

Board of Zoning Appeals Agenda
September 28, 2021
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

North Shore Design is requesting a variance of 9' from the required 20' rear yard parking setback and a variance of 5' from the required 5' east side yard setback in order to allow for an expanded parking lot for a proposed retail use at 5017 Cooper Road.

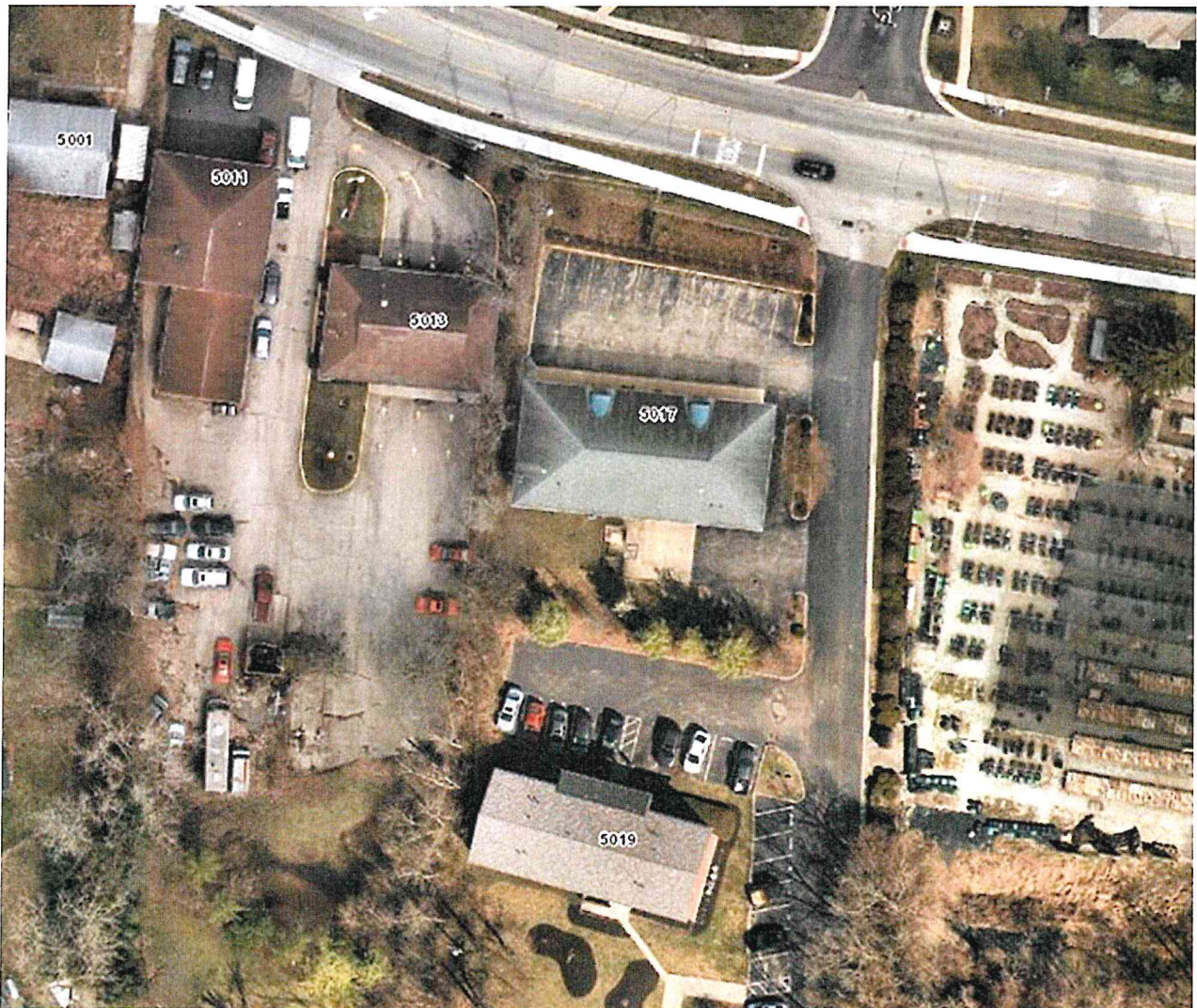
7. Other Business
8. Approval of Minutes
9. Adjournment

**Board of Zoning Appeals
September 28, 2021**

Applicant: North Shore Design
430 Reading Road, Fourth Floor
Cincinnati, OH 45202

Property Owner(s): Book Park
1699 Pierce Drive
Beavercreek, OH 45432

Vicinity Map:



Nature of Request:

The applicant is requesting a variance of 4' from the required 15' rear yard parking setback and a variance of 5' from the required 5' east side yard setback in order to allow for an expanded parking lot for a proposed retail use.

Zoning:

The property is zoned 'GB' - General Business District. The property to the north across Cooper Road is located in the City of Blue Ash and used for multi-family residential. The property to the west is also located in the City of Blue Ash and used for a Jiffy Lube. The property to the east is zoned 'GB' and used for Pipkin's Market. The property directly to the south is zoned 'GB'; however, is used for multi-family (5019 Cooper Road). The remainder of the development is zoned 'D-3' - Multi-Family and used for multi-family residential.

Findings:

1. The property is approximately 0.639 acres with an existing building and associated parking.
2. The parking lot for the property at 5019 Cooper Road encroaches onto the subject property by approximately 5'. A variance was granted to the subject property in 2003 to allow for a parking setback of 15'. The property owner of the subject property in 2003 agreed to allow the 5' encroachment for the parking lot of 5019 Cooper Road.
3. The subject property shares a driveway with the apartments/condos to the rear (Cooper Creek).
4. A vehicle maintenance and repair facility was originally approved for the site in 2003 for Tuffy. The Planning Commission approved a transfer of the conditional use permit to Car-X in 2005 and it has been used as such until Car-X closed in March of 2019. The Planning Commission approved a transfer of the conditional use permit to All European Auto Service and Repair earlier this year and the property is being used as such.

5. The applicant would make a significant investment into the existing building, which includes a mezzanine, a new entry feature, a vault and exterior façade improvements.
6. Additional parking spaces would also be required for a retail use. The applicant is proposing to add 8 parking spaces in the rear of the building in line with the 3 existing spaces. Schedule 151.1207 requires a 20' parking setback from any residentially zoned property or use; however, the subject property was granted a variance in 2003 to allow for a parking setback of 15'. Therefore, the applicant is requesting a variance of 4' to construct the additional parking spaces.
7. The applicant would also like to replace the two existing parking spaces and landscape island on the east side of the building with three proposed spaces. The applicant is proposing to add a landscape island in front of these spaces to provide a buffer from Cooper Road. Schedule 151.1007 requires a 5' parking setback from the east property line. Therefore, the applicant is requesting a variance of 5'.
8. The Planning Commission considered a concept plan for the proposed redevelopment of the subject property on September 20th. The Commission appreciated the proposed improvements and did not have any objection to the proposed variances.

Variance Considerations:

Section 150.2010 allows the Board of Zoning Appeals to grant 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 subject property was granted a variance in 2003 to allow for a 15' parking lot setback where a 20' setback would be required. Therefore, the required setback for parking is 15'. The parking lot for the multi-family complex to the rear encroaches into the subject property approximately 5'. The subject property also shares a driveway with the apartment/condo complex to the rear.

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

Staff believes that the property will yield a reasonable rate of return without granting the variance. However, to convert the building into a retail use additional parking is required and the area that additional parking can be added is limited.

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

The variance to allow for an 11' rear yard parking setback is minimal as the applicant is asking for a 27% reduction in the setback. Since the parking lot runs on an angle, only a small portion of the proposed parking lot would encroach into the 15' rear yard setback. The setback increases to 20' as it approaches the east property line. Due to the proposed change in use, the additional parking is required and the area that additional parking could be added is limited; therefore, Staff believes that the variance is the minimum necessary to meet the parking requirements.

The variance to allow for a 0' setback from the east property line is substantial as the applicant is requesting a variance of 100%; however, the variance would only be for the length of three parking spaces (27'). The applicant would like to change the configuration of the parking in this location to provide an additional parking space, provide more convenient parking versus the existing layout and to construct a landscape island parallel to Cooper Road that would provide a visual buffer. While Staff understands the desire to modify these parking spaces and believes the proposed layout is beneficial, Staff also believes that the existing configuration for these spaces could be viable.

