

MARIEMONT PLANNING COMMISSION
REGULAR MEETING HELD MAY 21, 2014

The Mariemont Planning Commission met Wednesday May 21, 2014. Mr. Miller called the meeting to order at 5:38 p.m. Present were Mrs. Garber, Ms. Reed, Mayor Policastro and Mr. Vianello. Also in attendance was the Building Commissioner, Kirk Hodulik.

REQUEST: From David Clingerman (owner) at 320 Riverside Drive, Covington, Kentucky 41011, and Dean and Betty Clingerman (buyers) at 105 Springwood Drive, Springboro, Ohio 45066, for 3914 Petoskey Avenue, Mariemont, Ohio 45227 for a Property Variance to permit a maximum 11" encroachment into the required north side yard of the property.

Finding of the Building Commissioner: The zoning code for a property in Residence "A" zone district of 45' in width and 150' in depth shall have, per table § 151.086 (C)(1) Tabulation and Formulae of Side Yard Regulations, a minimum side yard setback of 6'-6" and the sum of the side yards of 14'-10 ½" (minimum of 8'-4 ½" on opposite side yard) for a residence structure between 18' and 30' in height. The proposed one-story addition is to extend off of the existing previous addition straight back 22'-0" to align with the existing exterior walls. The proposed addition will begin just over 6' from the side yard property line and, since the house addition is not congruent to the property line, reach a distance of 5'-7" off the side yard property line 22'-0" back. The setback variance request will be 6" at the west end of the proposed addition to 11" at the east end of the proposed addition.

Mrs. Garber said since David Clingerman is the record owner of the real estate that he be substituted as the applicant for the variance. Everything would be issued in David's name because right now Mr. & Mrs. Dean Clingerman legally do not have an interest in the property. We cannot grant a variance to someone who does not own the real estate.

Mrs. Garber asked the Clingerman's if they reached out to the neighbors. Mr. Dean Clingerman said yes they had conversations with the neighbors concerning the proposed work. He indicated that the majority of the work will be indoors.

Building Commissioner Hodulik noted that the house was previously owned by Mr. & Mrs. Dean Clingerman who sold it to their son, David Clingerman, and now are buying it back to reside in. Ms. Reed asked if it is required that the applicant talk with the neighbors. Building Commissioner Hodulik said that the abutting property owners are notified of the hearing. Mayor Policastro said he talked with the neighboring property owners and they were all fine with the property variance.

Mayor Policastro moved, seconded by Mr. Miller to grant the property variance based on Section 151.025(3)(b)(2)(c)(d)(e)(f) provided David Clingerman, record owner of the real estate, is the applicant on the variance and the variance is granted to the record owner. On roll call; five ayes, no nays.

Mrs. Garber noted that the minutes of April 23, 2014 should be amended for clarification to read 'that the properties to the east and west, (6951 Nolen Circle and 6959 Nolen Circle) shall have a 6' privacy fence installed on their respective properties to match the existing present installed fence up to 2" from the subject property at the cost of the applicant, American Heritage Enterprises'. Mrs. Garber moved, seconded by Mayor Policastro to accept the minutes as amended for April 23, 2014. On roll call; five ayes, no nays.

The meeting adjourned at 5:50 p.m.

Respectfully Submitted,

Mr. Jerry Vianello, Secretary

