



COLERAIN TOWNSHIP BOARD OF ZONING APPEALS

Regular and Organizational Meeting Minutes
4200 Springdale Road - Cincinnati, Ohio 45251
Wednesday, September 28th, 2022 – 6:30 p.m.

Meeting Called to Order by: Mr. Roberto at 6:30 p.m.

Pledge of Allegiance: Led by: Mr. Roberto.

The Explanation of Procedures was presented by: Mr. Roberto.

Roll Call: Mr. Bartolt – aye, Ms. Owens - aye, – Mr. Schupp – aye, Mr. Wilson – aye,
Mr. Roberto – aye.

Present as Staff was: Mr. Jarrod Alig and Mr. Stephen Springsteen.

Present as Legal Staff was: Ms. Sarah Schild

Swearing In: Mr. Roberto swore in the appellants, attorneys, and all speakers in the cases.

Hearing of Appeals:

BZA2022-12

The applicant, representing the property owner, is requesting a variance(s) to §7.4.2 (A) *Agricultural Uses*;

Location: 5100 Hubble Rd.

Applicant/Owner: Melissa Rice, representative for the property owner(s), Julie Felix.

Mr. Roberto introduced case.

Presentation was provided by Staff. Staff noted the current zoning, topography, and surrounding conditions. Staff displayed the site plan and described the reason the variances were being sought based upon the proposed site plan.

Staff described the relevant Colerain Township Zoning Resolution Articles, Sections, and definitions

Staff outlined the criteria for zoning variances as stated in the Colerain Township Zoning Resolution.

Staff's Recommendation was for: **APPROVAL** with the condition that roosters be a prohibited animal on this property.

This Concluded Staff's Presentation.

Mr. Roberto asked if the Board had any questions for staff. Hearing none, Mr. Roberto asked if the applicant was present.

APPLICANT PRESENTATION:

The applicant Melissa Rice, 5100 Hubble Road, was present and addressed the board. She stated that she is requesting a variance for her one hen that she currently has as a pet and a source for fresh eggs. She stated that her request is in compliance with the Hamilton County standards for obtaining a suburban poultry permit, however, given the dimensions of the property she lives at, she is unable to meet the setback requirement the Township has in the zoning resolution. She stated that surrounding lots cannot meet the setback requirement stated in the Township resolution and that she has no intention of having roosters on her property. She continued that her neighbors did not object to her request for having a chicken in as shown in her application and that she had enough space in her rear yard in terms of depth for the chickens. She also recommended an update to the Township resolution to make suburban poultry more easily attainable.

Mr. Roberto asked if anyone else was present to speak in favor, or in opposition. Hearing none, he asked for a motion to close the public portion of the case.

Mr. Bartolt made a motion to close the public portion, Mr. Wilson seconded the motion.

Mr. Roberto asked if the Board Members had any items to discuss. Hearing none he asked Staff for a Roll Call vote.

Roll Call: Mr. Bartolt – aye, Ms. Owens - aye, – Mr. Schupp – aye, Mr. Wilson – aye, Mr. Roberto – aye

Motion to close the public portion passed unanimously

Mr. Bartolt asked for confirmation that the variance request did not include the structure size for the pen but was what was stated in staff presentation. Mr. Springsteen confirmed that the variance for this case was only in relation to setbacks. Mr. Bartolt asked if this variance would provide any owner of this property to build as many agricultural structures as they pleased or would they need to come back to expand their agricultural use. Mr. Alig stated that as long as they met the setbacks, and they followed the allowed number of animal units then they could build multiple structures. Mr. Roberto stated that the structures would need to meet the 35 FT setback requirement that the variance still requires, so they could build a long, skinny structure that would still need to be 35 FT off the property lines. Mr. Alig wanted to clarify that the

variance being requested was an area variance and not a use variance. Mr. Alig continued that the size of the chicken coop is not in question, though he stated that is a good ancillary question. Mr. Alig reiterated that the structure would just need to comply with the 35 FT setbacks.

Mr. Roberto wanted to clarify that Hamilton County zoning regulations are separate from Colerain, with Colerain's zoning superseding the County's zoning. Mr. Roberto continued that he understood why the applicant was referencing the County standards, however, Hamilton is a large area and Colerain wanted to tighten up the zoning to make it more specific to Colerain which is why Colerain has its own Zoning Resolution. Mr. Roberto stated that he made a mention to staff that this may be an area of the Zoning Resolution staff may want to review as he felt the current setback requirement was excessive.

