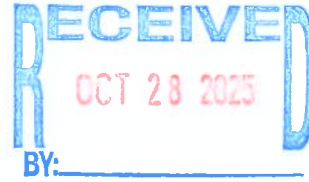


Mark & Pam Leonhardt

7390 Wallingford Dr, Cincinnati, OH 45244

513-673-3437, MarkALeonhardt@gmail.com

October 27, 2025



Board of Zoning Appeals

Anderson Township Planning & Zoning Dept.

7850 Five Mile Rd, Cincinnati, OH 45230

Subject: Request for variance to add a Primary Suite to the rear of our residence with a side yard setback of 12 feet from the property line at 7390 Wallingford Drive, Cincinnati OH 45244.

Dear Members of the Anderson Township Board of Zoning Appeals,

On October 23, 2025, my request for a zoning certificate for a 24' x 29' addition in the rear yard of my residence at 7390 Wallingford Dr, (Book 500, Page 220, Parcel 384) Zoned "A" Residence was refused under Article 3.3, C, 2, b: "there shall be a side yard on each side of a building which yard shall have a width of not less than fifteen (15) feet."

The following five pages show a copy of the request and refusal:



Anderson Township
Anderson Center
7850 Five Mile Road
Anderson Township, Ohio 45230-2356
Phone: 513.688.8400
AndersonTownship.org
AndersonCenterEvents.org

**NOTICE OF REFUSAL
ZONING CERTIFICATE**

OWNER: Mark Leonhardt
7390 Wallingford Road
Cincinnati, OH 45244

APPLICANT: Same

Your application on October 21, 2025 for a zoning certificate for a 24' x 29' addition in the rear yard at the premises designated as 7390 Wallingford Road, (Book 500, Page 220, Parcel 384), Zoned "A" Residence, Anderson Township, is hereby refused on this 23rd day of October, 2025, under Article 3.3, C, 2, b of the Anderson Township Zoning Resolution for the reason(s) that:

Article 3.3, C, 2, b – ...there shall be a side yard on each side of a building which yard shall have a width of not less than fifteen (15) feet

October 23, 2025
Date

Stephen Springsteen
Planner I

Note: Any appeal made from this refusal must be filed with the Anderson Township Board of Zoning Appeals within twenty (20) days after the date of this refusal. For further information, contact Anderson Township Land Use Administrator at (513) 688-8400.

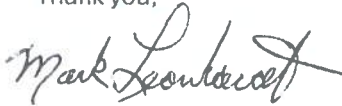
October 21, 2025

Anderson Township
Planning & Zoning Department
Anderson Center
7850 Five Mile Road
Cincinnati, Ohio 45230

Hello,

Please consider this application for a Residential Zoning Certificate to add a Primary Suite to the back of our residence at 7390 Wallingford Drive. Please see attached Cagis maps and reference photos for additional information. The proposed addition will be one story high (14.5'), 24' wide and 29' deep from the existing residence. Setbacks are noted on the attached drawings.

Thank you,

A handwritten signature in black ink that reads "Mark Leonhardt". The signature is stylized with a large, looping "M" and a cursive "L".

Mark Leonhardt
7390 Wallingford Drive
Cincinnati, OH 45244
513-673-3437
MarkALeonhardt@gmail.com

