



SYMMES TOWNSHIP ZONING
HAMILTON COUNTY, OHIO
 OFFICE OF THE ZONING INSPECTOR
 138 E Court Street • Room 801 • Cincinnati, OH 45202
 (513) 946-4550

APPLICATION NO
S20210125
BZA CASE NO
ZVSM202105

NOTICE OF REFUSAL

TO HEIDI TUCKER
 APPLICANT 9348 KEMPER GROVE LANE
 LOVELAND, OH 45140

TO HEIDI TUCKER
 OWNER 9348 KEMPER GROVE LANE
 LOVELAND, OH 45140

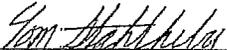
AUDITOR'S ID NUMBER
 BOOK: 620 PAGE: 0170 PARCEL: 0366

Your application dated August 31, 2021 for a zoning certificate for a residential addition having less than required front & left side yard setbacks at the premises designated as 9348 Kemper Grove Lane is hereby refused on this 31st day of August 2021 under Sections 41, 68.1-1, 68.2 and 281 of the Zoning Resolution in that:

- Section 41 et seq. of the Zoning Resolution and the Symmes Township District Maps designate said premises to be in the "A" Single Family Residence district.
- Section 68.1-1 Front Yard: There shall be a front yard having a depth of not less than fifty (50) feet...
 Note: Applicant advises proposed front yard setback to be increased via elimination of 2' x 8.6' bump-out indicated on site plan
- Section 68.2 Side Yard: Except as hereinafter provided in Article XVII, there shall be a side yard on each side of a building which yard shall have a minimum width of not less than fifteen (15) feet.
- Note: Height of the proposed improvement could not be determined:
- Section 281 It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or to use any land in violation of any regulation in or any provision of this Resolution or any amendment or supplement thereto.

An appeal from this decision to the Symmes Township Board of Zoning Appeals is governed under Sections 183, 184, 184.1, 184.2 and 184.6 of the Zoning Resolution.


 Bryan D. Snyder, AICP, ZONING INSPECTOR


 Tom Stahlheber, ZONING PLANS EXAMINER

NOTE: ANY APPEAL MUST BE FILED WITH THE BOARD OF ZONING APPEALS WITHIN TWENTY (20) DAYS AFTER THE DATE OF THIS REFUSAL IN ORDER TO BE SCHEDULED FOR A HEARING BEFORE THE SYMMES TOWNSHIP BOARD OF ZONING APPEALS. FOR FURTHER INFORMATION, CONTACT THE ZONING PLANS EXAMINER, OFFICE OF THE ZONING INSPECTOR AT THE HAMILTON COUNTY RURAL ZONING COMMISSION, (513) 946-4550. ALL BOARD OF ZONING APPEALS HEARINGS WILL BE SCHEDULED BY SYMMES TOWNSHIP. THE HEARINGS WILL TAKE PLACE AT THE SYMMES TOWNSHIP ADMINISTRATION BUILDING, 9323 UNION CEMETERY ROAD, LOVELAND, OHIO, 45140, and (513) 683-6644.

Appeal No. ZVSM2021-05
Filed 8/30/2021



Board of Zoning Appeals
9323 Union Cemetery Road
Symmes Township, OH 45140-9386

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APPEAL UNDER THE ZONING RESOLUTION

The appellant must file herewith an explicit typewritten statement setting forth the following:

- a. The principal points on which the appeal is made. In any case, the principal points set forth in this appeal shall be the same as those under which the administrative officer acted, whether the granting or refusal of a zoning certificate or any other decision based upon the regulations of the Zoning Resolution.
- b. A clear and accurate description of the construction use.
- c. Specific reference to the Sections of the Zoning Resolution which, it is claimed, authorize the determination sought.
- d. Names and addresses of owners of all abutting lots and lands within two hundred (200) feet of the property in question. (This list is now provided by the Board on the applicant's behalf.)

NAMES AND ADDRESSES

Appellant Heidi Tucker Address 9338 Kemper Grove Lane
 Owner Damon and Heidi Tucker Address 9338 Kemper Grove Lane
 Lessee N/a Address n/a

The undersigned Heidi Tucker hereby appeals under Sections _____ of the Zoning Resolution

In accordance with the plats, plans and other data hereto attached and made a part of this appeal.

I hereby depose and say that all the above statements and the statements contained in all of the exhibits transmitted herewith are true.

