

MARIEMONT PLANNING COMMISSION
REGULAR MEETING HELD MAY 22, 2019

The Mariemont Planning Commission met Monday, May 22, 2019. Mayor Policastro called the meeting to order at 5:00 p.m. Present were Mr. Brown, Mr. Van Stone and Mr. Blum. Also, in attendance was the Building Administrator Don Keyes.

Mayor Policastro said due to the vacancies of Mr. Vianello and Mr. DeBlasio the Planning Commission needed to vote a new Chairman.

Mayor Policastro moved, seconded by Mr. Van Stone to nominate Mr. Brown as Chairman. On roll call; four ayes, no nays.

Mr. Brown moved, seconded by Mr. Blum to nominate Mayor Policastro as Vice-Chairman (to replace Mr. Brown). On roll call; four ayes, no nays.

Mayor Policastro moved, seconded by Mr. Brown to accept the minutes as written for April 8, 2019. On roll call; four ayes, no nays (Mr. Blum abstained)

The first request was from James Chris & Heather Lupien of 3739 Indianview Ave, Mariemont, OH to place a 2 car garage with a side porch in the rear yard of the property.

Finding of the Building Commissioner: The property is 50 feet wide by 120 feet deep. The rear 30 feet, which is the "required rear yard", is therefore 1500 square feet in area. Mariemont code permits the garage to use 30% of that area, or 500 square feet, without waiver. This garage is 26 x 24 or 624 square feet without the porch. With the porch added, the structure is 798 square feet or somewhat more than 50% of the available area. The height of the building is 17 feet to the peak and 20 feet including the cupola. Mariemont code section 151:085 (B)(1)(c) indicates that maximum building height for an accessory building is 15 feet unless the side and rear yard setback is increased 2 feet for each foot of additional building height. With proper setback, the maximum accessory building height is then 18 feet to the roof peak. The 17 foot height of this building would increase the setback for the garage from 3 feet, both side and rear, to 7 feet both side and rear. The same code section indicates the cupola may extend above the building height.

Mr. Lupien said when they bought the house they wanted to build a two car garage. They do not wish to park their cars on the street. When working with the architect to do the design and survey of the land he did not realize the idea of a required back yard. It is going to be tasteful to the property with metal roofing and wood siding. They are going to look at all of their options and what is affordable. He has met with his neighbors and the ones he has talked to do not have any objection.

Mr. Brown and Mr. Blum both stated it was a nice design. Mr. Blum asked Mr. Lupien how he came up with the size of the garage. Mr. Lupien said the architect looked at the garage behind their property which is also similar in yard size. He told his architect the limit is 30% of the yard. The architect did the design based on 28% of the yard. They also have bigger cars. The garage will also keep the children bikes, lawnmower etc. The original garage went under the house which has been closed off.

Mr. Van Stone asked to see a plat of exactly what Mr. Lupien is requesting Planning Commission to do. He would like to know where the garage will sit on the property. Building Administrator Keyes said the garage has to be six feet away from the adjacent garage for fire

code regulations but because of the height it had to be moved two feet for each additional foot of additional height. In order to obey the code it would need to be set back from the property line seven feet both side and rear. Mr. Van Stone asked if Mr. Lupien is having the garage seven feet off the side and back it would be three feet on the drawing. If Mr. Lupien did that then the only variance that is being requested is a variance on the percentage of the official backyard. Mr. Brown said that may come into compliance if Mr. Lupien holds seven feet off the back line it will move the front section of the garage over the 30 foot line so only a portion of the garage is then within the calculation for the required backyard. Mr. Keyes said what Mr. Lupien is asking for would make the garage take 53% of the required backyard. If it is set in seven feet from the rear property line instead of three feet the garage would hang out part of the thirty feet and then take 47% of the required backyard. Mayor Policastro said a similar variance was granted across the street at the Andrews residence. He spoke with their neighbor, Mr. Shaffer, who do not have a problem the request.

Mr. Steve Beasley, 3712 East Street, said he lives behind Mr. Lupien. He wanted to see where the placement of the garage was going to be on the lot. His concern is having two buildings in close proximity to enable him to work on his garage in the future. In the past (not with the Lupien Family) overgrowth from weeds etc. has invaded his garage. Mr. Lupien commented that he plans on putting a privacy fence up but assured Mr. Beasley that if needed he could access the rear of the property to work on his garage with no problem. The porch should not be visible to the Beasley property.

Mayor Policastro moved, seconded by Mr. Blum to grant the variance in both building height and setback so the garage may sit at three feet plus from the property line based on Code Section 151.024(3)(2)(c)(d)(e)(f). On roll call; four ayes, no nays.

The meeting adjourned at 5:27 p.m.

Respectfully submitted,

Ms. Shelly Reed, Secretary