

MINUTES OF MEETING
INDIAN HILL PLANNING COMMISSION
DECEMBER 18, 2007

The regular meeting of the Indian Hill Planning Commission was held on Tuesday, December 18, 2007 at 7:30 p.m. in the Council Chambers of the Village Administration building.

Members Present: Paul F. Madden
Richard C. Wiggers
David T. Ottenjohn
Jane G. Koppenhoefer
Charles E. Reynolds

Members Absent: None

Officials Present: David M. Couch, Assistant City Manager

Officials Absent: Michael W. Burns, City Manager

Visitors Present: Kent Roush, Kent Roush Architects
Barry & Ruth Bucher, 8725 Blome Road

Chairman Madden called the meeting to order and asked for comments or corrections to the November 20, 2007 Planning Commission minutes that were e-mailed to the Commission. There being none, Mr. Ottenjohn made a motion to approve the minutes. Mrs. Koppenhoefer seconded, and the minutes were approved. Mr. Reynolds and Mr. Wiggers abstained from voting on approval of the minutes.

Item Number 1: Approve the findings of fact for the variance request by James Stafford, residing at 9825 Cunningham Road. Mr. Reynolds and Mr. Wiggers abstained from voting and signing the findings of fact due to objecting to the decision to grant the variance request.

Mrs. Koppenhoefer made a motion to approve the findings of fact for the variance request by Mr. Stafford. Mr. Ottenjohn seconded, and the findings were approved with Mrs. Koppenhoefer, Mr. Ottenjohn, and Mr. Madden all in favor of approval.

Item Number 2: Barry and Ruth Bucher, residing at 8725 Blome Road are requesting a variance to the front yard setback requirements.

Mr. Madden asks for anyone planning to speak on behalf of this case, to please stand, raise their right hand, and be sworn in prior to speaking.

Mr. Kent Roush, of Kent Roush Architects, comes before the Commission and displays a plat of the property. Mr. Roush explains that there is an existing detached garage that

was built with approval of a variance in 1964. The owners would like to raze the existing garage and add an attached four car garage with a second level. Mr. Roush states that the new addition will improve the non-conforming condition that currently exists by approximately 10'. The height of the addition will be increased to the height of the first floor of the existing residence. The addition will tie into the kitchen, in an effort to get most of the living space on one floor.

Staff Report: Mr. Couch describes the property as being a conforming lot of record located in District "A" – 5 acre and containing 5.49 acres. The residence is non-conforming, being located approximately 95' from the front lot line. The required setback for District "A" is 100'. The detached garage is also non-conforming, being located 36' from the Blome Road right-of-way. The required setback for a detached structure in District "A" is 120'.

The home was constructed in 1934 and is listed as an Indian Hill Historical Landmark. As Staff researched the property, it was discovered that a variance was granted by the Planning Commission in October 1964 permitting a detached garage to be located in the front. The variance was granted on the basis of an undue hardship and exceptional practical difficulty created by the location of the non-conforming existing house and declivity of the land on the west side, in addition to the only other feasible location would place the detached garage 300' from the house, creating an undue hardship.

Mr. Couch explains that the request is based on an exceptional practical difficulty due to the location of the existing non-conforming residence and detached garage. The request calls for a two level four car attached garage with the upper level being a family room. The existing detached garaged would be removed.

The footprint includes about 1900 square feet of living space. The height of the addition scales out to about 17.5' high. The addition will lessen the encroachment into the front yard where the detached garage is now. The existing driveway will remain the same, utilizing the same traffic pattern to the residence.

The front door of this house faces south, making the rear lot line face the north and the east lot line face Blome Road. There are also three other houses in this area that face the same direction. The non-conforming location of the house and detached garage has created an undue hardship for the applicants. These non-conforming conditions are by no actions of the applicants. Staff recommends approval of this variance request.

Some discussion followed concerning the size and height of the structure, as well as changes in zoning regulations since this house was constructed in 1934. Special attention was reviewed in relation to the previous variance request approved in 1964.

Mr. Wiggers notes that he would like certain standards established to provide the Commission with more information. He would like to see future plans with clear dimensions on the zoning as far as where the house is in relationship to the property lines, as well as having verification from a registered engineer. Too often, the Commission is asked to make a ruling without knowing the exact number of feet to property lines. Mr. Madden adds that in future cases, he would like to see more concerning how the first floor relates to the addition.

Mr. Reynolds made a motion to approve the variance request. Mr. Ottenjohn seconded, and the motion was approved by a unanimous voice vote.

There being no further business to come before the Commission, Mr. Reynolds made a motion to adjourn. Mrs. Koppenhoefer seconded, and the motion was approved by a unanimous voice vote.

Respectfully submitted,

Paul F. Madden, Chairman

ATTEST:

David M. Couch, Secretary Protem