

AGENDA

November 3, 2025

PLANNING COMMISSION/BOARD OF ZONING APPEALS

7:00 PM

Roll Call

Minutes

Meeting of October 6, 2025

Cases

CASE NO. 2025-227

Christopher and Melissa Young, the homeowners at 6720 Fair Acres Lane, are requesting a variance to Zoning Code Section 158.15. If approved, the variance would allow for the installation of roof-mounted solar panels on the front planes of their home.

CASE NO. 2025-226

Michael and Michele Schuster, the homeowners at 6825 Glen Acres Drive, are requesting a variance to Village Code Section 154.14 (A) to permit a 4-foot tall split rail fence to be constructed along the north side and front property lot line.

New Business

Adjournment

**MINUTES OF THE REGULAR MEETING OF THE
AMBERLEY VILLAGE BOARD OF ZONING APPEALS/PLANNING COMMISSION
MONDAY, OCTOBER 6, 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, October 6, 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, with Village Manager Scot Lahrmer absent from the meeting:

PRESENT:

Rich Bardach
Rick Lauer
Nimet Jeruzalmi
Craig Cappozzo
Scott Rubenstein

ALSO PRESENT:

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

Chairperson Bardach asked if there were any corrections to the minutes of the July 7, 2025 meeting. There being none, the minutes were accepted as submitted.

CASE NO. 2025-181

Mr. Fritsch introduced Case # 2025-181, in which Karen Lowry, property owner of 2420 Larkfield Drive, requested a variance to Village Code Section 154.14 (A). The variance would allow for approximately 116' of 8' high privacy fence along the rear property line of her residence.

Ms. Lowry explained that Duke Energy had removed brush and trees between her property and the neighboring apartment complex in Reading, which has left her feeling insecure with no barrier between them. Discussion was held to clarify the situation, which indicated that Duke had subcontracted the work, which left an extremely barren landscape between two homeowners in Amberley Village and the rental community behind them.

Gary Albert of 2400 Larkfield Drive said he saw bulldozers, and confirmed that the work had been authorized by Duke, but that there was no need to do what they did. He said Duke representatives were even shocked that the greenery was completely eliminated, and offered to pay for the fencing, as the excavation had left their property fully exposed to Lakeshore Apartments.

Mr. Rubenstein reviewed photos of the proposed fence, and Chair Bardach asked Mr. Albert to hold the remainder of his comments until his case, which would be heard next. Mr. Bardach also asked Ms. Lowry if the intention was to match the fencing with her neighbor. Ms. Lowry confirmed that was the plan.

Mr. Lauer referenced a letter from Ms. Lowry's neighbor supporting the approval of the fence, which Mr. Bardach requested be included with the minutes as Exhibit A.

Mr. Cappozzo asked why the fence was proposed at eight feet, to which Mr. Frisch said they wished to match an existing fence in height and aesthetic.

Mr. Lauer stated there was precedent for approving a fence on property abutting another jurisdiction, and said this was one of the few cases fence height larger than code made sense. Mr. Lauer moved to approve the request, which was seconded by Mr. Cappozzo and passed unanimously.

CASE NO. 2025-182

Mr. Fritsch introduced Case # 2025-182, in which Marlene Albert, property owner of 2400 Larkfield Drive, requested a variance to Village Code3 Section 154.14. The variance would allow for approximately 110' of 8' high privacy fence along the rear property line of her residence.

As the Alberts live next door to the Lowrys, the same loss of property appearance, privacy and security were given consideration in this case. Mr. Albert stated he planned to use the same fencing as the Lowrys.

Mr. Rubenstein made a point to highlight how rare it is for the Village to approve fences, as they set a precedent for future fence height cases. Mr. Lauer agreed, and said the Board of Zoning Appeals typically does not approve these types of variances, but given the circumstances where natural screening is removed without consent and the property abuts a neighboring community, the variance was being considered.

A neighbor, Ryan Mather, indicated in a letter to the Board that he supported both variances. Mr. Cappozzo moved to pass the variance, which was seconded by Mr. Rubenstein and passed unanimously.

CASE NO. 2025-183

Mr. Fritsch introduced Case # 2025-183, in which Jon and Linda Berger, property owners of 7631 Sagamore Drive, requested a variance to Village Code Section 154.14 (A). The variance would allow for approximately 80' of 6' high privacy fence along the rear property line of their residence.

Mr. Berger said he wished to install 80' of 6' fencing along the side of his property that abuts Lansdowne Drive in order to provide a barrier between his property and his neighbor's. He said the neighbor had no objection to the fence, and already had a 4.5' fence in place. Mr. Rubenstein confirmed that the 4.5' height required no variance, to which Mr. Fritsch agreed. Mr. Berger said his goal was to keep the peace via privacy, and his goal was to preserve the aesthetics. Mr. Lauer said previous fences have been granted on corner lots, but not in excess of 4.5'. Mr. Cappozzo moved to vote on the variance request, which was seconded by Mr. Rubenstein and unanimously denied.

NEW BUSINESS

There being no further business, the meeting was adjourned at 7:32 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: November 3, 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 Monday, **November 3, 2025**, 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:

Christopher and Melissa Young, the homeowners at 6720 Fair Acres Lane, are requesting a variance to Zoning Code Section 158.15. If approved, the variance would allow for the installation of roof-mounted solar panels on the front planes of their home.

If you are interested in reviewing the application, you may do so Monday through Friday, 8:00 a.m. to 4:00 p.m. at the Amberley Village Municipal Building, 7149 Ridge Road or you may attend the November 3, 2025, Board of Zoning Appeals public meeting. If you have any questions, please feel free to contact Scot Lahrmer at 513-531-8675.

cc: *Christopher and Melissa Young, 6720 Fair Acres Lane*
Robert and Donna Hermann, 6750 Fair Acres Lane
Nathan and Melissa Gruber, 2930 Fair Acres Drive
Chris and Krista Childs, 2980 Fair Acres Drive



7149 Ridge Road
Amberley Village, OH 45237

513-531-8675 *phone*
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amberleyvillage.org

Amberley Village Planning Commission Staff Report

November 3, 2025

Subject:

Christopher and Melissa Young, the homeowners at 6720 Fair Acres Lane, are requesting a variance to Zoning Code Section 158.15. If approved, the variance would allow for the installation of roof-mounted solar panels on the front planes of their home.