7390 WALLINGFORD DR



Mailing Address

LEONHARDT MARK ALAN & PAMELA SUE
7390 WALLINGFORD DR
CINCINNATI OH 452443632

Owner Address

LEONHARDT MARK ALAN & PAMELA SUE
7390 WALLINGFORD DR
CINCINNATI OH 45244-3632

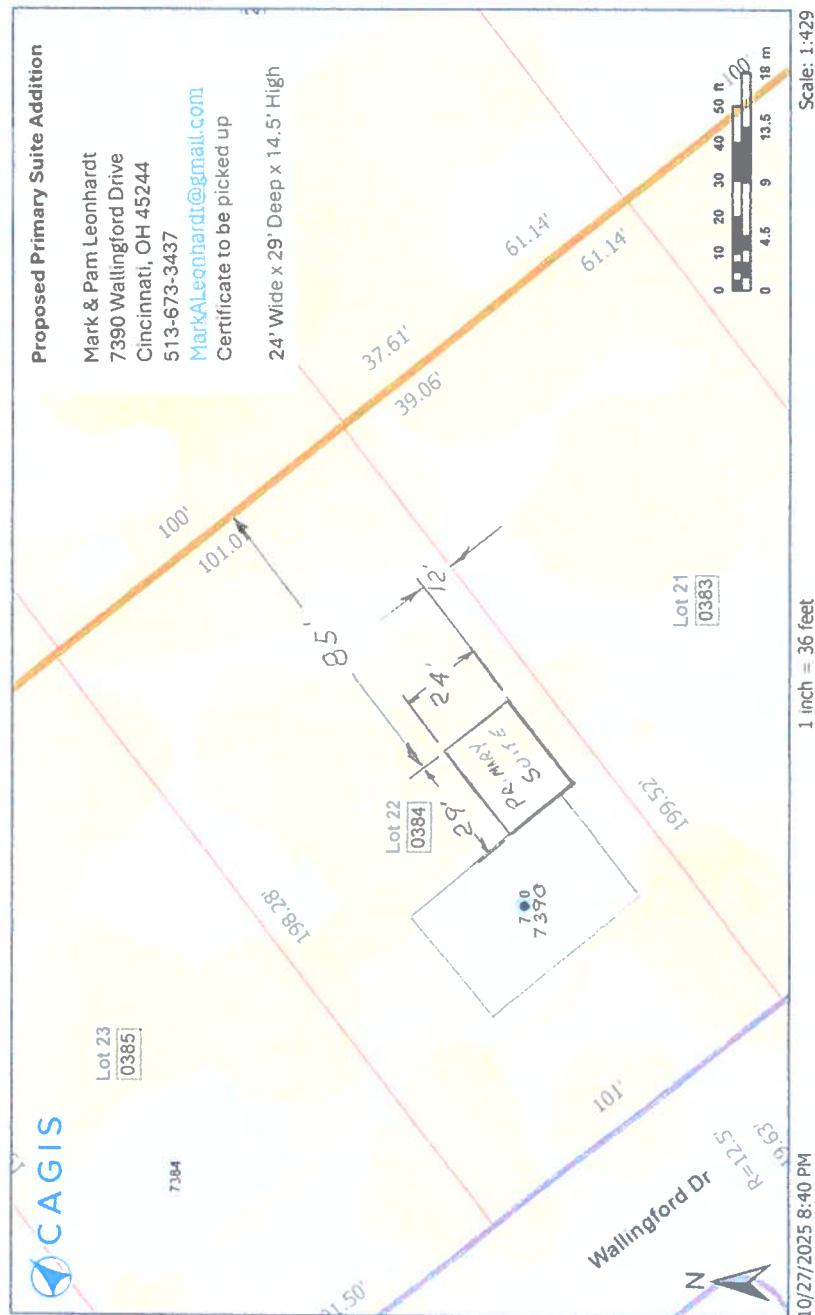
Districts

School Code Name FOREST HILLS LSD
Tax District 42
Appraisal Area Name ANDERSON 15
Jurisdiction Anderson Township



Request for Appeal

I am appealing this Notice of Refusal and request a variance to allow a 12-foot setback in the side yard between our residence and the residence located at 7398 Wallingford Drive. Below is a Cagis map showing the location of our proposed Primary Suite.



Our objective is to add a first floor Primary Bedroom Suite to our residence that we purchased in September of 1982 so that we can remain in our home and “Age in Place”. When we moved to Anderson Township, we certainly did not anticipate that we would still be here 43 years later, but we have spent the best years of our life here and love our neighborhood.

We do not know what the future holds for us relative to our health and mobility but we would like to add a first-floor bedroom that would give us freedom of mobility even if we become wheelchair or walker bound. Likewise, we want to move our current laundry facilities out of our basement and into this new suite to reduce the need to climb stairs multiple times per day.

In 2018, we added an Enclosed Porch to the back of our residence. The Porch can be seen in the photo below.

