replied they intended to expand the existing landscaping beds. Mr. Rubenstein asked if the original variance was granted contingent upon landscaping. Mr. Fritsch stated it was not.

Mr. Lauer stated this was an unusual lot, with a house on a main thorofare. He said given the orientation of the house, the front yard functions as a side yard, so he was in favor of granting the variance. Mr. Cappozzo moved to approve the requested variance, which was seconded by Mr. Lauer and passed unanimously.

NEW BUSINESS

There being no further business, the meeting was adjourned at 7:15 p.m.

Tammy Reasoner, Clerk of Council

Rich Bardach, Chairperson



7149 Ridge Road
Amberley Village, OH 45237

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

amberleyvillage.org

PLANNING COMMISSION
MEETING NOTICE

WHEN: May 15, 2025 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 Thursday, May 15 at 7:00 p.m. in the Council Chambers of the Amberley Village Municipal Building, 7149 Ridge Road. The public meeting will be held to review the following item:

Paul Hogan is the property owner of 9150 Ambercreek Drive and is seeking variances from Zoning Code Sections 154.12 (2)(3)(4). The variances, if approved, would allow for the construction of a 1,878 square foot detached garage with an overall height of 14'8". The Village Code permits a detached garage to have a floor area of 800 square feet and be 20' or more from a side and rear lot line.

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 May 15 Board of Zoning Appeals public meeting. If you have any questions, please feel free to contact Scot Lahrmer at 513-531-8675.

cc: Paul Hogan, 9150 Ambercreek Drive
Debabrata and Madhumita Saha, 9171 Ambercreek Drive
Andrew and Ariella Cohen, 9131 Ambercreek Drive
Chester and Lisa Eng, 9151 Ambercreek Drive
Jonathan and Idit Isaacsohn, 9170 Ambercreek drive
Erik and Dani Zander, 9130 Ambercreek Drive



7149 Ridge Road
Amberley Village, OH 45237

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

amberleyvillage.org

Amberley Village Planning Commission Staff Report

May 15, 2025

Subject:

9150 Ambercreek Drive

Variance:

Detached garage square footage and within side and rear setbacks

Item: Case#2025-74

Variance Request: Paul Hogan is the property owner of 9150 Ambercreek Drive and is seeking variances from Zoning Code Sections 154.12 (2)(3)(4). The variances, if approved, would allow for the construction of a 1,878 square foot detached garage with an overall height of 14'8". The Village Code permits a detached garage to have a floor area of 800 square feet and be 20' or more from a side and rear lot line.

Zoning Code Review: 154.12 Accessory Structures:

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

(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.

Variance Review: Mr. Hogan's property at 9150 Ambercreek Drive is a 1-acre parcel in the Rollman Reserve Subdivision, zoned Residence A.

Mr. Hogan is proposing to build a detached garage in his side and rear yard. The proposed garage would be 1,878 square feet in floor area, 14.8' in height and located 10.6' from the east side property line and 15' from the rear lot line. The garage door will open towards the west lot line.

The letter to the Board states that the garage is needed for additional vehicle parking (now and in the

future) and the need for additional storage. The new garage will not have doors facing the street and will have plenty of room around it for foliage.

Mr. Hogan has stated that the design of the garage is to match that of the house in look, feel and material. Turfstone pavers will be used off the end of the current driveway to provide a driveway with greenspace in mind to the proposed garage door.

The 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. However, when Section 154 was created, the intent was to allow for detached garages but give the ZBA/Planning Commission the ability to review the site plan and place conditions on any structures greater than 800 square feet or 16 feet tall. Village Code Section 154.28 states no accessory structure can be built within the 20' side lot line. Therefore, Mr. Hogan is seeking variances from the Village Zoning Code.

As both variances are required for the garage to be constructed as proposed, the Board, per Code Section 154.121, can allow structures to exceed the restrictions in 154.12. As long as the Board determines that the structures are of an appropriate size, height, construction, dimension and appearance, so as not to detract from the stated goals of the code.

Other considerations in Code Section 154.121, for approving a structure that exceeds the restriction of 154.12 are:

The construction and use of the structure will not be detrimental to the peaceful use and occupancy of nearby properties. The construction and use of the structure will not have a detrimental effect upon the property values in the neighborhood. The design and appearance of the structure will not have an adverse impact on the residential quality of the neighborhood.

The project has approval from the Rollman Reserve HOA.

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

Monday, April 28, 2025

Amberley Village Zoning Board

Dear Board Members,

We would like to share with you that we started this progress by examining our HoA Bylaws. Article 4 – Covenants and Restrictions state:

- ✓ **D. Except as provided herein, no "lengthy list of vehicles" or the like shall be kept or used upon the property unless totally enclosed within an improvement or garage, so as not to be visible from the exterior thereof.**

We attempted to be considerate designing a structure that will not be visible from the street. We were mindful to keep the maximum height below 15' following Village requirements simultaneously maintaining a low profile. We engineered a flat roof sloping gently from north to south reducing the visual impact of the project. We introduced TurfStone pavers for the extension of the existing driveway to maintain greenspace. We duplicated the building materials of our house for harmony and consistency. As property owners and a seasoned design professional we worked together to make this an attractive addition to the Village and our home.

We respectfully request three zoning variances for the construction of a detached garage at 9150 Ambercreek Drive:

1. Square footage more than 800 s/f:

- We collect classic cars, and our collection has grown to 6 vehicles excluding our 2 daily drivers making 8-total.
- The garage is necessitated to store these indoors.
- We believe it would negatively impact our community to continue offsite winter storage combined with outdoor seasonal storage at Ambercreek Drive and this method would require the addition of a half-circle driveway extension in front of our home.

2. South property line setback of 15' in lieu of 20':

- This setback allows the garage to approach densely wooded French Park by an additional 5'.
- We believe this small variance is academic since the adjacent hiking path in the park is 38' from the south property line.
- We feel that 53' of wooded space versus 58' is moot.
- Denial of this request necessitates extending the north face into a large Pine tree that will need to be removed or severely pruned.