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

Staff does not believe that the variance from the rear parking setback would negatively impact the neighborhood as the parking lot is adjacent to another parking lot for the multi-family project to the rear. The units in building 5019 Cooper Road would be most impacted; however, the building would be approximately 58' from the expanded parking lot and only a small portion of the proposed parking lot would encroach into the required 15' setback. Furthermore, the applicant would be required to landscape the area between the expanded parking lot and the parking

lot to the rear, which will provide a visual screen. There is an existing buffer in this location, which includes several large pine trees. While Staff understands that some of these trees may need to be removed to construct the additional parking spaces, Staff believes that every effort should be made to maintain any healthy, mature trees along the rear property line to provide an effective buffer between the parking lot and the multi-family building at 5019 Cooper Road.

Staff does not believe that the variance from the east parking lot setback would have a negative impact on the area as the proposed parking spaces are directly adjacent to a shared drive and approximately 300' from the nearest building. Furthermore, the variance would only be the approximately 27' in length. There is some concern with the proposed parking spaces backing out directly onto the drive; however, due to the low amount of traffic on the shared drive and the fact that the spaces are a significant distance from the intersection of the driveway and Cooper Road, Staff does not believe granting the variance would cause a safety issue.

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 applicant currently has the property under contract and is in the due diligence period. The applicant is aware that variances are required in order to make the proposed site improvements.

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

No special conditions exist as a result of the actions of the owner.

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

Due to the change of use, additional parking is required in order to meet the parking requirements established in the Zoning Code. Due to the limited area where additional parking could be added, Staff does not

believe that there are any alternatives options other than adding parking to the rear of the site.

The applicant could maintain the existing layout for the parking spaces on the east side of the parking lot; however, the applicant believes that reorienting these spaces would provide more convenient parking versus the existing layout while providing one additional space and would allow them to provide a landscape island parallel to Cooper Road that would provide a visual buffer. The Planning Commission reviewed the concept plan on September 20 and believed that the proposed layout for these spaces would help with site circulation and appreciated the landscape buffer that would shield vehicles from Cooper Road. Therefore, the Commission was in support of the proposed layout.

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

Schedule 151.1007 clearly states the parking lot setbacks; however, Staff believe the intent of these setback regulations are to protect surrounding properties from potential negative impacts of parking lots. Due to the location of the parking lot, the surrounding properties would not be negatively impacted by granting the variances.

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

Two variances for parking setbacks on commercial properties have been approved, as follows:

Variances for Steak 'n Shake at 9770 Montgomery Road were granted in 2003 to allow for a rear yard setback of 3' where a 20' setback was required and a side yard setback of 2' where a 5' setback was required.

A variance for The Christ Hospital at 11140 Montgomery Road was granted in 2013 to allow for a front yard setback of 1' where 15' was required.

Granting the variance would not confer any special privilege regarding use.

Staff Comments:

The subject property sits on the western gateway into the city on Cooper Road. Staff believes that the proposed conversion from an automobile repair facility to a

retail building would have a positive impact on the area. The proposed improvements to the façade of the building would be a significant investment and would be in-line with the high-quality design called for in the Montgomery Road Commercial Corridor and as well as the other commercial districts within the city. Furthermore, Staff believes that the proposed project is beneficial as it would provide for a less intense use adjacent to the residential to the south and provide for an opportunity to refresh the landscaping on the site.

While the plan will require some variances, Staff believes that these encroachments are minor issues that will not have a negative impact on surrounding properties. The Planning Commission reviewed a concept plan on Monday, September 20 and were in support of the project and the variance requests. While staff understands that some of the existing mature trees may need to be removed to construct the parking spaces, Staff would encourage preserving as many trees along the rear property line as possible to provide an effective buffer to the multi-family at 5019 Cooper Road. A Final Landscape Plan would be required to be reviewed and approved by the Planning Commission and the City Arborist.

Should the Board grant the variance, Staff would recommend the following conditions:

- A Final Development Plan including a final landscape plan be approved by the Planning Commission; and,
- Every effort be made to preserve any healthy, mature trees along the rear property line;

Granting the variance to allow for a rear yard parking setback of 11' for a portion of the parking lot as shown on the plans, where a 15' setback is required could be justified by criteria #1-5 and 7-10.

Granting the variance to allow for a 0' side-yard setback for the width of three parking spaces as shown on the plans, where a 5' setback is required, could be justified by criteria #1, 4, 5, 7, 9 and 10.



430 Reading Road
Suite 400
Cincinnati OH 45202
513.538.1440

**Tracy Henao, Assistant City Manager
10101 Montgomery Road
Montgomery OH 45242**

September 9, 2021

RE: 5017 Cooper Road, Requested Dimensional Variance

Dear Ms. Henao;

Thank you for your continued assistance as we pursue a design solution for the proposed new Diamonds Rock Jewelry Store to be located at 5017 Cooper Road in the former home of Car-X. Our client wishes to purchase the property and undertake renovations to convert the existing building and site to meet their needs. As we discussed at our meeting on Friday September 3, 2021, the proposed plan will require a dimensional variance from the City's off-street parking setback requirements. Please accept our application and supporting information included with this letter. Some project background as well as a description of the nature of the variance is included below.

Summary and Background

The applicant is currently under contract to purchase the property at 5017 Cooper Road. The property is occupied by an existing car repair facility (an existing approved conditional use). The applicant intends to renovate the building and convert the property to a Jewelry Store. The property is currently zoned G-B and the proposed use is explicitly permitted in the G-B zone by the Montgomery Zoning Code. The property to the south is occupied by a residential building but is also zoned G-B general business. The property to the east is a private drive serving this property and extending to the residential development to the south (also zoned G-B), and east of that is Pipkin's Market, zoned G-B as well. The property to the west is a 'Jiffy Lube' car service facility and is outside of the Montgomery City limits.

As part of the renovation, the applicant intends to add some minimal floor area on the ground floor to accommodate a new entry and a vault, and also add an interior mezzanine to the building to meet their square-footage requirements. The renovation will also remove the existing garage doors facing Cooper Road, remove some existing pavement that served those doors, and include new exterior cladding and landscaping. Additional onsite parking will be necessary to suit their needs and meet the zoning code parking requirements.

Three proposed spaces on the east side of the building will replace two existing spaces and a landscape island. These spaces will extend to the east property boundary and fall partially within the 5ft off-street parking setback. However, this boundary is adjoined along its entirety by a private drive that serves this property as well as properties to the south. These three parking spaces will back directly onto that private driveway. As such, we believe the spirit of the zoning code to provide a buffer between parking and a neighboring property is moot, because the neighboring property is occupied entirely by an existing driveway that also serves the subject property.

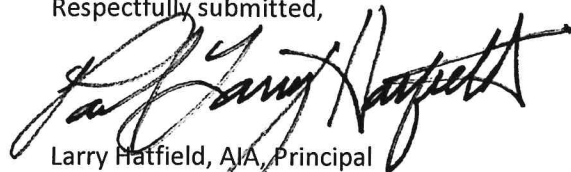
The eleven proposed spaces on the south side of the property would partially encroach into the 20ft 15' rear parking setback. Of these eleven, three spaces are existing, and the remainder of the space is currently occupied with a trash enclosure and landscaping. The southern boundary of the subject property borders an existing multifamily residential building on a 0.6ac lot, however that property is zoned G-B as well (unlike similar residential properties to the south in the same development which are zoned D-3). Additionally, a condition exists where the property owner to the south was allowed to expand their parking lot pavement north beyond the subject property's southern boundary, creating a 5ft+/- encroachment. Since the adjacent southern property is occupied by existing parking up to, and over the property line, we believe that the addition of new screened parking on the subject property does not hinder the intent of the zoning code to provide a buffer between an adjacent property owner.

Description of the Nature of the Variance Requested

Three proposed parking spaces on the east side of the existing building will encroach into the required side off-street parking setback as outlined in Montgomery Zoning Code Schedule 151-1207. Eleven proposed parking spaces on the south side of the existing building will encroach into the required 20ft 15' rear off-street parking setback as outlined in Montgomery Zoning Code Schedule 151-1207. The applicant respectfully requests relief from Montgomery Zoning Code Schedule 151-1207 to allow these additional parking spaces in order to foster redevelopment of the subject property.