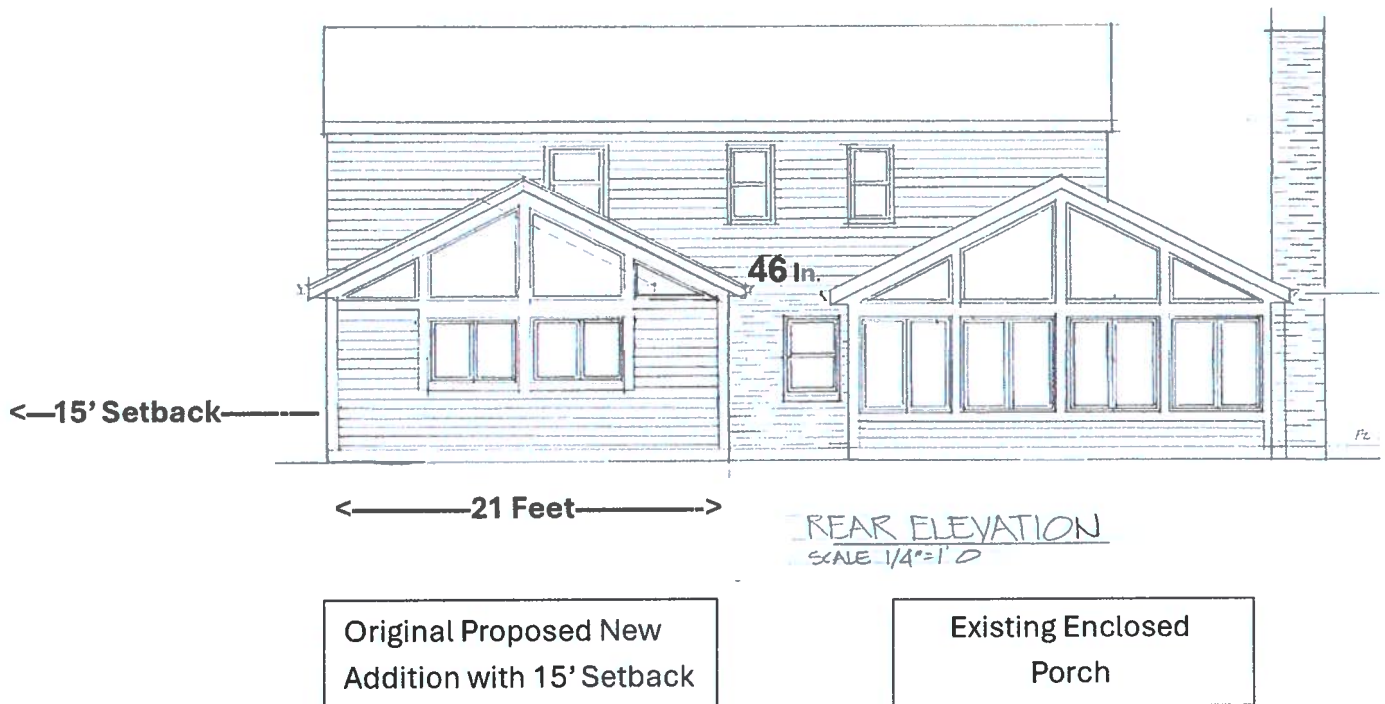


We have a great view of the backyard with frequent wildlife including the squirrels that play in the safety of a large oak tree. There is a steep bank behind our house that creates a natural barrier.