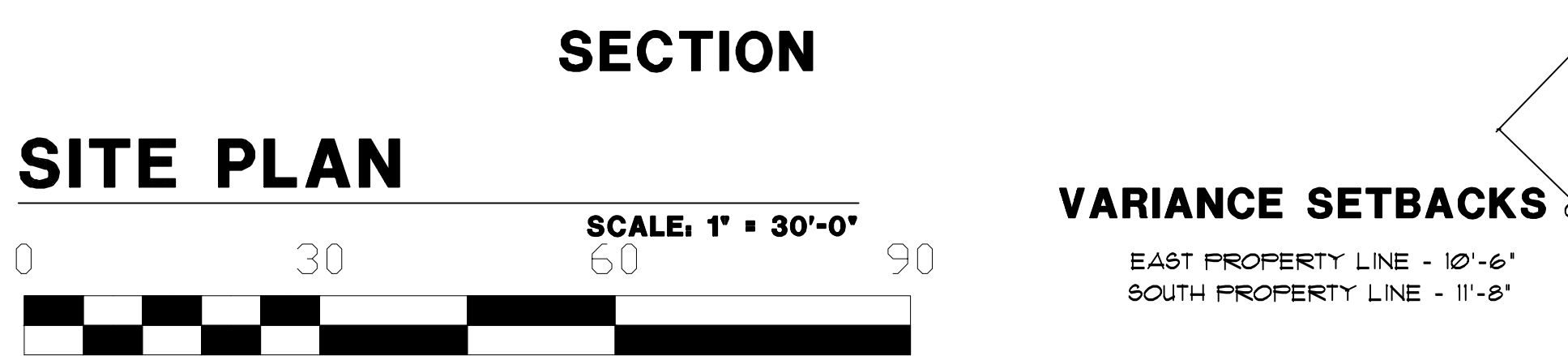
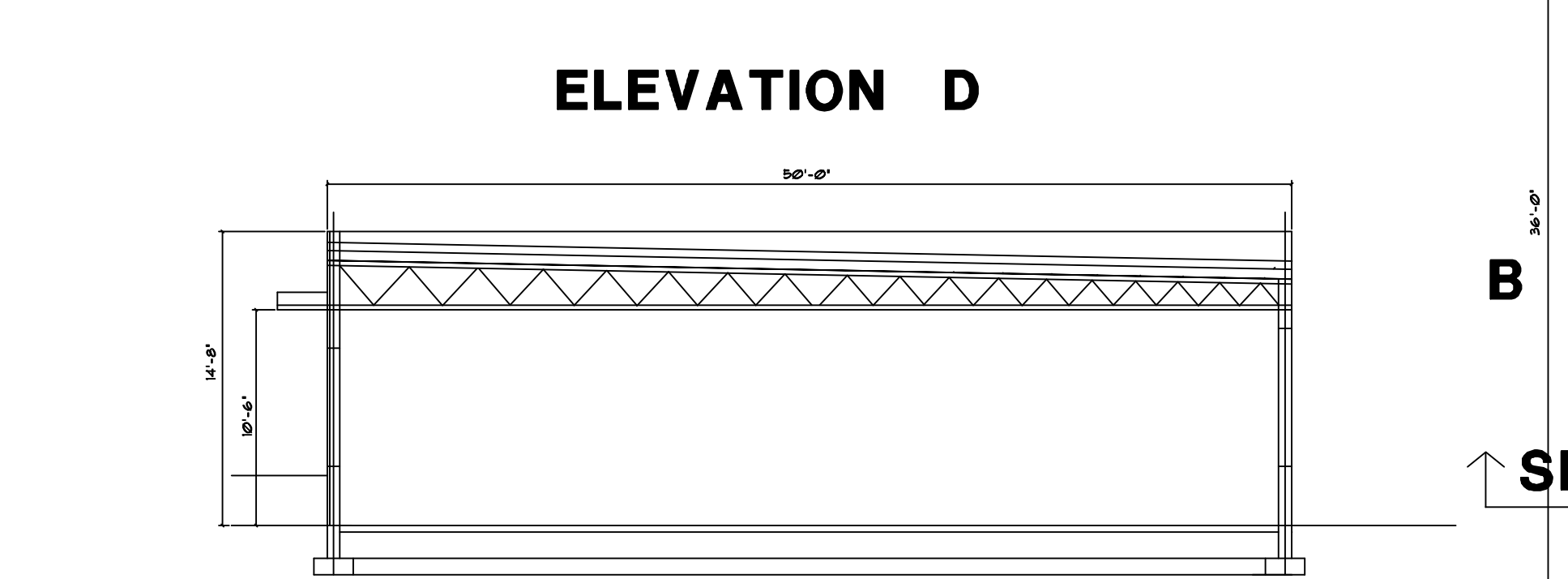
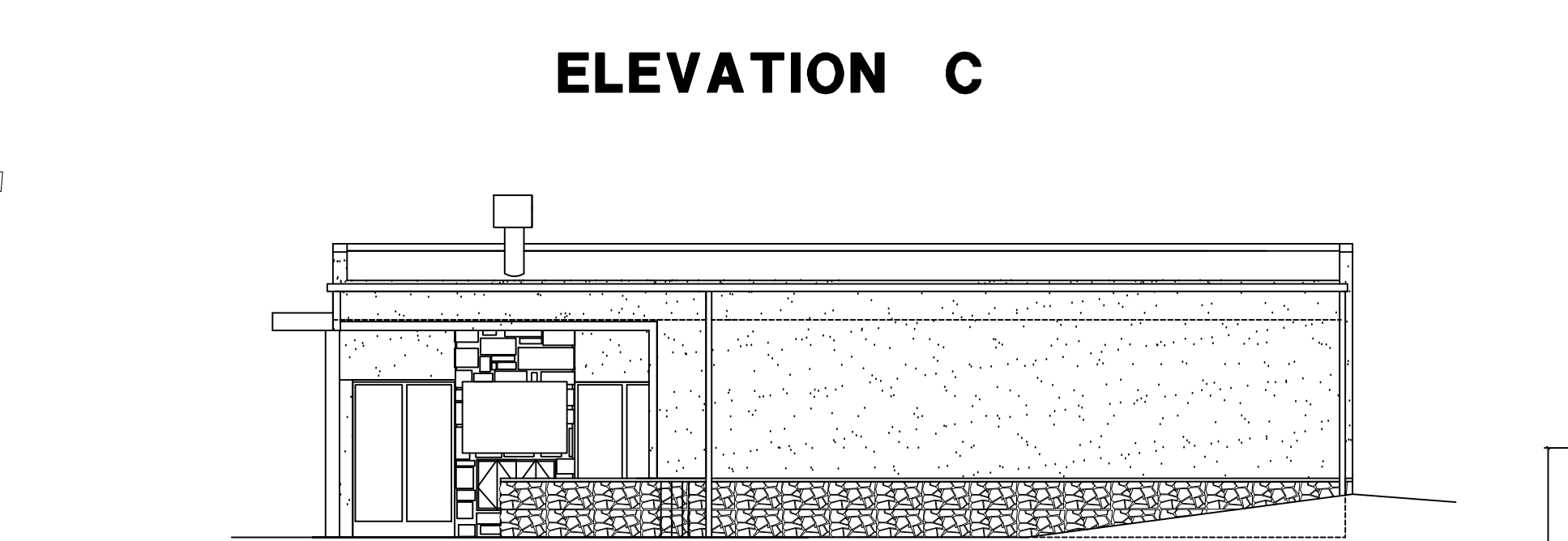
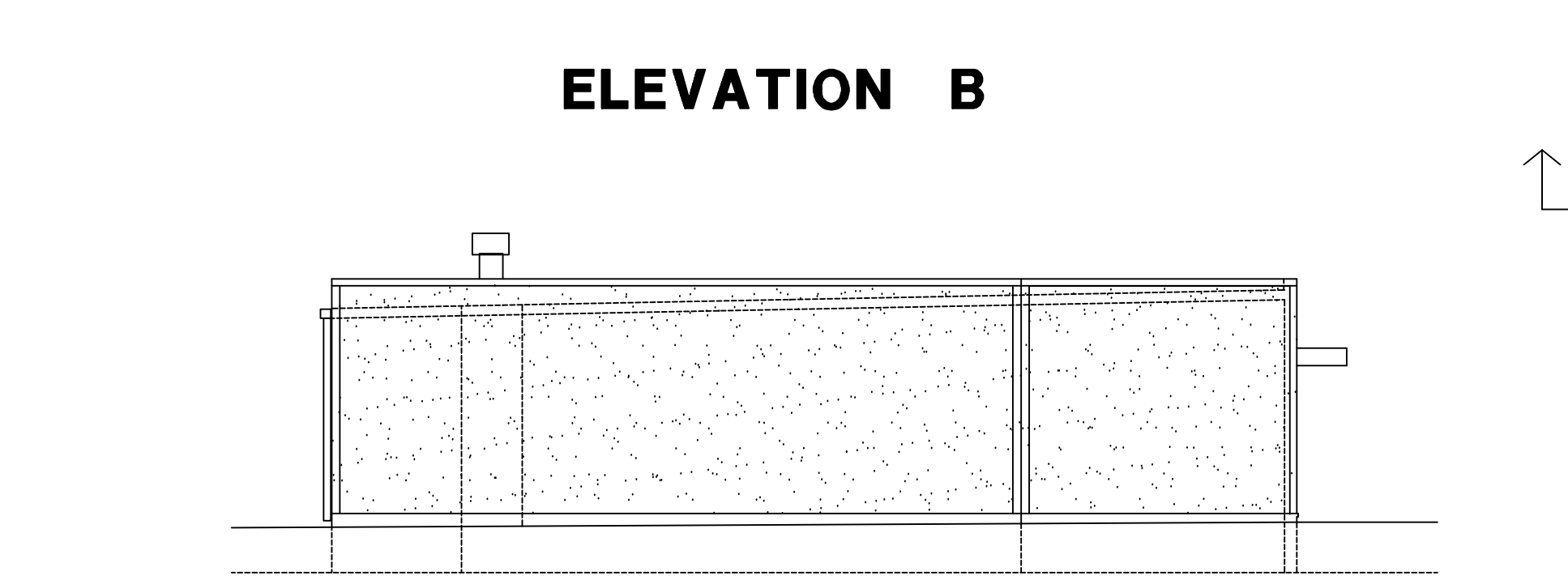