Variance:

Installation of roof-mounted solar panels on the front planes of their home.

Item: Case#2025-227

Variance Request: Christopher and Melissa Young, the homeowners at 6720 Fair Acres Lane, are requesting a variance to Zoning Code Section 158.15. If approved, the variance would allow for the installation of roof-mounted solar panels on the front planes of their home.

Zoning Code Review: Chapter 158 Alternative Energy, 158.15 (A) Roof Mounted Systems. Roof-mounted solar energy systems shall not extend beyond the existing roof (with and height) of the structure to which they are attached. Roof-mounted systems shall not exceed the height of the roof line on a pitched roof; SES may project vertically up to five feet above a flat roof line. Roof-mounted systems are not permitted in the front yard or on the front plane of a structure.

Variance Review: Christopher and Melissa Young, the homeowners at 6720 Fair Acres Lane, are requesting a variance to Zoning Code Section 158.15. If approved, the variance would allow for the installation of roof-mounted solar panels on the front planes of their home.

The letter to the board states that they have contracted with Icon Solar to install 43 roof-mounted solar panels on two planes of the house. Mr. and Ms. Young's home has two yards, the main entrance to their home has Fair Acres Lane frontage and the rear of their home faces Ridge Road. This request would include 24 panels on the front plane (Fair Acres side) of the house, which is the west-facing plane, and the remaining 19 panels will be on the rear of the home facing to the east (Ridge Road). The panels have been placed to maximize the most efficiency and will create the largest amount of energy.

The letter also states that without the panels being installed on the front planes of the home, it would be impossible to meet the goals of energy production to significantly reduce their energy bill.

Village Code section 158.15 states that roof-mounted systems are not permitted in the front yard or on the front plane of the structure. Therefore, a variance is required for the 43 panels to be installed on the front planes of the house.

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

Zoning Approval / Zoning Variance / Property Zoning Change

Amberley
Village

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

Date: 10/10/2025

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

RE: Zoning Project Approval

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

Note: Residents within a Homeowners Association (HOA) of Rollman Estates or Rollman Reserve must attach written documentation of project approval from the HOA with this application.

Dear Mr. Lahrmer:

I hereby request approval for:

Solar panels on the front roof plane of
a structure (our home).

The proposed project is at the following address:

6720 Fair Acres Lane

I certify the attached plat and measurements are accurate.

Sincerely,

Christopher H. Young
Homeowner's Printed Name

Contractor's Name

Christopher H. Young
Homeowner's Signature

Contractor's Address

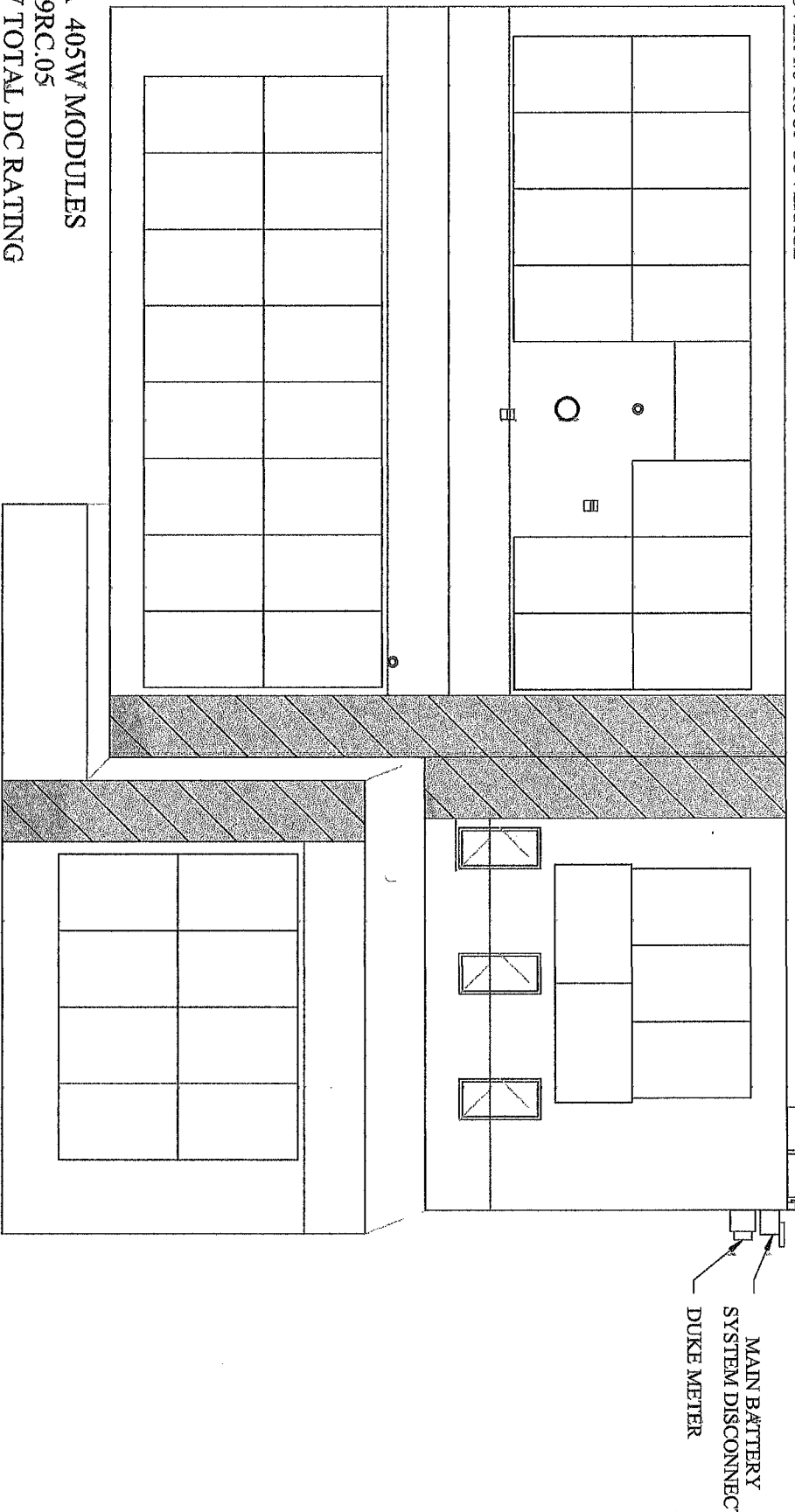
Christopher H. Young@gmail.com
Homeowner's Email Address