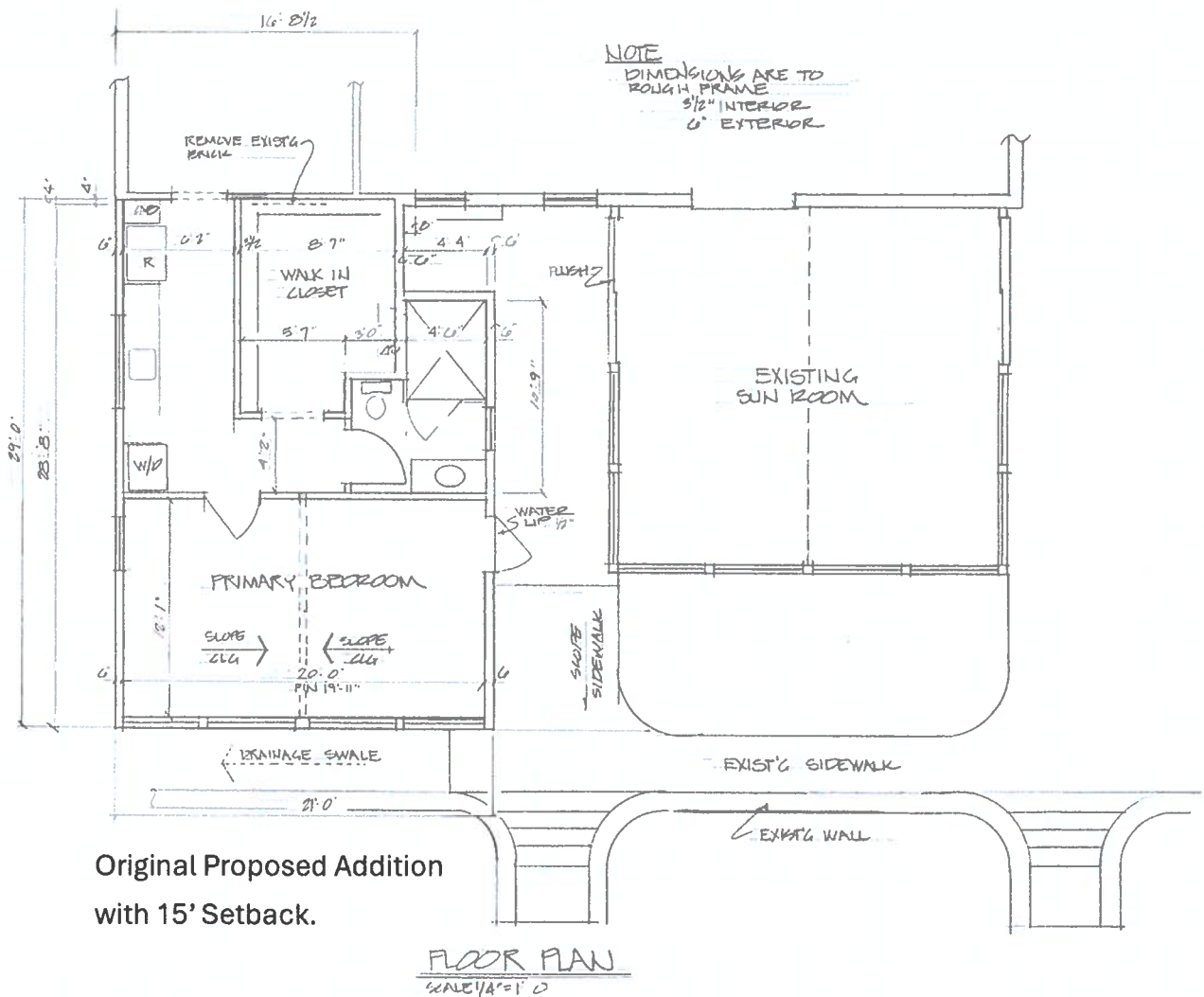


The challenge in building an addition behind our house with enough room to be wheelchair “friendly” is to provide adequate space away from the existing Enclosed Porch, stay within the natural barrier of the embankment, not get too close to the beautiful oak tree and not violate the 15 foot setback from the property line.

We tried to design a floor plan layout that would meet all these objectives including the 15 foot setback. We located the new Primary Suite just 46 inches from the existing Enclosed Porch; from gutter to gutter. With a 15 foot setback, the new addition would be limited to just 21 feet wide. Below is a Rear Elevation of what it would look like:

