

**Board of Zoning Appeals Agenda
July 22, 2025
Montgomery City Hall
7:00 p.m.**

- 1- Call to Order
- 2- Roll Call
- 3- Pledge of Allegiance
- 4- Open Board of Zoning Appeals Meeting / Swearing in of Witnesses
- 5- Guests and Residents
- 6- New Business

Agenda Item 1

9620 Zig Zag Rd: Property owners, Justin & Alicia Murphy, request a variance to allow for a garage addition to have a side yard setback of 7.6 feet where 15 feet is required per Scheule 151.1009(c) of the Montgomery Zoning Code.

- 7- Other Business
- 8- Approval of Minutes
- 9- Adjournment

NOTICE OF PUBLIC HEARING

The City of Montgomery Board of Zoning Appeals will meet on Tuesday, July 22, 2025, at 7:00 p.m. in City Council Chambers at 10101 Montgomery Rd, Montgomery, Ohio 45242 to consider requests for a dimensional variance for the following application:

9620 Zig Zag Rd: Property owners, Justin & Alicia Murphy, request a variance to allow for a garage addition to have a side yard setback of 7.6 feet where 15 feet is required per Scheule 151.1009(c) of the Montgomery Zoning Code.

A copy of the proposed plan and application are available for review at the Montgomery Community Development Office, 10101 Montgomery Rd, between the hours of 8:00 a.m. and 4:30 p.m. More information can be obtained by contacting Greg Vonden Benken, Zoning & Code Compliance Officer at 513-792-8347 (gvondenbenken@montgomeryohio.gov)

CITY OF MONTGOMERY BOARD OF ZONING APPEALS

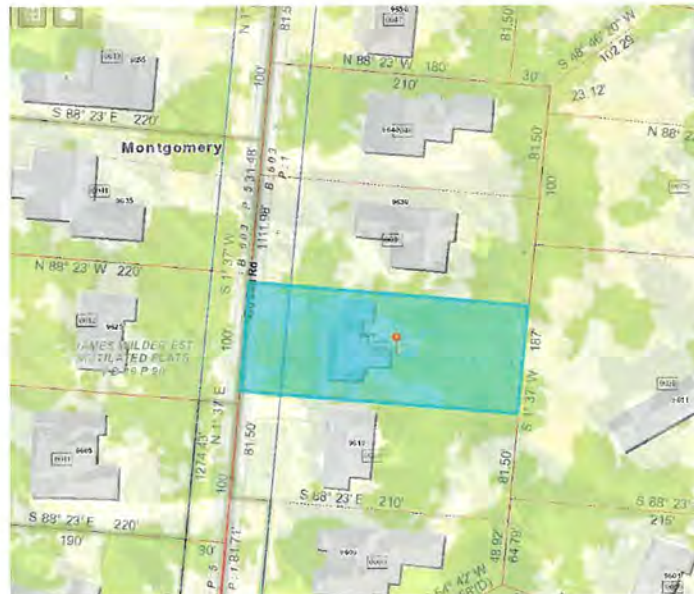
Application for Variance: *Justin and Alicia Murphy*

July 18, 2025
Staff Report

Applicant: Justin and Alicia Murphy
9620 Zig Zag Road
Montgomery, OH 45242

Property Owner: Same

Vicinity Map:



Nature of Request:

The applicant is requesting a variance to allow for a garage addition to have a side yard setback of 7.6 feet where 15 feet is required in the 'A' zoning district per Schedule 151.1005 of the Montgomery Zoning Code.

The proposal is intended to add a second enclosed parking space where only a one-car garage currently exists.

Zoning:

This property is zoned 'A' single family residential. The adjoining properties are also zoned 'A' single family residential and used for single family residences.

Findings:

1. The home was built in 1946.
2. The lot is non-conforming in lot size. The lot is 0.389 acres which is approximately 3,055 square feet smaller than the 20,000 square foot minimum lot size required in the 'A' zoning district.
3. The single-family structure presently contains one enclosed parking space. As such, it is non-conforming regarding the number of enclosed parking spaces which requires 2 enclosed spaces per Schedule 151.3204.
4. The lot is 82 feet in width, which meets the minimum 80-foot width required in the 'A' zoning district.
5. The existing house is non-conforming in that it sits approximately 10.6' off the north property line and approximately 12.1' off the south property line. Chapter 151.1005 requires principal buildings to be a minimum of 15' from the side property line in the 'A' zoning district.
6. The home located to the north, adjacent to the proposed variance area, is setback 20 feet from the property line. With the proposed variance, the total setback distance would be 27.6 feet. Currently the total setback distance is 30.6 feet.
7. A setback variance was previously approved for this property in 2015 to allow an addition to have a south, side yard setback of 12.1' for a length of 18.67'. The addition was never completed and the variance expired.
8. A setback variance was previously approved for this property in 2022 to allow an addition to have a south, side yard setback of 12.1' for a length of 20.33'. This project was completed.

Variance Considerations:

Section 150.2010 allows the Board of Zoning Appeals to grant dimensional variances when the applicant can establish a practical difficulty. The City has established the following criteria for evaluating hardships:

1. *Whether special conditions and circumstances exist which are peculiar to the land and/ or structure involved?*

The lot is approximately 3,000 square feet smaller than the minimum lot size required in the 'A' District. The existing structure is also non-conforming to the zoning regulations in both side-yard setbacks and number of enclosed parking spaces.

2. *Will the property yield a reasonable rate of return if the variance is not granted?*

Staff believes that while the property would still yield a reasonable rate of return if the variance is not granted, the lack of a second enclosed parking space and the existing non-conforming side-yard setbacks create problems for updating the house, may have a negative impact on the rate of return for the property when compared to two car garage residential structures.

3. *Is the variance substantial? Is it the minimum necessary?*

The variance from the required side yard setback is somewhat significant because the applicant is requesting a 28.3% side yard setback reduction from the current setback and 49.3% reduction from the required 15-foot setback. The current setback for the garage is 10.6 feet and is non-conforming. An additional 3-foot variance is the minimum necessary to complete the project to add a second enclosed parking space.

4. *Will the character of the neighborhood be substantially altered?*

Many of the lots on Zig Zag Road and the surrounding area on Ross Avenue, Todd Drive and Campus Lane do not conform to the zoning regulations in terms of minimum lot size. A study completed for the area found that approximately 53% of the lots do not meet the minimum lot size requirement, including the subject lot. Further a study determined in this neighborhood, 46% or 50 of the houses do not meet the minimum setback

requirements for the 'A' zoning district. Much of the redevelopment in the area has been in the form of teardowns with new houses being constructed which meet the required setbacks on lots which are of similar size and width as the lot at 9620 Zig Zag Road. In this case, the applicant is attempting to keep the existing house and turn the one car garage into a two-car garage which meets the current minimum code for new construction in the City.

Staff does not believe that the character of the neighborhood will be substantially altered by granting the variance because many of the homes (46%) in the neighborhood do not meet the minimum setback requirements of the district. The home at 9630 Zig Zag Road would be the most impacted by granting the variance; however, Staff does not believe that granting the variance would have a large negative impact on the house at 9630 Zig Zag Road because the existing structure already encroaches into the north side-yard setback by 4.4 feet and even if granted would be at minimum 27.6 feet away from the adjacent structure.

5. *Would this variance adversely affect the delivery of government services?*

Government services would not be affected by granting the variance.

6. *Did the owner purchase the property with the knowledge of the zoning restraint?*

The owners have stated that they were unaware of the City's Zoning Code when the house was purchased 14 years ago.

7. *Whether special conditions exist as a result of the actions of the owner?*

No special conditions exist as a result of the owner.

8. *Whether the owner's predicament can be feasibly obviated through some other method?*

The property owners could choose to construct a separate rear yard detached garage; however, this may necessitate the removal of a large, mature oak tree, and potentially change the character of the current home. However, a driveway would be required with a minimum of 8 feet in width to service a possible detached

garage and would also require a setback variance as 5 feet would be required.

9. *Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting the variance?*

The spirit and intent of Sections 151.5003 would not be preserved by granting the variance for the following reasons,

- a) The original building will not be made to conform to the regulations of the district in which it is located.
- b) The proposed extension along the north property line is not in compliance with the regulations of the district and;
- c) The proposed extension along the north property line does not reduce a non-conforming condition.

Despite these facts, Staff does not believe that it is the intent of the zoning code to inhibit improvements to an existing home, if the expansion would not be detrimental to the surrounding properties, and the expansion is reasonable. While the applicant is proposing to increase the width of the structure and thus the nonconforming setback, the home is currently non-conforming regarding with only one enclosed parking space. Overall, they are slightly increasing a setback non-conformity to create complete conformity with the number of required parking spaces.

10. *Would granting the variance confer on the applicant any special privilege that is denied to other properties in this district?*

Dimensional variances have been granted in the past for lots in this area which do not conform to the 'A' District zoning requirements. Several of these approvals were for expansions of existing non-conforming buildings that required a variance for side yard setbacks.

March 1979, 9968 Zig Zag Rd., a 3-foot variance was granted in the side yard to allow construction of a 2-car garage.

August 1989, 9872 Zig Zag Rd., a 11.6-foot variance was granted in the side yard for a principal structure addition.

April 2002, 9826 Zig Zag Rd., a 10-foot variance was granted in the side yard to construct a new home.