Feel free to contact our office with any questions should you require any further clarification or information.

Respectfully submitted,



Larry Hatfield, AIA, Principal
North Shore Design
430 Reading Road, Fourth Floor
Cincinnati, Ohio 45202



CITY OF

MONTGOMERY

A CHARMING PAST. A GLOWING FUTURE.

APPLICATION FORM

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

Project Address (Location): 5017 Cooper Road Cincinnati OH 45242

Project Name (if applicable): Diamonds Rock

Auditors Parcel Number: 603-0022-0001-00

Gross Acres: 0.639 Lots/Units 1 Commercial Square Footage 3,710

Additional Information: Existing Car Repair Facility, proposed to be converted into Jewelry

PROPERTY OWNER(S) Book Park Contact Sung Kim

Address 1699 Pierce Drive Phone: 937.360.8607

City Beavercreek State Ohio Zip 45432

E-mail address sung32@gmail.com

APPLICANT North Shore Design Contact Larry Hatfield

Address 430 Reading Road, Fourth Floor Phone: 513.615.0008

City Cincinnati State Ohio Zip 45202

E-mail address larry@northshorecds.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 incorrect 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.

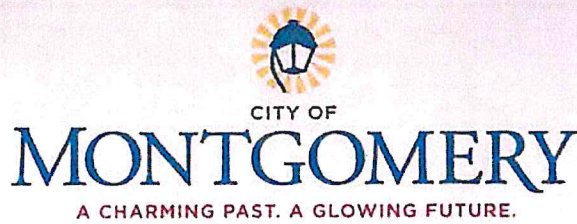
Property Owner Signature


FOR DEPARTMENT USE

Print Name SUNG KIM AGENT FOR BOOK PARK

Date 9/8/2021

Meeting Date:	<u>9/28/21</u>
Total Fee:	<u>\$300</u>
Date Received:	<u>9/9/21</u>
Received By:	<u>JMH</u>



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 5017 Cooper Road Cincinnati OH 45242, 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 SUNG KIM AGENT FOR BOOK PARK

Date 9/18/2024

Board of Zoning Appeals Members:

Mary Jo Byrnes

Tom Molloy

Bob Saul

Steve Uckotter

Richard White

Peter Fossett



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.



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.
The parking lot south of the subject property encroaches with pavement by 5ft on to the subject property. Also, despite the residential use, the southern neighbor is zoned G-B, which would otherwise require only a 5ft parking setback. Proposed spaces on the east side would back directly into the private drive that currently serves this property and properties to the south. Since the adjacent property to the east is exclusively the driveway that serves the subject property, the spirit of the parking setback is not hindered.
2. Will the property yield a reasonable rate of return if the variance is not granted?
The applicant is the potential future owner of the property and intends to convert the building from a car repair facility to a jewelry store. Plans include the addition of an interior mezzanine in order to meet applicants floor area requirements, and thus additional parking is required. If the parking cannot be expanded, then the property is not a viable option for the applicant.
3. Is the variance substantial? Is it the minimum necessary?
The variance to allow parking in the side and rear off-street parking setback is not substantial, and is the minimum necessary to allow for sufficient parking on the site to accommodate the new proposed use of a Jewelry store.
4. Will the character of the neighborhood be substantially altered?
The character of the neighborhood will not be substantially altered by allowing parking in the rear and side yard parking setback of this property. The existing private drive already abuts the subject property to the east, and the southern property already contains a parking lot which encroaches onto the subject property.
5. Would this variance adversely affect the delivery of government services?
This variance will have no impact on the delivery of government services to this property or adjacent properties.



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

The owner of Diamonds Rock is considering this property for their new showroom and office and are currently under contract and in their due diligence period. If the parking cannot be expanded, the applicant would likely rescind their purchase offer.

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

The applicant is the potential future owner, and no special conditions exist as result of their actions.

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

Additional parking is necessary to meet the applicant's business needs, and no other locations on the site are available for expanded parking. If the parking cannot be expanded, the applicant would likely rescind their purchase offer.

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

Presumably the intent of the rear and side yard off-street parking setbacks is to provide for some buffer between the subject property and the adjacent property and incompatible uses. In this case, the adjacent property to the east is solely occupied by the private driveway that serves this property and the properties to the south. The property to the south already contains a parking lot that actually encroaches onto the subject property. Therefore, we believe the spirit of the zoning code to provide a buffer between adjacent incompatible use is not hindered.

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

We do not believe that granting the requested variance would confer on the applicant any special privilege that is denied to other properties in the district since the adjacent south and east property uses are already driveway and parking. We believe that converting the current car-repair use to Diamonds Rock's new facility will have a positive impact in the surrounding neighborhood, and that the requested parking setback variance to accommodate additional parking will have minimal or no impact to the neighborhood.



COUNTY AUDITOR ON-LINE

Hamilton County Auditor Dusty Rhodes

138 East Court St., Cincinnati, Ohio 45202 - (513)946-4000 - dusty.rhodes@juse.net

Online Property Access

< First << Prev Next >> Last > | **RETURN TO SEARCH LIST** Property 1 of 1

Parcel ID 603-0022-0001-00 **Address** 5017 COOPER RD **Index Order** Parcel Number **Tax Year** 2020 Payable 2021

I Want To...

- Start a New Search
- Email the Auditor
- View the Online Help Auditor's Home

View:

- Property Summary
- Appraisal Information
- Levy Information
- Transfer
- Value History
- Board of Revision
- Payment Detail
- Tax Distributions
- Images
- Special Assessment/Payoff
- Tax Lien Certificates
- CAGIS Online Maps
- Aerial Imagery
- Owner Names

Print:

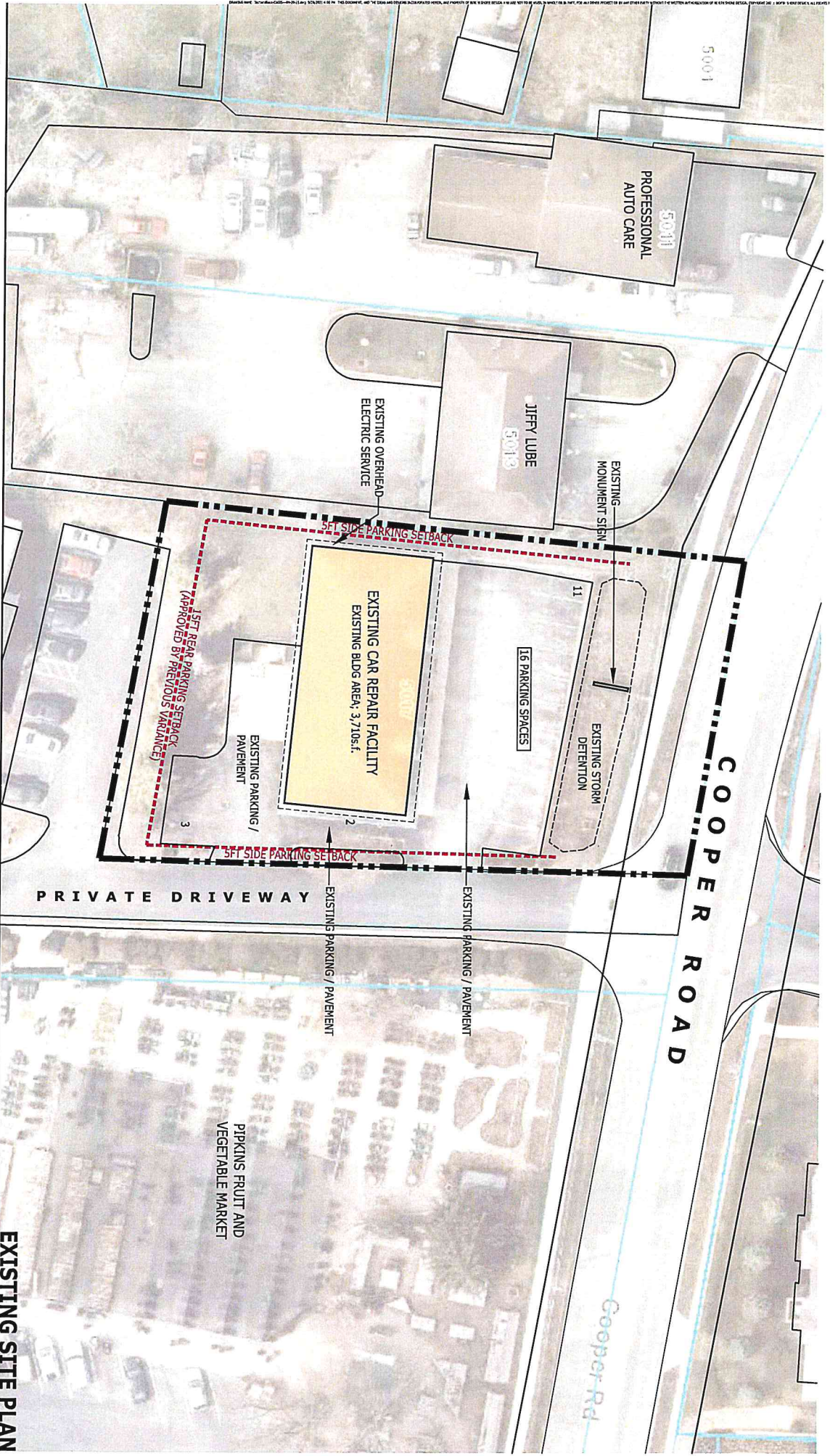
- Current Page
- Property Report

Property Information		
Tax District	211 - MONTGOMERY-SYCAMORE CSD	Images/Sketches
School District	SYCAMORE CSD	
Appraisal Area	60311 - MONTGOMERY 11	Land Use 452 - AUTO SERV STATION
Owner Name and Address	BOOK SIL PARK 1699 PIERCE DR BEAVERCREEK OH 45432 (call 946-4015 if incorrect)	Mailing Name and Address BOOK SIL PARK 1699 PIERCE DR BEAVERCREEK OH 45432 (call 946-4800 if incorrect)
Assessed Value	234,620	Effective Tax Rate 84.207155
Total Tax	\$19,777.22	
Property Description COOPER RD 109.54 X 200 IRR R1-T4-S9 W 1/2		

Appraisal/Sales Summary	
Year Built	2003
Total Rooms	0
# Bedrooms	0
# Full Bathrooms	0
# Half Bathrooms	0
Last Transfer Date	11/5/2008
Last Sale Amount	\$1,080,000
Conveyance Number	15313
Deed Type	WD - Warranty Deed (Conv)
Deed Number	170637
# of Parcels Sold	1
Acreage	0.639

Tax/Credit/Value Summary	
Board of Revision	YES(09)
Rental Registration	No
Homestead	No
Owner Occupancy Credit	No
Foreclosure	No
Special Assessments	Yes
Market Land Value	260,490
CAUV Value	0
Market Improvement Value	409,870
Market Total Value	670,360
TIF Value	0
Abated Value	0
Exempt Value	0
Taxes Paid	\$19,777.22
Tax as % of Total Value	0.000%

Notes



NOTE: SITE DATA BASED ON CAD DATA AND RECONSTRUCTION. SHOWN DATA IS FOR GENERAL INFORMATION OF ZONING PURPOSES.

DIAMONDS
ROCK
FACTORY DIRECT FINE JEWELRY
5017 COOPER ROAD, MONTGOMERY OH

EXISTING SITE PLAN



COOPER ROAD

PRIVATE DRIVEWAY

PROFESSIONAL
AUTO CARE
50011

JIFFY LUBE
5012

EXISTING OVERHEAD
ELECTRIC SERVICE

EXISTING
MONUMENT SIGN

EXISTING CAR REPAIR FACILITY
EXISTING BLDG AREA: 3,710sq.ft.

16 PARKING SPACES

EXISTING STORM
DETENTION

15FT REAR PARKING SETBACK
(APPROVED BY PREVIOUS VARIANCE)

EXISTING PARKING /
PAVEMENT

PIPKINS FRUIT AND
VEGETABLE MARKET

EXISTING PARKING / PAVEMENT

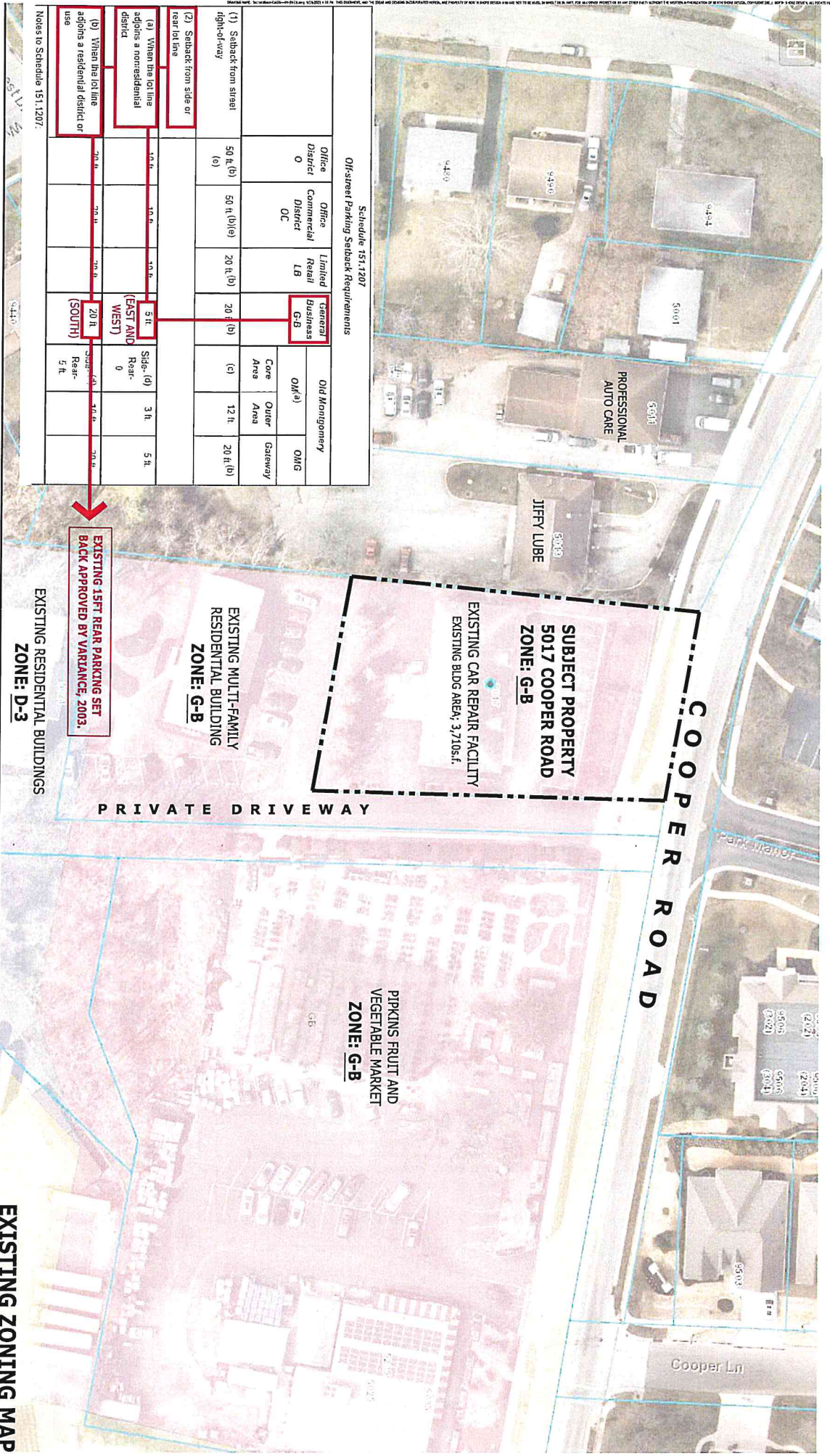
EXISTING PARKING / PAVEMENT

5FT SIDE PARKING SETBACK

5FT SIDE PARKING SETBACK

3

Cooper Rd



Schedule 151.1207
Off-street Parking Setback Requirements

	Office District 0	Office Commercial District OC	Limited Retail LB	General Business G-B	Old Montgomery	
					OM(a)	OMG
(1) Setback from street right-of-way	50 ft. (b)	50 ft. (b)(e)	20 ft. (b)	20 ft. (b)	Core Area	Outer Area Gateway
(2) Setback from side or rear lot line	5 ft. (a)	5 ft. (a)	5 ft. (a)	5 ft. (a)	Side, (b) Rear-0	3 ft. 5 ft.
(b) When the lot line adjoins a residential district or use	20 ft. (b)	20 ft. (b)	20 ft. (b)	20 ft. (b) (EAST AND WEST) (SOUTH)	Rear-0	5 ft. Rear-5 ft.