Contractor's Email Address

513-608-7196
Homeowner's Phone Number

Contractor's Phone Number

3' PATHWAY ON EACH ROOF SURFACE WITH SOLAR
 36" SETBACK ON EACH ROOF SURFACE WITH SOLAR
 OVER 1/3 ROOF COVERAGE



43-TRINA 405W MODULES
 TSM-NE09RC.05
 17.415KW TOTAL DC RATING
 2-TESLA POWERWALL 3 11.5KW INVERTERS
 1707000-XX-Y
 23.0KW MAX. CONT. AC TOTAL
 SHINGLE ROOF ON 1X SHEATHING
 ON 2X6 TOP CHORD TRUSSES 24" OC
 AZ- 245-65
 PITCH - 4:12

FAIR ACRES LN SITE PLAN
 1/8" = 1'-0"

ICON SOLAR
 50 WEST TECHNICAL CENTER DR
 MILFORD OH 45150

YOUNG RESIDENCE
 6720 FAIR ACRES LN
 CINCINNATI, OH 45213





7149 Ridge Road
Amberley Village, OH 45237

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amberleyvillage.org

PLANNING COMMISSION
MEETING NOTICE

WHEN: November 3, 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 Monday, November 3, 2025, 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:

Michael and Michele Schuster, the homeowners at 6825 Glen Acres Drive, are requesting a variance to Village Code Section 154.14 (A) to permit a 4-foot tall split rail fence to be constructed along the north side and front property lot line.

If you are interested in reviewing the applications, you may do so by email request to the Village Clerk at tprisoner@amberleyvillage.org, or you may attend the Monday, November 3, 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: *Michael and Michele Schuster, 6825 Glen Acres Drive*
Andrew and Ann Marie Young, 6782 East Farm Acres Drive
Kneseth Israel Congregation, 2455 Section Road
Tai-Fu and Manlin Yu Tuan, 6802 East Farm Acres Drive
Ethan and Caitlyn Zinn, 6787 Glen Acres Drive
Marlene Mayers, 6804 Glen Acres Drive
Faigie Rosedale, 6835 Glen Acres Drive



7149 Ridge Road
Amberley Village, OH 45237

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

amberleyvillage.org

Amberley Village Planning Commission Staff Report

November 3, 2025

Subject:

6825 Glen Acres Drive

Variance:

Fence in the front yard

Item: Case#2025-226

Variance Request: Michael and Michele Schuster, the homeowners at 6825 Glen Acres Drive, are requesting a variance to Village Code Section 154.14 (A) to permit a 4-foot tall split rail fence to be constructed along the north side and front property lot line.

Zoning Code Review: § 154.14 FENCES, WALLS, AND HEDGES.

(A) Notwithstanding other provisions of this Zoning Code, fences and walls not exceeding four and a half feet in height may be permitted in any required side or rear yard, provided that no fence or wall shall be permitted in any part of a front yard. Hedges along or directly adjacent to a public right of way may be permitted, provided that they are not over two-and-a-half feet in height. Hedges not along or adjacent to a public right-of-way may be permitted and are not subject to the two-and-a-half foot height restriction. All hedges shall be trimmed and maintained to present a neat and orderly appearance consistent with village standards.

Variance Review: Mr. and Mrs. Schuster's property is zoned Residence A. Village Code Section 154.14 (A) states no fence shall be permitted in any part of the front yard.

The proposed 4-foot tall split rail fence will be constructed from wood. The letter to the Board states that the fence is needed to maintain the landscape along the property line and to prevent further encroachment from Mr. Isaac Rosedale's contractors on their property. The fence will help prevent encroachment and be a visible property line marker.

On May 6, 2024 Mr. Schuster presented the same request before the BZA and was denied. Mr. Schuster stated since the last BZA hearing he has had a certified survey of the property line. The survey shows continued disruption and disturbance of his property.

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

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

Date: September 25, 2025

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

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

RE: Zoning Project Approval

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

Dear Mr. Lahrmer:

I hereby request approval for:

The construction of a split rail fence to be installed along
the entire length of our northern property line. Front
yard as defined by Amberley Village zoning
fence to be approx 240' long

The proposed project is at the following address:

6025 Glen Acres Drive 45237

I certify the attached plat and measurements are accurate.

Sincerely,

Michael Schuster
Homeowner's Printed Name



Homeowner's Signature

mschuster@msaavob.com
Homeowner's Email Address

513-314-4388
Homeowner's Phone Number

Everything Outdoors
Contractor's Name

5710 Wooster Pike
Contractor's Address

Suite 107, 45227

513-515-4982
Contractor's Phone Number

Petition for Zoning Variance
6825 Glen Acres Drive
Mike and Michele Schuster

Proposed allowance to install a split rail fence

We have been residents of Glen Acres property since 2003. When we purchased the property, we immediately constructed a large addition to the rear of our home and extended our second floor over an existing porch. In addition, we added and enhanced landscape and landscape features around our entire yard. We have spent a significant amount of money over the years to continue to create carefully planted and maintained natural environments around our entire yard. Since we bought the property, we have been aware that our "northern property line" is very close to our neighbor's driveway.

Up until recently, we have not had issues with having a more natural landscape along our northern edge. At the west edge of our northern property line, our property is a natural slope, with natural vegetation.

As you are aware, our neighbors along that property line are constructing a very large contemporary house. To construct the house, they elected to undertake significant site altering construction that entails a great deal of excavation and preparation so that they could build very tall retaining walls all around the base of the house.