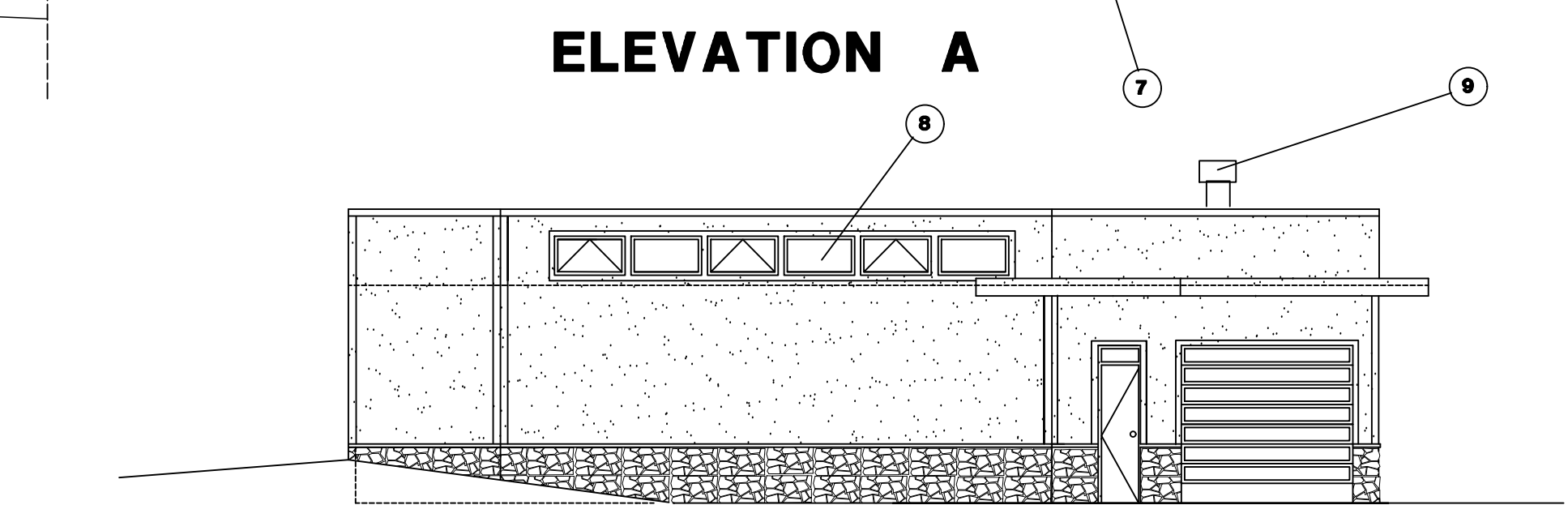
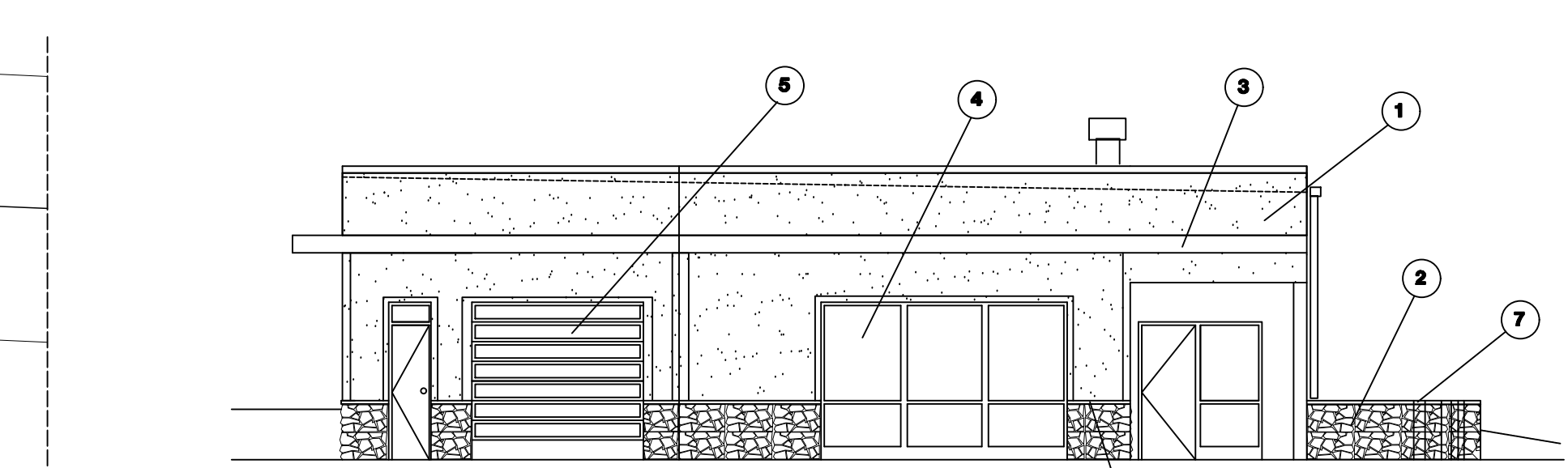
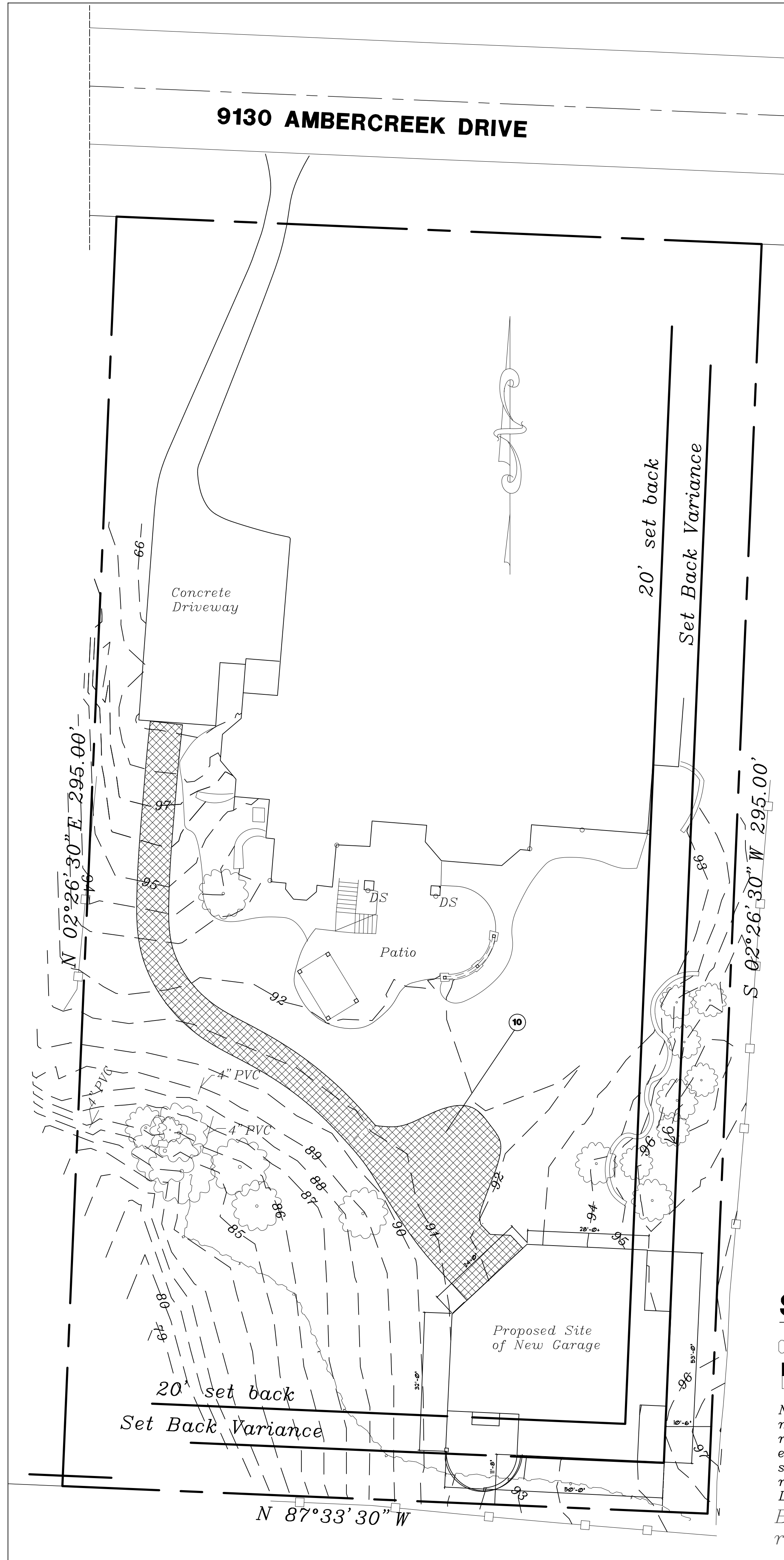
3. East property line setback of 10' – 6" in lieu of 20':

