



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**

January 10, 2022

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, January 19, 2021 at 5:30 PM** for the purpose of review and discussion of the following items, and to approve the minutes from the previous meeting of December 7, 2021.

1. Request from Christopher Leonidas of 4110 Grove Ave. Cincinnati, OH 45227 for a variance to locate a section of new fencing outside his defined property lot.
2. Request from Gregg & Casey of 2 Sheldon Close, Cincinnati, OH 45227 for a variance to utilize an accessory building for a non-permitted use in "Residence A" zoning district. Separately a variance would be required to allow this structure to be modified as its height is also non-conforming.

§ 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

Findings from the Building Department as Follows:

For Item #1:

§ 151.104 CONSTRUCTION

(7) All fences shall be placed entirely on the property owner's lot. No setback is required for fencing in any yard

Reference photograph below where the red line indicates the fence location in question (parallel to Grace Ave, which is approximately 12ft beyond the northern property line). The blue line is the owner's lot. Prior to purchase of this property there was an existing fence in this area.



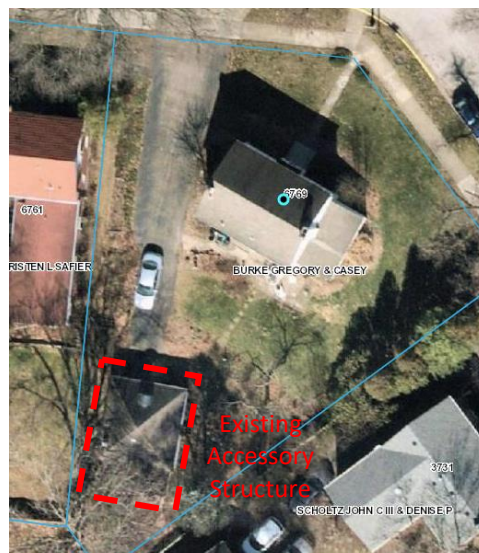
For Item #2:

§ 151.060 RESIDENCE A DISTRICT REGULATIONS

(b) Accessory buildings, erected as part of the principal building or as separate from this division (A)(7)(b): when erected as a separate structure, the accessory building shall be located in the rear yard. Accessory buildings shall be located on the same lot as the principal building, shall not involve the conducting of any business, and there shall be not more than one separate accessory building on any lot.

1. Accessory buildings are permitted for one or a combination of one or more of the following uses:
 - a. A private garage or carport;
 - b. A building for the storage of tools, equipment, or supplies used for the maintenance of the buildings and land of the lot on which the accessory building is located;
 - c. A building for the storage of tools, equipment, or supplies used primarily for recreational use by persons residing on the premises on which the building is located; and
 - d. A building for the storage of tools, equipment, and supplies used for the growing of vegetation, vegetables, fruits, shrubs, and trees on the lot on which the building is located

The plans submitted with the application for a building permit note that the intended use will be for both a playroom (non-conforming/permitted use) and a storage area. The accessory structure is existing on the lot and is taller than allowed for this zoned district (est. height of 17ft, allowable is 15ft).



Additional pictures, applications, and building plans are available upon request from bldgdept@mariemont.org.

William Brown

William Brown
Mayor and Chairman, Planning Commission

CC: Applicants: Gregg & Casey Burke and Christopher Leonidas
Posting Boards
Members of the Planning Commission
Members of Council
Abutting Property Owners of 6769 Fieldhouse and 4110 Grove Ave.
Rod Holloway Building Department
Village Web Site
E-Mail Distribution List