As they were doing the site preparation, their excavators entered over 25-30 feet onto our property and destroyed many medium caliper trees, natural vegetation, and cut into our hillside. (Amberley is aware). They did remediate some of our property but failed to take care of the landscape that was planted and allowed the ground cover to die and for significant weeds to take over our previously undisturbed ivy-covered hillside. The letter below from their landscape consultant said they would.

This was a letter sent to us regarding the landscape. Note they said they would maintain the planting until they were established and note that they said that any new driveway would be 5' from our property line. No plan for that has been completed.

Dear Mr. Schuster,

On behalf of Isaac Rosedale and Vita Modern Homes, please accept our sincere apology for this regrettable and unforeseeable situation. In response to your requests of Mr. Rosedale for remediation of the disturbed section along your joint property line, we have engaged a civil engineering firm, Civil Solutions Associates, Inc., to evaluate the disturbance and provide professional observations and recommendations in a written report on how to best remediate this site – see attached.

We have also obtained cost estimates to complete the proposed work from our landscape contractor, Werbrich's landscaping, based on your landscaper's planting plan. We have compared these estimates with the one you have submitted and will work with the most cost-effective submission to do the same scope of work at our expense. Attached please find all three documents for your review – the Civil Solutions Site Report and two Werbrich's estimates, one of which has already been completed.

Based on these findings and estimates of probable cost, and in good faith and good will, we will finish the work that we have already started, including the completed soil amendments, soil stabilization and the proposed planting installation per your landscaper's plan, as requested.

We will further maintain the new plantings by watering until the plants have stabilized, as we want this area to be a backdrop of natural beauty for both of our properties. We will also adjust the layout of our proposed driveway design and potential retaining wall, if needed, to be no closer than 5'-0" off of the property line, as recommended by the Report.

We hope that these efforts will bring closure to an unfortunate situation and demonstrate our best intentions to repair any damage we may have caused. Please let me know if these proposals are acceptable and if you have any questions.

Thank you.

Jerry Smith, FASLA EDAC, LEED AP, SITES AP •

Mr. Rosedale has also damaged part of our yard toward the street and has not attempted to repair any of the damage.

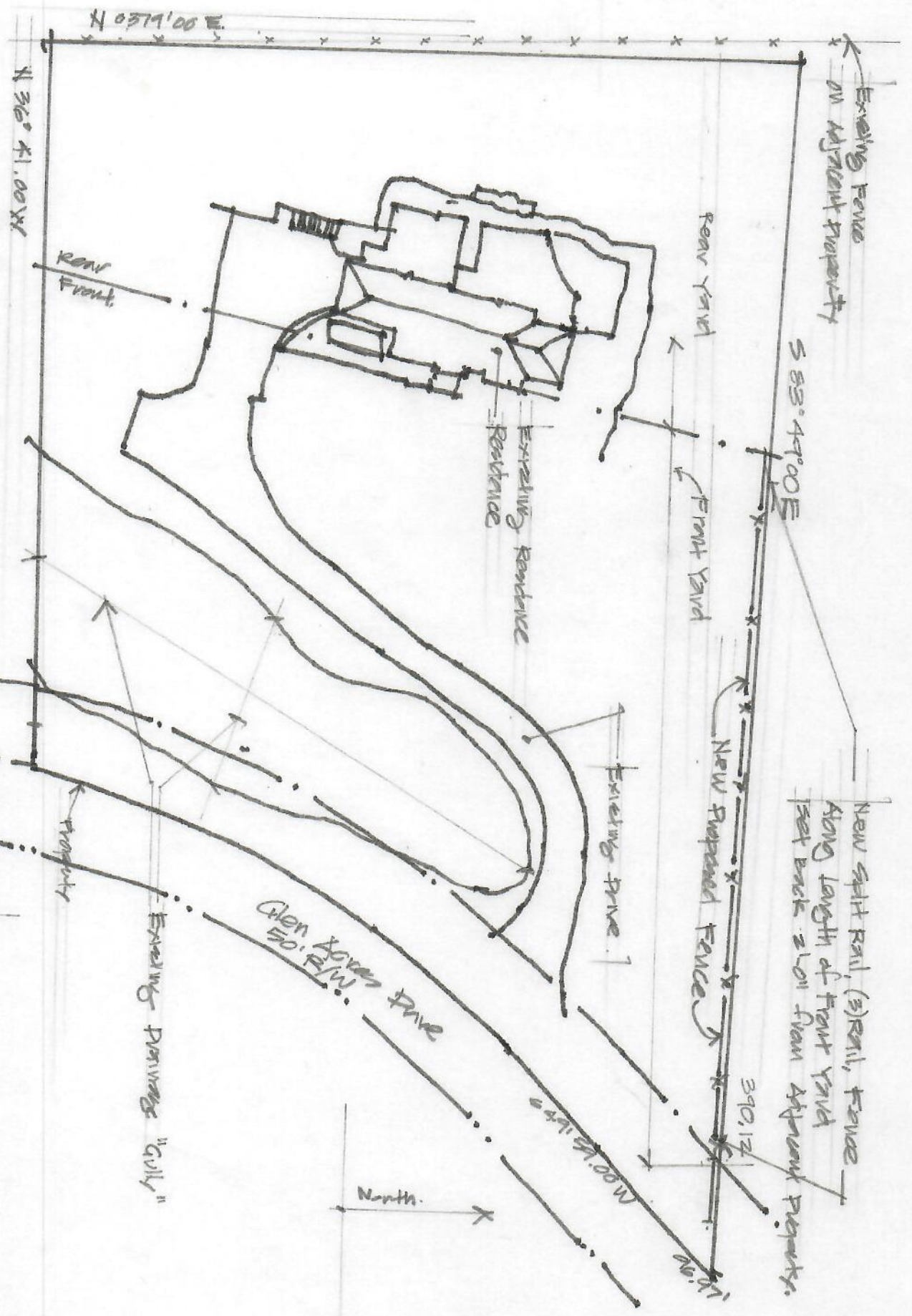
I recently hired Kleingers Assoc. civil engineers to verify my north property line. After it was staked, I painted the property line over the area at the front. Clearly there is damage on my property from his contractors.