Mr. Roberto confirmed with the applicant that she did not intend on exceeding the 3.708 chickens. Mr. Roberto as referenced back to the August 24th BZA meeting where questions were posed about the enclosure of the chicken and whether the property was fenced or not and asked the applicant to speak to these concerns. Ms. Rice reassured the Board that there was an enclosure for the chicken, for the protection of her chicken.

Mr. Bartolt made a motion to approve the variance as written with staff recommendation. Mr. Schupp seconded.

Mr. Roberto asked if any Board members had any discussion on the matter. Hearing no requests for discussion, Mr. Roberto asked for Roll Call vote.

Roll Call: Mr. Bartolt – aye, Ms. Owens - aye, – Mr. Schupp – aye, Mr. Wilson – aye, Mr. Roberto – aye

BZA2022-12 –Request for a variance §7.4.2 (A) Agricultural Uses was approved (with the following condition A).

A. Roosters be a prohibited animal on this property

BZA2022-13	The applicant who is representing the property owner, is requesting; a variance to Colerain Township Zoning Resolution Table 7-2 Side Yard Setback, Minimum Lot Width and Minimum Lot Area;
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Location:	11321 Hamilton Ave.
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Applicant/Owner:	Cristo Homes, representative for the property owner(s), Toebben LTD.
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Mr. Roberto introduced case.

Presentation was provided by Staff. Staff noted the current zoning, topography, and surrounding conditions. Staff displayed the site plan and described the reason the variances were being sought based upon the proposed site plan.

Staff described the relevant Colerain Township Zoning Resolution Articles, Sections, and definitions

Staff outlined the criteria for zoning variances as stated in the Colerain Township Zoning Resolution.

Staff's Recommendation was for: **APPROVAL** with the condition that roosters be a prohibited animal on this property.

This Concluded Staff's Presentation.

Mr. Roberto wanted to make sure his understanding of the setbacks was clear, he asked if the setbacks between the buildings were meeting the required setbacks. Mr. Bartolt stated that since the duplexes is right on the property line on one side which makes that setback 0 FT. Mr. Bartolt then questioned if that the other side of the duplex was proposed to have 5 FT as its setback and then it would be the next adjacent duplex's 5 FT setback from the side yard, which would make the distance between buildings 10 FT. Mr. Alig confirmed that what Mr. Bartolt stated was accurate and that the Colerain Zoning Resolution has no distance requirement between buildings other than the side yard setback. Mr. Roberto stated then you could make an argument that the setback is 5 FT shy given that there is 10 FT between buildings which is 5 FT shy of the required setback. Mr. Alig stated that this is an argument one could make.

Mr. Schupp asked if the intent of this plan was to deed the units separately. Mr. Alig stated that the proposed plan was to have the units deeded separately, similar to case BZA2022-03 that the board had heard earlier in the year. The developer was playing to sell the duplex units as landminiums as opposed to condominiums.

Mr. Bartolt asked how "significant changes" would be determined in terms of any changes to the applicants plans. Mr. Alig responded that with the Board's permission, he would deem "significant changes" as any additional deviation from the variances requested and any deviation from the requirements in the Zoning Resolution. Mr. Alig continued that this language gives Township the ability to approve the plan where the essence of the plan is still consistent, but minor changes, such as a change in the detention pond size or an update to the landscape plan, would not require the applicant to go back before the Board. Mr. Alig stated that if the Board would like to add a definition to that term, that is an option, or if that want to say any change at all that is up to the Board's discretion. Mr. Bartolt wanted to confirm that at some point, Mr. Alig would review the final plan and bless the plan or won't bless the plan based off the "significant changes." Mr. Alig confirm that Mr. Bartolt is correct and reiterated the Board can change that terminology or strike that terminology all together. The intent of that language is to give staff the discretion to balance the applicant making small changes and not needing to convene over details that don't change the intent of the plan.

Mr. Roberto asked if the applicant was present.

APPLICANT PRESENTATION:

Etta Reed from Bayer Becker, 6900 Tylersville Road, Mason, Ohio 45040, representing the applicant Cristo Homes gave a presentation.

Mr. Roberto asked if anyone else was present to speak in favor, or in opposition.

Damon Kaiser, 2753 Houston Road, stated he is not in favor of this project. Mr. Kaiser stated traffic concerns as his main concern for the development.

