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**Board of Zoning Appeals Agenda**

**September 27, 2022**

**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**

7607 Lakewater Drive: A request from property owners, Kevin and Rachel Namaky, for a variance to allow an accessory off-street parking area to be 6' from the front property line where 25' is required per Schedule 151.1009(B) of the Montgomery Zoning Code.

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

Application for Variance: *Kevin and Rachel Namaky*

September 27, 2022  
Staff Report

Applicant: Kevin and Rachel Namaky  
7607 Lakewater Drive  
Montgomery, Ohio 45242

Property Owner: SAME

Vicinity Map:



Nature of Request:

The applicants are requesting a variance to allow an accessory off-street parking area to be 6' from the front property line where 25' is required per Schedule 151.1009(B) of the Montgomery Zoning Code.

### Zoning:

This property is zoned 'A' - Single Family Residential and is used for a single-family residence. All surrounding properties are also zoned 'A' single family residential and used for single family residences.

### Findings:

1. The lot is 0.5739 acres or approximately 25,000 square feet, which exceeds the 20,000 square foot lot minimum in the district.
2. The house was built in 1975 and is located on the southside of the Valleystream Drive and Lakewater Drive intersection.
3. Schedule 151.1009(b) of the Montgomery Zoning Code requires accessory off street parking to be located 25' from the front property line or the right-of-way line if the property line runs to the centerline of the street.
4. The current house has a legal non-conforming front yard setback. The house has a front yard setback of 33.2'. The minimum front yard setback in the 'A' District is 50'.
5. The existing driveway is approximately 17' in width.
6. The proposed setback for the off-street parking area is 12' from the western property line.

### 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 property has a legal non-conforming front yard setback of 33.2' where 50' is the minimum required. This reduced front yard setback

limits the length of an accessory off street parking space permitted by right in the front yard to 8.2'. The design standards in the Zoning Code require a minimum of 18' for the length of a parking space.

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

Staff is of the opinion that there would be a reasonable rate of return if the variance is not granted, due to the existing two car garage and driveway. However, on street parking is limited due to the property's proximity to the intersection.

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

The variance is substantial, as the applicant is proposing a 76% reduction in the required setback. However, the size of the parking pad of approximately 38' x 12' would only allow for the parking of up to two vehicles.

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

Staff is of the opinion that the neighborhood would not be substantially altered by granting the variance, as the house has a non-conforming front yard setback, and the proposed accessory parking area would have a 12' setback from the side property line. In addition, the proposed expansion would be located behind the sidewalk and the current driveway apron would not be expanded.

- 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 has stated that they were not aware of the zoning restraint.

- 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?*

The applicant could extend the driveway along the west side of the house; however, there is an existing tree located along the side and the applicant is proposing to extend the pad the maximum amount necessary for parking and maneuvering a vehicle in and out of the driveway. In addition, this house has non-conforming front yard setback, which severely limits the placement of a bump out. This property is also located at an existing three way stop intersection, which restricts on street parking.

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

The intent of the accessory off street parking setback is to reduce visual clutter by requiring parking pads to be located closer to the house and to provide for safe travel by requiring the parking pad to be located 25' from the right-of-way. This property does have a sidewalk located in front, as well as a legal non-conforming front yard setback. In addition, there is no on street parking in close proximity due to the nearby intersection.

Staff does not believe that it is the intent of the zoning code to inhibit improvements to an existing property, if the improvement would not be detrimental to the surrounding properties or character of the neighborhood, the request is reasonable, and a practical difficulty has been established.

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

A variance for 9991 Zig Zag Road to allow an accessory parking area to be 0' from the right of way was granted October 23, 2018.

A variance for 9978 Knollbrook Terrace to allow an accessory parking area to be 0' from the right of way was granted October 18, 2021.

A variance for 7379 Cornell Road to allow an accessory parking area to be 15' from the right of way was granted October 26, 2021.

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A variance for 7875 Pfeiffer Road to allow an accessory parking area to be 2' from the right of way was granted November 23, 2021.

A variance for 7880 Pfeiffer Road to allow an accessory parking area to be 10.4' from the right of way was granted May 24, 2022.

### Staff Comments and Recommendations

Staff believes that the variance request is reasonable and would not be detrimental to the surrounding properties or the character of the neighborhood. A practical difficulty has been established due to the legal non-conforming front yard setback which limits the placement of an accessory parking space, as well as the lack of available on street parking due to the proximity of the intersection.

Approving an accessory off-street parking area to be 6' from the front property line where 25' is required per Schedule 151.1009(B) of the Montgomery Zoning Code and in substantial compliance with the site plan submitted August 15, 2022 could be justified by criteria #1, 4, 5, 6, 7, 8, 9 and 10.





CITY OF

# MONTGOMERY

A CHARMING PAST. A GLOWING FUTURE.

## APPLICATION FORM

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

Project Address (Location): 7607 Lakewater Dr. Montgomery OH 45242

Project Name (if applicable): Driveway expansion

Auditors Parcel Number: 603-0016-0133 / 603-0026-0051

Gross Acres: 0.5739 Lots/Units 34 Commercial Square Footage \_\_\_\_\_

Additional Information: \_\_\_\_\_

PROPERTY OWNER(S) Kevin & Rachel Namaky Contact 513-659-2243

Address Same as project Phone: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

E-mail address knamaky@gmail.com

APPLICANT Kevin Namaky Contact 513-659-2243

Address Same as project Phone: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

E-mail address \_\_\_\_\_

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  
[Signature]

ONLY

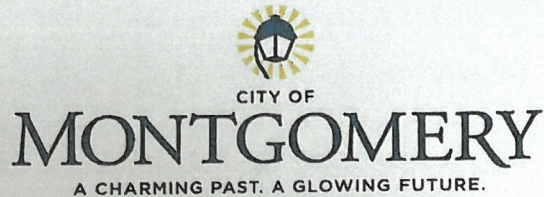
FOR DEPARTMENT USE

Print Name Kevin Namaky

Date 8/19/22

Meeting Date:
Total Fee:
Date Received:
Received By:





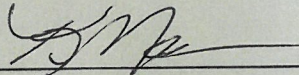
## CONSENT OF OWNER(S) TO INSPECT PREMISES

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 7607 Lakewater Dr. 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 Kevin Namaky

Date 8/19/22

Board of Zoning Appeals Members:

Mary Jo Byrnes

Tom Molloy

Catherine Mills Reynolds

Bob Saul

Jade Stewart

Steve Uckotter

Richard White



# Kevin Namaky

7607 Lakewater Drive  
Montgomery OH 45242  
513-659-2243  
knamaky@gmail.com

August 19, 2022

City of Montgomery Board of Zoning Appeals  
City Hall  
10101 Montgomery Road  
Montgomery OH 45242

Dear Members and Staff,

We hereby submit our written request, application and supporting documentation related to our driveway expansion project at our residential home address (7607 Lakewater Drive). In this instance, a driveway expansion is needed in order to properly accommodate our vehicle/family needs at this location. However, our home has a legal non-conforming front yard setback of only 35', resulting in a hardship that is not self-imposed and that limits our ability to make reasonable modifications or extensions to the driveway. Therefore, we are requesting plan approval as an exception/variance to the standard zoning requirements.