- This setback allows the building to properly nest into the wooded SE corner.
- The view from the east is well blocked by existing trees adjacent to our neighbor's aluminum fence.
- This setback ideally positions the western face of the new structure given the grade change which ominously increases otherwise.
- Granting these requests tucks the garage into the SE wooded corner enhancing the view from our neighbors to the west.
- Only 1 of the 3 adjacent properties has a view of the addition and this is the home immediately west.
- Denial of this request will create a challenge resulting in a less attractive fit /exposure simultaneously requiring a retaining wall coupled with additional fill properly adjusting the grade.

Please consider our requests as we feel denying them represents an undue hardship.

Very truly yours,

Paul Hogan, Kelly Sierra and John Johnston (architect)

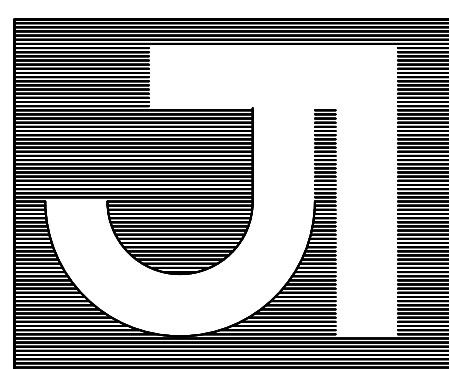
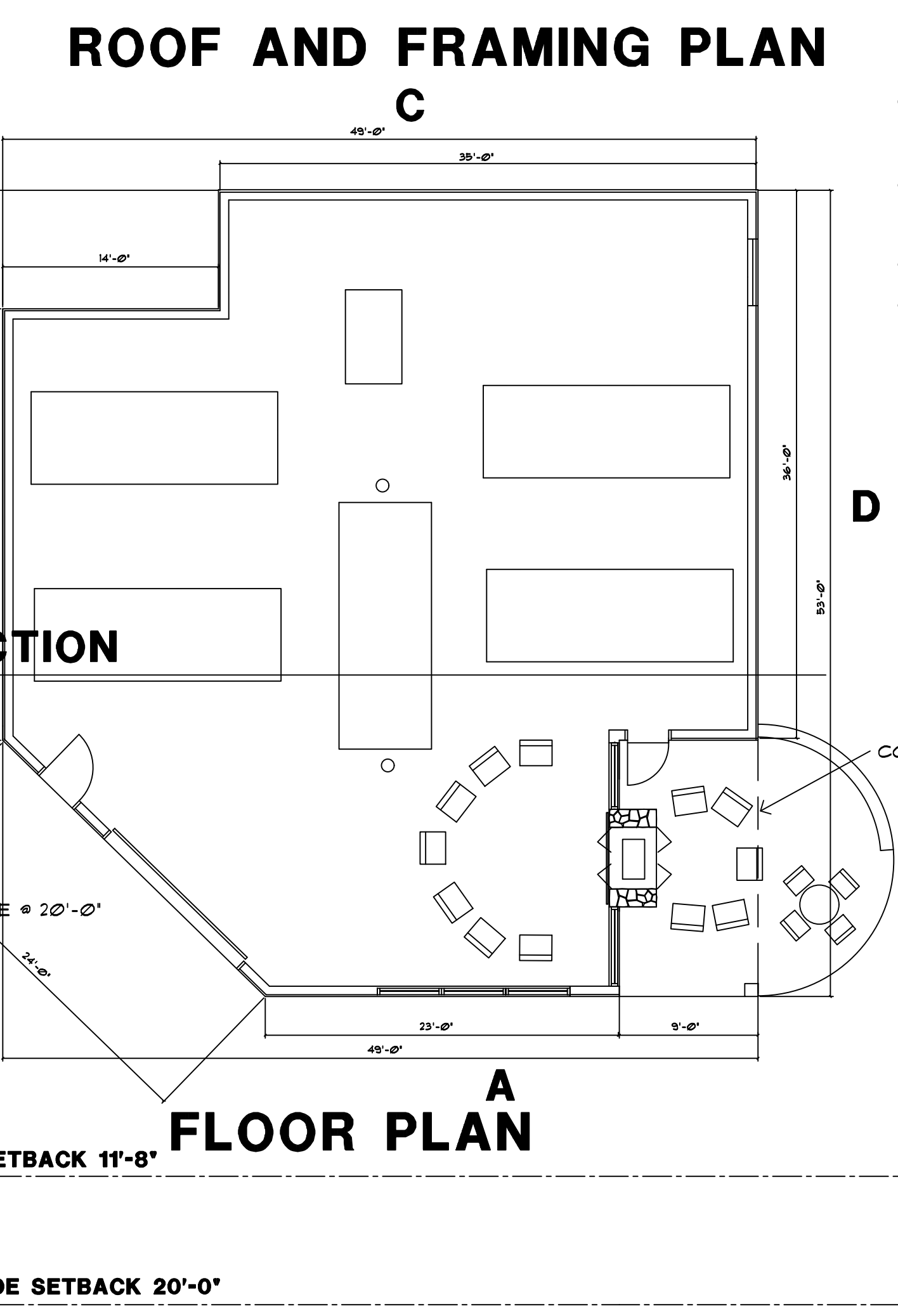
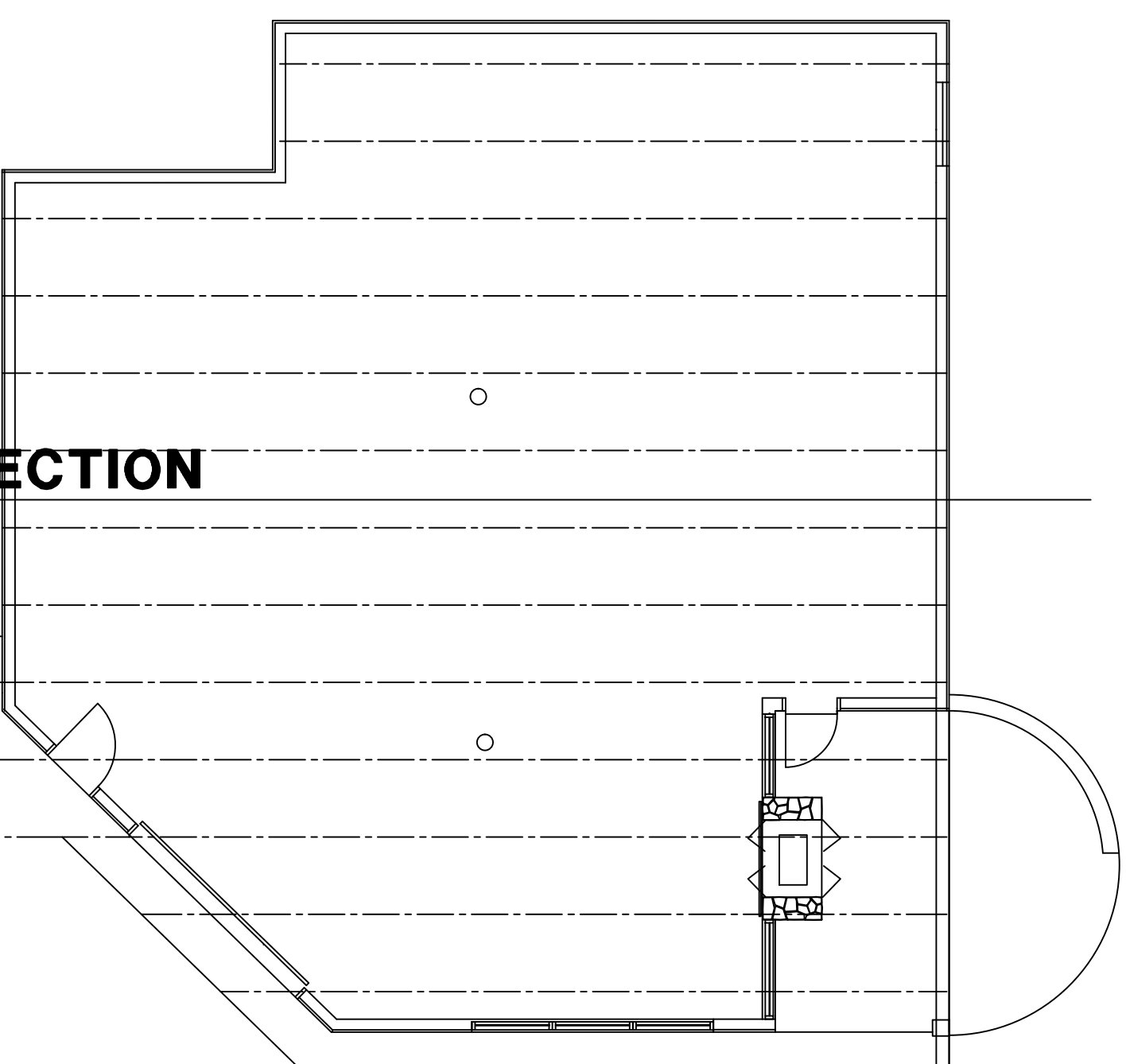