Tracy Taulbee, 11345 Gravenhurst Drive, stated she is not in favor of this project. Ms. Taulbee shared her concerns for traffic safety, traffic congestion, loss of privacy as her property is directly behind the proposed development and would share a backyard with the future development, health concerns from increased noise levels from construction and the addition of 26 families and the dust and dirt kick up from the construction, site drainage, density of the homes on a small parcel of land. She stated her displeasure with the address posted on the notices of the hearing given the auditor's address for this parcel did not meet her expectation to where the proposed project is located. She stated she is not anti-development; however, she feels this is not a responsible way to develop the parcel as currently proposed. Ms. Taulbee submitted a typed portion of her speech outlining her concerns to the Board as evidence.

Cheri Douglas, 11347 Gravenhurst Drive, shared her concern about the brevity of notice for the hearing and the wording of the notice not being descriptive enough. Ms. Douglas added her concerns for the development being the size of the lots, the setbacks being too small, the neighborhood character being altered, drainage issues, traffic congestion, traffic safety, increased noise levels, landscape screening between existing homes and proposed development, existing natural gas line that runs through the property, and safety for kids of any potential families that move into the proposed development. Ms. Douglas submitted a hard copy of her speech to the Board as evidence.

Susan Ayres, 11414 Dehaviland Drive, shared her concerns for traffic safety, traffic congestion, construction, and parking for guests of the proposed development. Ms. Ayres stated she is opposed to the development.

Christina Francisco, 2508 Houston Road, stated she resides at the property next to the proposed development. Ms. Francisco shared her experience living at that property, which included the consistent traffic safety issues that have been prevalent there, such as needing the mailbox to be replaced 30+ times in the last 10 years due to reckless driving. She stated her concern for traffic congestion and traffic safety. She stated if the development were done to meet the code so the variances would be met, then that would be preferred.

Tom Litzinger, 11315 Gravenhurst Drive, shared that the previous speakers hit on most of his points. He wanted to reiterate his concern with traffic safety and his opposition to this development.

Shellie Litzinger, 11315 Gravenhurst Drive, shared her concern for traffic safety, traffic congestion, and stated her opposition to the development.

Lisa Sibert, 11337 Gravenhurst Dr, shared her concern about the traffic, the close proximity of the homes to her property line, and the vacant parcel being converted from green space to housing units.

Phillip Gamble, 2508 Houston Road, shared his concern for traffic safety.

Mr. Roberto asked if anyone else was present to speak in favor, or in opposition. Hearing none, he asked for a motion to close the public portion of the case.

Mr. Wilson made a motion to close the public portion, Ms. Owens seconded the motion.

Mr. Roberto asked if the Board Members had any items to discuss. Hearing none he asked Staff for a Roll Call vote.

Roll Call: Mr. Bartolt – aye, Ms. Owens - aye, – Mr. Schupp – aye, Mr. Wilson – aye, Mr. Roberto – aye

Motion to close the public portion passed unanimously

Mr. Wilson asked the applicant if there was a way to adjust the density to meet the Resolution requirements. Ms. Reed stated that the applicant had looked at the location for single family, duplexes, and 4 family unit buildings. She stated that with the requested variances, the applicant could do 13 duplex buildings or 26 duplex units. Ms. Reed continued that without any variances, the applicant could build 12 single family homes. Ms. Reed said that the applicant is essentially asking for 1 additional building for this development. Mr. Wilson confirmed that the difference would be 14 families between the duplex proposal and the single-family proposal. Ms. Reed confirmed that is correct.

Mr. Schupp asked if the buildings being proposed were going to have basements. Ms. Reed stated that the applicant hasn't made that decisions yet, it is possible it could go either way. Mr. Schupp asked how many bedrooms there would be. Ms. Reed responded that they would be 3 Bedroom and 2 and a half bathrooms. Mr. Schupp asked if she could speak to how the development will handle the drainage. Ms. Reed stated that their plan for drainage would have to go to Hamilton County for the subdivision process. Ms. Reed continued that Hamilton County has specific requirements when it comes to drainage. Ms. Reed stated that the County does not allow for more water to leave the property than what currently exists. Ms. Reed continued that the County also does not allow development to send water onto other properties that does not exist to current date. She stated that the water that the property would take is intended to be sent to the proposed detention basin, where the basin would hold the water and then slowly release the water into the sewer. Mr. Schupp asked if the applicant could reduce the duplex buildings by 1 and do 12 buildings or 24 units and no longer need the variance for the side yard setback. Ms. Reed responded that the applicant could develop this property with 12 single family homes with no variances.

