

March 12, 2025

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

RE: Appeal Submission
Notice Of Refusal - Zoning Certificate

BZA Members and Staff;

Please accept this letter as a statement for appeal of Zoning Certificate Refusal issued on March 5, 2025. Such refusal was per a Zoning Certificate request regarding construction of security gate toward the entrance of the private drive off of Coldstream Club Drive (drawing and Certificate of Refusal attached).

Facts and reasons for the appeal as follows:

Facts;

- There are 4 upscale residences on the private drive, off of Coldstream Club Drive;
- The private drive is constructed as such, and does not have a typical cul-de-sac allowing traffic turn around to exit the drive;
- The residences are somewhat secluded with a heavily wooded area to the east and partially to the north;
- At the entrance to the private is a sign with street addresses for the 4 homes and a No Trespassing statement.

Reasons for the appeal to allow construction of the private drive entrance gate:

- i. The property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance; **There can be a beneficial use without the variance, but will be more secure and more desirable with the entrance gate.**
- ii. The variance is substantial; **It is substantial as it will reduce/eliminate non-resident traffic, trespassing onto private properties, reduce/eliminate nuisance solicitation during and after hours.**
- 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 altered in a negative way, nor will adjoining properties suffer any substantial detriment. To the contrary, the entrance gate will be constructed in a first class manner creating an architectural pleasing structure in keeping with the neighborhood. The proposed design accomplishes this with a minimum height at either end of 5 feet 6 inches rising across an arc to a maximum height at the center of 6 feet 6 inches. Construction will also include 6 feet tall brick columns on either end with limestone caps, accentuated by either ground mounted up lighting, or chandeliers mounted to each column.**
- iv. The variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage); **There will be no adverse affects on the delivery of**

any governmental services, as we will coordinate with the appropriate authorities to provide required access. We have already reached out to Anderson Township Fire Department and will provide emergency gate opening procedures.

- v. The property owner purchased the property with knowledge of the zoning restrictions; **At the time of purchase and construction of the properties, we were not aware of the specific zoning language regarding construction of entrance gates, as it was not an issue at that time. As the residences have been completed for approximately 5 years, it has become apparent over time that the gate will be very beneficial to all concerned, which has led us to the zoning process and knowledge of the specific zoning code.**
- vi. The property owner's predicament can be feasibly obviated through some method other than a variance; **Other than construction of an entrance gate to the private drive, we do not see other feasible alternatives to the issues as stated above. We do have an address sign with no trespassing in capital letters on it, but does not prevent the relevant issues, primarily security.**
- 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 requirement will be clearly observed as this is a significant improvement to the private drive residents, with no harm or detriment to the surrounding neighborhood.**

Thank you for consideration of the appeal request.

Respectfully submitted:
David A. Kitzmiller
229 Coldstream Club Drive
Cincinnati, OH 45255
513-479-6880, dkitzmiller@core-1.com

MAIN

NO. LPFM22 (10)

9
1.253 A.C.
54,593 S.F.

106 LF 18" RCP
CLASS IV @ 5.46%
WITH O-RINGS,
WATER TIGHT JOINTS
AND CONTROLLED
DENSITY BACKFILL
(Private)

70 LF
1-1/2" SAN
CURB STOP PER
MSD Acc. No 49069

11+40
CB 3A
(510)

11+
CB
(50)

28 LF 12" RCP
CLASS IV (Public)

9
AIR RELIEF
CHAMBER
MSD ACC NO. LPFM30
STA=0+23

6" ST
LATER.

PROPERTY LINE

390 LF 2" FORCE MAIN
TWO 45° BENDS
TWO 45° BENDS

"NO PARKING"
SIGN

PRIVATE GATE
(SEE ENLARGEMENT)

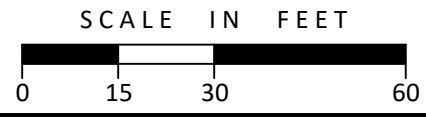
E
-SEEP
ARS

COLDSTREAM CLUB DRIVE

F.H.

8
2.042 A.C.
88,977 S.F.