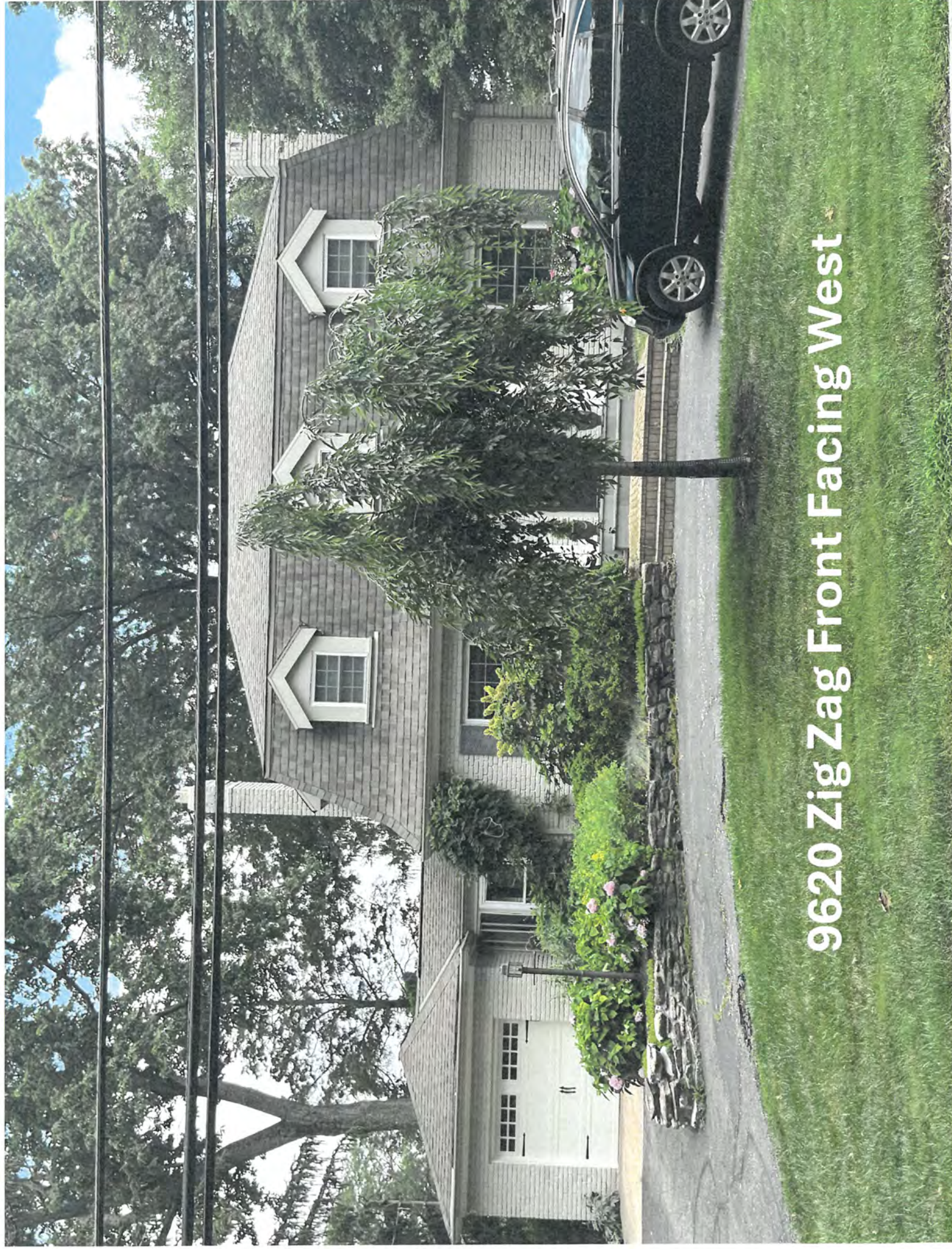
Staff Comments and Recommendations

Staff believes that the variance to allow for the expansion of a non-conforming building side yard setback is appropriate considering that the addition will meet the minimum requirement of an enclosed two-car garage per the Montgomery Zoning Code requirements. The applicant has also worked with their designer to minimize the side yard setback as much as possible by internally reducing livable space by 4' 9". Presently, secondary exterior entrance adjacent to the current garage entails a 7' 9" wide area which will be reduced to 3' if the garage expansion is approved.

Staff believes that the variance to allow the proposed addition to encroach 3 feet into the required 15-foot side-yard setback along the north property line for a length of approximately 26.63 feet is appropriate considering that the encroachment is solving a parking non-conformity by increasing another setback non-conformity with the home.

Granting the variance for the expansion of a non-conforming building and the variance of a maximum of 3 feet into the required north side-yard setback would be justified by criteria #1, 2, 4, 5, 6, 9, and 10.