EXISTING 15-FT REAR PARKING SET
BACK APPROVED BY VARIANCE, 2003.

EXISTING RESIDENTIAL BUILDINGS
ZONE: D-3

EXISTING MULTI-FAMILY
RESIDENTIAL BUILDING
ZONE: G-B

SUBJECT PROPERTY
5017 COOPER ROAD
ZONE: G-B

EXISTING CAR REPAIR FACILITY
EXISTING BLDG AREA, 3,710s. f.

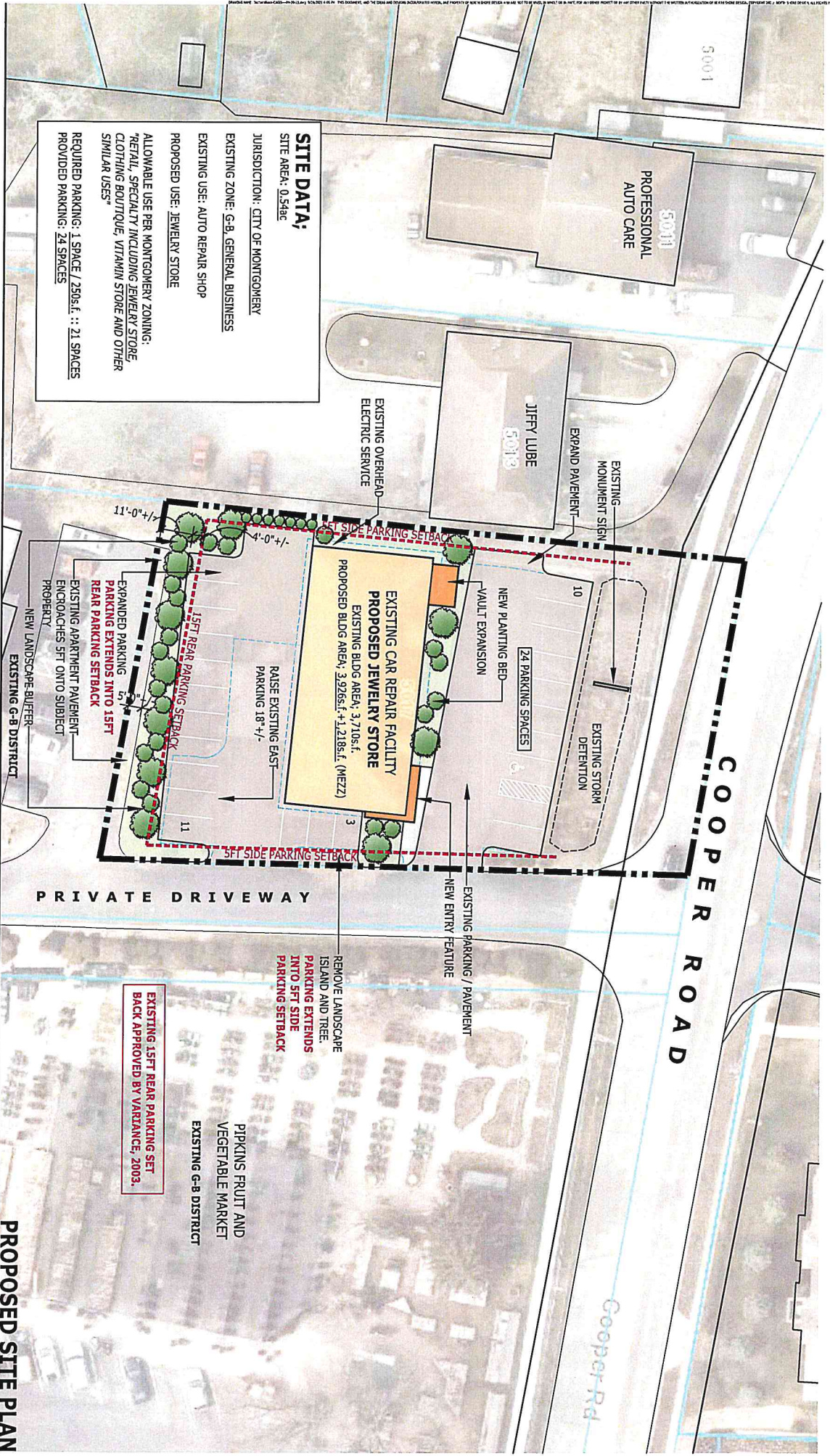
PIPKINS FRUIT AND
VEGETABLE MARKET
ZONE: G-B

EXISTING ZONING MAP



DIAMONDS
ROCK JEWELRY
FACTORY DIRECT FINE JEWELRY
5017 COOPER ROAD, MONTGOMERY OH

NS
NORTH SHORE DESIGN



SITE DATA:
 SITE AREA: 0.54ac
 JURISDICTION: CITY OF MONTGOMERY
 EXISTING ZONE: G-8, GENERAL BUSINESS
 EXISTING USE: AUTO REPAIR SHOP
 PROPOSED USE: JEWELRY STORE
 ALLOWABLE USE PER MONTGOMERY ZONING:
 "RETAIL, SPECIALTY INCLUDING JEWELRY STORE,
 CLOTHING BOUTIQUE, VITAMIN STORE AND OTHER
 SIMILAR USES"
 REQUIRED PARKING: 1 SPACE / 250 sq. ft. :: 21 SPACES
 PROVIDED PARKING: 24 SPACES



DIAMONDS
 ROCK
 FACTORY DIRECT FINE JEWELRY
 5017 COOPER ROAD, MONTGOMERY OH

PROPOSED SITE PLAN

NS
 NORTH SHORE
 ARCHITECTURE
 DESIGN



Preliminary Concept for Reference
North Facade Facing Cooper Road



ARCHITECTURE
6828 State Route 128
PO Box 193
Miami town, OH 45041
513-706-8301 Phone
www.abdesignbuild.com

DIAMONDS ROCK

CONCEPTUAL DESIGN

DESIGNED BY	
DRAWN BY	
CHECKED BY	
DATE	2/23/2021
PROJECT NO.	
EXTERIOR	

THIS DRAWING IS A PRELIMINARY CONCEPT AND NOT A FINAL DESIGN. IT IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE. ALL RIGHTS ARE RESERVED BY THE ARCHITECT. ANY REVISIONS TO THIS DRAWING WILL BE INDICATED BY A REVISION TABLE.

Tracy Henao

From: farragods@cs.com
Sent: Friday, September 17, 2021 2:25 PM
To: Tracy Henao
Subject: Re: Diamond Store at 5017 Cooper
Attachments: DSCN9130.JPG

Tracy, Thanks for always being willing to listen & respond to citizens input.

I have attached a photo of the back & side of the property. It shows the mature trees surrounding it that provide a needed screen from viewing the back & side of the property that shouldn't be removed. It also shows that two cars can already park on the side (ideal as a managers parking spot). So I don't see removing that tree to gain one more spot very worthwhile. Also they should provide landscape addition details.

Second as you know that property has long been designed for car repair and probably has multiple lift bays. I'm no expert but each bay requires a hydraulic system that extends under the floor (sorta like a small elevator shaft). Are they planning to remove these? Are they going to demolish and rebuild the building or just modify the current?

Thanks, Mike

From: Tracy Henao <thenao@montgomeryohio.org>
To: farragods@cs.com <farragods@cs.com>
Sent: Thu, Sep 16, 2021 3:45 pm
Subject: RE: Diamond Store at 5017 Cooper

Mike,

Good to hear from you. If this use was approved, the diamond store would purchase the property and All European would move. The applicant has not gotten into landscape design in detail yet; however, he has stated that they would clean up the site including adding landscaping in the form of trees, shrubs and flowers. All the landscaping they would be removing is owned by them and we would work with them on a new landscape plan if the project moved forward. I hope that answers your questions. Feel free to reach out to me if you have any questions.