Heidi Tucker 31 Aug 2021
Appellant

31 day of August, 2021

Stephen G. Wheeler
Notary Public



and subscribed before me, this
STEPHEN G. WHEELER
NOTARY PUBLIC, STATE OF OHIO
HAMILTON COUNTY
My Commission Expires 06/18/2023

Address of subject property 9338 Kemper Grove Lane, Loveland Ohio 45140

Lot Number Aud Par 620-170-366 lot 12

Identification	Name	Address	City	State	Zip Code	Phone No.
Owner	Damon and Heidi Tucker	9338 Kemper Grove Lane	Loveland	Ohio	45140	513-780-7011
Contractor	Heritage Building Group & Associates	9122 Montgomery Rd, suite 12	Cincinnati	Ohio	45212	513-515-1052
Plans By	Studer Residential Design, Inc	4010 Alexandria Pike	Cold Spring	KY	41076	859-441-9460

Type of improvement: (Briefly describe proposed work)

In support for aging in place, a first floor master suite and laundry room is needed for the elderly mother of home owner.

The current living space is a 3 bedroom (2nd floor), 2.5 bath with substantial available space within the setback in the front of current dwelling for first floor addition. Expansion of the second floor to enlarge the children's bedrooms and add an additional adjoining bathroom and guest bedroom.

- Commercial
- Residential
- Other
- Appeal
- Conditional Use
- Non-Conforming Use
- Compatible Non-Conforming Use
- Other

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State in detail all existing and proposed uses of this building and premises:

- Existing single family home
- Proposed single family multi-generational home

- Ownership
- Private
 - Public (Federal, State, Local)
 - Corporate
 - Other
- Cost
- Estimated cost of improvement for which this application is made: \$ 300,000.00

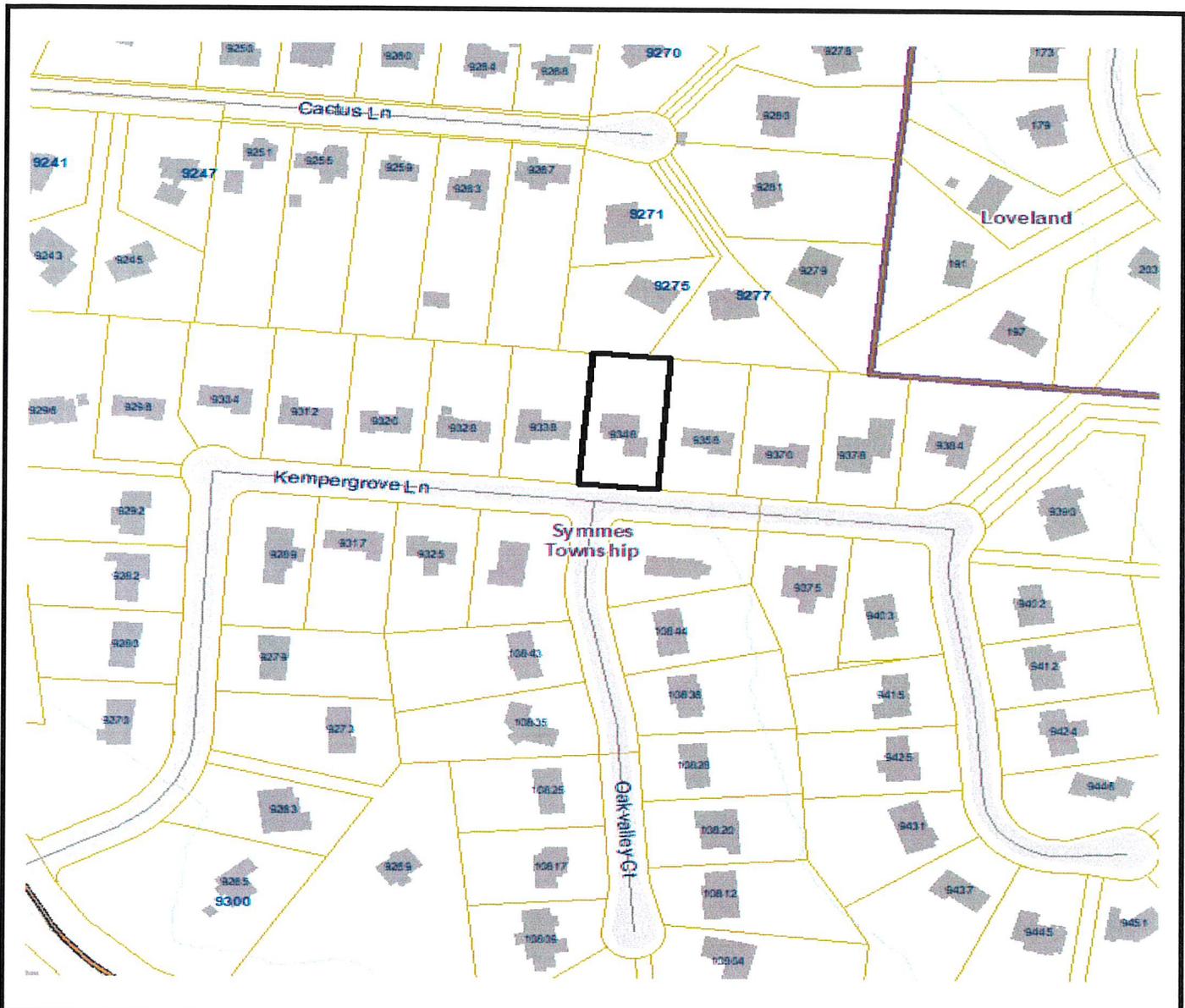
The owner of this building and undersigned, do hereby covenant and agree to comply with all the laws of the State of Ohio and the Zoning Resolution of Symmes Township, pertaining to building and structures, and to construct the proposed building or structure or make the proposed change or alteration in accordance with the plans and specifications submitted herewith, and certify that the information and statements given on this application, drawings and specifications are the best of their knowledge, true and correct.

