

**MINUTES OF MEETING**  
**INDIAN HILL PLANNING COMMISSION**

**February 19, 2019**

The regular meeting of the Indian Hill Planning Commission was held on Tuesday, February 19, 2019 at 7:00 p.m. in the Council Chambers of the Village Administration building.

Members Present: Paul F. Madden  
Abbot A. Thayer  
Joseph W. Rhodenbaugh  
Rita M. Stolper

Members Absent: Richard C. Wiggers

Officials Present: Jonathan D. West, Assistant City Manager

Visitors Present: Lauren Thaman, 7805 Graves Road  
Michael Rosing, 5650 Pamlico Lane  
Laurie Sharrock, 7800 Graves Road  
Bill & Alison Bristol, 7825 Graves Road  
Matthew Evans, Arcanum Architecture, LLC

Chairman Madden calls the meeting to order and asks for those in attendance to please stand, raise their right hand, and be sworn in prior to presentation of the case.

**Item Number 1:** Minutes and Findings of Fact for the January 15, 2019 meeting: Chairman Madden asks for comments or corrections to the January 15, 2019 Planning Commission minutes and Findings of Fact. There being none, Mr. Thayer made a motion to approve the minutes and Findings of Fact. Mrs. Stolper seconded, and the motion was approved by a unanimous voice vote.

**Item Number 2:** Case #19-002: Matthew Evans, on behalf of owner Lauren Thaman, is requesting variance approval and authorization to expand a non-conforming home on a non-conforming lot to construct two additions to the existing home. The property is located at 7805 Graves Road.

Mr. Matthew Evans, with Arcanum Architecture, LLC, comes before the Commission on behalf of the owner. Mr. Evans notes that the existing home pre-dates the Indian Hill Zoning Ordinance, being built in 1942.

Mr. Evans displays a plat of the area and states that he believes Pamlico Lane was either private or did not exist when the home was built. If the current zoning regulations were applied, the buildable area would only be 5' X 133'.

Mr. Evans notes that in 2008 there was an addition which included a master bedroom and bath, laundry room, deck, and pool.

The proposed addition includes a two car garage and a first floor master bedroom suite.

Mr. Evans points out that the proposed additions do not worsen the existing non-conforming conditions, and the lot coverage will not exceed the maximum allowed for District "C".

Mr. Evans explains that the addition will match the existing painted HardiePlank siding and painted brick. They also plan to add a couple of dormers to the front of the house for aesthetic purposes, as well as adding some type of vegetation to increase privacy.

**Staff Report:** Mr. West reviews the property history as follows:

- The existing home was constructed in 1942 per the Hamilton County Auditor's website, prior to the adoption of zoning in 1945.
- April 8, 2008 – A site clearance release permit was issued for a rear addition for a master suite.
- July 14, 2008 – A site clearance release permit was issued for an in-ground pool.
- December 13, 2018 – The home was purchased by Ms. Thaman.

Staff notes that no records were found for the addition or pool in 2008 in the Planning Commission meeting minutes or property files.

Mr. West describes the property as being located in District "C" – one acre minimum, and as being a non-conforming lot which contains 0.62 acres net. The lot frontage along Graves Road is 100' where 150' minimum lot frontage is required. The property contains an existing non-conforming home located 60.5' from the Graves Road front lot line (where 75' minimum is required) and 10'-5 5/8" from the Pamlico Lane street side lot line (where 75' minimum is required).

The applicant is requesting variance approval to construct a 175 SF (12.5' X 14') addition onto the NW corner of the house in front of the one car garage in order to create a master bedroom suite, and a 690.5 SF addition onto the back of the house for a 2 car garage with a loft and mudroom. The applicant is requesting a 12' variance from the required 75' setback to the front yard from Graves Road, and is also requesting a variance of 64'-5 3/8" from the required 75' street side setback from Pamlico Lane. The proposed additions do not worsen the existing non-conforming setbacks.

The variance application is based on undue hardship and is complete. **Section 73.1** of the Indian Hill Zoning Ordinance refers to District "C" preventing buildings from being

located less than 75' from the required front yard setback. **Section 57.1 Yard Requirements on Corner Lots** – requires the street side lot line setback to be 75'.

The request is based upon exceptional practical difficulty created by the existing non-conforming house on a non-conforming lot. No change or alteration to the footprint of the house is permitted without the approval of a variance. The variance request will not worsen the prior non-conforming conditions that existed with the original home.

Staff posted the legal notice in the paper and by direct mail 30 days prior to the hearing. Staff received calls from the two adjacent property owners. The property owner to the rear did not have any concerns after seeing the plans. The property owner to the east is concerned about the view from her kitchen window into the proposed garage addition.

After brief discussion, Mr. Thayer made a motion to approve the request. Mrs. Stolper seconded, and the motion was approved by a unanimous voice vote.

Mr. West reminds the Commission that the next meeting will be on **March 12, 2019**.

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

Respectfully submitted,

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Paul F. Madden, Chairman

ATTEST:

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Jonathan D. West, Secretary Pro-tem