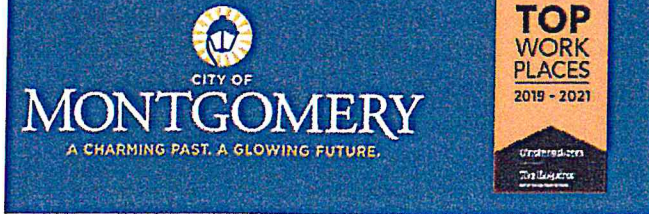
Thanks

Tracy

Tracy Henao
Assistant City Manager

City of Montgomery
10101 Montgomery Rd.
Montgomery, OH 45242
Phone: 513-792-8312

Fax: 513-891-2498
Email: thenao@montgomeryohio.org
Web: www.montgomeryohio.gov



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From: farragods@cs.com <farragods@cs.com>
Sent: Wednesday, September 15, 2021 4:02 PM
To: Tracy Henao <thenao@montgomeryohio.org>
Subject: Diamond Store at 5017 Cooper

Hello Tracy,

I live in the Cooper Creek Condo's.

My initial concern is removal of the large mature tree that's on the left side. It seems inappropriate to remove a large mature tree to gain a couple more parking spaces. The tree does add to the appearance to our drive. I am less concerned about the smaller shrubs. Second I don't think the owner has done a very good job with landscaping the area, The garden beds on the side are often filled with weeds, and they got behind a couple timed mowing grass in the front.

I have some additional questions below.

- 1) We just approved the All European Auto shop there but I assume they are moving out?
- 2) Is the Diamond Shop leasing or purchasing that property?

- 3) Does the owner of the property also own the landscaping that's being proposed to be moved? Or is it owned by the Apartment or our Condo?
- 4) The diagram you show shows 3 additional parking spaces being created on the side along with removal of existing landscaping but it still shows landscaping on the front side of the building. Are they leaving the large tree that's currently there or removing it?
- 5) Does the new landscaping they are proposing include trees or just shrubs?

Mike Frazee

5325 Cooper Unit F



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**CITY OF MONTGOMERY
 BOARD OF ZONING APPEALS REGULAR MEETING**

*City Hall
 10101 Montgomery Road
 Montgomery, OH 45242*

August 24, 2021

<u>PRESENT</u>		
<u>GUESTS & RESIDENTS</u>		<u>STAFF</u>
Jill Strasser & Frank Caccamo 10240 Montgomery Rd., 45242	Craig Margolis Vice Mayor Montgomery City Council 8270 Mellon Drive, 45242	Tracy Henao, Assistant City Manager / Acting Community Development Director
Larry & Ellen Faist 8130 Hopewell Rd., 45242	Mark Rippe 8450 New England Court Cincinnati, OH 45236	Melissa Hays, Zoning and Code Compliance Officer Karen Bouldin, Secretary
	Roberto Rivero 11936 Seventh Avenue Cincinnati, OH 45249	<u>ALL BOARD MEMBERS PRESENT</u> Mary Jo Byrnes, Chairman Richard White, Vice-Chairman Peter Fossett Tom Molloy Bob Saul Jade Stewart Steve Uckotter

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

Roll Call

The roll was called and showed the following responses:

PRESENT: Ms. Stewart, Mr. Uckotter, Mr. Fossett, Mr. White, Mr. Molloy, Mr. Saul,
 Chairman Byrnes (7)

ABSENT: (0)

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 two public hearings. 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

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Board of Zoning Appeals Meeting

August 24, 2021

28 meeting, which immediately follows the public hearing. Everyone is welcome to stay for the
29 business session of the meeting, however, the Board will not take any further public comment
30 during the portion of the meeting, unless clarification is needed by a Board member.

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

34

35 She asked all guests to turn off their cell phones.

36

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

39

Guests and Residents

41 Chairman Byrnes asked if there were any guests or residents who wished to speak about items
42 that were not on the agenda. There were not.

43

New Business (1)

45 *A request for a variance from Larry and Ellen Faist, 8130 Hopewell Road, Montgomery, OH*
46 *45242, to allow for an addition to have a front yard setback 44.5 feet at the nearest point to the*
47 *setback line, where Schedule 151.1005 of the Montgomery Zoning Code requires a minimum*
48 *front yard setback of 50 feet in the "A" District.*

49

Staff Report

51 Ms. Hays reviewed the Staff Report dated August 24, 2021, "Application for Variance: Larry
52 and Ellen Faist". On page 3 of the Report, she noted a correction in Item 3: the applicant was
53 seeking a garage depth of 20 feet, 2 ½ inches. She stated that there were no phone calls or
54 letters/emails received regarding this variance.

55

56 Mr. Molloy referred to the first paragraph of page 3 of the Staff Report, Variance Considerations
57 #1: he understood that the required depth for a vehicle, actually meant the length of the slab, not
58 the depth.

59

60 Mr. Molloy noted that the adjacent house had a front yard setback of 37 feet, and had been built
61 around the same time; he asked if the 50 foot setback requirement was in place at that time.

62 Ms. Hays stated that it was not.

63

64 As there were no other questions from the Board, Chairman Byrnes asked if the applicant wished
65 to speak.

66

67 **Larry Faist, 8130 Hopewell Road, Montgomery, OH 45242** stated that they had just moved
68 into this house about a month ago; no one had lived in it for two years because the previous
69 owners passed away. He intends to bring this house back to its full glory – and modernized.

70

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Board of Zoning Appeals Meeting

August 24, 2021

71 Mr. Faist stated that they knew when they moved in that they might need a variance. The plan is
72 to create a very similar style to the house, with the addition. The brick will not match, but they
73 will match colors and the design.

74
75 Mr. Molloy asked if he had selected a contractor yet. Mr. Faist stated that they had not.
76 Mr. Molloy wanted Mr. Faist to know that some of the variances expire after one year, and in
77 this construction climate, it may be difficult to locate a contractor who can help them within that
78 timeframe. Mr. Faist understood that if the variance were granted, as long as they started on the
79 project within one year, they would be in compliance. Ms. Hays and Ms. Henao confirmed.

80
81 Mr. Saul asked Mr. Faist to remind the contractor to review the Montgomery Zoning
82 requirements, to be sure they meet all requirements.

83
84 Chairman Byrnes asked if there were any other questions, and there were none. She asked if
85 there were any questions from guests or residents. There were none.

Adjournment

86
87
88 Mr. White moved to close the public hearing.

89 Mr. Molloy seconded the motion.

90 The public hearing adjourned at 7:18p.m.

91
92 Chairman Byrnes opened the business session at 7:18 p.m.

Business Session (1)

93
94
95 *A request for a variance from Larry and Ellen Faist, 8130 Hopewell Road, Montgomery, OH*
96 *45242, to allow for an addition to have a front yard setback 44.5 feet at the nearest point to the*
97 *setback line, where Schedule 151.1005 of the Montgomery Zoning Code requires a minimum*
98 *front yard setback of 50 feet in the "A" District.*

99
100 Mr. Saul stated that he liked seeing improvements made to the homes in Montgomery, and he
101 supported this request.

102
103 Mr. Uckotter felt this was a perfectly reasonable request. Ms. Stewart agreed.

104
105 Chairman Byrnes felt this was a good project.

106
107 Mr. Molloy agreed; he noted that while a request for 11% seemed significant, it didn't really
108 have a visual impact, as you looked up the street.