Application by: Heidi Tucker 31 Aug 2021 Address: 9338 Kemper Grove Lane, Loveland Ohio 45140

DO NOT WRITE BELOW THIS LINE (office use only)

Adopted: _____ Journalized: _____

BZA Filing Fee: \$511.35



Vicinity Map

**Case: Symmes 2021-05; 9348 Kemper Grove Lane
(ZVSM2021-05)
Request: Variance**

DISCLAIMER:

Neither the provider nor any of the parties of the Cincinnati area geographic information system (CAGIS) make any warranty or representation, either expressed or implied, with respect to this information, its quality, performance, merchantability, or fitness for a particular purpose. As a result this information is provided as is, and you, the recipient, are assuming the entire risk as to its quality and performance. In no event, will the provider or any party of CAGIS be liable for direct, indirect, incidental, or consequential damages resulting from any defect in the information or any other part of the map product, even if advised of the possibility of such damages. In particular, neither the provider nor any party of CAGIS shall have any liability for any other information, programs or data used with or combined with the information received, including the cost of recovering such information, programs or data. Any floodway and flood fringe information provided on this map is for conceptual planning purposes only. For official determination of limits recipient must refer to the 2004 FEMA floodway fringe maps. Large differences can exist between actual flood prone area and official FEMA flood fringe areas.

HAMILTON COUNTY RURAL ZONING COMMISSION
138 E COURT ST RM 801
CINCINNATI, OH, 45202-020
(513) 946-4500

Created: 08-31-2021

Signed: _____ Date: _____

Symmes Township – Board of Zoning Appeals

A. Appeal Request

The desire for our elderly to “age in place”, especially after the recent Covid-19 decimation of the over 65 residing in congregate care facilities, is the motivation for this appeal. After the unexpected loss of her spouse in 2014 after 30+ years of marriage, my mother (Julie Steers) became substantially more dependent on her adult children. In the years since, I have been named her Medical Power of Attorney and have supported her through multiple joint replacements, diagnosis of Rheumatoid Arthritis (RA), and numerous other health issues/scars/maintenance. She currently lives alone in Edgewood Ky, which is an approximately 45-minute drive from my home in Symmes Township.

I have two young children (under the age of 13), work full-time, and volunteer as an active Loveland Girl Scout Leader and Service Unit Member as well as a Committee Member of our neighborhood HOA. Having a Multi-Generational household has many benefits, but also challenges which our family feels can be partially mitigated via the expansion of our living space. By providing each member of the house space for privacy and personal expression will ease tensions which are sure to arise as our children and their grandmother get older and have potentially opposing needs with a 60+ year difference in age.

The current layout of our house is an open floor plan (first floor is largely open to second floor), with 3 bedrooms and 2 full bathrooms on the second floor. Traversing stairs is already cumbersome for my mother, so a first-floor bedroom with full bath is the only way to accommodate her mobility concerns which will only increase with age. Since neither of these requirements currently exist in our home, we either need to move or add to our current home.

After spending 6+ months looking for homes that accommodated our needs, the current housing market has proven this option nearly impossible. Working with Mike Studer (architect) and Paul McAlpine (builder), who are both trusted professionals that have previously partnered with other homeowners in our community, we have identified a preliminary floor plan that supports the needs of our multi-generational home.

In addition to our personal needs, we are investing in our community/neighborhood, which we love and value. We have included letters from each of our most immediate neighbors and our Neighborhood’s Homeowner’s Association President in support of our addition and investment into our neighborhood.