Ms. Owens asked the applicant why they are pursuing the duplex proposal if they know that the lot is developable with 12 single-family homes and no variances. Ms. Reed stated that due to the cost to develop this property, such as extending the utilities to this property, that developing this property as single family does not work from a number perspective. Ms. Owens asked if having one less duplex building would still cause the numbers to not work. Ms. Reed stated that due to the current Resolution, regardless of number of duplexes, they would need variances because of the side yard setback.

Mr. Bartolt asked if the reasoning for doing 13 duplex buildings as opposed to 12 duplex buildings was because it would be less profitable. Ms. Reed responded that it is due to any multifamily housing requiring variances. Mr. Bartolt confirmed that she could still get the variances and build one less building. Ms. Reed stated that the applicant could do that.

Mr. Alig asked if he could address some of the issues that had been brought up. Mr. Alig continued that the need for the variances is due to the property owner looking to split the lot down the common wall, the property could be developed as right as multifamily. He stated that this is a shortcoming in the Township Zoning Resolution. Mr. Alig continued that he believed the reasoning for the lot being split down the common wall was it provides more advantageous lending opportunities to potential home buyers. He stated that could be incorrect, however, that was the case made in the case BZA2022-03. Mr. Alig continued that part of the reasoning for having the hearing is that the Board could place any conditions on this property that they see fit, such as additional buffering, landscaping, etc. Mr. Alig stated that if the Board would like him to address comments made during the public hearing portion, he would be happy to do so when they would see fit.

Mr. Bartolt wanted to ask his question again for clarification of if the applicant is willing to build 12 duplex buildings instead of 13 duplex buildings to space the buildings out. Ms. Reed stated that they are open to that. Mr. Bartolt stated that he was trying to understand what it would take for the property owner to move forward. Mr. Bartolt asked if Houston Road was a Township or County owned road. Mr. Alig stated he was not completely certain, but it the staff's general understanding that if it ends in Road then it is a County owned road. Mr. Alig continued that it is not always the case that if it ends in "Road" it is the County's, but he would investigate it. Mr. Bartolt stated he was thinking that there could be a way for the County, the neighbors, and maybe the developers to work toward adding traffic calming devices, but he didn't know if that could be a condition the Board could add on. Mr. Alig responded that he believed the Board could add that condition. Mr. Bartolt stated that if the County owned it and did not want to work with the applicant then the development couldn't move forward. Mr. Alig agreed that that would be true, and the maintenance of the traffic calming devices could be tricky as well. Mr. Alig continued that the variances as requested look significant due to the common wall splitting the lot. Mr. Alig stated that if you look at the variances by buildings instead of units, the variances are not as significant.

Mr. Roberto stated he agreed that this case has similarities to previous cases such as BZA2022-03, however, this is on a main road and the other projects were not directly on main roads. He stated he felt the dynamics of this case are far worse than the other cases and he could not justify this proposal based on the previous cases. Mr. Roberto stated that he would listen to the residents as a builder and that this location could be a liability and cause injury to people. Mr. Roberto continued lot size is a concern to him and he agrees with Mr. Bartolt that if you reduced

the development by one building that it would make it would improve the spacing. Mr. Roberto asked what the plan was for mailboxes. Ms. Reed stated the postal service requires them to have cluster mailboxes which would give the residents one location they all would need to walk to in order to receive their mail. Mr. Roberto asked if the mailman would need to park on Houston Road to deliver mail for the units. Ms. Reed responded they would need to work with the Postmaster to devise a plan for delivering mail to the residents of the development. Mr. Roberto stated he could see garbage pickup day being an issue. He continued that loss of privacy for residents was another concern because the surrounding neighbors have ranch home and these new homes will be 2-story homes that can look down into their neighbors yard. Mr. Roberto asked staff to address the public notice issue a resident brought up. Mr. Alig asked if he could use this time to address the public concerns to which Mr. Roberto agreed.