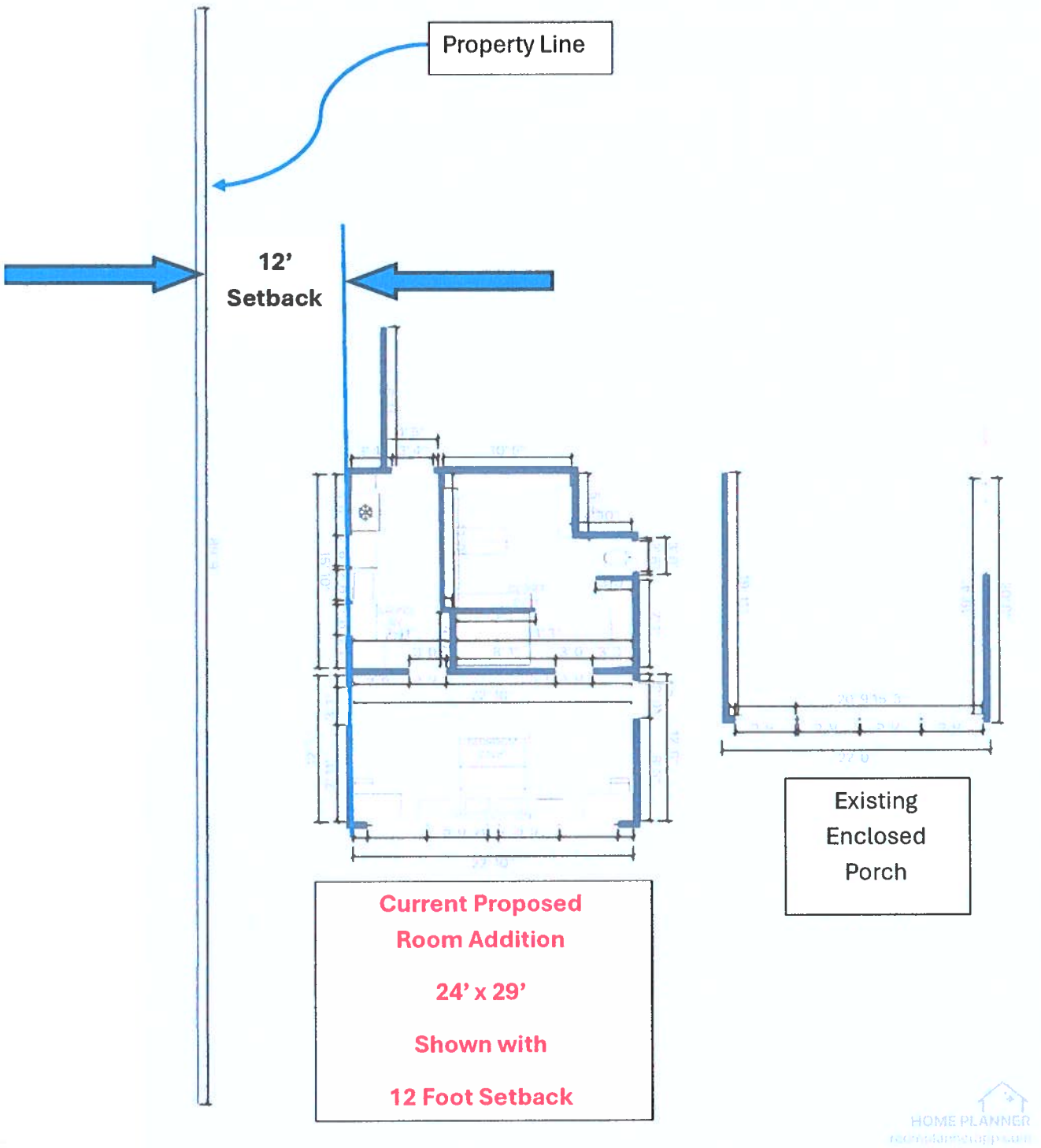


We worked with an architect to find a suitable floor plan within the 21-foot-wide layout but after multiple iterations we struggled to find adequate access for a wheelchair to move freely through the rooms. Below was the proposal but it was very tight. In particular, the entrance to the bathroom and the curbless shower did not meet the recommended clearance guideline for wheelchairs. We had to find a solution that allowed better wheelchair access.



We understand that a private residence is not required to follow ADA regulations, but we still looked to ADA for guidelines. We are using 36" wide doorways for all rooms and plan to build a curbless shower that a wheelchair could enter and exit freely. ADA recommends a 5 foot diameter turning circle. However, at 21 feet wide, we could not achieve the 5 foot goal. If we could expand the building to 24 feet wide, it would allow us the freedom to change the layout and achieve these recommended guidelines.