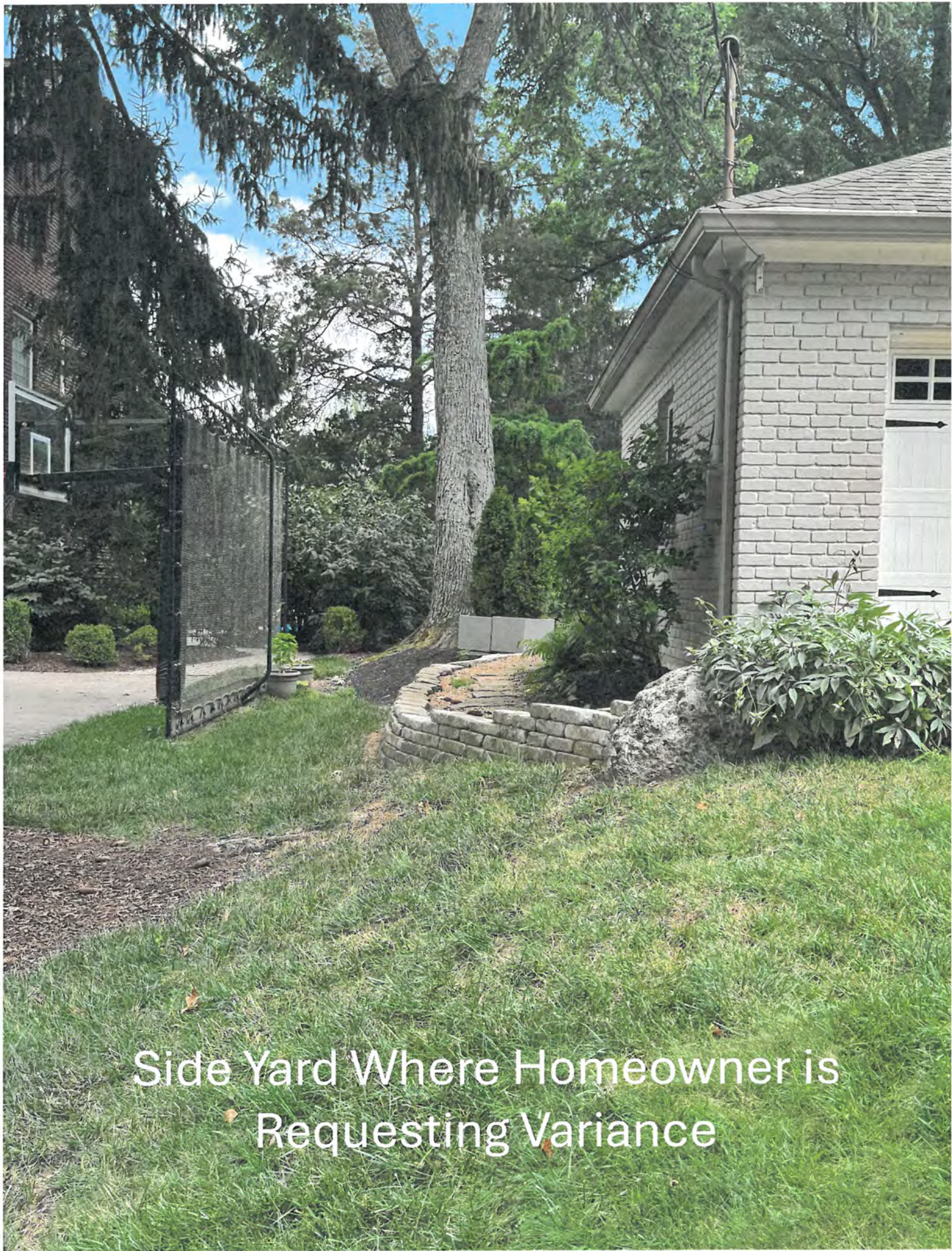




9620 Zig Zag Front Facing West



One Car Garage Currently Non-Conforming

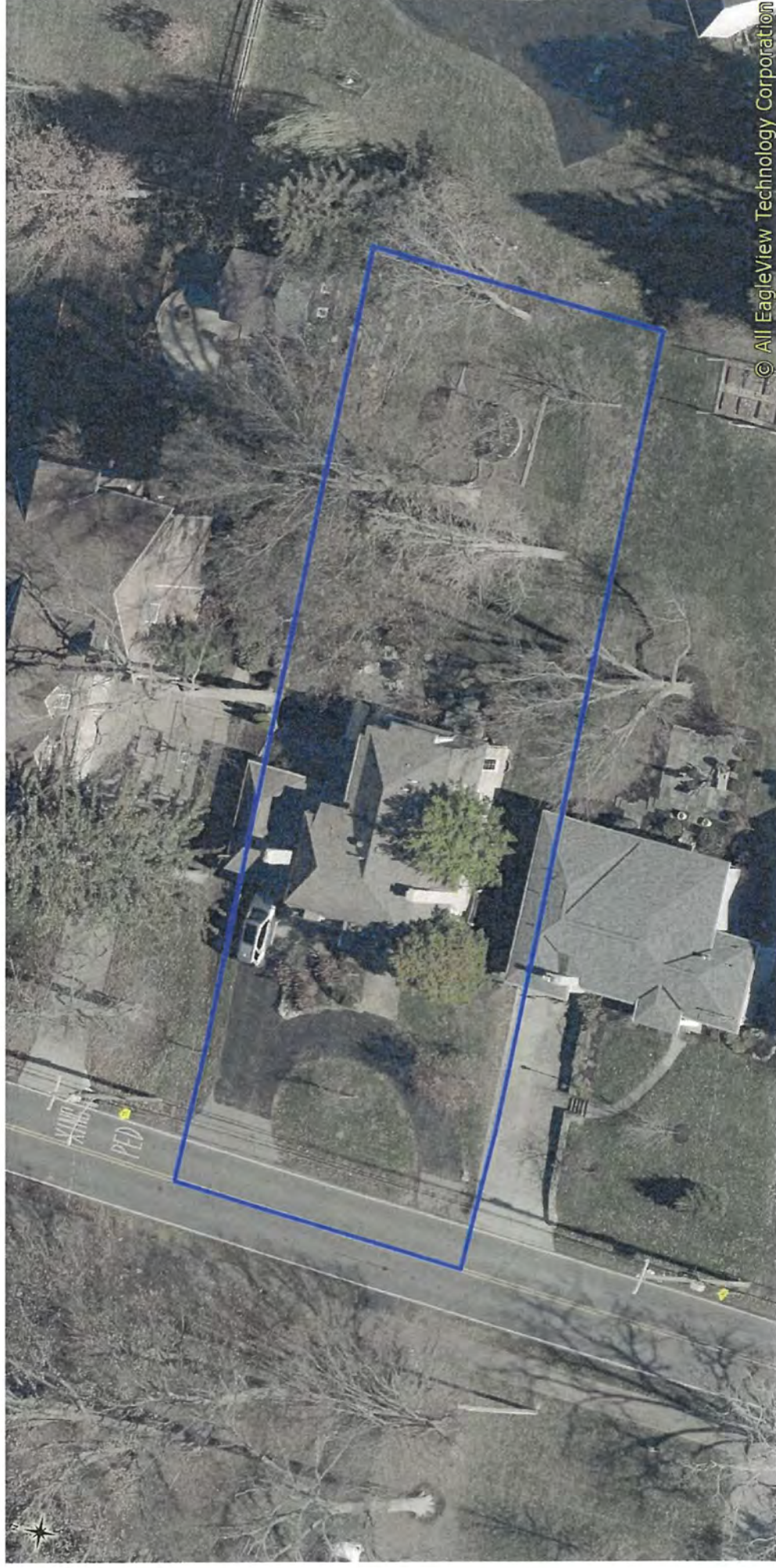


Side Yard Where Homeowner is
Requesting Variance



Rear of Garage

9620 Zig Zag Aerial Facing North



9620 Zig Zag Aerial Facing South



9620 Zig Zag Aerial Facing East



© All EagleView Technology Corporation

9620 Zig Zag Aerial Facing West



© All EagleView Technology Corporation

Justin & Alicia Murphy
9620 Zig Zag Rd.
Montgomery, OH 45242

Request for Variance – 9620 Zig Zag Rd.

We respectfully request a variance to extend three feet into the existing 10.6-foot side setback on the left (north) side of our property. This adjustment is necessary to accommodate the minimum dimensions required for a functional two-car garage.

Our current one-car garage is non-conforming to current city code and has become increasingly impractical, particularly now that our middle and oldest daughters are driving. The lack of adequate garage space has created ongoing logistical challenges for our family and leaves the driveway somewhat littered with cars.

We thoroughly explored alternative locations for the garage, including a potential detached structure in the back left corner of our lot. However, this option would likely necessitate the removal of a large, mature oak tree. This tree provides essential shade to our backyard and significantly contributes to the character and aesthetics of our outdoor space. Its loss would be detrimental to the overall landscape and enjoyment of our property.

If the variance is granted, we also plan to replace the existing half-circle driveway with a new, more functional driveway aligned with the proposed two-car garage. In addition, we will be removing the existing brick paver walkway and installing new bluestone walkways to complement the existing bluestone stoop, ensuring visual continuity and improved curb appeal.

We appreciate your consideration of this request and are committed to ensuring that any modifications will enhance both the functionality and appearance of our home while preserving the natural features of our property.



APPLICATION REQUIREMENTS FOR A DIMENSIONAL VARIANCE

An application for a dimensional variance shall be filed with the Zoning Administrator for review by the Board of Zoning Appeals. The application will consist of a written request containing a cover letter accompanied by the following requirements necessary to convey the reason(s) for the requested variance.

1. Application form.
2. Consent of owner(s) to inspect the premises form.
3. Proof of ownership, legal interest or written authority.
4. Description of property or portion thereof.
5. Description of nature of variance requested.
6. Narrative statements establishing and substantiating the justification for the variance pursuant to the attached criteria list.
7. Site plans, floor plans, elevations and other drawings at a reasonable scale to convey the need for the variance.
8. Payment of the application fee.
9. Any other documents deemed necessary by the Zoning Administrator.



APPLICATION FORM

Meeting (Circle): Board of Zoning Appeals Planning Commission Landmarks Commission

Project Address (Location): 9620 Zig Zag Rd.

Project Name (if applicable): _____

Auditors Parcel Number: 603-0001-0045-00

Gross Acres: .389 Lots/Units 1 Commercial Square Footage _____

Additional Information: _____

PROPERTY OWNER(S) Justin and Alicia Murphy Contact _____

Address 9620 Zig Zag Rd. Phone: 773-454-0915

City Montgomery State OH Zip 45242

E-mail address justin.murphy1@gmail.com

APPLICANT Justin and Alicia Murphy Contact _____

Address 9620 Zig Zag Rd. Phone: _____

City Montgomery State OH Zip 45242

E-mail address justin.murphy1@gmail.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature

FOR DEPARTMENT USE

ONLY

Print Name

Justin Murphy

Date 5/23/2025

Meeting Date:

Total Fee:

Date Received:

Received By:



Consideration for Approval of Dimensional Variances

The following criteria will be used, along with other testimony provided at the public hearing to determine whether a practical difficulty exists that warrants a variance from the Zoning Code. Applicants should be prepared to respond to these issues.

1. Whether special conditions and circumstances exist which are peculiar to the land or structure and which are not applicable to other lands or structures in the same zoning district. Examples are narrowness, shallowness or steepness of the lot, or adjacency to non-conforming uses.

Home was built in 1946 with a one car garage. There is a large Oak tree in the back of the property that makes a detached garage problematic. The left setback is already non-conforming.

2. Will the property yield a reasonable rate of return if the variance is not granted?

The rate of return will be reasonable but it may be difficult to find a buyer that would accept a one car garage.

3. Is the variance substantial? Is it the minimum necessary?

No. The total non-conformity could be arguably substantial but the additional three feet is not and is the minimum necessary.

4. Will the character of the neighborhood be substantially altered?

No, as shown from the drawings the project with new driveway and landscaping should improve the overall character of the home and neighborhood.

5. Would this variance adversely affect the delivery of government services?

No. The variance would have no impact on the delivery of government services.



6. Did the owner purchase the property with the knowledge of the zoning restraint?

We admittedly did not inquire about the setback requirements when we bought the house 14 years ago.

7. Whether special conditions exist as a result of the actions of the owner?

No special conditions will exist as a result of the variance or garage.

8. Whether the owner's predicament can be feasibly obviated through some other method?

The only other option would be a detached garage which would require cutting down a very large tree which we feel would have a very negative impact on the character of our home.

9. Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting the variance?

The project has been discussed with the neighbor on that side of the house and we will also improve on the landscaping on the left side of the new garage which should improve their view and privacy.

10. Would granting the variance confer on the applicant any special privilege that is denied to other properties in this district?

I do not believe so.



CONSENT OF OWNER(S) TO INSPECT PREMISES

To: City of Montgomery Board of Zoning Appeals Members and Staff
City Hall
10101 Montgomery Road
Montgomery, Ohio 45242

Re: Review Subject Site

Dear Members and Staff:

As owner(s) of the property located at 9620 Zig Zag Rd., we hereby grant permission to Members of the Board of Zoning Appeals and City of Montgomery Staff to enter the property for visual inspection of the exterior premises. The purpose of said inspection is to review the existing conditions of the subject site as they relate to the application as filed to the Board of Zoning Appeals.