NOTE: The Professional surveyor or Lansdale Surveying, Inc has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose. No abstract of title nor title commitment, or results of a title search were furnished to the surveyor or Lansdale Surveying, Inc..

Bases of bearings is Rollman Reserve, Phase 2 as recorded in Plat Book 351, pages 61 thru 63.

GENERAL NOTES AND EXTERIOR MATERIALS INFORMATION

- ① 'DRYVIT' SYNTHETIC STUCCO TO MATCH HOUSE FINISH AND COLOR
- ② THIN STONED VENEER (2.5' THICK) TO MATCH EXISTING RESIDENCE.
- ③ FLUSH FINISH CANOPY - COLOR TO MATCH STONE VENEER.
- ④ WINDOW SYSTEM - 8' HIGH GLASS PANELS.
- ⑤ GLASS- PANEL OVERHEAD DOOR - 8' X 12'.
- ⑥ ENTRY DOOR WITH GLASS TRANSOM - 3' X 8'.
- ⑦ CAPSTONE SILL - TOP OF STONE WAINSCOT.
- ⑧ CLEARSTORY WINDOWS BETWEEN TRUSSES.
- ⑨ CHIMNEY FOR FIREPLACE.
- ⑩ 'TURFSTONE' DRIVEWAY PAVERS.



ARCHITECT
JOHN D. JOHNSTON
 7801 BLOME ROAD
 CINCINNATI, OHIO 45243
 HAMILTON COUNTY, OHIO
 JOHNSTON@IGLOU.COM
 513-859-1511