109
110 *Mr. Molloy moved to approve the variance request from Larry and Ellen Faist, 8130 Hopewell*
111 *Road, Montgomery, OH 45242, to allow for a front yard setback of 44.5 feet, along Buxton*
112 *Lane (west side), where a front yard setback of 50 feet is required, per Section 151.1005 of the*
113 *City of Montgomery Zoning Code, as described in the City of Montgomery Staff Report dated*
114 *August 24, 2021.*

115

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Board of Zoning Appeals Meeting

August 24, 2021

116 *This approval is based on substantial compliance with the Site Plan dated August 2, 2021.*

117

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

120

121 *Mr. Saul seconded the motion.*

122

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

124

125 *AYE: Ms. Stewart, Mr. Uckotter, Mr. Fossett, Mr. White, Mr. Molloy, Mr. Saul,*

126 *Chairman Byrnes* (7)

127 *NAY:* (0)

128 *ABSENT:* (0)

129 *ABSTAINED:* (0)

130

131 *This motion is approved.*

132

Adjournment

134 Mr. Saul moved to close the business session.

135 Mr. Uckotter seconded the motion.

136 The business session adjourned at 7:20p.m.

137

138 Chairman Byrnes opened the public hearing at 7:20p.m.

139

New Business (2)

141 *A request for a variance from Mosteller Investments, LLC, 8041 Hosbrook Road, #206,*
142 *Cincinnati, Ohio 45236, for their property at 9305 Montgomery Road, Montgomery, OH*
143 *45242 to allow for a multi-tenant ground sign to be 10 feet in height, and approximately 44.6*
144 *square feet in size. The sign would serve the properties at 9305 and 9309 Montgomery Road.*
145 *Section 151.3012(a)(1) and (2) of the Montgomery Zoning Code states that externally*
146 *illuminated signs shall not exceed 36 square feet in size and shall not exceed 5 feet in height.*

147

Staff Update

149 Ms. Henao reviewed the Staff Report dated August 20, 2021, "Application for Variance:
150 9305 Montgomery Road". She noted a correction on Page 1 of her Staff Report, the last
151 paragraph to read Section 151.3012(a)(1). Should the board grant the variance, Staff suggested
152 the following condition: the sign should be externally illuminated. She had communicated that
153 to the applicant, and they immediately revised the sign. A handout was distributed to the Board
154 members this evening, showing the drawing, indicating that it will be externally illuminated, in
155 compliance with the Zoning Code.

156

157 Ms. Henao received one communication in support of this application from The Myers Y.

158 Cooper Company, who owns the property directly to the south of the subject property.

159 This piece was included in members' packets. She did not receive any additional phone calls.

160 She asked for any questions.

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Board of Zoning Appeals Meeting

August 24, 2021

161
162 Mr. Fossett referred to page 4 of the Staff Report, the second paragraph of Item #3, noting that it
163 should state: ...the variance in height .. is 100% taller than what is permitted by the Zoning
164 Code, (not 50%).
165
166 Mr. Uckotter noticed that the retaining wall was angled in such a way that there would be more
167 space on the north side; he asked if that was that done specifically to accommodate the sign.
168 He didn't see anywhere else to put the sign. Ms. Henao confirmed.
169
170 Mr. Uckotter pointed out that the applicant wanted to place the address at the top of the sign, yet
171 the City planned to plant trees right along there. He felt the City should consider that issue.
172 Ms. Henao stated that they will look at the spacing of those trees.
173
174 Mr. White asked if this project was required from the City because of the change of the curb cut,
175 or if this was requested from the owners of the property. Ms. Henao replied that this was the
176 City's request. In order to put in the traffic signal, as part of the roundabout project, these two
177 driveways needed to be combined, to provide for safe access.
178
179 Mr. White asked if this was at the expense of the City. Ms. Henao responded that it was.
180 Basically, the owner was requesting the variance, but the City was doing it. Ms. Henao stated
181 that the City has been working with the property owners for two years now, to arrive at an
182 appropriate design for the consolidated drive, and ways to make sure that the internal circulation
183 of these two properties is beneficial for all 3 buildings. Additionally, they have been working
184 together on different sign plans. She was happy to report that the two property owners came
185 together and agreed on a consolidated approach. This sign will also include identification for the
186 panhandle property in the back. All 3 properties have come together for the driveway
187 consolidation: Dunkin, Houdini and Avis. Houdini and Avis will be identified on this sign.
188 Dunkin will have another ground mounted sign on the north side – it is an existing sign, very
189 small, tucked up against the corner of the building.
190
191 Chairman Byrnes asked if they will have to redo the signage for Delicio. Ms. Henao stated that
192 the signage for that building will not be included on the proposed sign for tonight. Delicio will
193 continue to do wall mounted, and/or use their existing ground mounted signage.
194
195 Mr. White asked if the colors on this sign met the standards. Ms. Henao confirmed, stating that
196 all of these logos had been on signs that have been approved by the Landmarks Commission in
197 the past. Ms. Henao stated that the Landmarks Commission no longer requires the exact PMS
198 number (depicting a specific color); they now compare the applicant's color swatches to what is
199 in the District.
200
201 Mr. Molloy asked about the number of colors. Ms. Henao explained that in the situation of a
202 multi-tenant, they look at each individual panel, and each one can have up to four colors.
203
204 Mr. Molloy questioned the height of the sign, noting that it was very different from other
205 variances requested. He asked how much work was done to try to lower the height of the sign by

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Board of Zoning Appeals Meeting

August 24, 2021

206 reducing the base, which is almost 2 feet in the air. Ms. Henao stated that they have worked with
207 both property owners, as well as the sign company to try to get this to be the appropriate size and
208 height. The City Engineer and Traffic Engineer have also provided input to place this in the best
209 location, and help determine the best size. The base is a little bit taller, so that it will be a bit
210 above the retaining wall, to get better visibility from the northbound. This is similar to a
211 variance requested in the past, at Weller, with a retaining wall and a fence.

212

213 Mr. Molloy stated that the retaining wall was actually behind the sign. Ms. Henao stated that
214 there were also other considerations: the traffic control box and the mast arm, which will be
215 located in the actual sidewalk, as well as the trees and light poles. She noted that the traffic box
216 would be located in front of the sign, possibly 3 or 4 feet high. She explained that this was the
217 engineers' recommendation to be sure it would be visible and still safe for the travelling public.
218 They also considered the site line for turning in and out of the driveway.

219

220 Mr. White asked if this had only one side to it. Ms. Henao stated that it had two sides, back-to-
221 back.

222

223 Chairman Byrnes asked Staff if this could set a precedent for future businesses. Ms. Henao
224 believed that there were plenty of unique situations established in this case, specifically with two
225 different properties using a shared driveway; also with such a limited location for a ground-
226 mounted sign.

227

228 Mr. Uckotter liked the overall plan. He liked the Nordic Motors sign, but pointed out 5 different
229 letter sizes on it. She agreed with him, that it technically did not meet the intent of today's code.
230 Ms. Henao stated that it was actually their logo, and has been approved in the past, and so they
231 allowed it.

232

233 Chairman Byrnes asked if there were any more questions. As there were none, she asked if the
234 applicant wished to speak.

235

236 **Mark Rippe, 8450 New England Court, Montgomery, OH 45236** stated that they have been
237 working on this change for almost two years with the City and the engineers, legal counsel, and
238 joint property owners. He noted that they were sad to lose their access to Montgomery Road, but
239 they did understand what the City was trying to do --from a safety standpoint, with having the
240 light there, and being able to turn left out of the property. It made sense for everyone to come
241 together on this. He stated that they have also come up with an agreement for all property
242 owners to help maintain the driveway.

243

244 Regarding the site line, he pointed out the railing that was just recently added to the retaining
245 wall, and wondered what affect that will have on this sign, as well. He felt it would be another
246 thing to confuse people, in finding their location; but also understood the need for it, so no-one
247 would fall off the wall. Mr. Uckotter stated that if the railing was black, it wouldn't be as
248 visible. Ms. Henao stated they were considering black, similar to what was recently done at the
249 Safety Center.

250

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Board of Zoning Appeals Meeting

August 24, 2021

251 There were no questions from the Board. Chairman Byrnes asked if any guests or residents had
252 comments. There were none.

253

Adjournment

254 Mr. White moved to close the public hearing.

255 Mr. Fossett seconded the motion.

256 The public hearing adjourned at 7:47p.m.

257

258 The business session was called to order at 7:47 p.m.

259

Business Session (2)

260
261 *A request for a variance from Mosteller Investments, LLC, 8041 Hosbrook Road, #206,
262 Cincinnati, Ohio 45236, for their property at 9305 Montgomery Road, Montgomery, OH
263 45242 to allow for a multi-tenant ground sign to be 10 feet in height, and approximately
264 44.6 square feet in size. The sign would serve the properties at 9305 and 9309 Montgomery
265 Road. Section 151.3012(a)(1) and (2) of the Montgomery Zoning Code states that externally
266 illuminated signs shall not exceed 36 square feet in size and shall not exceed 5 feet in height.*
267

268

269 Mr. Molloy recommended that we vote on this in 2 motions – the first one for square footage
270 area, and the second motion, for height. All members agreed.

