

Application for an Appeal to the Board of Zoning Appeals

Hamilton Township Board of Zoning Appeals

Kevin McKiernan on behalf of Rippe Investments

7:00 PM, October 1, 2015

General Information

- Applicant:** Kevin McKiernan
1185 French Court
Maineville, Ohio 45039
- Owner:** Rippe Investments
1071 Celestial Street Ste. 1400
Cincinnati, Ohio 45202
- Property Location:** Fosters Pointe Subdivision
Lot #166
Parcel # 1604372004
Hamilton Township, Warren County, Ohio.
- Contiguous Owners:** See application.
- Existing Zoning:** R-1 Single Family Residence Zone
- Existing Land Use:** SFD
- Parcel Information:** Size .5938 acres
Land Use SFD
- Surrounding Land Use:** North: R-1 Single Family Residence Zone
East: R-1 Single Family Residence Zone
South: R-1 Single Family Residence Zone
West: R-1 Single Family Residence Zone
- Requested Action:** The applicant has requested a variance from Section 6.1.3.C (1) in order to allow a single family residence to be constructed within the front yard setback requirement for Fosters Pointe Subdivision. The single family home would set at a forty (40) feet front yard setback instead of the required fifty (50) feet.
- History:** Mr. And Mrs. McKiernan came in and met with Staff concerning lot # 166 in Fosters Pointe. It was obvious the desired home would not fit on the lot they had under contract. After much discussion, they decided to request a variance to allow them to build on this preferred lot instead of making an offer on another lot. The hearing was then set by the Board for October 1, 2015.
- Applicable Regulations:** In Section 6.1.3.C (1), The Hamilton Township Zoning Code, states,
- (1) The yard fronting a street shall be considered to be a front yard and shall meet the minimum front yard setback.

Definition:

All single family residences should be setback from the front property line fifty (50) feet in the Fosters Pointe Subdivision.

Similar Cases:

Ken & Amy McKeehan, 6/12/2014, 10271 Morrow Cozaddale Road

Applicant applied for a permit after an illegal front porch was constructed and variance was approved.

Eli Liechty, 8/9/2012, 1707 Laurel Glen Court

Applicant applied for and was granted a seventeen (17) foot building line variance for lot 28 on Laurel Glen Court.

S. Cahill of Abercrombie & Assoc., 10/2011, Lot 168 Grovesedge

Applicant applied for and was granted a variance to allow an existing multi-family building to encroach (.28) feet into the required thirty-five (35) foot front yard setback.

Mainstream Homes 2/26/2009-772 Foster Maineville Road

Applicant applied a variance to construct a new residence with the same front yard setback as the original residence of forty (40) feet yet the zoning code states fifty (50) for R-1 zone. Variance was granted with restrictions.

Omer & Joyce Barrett 5/3/2007 -856 Marion Ave.

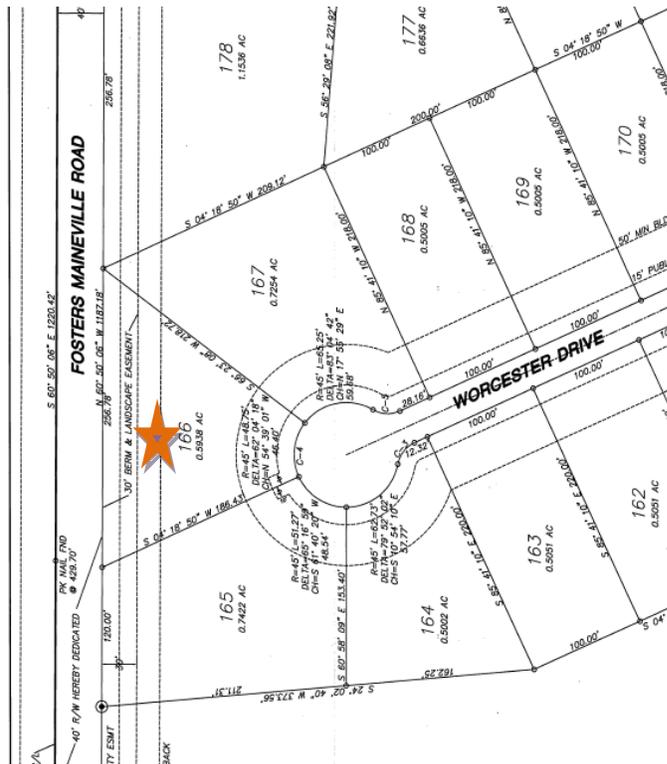
Applicant applied for a variance due to a staking error for a front yard setback of 40 feet to 35 feet to allow an existing front porch and handicapped ramp. Variance request was approved.

Vernon & Rose Scott 5/3/2007 -978 Marion Ave.

Applicant applied for a variance to allow construction of an 8 x 17 front porch reducing the front yard from 50 feet to 42 feet. Variance was approved.

Inverness Group 2004 –Village on the Green

Applicant applied for and was granted a variance to reduce the front yard setback from 40 to 35 feet due to a staking error.



Site Summary:

Lot #166 is located in the cul-de-sac of Worchester Drive. There is a thirty (30) foot berm and landscape easement running along the back of the property near Foster Maineville Road.