We propose the driveway extension to be 12 feet wide on the side of our home, suitable for parking of a single vehicle with room for door entry/exit. The driveway would run for 20 feet along the side of the home, then for another 18 feet which is approximately the length of a single vehicle. This length allows for proper entry and exit of the driveway along the side of the home. The bump-out's closest point to the right-of-way would be 6' back from the sidewalk/property line, and 18' back from the street. This seems the most reasonable plan to allow for some setback from the right-of-way, while also still allowing a vehicle to safely enter/exit the bump-out.

The approximate size, style, location and specifications of our proposed driveway extension plan is notably similar to other driveway extensions/bump-outs found elsewhere in the city of Montgomery. The proposed plan would therefore reasonably fit in with the larger community aesthetic.

Other consideration and criteria to note:

- This lot has special circumstances which are not applicable to other lots/homes in the area—namely a shallow lot where the home has a setback of only 35’.
- The proposed variance is the minimum necessary to accomplish the objective, reasonable, and not substantially different from other such variances or grandfathered exceptions already existing in Montgomery.
- The character of the neighborhood would not be substantially altered. In fact, a home three lots away has a similar driveway structure.
- The proposed variance would not affect the delivery of government services.
- As property owners we were not aware of such zoning restraints and could not reasonably foresee such restraint.
- No other method is available to cure this predicament that avoids the requested zoning variance.
- Granting the variance would not confer special privilege not already granted to numerous Montgomery property owners who have driveway extensions/bump-outs of similar construction, including many that exist in variance of the zoning requirements for setback.

Additional information and documentation are included with this submission:

A - Pictures of the current site.

B - Hand drawing/illustration of the proposed driveway extension.

C - Official survey plan, current and proposed.

D - Pictures of relevant examples and precedent in the city of Montgomery. These driveway extensions/bump outs are either similar in shape/size/style and/or are located in conflict with the required setback.

E - Required documentation: proof of ownership (deed), owner consent to inspect, and zoning appeals application.

Thank you for your reasonable consideration.

Best Regards,

A handwritten signature in black ink, appearing to read 'Kevin Namaky', written in a cursive style.

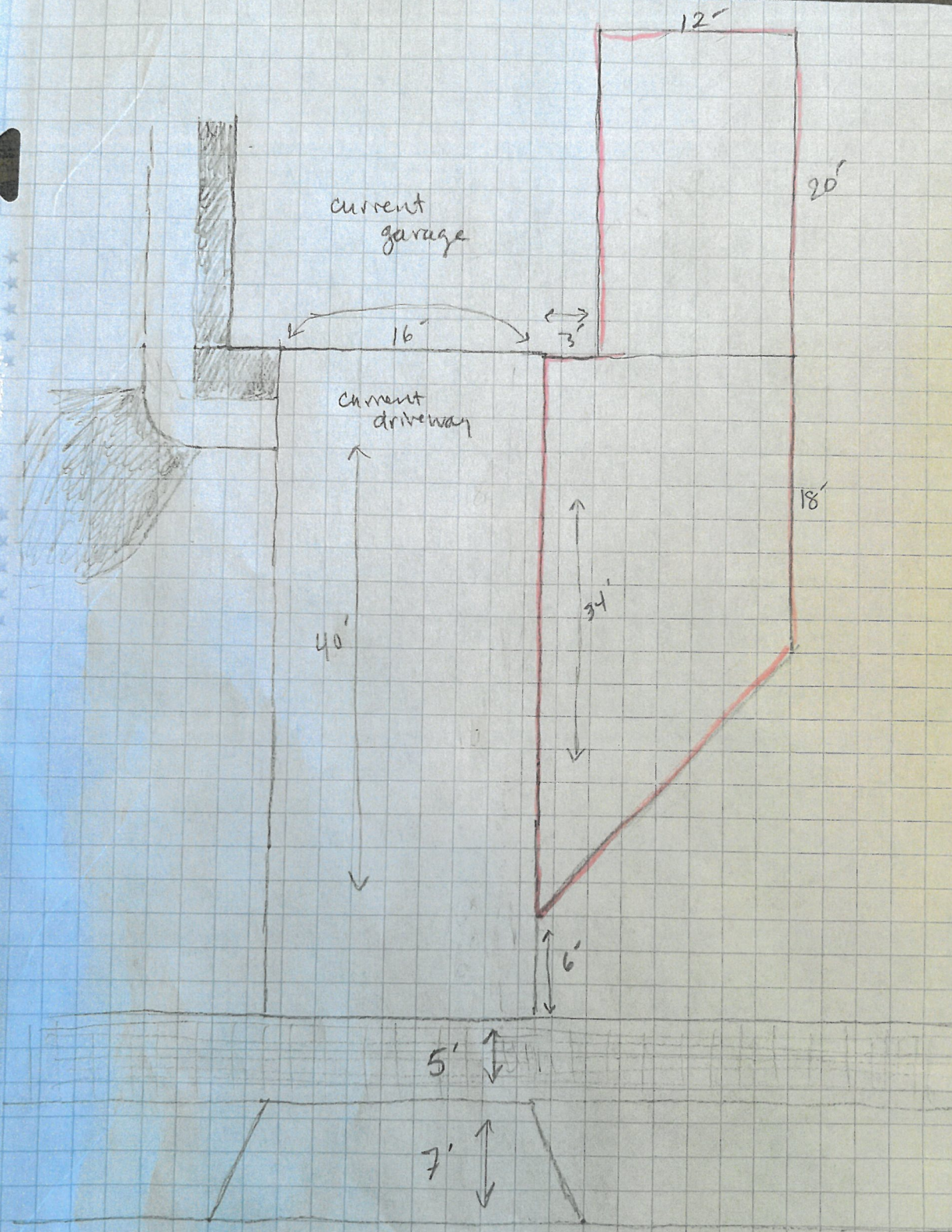
Kevin Namaky











Driveway extension  
to begin 18' from street.