70 LF
1-1/2" SAN
CURB STOP PER
MSD



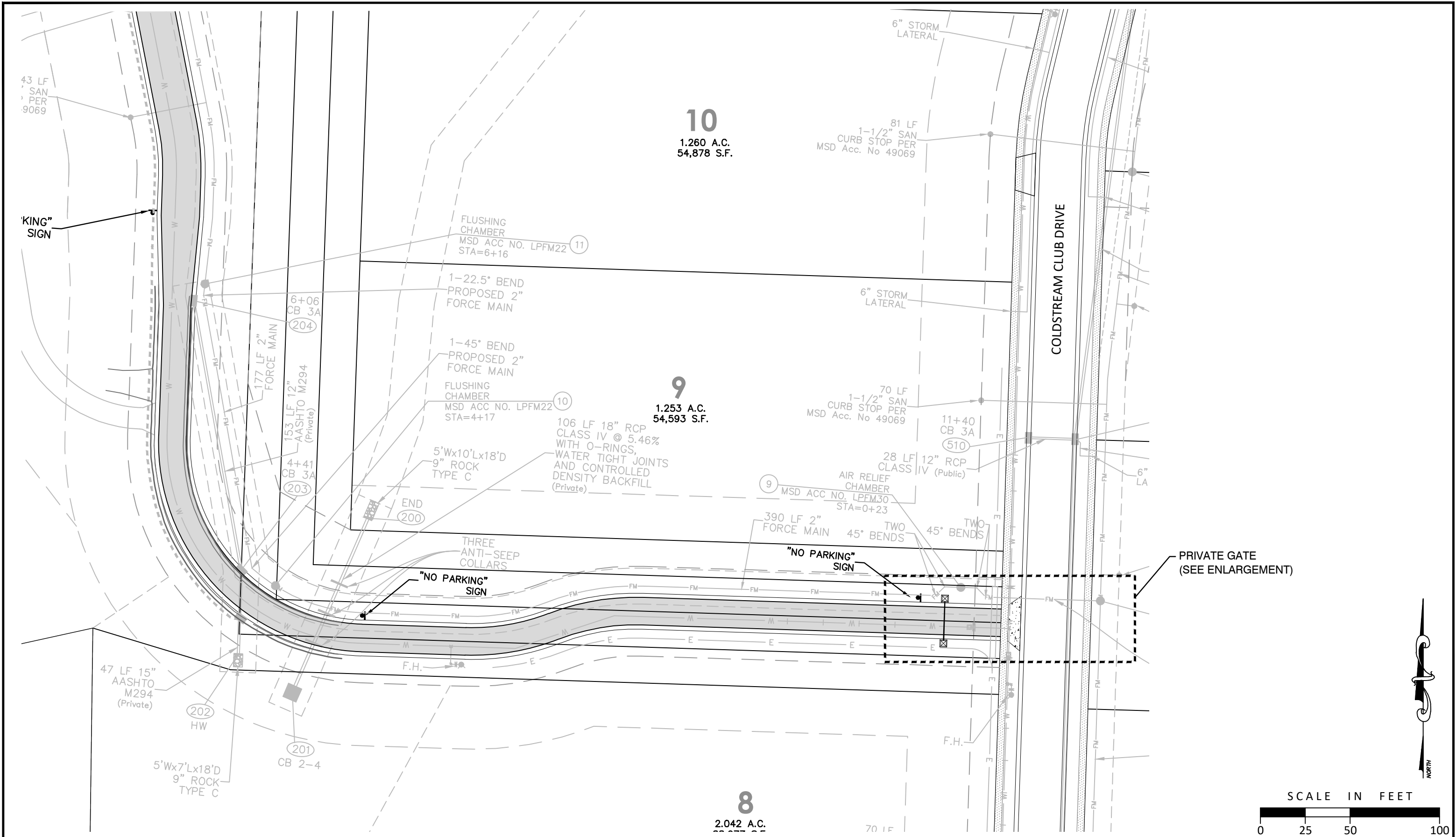
PARKE PLACE
AT COLDSTREAM
ANDERSON TOWNSHIP, HAMILTON COUNTY, OHIO

DESCRIPTION:
VICINITY MAP
PRIVATE GATE

JOB NO.
04446.02
SCALE
1" = 30'