CLASSIC CAR GARAGE
PAUL HOGAN RESIDENCE
9130 AMBERCREEK DRIVE
AMBERLY VILLAGE, OHIO 45---

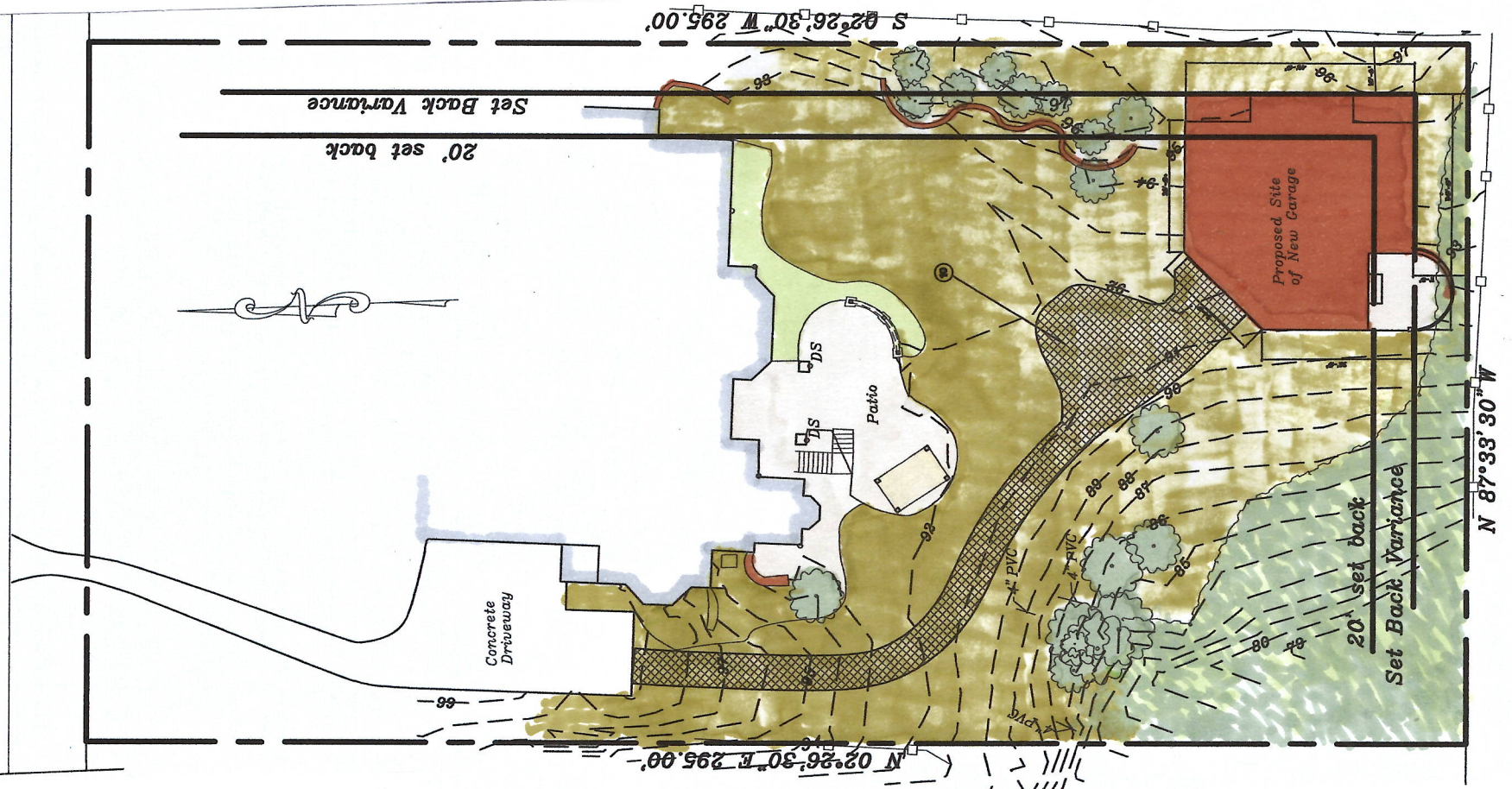
PRELIMINARY STUDY

DATE: 11/01/2021
 JOB NO. 2021-10
 DWG. OF
ZP

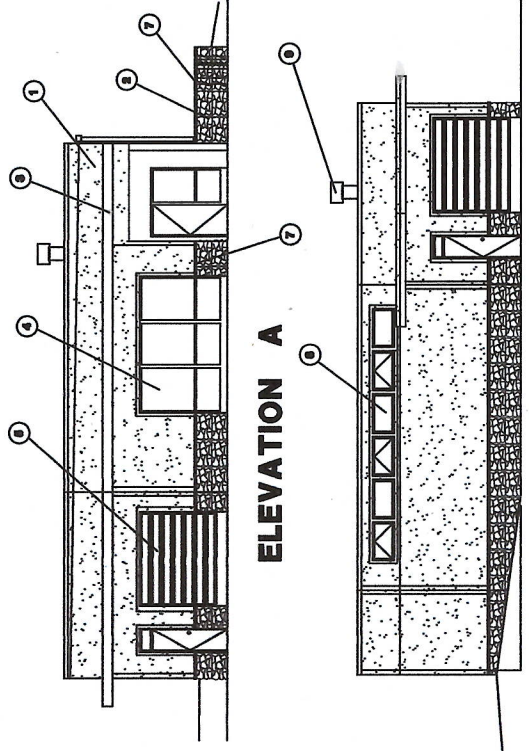
REV. 04-6-2025
 03-08-2025



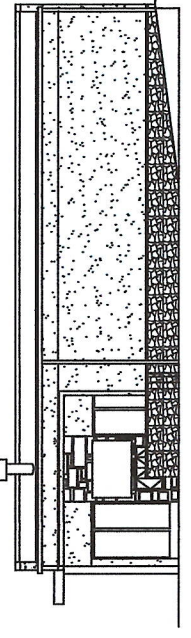
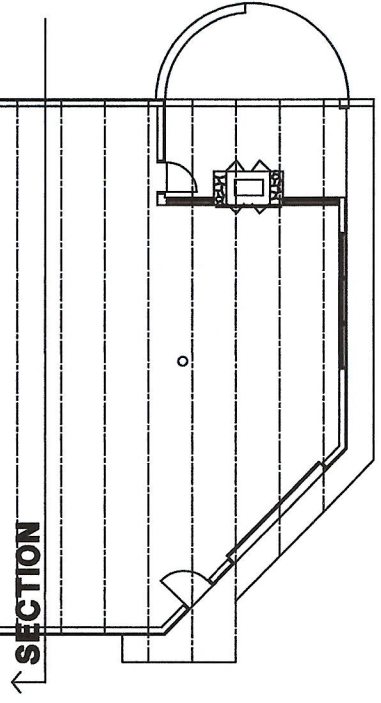
9130 AMBERCREEK DRIVE



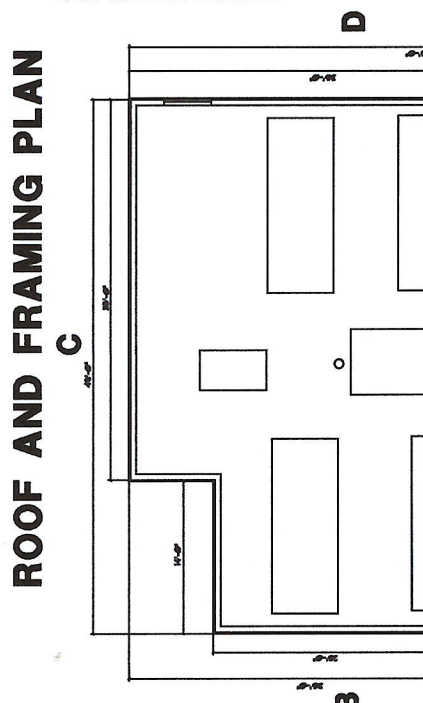
- GENERAL NOTES AND EXTERIOR MATERIALS INFORMATION**
- 1 'DRYIT' SYNTHETIC STUCCO TO MATCH HOUSE FINISH AND COLOR
 - 2 THIN STONED VENEER (2.5" THICK) TO MATCH EXISTING RESIDENCE
 - 3 FLUSH FINISH CANOPY - COLOR TO MATCH STONE VENEER
 - 4 WINDOW SYSTEM - 8" HIGH GLASS PANELS
 - 5 GLASS - PANEL OVERHEAD DOOR - 8' X 12'
 - 6 ENTRY DOOR WITH GLASS TRANSOM - 3' X 8'
 - 7 CAPSTONE SILL - TOP OF STONE MANSOFT
 - 8 CLEARSTORY WINDOWS BETWEEN TRUSSES
 - 9 CHIMNEY FOR FIREPLACE
 - 10 'TURBOSTONE' DRIVEWAY PAVERS



ELEVATION B

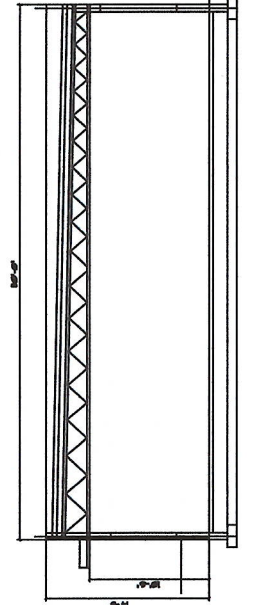


ELEVATION C

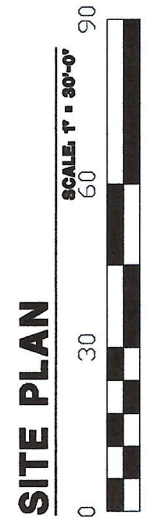


ROOF AND FRAMING PLAN

ELEVATION D



SECTION



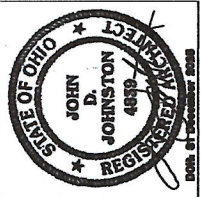
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Bases of bearings is Roliman Reserve, Phase 2 as recorded in Plat Book 351, pages 61 thru 63.