Realizing that as this has been going on for almost 4 years, Mr. Rosedale has not made any effort to remediate this front area and has not maintained the area he damaged when he did mass excavation. I am requesting to have a fence along my property so I can clearly maintain my area from his. On a related matter, I would ask the planning commission to verify and require Mr. Rosedale to construct his new driveway 5' from my property line, as his consultant said that Mr. Rosedale would.

Their contractors used our property towards the front towards the street to place construction equipment and materials without our consent. Once alerted to this, they move everything, but the damage to the property that happened due to these things on our property has not yet been remediated. In fact, Mr. Rosedale continues to use part of that property as a construction zone. We would like to have Mr. Rosedale remediate our property but he has made no effort.

Based on all of this, it has become very clear that our neighbors do not feel a sense of obligation to either communicate with us directly, to respect our yard, or take responsibility for damage they caused to happen. For these reasons, we would like to request that you allow us to construct a split rail fence along our northern property front yard. •

DB25 Glen Acres Drive.
 Michael and Michele Schuster



Proposed Split Rail Fence
 Along "Northern" Property Line.

**MINUTES OF THE REGULAR MEETING OF THE
AMBERLEY VILLAGE BOARD OF ZONING APPEALS/PLANNING COMMISSION
MONDAY, MAY 6, 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, May 6, 2024, at 7:00 p.m.

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
Craig Cappozzo
Nimet Jeruzalmi
Rick Lauer
Scott Rubenstein

ALSO PRESENT:

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

Chairperson Bardach asked if there were any corrections to the minutes of the April 3, 2024, meeting. There being none, the minutes were accepted as submitted. He then requested all who wished to speak at the meeting please provide their name and address via the log on the podium.

CASE NO. 2024-105

Chairperson Bardach said he would be recusing himself from Case No. 2024-105 as he was long-time neighbors with the homeowner requesting the variance. He asked Board Member Rick Lauer to facilitate the first case in his place.

Mr. Fritsch stated Jim Demetron, homeowner at 7411 Willowbrook Lane, was 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 to have a floor area of 800 square feet and measure 16 feet tall without the primary access garage doors facing the street.

Mr. Fritsch said the design was intended to complement the house, and stated the purpose behind the Code regarding detached garages was to insure they went before the Board of Zoning Appeals for any conditions.

Mr. Mamoun Bayyari, Mr. Demetron's son-in-law, said the existing garage on the property was no longer usable for that purpose. He said the doors facing the street was the only option, as there was not enough room on the lot to build it any other way. He also said the height was needed for extra storage space, as they planned to remove the shed from the property.

Discussion was held regarding other storage options, but Mr. Bayyari said all other options were not favorable. Various members of the Board inquired as to what research had gone into the design, as well as what measures were taken to try and comply with Village Code. Mr. Bayyari said he had purchased a kit online for the structure, which called for vinyl siding. Further discussion was held

regarding materials matching the existing structure. Mr. Bayyari said he had consulted with Jay & Son LLC regarding the project, and turning the structure to ensure doors were not facing the street would not only add to cost, but would put the garage too close to the neighbor.

Mr. Lauer called for resident feedback.

Ms. Merrie Stillpass of 7370 Willowbrook Lane said the Demetrions had been neighbors for 35 years, and were also improving their property. However, she said she had concerns regarding the materials, which she felt did not match the style of the house.

Mr. Bayyari stated the vinyl siding matched the back of the house, and was to be a coffee color.

Ms. Stillpass asked about the elevation of the garage in relation to the house. Mr. Bayyari said it would be about equal to the home.

Ms. Stillpass stated she felt there had been an increase in the number of detached garages in the Village, and wondered if there was a reason, as she said she didn't feel they matched the look and feel of the Village.

Mr. Rubenstein said when the Board has agreed to detached garages in the past, the topography of the property has concealed the doors. Mr. Lauer said that Mr. Rubenstein's comment was fair, and added that consideration has also been given for corner lots. He said the Village has never had a rule against detached garages, but rather restrictions on size and height. He said his concern was that this was a very significant deviation from the restricted size and height. At the same time, he recognized that the home was built when cars were smaller, and he said he prefers to have homeowners park in their garage versus on the street.

Ms. Nadi Bayyari of 7411 Willowbrook Lane stated she was the granddaughter of the homeowner, and said the family preferred to keep their cars in a garage as they had had items stolen from cars in the past when parked outside. She said there were currently three drivers and four cars in their family.

Jay Shatz of 7402 Willowbrook said he had nothing but positive comments, and that the Demetrions had been great neighbors, however, while he supported them as neighbors, he opposed changes to the Code. Mr. Shatz felt that a good architect and contractor could make something work within the parameters.

Mr. Demetron came to the podium and stated he had been in the house for 52 years, and that he has always kept up his home. He said his intent was purely to improve the property. He stated he was 98 years old, and extremely proud of what he had built.

Mr. Lauer said that Mr. Bayyari had mentioned ductwork in the current garage. Mr. Bayyari said they would need a permit to park in the original two-car garage, and the ductwork connects to a furnace on the second floor, and car fumes could seep into the home.

Mr. Lauer referenced the three letters submitted to the Board, all opposing the variance requirements necessary to build the garage as proposed. Mr. Lahrmer said there had been no further correspondence.

Mr. Lauer said there were drawings that had been submitted that were not in the packet. Mr. Fritsch apologized and stated they had been submitted.

Mr. Bayyari offered to submit a materials list, and Mr. Lauer asked regarding the materials proposed for the garage doors. Mr. Bayyari said they would be prefabricated and purchased.

Mr. Lauer stated this was a difficult case, as he generally feels people should be able to build what they want on their property. Mr. Cappozzo said he had concerns regarding the size, and asked if there was a smaller option.

Mr. Bayyari said he could go back to the construction company and ask regarding size, and Mr. Cappozzo clarified it was the height he was most concerned with.