Property Owner(s) Signature

Print Name Justin Murphy

Date 5/23/2025

Board of Zoning Appeals Members:

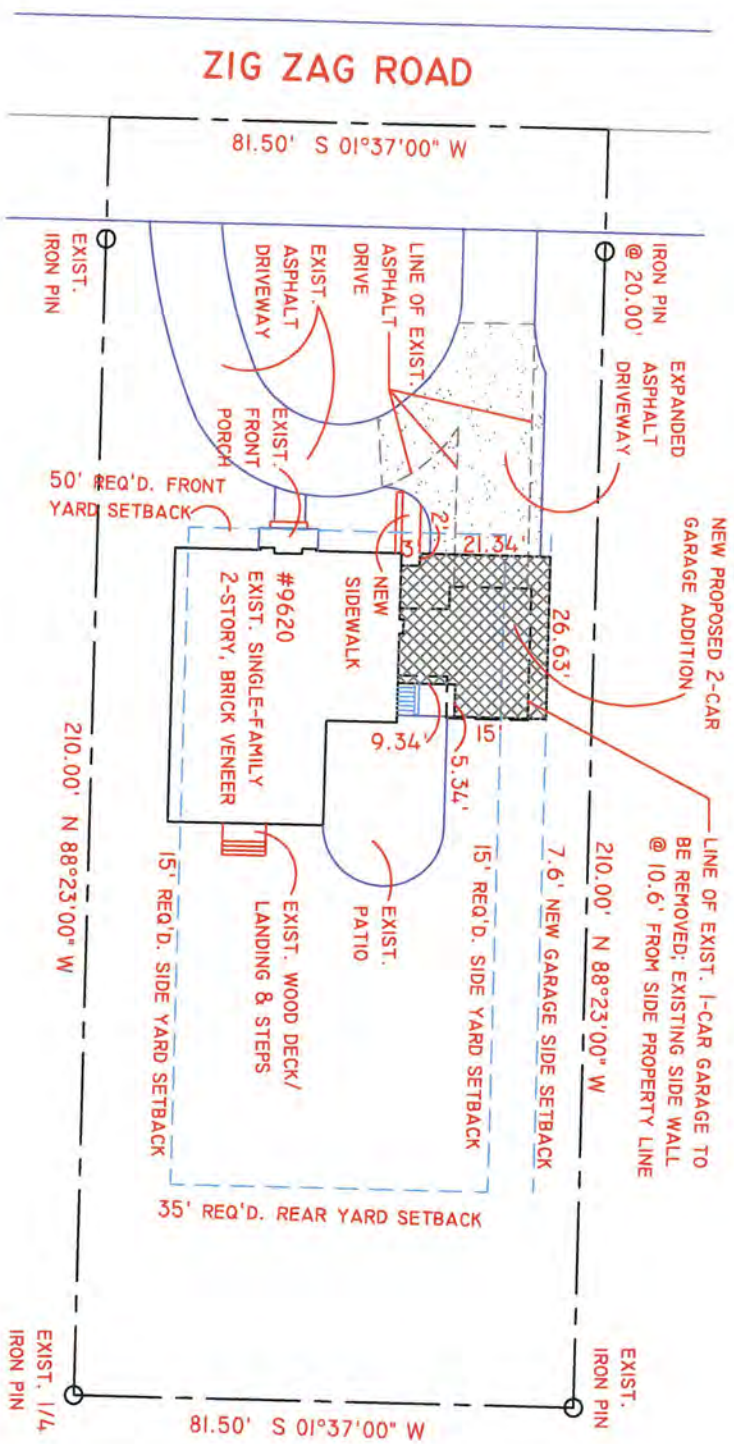
Mary Jo Byrnes

Tom Molloy

Jade Stewart

Steve Uckotter

Richard White



MURPHY 2-CAR GARAGE ADDITION

9620 ZIG ZAG RD.

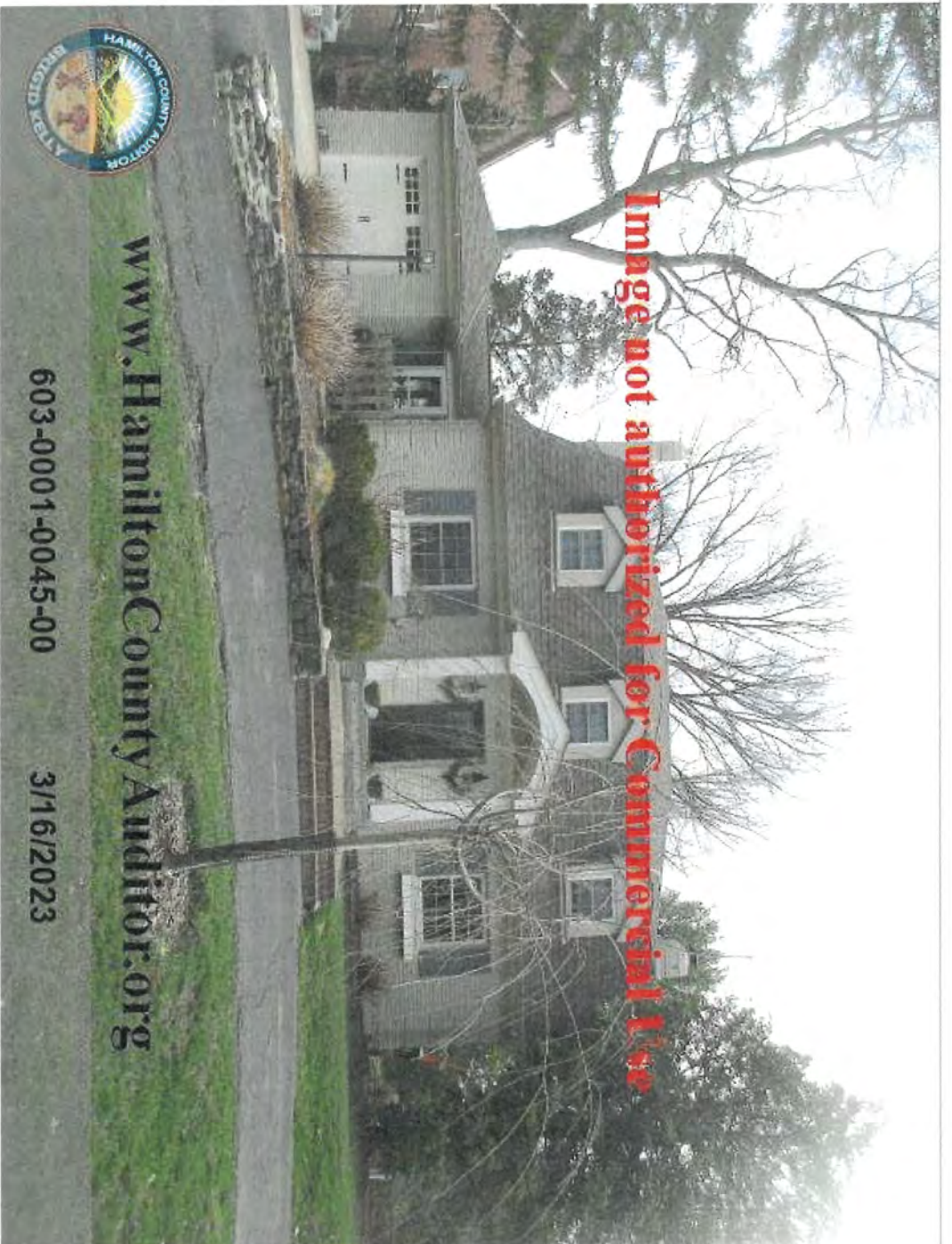
CINCINNATI, OHIO 45242

OWNERS: JUSTIN AND ALICIA MURPHY

PLOT PLAN

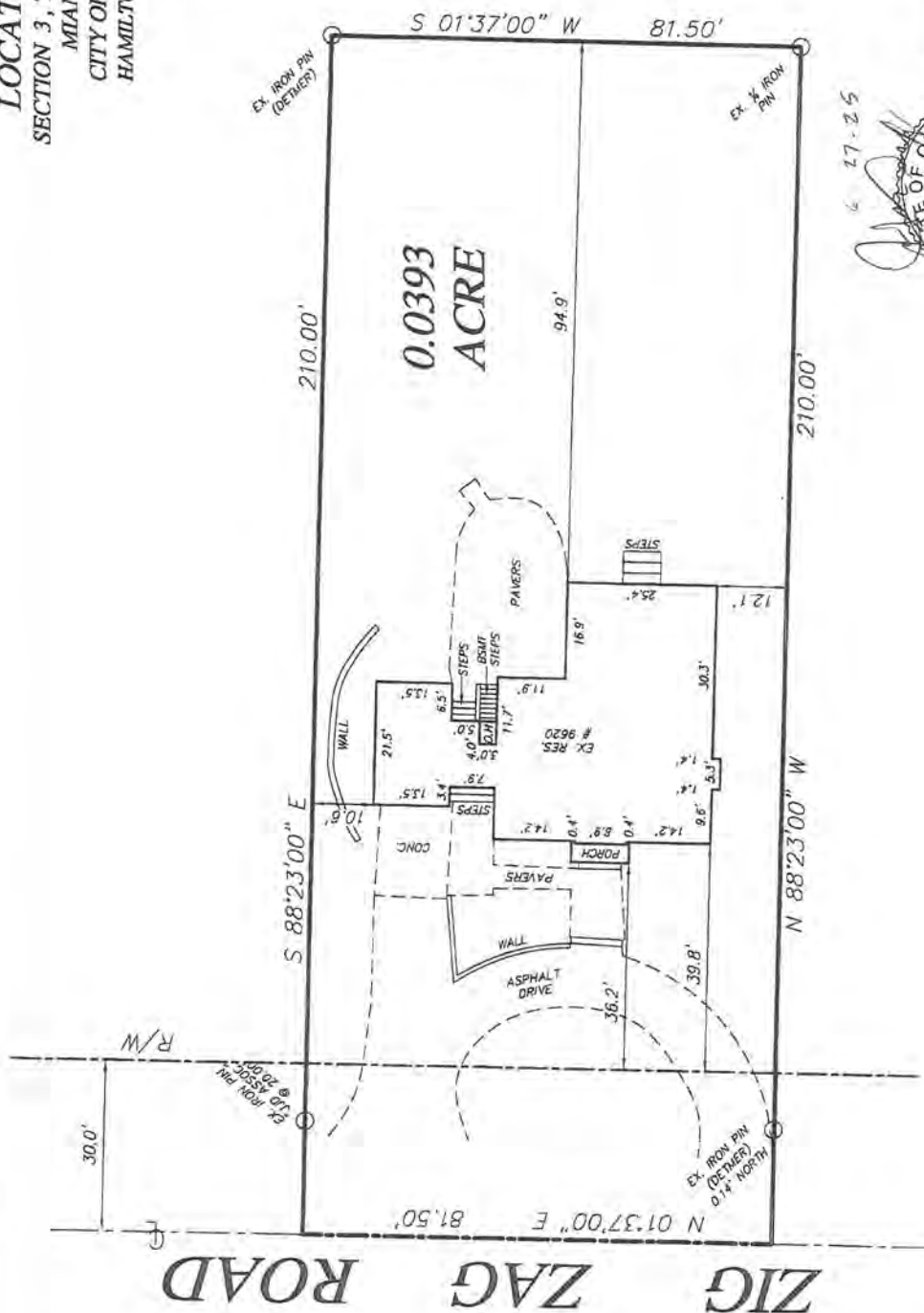
SCALE: 1" = 30' 06/10/25





Current Parcel Sketch

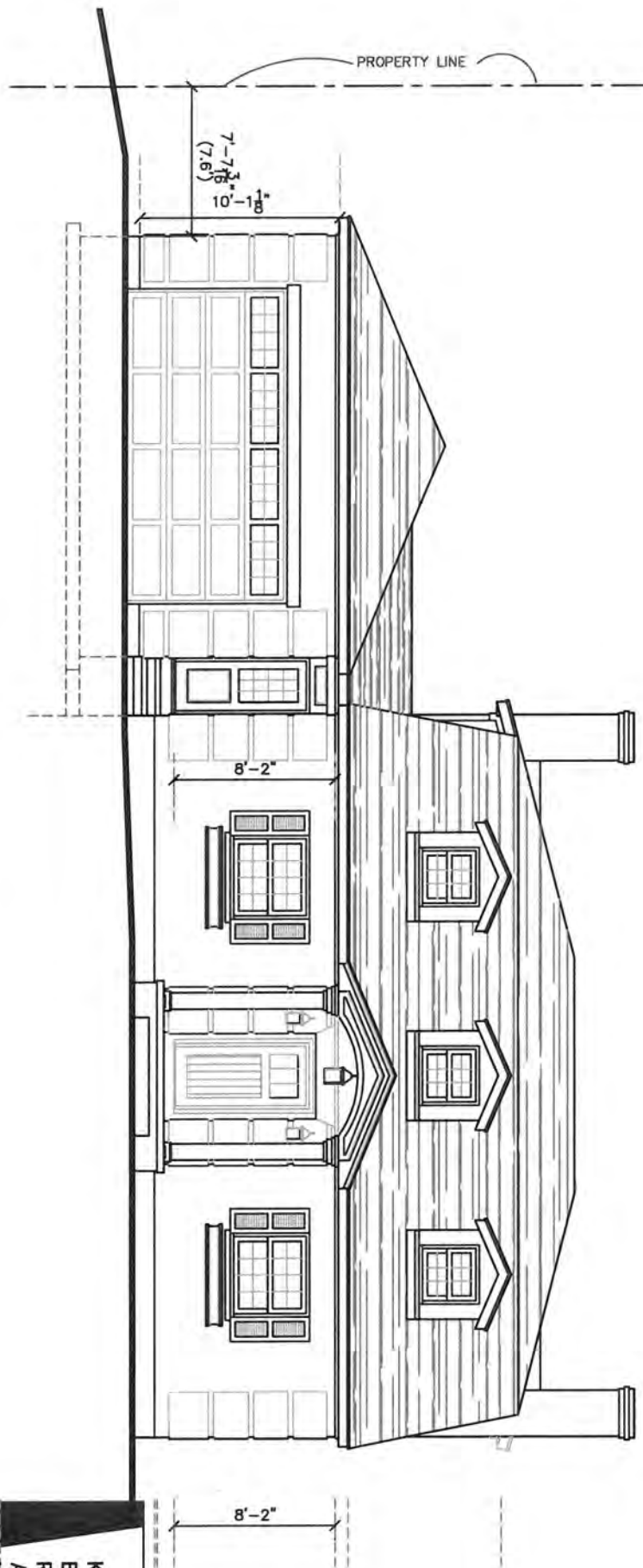
LOCATION SURVEY
SECTION 3, TOWN 4, E. RANGE 1
MIAMI PURCHASE
CITY OF MONTGOMERY
HAMILTON COUNTY, OHIO



