

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

**January 16, 2018**

The regular meeting of the Indian Hill Planning Commission was held on Tuesday, January 16, 2018 at 7:00 p.m. in the Council Chambers of the Village Administration building.

Members Present: Paul F. Madden  
Richard C. Wiggers  
Abbot A. Thayer  
Rita M. Stolper

Members Absent: Joseph W. Rhodenbaugh

Officials Present: Jonathan D. West, Assistant City Manager

Visitors Present: Mike Wentz, Wentz Design  
John Hensley, Hensley Homes

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 cases.

**Item Number 1:** Minutes for the November 21, 2017 meeting: Chairman Madden asks for comments or corrections to the November 21, 2017 Planning Commission minutes. There being none, Mr. Thayer made a motion to approve the minutes. Mr. Wiggers seconded, and the motion was approved by a unanimous voice vote.

**Item Number 2:** Case #17-012: Kevin James and Anita Hopkins are requesting variances for the expansion of a non-conforming home on a non-conforming lot for the construction of an addition to the existing home. The applicant is requesting variances to the front yard setback and the required setback between a principal structure and an accessory structure. The property is located at 7595 Shawnee Run Road.

Mr. West states that the applicant has requested another continuance until the February meeting to complete details on the front portico design.

Mr. Thayer made a motion to approve the requested continuance. Mr. Wiggers seconded, and the motion was approved by a unanimous voice vote.

**Item Number 3:** Case #18-001: Mike Wentz, on behalf of the owners Jared and Bridget Davis, is requesting a variance and authorization to expand a non-conforming home on a non-conforming lot to construct an addition to the front of the existing home.

The applicant is requesting a variance to the front yard setback. The property is located at 7727 Shawnee Run Road. This is a variation to the prior approval in Case #16-017.

Mr. Mike Wentz, of Wentz Design, comes before the Commission and states that the entire house sits in front of the required front yard setback. The owners would like to add a small 6' X 6' addition that will fill in the corner of the home and not increase the existing non-conforming condition.

**Staff Report:** Mr. West states that the applicant is requesting variance approval from **Section 73.1** of the Indian Hill Zoning Ordinance and authorization to expand a non-conforming home on a non-conforming lot of record from **Section 81** of the zoning ordinance for the conversion of the open front porch into finished living space for the kitchen.

The variance request to the front yard setback for the addition is needed because the existing home lies almost entirely in front of the 75' minimum front building setback. The subject property is located at 7727 Shawnee Run Road. The request is a variation to a previously approved variance in Case #16-017 which included an addition to the rear of the existing home.

Mr. West reviews the parcel history as follows:

- February 19, 2002 – The Commission approved a variance request to the front and side yard setbacks for a second story addition located on the rear of the existing home measuring 12' x 36' to provide additional bedrooms. However, no permit was ever pulled for the addition, and the addition was not constructed.
- November 15, 2016 – (Case #16-017) The Commission approved the expansion of a non-conforming home on a non-conforming lot and a variance to the front yard setback for the construction of a 1055 SF addition behind the existing home that will attach the existing residence to the existing detached garage. The existing home sits in front of the minimum 75' front yard setback.
- May 16, 2017 – (Case #17-008) The Commission approved an application for the expansion of a non-conforming home on a non-conforming lot to tear down the existing detached garage and construct a new attached garage in the same location, which met all the required setbacks.

Mr. West describes the property as being a non-conforming lot located in District "C" – one acre minimum (subject property contains 0.68 net acres) and has a non-conforming lot width of 120' where 150' is required. There is a 40' ingress/egress & utility easement running down the east side property line from the front to the rear of the lot.

The existing home was built in 1936, prior to zoning in the Village in 1945. The home has a front building setback of 26.4' from the right-of-way line where a 75' front yard setback is required. The proposed addition is located 30'-10.9" from the existing right-of-way line so it will not encroach further into the setback than what currently exists.

The plans call for enclosing the existing stoop located off the kitchen (NE corner of the house), which will allow for a larger, more open, modern kitchen. The addition consists of a 6.8' X 6.4' (43.5 SF) area.

A Hardie Plank Siding will be used on the addition as well as the remaining area of the kitchen which will match the newly constructed addition to the rear of the home.

Mr. West notes that the applicant meets all four required conditions of the variance review criteria.

Staff posted a legal notice in the paper thirty days prior to the hearing as well as properly notifying the adjacent property owners. No comments or questions have been received.

Discussion followed regarding the possible expansion of an uncovered front porch.

Mr. Wiggers notes that it would be nice to see the porch expansion displayed on the plans.

After further discussion, Mr. Thayer made a motion to approve the request with the condition that Staff review and approve the uncovered porch expansion. Mr. Wiggers seconded, and the motion was approved by a unanimous voice vote.

**Item Number 4:** Case #18-002: Hensley Custom Homes is requesting Planning Commission approval for a resource protection area swap on Lot 37 of Twin Fences at Peterloon Farm, Phase 2A. This is a variation to the prior approval in Case #17-011.

**Staff Report:** Mr. West notes that he has provided an additional exhibit to help show more clearly the existing resource protected area and what is proposed.

Mr. West describes the resource protection swap areas as follows:

- The area to be relocated = 0.0311 Mature Canopy – However, no trees will be lost because there was a dead Beech tree removed from this area earlier this year with approval of the Village, subject to the area being re-forested.
- The area relocated = 0.13 Young Canopy

Staff notes that the Planning Commission has been favorable to these types of requests when:

1. The Village ends up with more resource protected area land, and
2. The Village receives an area of higher quality resource protected land

Mr. West comments that both are the case with the proposed request due to the Young Canopy area gained being heavily wooded and no trees being lost in the Mature Canopy area.

Mr. Thayer asks if any trees have been planted yet in the area to be relocated.

Mr. John Hensley, with Hensley Homes, replies that they plan to plant 15-20 (possibly more) pine and other native trees in the spring.

After brief discussion, Mr. Thayer made a motion to approve the requested resource protection area swap. Mrs. Stolper seconded, and the motion was approved by a unanimous voice vote.

**Item Number 5:** Other Business: Mr. West presented a proposed patio roof cover on an existing non-conforming home located at 8105 Kroger Farm Road, as he was seeking clarification from the Planning Commission on the non-conforming rear yard setback.

There being no further business to come before the Commission, Mr. Thayer made a motion to adjourn. Mrs. Stolper 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