Mr. Lauer said he was not sold on second floor storage being necessary, and the garage would look big from the street. On the other hand, he said cars in the driveway were a concern, but the size was the biggest problem he had with the proposal.

Mr. Rubenstein said there had been other homeowners in similar situations who have resubmitted their plans with more detail. Mr. Bayyari said they could resubmit photos with siding and better rendering.

The Board members agreed it would help to know the overall impact on the neighborhood, and suggested submitting renderings of what the structure would look like from the street and from neighbors' homes. Mr. Rubenstein added it would help to know that all other options had been exhausted before making a final decision.

Mr. Bayyari said he felt they had looked at all options but agreed to try and bring the height down and resubmit the drawings. Mr. Lauer said the Board wanted to work with both the homeowners and neighbors to have more information upon which to decide, and Mr. Demetrian agreed to withdraw the request, via his son-in-law Mr. Bayyari, in order to provide a more detailed construction plan that more closely aligns with the Village Code.

CASE NO. 2024-65

Mr. Fritsch said Daniel and Ariel Weiss, the homeowners at 3160 North Farmcrest Drive, were requesting two variances to Village Code Section 154.12 (A)(7) to allow the primary access doors of a shed to face the street and Village Code Section 154.12 (A)(2) for the shed to be installed 4.5 feet from the east property lot line.

Ms. Weiss thanked the Board for the opportunity to present her case, and for recent road repairs on North Farmcrest. She said she doesn't like the aesthetic of a detached garage, and wanted to move storage into a shed so she can park in the garage. She said the structure might be more than 4.5 feet from the lot line but wanted forward-facing doors for ease of access.

Mr. Lauer asked if the shed could be built on the side of the driveway, and Ms. Weiss said it wouldn't look good. Mr. Cappozzo asked where the slope on the property began, and Ms. Weiss said it was at the end of the driveway. Mr. Rubenstein said it would seem easy to place the structure behind the house. Mr. Cappozzo agreed this placement could also fulfill the aesthetic reason to keep the shed from being seen from the street.

Ms. Weiss said she planned not to keep the shed doors open. Mr. Rubenstein said there had been a similar case down the street, and cautioned to be careful about setting a precedent.

Ms. Weiss said there were many neighbors who had shed doors facing the street. Mr. Lauer pointed out that there had been a case nearby that had been required to call their contractor back to correct doors facing the street, and suggested the Weiss's spin the structure around.

Mr. Fritsch said a full-sized wrecker had been called in to move the shed in the aforementioned case.

Ms. Weiss said there was already a platform in place from a previous owner.

Mr. Rubenstein said there was no hardship demonstrated if the shed could be flipped to meet regulations. Mr. Lauer said the Board was confined by the rules and precedent, and that it wasn't their job to base a decision solely on aesthetics. He said the shed could be rotated or positioned behind the house, and that other options were available, making it difficult to approve.

Mr. Rubenstein motioned to approve the variance, which was seconded by Mr. Lauer. A voice vote was taken, and all five members voted to deny the variance. The variance was unanimously denied.

CASE NO. 2024-91

Mr. Fritsch said Theodore and Jennifer Scherpenberg, the homeowners at 6800 Ridge Road, were requesting a variance to Village Code Section 154.14 (A) to permit a 7' tall black mesh fence to be constructed along the north rear property lot line.

Mr. Scherpenberg stated they were proposing a 7-foot black mesh fence to deter wildlife from French Park and to prevent toys from falling down the steep hill behind their property, which presented danger to their children. Mr. Scherpenberg explained that the property bordered French Park, and the wildlife was ruining their landscaping. He said their 7 and 10 year olds had lost balls down the hill, and he said he had seen critter fences around gardens throughout the Village. He said he didn't want something permanent, and this seemed a reasonable compromise.

Mr. Lauer asked why a 4.5 foot fence wasn't sufficient, and Mr. Scherpenberg said he was worried about the height not being enough to contain the balls and keep wildlife out. Mr. Fritsch added that the yard ended in a severe drop-off.

Mr. Cappozzo said that safety doesn't seem to fit the plastic fencing solution, and Mr. Scherpenberg said it was primarily to stop balls. He said they chose a critter fence because it wouldn't obstruct the view and wasn't permanent.

Mr. Rubenstein said it wouldn't be seen in summer at all, but he still didn't understand why a 4.5 fence wouldn't work.

Mr. Scherpenberg again stated the steep slope of the hill would require something higher to prevent balls from going down the hill.

Mr. Rubenstein said the Board had always turned down fences above the required height unless the property bordered the edges of the Village. Mr. Lauer said the situation was similar to that of wanting shed doors facing the street, but that the rules were there for a reason.

Mr. Scherpenberg asked if he were to use sports court netting and kept the height to 4.5 feet if he would eliminate the need to come back before the Board. Mr. Lauer said as long as the height was 4.5 feet, he was correct.

Mr. Lauer moved to approve the variance to allow the 7' tall black mesh fence. Seconded by Mr. Rubenstein, the voice vote resulted in a 4 -1 vote against the variance, and the variance was denied.

CASE NO. 2024-92

Mr. Fritsch said Jason and Lauren Boldt, the homeowners at 3301 Fairhaven Lane, were requesting a variance to Village Code Section 154.14 (A) to permit an 800 square foot garden surrounded by a nylon mesh fence, 6 feet in height, supported by a wooden frame. The requested garden location would be in the rear yard 20 feet from the west property lot line.

Mr. Boldt said the 800 square foot garden was requested because the family wished to grow enough food to feed themselves. He said they had just moved from Chicago, and would be happy to answer any questions. He added that the fence would be constructed of a translucent metal.

Mr. Lauer asked if the material was like chicken wire, and Mr. Boldt said it was nicer with a black/green coating.

Mr. Cappozzo confirmed that a 6 foot fence was permissible for a garden, and asked if there was a property view of the proposed location. Mr. Lauer asked why the garden wasn't being proposed for the side of the property in the back. Mr. Boldt explained that there were drainage issues and water pooled in that area, which would drown the plants.