NOTE: The professional surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership, title evidence, or any facts that an accurate and current title search may disclose.



JOHN J. DUFFY & ASSOCIATES, INC. ENGINEERS-SURVEYORS 4839-E DUFF DRIVE CINCINNATI, OHIO 45246 (513) 874-1811 Email: jjduffy@usa.net			
SCALE: 1"=20'	DRAWN: HMT	CHECKED: JMD	
DATE: 5/27/95			JOB NO.: 14-72



MURPHY GARAGE ADDITION FRONT/ WEST ELEVATION

SCALE: 1/8" = 1'-0"

10/24/24
11/19/24 REV
05/20/25 REV

Kent
Bradley
Roush
Architects,
LLC

4142 AIRPORT ROAD
3RD FLOOR, SUITE 3
CINCINNATI, OHIO
45226
513 321-9242



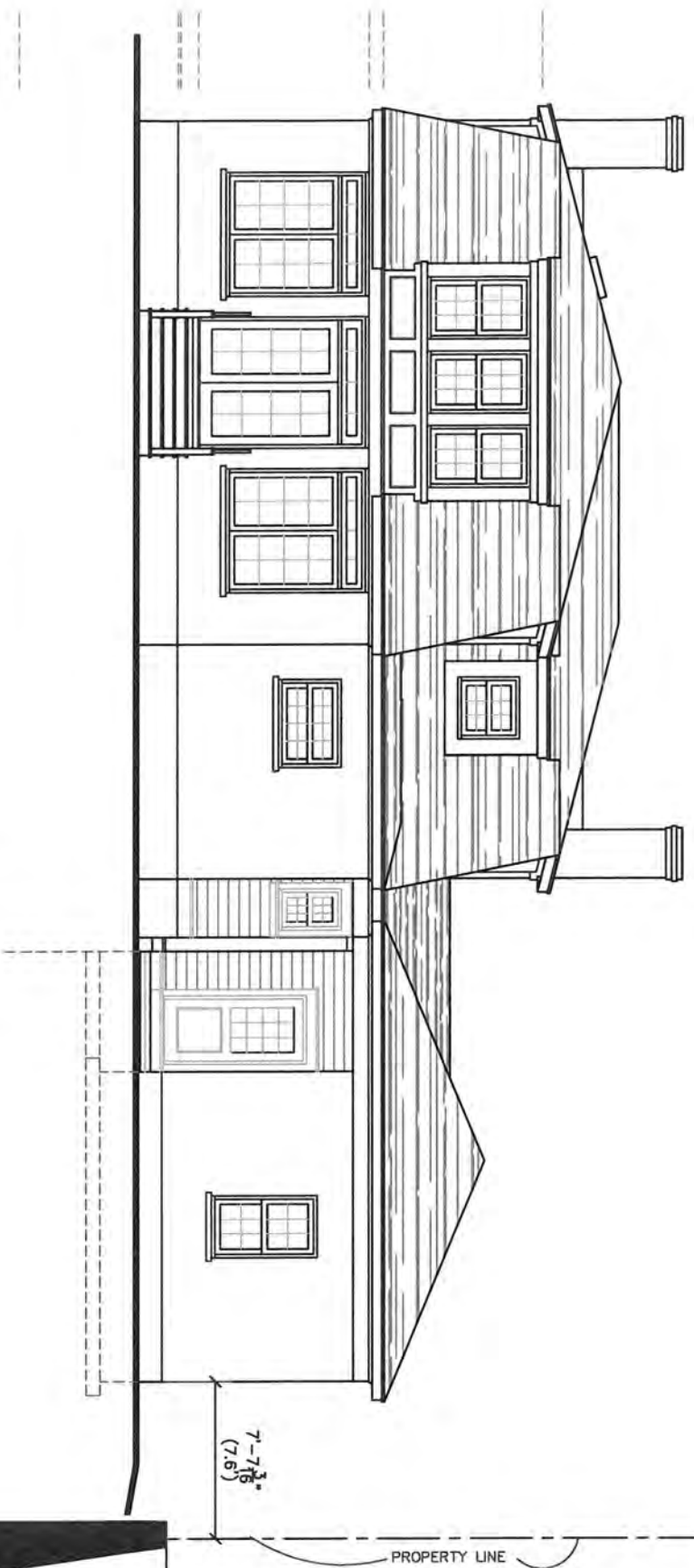
MURPHY GARAGE ADDITION LEFT SIDE/ NORTH ELEVATION