SHEET NO.
1/2



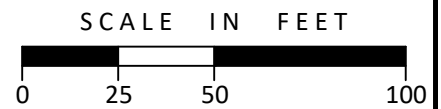


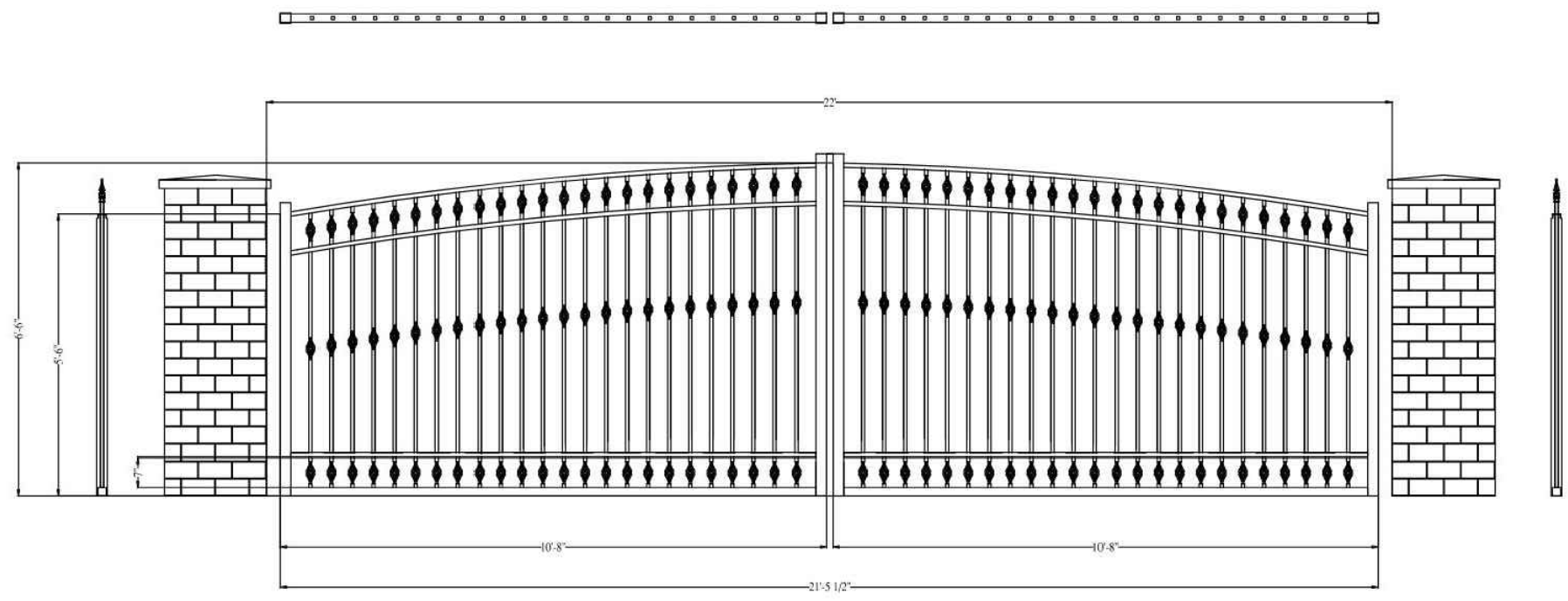
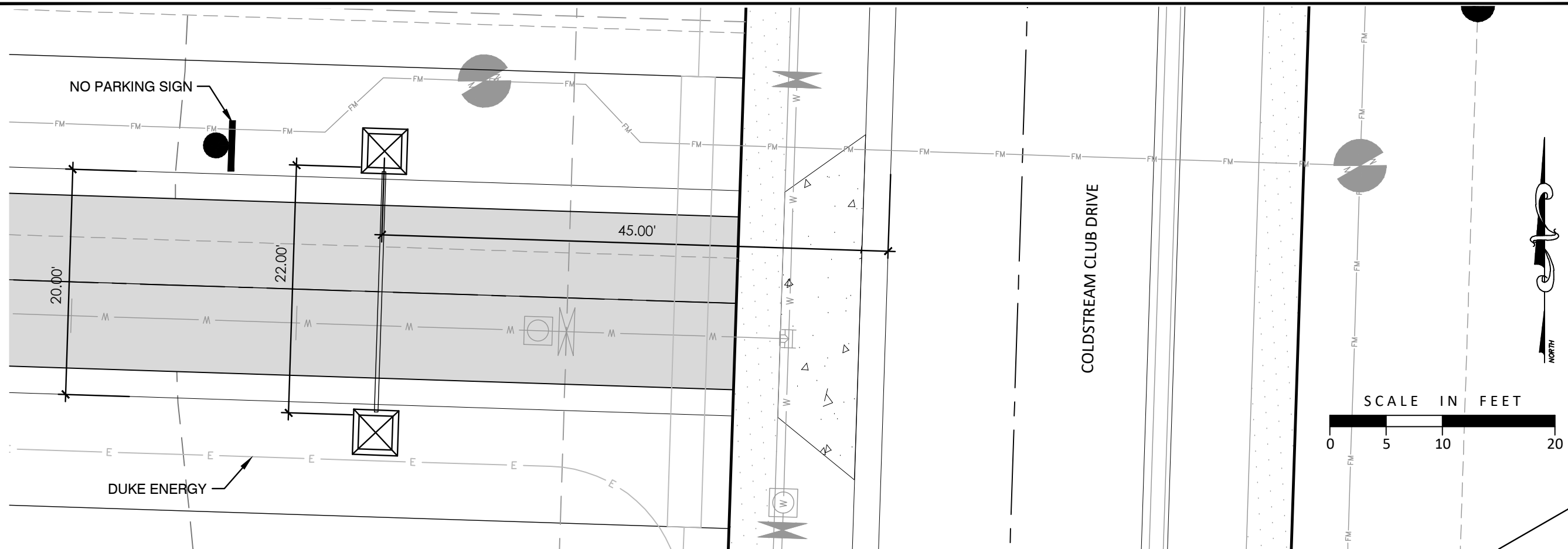
PARKE PLACE
AT COLDSTREAM
ANDERSON TOWNSHIP, HAMILTON COUNTY, OHIO

DESCRIPTION:
VICINITY MAP
PRIVATE GATE

JOB NO.
04446.02
SCALE
1" = 50'

SHEET NO.
1/2





EADS FENCE CO. - ENTRANCE GATE

David A. Kitzmiller | Chief Operating Officer
CORE RESOURCES, INC.
 7795 Five Mile Road | Cincinnati, Ohio 45230
 P: 513.699.8855 | C: 513.479.6880

PARKE PLACE
 AT COLDSTREAM
 ANDERSON TOWNSHIP, HAMILTON COUNTY, OHIO

DESCRIPTION:
 PRIVATE GATE

JOB NO.
 04446.02
 SCALE
 1" = 10'

SHEET NO.
 1/1