BOOK: 603 PAGE: 0016  
 PARCEL: 0133  
 BOOK: 603 PAGE: 0026  
 PARCEL: 0051  
 BASIS OF BEARINGS:  
 MONTGOMERY WOODS  
 SUBDIVISION  
 BLOCK 'D'  
 P.B. 202, PG. 79  
 DEED OF RECORD  
 O.R. 11888, PG. 1834



- W — WATER LINE
- SS — SANITARY SEWER
- X - X - FENCE
- OH - E - ELECTRIC UTILITY
- ⊙ LAMP POST (LP)
- ⊙ PHONE BOX (PB)
- ⊙ ELECTRIC METER (EM)
- ⊙ STONE PATH
- ⊙ VENT PIPE (VP)
- ⊙ DOWNSPOUT (DS)
- ⊙ HOSE BIBB (HB)
- ⊙ FIRE HYDRANT (FH)
- ⊙ MANHOLE (MH)
- ⊙ UTILITY POLE (UP)
- ⊙ DRAIN
- ⊙ WATER VALVE (WV)
- ⊙ CATCH BASIN (CB)
- ⊙ GAS VALVE (GV)
- ⊙ WINDOW WELL (WW)

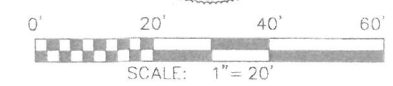
- LEGEND**  
 STANDARD SYMBOLS THAT MAY  
 APPEAR ON THIS DRAWING:
- ⊙ IP FOUND-5/8"
  - ⊙ IP FOUND-1"
  - ⊙ IP SET - 5/8"
  - ⊙ IP SET - 1"
  - \* IRON PIPE FOUND
  - ⊙ PK FOUND
  - ⊙ MAG NAIL SET
  - ⊙ RR SPIKE FOUND
  - ⊙ RR SPIKE SET
  - ⊙ CONC. MON. FOUND
  - ⊙ HUB & TACK SET
  - ⊙ STONE FOUND
  - ⊙ CROSS NOTCH SET
  - ⊙ BENCH MARK
  - ⊙ LATH SET ON-LINE

LOT 56  
 SANITARY SEWER MANHOLE  
 RIM: 802.02'  
 INV.: 790.94'  
 AREA: 0.5739 ACRES (SURVEY)  
 KEVIN K. NAMAKY  
 O.R. 11888, PG. 1834  
 AUDITOR'S PARCEL: 603-0016-0133  
 603-0026-0051

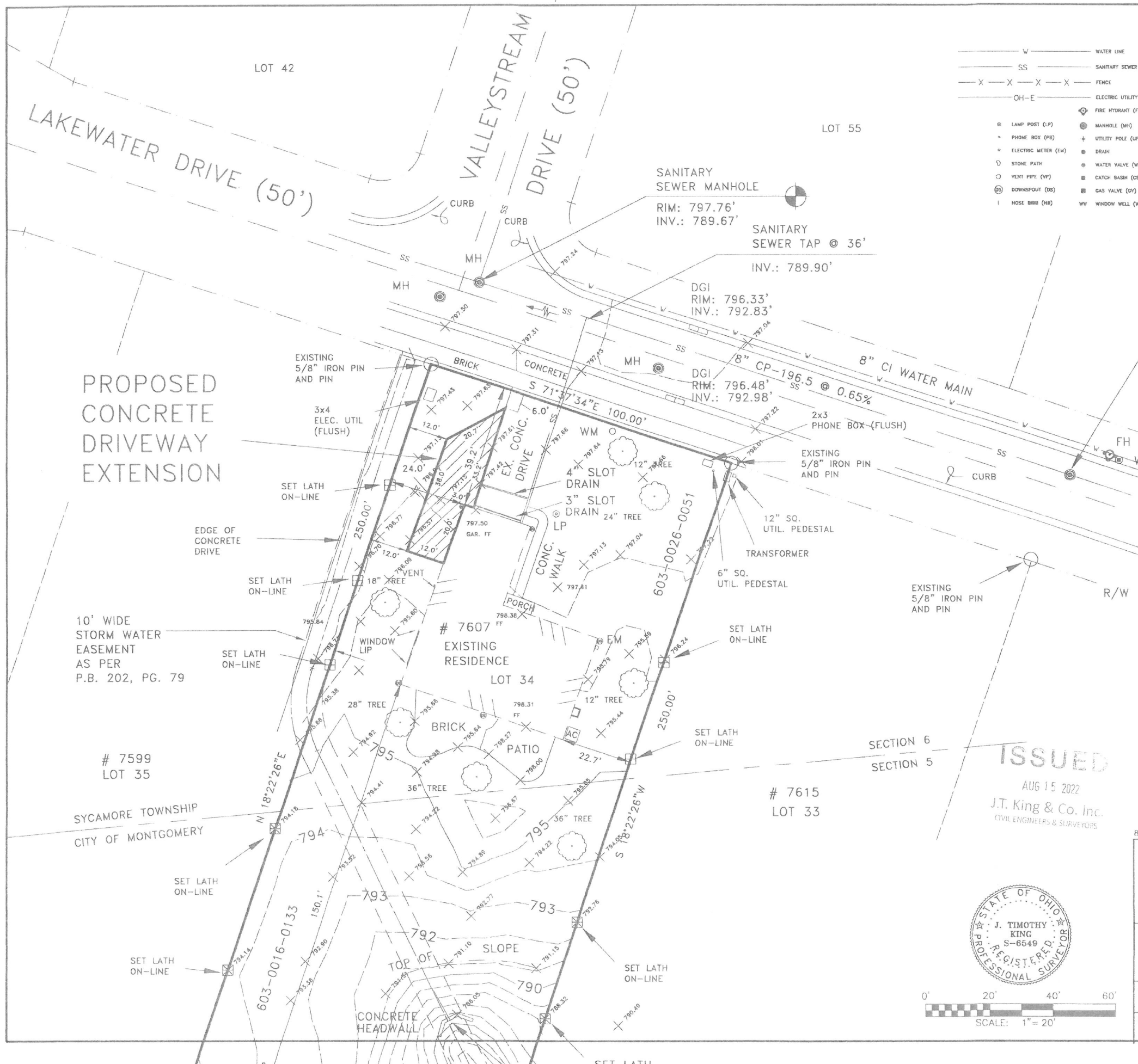
## PROPOSED DRIVEWAY EXTENSION (DETAIL)

SITUATED IN  
 SECTIONS 5 & 6, TOWN 4, E.R. 1  
 MIAMI PURCHASE  
 SYCAMORE TOWNSHIP  
 CITY OF MONTGOMERY  
 HAMILTON COUNTY, OHIO  
 AND ALSO BEING  
 LOT 34  
 MONTGOMERY WOODS SUBDIVISION  
 BLOCK 'D'  
 P.B. 202, P.G. 79

**ISSUED**  
 AUG 15 2022  
 J.T. King & Co. Inc.  
 CIVIL ENGINEERS & SURVEYORS



<b>J. T. KING &amp; CO., INC.</b> CIVIL ENGINEERS • LAND SURVEYORS 9200 MONTGOMERY ROAD • SUITE "21b" CINCINNATI, OHIO 45242 TELEPHONE: (513) 793-7667 FACSIMILE: (513) 793-7667			
KEVIN K. NAMAKY 7607 LAKEWATER DRIVE CINCINNATI, OHIO 45242			
APPROVED BY: J. T. K.	DRAWN BY: NORDLOH	DATE: 8/10/2022	.CRD NAME: NAMAKY.CRD
SCALE: 1"=20'	.DWG NAME: NAMAKY_A.DWG		FILE No. 22170-S