SCALE: 1/8" = 1'-0"

10/24/24
11/19/24 REV
05/20/25 REV

Kent
Bradley
Roush
Architects,
LLC

411/2 AIRPORT ROAD
3RD FLOOR, SUITE 3
CINCINNATI, OHIO
45226
513 321-9242



MURPHY GARAGE ADDITION
REAR/ EAST ELEVATION



SCALE: 1/8" = 1'-0"

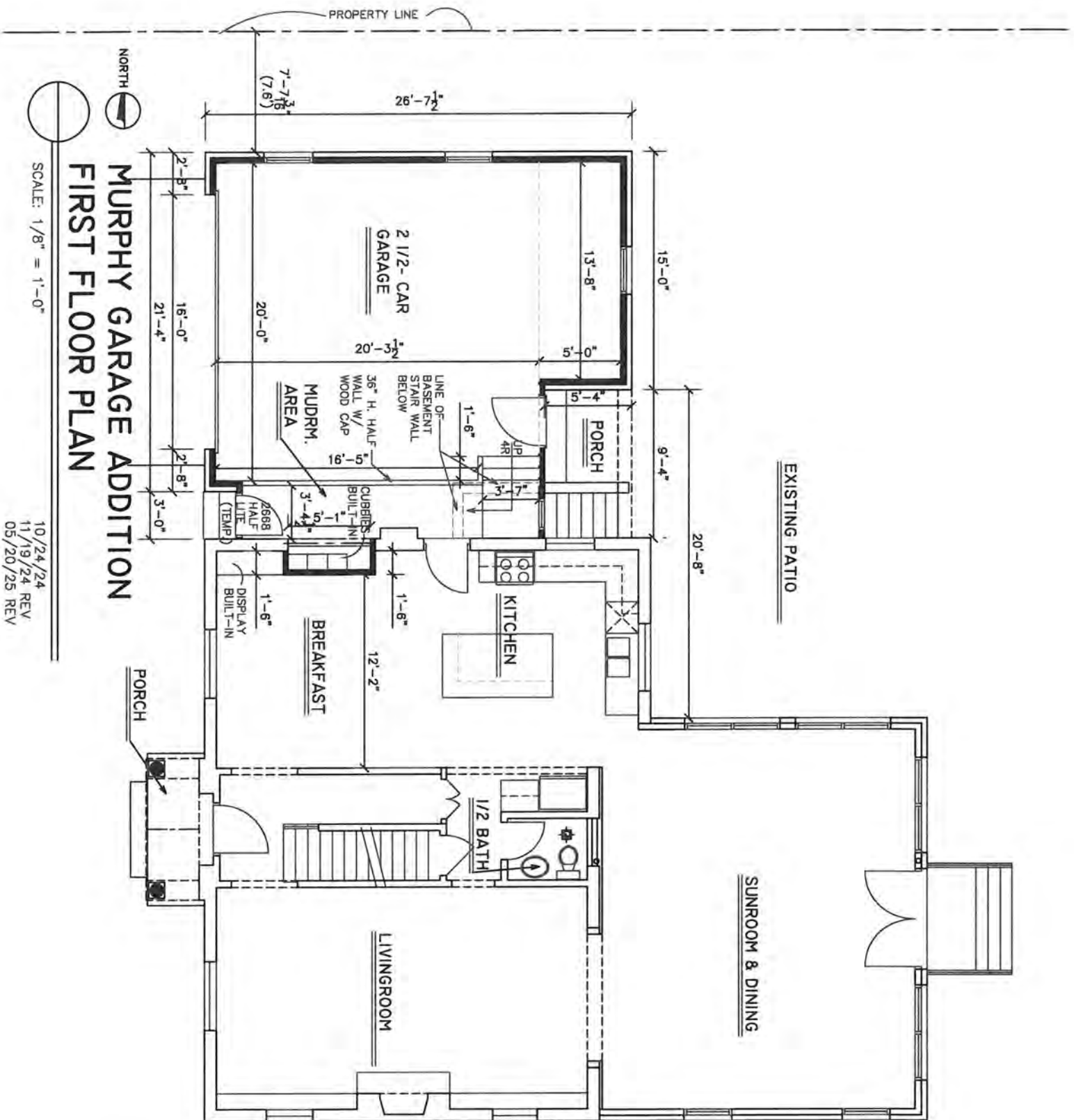
11/19/24 REV
05/20/25 REV

PROPERTY LINE

7'-7 1/8"
(7.6)

Kent
Bradley
Roush
Architects,
LLC

14142 AIRPORT ROAD
3RD FLOOR, SUITE 3
CINCINNATI, OHIO
45226
513 321-9242



Kent
Bradley
Roush
Architects,
LLC

4142 AIRPORT ROAD
3RD FLOOR, SUITE 3
CINCINNATI, OHIO
45226
513 321-9242





Property Report

Parcel ID	Address	Index Order	Tax Year
603-0001-0045-00	9620 ZIG ZAG RD	Parcel Number	2024 Payable 2025

Property Information

Tax District	211 - MONTGOMERY-SYCAMORE CSD	Images/Sketches
School District	SYCAMORE CSD	
Appraisal Area	60301 - MONTGOMERY 01 Sales	
Owner Name and Address	MURPHY JUSTIN D & ALICIA K 9620 ZIG ZAG RD CINCINNATI OH 45242 (Questions? 946-4015 or county.auditor@auditor.hamilton-co.org)	
Assessed Value	170,660	Total Tax
Property Description	ZIG ZAG RD 81.50 X 210 IRR R1- T4- S3 NW	\$8,529.95

Appraisal/Sales Summary		Tax /Credit/Value Summary	
Year Built	1946	Board of Revision	YES(15)
Total Rooms	10	Rental Registration	No
# Bedrooms	4	Homestead	No
# Full Bathrooms	4	Owner Occupancy Credit	Yes
# Half Bathrooms	0	Foreclosure	No
Last Transfer Date	5/10/2011	Special Assessments	Yes
Last Sale Amount	\$340,000	Market Land Value	111,620
Conveyance Number	20378	CAUV Value	0
Deed Type	WD - Warranty Deed (Conv)	Market Improvement Value	375,960
Deed Number	234187	Market Total Value	487,580
# of Parcels Sold	1	TIF Value	0
Acreage	0.389	Abated Value	0
		Exempt Value	0
		Taxes Paid	\$8,529.95

Notes

1) 5/3/06 BOR #05-81212 DECREASE TO 327,500 2) 6/5/15 BOR #14-803566 NO CHANGE

Structure List

Structure Name	Finished Sq. Ft.	Year Built
9620 Zig Zag Rd	2,882	1946

Residential Appraisal Data

Attribute	Value	Attribute	Value
Style	Conventional	Stories	2.0
Exterior Wall Type	F/M 93-94	Year Built	1946
Basement Type	Full Basement	Finished Square Footage	2,882
Heating	Base	First Floor Area (sq. ft.)	1,469
Air Conditioning	Central	Upper Floor Area (sq. ft.)	1,413
Total Rooms	10	Half Floor Area (sq. ft.)	0
# of Bedrooms	4	Finished Basement (sq. ft.)	300
# of Full Bathrooms	4		
# of Half Bathrooms	0		
# of Fireplaces	1		
Basement Garage - Car Capacity	0.0		

Improvements

Improvement	Measurements	Year Built
Attached/Integral Garage	308	
Enclosed Frame Porch	88	
Open Frame Porch	36	
Patio - Stone	645	

No Proposed Levies Found

Levies Passed - 2024 Pay 2025 Tax Bill

Levy	Levy Type	Mills	Current Annual Tax	Estimated Annual Tax	Note
Hamilton County - Family Services & Treatment	Renew .34	0.34	\$36.88	\$36.88	B
Hamilton County-Developmental Disabilities Services	Renew 4.13	4.13	\$428.28	\$428.28	B

This is an estimated levy payment based on the current value of your property. Actual tax amounts per tax year may vary based on changes in property valuation and based on whether a parcel receives any abatement, credit, or reduction during the levy period.

Effective for the tax year 2005, Ohio's biennial budget bill, Amended Substitute House Bill 66, signed by the Governor on June 30, 2005, terminates the 10 percent real property tax rollback for the commercial and industrial classes of property, and agricultural property used for the commercial production of timber.

Effective for the tax year 2013, Ohio's biennial budget bill, House Bill 59, signed by the Governor on June 30, 2013, terminates the 10 percent real property tax rollback and the 2.5 percent homestead credit on all additional or replacement levies passed at the November 5, 2013 election or after. As a result of this legislation, those same levies will not qualify for the stadium tax credit.

Existing and renewal levies, as well as levies passed at the May 7, 2013 and August 6, 2013 elections will qualify for the credits. Residential and most agricultural properties with qualifying levies will receive what is now the Non-Business Credit Rollback Factor. Owner occupied residential dwellings with qualifying levies will receive what is now the Owner Occupancy Credit Rollback Factor, as well as the stadium tax credit.