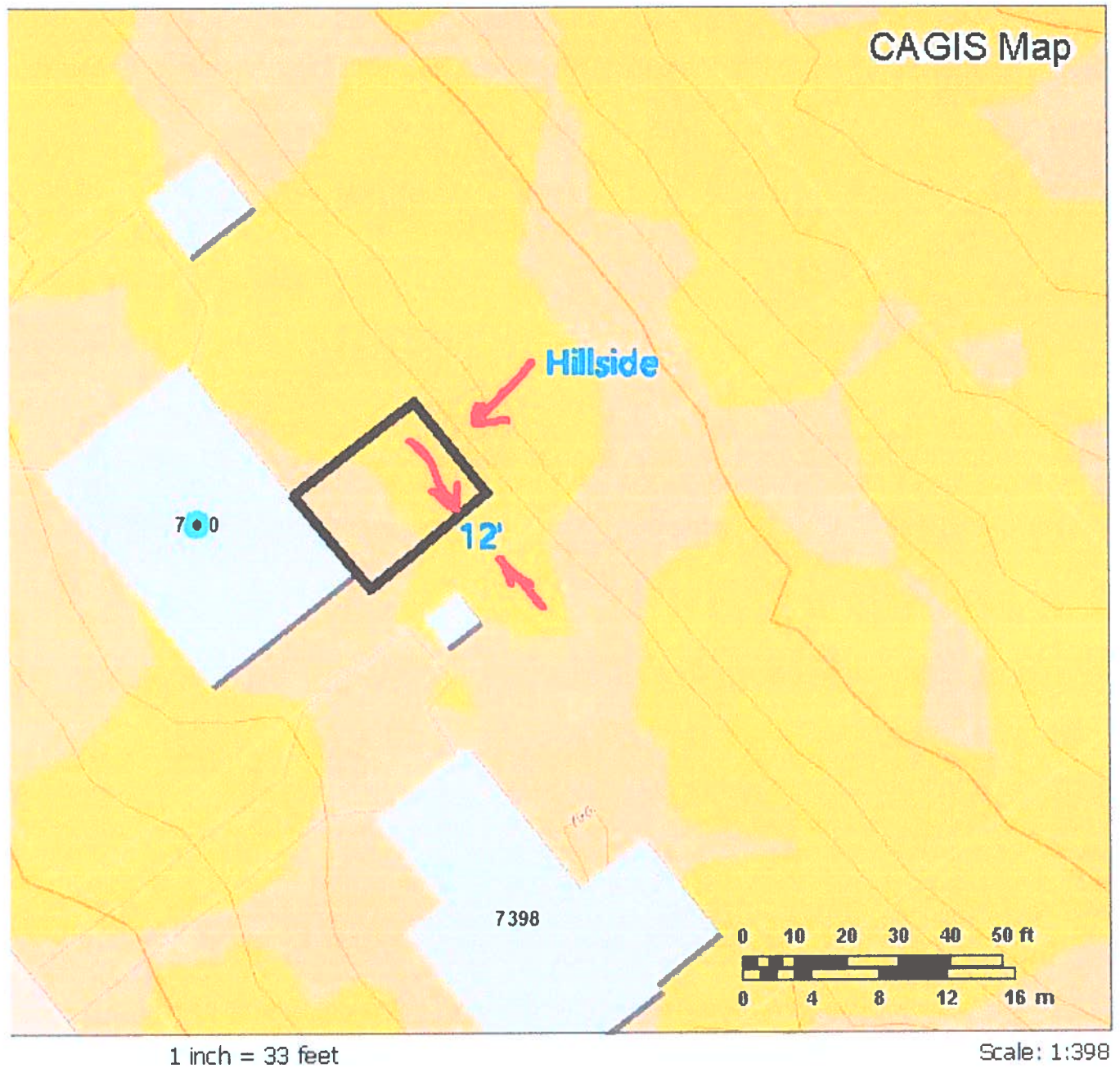
This is our current proposed new layout but it requires a 12-foot setback. The next page shows that it would allow adequate wheelchair access.



This is a floor plan utilizing the 24-foot-wide layout that now has enough room to allow a full 5 foot turning circle in the closet and in the bathroom between the shower and vanity. This is what we would like to build but we need the variance in order to proceed.



Below is a Cagis Topographical map that shows the Contour Lines for the hillside that is directly behind the proposed addition as well as the location of the 12 foot setback. Further expansion to the rear would require a major retaining wall and drainage swale. It would also force us to cut down the oak tree shown in earlier pictures.



We have designed the new Primary Suite to have the same “look and feel” as the Enclosed Porch shown below but with fewer windows. It will have a cathedral ceiling with matching glass panels in the upper tier to match the Porch. The other windows will be argon filled Polaris Ultra Weld with Low E Glass. These will match all the Polaris windows currently in the house as well as the Enclosed Porch.