From the floor plans provided, the addition to our first floor will take advantage of the void that exists in the front of our home created by the garage which creates a peninsula/protrudes approximately 32 feet in front of the actual dwelling complementing the contemporary style of the dwelling. The utilization of this space at the front of the home will also support the expansion of the second-floor children’s bedrooms, addition of a bathroom, and a guestroom for out-of-town relatives who routinely visit.

In addition to supporting the individual needs of the household members, it is also important to ensure the addition is visually appealing to the neighborhood and promotes resale. Variations of these plans have been explored in an attempt to keep within the established set backlines. Unfortunately, these within variance plans would involve moving staircases, creating a central void on the 2nd floor (or bedroom with no windows), and substantial additional cost.

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For these reason, the current plans to add living space to the front of the home is ideal. The current plans would also require the utilization of a portion of our side yard adjoining the added first-floor living space, bedroom, and bathroom which utilize/repurpose portions of the existing first floor, creating a cohesive floorplan, and allowing for wheelchair/handicap accessibility.

By utilizing the side yard as a connector, the proposed addition would result in a 2.5/5.5 foot encroachment on the 15 foot setback lines on the southwest side of the home closest to 9338 Kemper Grove Lane garage of Mr. David Query. Mr. Query has provided a statement that he does not object to the approval of the setback line variance for the addition to our residence.

B. Construction Use

Single Family Residential – Multi-Generational

C. Zoning Resolution Sought

Setback line variance approval for

- 2.5-foot decrease of a 32-foot section of addition – front of residence
- 5.5-foot decrease for a 21-foot section of addition – rear of residence

D. Neighbors and addresses of abutting lots – 9348 Kemper Grove Lane, Loveland, Ohio 45140

- David Query - 9338 Kemper Grove Lane
- Katie and Doug Rogers - 9358 Kemper Grove Lane
- Aaron and Jennifer Burkhardt - 9275 Cactus Lane

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To: Symmes Township Zoning Commission
From: David Query
Home Owner/Immediate Neighbor: 9338 Kemper Grove Lane
CC: Damon and Heidi Tucker
Date: 29 June 2021
Re: Home Addition for 9348 Kemper Grove Lane

Scope: The 2-story addition to the residence at 9348 Kemper Grove Lane, to accommodate the multi-generational household of Damon and Heidi Tucker which requires the addition of a first-floor master suite for an elderly parent.

Zoning: Current neighborhood setback dwelling standard is 15 feet from the property line. This addition will result in a setback of ~9.59 feet at the far rear of the addition and ~12.5 feet for the front/majority of the addition.

(see survey on back for additional details)

I do not object to the proposed addition at 9348 Kemper Grove Lane.

Signature and
Date


6/29/21

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To: Symmes Township Zoning Commission
From: Kurt Krebs
Home Owner/President of Kemperknoll Woods Subdivision: 9325 Kemper Grove Lane
CC: Damon and Heidi Tucker
Date: 30 Aug2021
Re: Home Addition for 9348 Kemper Grove Lane

Scope: The 2-story addition to the residence at 9348 Kemper Grove Lane, to accommodate the multi-generational household of Damon and Heidi Tucker which requires the addition of a first-floor master suite for an elderly parent.

Zoning: Current neighborhood setback dwelling standard is 15 feet from the property line. This addition will result in a setback of ~9.59 feet at the far rear of the addition and ~12.5 feet for the front/majority of the addition.

(see survey on back for additional details)

The current setback standard dwelling from the street is 50 feet. The addition will result in a setback of ~46.92 feet for a ~8.5 foot area at the front of the dwelling.