PROPOSED CONCRETE DRIVEWAY EXTENSION

10' WIDE STORM WATER EASEMENT AS PER P.B. 202, PG. 79

# 7599 LOT 35

SYCAMORE TOWNSHIP  
 CITY OF MONTGOMERY

# 7607  
 EXISTING RESIDENCE

LOT 34

# 7615  
 LOT 33

LOT 42

LOT 55

LOT 56

LAKEWATER DRIVE (50')

VALLEYSTREAM DRIVE (50')

603-0016-0133

SANITARY SEWER MANHOLE  
 RIM: 797.76'  
 INV.: 789.67'

SANITARY SEWER TAP @ 36'  
 INV.: 789.90'

DGI  
 RIM: 796.33'  
 INV.: 792.83'

DGI  
 RIM: 796.48'  
 INV.: 792.98'

SANITARY SEWER MANHOLE  
 RIM: 802.02'  
 INV.: 790.94'

AREA: 0.5739 ACRES (SURVEY)

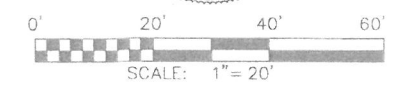
KEVIN K. NAMAKY  
 O.R. 11888, PG. 1834

AUDITOR'S PARCEL: 603-0016-0133  
 603-0026-0051

## PROPOSED DRIVEWAY EXTENSION (DETAIL)

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KEVIN K. NAMAKY 7607 LAKEWATER DRIVE CINCINNATI, OHIO 45242			
APPROVED BY: J. T. K.	DRAWN BY: NORDLOH	DATE: 8/10/2022	.CRD NAME: NAMAKY.CRD
SCALE: 1"=20'	.DWG NAME: NAMAKY_A.DWG		FILE No. 22170-S

## Melissa Hays

---

**From:** Ryan Nottingham <ryanelisa08@gmail.com>  
**Sent:** Friday, September 16, 2022 7:54 AM  
**To:** Melissa Hays  
**Subject:** Zoning Appeal - 9/27/22

Hello Ms. Hays,

We are unable to attend, in person, the public meeting on September 27, 2022 at 7p for the variance request by Kevin and Rachel Namaky, but wanted to voice our support for their project. Having discussed and reviewed the proposed project with the Namaky's, it is our belief that the project will not impact neighboring property and will actually benefit neighbors and vehicle traffic on Lakewater Dr as it will provide additional off street parking near a heavily trafficked intersection at Valleystream and Lakewater. The Namaky's should not be punished for the location of their home which prevents adhering to the zoning code and should be allowed to make an improvement to their property which will help public safety near an intersection.

We are in support of the Namaky's variance request and would welcome any questions you have.

Sincerely,  
Elisa Marcuccion & Ryan Nottingham  
7591 Lakewater Dr  
Montgomery, OH 45242



## Melissa Hays

---

**From:** Amy Huang <beh45246@yahoo.com>  
**Sent:** Tuesday, September 13, 2022 11:34 AM  
**To:** Melissa Hays  
**Subject:** Driveway request

Hi, Melissa,  
I'm fine with the extra parking space requested by 7607 Lakewater Dr..

Thank you!  
Amy, 7628 Lake Water Dr.

Sent from my iPhone

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 Formal adoption is noted by signature of the Clerk within the Minutes.

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

City Hall · 10101 Montgomery Road · Montgomery, OH 45242

August 23, 2022

<u>PRESENT</u>		
<u>GUESTS &amp; RESIDENTS</u>		<u>STAFF</u>
Brooke Alini Atlantic Sign Company 2328 Florence Ave, 45206	Kevin Namaky 7607 Lakewater Dr., 45242	Melissa Hays, Zoning and Code Compliance Officer
		Karen Bouldin, Secretary
Doug Baglier 10284 Montgomery Rd, 45242	John Newsom 7970 Huntersknoll Ct., 45242	<u>BOARD MEMBERS PRESENT</u> Mary Jo Byrnes, Chairman Richard White, Vice-Chairman Catherine Mills Reynolds Tom Molloy Jade Stewart Steve Uckotter
Lee Ann Bissmeyer Vice Mayor City Council	Jack Rupp Ashford Homes 6355 E. Kemper Rd, #100 Cincinnati, OH 45241	
Barb & Mike Giblin 10305 Montgomery Rd, 45242	Nicolette Vanderklaauw 10266 Deerfield Rd., 45242	<u>MEMBERS NOT PRESENT</u> Bob Saul

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:** Ms. Mills Reynolds, Mr. Uckotter, Mr. White, Mr. Molloy, Ms. Stewart,  
 Chairman Byrnes

(6)

**ABSENT:** Mr. Saul

(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 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 meeting, which immediately follows the public hearing. Everyone is welcome to stay for the

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## **Board of Zoning Appeals Meeting**

August 23, 2022

26 business session of the meeting, however, the Board will not take any further public comment  
27 during the portion of the meeting, unless clarification is needed by a Board member.

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

31

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

33

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

36

### **Guests and Residents**

38 Chairman Byrnes asked if there were any guests or residents who wished to speak about items  
39 that were not on the agenda. There were none.

40

### **New Business (1)**

42 *A request for a variance from Pond Realty, property owner, 9689 Montgomery Road,*  
43 *Montgomery, OH 45242, to allow for a wall sign to be located higher than the head of the*  
44 *second story window. Section 151.3012(b)(5) of the Montgomery Zoning Code states that wall*  
45 *signs shall not be higher than the head of the second story window, as measured from the*  
46 *building grade line to the top of the sign.*

47

### **Staff Report**

49 Ms. Hays reviewed the Staff Report dated August 23, 2022, "Application for Variance: Atlantic  
50 Sign Company, 9689 Montgomery Road". She stated that all Board members should have  
51 received a copy of the updated "Sign Regulations, Chapter 151.30" in their packets.

52

53 Staff showed drawings on the wide screen for all to see, to provide more understanding of the  
54 Staff Report. She indicated that there had been no calls or emails received regarding this  
55 application.

56

57 Mr. Molloy asked if the head of the second story window was the top of the window. Ms. Hays  
58 confirmed. Mr. Molloy noted that this entire sign will be entirely above the window. Ms. Hays  
59 stated that the previous Code allowed 20 feet above grade, and it has been modified. Mr. Molloy  
60 asked for the height of the sign. Ms. Hays deferred to the applicant, who stated it was a little  
61 more than 2 feet, because the "i" was a little higher. Mr. Molloy asked if any part of the sign  
62 would go over the roofline. Ms. Hays stated that it would not.