Mr. Alig stated that the BZA Bylaws require staff to send mailed notices to neighbors at least 10 days prior to the meeting and the Ohio Revised Code requires staff to place a public notice 10 days prior to the meeting. Mr. Alig stated that when the mail reaches the resident is not something the department controls, the only thing staff controls is mailing the letter within the specified time per the Bylaws and ORC. Mr. Roberto stated he could attest to that as he receives mail every other day right now due to how mail is being delivered. Mr. Alig stated that the meeting was well attended so it would be staff's opinion that there was no shortcoming in the notices. Mr. Alig continued that any traffic concerns would need to go through the County Engineer. Mr. Alig shared that the zoning of the property allows for homes to be built up to 3 stories. Mr. Alig stated that construction noise is not something that can be addressed. Mr. Alig said that he comes across this instance often where people move into an area with open space behind them and hope it stays that way forever, however, the only way to ensure that is to purchase the open space. Mr. Alig reviewed that the drainage and site standards have been addressed. He continued that the variances look significant individually, but when looking at the buildings collectively it is less significant. Mr. Alig stated if the developer stated that if the developer wanted to do condo style housing instead of the condominium style the applicant proposes and does so in a way that meets the standards, that is an option. Mr. Alig continued that the address of the property misled staff as well when staff received the application, but staff is required to state the address as stated by the auditor. Mr. Alig concluded that the resident concern about the gas line would be between the developer and the utility provider. Mr. Roberto stated the gas line is on the submitted plan. Mr. Alig stated that this also the preliminary plan so this is still early in the process.

Mr. Roberto asked if there were any further questions. Ms. Owens asked about the staff finding that stated this project would not be contrary to public interest and what the definition of public interest is. Mr. Alig stated that it is public interest in these types of meetings is generally defined as public health, safety, welfare, and general morals. If the project meets the standards for drainage, runoff, spacing requirement by the County for driveways, then it would not be contrary to public interest and staff finds it to be consistent with those standards. Ms. Owens just wanted to clarify if it was a legal definition.

Mr. Bartolt asked if the applicant were willing to come back to the Board with an alternative plan that would still be feasible if the Board were to table this project and give the applicant an opportunity to address some of the residents' concerns. Joe Cristo, 7594 Tylers Place Boulevard, West Chester, Ohio 45069, shared that they would be willing to consider other options. Mr. Cristo continued that he understood nothing in development is easy and that they

are outsiders coming into a community with a product and a pro forma and they are looking at a 2D plat. He stated they recognize that they are coming into a community of existing residents who have lived there and have their opinions and have made them known. He stated that this project ended up where it is due to recently completing a project in Springfield Township and had success there. He stated that their goal is to keep homes attainable, and the market felt that those homes met that. Mr. Cristo continued he understood this environment is different at this location, that being across from commercial and industrial environment and along a busy road would not achieve attainable single-family homes pricing. He continued that Cristo doesn't build grand homes but focuses on attainable homes. Mr. Cristo stated one of the ways to keep homes attainable is to look at ways to keep costs down for residents. Mr. Cristo said he heard what the residents have said, and it is reasonable to listen to the Board based on residents' feedback and that Cristo is open to options. Mr. Bartolt asked if it was feasible to get the County involved with this street and gain their insight on solutions to the speeding problem. Mr. Cristo responded that it was a good question of if it feasible as he does not have a timeline for their timeline and that it could be different than the contract terms that Cristo has on the property.

Mr. Schupp asked what the targeted price point was and wasn't sure if that could raise surrounding home prices. Mr. Cristo said based on other developments, the target selling price is between \$320,000 to \$340,000 based on selected upgrades by the buyer for the products. Mr. Schupp asked about sidewalks for the project. Mr. Alig stated that the developer is required to either provide sidewalks or if they request to a variance from that would need to place what that cost would have been into the Township sidewalk fund. Mr. Alig continued that if the Board would like to add any conditions to this appeal, they have that ability and the applicant has the ability to accept or reject those conditions.

Mr. Roberto asked if there was a motion. Mr. Bartolt asked if they would make a motion and then pose questions about the motion or would they pose questions above the motion before making a motion. Mr. Roberto stated he would recommend making a motion with the option that person would want enacted upon.

Mr. Bartolt made a motion to table case BZA2022-13 with the case to the October meeting. Mr. Schupp seconded.

Mr. Roberto asked if any Board members had any discussion on the matter. Hearing no requests for discussion, Mr. Roberto asked for Roll Call vote.