Transfer History

Year	Conveyance #	Selling Price	Transfer Date	Previous Owner	Current Owner
2011	20378	340,000	5/10/2011	LONG DANNEEN R	MURPHY JUSTIN D & ALICIA K
2005	29183	327,500	2/24/2005	STECZ MICHAEL A & LESA J	LONG DANNEEN R
2005		0	2/1/2005	SMITH DAVID A TR	STECZ MICHAEL A & LESA J
2004	15139	227,000	7/9/2004	WALLACE JOHN DOUGLAS TR	SMITH DAVID A TR
2002	0	0	4/10/2002	WALLACE JOHN DOUGLAS TR	WALLACE JOHN DOUGLAS TR
2000	0	0	10/27/2000	WALLACE MARIE A	WALLACE JOHN DOUGLAS TR
1900	0	0	1/1/1900	SEE OWNERSHIP CARD	WALLACE MARIE A

Value History

Tax Year	Assessed Date	Land	Improvements	Total	CAUV	Reason for Change
2023	11/20/2023	111,620	375,960	487,580	0	30 New Construction - Full Value
2023	9/22/2023	111,620	278,910	390,530	0	120 Reappraisal, Update or Annual Equalization
2023	7/29/2023	111,630	214,380	326,010	0	10 Value of Bldgs, Destroyed or Demolished
2020	8/22/2020	111,630	216,560	328,190	0	120 Reappraisal, Update or Annual Equalization
2017	11/15/2017	101,480	196,870	298,350	0	120 Reappraisal, Update or Annual Equalization
2014	6/5/2015	82,520	281,280	363,800	0	40 Changes by Board of Revision, Tax Appeals, Courts
2014	9/19/2014	82,520	281,280	363,800	0	120 Reappraisal, Update or Annual Equalization
2011	9/5/2011	77,120	262,880	340,000	0	120 Reappraisal, Update or Annual Equalization
2008	9/27/2008	46,040	291,280	337,320	0	120 Reappraisal, Update or Annual Equalization
2005	5/3/2006	44,700	282,800	327,500	0	40 Changes by Board of Revision, Tax Appeals, Courts
2005	8/31/2005	44,700	310,700	355,400	0	120 Reappraisal, Update or Annual Equalization
2005	8/31/2005	44,700	282,800	327,500	0	120 Reappraisal, Update or Annual Equalization
2002	10/8/2002	39,200	139,400	178,600	0	120 Reappraisal, Update or Annual Equalization
1999	11/6/1999	35,100	124,900	160,000	0	120 Reappraisal, Update or Annual Equalization
1996	1/1/1996	24,100	116,100	140,200	0	110 Miscellaneous

Board of Revision Case History

Case Number	Date Filed	Withdrawn	**Counter Complaint Filed	*Hearing Date/Time	Value Challenged	Value Requested	Value Decided by BOR	**Date Resolved
2014803566	4/7/2015	No		5/19/2015 1:00 PM	363,800	345,400	363,800	6/5/2015
2005081212	3/21/2006	No		4/21/2006 8:50 AM	355,400	327,500	327,500	5/3/2006

*Once your hearing has been scheduled, you will receive a **Notice of Hearing** by certified mail or email, and the Scheduled Hearing Date and Time will be populated on this page.

**A counter-complaint may be filed by a party with interest in the value of your property, such as the Board of Education, if you request a decrease.

***Please allow six to eight weeks to receive your **Notice of Result** by certified mail and to see your result on this page. Your Notice will contain basic facts about appealing your Board of Revision decision, should you wish to do so.

Payment Information

Mail Payments to:	Hamilton County Treasurer 138 E. Court Street, Room 402 Cincinnati, Ohio 45202
Tax District:	211 - MONTGOMERY-SYCAMORE CSD
Current Owner(s)	MURPHY JUSTIN D & ALICIA K
Tax Bill Mail Address	LERETA LLC 901 CORPORATE CENTER DR POMONA CA 91768
Taxable Value	
Land	39,070
Improvements	131,590
Total	170,660

Tax Lien Pending	No
Tax Lien Sold	No
Full Rate	118.120000
Effective Rate	56.481476
Non Business Credit	0.071955
Owner Occupancy Credit	0.017988
Certified Delinquent Year	
Delinquent Payment Plan	No
TOP (Treasurer Optional Payment)	\$0.00
Note: May represent multiple parcels	

Current Year Tax Detail

	Prior Delinquent	Adj. Delinquent	1st Half	Adj. 1st Half	2nd Half	Adj. 2nd Half
Real Estate			\$10,079.18		\$10,079.18	
Credit			\$5,259.62		\$5,259.62	
Subtotal			\$4,819.56		\$4,819.56	
Non Business Credit			\$346.79		\$346.79	
Owner Occupancy Credit			\$86.69		\$86.69	
Homestead			\$0.00		\$0.00	
Sales CR			\$123.40		\$123.40	
Subtotal	\$0.00	\$0.00	\$4,262.68	\$0.00	\$4,262.68	\$0.00
Interest/Penalty	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Real Estate Paid	\$0.00		\$4,262.68		\$4,262.68	
Real Estate Owed	\$0.00		\$0.00		\$0.00	
Special Assess Owed	\$0.00		\$4.59		\$0.00	
Special Assess Owed	\$0.00		\$0.00		\$0.00	
Total Due	\$0.00		\$4,267.27		\$4,262.68	
Total Paid	\$0.00		\$4,267.27		\$4,262.68	
Unpaid Delq Contract	\$0.00		\$0.00		\$0.00	
Total Owed	\$0.00		\$0.00		\$0.00	

Special Assessment Detail for 13-999 STORM WATER

	Prior Delinquent	Adj. Delinquent	1st Half	Adj. 1st Half	2nd Half	Adj. 2nd Half
Charge	\$0.00	\$0.00	\$4.59	\$0.00	\$0.00	\$0.00
Interest/Penalty	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Paid	\$0.00		\$4.59		\$0.00	

Special Assessment Detail for 13-999 STORM WATER

Owed		\$0.00		\$0.00		\$0.00	
Payment Information for Current And Prior Year							
Date	Half	Prior	1st Half	2nd Half	Surplus		
6/9/2025	2 - 2024	\$0.00	\$0.00	\$4,262.68	\$0.00		
1/29/2025	1 - 2024	\$0.00	\$4,267.27	\$0.00	\$0.00		
6/12/2024	2 - 2023	\$0.00	\$0.00	\$4,286.80	\$0.00		
1/25/2024	1 - 2023	\$0.00	\$4,291.39	\$0.00	\$0.00		
6/14/2023	2 - 2022	\$0.00	\$0.00	\$3,459.57	\$0.00		
1/19/2023	1 - 2022	\$0.00	\$3,463.25	\$0.00	\$0.00		
6/11/2022	2 - 2021	\$0.00	\$0.00	\$3,392.04	\$0.00		
1/27/2022	1 - 2021	\$0.00	\$3,395.72	\$0.00	\$0.00		
6/4/2021	2 - 2020	\$0.00	\$0.00	\$3,421.23	\$0.00		
1/14/2021	1 - 2020	\$0.00	\$3,424.91	\$0.00	\$0.00		
7/7/2020	2 - 2019	\$0.00	\$0.00	\$3,375.24	\$0.00		
1/23/2020	1 - 2019	\$0.00	\$3,378.92	\$0.00	\$0.00		

Information believed accurate but not guaranteed. Treasurer disclaims liability for any errors or omissions

Contact the County Treasurer with your tax bill questions at county.treasurer@hamilton-co.org or 513-946-4800

Current Year
2024 Payable 2025
Prior Year
2023 Payable 2024

Tax Distribution Information

Market Value		Assessed Value (35%)		Tax Rate Information	
Land	111,620	Land	39,070	Full Tax Rate (mills)	118.120000
Building	375,960	Building	131,590	Reduction Factor	0.521830
Total	487,580	Total	170,660	Effective Tax Rate (mills)	56.481476
				Non Business Credit	0.071955
				Owner Occupancy Credit	0.017968

Tax Calculations

Gross Real Estate Tax	\$20,158.36
- Reduction Amount	\$10,519.24
- Non Business Credit	\$693.58
- Owner Occupancy Credit	\$173.38
- Homestead	\$0.00

Half Year Tax Distributions

School District	\$2,227.06
Township	\$0.00
City/Village	\$897.81
Joint Vocational School	\$149.33
County General Fund	\$168.76
Public Library	\$147.01
Family Service/Treatment	\$16.17

Tax Calculations

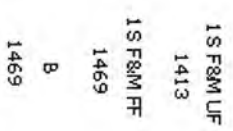
Half Year Real Taxes	\$4,386.08
- Sales Tax Credit	\$123.40
+ Current Assessment	\$4.59
+ Delinquent Assessment	\$0.00
+ Delinquent Real Estate	\$0.00
Semi Annual Net	\$4,267.27

Half Year Tax Distributions

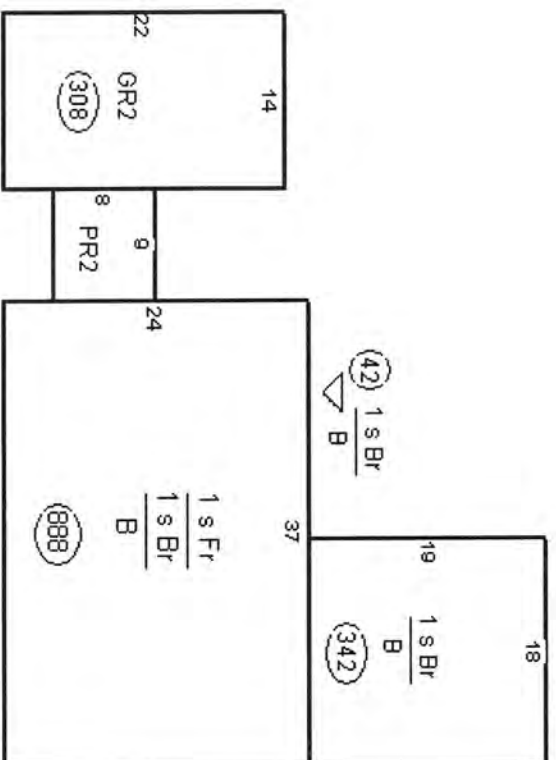
HLTH/Hospital Care-Indigent	\$81.14
Mental Health Levy	\$102.77
Developmental Disabilities	\$187.76
Park District	\$117.74
Crime Information Center	\$7.91
Children Services	\$201.49
Senior Services	\$64.32
Zoological Park	\$16.81

This shows the most recent tax bill calculation which normally occurs in early December and May. However, adjustments or corrections may have been applied to the tax bill after the initial tax calculation. Go to the Payment Detail tab to view any corrections or adjustments occurring after the initial tax calculation.