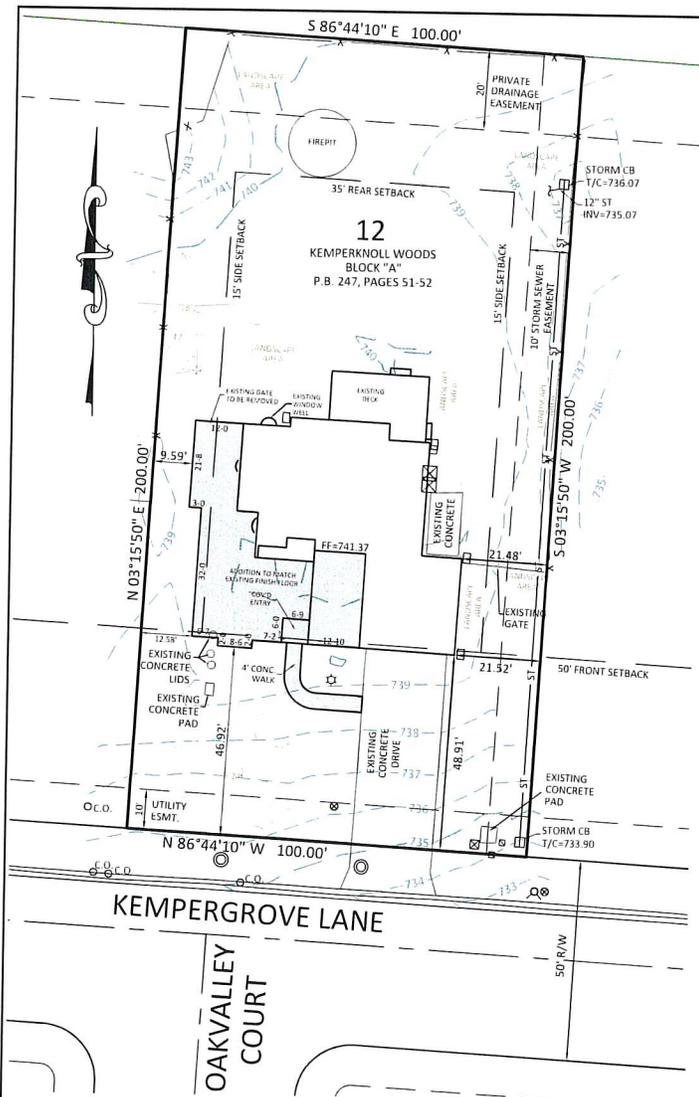
I do not object to the proposed addition at 9348 Kemper Grove Lane.

Signature and
Date


8/30/2021

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- LEGEND**
EXISTING FEATURES
- MANHOLE
 - ⊞ CATCH BASIN/DRAIN
 - ⊞ GUTTER INLET
 - CLEAN OUT
 - DOWNSPOUT
 - UTILITY POLE
 - ⊞ ELECTRIC BOX
 - ⊞ TELEPHONE BOX
 - ⊞ CABLE TV BOX
 - ☆ LIGHT POLE/LAMP POST
 - ⊞ TRAFFIC SIGNAL/BOX
 - ⊞ FIRE HYDRANT
 - ⊞ WATER VALVE/METER
 - ⊞ SPRINKLER/VALVE
 - ⊞ GAS VALVE/METER
 - ⊞ SIGN/SIGN POST
 - ⊞ FLAG POLE
 - ⊞ MAIL BOX
 - ▽ PARKING METER
 - GUARD POST
 - ⊞ HANDICAPPED PARKING
 - SEWER
 - W — WATER LINE
 - G — GAS LINE
 - E — ELECTRIC LINE
 - T — TELEPHONE LINE
 - OH — OVERHEAD UTILITY LINE
 - X — FENCE LINE



1-800-362-2764
CALL TWO WORKING DAYS BEFORE YOU DIG
(NON MEMBERS MUST BE CALLED DIRECTLY)

OWNER:
DAMON & HEIDI TUCKER
9348 KEMPERGROVE LANE
LOVELAND, OHIO 45140
O.R. 13504, PG. 2483

BUILDER:
HERITAGE BUILDING GROUP & ASSOCIATES
9122 MONTGOMERY ROAD
SUITE 12
CINCINNATI, OHIO 45242
PH. (513) 515-1052

M. W. Pistor, Jr.



5/19/2021
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NOTES

BEARINGS BASED ON KEMPERKNOLL WOODS BLOCK "A" PART I, RECORDED IN PLAT BOOK 247, PAGES 51-52, HAMILTON COUNTY, OHIO RECORDER'S OFFICE

ELEVATIONS BASED ON M.S.D. SEWER RECORDS. CONTOURS BASED ON A FIELD SURVEY.

OCCUPATION IN GENERAL FITS SURVEY EXCEPT AS SHOWN.

MONUMENTS GENERALLY IN GOOD CONDITION UNLESS NOTED OTHERWISE.

SURVEY BASED ON FIELD EVIDENCE AND DEEDS & PLATS OF RECORD NOTED HEREON.

EASEMENTS SHOWN HEREON WERE DISCOVERED DURING THE COURSE OF PUBLIC RECORD RESEARCH AND MAY NOT COMPRISE ALL SUCH EASEMENTS AFFECTING THE SUBJECT PROPERTY.