PRELIMINARY STUDY

DATE: 11/01/2021
 JOB NO: 2021-10
 DWG. **NP** OF

CLASSIC CAR GARAGE
 PAUL HOGAN RESIDENCE
 9150 AMBERCREEK DRIVE
 AMBERLY VILLAGE, OHIO 45---



ARCHITECT
JOHN D. JOHNSTON
 7001 BLAKE ROAD
 HAMILTON COUNTY, OHIO
 45001-1000
 513-899-8111



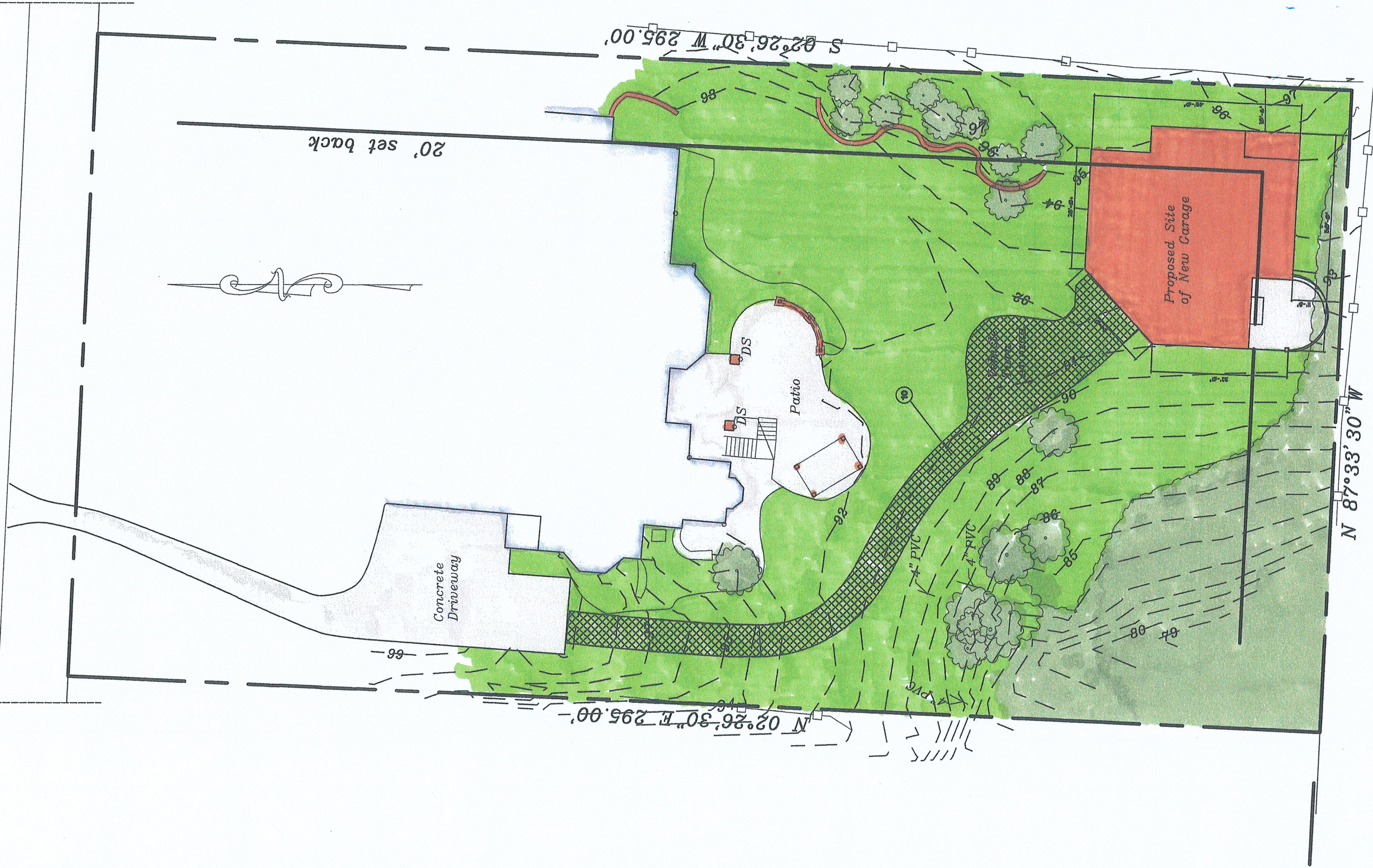
REV. 04-9-2025
 03-08-2025

ZONING CODE SETBACK 20'-0"

VARIANCE SETBACK 10'-0"

VARIANCE SETBACK 11'-0"

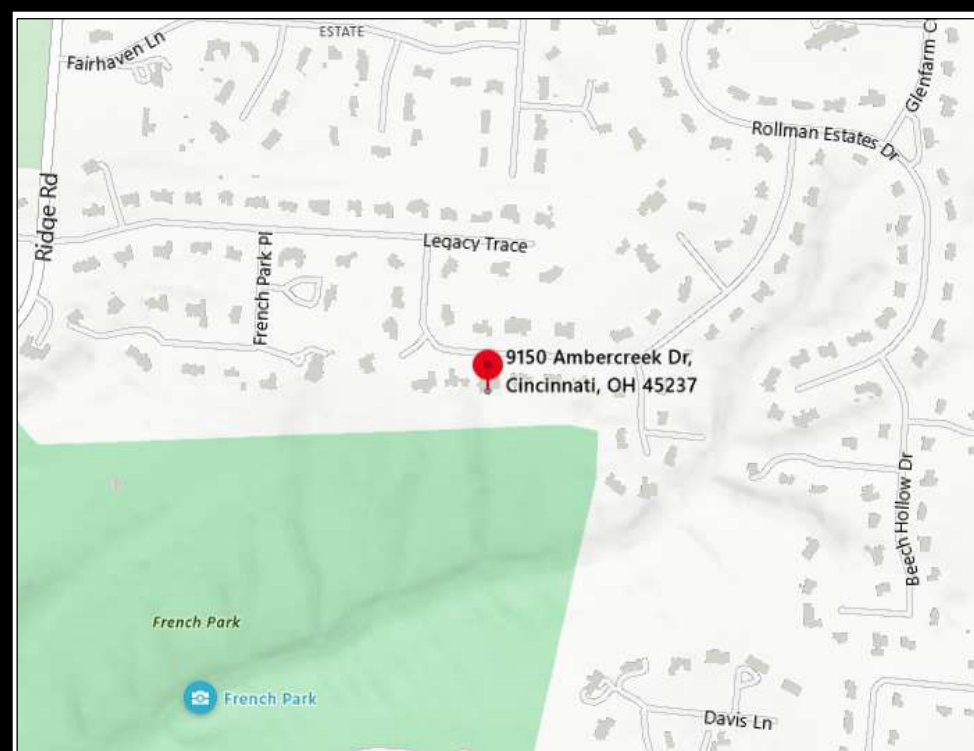
9150 AMBERCREEK DRIVE



SITE PLAN

SCALE: 1" = 30'-0"