Mr. Lauer asked if there were any setback issues, to which Mr. Fritsch replied there were not.

Mr. Bardach stated that two 400 foot gardens could be installed, so why not an 800 foot garden. Mr. Rubenstein asked if the only issue at hand was the size of the garden, and if so, would everyone then want an 800 foot garden.

Mr. Lauer moved to approve the variance as submitted, which was seconded by Mr. Bardach. A voice vote was taken which resulted in five members in favor, and the variance was approved.

CASE NO. 2024-100

Mr. Fritsch said Michael and Michele Schuster, the homeowners at 6825 Glen Acres Drive, were requesting a variance to Village Code Section 154.14 (A) to permit a 4-foot-tall split rail wood fence to be constructed along the north side and front property lot line.

Mr. Schuster said the purpose of the fence would be to demarcate the property line, as construction next door had resulted in destruction of some of their trees. He said the neighbors' construction project was utilizing the front yard as a lay-down area, and there had been some encroachment that resulted in damage to his property. Mr. Schuster said he was simply looking to define where each neighbor was responsible for maintenance.

Mr. Lauer said the variance was needed because the fence was proposed for the front yard.

Mr. Schuster said he and his wife had worked to maintain their yard. Mr. Rubenstein said he was very familiar with the property and the construction project, and was empathetic to his situation. He said it was a unique request.

Mr. Schuster said he had been living in Amberley Village for 20 years, and wants something to stand the test of time. He asked regarding a long-range master plan, and asked if there would be sidewalks added along Section Road as had been done in front of his neighbor's home.

Mr. Lauer stated that the homeowner had installed the sidewalk, and that there was no rule against it.

Mr. Schuster said that some of the damage to his property had been remediated, but it was still difficult to tell where the property line was. Mr. Lauer asked if there had been a land survey, to which Mr. Schuster replied there had. He said the land was staked, but the parameters not adhered to. He said he had additional concerns regarding the retaining walls being constructed, and the long-term effects they might have on his property.

Mr. Rubenstein asked if the Board had traditionally relaxed the rules on properties next to temples. Mr. Fritsch said there have been fences approved and that several properties have them.

Mr. Isaac Rosedale of 6835 Glen Acres Drive apologized for the disruption of his project, but said he was trying to improve the neighborhood. He said he wished to make up for any disruption caused by all the moving of dirt. He said wasn't personally sitting on the hillside during construction, but had paid someone to do so, and he had offered to pay for the dead ash trees mentioned by Mr. Schuster. He said Mrs. Schuster had agreed to his offer. He said that the hillside had indeed been disturbed and tree roots exposed, but no live or healthy trees had been taken down.

Mr. Rosedale said he told the Schusters to speak to their contractor and come up with an estimate, which they came back with at \$26,000, which included their drainage issue. Mr. Rosedale said he offered to have his crews repair the damage. After agreeing, he said the Schusters complained about the work, and there was much conflict. He said he spent approximately \$20,000 to appease his neighbors, whom he thought were happy until he received the letter from the Board of Appeals regarding the fence request. He said he then contacted Mr. Schuster directly, who told him he felt encroached upon. Mr. Rosedale said he thought they had resolved the issue over the phone, however, he doesn't want the visual barrier of a fence. He said was still willing to work something out with the Schusters.

Mr. Schuster said the property that had already been damaged was never remediated. He said he was a registered architect, he understands how construction projects work. He said he just wanted a fence at the edge of their property, and added he would still be happy to talk to his neighbor and expressed interest in working things out.

Mr. Lauer said it is always unfortunate when there is a dispute between neighbors, however, this was not a reason for a variance.

Mr. Schuster said Mr. Rosedale's proposals have been more than generous, however, he is concerned about the stability of the project and upset about the way his yard has been treated.

Mr. Lauer reminded Mr. Schuster that this was not the purpose of the Zoning Code. He said what he hopes is a temporary disagreement doesn't justify the variance.

Mr. Rubenstein stated he was sorry things had come to this, but there is specific criteria the Board of Zoning Appeals must consider. He also said he wasn't sure a fence would resolve their issues.

Mr. Bardach asked for any other comments. There being none, he called for a motion. Mr. Rubenstein moved to allow for the variance, which was seconded by Mr. Lauer. A voice vote showed a 5-0 vote against the variance, which was unanimously denied.

CASE NO. 2024-101

Mr. Fritsch said that Victor Louis and Ashley Ruff, the homeowners at 7026 Beech Hollow Drive, were requesting a variance to Village Code Section 154.14 (A) to permit a 6 foot tall wooden privacy fence in the side yard facing the street, and a 6 foot tall black coated chain link fence in the side and rear yard. The fencing will surround a 30' by 60' artificial turf play area.

Mr. Louis said that water had been channeled to service a water garden by previous owners, which had destroyed the deck on the home. He said it had taken two years to rebuild, and he had put up a 6 foot fence nearly three years ago to block the construction. He said he hoped to put in a play area with a small court, and wanted to keep the fence, which he said had not been approved by the HOA. He asked for clarification regarding the height of the fence, and asked if it would be in compliance at 54 inches.

Mr. Lauer stated there had not been a variance for the fence, and Mr. Rubenstein asked how long the approval process was for the HOA.

Mr. Louis asked if the fence would have been approved if it had been around a garden.

Mr. Lauer said the reason for the rule is to preserve the vistas in the Village, and said garden fencing was not the same as privacy fencing.

Mr. Louis stated the only reason the fence was still up was because of the construction.

Mr. Lauer said the fence would be fine at 4.5 feet.

Mr. Louis asked if the court would need a variance, and if it was subject to the 4.5 foot fence rule. He said there would be a lot of gravel needed to level the ground, and there would be no retaining wall.

Discussion was held regarding the permits required for a regrade, and the Board ruled that would be a separate variance. Mr. Lauer moved to permit the variance for the 6 foot privacy fence, which was seconded by Mr. Bardach. A voice vote showed five nays, and the variance was unanimously denied.

NEW BUSINESS

There being no further business, the meeting was adjourned at 9:05 p.m.