UNDERGROUND UTILITIES SHOWN ARE BASED ON A COMBINATION OF SURFACE EVIDENCE AND AVAILABLE PLANS & RECORDS; THEY HAVE NOT BEEN PHYSICALLY LOCATED. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES ON THE PREMISES, EITHER IN SERVICE OR ABANDONED; WORK IS IT GUARANTEED THAT THEY ARE IN THE EXACT LOCATION INDICATED, ONLY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

CONTRACTOR TO VERIFY ALL DIMENSIONS SHOWN HEREON AGAINST ARCHITECTURAL PLANS PRIOR TO ANY CONSTRUCTION.

THE CONTRACTOR IS TO COORDINATE ALL UTILITY CONNECTIONS WITH THE APPROPRIATE UTILITY COMPANY.

CONTRACTOR SHALL BE FAMILIAR WITH THE EXISTING UTILITIES IN THE CONSTRUCTION AREA AND SHALL BE HELD RESPONSIBLE FOR THE DAMAGE OF EXISTING UTILITIES DURING CONSTRUCTION.

CONTRACTOR SHALL FIELD VERIFY ALL LOCATIONS AND INVERTS OF EXISTING UTILITIES AND IMMEDIATELY NOTIFY THE ENGINEER IF EXISTING UTILITIES INTERFERE WITH THE NORMAL INTENT OF THE PROPOSED UTILITY LAYOUT.

SERVICE UTILITY MATERIALS SHALL BE PER THE APPROPRIATE UTILITY COMPANY DESIGN CRITERIA.

THE BUILDER SHALL BE RESPONSIBLE FOR INSTALLATION AND MAINTENANCE OF ALL EROSION CONTROLS AS PER HAMILTON COUNTY EARTHWORK REGULATIONS.

FINISHED GRADE SHALL SLOPE A MINIMUM OF 6" IN FIRST 10' FROM NEW FOUNDATION AND FINISH GRADE FOR DISTURBED PORTION OF SITE SHALL HAVE A MAXIMUM SLOPE OF 3:1.

THE RECOMMENDED SITING OF THE HOUSE AS SHOWN ON THIS PLAT MAKES NO REPRESENTATION AS TO EXISTING SOIL CONDITION. A GEOTECHNICAL ENGINEER SHOULD BE CONSULTED IN ALL MATTERS PERTAINING TO SUB-SURFACE CONDITIONS AND FOUNDATION REQUIREMENTS.

DRIVEWAY APPROACH TO BE CONSTRUCTED AS PER HAMILTON COUNTY ENGINEERING SPECIFICATIONS.

SANITARY LATERAL LOCATION AND ELEVATION TO BE FIELD VERIFIED BY BUILDER PRIOR TO CONSTRUCTION. TAP PERMIT AND FEES ARE NECESSARY FROM MSD.

SANITARY SEWER CONNECTION TO BE 6" SANITARY @ 2.0% MINIMUM CONSTRUCTED OF PVC-SDR 35.

IF LOWEST FLOOR ELEVATION IS BELOW RIM ELEVATION OF UPSTREAM MANHOLE THEN TAP MUST HAVE BACK-FLOW PREVENTER OR BE PUMPED TO GRAVITY.

THE COUNTY OF HAMILTON DOES NOT ACCEPT ANY PRIVATE EASEMENT SHOWN ON THIS PLAT AND IS NOT OBLIGATED TO MAINTAIN OR REPAIR ANY INSTALLATIONS IN SAID EASEMENT. THE APPLICANT AGREES, AS A CONDITION OF APPROVAL OF THIS PLAT, THAT THERE WILL BE INCLUDED IN THE DEED OF CONVEYANCE OF EVERY LOT IN THIS SUBDIVISION, SUBSERVIENT TO AN ACCESS EASEMENT A CONDITION REQUIRING THE GRANTEE, HIS HEIRS AND ASSIGNS, TO CONTINUOUSLY MAINTAIN THE EASEMENT AREA FOR THE PURPOSE DESIGNED AND A CONDITION THAT WITHIN SUCH EASEMENT NO STRUCTURE, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD OR CHANGE THE USE OF THE EASEMENT. SUCH CONDITIONS BEING FOR THE MUTUAL BENEFIT OF THE OWNERS OF ALL LOTS ON WHICH SIMILAR EASEMENTS ARE RESERVED.