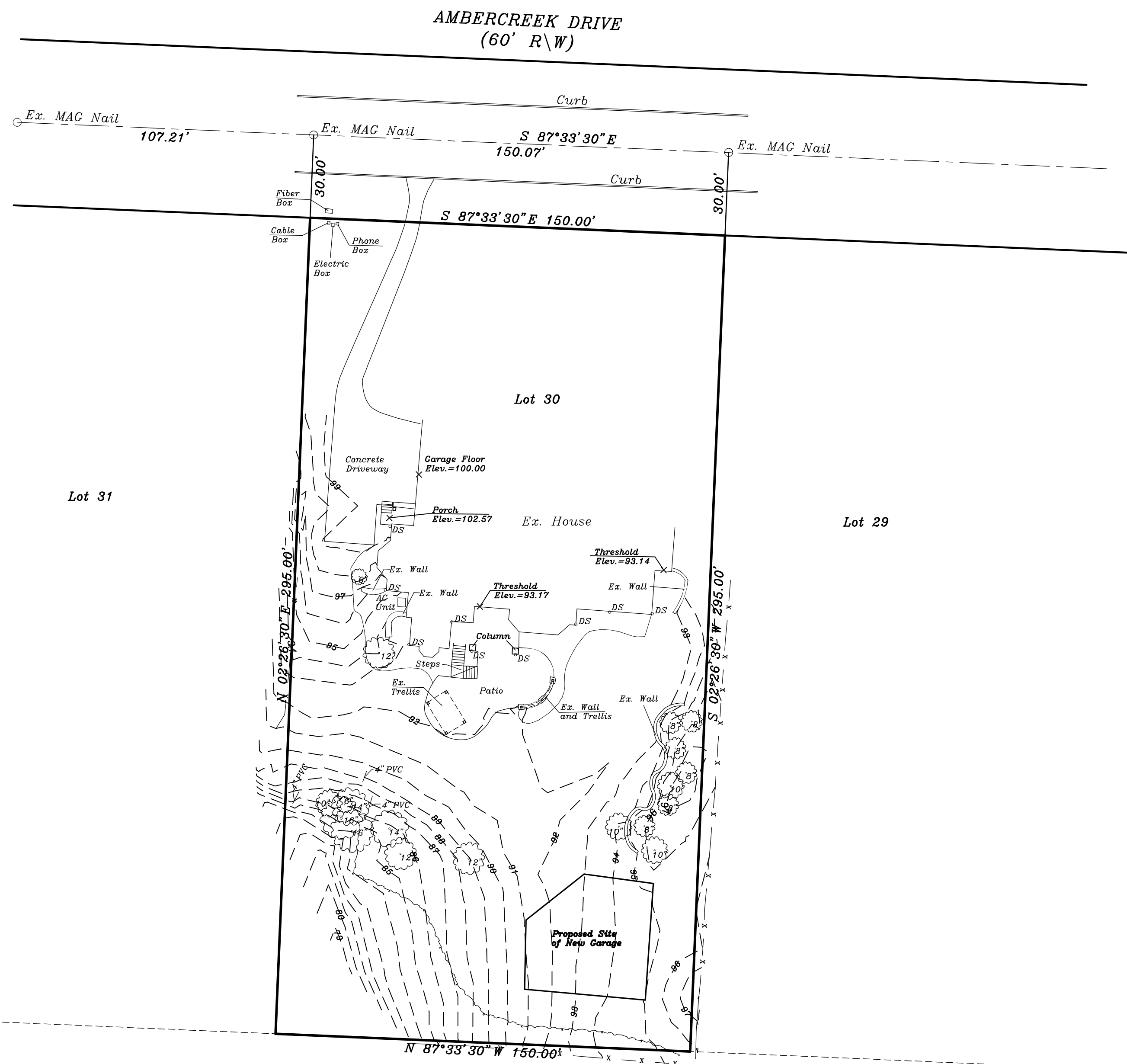




VICINITY MAP
Not to Scale

Bases of bearings is Rollman Reserve, Phase 2 as recorded in Plat Book 351, pages 61 thru 63.

SECTION 25, TOWN 4, RANGE 1
SYCAMORE TOWNSHIP
VILLAGE OF AMBERLEY
HAMILTON COUNTY, OHIO
BEING ALL OF
LOT 30
ROLLMAN RESERVE, PHASE 2
PLAT BOOK 351, PAGES 61 -63



- NOTES:
- 1) Temporary Bench Mark
Garage Floor - Elevation = 100.00
 - 2) One (1) foot contour interval. Field Shot.

LEGEND
DS - Downspout

Occupation generally fits survey.
All monuments are in good condition, unless otherwise stated.

REFERENCE DOCUMENTS USED
Deeds as noted.
Surveys:
Rollman Reserve, Phase 2
Plat Book 361, Pages 61-63



City of Cincinnati
Parcel 526-0100-0001



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I hereby certify that this plat represents a true and complete survey made under my supervision and all monuments have been set or found as shown.

Jay S. Oberding P.S.
Jay S. Oberding P.S.
Ohio Registered Surveyor #S-7188

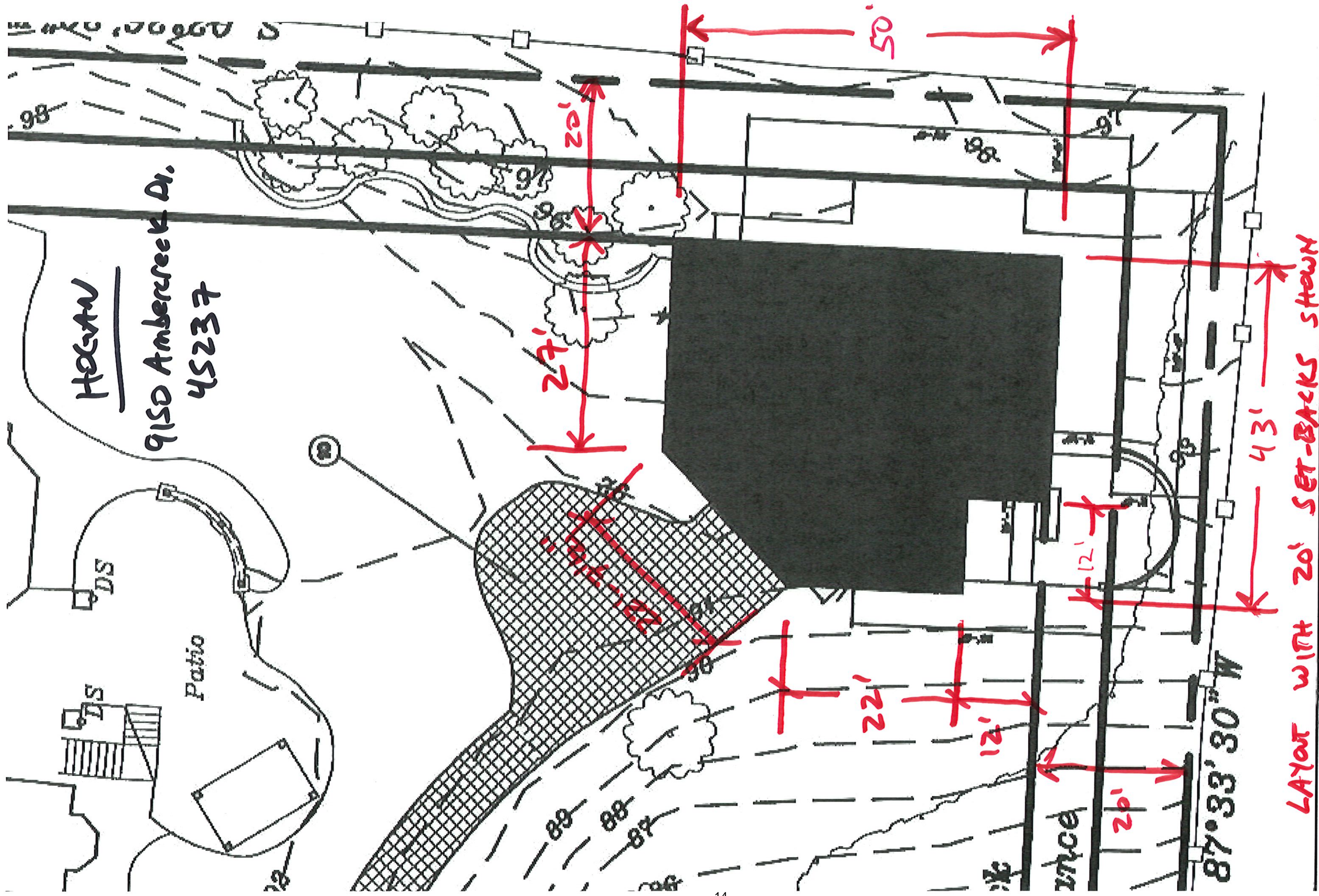
DATE:	BY:	REASON:
Survey for Paul Hagan 9150 Ambercreek Drive Cincinnati, Oh 45237		
BOUNDARY, TOPO AND LOCATION PLAT		
LANSDALE SURVEYING, INC 1008 MAIN STREET - (ST. RT. 26) MILFORD OHIO, 45150 PHONE (513) 831-9970	DRAWN BY: MRH	SCALE: 1"=30'
DRAWING NUMBER 24-035	DATE:	I hereby certify that this plat represents a true and complete survey made under my supervision and all monuments have been set or found as shown.

HOGAN

9150 Ambercreek Dr.

45237

Patio



LAYOUT WITH 20' SET-BACKS SHOWN

5 SQUARE FOOTAGE = 1878

Rollman Reserve

C/o Stonegate Property Management
431 Ohio Pike, Suite 210
Cincinnati, OH 45255
513-528-3990
E-mail: nancy.fay@spmhoa.com
Web site: www.spmhoa.com

April 30, 2025

Paul Hogan
9150 Ambercreek Drive
Cincinnati, OH 45237

Dear Homeowner:

The Design Review Board has reviewed your Improvement Application for the installation of a garage and driveway extension as described in your application. The application has been approved.

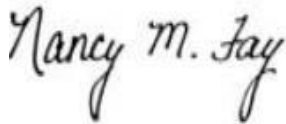
Approval is subject to all covenants and restrictions that apply and obtaining the necessary building and zoning permits.

The Board approval does not constitute building and zoning approval. You are responsible for acquiring applicable building and zoning permits (if appropriate) in addition to remaining in compliance with the building and zoning code regulations.

For all installations in public or private drainage, utility, or other easement, the homeowner accepts the risk of having to move, remove, and/or replace the installation if at any point in the future work must be completed in such easement. Any damage to the installation or removal/replacement cost will be the sole responsibility of the homeowner.

Thank you for filing the application with the Association.

Best Regards,



Nancy Fay
Community Manager