The roof pitch will be similar to the existing Enclosed Porch and will be covered with CertainTeed Landmark Pro Lifetime Dimensional shingles, Color: Hi Def Resawn Shake, exactly the same as all roofing on the existing residence.



We looked at countless alternatives to try to satisfy all the challenges with adding this new Primary Suite. However, we were just not able to get the needed wheelchair accessibility to make it work at 21 feet wide. The thought of spending over \$300,000 on this addition and then feeling cramped and not being happy with the results made us extremely uncomfortable with moving forward. It was about that time that we were talking with our

next-door neighbors at 7398 Wallingford when they said, "Why don't you ask for a variance! We certainly don't care if you exceed the 15' set back." They encouraged us to appeal to the board and ask for this variance. We are grateful for their support as they think it will improve the neighborhood and be a benefit to everyone around us. We have included a letter of support from them in the attachments.

Also attached is a detailed response to the standards to be considered in requesting a variance listed in Township Board of Appeals Article 2.12, D, b, and a signed "Consent of Owners to Inspect Premises" form.

Thank you for your careful consideration on this matter. We would sincerely appreciate it if you would approve our Request for Variance.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Mark Leonhardt". The signature is written in a cursive style with a large, stylized "M" and "L".

Mark Leonhardt

Article 2.12 D, b, - Township Board of Zoning Appeals - Standards to be considered and weighed in determining whether a property owner seeking an area variance has encountered practical difficulties in the use of his/her property include, but are not limited to the following:

- i. The property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;**

Certainly, adding a First Floor Primary Suite including a First Floor Laundry will add value to the home and will provide a reasonable return of investment in the future when the home is sold. There are very few 5-bedroom homes in our subdivision.

- ii. The variance is substantial;**

The 3 foot variance is not substantial as there will still be plenty of room between the proposed Primary Suite and the residence at 7398 Wallingford. As can be seen by the survey, the setback is from their driveway and not near their residential structure. The new structure will be over 37 feet away from our neighbor's garage.

- iii. The essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;**

The essential character of the neighborhood will not be substantially altered. The requested variance is only 3 feet, and the building will be mostly hidden from street. The alternative would be to build a much longer (deeper) structure that would stretch well into our backyard and require a significant retaining wall and drainage swale to push back the natural embankment that is behind the building. Doing that would definitely impact the neighborhood as we have always treated our multiple adjoining backyards as a quasi "Commons Area" where the children could run and play freely. We do not want to disturb this open area.

- iv. The variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage);**

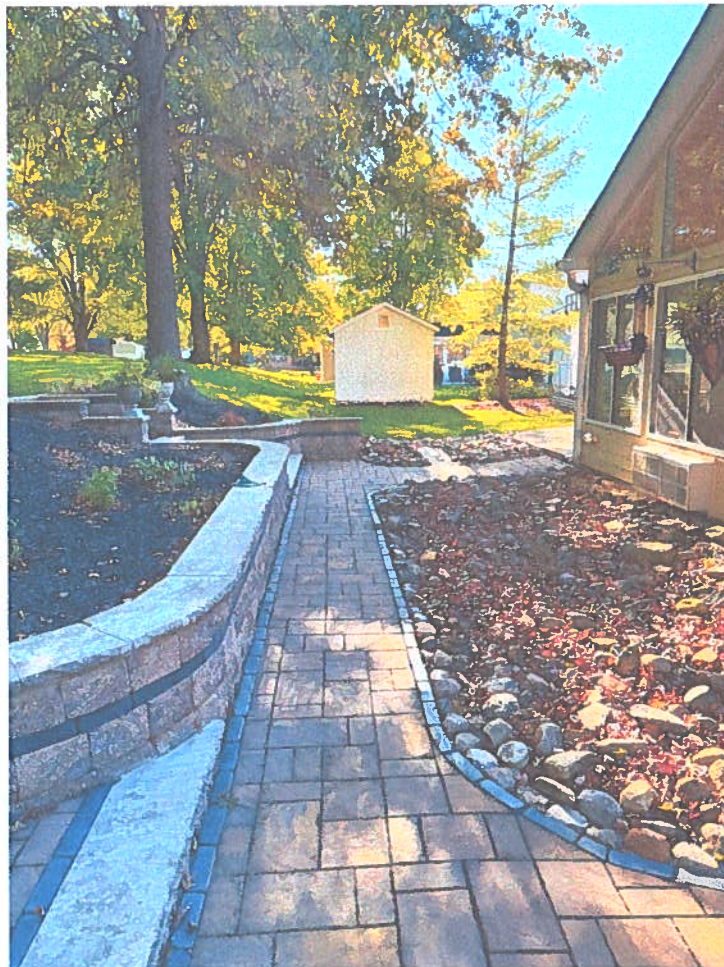
The variance will not impact the delivery of any governmental services.