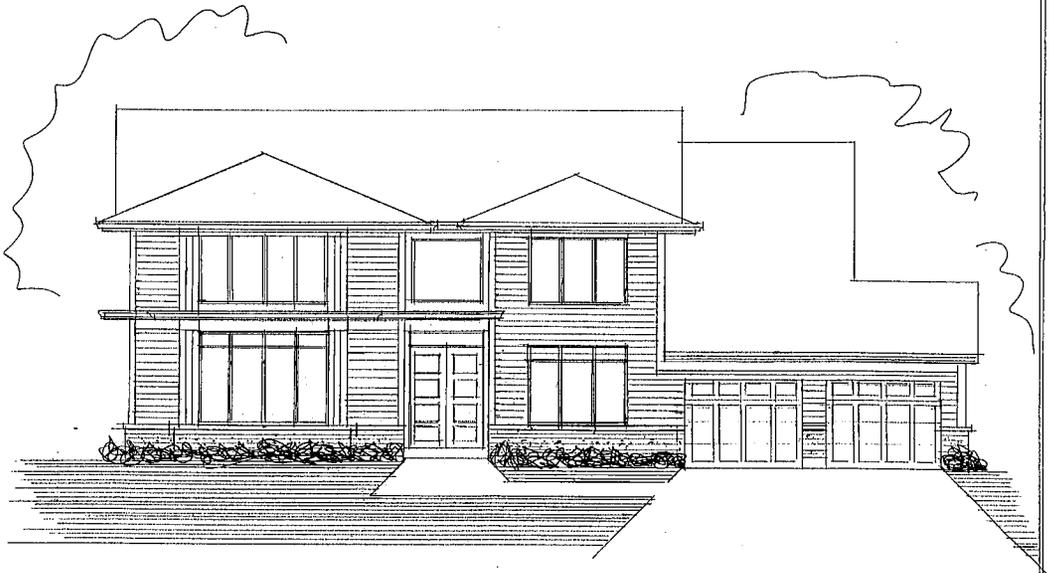
PROPOSED IMPROVEMENTS

9348 KEMPERGROVE LANE
AUD. PAR. NO. 620-170-366
LOT 12, KEMPERKNOLL WOODS
BLOCK "A" - PART 1
PLAT BOOK 247, PAGE 50
0.459 ACRES
SECTION 29, TOWN 5, ENTIRE RANGE 1
MIAMI PURCHASE, SYMMES TOWNSHIP
HAMILTON COUNTY, OHIO

Date	05/19/2021
Scale	1"=30'
Drawn By	HAS Proj. Mgr. MWP
Survey Database	2111601
DWG	21116013-BAS
X-Ref(s)	
Project Number	21116.01
File No.	21116.01 Sheet No. 1/1



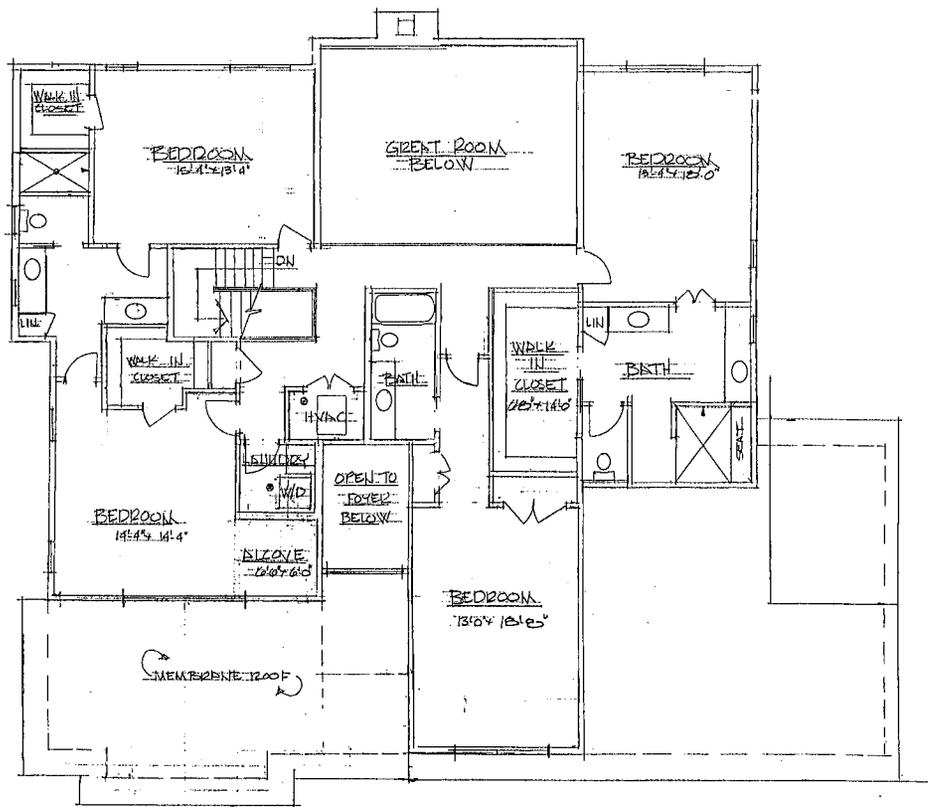
McGill Smith Punshon
3700 Park 42 Drive
Suite 1908
Cincinnati OH 45241
Phone 513.759.0004
www.mspsdesign.com



PRELIMINARY DESIGN 8/16/21
RENOVATION & ADDITION TO THE RESIDENCE OF
HEIDI & DAMON TICKER
HERITAGE BUILDING GROUP & ASSOCIATES
STUDER RESIDENTIAL DESIGN INC.