63

64 Mr. Uckotter asked when the change of the sign regulations went through. Ms. Hays stated that  
65 it was the beginning of this year. He noted that Kroger had their sign on the peak of their roof,  
66 and it was at least as high as this proposed sign. He asked how they got their sign. Ms. Hays  
67 stated that their building was not two stories. She stated that this building is considered two  
68 stories, even though it was one story in the front, the back portion has a second floor, so this  
69 building is considered a two story.

70

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## **Board of Zoning Appeals Meeting**

August 23, 2022

71 Chairman Byrnes asked if the applicant wished to speak.

72

73 **Brooke Alini, Atlantic Sign Company, 2328 Florence Avenue, Cincinnati, OH 45206.** She  
74 noted that this was a very interesting building and there was really no where else to place a sign.

75

76 Mr. Molloy asked if the ground sign in the front was internally illuminated. Ms. Alini confirmed  
77 that it was. Mr. Molloy asked if the new wall sign would also be internally illuminated. Ms.  
78 Alini stated that it would not, it is bar mounted with letters. The main wall sign is not  
79 illuminated, but the ground sign cabinet will be, and this met the Code requirements.

80

81 Ms. Mills-Reynolds asked if there would be any landscaping lights. Ms. Alini stated not.

82

83 Chairman Byrnes asked if any guests or residents had comments. There were none.

84

### **Adjournment**

86 Mr. White moved to close the public hearing.

87 Mr. Uckotter seconded the motion.

88 The public hearing adjourned at 7:15p.m.

89

90 Chairman Byrnes opened the business session at 7:15p.m.

91

### **Business Session (1)**

93 *A request for a variance from Pond Realty, property owner, 9689 Montgomery Road,*  
94 *Montgomery, OH 45242, to allow for a wall sign to be located higher than the head of the*  
95 *second story window. Section 151.3012(b)(5) of the Montgomery Zoning Code states that wall*  
96 *signs shall not be higher than the head of the second story window, as measured from the*  
97 *building-grade line to the top of the sign.*

98

99 Ms. Stewart was very happy that this property will be improved, and she was sure the sign would  
100 be lovely. Chairman Byrnes agreed.

101

102 Mr. Molloy acknowledged that there was a practical difficulty, which would support the location  
103 of the sign on the building.

104

105 Mr. White pointed out that on the building right next door, there was a sign in about the same  
106 place as this proposed location.

107

108 Mr. Uckotter also pointed out that Heritage Bank had a sign at the same height, so there would  
109 be three signs, all the same height.

110

111 *Mr. Molly moved to approve the request for a variance from Atlantic Sign Company, 2328*  
112 *Florence Avenue, Cincinnati, OH 45206, to allow for a wall sign to be located higher than the*  
113 *head of the second story window, as measured from the building- grade line to the top of the*  
114 *sign, for the property located at 9689 Montgomery Road, Montgomery, OH 45242, as defined*



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## Board of Zoning Appeals Meeting

August 23, 2022

115 *by Section 150.3012.(b)(5) of the Montgomery Zoning Code, and described in the City of*  
116 *Montgomery Staff Report, dated August 23, 2022.*

117

118 *This approval is in accordance with the Storefront Elevation drawing dated May 13, 2022.*

119

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

122

123 *Mr. White seconded the motion.*

124

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

126

127 *AYE: Mr. Molloy, Ms. Stewart, Ms. Mills Reynolds, Mr. Uckotter, Mr. White,*  
128 *Chairman Byrnes*

(6)

129 *NAY:*

(0)

130 *ABSENT: Mr. Saul*

(1)

131 *ABSTAINED:*

(0)

132

133 *This motion is approved.*

134

### Adjournment

136 Mr. Uckotter moved to close the business session.

137 Mr. White seconded the motion.

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

139

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

141

### New Business (2)

143 *A request for a variances from Ashford Homes to allow a proposed two-family dwelling to*  
144 *have an internal side yard setback of zero feet, where 10 feet is required per Schedule*  
145 *151.1005 of the Montgomery Zoning Code. Third and fourth variances are being requested to*  
146 *allow for the proposed subdivided lots to each have a lot width of 55 feet, where 65 feet is*  
147 *required, per Schedule 151.1004 of the Montgomery Zoning Code. Fifth and sixth variances*  
148 *are being requested to allow for a lot size of 9,313 square feet for the southern lot, and 10,097*  
149 *square feet for the northern lot, where 12,000 square feet is the minimum permitted, per*  
150 *Schedule 151.1004 of the Montgomery Zoning Code.*

151

### Staff Report

153 Ms. Hays reviewed the Staff Report dated August 23, 2022, "Application for Variance: Ashford  
154 Homes, 10275 Montgomery Road".

155

156 She showed drawings on the wide screen for all to see, to provide more understanding of the  
157 Staff Report. She indicated that one resident stopped by to review the plans, and his main  
158 concern was with the drainage on this property, from the west to the east, to Montgomery Road.  
159 Ms. Hays acknowledged that the Huntersknoll area has drainage issues that the City is working

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160 on. The city engineer will check this, to be sure that there is no damming of water coming from  
161 the west.

162

163 Ms. Stewart asked if Lucke Homes had needed any variances, for their buildings across the  
164 street. Ms. Hays stated that the Lucke lots were a larger development, and he qualified for a  
165 Planned Unit Development (PUD), which allowed flexibility. Ms. Hays stated that the  
166 dimensions were comparable.

167

168 Ms. Hays showed all on the wide screen. She stated that the Lucke lot sizes were a bit larger  
169 than these lot sizes, because of the access road, and that was included. The access road allowed  
170 the homes to sit back further in the lot.

171

172 Ms. Stewart asked, if, visually, they would appear the same, on both sides of the road. Ms. Hays  
173 confirmed, except that this side will sit a little bit closer to the road, but it still adheres to the  
174 front yard setback; there is a larger than typical right-of-way on Montgomery, so they will appear  
175 to be further back.

176

177 Mr. Molloy stated that we only have one parcel to talk about, relative to these variances, so we  
178 will evaluate these variances, based on the anticipation of splitting the lots. They have not yet  
179 been split, is that correct? Ms. Hays confirmed. Mr. Molloy asked why we were doing it this  
180 way, versus waiting for the lots to be split, so that they could tie the variances to the specific  
181 properties. Ms. Hays stated that she is not able to sign off on the lot split, without receiving the  
182 variance approval first. It must be approved by the Board before it can be recorded at the  
183 County; and if it doesn't meet the current zoning, then she can't sign off on it. The hold-up for  
184 dividing the property is the square footage.

