

**MARIEMONT PLANNING COMMISSION**  
**REGULAR MEETING HELD AUGUST 29, 2023**

Mr. Van Stone called the meeting to order at 6:00 p.m. Present were Mayor Brown, Mr. Burleigh, Dr. Lewis, Ms. Reed, and Mr. Van Stone. Also, in attendance was Building Official Rod Holloway.

Ms. Reed noted that her first name was misspelled in the minutes from July 19. Dr. Lewis moved, seconded by Ms. Reed, to approve the minutes with Ms. Reed's name spelled correctly for July 19, 2023. On roll call; five ayes, no nays.

Application from Matthew Evans, architect, for the residence at 4001 Grove Ave. owned by Brad & Courtney Cutchner, seeking a variance and/or address change for an addition.

Findings from the Building Department as Follows:

The residence frontage is considered along Grove, supported by the location of the front door. There are two non-conforming elements based on the current zoning code: the south portion of the house (parallel to Murray Ave) is about 6ft into the side yard setback and the front porch extends beyond the 5ft allowance into the required (front) yard. There is approximately 45ft to the rear lot line (west) and 54ft to the side lot line (north) as the house is configured today.

Based on the proposed addition site plans, a variance of approximately 17ft would be required on the rear setback. There is also work planned in the side yard that is currently non-conforming (by about 6ft), with only the stairway leading to the proposed covered porch entrance extending further into the side yard. A new driveway into Murray is also part of the project.

As a corner lot, if you considered the front to be redefined to be facing Murray Ave, the rear setback is no longer an issue. The work planned to create a covered porch entrance becomes non-compliant for front setback based on both the average alignment and "Residence A" requirements. The variance would be in the 8-11ft range. The existing non-compliant porch encroaches further into the required side yard (5 to 3ft).

The current driveway and covered porch facing Grove Ave. are planned to remain. The proposed new entrance way door faces west.

Ohio Revised Code section 713 (ref. Mariemont section 151.024) defines the powers and duties of the Planning Commission. It is interpreted that these powers include the authority to approve changes in address designations. This opinion is confirmed by the Village Solicitor.

Mr. Holloway explained that the process of changing an address would start with this group conditionally approving it before going to Council for a final OK. At that point, it would go to Hamilton County. Ms. Reed noted that this has been done before in the Village and she listed Jordan Gaietto's house on Pleasant Street as an example from recent years. The previous owners had it changed. Mr. Van Stone believes that the Planning Commission can consider the front of the home to be on Murray, without an address change. Mr. Burleigh disagreed with that point, based on his research. He also disagreed with the assumption that changing the address changes the

setbacks because of how yards and lot lines are defined in our zoning code. In section 151.005, for a corner lot there can only be one lot line and if the shorter line is less than 90% of the longer line, then the shorter one must be considered the front lot line. The front of this house would have to be on Grove. If that is the case, then we must use that as our setback reference.

Matt Evans, of Arcanum Architecture located at 7711 Camargo Road, Madeira, Ohio was granted permission to address the Planning Commission. He is the architect on the project. He explained that all the properties on Cambridge and Murray were initially subdivided to face Cambridge and Murray. They were never designed to face Grove. Many of the lots on Murray are multiple lots. This one is a triple lot. At some point, the lots along Grove were re-parceled to orient the lots toward Grove. What was left of this corner lot is almost a square. The house was originally built to face Grove. There is currently a detached garage on the property. This project started with the idea of getting an attached garage and a little more living space. Other designs were considered but they didn't want to lose a lot of the yard area for the children. The current plan allows the kitchen to stay mostly where it is, without disrupting a lot of the structure of the home. They will remodel part of the kitchen, add a family room, add space over the new garage and attach it to the house. The garage is pushed back to conform to the required side yard setback along Murray. Overall, they'd like to leave the garage in its current location and not have to tear up the yard where the kids play, the north side of the property. The cost of keeping the kitchen in its approximate location where it is now is ideal because they're not having to re-run the plumbing. The addition of the family room is going to be on a crawl space. It is just a one-story structure. There will be a living space above the garage which will serve as a family room and playroom.

Owners Brad and Courtney Cutcher explained that this is the house he grew up in. They have already done many updates. As his family has grown, they have spoken to other architects. They opted not to go with the other design option as the cost was about 60% more, with similar square footage, and they would have had to vacate the property while the work was done. With the current design plan, they will be building a new structure right next to the existing home and tie it in at the last minute, allowing them to stay in the home while the work is being completed.

The neighbor who resides in the rental property at 4006 Grove Ave, Corey Rineair, was in attendance to voice support for the construction plan. She is an interior designer and reviewed the plans. She spoke with five other neighbors; everyone is supportive of the proposed changes by the Cutchers.

Mr. Van Stone asked about plans for a deck. Mr. Evans explained that there is an existing deck, and they are proposing a small deck off the family room where there is currently a front porch. It sits within the setback. They're also proposing a very small entry porch. It does not extend any further than the current structure.

Ms. Reed asked if changing the address is an option. Mr. Burleigh and Mr. Holloway did not think that changing the address would change the setback requirements or change the code. Mr. Holloway recommended that the variance required is 17 feet for the rear setback, along Murray.

Mr. Evans clarified a few points for Mr. Van Stone. The steps and walkway to the existing front porch will remain along Grove. A portion of the driveway entrance will remain up to the walkway because there is no reason to dig it up. The owners think that they may need that space for parking.

Mr. Holloway identified the two variances that would be required. One is required for the structure entrance on the south portion of the house (parallel to Murray Ave). It brings it out 14 feet from Murray. A variance is needed for that fill-in. The second variance is for 17 feet for the attached garage because it would be part of the primary structure in the rear.

Mayor Brown moved, seconded by Ms. Reed, to propose a variance of 17 feet on the west side and six feet on the south side based on section 151.024(H)(3)(b)(2)(c)(d)(e)(f). On roll call; five ayes, no nays.

The meeting adjourned at 6:53 p.m.

Respectfully Submitted,

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Ms. Shelley Reed, Secretary