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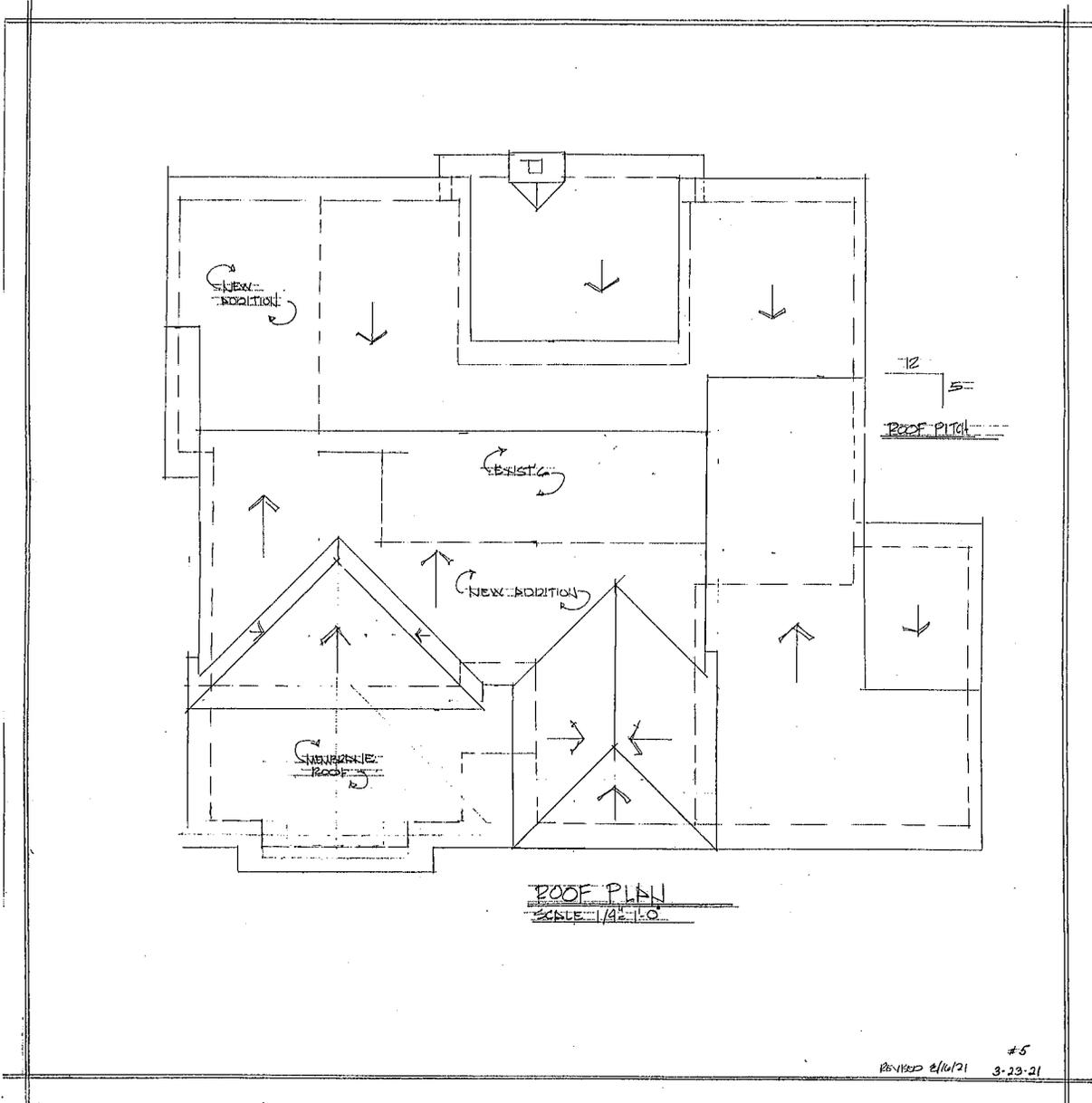
AUG 31 2021



SECOND FLOOR PLAN
SCALE 1/4\"/>

#4
 REVISED 8/11/21 3-23-21

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