Roll Call: Mr. Bartolt – aye, Ms. Owens - aye, – Mr. Schupp – aye, Mr. Wilson – aye, Mr. Roberto – aye

BZA2022-13 –Request for a variance to Table 7-2 Side Yard Setback, Minimum Lot Width and Minimum Lot Area was tabled.

Unfinished Business: None

Approval of the Minutes:

August 24th, 2022 Minutes:

Mr. Roberto asked a motion be made to approve the minutes from August 24th, 2022.

Mr. Schupp made a motion to approve, seconded by Ms. Owens.

Mr. Roberto requested a Roll Call vote.

Roll Call: Mr. Bartolt – aye, Ms. Owens - aye, – Mr. Schupp – aye, Mr. Wilson – aye, Mr. Roberto – aye

Motion to approve the Minutes of the June 29th, 2022 meeting approved unanimously

Administrative Matters: None

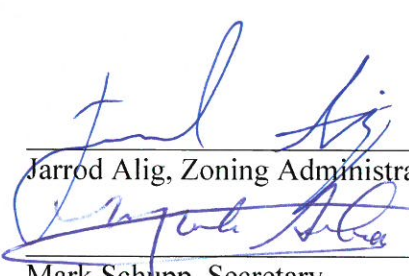
Adjournment:

A motion was made by Mr. Bartolt, and seconded by Mr. Schupp, to adjourn the meeting at approximately 8:10 P.M.

Roll Call: Mr. Bartolt – aye, Ms. Owens - aye, – Mr. Schupp – aye, Mr. Wilson – aye, Mr. Roberto – aye.

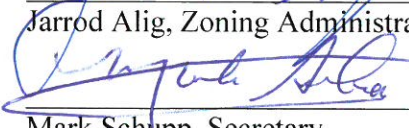
Meeting adjourned.

Respectfully Submitted:



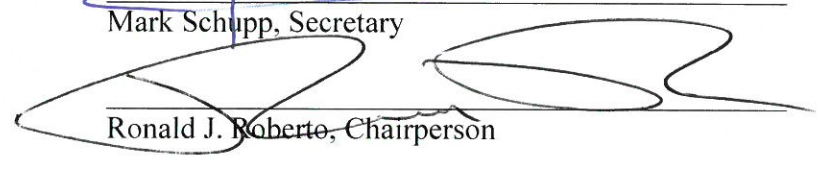
Jarrod Alig, Zoning Administrator

Secretary:



Mark Schupp, Secretary

Accepted by:



Ronald J. Roberto, Chairperson

September 23, 2022

Jarrold Alig, Stephen Springsteen and the Colerain Township Zoning Board

Re: 11321 Hamilton Avenue (Houston Road Proposed Development)

Dear Gentlemen:

I am writing this letter in reference to the above appeal for variances which Cristo Homes and Toeppen LTD have presented to the zoning board for approval. Since I am not going to be in town at the time of the scheduled public meeting, I am addressing mine and my husband's concerns and opposition in this letter (a hard copy of which will be brought to the meeting by our neighbor, Cheri Douglas). Here are the numerous concerns and objections we have regarding this proposed development:

1. Increased traffic. The current proposal will add 26 new families to an already congested area. Since most families have 2 (or more) vehicles that means at least 52 cars trying to back out of driveways onto Houston Road in a very congested spot. Not to mention the difficulty of it being in the curves which makes it harder to see, also the added traffic at the intersection of Hamilton Ave. and I-275 which is a problematic intersection on a good day. In addition, on trash day there would be 26 added garbage pickups in that area that would create a traffic nightmare. This development would be better served being built on a side street and not a busy main road.
2. Loss of privacy is a huge concern for my husband and I as the proposed townhouses are to be at least 2 stories high which would mean that no privacy fence would be high enough to keep the occupants from being able to look down into our yard. We chose this particular house 14 years ago because of the green space that was behind us.
3. Noise is a concern as well. Not just noise from 26 added families, but the construction noise as well. We purposely chose an established and older neighborhood when we purchased this house because we did not want to deal with construction noise. We have several elderly residents in this neighborhood whom have various health concerns and the added noise, dirt and dust of a construction site could affect them adversely.
4. After reviewing the site plans, we are concerned about drainage issues. Yes, we are aware that there will be a retention pond, however that is no guarantee that there will not be drainage issues to the existing homes that sit on Gravenhurst behind the proposed development. Currently there is natural drainage in the green space behind us and we are concerned that would change if the development were to go through. Also, whom would we as homeowners reach out to if such a change did in fact cause drainage issues in our yards or flooding in our basements?
5. The idea of 26 homes in such a small area seems like irresponsible planning to us. That is evidenced in the variances that Cristo Homes is requesting. Side yard setbacks from the minimum of 15 feet to just 5 feet between buildings (which is a fire hazard), plus the request of the minimum lot size being cut by over 4000 square feet per lot?!! This further proves to us that this space is just way too small for such a development!