185

186 Mr. Molloy wasn't sure what the practical difficulty would be, with this property. He understood  
187 there was once a single family residence there, and noted that another single family residence  
188 could be placed there, and it would meet the Code. Ms. Hays agreed, but stated that to some  
189 degree, the practical difficulty is the fact that this area was rezoned a few years ago to a C zoning  
190 classification, to allow for higher density – a 2-family, as well. The practical difficulty is the  
191 Code – it doesn't allow for an attached, single-family product in the C zoning classification,  
192 which is essentially what the applicant is requesting – an attached single-family product. But the  
193 Code is written for the classic 2-family where there is one owner of the entire building.

194

195 Mr. Molloy stated that this reference of it being a 2-family dwelling -- it really is not, it is  
196 actually two, individual single dwellings, connected by a common wall. Ms. Hays confirmed,  
197 however the Code defines this as a 2-family dwelling.

198

199 Chairman Byrnes asked how this worked with insurance companies. Mr. Uckotter stated that the  
200 insurance goes to the center of the common wall; he had just insured one of the units across the  
201 street.

202

203 Mr. Molloy asked where the C District was. He asked what would prevent anyone else from  
204 coming in and purchasing a couple of lots, subdividing them, and put more residences in than are



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205 currently there. Ms. Hays stated there was nothing to prevent this, but there was not much area  
206 zoned as C -- it was basically this lot, from Pfeiffer to Deerfield. She believed that Planning  
207 Commission and City Council chose this section for higher density because it was along  
208 Montgomery Road, and with a higher volume of traffic. This allowed flexibility for one and  
209 two-family dwellings, but not apartments – which would be permitted in zones D-2 or D-3.

210  
211 Ms. Mills-Reynolds would have liked to see a drawing of the homes. She wondered if you  
212 divided the lots, if it would be a higher-end purchase price. Ms. Hays confirmed, and deferred to  
213 the applicant.

214  
215 Chairman Byrnes noted that we have only a handful of apartments, and they are scattered,  
216 knowing that there will be some at Montgomery Quarter.

217  
218 Mr. White asked if they would share one driveway that would be wider than that of a single  
219 house. Ms. Hays believed they would have two, so that each individual would have their own;  
220 she deferred to the applicant.

221  
222 Chairman Byrnes asked if the applicant wished to speak.

223  
224 **Jack Rupp, Ashford Homes, 6355 East Kemper Road, Cincinnati, OH 45241** stated that the  
225 homes would look similar to those in the Lucke Group, across the street. He stated that they had  
226 actually built this same home on Orchard Trail, and one on Bookmark. The only difference is  
227 that these are single family attached, duplexes. Sale price will be \$700,000 to \$800,00, for each  
228 unit.

229  
230 Ms. Mills-Reynolds asked about the driveway. Mr. Rupp stated that there would be two  
231 driveways, separated by a couple of feet. Mr. White asked how they would turnaround and get  
232 back out onto Montgomery Road --would they back-out to get out on Montgomery Road?  
233 Mr. Rupp stated that once this is approved, if they have room, they will have a hammerhead  
234 turnaround – probably a 12' x 14', on each side, so that they could back up into it and then pull  
235 out. Mr. Rupp felt there would be room, just because of the way they have positioned the  
236 driveways. He noted that it would not be a circular drive. Ms. Hays did not think this would be  
237 a problem, with the 50 foot setback. Mr. Rupp stated that they would position the driveways to  
238 be more in the center of the lot, so there is more room on the side setbacks.

239  
240 Chairman Byrnes asked if there would only be one curb cut. Mr. Rupp confirmed, from the  
241 existing home that was torn down years ago, there was a 38-foot wide apron, so hopefully they  
242 would just use that, shared by the two driveways. They would obviously replace it with new  
243 concrete.

244  
245 Chairman Byrnes asked if any guests or residents had comments.

246  
247 **John Newsom, 7970 Huntersknoll Court, Montgomery, OH 45242** is a resident of  
248 Huntersknoll, has been since 1999. He noted that the single-family residence that had been on  
249 that lot was torn down in 2002. He asked Mr. Rupp for the square footage of the new units. Mr.

## **Board of Zoning Appeals Meeting**

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250 Rupp stated that it was about 2400 square feet for each unit; they would be a story and a half,  
251 with two front-entry car garages. He stated that the lots would be 40' x 74'.  
252

253 Mr. Rupp asked if they had a grading plan. Mr. Rupp stated they had not gotten to that step,  
254 because this has not been approved yet. Mr. Newsom asked if their plan was to take out all of  
255 the trees. Mr. Rupp said no. Mr. Newsom reiterated the drainage issues in Hunters Knoll.  
256

257 Chairman Byrnes recalled seeing a video one time of a backyard that looked like a river!  
258 Ms. Hays stated that there is a private drainage easement and a public drainage easement that is  
259 melded together back there, and over the years, there have been many issues and the city is  
260 working with the residents to improve the drainage.  
261

262 Mr. Newsom stated that he put a dry bed around the drain that leads off of his property, which  
263 has taken care of 90% of everything in his yard, but he still has small tunnels of water creeping  
264 up. He had wanted to put in an inground pool, and the engineer told him that there was an  
265 underground creek there, and encouraged him not to crack that slate under there.  
266

267 Mr. Newsom talked to Mr. Rupp about the back left corner, where the ridge was – that was  
268 behind his property. He was concerned about cutting into that too far, and wondered about a  
269 wall or the grading plan, but understood it was too early to know this yet. Mr. Rupp understood  
270 these issues.  
271

272 Ms. Hays stated that the City contracts CT Engineering. Mr. Rupp stated that their civil engineer  
273 will actually go onsite to assess; they are very detailed, and will then send their report to CT  
274 Engineering with recommendations and concerns. Mr. Rupp stated that they have not have an  
275 issue with this, and he has built 15 homes in the last year.  
276

277 Ms. Hays stated that Mr. Newsom could email her, and she would send him the grading plan.  
278

279 **Nicolette Vanderklaauw, 10266 Deerfield Road, Montgomery, OH 45242** stated that she was  
280 an adjacent property owner. She asked if she had the right or the ability to make requests  
281 concerning the tree line, specifically regarding privacy and the sound from Montgomery Road.  
282 She pointed out that in the winter, the sound is much louder from Montgomery Road than it is in  
283 the summer. Also, when more trees disappear, she will have a straight look into their home, and  
284 they into her back porch/deck. She stated that there was a noticeable difference in having trees  
285 there or not.  
286

287 Ms. Stewart stated that purchasers of an \$800,000 home would also want the same privacy.

288 Ms. Vanderklaauw agreed, but has seen otherwise is other places. Mr. Rupp stated that the trees  
289 were a value, and they would keep most of them; there was one that might go, as it didn't look  
290 very good.  
291

292 Ms. Vanderklaauw asked how far the proposed building would be set-back in that lot, from  
293 Montgomery Road. Mr. Rupp stated that, from the back property to the right back corner of the

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294 house was 32.4 feet and the left one was 43.7 feet. Ms. Hays stated that the closest portion to  
295 Ms. Vanderklaauw's home would be about 43 feet.