- v. The property owner purchased the property with knowledge of the zoning restrictions;**

We purchased our home in 1982 which is 5 years before the Anderson Township Planning and Zoning Department was formed.

vi. The property owner's predicament can be feasibly obviated through some method other than a variance;

We have evaluated many possible layouts using the available 21 feet afforded by a 15' setback. All of these layouts would cause a hardship if we had to negotiate the new addition in a wheelchair. The topographical layout shown in the previous Cagis layout on page -14- shows the hillside that restricts us from going back any further. It would also be a major hardship for us if we had to cut down the 40-year-old oak tree we planted shortly after we moved into our home. Removing this majestic oak would certainly be detrimental to the character of the neighborhood. Building an addition that is 24 feet wide would resolve our predicament without disturbing the neighborhood and it would be done with the blessing of our immediate neighbor. There is an existing walkway and decorative stone wall located behind the Enclosed Porch. Our plan is to tie the two buildings together aesthetically by extending that walkway and stone wall in a straight line behind both buildings.



vii. The spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

The spirit and intent behind the zoning requirements would be upheld and substantial justice would be done by granting the variance. By approving our request to reduce the setback from 15 feet to 12 feet, you would be granting us the ability to build a wheelchair accessible addition to our home allowing us the comfort and dignity to “Age in Place” here in our neighborhood among our lifelong friends. This is where we raised our family and, God willing, we would like to stay for the rest of our lives.



October 27, 2025

Board of Zoning Appeals
Anderson Township Planning & Zoning Dept.
7850 Five Mile Road
Cincinnati, Ohio 45230

Dear Board of Appeals,

We are Emily and Kevin Kirk and we live at 7398 Wallingford Drive in Anderson Township Ohio. We live next to Mark & Pam Leonhardt. The Leonhardt's have shared their plans with us about their decision to stay in the neighborhood rather than move or look for a retirement community. We are very excited about their decision and extremely glad they have decided to stay.

They have shared their building plans with us to create a first floor Master Bedroom suite. We understand that space is tight and their preferred building plans require a variance from the Board of Zoning Appeals to allow a 12 foot setback between our properties. We are perfectly agreeable with this request and they have our complete support.

Thank you for letting us express our opinion. We ask that you please approve the Leonhardt's request and grant the variance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Emily Kirk", with a long, sweeping flourish extending to the right.

Emily & Kevin Kirk
7398 Wallingford Drive
Cincinnati, OH 45244



ANDERSON TOWNSHIP BOARD OF ZONING APPEALS

CONSENT OF OWNER(S) TO INSPECT PREMISES

To: Anderson Township Board of Zoning Appeals Members and Staff
Anderson Center
7850 Five Mile Road
Anderson Township, Ohio 45230

Re: Review of Subject Site

Dear Members and Staff:

As owner(s) of the property located at 7390 WALLINGFORD DR 45244, we hereby grant permission to Members of the Board of Zoning Appeals and Staff of Anderson Township to enter the property for visual inspection of the exterior premises and to post a public hearing sign. The purpose of said inspection is to review the existing conditions of the subject site as they relate to the application filed with the Board of Zoning Appeals.

10/27/2025
Date

Mark Leonhardt
Owner

Pamela Leonhardt
Owner

The names of the Anderson Township Board of Zoning Appeals Members are Paul Sian, John Halpin, Jeffrey Nye, Paul Sheckels, Scott Lawrence, Greg Heimkreiter, First Alternate and Jennifer Barlow, Second Alternate.

