



**Village of
Mariemont**
BUILDING DEPARTMENT
6907 WOOSTER PIKE
MARIEMONT, OHIO 45227-4428
(513) 271-3315

**NOTICE OF PUBLIC HEARING
MARIEMONT PLANNING COMMISSION
VILLAGE OF MARIEMONT, OHIO**

November 11, 2021

The Mariemont Planning Commission will have a Public Hearing in the Village Council Chambers of the Village Administration Building, 6907 Wooster Pike, Mariemont, Ohio 45227 on **Wednesday, November 17, 2021 at 5:30 PM** for the purpose of review and discussion of the following 3 items, to approve the minutes from the previous meeting of September 15, 2021 and to appoint a new Chairperson, Vice-Chairperson and Secretary.

1. Request from Stephen & Elizabeth Bybee of 6944 Miami Bluff Dr, Mariemont, OH 45227 to construct locate a new A/C condenser unit on their side yard adjacent (and behind) an existing unit. The request is based on 3 points below:
 - a. There is already an existing unit in the same area
 - b. The location in the rear could result in safety/damage concerns
 - c. Willingness to add shrubbery/fencing to reduce visibility from street view

Finding of the Building Department:

§ 151.024 POWERS AND DUTIES OF THE PLANNING COMMISSION

(3) Property variances.

(a) The Commission shall have the power to grant a variation in the property provisions and requirements of this chapter which will not be contrary to the public interest or intent and purpose of this chapter, so that the public health, safety, convenience, comfort, prosperity, and general welfare will be conserved and substantial justice done, but only where, owing to special conditions pertaining to a specific piece of property, the strict application of the provisions or requirements of this chapter would cause a clearly demonstrable hardship.

(b) Variances may be granted under the following circumstances:

1. When there is reasonable doubt as to any provision of this chapter or the building zone map as applied to such property; or
2. When the following facts and conditions exist:
 - a. An exceptional narrow, shallow, or irregular lot, exceptional topographical conditions existing and of record June 27, 1941; or
 - b. Large "specimen" trees are in jeopardy; or
 - c. Where, by reason of extraordinary or exceptional circumstances or conditions, the literal enforcement of the requirements of this chapter would involve practical difficulty or would cause unnecessary hardship, or would not carry out the spirit and purpose of this chapter; and
 - d. Such variance is necessary for the use and enjoyment of the property in a manner similar to that which other property in the village is used; and
 - e. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity in which the property is located; and

f. That the condition or situation of the subject property, or the intended use of the property, for which variance is sought, is not so general or recurrent a nature as to make reasonably practical the formulation of general regulations for such conditions or situation.

§ 151.087 PERMITTED OBSTRUCTIONS IN REQUIRED YARDS

(E) Heating, ventilating, refrigerating, condensing, or air-conditioning equipment, or combinations thereof may be placed in a required rear yard; provided, that there be no more than two such obstructions and that no such obstruction shall extend more than three feet above the ground at the point of the obstruction and that such obstructions do not occupy more than 12 square feet of the required rear yard, and further; provided, that such obstructions be placed as close to the residence for which the required rear yard is provided as is reasonably possible. Similar equipment may be permitted in any side yard but may not be placed closer to the side yard property line than the required side yard setback. No similar equipment is permitted in the front yard of any structure. Utility meters may not be installed on the wall of any structure facing a street. Utility meters may be placed above grade on the side or rear wall of any structure;

A 9.5ft setback is required for this side lot per §151.086 TABULATION AND FORMULAE, section c. Additional pictures, lot survey, and building sketches available upon request from bldgdept@mariemont.org.

William Brown

William Brown
Mayor and Chairman, Planning Commission

CC: Applicants: Stephen & Elizabeth Bybee, 6944 Miami Bluff Dr.
Posting Boards
Members of the Planning Commission
Members of Council
Abutting Property Owners:
Arthur & Catherine Evans, 6958 Miami Bluff Dr.
Kali Hacias, 6940 Miami Bluff Dr.
Rod Holloway Building Department
Village Web Site
E-Mail Distribution List