6. We would also like to point out the misleading address that was stated on the letter from the township. While we are aware that this is the legal address (according to the Hamilton County Auditor's website), we feel that the township could have added verbiage that would have identified where exactly the proposed development was to be. This caused undo confusion to many of the neighbors who received the letter as they were not aware that this development did indeed directly impact them!

Believe us that we are NOT opposed to progression and development. However, we feel that this piece of land is just not the best fit for this proposed development as evidenced by the too small lot sizes and side yard setback variances that Cristo Homes has requested. We are asking you, the zoning board to strongly take our concerns and objections into consideration before you make a decision on this matter.

Thank you very much,

Tracey and William Taulbee, Homeowners

11345 Gravenhurst Drive

Cincinnati, OH 45231

September 27, 2022

Jarrold Alig, Stephens Springsteen and the Colerain Township Zoning Board

Re: 11321 Hamilton Avenue (Houston Road Proposed Development)

To Whom It May Concern:

I am responding to the above appeal for variances which Cristo Homes and Toeppen LTD have presented to the zoning board for approval.

First of all, I feel that we should have been given more notice than 9 days about this set meeting date. I would like to know the official amount of required time necessary for notification. Not to mention that the address was very misleading and could have had some clarification!!

Second, I have a very hard time believing that anyone would feel that the lots could be reduced by 4,174 square feet from 7,5000 square feet all the way down to 3,326 square feet!!! I am not against development but 26 townhouses is way too much. Side yard setback request for a total of 5 feet (again I say 5 feet!!) per lot, a reduction of 10 feet from the required 15 foot total side yard setback is ridiculous and not enough between buildings. This creates unsafe surroundings, among other issues. Cristo Homes did know of the zoning restrictions, when they entered into a contract for this property!!

As homeowners in Colerain – we bought into the township with these minimum lot requirements etc. trusting that they would be honored by the township!!

I disagree with their justification that the essential character of our neighborhood would not be substantially altered!! Smaller lots by more than half, more drainage problems for the established residents, more traffic jams, more noise and congestion!!! Would there be any landscaping between the development and the current residents?? There would be no room for that idea!!!

Drainage is already an issue for many of the houses on Gravenhurst Drive. To clear out all that vegetation and build that many units will cause more drainage problems and water in our basements.

The retention pond planned could not possible handle all the drainage issues, considering there are already some problems with heavy rains.

And what about the natural gas pipe line that runs through that property??? Has anyone done a study or research on that??

Another considerations for the township, is the traffic on Houston Road. The intersection at Hamilton and Houston Road where the I-275 expressway comes off has been one of the worse for accidents for several years. To add all those duplex buildings would cause a nightmare in traffic congestion!! From the 4 way stop sign at Houston and Pippin – the traffic already backs up on Houston past where this development would be!!

I really believe in my heart that Cristo Homes is overstepping their boundaries. There is not enough land to proceed with this project. Cristo is aware and even stated that this cannot feasibly be addressed without the variances. Given the shallow linear shape of the property. Without the requested variances, the property could not economically be developed and not feasible. Why can't people just follow the rules??? Everybody is always trying to do what they should not be doing. Just stick to the rules, the zoning board requirements!! I truly believe that even Cristo knows it is not really in the best interest of the neighborhood.

This is a bad idea due to the dangerous intersections at Hamilton Avenue and also at Pippin , the traffic, the noise, the drainage, the pipeline, no yards for the children to play in, plus dangerous traffic along family residents. Please, take into consideration our concerns, as a resident of Colerain Township for 40 + years. I honestly do not know how someone could possible feel this is a good fit for this proposed development due to the small lot sizes and side yard setback variances that Cristo Homes has requested.

Thank you for your time and consideration and all you do for Colerain Township.

John and Cheri Douglas, Homeowners

11347 Gravenhurst Drive

Cincinnati, Ohio 45231