296

297 Mr. Molloy asked what the rear yard setback was, for C District. Ms. Hays stated it was 30 feet,  
298 and both dwellings met this requirement.

299

### **Adjournment**

301 Mr. Molloy moved to close the public hearing.

302 Mr. White seconded the motion.

303 The public hearing adjourned at 7:50p.m.

304

305 Chairman Byrnes opened the business session at 7:50p.m.

306

### **Business Session (2)**

308 *A request for a variance from Ashford Homes to allow a proposed two-family dwelling to have*  
309 *an internal side yard setback of zero feet, where 10 feet is required per Schedule 151.1005 of*  
310 *the Montgomery Zoning Code. A second variance is being requested to allow for the proposed*  
311 *subdivided lots to each have a lot width of 55 feet, where 65 feet is required, per Schedule*  
312 *151.1004 of the Montgomery Zoning Code. Third and fourth variances are being requested to*  
313 *allow for a lot size of 9,313 square feet for the southern lot, and 10,097 square feet for the*  
314 *northern lot, where 12,000 square feet is the minimum permitted, per Schedule 151.1004 of*  
315 *the Montgomery Zoning Code.*

316

317 Mr. Uckotter stated that this boiled down to one question: do you want a 2-family of renters, or  
318 a 2-family of owners. Chairman Byrnes pointed out that someone could buy both and then rent  
319 one.

320

321 Ms. Stewart did not believe you would find an \$800,000 property being rented out. Chairman  
322 Byrnes felt it might have an appeal to people who might be snowbirds, knowing that someone  
323 was right next door, while they were gone. She did not think they would have any trouble  
324 finding buyers. Ms. Stewart asked if the lots across the street were still empty. Ms. Hays noted  
325 that there were a few still left.

326

327 Mr. Molloy asked how many bedrooms/bath. Mr. Rupp stated there were 2 ½ baths, 3 bedrooms  
328 and a study; 2 beds up, master bedroom on the first floor, and the study, without finishing the  
329 basement.

330

331 Mr. Molloy noted that he had been concerned with the practical difficulty and what would stop  
332 others from doing this, but now he believed that the zoning would prohibit that.

333

334 Ms. Mills-Reynolds stated that they do this a lot in Canada, and she thought they were quite  
335 lovely, you actually had your own yard. She noted that that the trees would add value.

336

337 Mr. White asked if there was any common area, and only easements? Without a Homeowners  
338 Association (HOA), what manner do you handle this kind of problem: if one of them gets rented



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339 out, and someone is not cutting grass. Ms. Hays stated that she would be the one to deal with  
340 this type of issue; the property owner is responsible for maintenance, regardless if there is an  
341 HOA or not.

342

343 There was discussion among the Board, and it was decided to propose 6 motions.

344

345 *Motion 1: North Lot Side Yard Setback*

346

347 *Mr. Molloy moved to approve the request for a variance from Ashford Homes, 6355 East*  
348 *Kemper Road, Cincinnati, OH 45241, for the property located at 10275 Montgomery Road*  
349 *(north lot) to allow for a side yard setback of zero feet along the south property line, where a*  
350 *side yard setback of 10 feet is required, per Schedule 151.1005 of the Montgomery Zoning*  
351 *Code; and as described in the City of Montgomery Staff Report dated August 23, 2022.*

352

353 *This approval is in accordance with the survey drawing dated June 22, 2022.*

354

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

357

358 *Mr. Uckotter seconded the motion.*

359

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

361

362 *AYE: Mr. White, Mr. Molloy, Ms. Stewart, Ms. Mills Reynolds, Mr. Uckotter,*  
363 *Chairman Byrnes*

(6)

364

*NAY:*

(0)

365

*ABSENT: Mr. Saul*

(1)

366

*ABSTAINED:*

(0)

367

368 *This motion is approved.*

369

370 *Motion 2: South Lot Side Yard Setback*

371

372 *Mr. Molloy moved to approve the request for a variance from Ashford Homes, 6355 East*  
373 *Kemper Road, Cincinnati, OH 45241, for the property located at 10275 Montgomery Road*  
374 *(south lot) to allow for a side yard setback of zero feet along the north property line, where a*  
375 *side yard setback of 10 feet is required, per Schedule 151.1005 of the Montgomery Zoning*  
376 *Code; and as described in the City of Montgomery Staff Report dated August 23, 2022.*

377

378 *This approval is in accordance with the survey drawing dated June 22, 2022.*

379

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

382

383 *Mr. White seconded the motion.*

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428

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

- AYE: Ms. Mills Reynolds, Mr. Uckotter, Mr. White, Mr. Molloy, Ms. Stewart,*  
*Chairman Byrnes* (6)
- NAY:* (0)
- ABSENT: Mr. Saul* (1)
- ABSTAINED:* (0)

*This motion is approved.*

*Motion 3: North Lot Width*

*Mr. Molloy moved to approve the request for a variance from Ashford Homes, 6355 East Kemper Road, Cincinnati, OH 45241, for the property located at 10275 Montgomery Road (north lot) to allow for a lot width of 55 feet, where a lot width of 65 feet is required, per Schedule 151.1004 of the Montgomery Zoning Code; and as described in the City of Montgomery Staff Report dated August 23, 2022.*

*This approval is in accordance with the survey drawing dated June 22, 2022.*

*This approval is justified by criteria # 3, 4, 5, 7, 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:*

- AYE: Ms. Stewart, Ms. Mills Reynolds, Mr. Uckotter, Mr. White, Mr. Molloy,*  
*Chairman Byrnes* (6)
- NAY:* (0)
- ABSENT: Mr. Saul* (1)
- ABSTAINED:* (0)

*This motion is approved.*

*Motion 4: South Lot Width*

*Mr. Molloy moved to approve the request for a variance from Ashford Homes, 6355 East Kemper Road, Cincinnati, OH 45241, for the property located at 10275 Montgomery Road (south lot) to allow for a lot width of 55 feet, where a lot width of 65 feet is required, per Schedule 151.1004 of the Montgomery Zoning Code; and as described in the City of Montgomery Staff Report dated August 23, 2022.*

*This approval is in accordance with the survey drawing dated June 22, 2022.*

**Board of Zoning Appeals Meeting**

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429

430

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

431

432

*Mr. White seconded the motion.*

433

434

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

435

436

*AYE: Mr. Uckotter, Mr. White, Mr. Molloy, Ms. Stewart, Ms. Mills Reynolds,  
Chairman Byrnes*

(6)

438

*NAY:*

(0)

439

*ABSENT: Mr. Saul*

(1)

440

*ABSTAINED:*

(0)