271

272 Mr. White felt this was a reasonable request for a variance, because they had only one sign, in
273 one place.

274

275 Mr. Molloy stated that the reduction of clutter was a big help. Even though the square footage
276 was 24% above the requirement, the dimensions were only about 7 or 8 inches in height and
277 width difference. He didn't feel it would be noticeable from the sight of the sign. He was in
278 favor of this variance.

279

280 Ms. Stewart pointed out that there had been a significant amount of time and energy that had
281 gone into determining that this was the best fit for this area. She trusted the process.

282

283 Chairman Byrnes was in favor of this variance.

284

285 *Mr. Molloy moved to approve the request for a variance from Mosteller Investments, LLC,
286 8041 Hosbrook Road, #206, Cincinnati, Ohio 45236, for their property at 9305 Montgomery
287 Road, Montgomery, OH 45242 to allow for a multi-tenant ground sign to be 44.6 square feet,
288 where 36 square feet is the maximum allowed, per Section 151.3012(a)(1) of the City of
289 Montgomery Zoning Code, as described in the City of Montgomery Staff Report dated
290 August 20, 2021.*

291

292 *This approval is based on substantial compliance with the Sign Design dated August 23, 2021.*

293

294 *This approval is justified by criteria # 1, 2, 3, 4, 5, 6, 7, 8, 9 &10, as outlined in Montgomery
295 Codified Ordinance Chapter 150.2010 (d) for granting variances.*

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Board of Zoning Appeals Meeting

August 24, 2021

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Mr. White seconded the motion.

The roll was called and showed the following vote:

AYE: Mr. Saul, Ms. Stewart, Mr. Uckotter, Mr. Fossett, Mr. White, Mr. Molloy,
Chairman Byrnes (7)
NAY: (0)
ABSENT: (0)
ABSTAINED: (0)

This motion is approved.

Chairman Byrnes stated that this next discussion concerned the height of the sign, and asked for comments from the Board.

Ms. Stewart held the same comment that she stated for the size of the sign.

Mr. Molloy had reservations about the height, noting that it was far more than we have ever agreed to before; it was 100% above the code requirement. However, given the amount of congestion in that space, he agreed that a little bit higher would be better for this particular sign for five businesses. Ms. Stewart agreed, noting that it looked like there was nowhere else to put all of the tenant signs in the space, based on everything going on there.

Mr. White noted that across the street, the building would be 4 stories high, and the sign would seem a lot smaller.

Mr. Uckotter agreed that it needed to be as high as it was proposed.

Mr. Molloy moved to approve the request for a variance from Mosteller Investments, LLC, 8041 Hosbrook Road, #206, Cincinnati, Ohio 45236, for their property at 9305 Montgomery Road, Montgomery, OH 45242 to allow for a multi-tenant ground sign to be 10 feet in height, where 5 feet in height is the maximum allowed, per Section 151.3012(a)(2) of the City of Montgomery Zoning Code, as described in the City of Montgomery Staff Report dated August 20, 2021.

This approval is based on substantial compliance with the Sign Design dated August 23, 2021.

This approval is justified by criteria # 1, 2, 3, 4, 5, 6, 7, 8, 9 &10, as outlined in Montgomery Codified Ordinance Chapter 150.2010 (d) for granting variances.

Mr. White seconded the motion.

The roll was called and showed the following vote:

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Board of Zoning Appeals Meeting

August 24, 2021

341 **AYE: Mr. Fossett, Mr. White, Mr. Molloy, Mr. Saul, Ms. Stewart, Mr. Uckotter,**
342 **Chairman Byrnes** (7)

343 **NAY:** (0)

344 **ABSENT:** (0)

345 **ABSTAINED:** (0)

346

347 ***This motion is approved.***

348

Adjournment

350 Mr. White moved to close the business session.

351 Mr. Saul seconded the motion.

352 The business session adjourned at 7:52p.m.

353

354 Chairman Byrnes opened the public hearing at 7:52p.m.

355

Other Business

357 **Craig Margolis, Vice Mayor, Montgomery City Council** stated that 2 ½ weeks ago, he
358 attended their neighborhood barbecue cookout. One of his neighbors came up to him and said,
359 “You guys on Council are always voting 7-0”. Mr. Margolis stated that this question/comment is
360 constantly brought to his attention, over and over.

361

362 Mr. Margolis told the Board about some legislation from the last Council meeting, just as an
363 example (not implying anything). He cited several of their votes were for amending resolutions
364 (voting 7-0). He explained that 90% of their votes were housekeeping, and typically voting 7-0.
365 He stated that when they do have something out of the ordinary, their logic is to go with what
366 they feel is right, yet be sensitive to the minority. Try to bring everyone onboard. It sends a
367 strong message to everyone in the community that we are focused in one direction. But we are
368 also striving for a win-win. Trying to get a perverse point of view to be congruent and to be in a
369 forward direction.

370

371 And, this is always his answer to the above question, because it helps explain where we stand.

372

373 Mr. Margolis pointed out the importance of eliminating curb cuts, consolidating signage and
374 reducing the clutter along Montgomery Road. He felt this all contributed to keeping our area
375 looking up-scale. He appreciated the Board finding the right solution for the project.

376

377 Mr. Margolis stated that this Friday and Saturday we will attend our City Retreat, where they
378 will discuss the 5-Year Strategic Plan. He asked members to feel free to email him, if they had
379 any thoughts on the subject. He noted that a budget meeting will be coming up in September,
380 where they not only set the budget, but also the priorities of the budget.

381

382 In two weeks, our city of the same namesake, Montgomery, (in New York state) will be
383 celebrating General Montgomery Day --which he hoped to attend. He stated that the original
384 name of that city in New York, was Hopewell. He explained that during the Revolutionary War,
385 General Montgomery was leading them, and they were so impressed with his leadership (even

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Board of Zoning Appeals Meeting

August 24, 2021

386 though he perished in one of their battles) they renamed their community Montgomery.
387 Actually, every Montgomery in the United States is named after him.

388
389 He talked of the city, stating that it is actually north of New York City, but south of
390 Lake Ontario. It is a fairly rural and agrarian area, and most all of the county joins in the
391 celebration - there are about 120 floats in the parade! The city is small, actually consists only of
392 about 4500 residents, but the entire county participates. Ms. Henao stated that the mayor knows
393 everyone by name. And many of the names were similar to those here – Terwilliger, etc.

394
395 Mr. Margolis stated that they are in the incubation stage of a small group of like-minded citizens
396 who are interested in the history of Montgomery, Ohio, and promoting it. He asked if anyone
397 was interested, if so - to contact him. They are looking for a group more interested in “doing”,
398 for example, how to promote the history of Montgomery to the wider area.

399
400 Chairman Byrnes stated that the city of Reading has their own museum, albeit very small.
401 Mr. Uckotter stated that Sharonville, Mariemont and Price Hill also have them. Ms. Henao
402 stated that we have the Swaim House, which holds much Montgomery artifacts and files.
403 She pointed out that they were always on display during Harvest Moon, but just not accessible
404 all of the time. She also noted that The Historic Preservation Association will take people on
405 private and public tours.

406
407 Mr. Rippe stated that his father was a developer, back in the 1950s. He stated that Jolain Drive
408 was named after his mom and dad (Joe and Elaine). Regarding the history group, he stated that
409 his father’s mind was a great mind to pick, and that he would welcome the company. Ms. Henao
410 stated it would be great to record a living history.

411
412 Mr. Saul stated that they had just completed the resurfacing of Shadowhill and Adventure Ways,
413 and did an excellent job. Mr. Margolis asked if Mr. Saul would send Gary Heitkamp a note.
414 Mr. Saul pointed out this City kept their streets in very good condition. Mr. Margolis stated that
415 about one million dollars/year in the budget was dedicated to that; it was a 16-18 year plan of
416 resurfacing.

417

Minutes

418 Mr. Saul moved to approve the minutes of July 27, 2021, as written.

419 Mr. Uckotter seconded the motion.

420 The Board unanimously approved the minutes.

421

Adjournment

422 Mr. Saul moved to adjourn. Mr. Uckotter seconded the motion.

423 The meeting adjourned at 8:07p.m.

424

425

426 _____
427 Karen Bouldin, Clerk

Mary Jo Byrnes, Chairman

Date

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