Parcel Photo



Legacy Parcel Sketch



Special Assessments

Project	Ord/Res	Description	Certified	End Year	Payoff Amount
13-999		STORM WATER	11/7/2024	2099	\$0.00

Related Names

Name	Relationship	Status
MURPHY JUSTIN D & ALICIA K	Parcel Owner	Current

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CITY OF MONTGOMERY
BOARD OF ZONING APPEALS REGULAR MEETING
CITY HALL CHAMBERS • 10101 MONTGOMERY ROAD • MONTGOMERY, OH 45242

May 27, 2025

<u>PRESENT</u>		
<u>GUESTS & RESIDENTS</u>	<u>STAFF</u>	
Terry Donnellon Montgomery Law Director	Michael & Ann Staed 7910 Mitchell Farm, 45242	Greg Vonden Benken Zoning and Code Compliance Officer
		Karen Bouldin, Secretary
		<u>BOARD MEMBERS PRESENT</u>
		Mary Jo Byrnes, Chairman
		Richard White, Vice-Chairman
		Mark Berliant
		Eric Roth
		Jade Stewart
		Steve Uckotter
		<u>MEMBERS NOT PRESENT</u>
		Tom Molloy

Chairman Byrnes called the meeting to order at 7:00 p.m.

Roll Call

The roll was called and showed the following responses / attendance:

PRESENT: Mr. Roth, Mr. Uckotter, Mr. White, Ms. Stewart, Chairman Byrnes,
Mr. Berliant (arrived at 7:10pm)

(6)

ABSENT: Mr. Molloy

(1)

Pledge of Allegiance

All of those in attendance stood and recited the Pledge of Allegiance.

Chairman Byrnes gave a brief explanation of tonight's proceedings: She stated that tonight the Board will be conducting one public hearing. A public hearing is a collection of testimony from City Staff, the applicant, and anyone wishing to comment on the case.

All discussions by the Board of Zoning Appeals and all decisions will take place within the business session of this meeting, which immediately follows the public hearing. Everyone is welcome to stay for the business session of the meeting, however, the Board will not take any

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Board of Zoning Appeals Meeting

May 27, 2025

further public comment during the portion of the meeting, unless clarification is needed by a Board member.

At the conclusion of the business session, the Board will vote to table, approve or deny the application. At least four members of the Board must vote yes for a variance to be approved. The decision of the Board is final.

Chairman Byrnes noted that anyone not agreeing with the Board's decision has the option of appealing to Hamilton County Common Pleas Court, under the procedures established by that court.

She asked all guests to turn off their cell phones.

Chairman Byrnes asked that anyone planning to speak to the Board please stand to be sworn in (which included the applicant). Chairman Byrnes swore in everyone planning to speak.

Guests and Residents

There were no guests or residents present, other than the applicant.

Old Business

There was no old business to discuss.

New Business

A request for a variance from Michael and Ann Staed of 7910 Mitchell Farm Lane, Montgomery, OH 45242 to allow for a replacement of the current deck with a new deck, to have a rear yard setback of 0.9 feet, where 10 feet is required, per Schedule 151.1009(c) of the Montgomery Zoning Code.

Staff Report

For the record, Mr. Vonden Benken presented the Chairman with the entire meeting packet (as an exhibit) which had also previously been given to all Board members. He reviewed the Staff Report dated May 23, 2025, "Application for Variance: 7910 Mitchell Farm Lane". He showed drawings on the wide screen for all to see, to provide more understanding of the Staff Report.

He indicated that there had been no calls or emails received regarding this application. There was one neighbor who could potentially be impacted by this variance, and after speaking with her, Mr. Vonden Benken stated that there was no objection.

Chairman Byrnes asked if there were any questions for Staff, noting that the applicant was also in attendance to answer any questions.

There were no questions from the Board.

Chairman Byrnes asked if the applicant wished to speak.

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Board of Zoning Appeals Meeting

May 27, 2025

74 **Michael Staed, 7910 Mitchell Farm, Montgomery, Ohio 45242** stated that he and his wife
75 moved to Montgomery in June, 2023. He stated that the current deck was not constructed well,
76 and some of the stairs were deteriorating, as well as some of the railing. He noted a large dip
77 underneath the deck.

78
79 Mr. Staed wished to amend his answer on the application to "Would the property yield a
80 reasonable rate of return if the variance is not granted?". He would say no. He felt the deck was
81 a safety issue, as well as a value issue. He had recommendations from two contractors to rebuild
82 the deck, not fix it.

83
84 Chairman Byrnes asked if there were any questions for the applicant from the Board. There
85 were none.

86
87 **Adjournment**

88 Mr. White moved to close the public hearing.

89 Mr. Uckotter seconded the motion.

90 The public hearing adjourned at 7:20p.m.

91
92 Chairman Byrnes opened the business session at 7:20p.m.

93
94 **Business Session (1)**

95 *A request for a variance from Michael and Ann Staed of 7910 Mitchell Farm Lane,*
96 *Montgomery, OH 45242 to allow for a replacement of the current deck with a new deck, to*
97 *have a rear yard setback of 0.9 feet, where 10 feet is required, per Schedule 151.1009(c) of the*
98 *Montgomery Zoning Code.*

99
100 Chairman Byrnes asked for comments from the Board.

101
102 Mr. White stated that this made sense, and he felt that they were making the right decision.
103 The other members agreed with this variance.

104
105 *Mr. Uckotter moved to approve the request for a variance from Michael and Ann Staed of*
106 *7910 Mitchell Farm Lane, Montgomery, OH 45242 to allow for a replacement of the current*
107 *deck with a new deck, to have a rear yard setback of 0.9 feet, where 10 feet is required, per*
108 *Schedule 151.1009(c) of the Montgomery Zoning Code, as described in the City of*
109 *Montgomery Staff Report, dated May 23, 2025.*

110
111 *This approval is justified by criteria # 1, 3, 4, 5, 6, 7, 8, 9 & 10, as outlined in Montgomery*
112 *Codified Ordinance Chapter 150.2010 (d) for granting variances.*

113
114 *Mr. White seconded the motion.*
115
116

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Board of Zoning Appeals Meeting

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117 *The roll was called and showed the following vote:*

118

119 *AYE: Ms. Stewart, Mr. Berliant, Mr. Roth, Mr. Uckotter, Mr. White,*
120 *Chairman Byrnes*

(6)

121 *NAY:*

(0)

122 *ABSENT: Mr. Molloy*

(1)

123 *ABSTAINED:*

(0)

124

125 *This motion is approved.*

126

127 **Adjournment**

128 Mr. Uckotter moved to close the business session.

129 Mr. Roth seconded the motion.

130 The business session adjourned at 7:25p.m.

131

132 Chairman Byrnes opened the public hearing at 7:25p.m.

133

134 **Other Business**

135 There was no other business to report.

136

137 **Minutes**

138 Mr. Uckotter moved to approve the minutes of March 25, 2025, as amended.

139 Mr. Berliant seconded the motion.

140 The Board unanimously approved the minutes.

141

142 **Adjournment**

143 Mr. Roth moved to adjourn. Mr. White seconded the motion.

144 The meeting adjourned at 7:30p.m.

145

146 After the meeting, training was provided by Terry Donnellon for the Board.

147

148

149

150

151

152

153 _____
Karen Bouldin, Clerk

Mary Jo Byrnes, Chairman

Date

154

155 /ksb

 Outlook

Zoning variance request. 9620 Zig Zag rd.

From Jim Brooker <jbrooker@fuse.net>

Date Mon 7/14/2025 4:42 PM

To Greg Vonden Benken <gvondenbenken@montgomeryohio.gov>

Cc Michelle Brooker <Michelle_Brooker@trihealth.com>

Hello,

We received the notice of variance request for Justin and Alicia Murphy.
9620 Zig Zag Rd.

After review we feel it would be an enhancement of a unique Montgomery property.
We are in favor of approval.

Jim and Michelle Brooker

9633 Todd Dr.

Montgomery, OH 45242

Sent from my iPad. Jim Brooker