441

442

*This motion is approved.*

443

444

*Motion 5: North Lot Size*

445

446

*Mr. Molloy moved to approve the request for a variance from Ashford Homes, 6355 East Kemper Road, Cincinnati, OH 45241, for the property located at 10275 Montgomery Road (north lot) to allow for a lot size of 10,097 square feet, where 12,000 square feet is the minimum permitted, per Schedule 151.1004 of the Montgomery Zoning Code; and as described in the City of Montgomery Staff Report dated August 23, 2022.*

447

448

449

450

451

452

*This approval is in accordance with the survey drawing dated June 22, 2022.*

453

454

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

455

456

*Mr. White seconded the motion.*

457

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

460

461

*AYE: Ms. Mills Reynolds, Mr. Uckotter, Mr. White, Mr. Molloy, Ms. Stewart,  
Chairman Byrnes*

(6)

462

*NAY:*

(0)

463

*ABSENT: Mr. Saul*

(1)

464

*ABSTAINED:*

(0)

465

466

*This motion is approved.*

467

468

*Motion 6: South Lot Size*

469

470

*Mr. Molloy moved to approve the request for a variance from Ashford Homes, 6355 East Kemper Road, Cincinnati, OH 45241, for the property located at 10275 Montgomery Road*

471

472

473



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474 (south lot) to allow for a lot size of 9,313 square feet, where 12,000 square feet is the minimum  
475 permitted, per Schedule 151.1004 of the Montgomery Zoning Code; and as described in the  
476 City of Montgomery Staff Report dated August 23, 2022.

477

478 *This approval is in accordance with the survey drawing dated June 22, 2022.*

479

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

482

483 *Mr. White seconded the motion.*

484

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

486

487 *AYE: Mr. Molloy, Ms. Stewart, Ms. Mills Reynolds, Mr. Uckotter, Mr. White,*

488

*Chairman Byrnes*

(6)

489

*NAY:*

(0)

490

*ABSENT: Mr. Saul*

(1)

491

*ABSTAINED:*

(0)

492

493 *This motion is approved.*

494

### Adjournment

496 Mr. White moved to close the business session.

497 Mr. Uckotter seconded the motion.

498 The business session adjourned at 8:00p.m.

499

500 Chairman Byrnes opened the public hearing at 8:00p.m.

501

502 All residents left the building.

503

### Other Business

505 Mr. Molloy asked if Staff could place the updated date in the footer section of each page, when  
506 parts of the code were updated. Staff stated that she would do this.

507

508 Ms. Hays was thinking of reprinting and sending an entire copy of the Code to members, since  
509 there have been several changes. She asked who preferred a physical copy. Mr. Uckotter asked  
510 if the one online was current, as he referred to that. Ms. Hays stated she would reach out to them  
511 regarding their preference of receiving an updated code.

512

513

### Council Report

514 Ms. Bissmeyer gave an account of the last City Council meeting:

516

517 

- 25-year proclamation to Tri-Health

518 

- Authorized rock salt purchase

**Board of Zoning Appeals Meeting**

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- 519       ▪ Approved the continuance of contributions to the Employee Health Savings &
- 520       Reimbursement Accounts (as we always have)
- 521       ▪ Established a special account (required by Ohio) to receive funds from Ohio, in which
- 522       Montgomery would utilize for opioid education and prevention (in schools). The state
- 523       mandates the use of these funds, and it is for a very limited purposes. Chairman Byrnes
- 524       noted that Bethesda North administered to a large number of overdoses.
- 525       ▪ Transfer of liquor license approved for Board & Brush, relocated into the Kroger lot.
- 526

527       Two items on tomorrow's City Council agenda:

528  
529             In various parts of the City, it was discovered that some streets were developed years ago,

530             and had been dedicated but never accepted by the County. We need to clean up these

531             minor paperwork items.

532  
533             Annual review process for the TIF projects for the Vintage Club, the Triangle and

534             Montgomery Quarter.

535  
536       Ms. Bissmeyer noted that a new employee, Cody, started today with Public Works.

537  
538       Six people passed the Sargeant's exam, which puts them in the running for the one to be

539       selected, for a new sergeant.

540       This Thursday, from 5-7pm, there is a Yappy Hour – a themed DORA (Designated Open

541       Refreshment Area) event, on the corner of Cooper & Montgomery – bring your dogs.

542       On Saturday, September 3, at the Montgomery Public House (MPH), there is another DORA

543       event from 1pm to 11:30pm – watch the Ohio State / Notre Dame game; and the Mystics will be

544       playing.

545  
546       Hellman's Fine Men's Apparel, previously (Blaine's) is now located in the Montgomery Quarter,

547       and just opened this past week. The owner had a men's store named Hellman's in Carew Tower,

548       then purchased Blaine's, and moved into the Montgomery Quarter, and closed the downtown

549       store.

550  
551       5/3 Bank moved in yesterday, located on the top floor, with 48 employees, and hope to have 84

552       by the end of the year. There is an article in The Business Courier about this. They named their

553       conference rooms after historic places in Montgomery.

554  
555       There are 3 restaurants: 1) Bru Burger, 2) Livery – Latin American (owned by the Cunningham

556       Group, who also owns Stone Creek), and 3) Genki Ramen & Izakaya – Japanese (chain - one in

557       Deerfield, one in Oakley and Over The Rhine). There is also one larger restaurant, to be

558       announced soon.

559  
560       There is a subcommittee dedicated to art in the City and they met with a marketing group, and

561       brainstormed art ideas for the future. The last time they looked at art in Montgomery was in

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562 1999. Ms. Bissmeyer went by NAPA Kitchen – to possibly think of placing murals or some art  
563 piece, to spruce it up. When it was built, it was the back and now it is a front. They discussed  
564 identifying different spaces, maybe addressing random walkways throughout the city. Perhaps  
565 they would put something in /on the parking garage in Montgomery Quarter to welcome people  
566 in Montgomery. Do we use lights versus water? Temporary, or permanent?

567  
568 Chairman Byrnes suggested that we could also get company sponsors.

569  
570 Ms. Mills-Reynolds stated that Oklahoma City is the mural capital of the world, and they had  
571 some very beautiful ones.

572  
573 The Farmer’s Market will run through October, on Saturdays. There is a chance that this will  
574 move, when the Quarter is up and running.

575

576 **Minutes**

577 Mr. Molloy moved to approve the minutes of May 24, 2022, as written.

578 Ms. Stewart seconded the motion.

579 The Board unanimously approved the minutes.

580

581 **Adjournment**

582 Mr. Molloy moved to adjourn. Mr. Uckotter seconded the motion.

583 The meeting adjourned at 8:35p.m.

584

585

586

587

588

589

590

591 \_\_\_\_\_  
Karen Bouldin, Clerk

\_\_\_\_\_ Mary Jo Byrnes, Chairman

\_\_\_\_\_ Date

592

593 /ksb

594