Tammy Reasoner, Clerk

Richard Bardach, Chairperson

Reasoner, Tammy

From: Fishelsinger <fishelsinger@aol.com>
Sent: Wednesday, October 29, 2025 8:46 PM
To: Reasoner, Tammy
Subject: 6825 Glen Acres Dr

You don't often get email from fishelsinger@aol.com. [Learn why this is important](#)

Good Evening,

My Name is Elliot Singer and residents of the great Village of Amberely. (6665 West Farm Acres Dr).

I write to you as a concerned resident in regard to the requested variance from our fellow neighbors Michael and Michele Schuster. The homeowners at 6825 Glen Acres Drive, are requesting a variance to Village Code Section 154.14 (A) to permit a 4-foot tall split rail fence to be constructed along the north side and front property lot line.

I firmly believe this will begin a slippery slope of other residents adding fences and divisions all over the village. While everyone might have what they feel is "good" reason. This would certainly destroy the beautiful landscapes, and welcoming feel that we all love and moved into Amberely for.

Thank you for your time and taking this into consideration!

Best Regards,
Elliot Singer

Reasoner, Tammy

From: Yosef Wilhelm <yosefpwilheim@gmail.com>
Sent: Wednesday, October 29, 2025 8:53 PM
To: Reasoner, Tammy
Subject: Objection to Variance Request

You don't often get email from yosefpwilheim@gmail.com. [Learn why this is important](#)

Dear Mr. Reasoner,

My name is Yosef Wilhelm, and I am a resident of Amberley Village.

My address is 6721 Glen Acres Drive.

I am writing to formally object to the variance request submitted by Michael and Michele Schuster at 6825 Glen Acres Drive to permit a 4-foot tall split-rail fence along the north side and front property line in violation of Village Code Section 154.14(A).

Amberley Village is known for its natural beauty and open, park-like character. Fences disrupt the visual harmony that defines our neighborhood. I see no practical hardship that justifies this exception. The existing landscape, mature trees, and gentle terrain already provide ample privacy and containment without the need for fencing.

I respectfully urge the Board of Zoning Appeals to deny this variance and preserve the natural beauty that makes our village special.

Thank you for your time and consideration.

Sincerely,
Yosef Wilhelm

Reasoner, Tammy

From: Meir Minster <meir.minster@gmail.com>
Sent: Wednesday, October 29, 2025 9:47 PM
To: Reasoner, Tammy
Subject: Reference: 6825 Glen Acres Drive, variance to Village Code Section 154.14 (A) permit for a 4-foot tall split rail fence to be constructed along the north side and front property lot line.

You don't often get email from meir.minster@gmail.com. [Learn why this is important](#)

To the honorable members of the Amberley Village Council

My name is Mark Minster, I reside at 6713 E Farm Acres Dr, and I have been an Amberley Village resident for the past thirty years.

I frequently walk along Glen Acres Drive for exercise and pleasure, and I really enjoy the open wooded expanse along and between the beautiful homes of this street, it adds to the quality of the experience of my walk. I would truly be saddened to see the erection of a fence at this location. I can't really imagine a justifiable need for it and I think it will diminish the quality of life for others in the village as well.

Please keep Amberley beautiful for everyone.

Thank you for your attention to this matter.

Mark Minster
6713 E Farm Acres Dr, Cincinnati, OH 45237

Reasoner, Tammy

From: Avrohom Weinrib <rabbi@czecincinnati.org>
Sent: Thursday, October 30, 2025 12:58 AM
To: Reasoner, Tammy
Subject: Opposition to variance request

To the Members of the Amberley Village Zoning Committee:

I am writing to formally oppose the variance request submitted by Michael and Michele Schuster of 6825 Glen Acres for the installation of a fence along the north side and front property line.

According to **Amberley Village Zoning Code § 154.14(A)**, fences are permitted only in required side or rear yards and may not exceed four and one-half (4½) feet in height. The code expressly prohibits any fence “in any part of a front yard.” These regulations were clearly designed to preserve the open, park-like atmosphere that defines Amberley Village and to maintain a consistent visual and spatial character across the community.

Allowing a fence to extend along the front property line would directly contradict both the letter and the spirit of this zoning provision. Beyond the technical violation, such a fence would have a significant impact on the streetscape, changing the visual rhythm and open feel that make this neighborhood so distinctive. Fences of this nature create a sense of separation and enclosure, replacing the hallmark openness of Amberley’s design with an appearance more typical of enclosed suburban subdivisions.

While individual homeowners may wish to increase privacy, that interest must be balanced against the community’s collective interest in maintaining its established character. Granting this variance would not only alter the appearance of a highly visible property but would also set a precedent that could lead to further erosion of the Village’s long-standing aesthetic and planning standards.

For these reasons, I respectfully urge the Committee to deny the requested variance and to uphold the zoning code’s clear intent — to preserve the integrity, openness, and visual harmony of Amberley Village.

Thank you for your time and consideration.

Respectfully,
Avraham Weinrib
Resident, 6605 West Farm Acres

Reasoner, Tammy

From: Mitch Krasnow <mitchkrasnow@gmail.com>
Sent: Thursday, October 30, 2025 6:05 AM
To: Reasoner, Tammy

You don't often get email from mitchkrasnow@gmail.com. [Learn why this is important](#)

Hi,

My name is Mitch Krasnow , and my family recently moved to Amberley Village, specifically onto Fair Oaks Lane. One of the things that drew us here was the beautiful sense of openness and the strong feeling of community that defines this neighborhood.

I recently learned about the variance request submitted by Michael and Michele Schuster, homeowners at 6825 Glen Acres Drive, seeking approval to construct a 4-foot split rail fence along the north side and front property lines.

While I fully respect every homeowner's right to enhance their property, I believe that adding fences between properties would change the open and welcoming character that makes Amberley Village so unique. Such a design feels more consistent with a dense, city-style layout rather than the spacious and connected atmosphere we value here.

Thank you for your consideration, and for the work you do to preserve the community character that makes Amberley Village such a special place to live.

Warm regards,
Mitch Krasnow
Fair Oaks Lane
Amberley Village Resident