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December 18, 2025

Anderson Township Department of  
Planning and Zoning  
7850 Five Mile Road  
Anderson Township, Ohio 45230



**Re: Variance application for 237 Four Mile road**

Dear Planning and Zoning Staff:

I represent David Katsikas, who is the owner of the property at 237 Four Mile Road. Mr. Katsikas seeks a variance to permit the construction of a single-family home with a front-yard setback of 35.6 feet where 50 feet is required. I previously applied on Mr. Katsikas's behalf for a building permit for the property, and a copy of the notice of refusal is attached. I have also attached the site survey and the consent to inspect the premises.

Mr. Katsikas purchased the property in August 2024 from the probate estate of the prior owner. At the time the property had a preexisting nonconforming single-family home built in approximately 1959 that was in a state of significant disrepair. Mr. Katsikas intended to renovate the home and maintain it as a preexisting nonconforming use. Unfortunately, the home completely collapsed during a large snowfall in the winter of 2024-2025.

Even though the home collapsed, the foundation from the prior home still exists and can be used for the construction of a new home. The problem is that because the prior home was completely removed, Mr. Katsikas must construct a new home rather than renovate the prior home—which means complying with the current zoning regulations. Those zoning regulations did not exist when the prior home was built, and the location of the existing foundation is noncompliant with the current setback requirements. Hence, the need for a variance.

The property is zoned "H," or Riverfront District. Under Art. 3.20 C, 2, (a) of the Zoning Resolution, the Riverfront District requires a front-yard setback of 50 feet from the right of way.

The attached survey reflects that the shortest distance between the foundation and the right of way of Four Mile Road is 35.6 feet. The variance requested for the front yard setback is therefore a deviation of 14.4 feet from the required minimum of 50 feet.

The Board should consider the factors set out in Art. 2.12, D, b, of the Zoning Resolution, and should grant this area variance for the following reasons.

- 1. The variance would not result in the essential character of the neighborhood being altered or in a substantial detriment to adjoining properties.**

The subject neighborhood is sparsely populated and heavily wooded.

There is only one other home in the area, which is a single-family residence on the parcel that borders the property to the northwest. That residence is about 150 feet from the nearest portion of the building site, and it is shielded by thick vegetation. Mr. Katsikas is proposing to construct a new home on the same site on which a home stood for approximately 65 years before collapsing last winter. Because of the distance between the building site and the neighboring home, the neighbor is unlikely to see the new home (and no variance is sought on that side of the home, where the side yard setback is a compliant 18.6 feet). Even if the neighbor could see the new home, that neighbor would merely see a home in a location where there had already been a home for more than half a century. The new home will not be derelict and in disrepair, and so is more likely to be beneficial than detrimental to the adjoining home.

The property is bordered on all other sides by vacant lots. The lots on a portion of its western boundary, on its southern boundary, and on a portion of its eastern boundary, are owned by Anderson Township. Two of those parcels include a segment of the Ohio River Trail. On the northeast (i.e., across Four Mile Road), the property is bordered by two vacant hillside parcels under common ownership totaling about 7.5 acres. Portions of those lots were recently cleared, but they are still largely wooded. (We understand that the owner of those parcels intends to use them as pasture.)

**2. The variance would not affect the delivery of governmental services.**

The new home will be in the same location as the prior home and will have no new effect on any services.

**3. The variance is not substantial.**

The variance is merely an area variance, not a use variance. Because the home site is significantly uphill (about 16 feet) from the roadway, a person traveling on Four Mile Road will not be able to see the base of the home and will be unlikely to be able to determine that the home does not meet the front yard setback requirement. The site is not visible from any other roads and is not visible from the Ohio River Trail.

**4. The property owner's predicament cannot be feasibly obviated without the variance.**

Because Four Mile Road intersects the property, and because of the parcel's topography, the buildable area of the lot is quite small. Even though the home is only a modest 24 feet wide, it is not possible to build it on the lot in a compliant manner; because the distance from the rear property line to the right of way is only about 90 feet, either a front-yard setback or a rear-yard setback is necessary. On top of that, the fact that the former home collapsed but left an intact foundation means that the property owner's practical options are to build a new home on the site of the former home's foundation—which necessitates this variance—or to remove the former home's foundation and construct a new foundation and home approximately fourteen feet farther from the road. Because of the existing foundation the front-yard setback variance is the only *feasible* or *practical* solution to the problem.

**5. The spirit and intent of the zoning requirement would be observed and substantial justice done by granting the variance.**

The spirit and intent of the setback requirements are to ensure that nearby property owners are not adversely affected by developments. Because five of the six adjoining parcels are vacant (and three of them are owned by the township) there is effectively only one adjoining property owner anyway, and no variance is needed on that side of the property. Mr. Katsikas purchased the property with an existing home on site that he planned to renovate and restore. That became impossible when the home collapsed, but granting the variance would permit the re-construction of a new, safe, more attractive home in its place, and so substantial justice would be done by granting the variances.


**6. Other factors weigh in favor of granting the variance.**

Finally, Art. 2.12, D, b permits the Board to consider of any other factors that it finds relevant when deciding whether to grant a variance. On this point I would note that while the setback requirements did exist when Mr. Katsikas purchased the property, what he purchased was a property with a preexisting non-conforming (i.e., a grandfathered) structure that he intended to utilize. If not for the fact that it collapsed in a freak weather-related accident, there would be no need for a variance at all.

Thank you for your consideration of this application. We look forward to discussing the matter with the Board.

Sincerely,

SSP LAW CO., L.P.A.

  
Jeffrey M. Nye

JMN/srb

DAVID RYAN TRUMP  
500-0403-0066  
O.R. 14720, PG. 01313  
  
PART OF LOT 13  
RIVER VIEW HEIGHTS SUB  
BLOCK A  
PB 4, PG. 57 R.L.

ANDERSON TOWNSHIP TR.  
500-0403-0065  
O.R. 10985, PG. 1832  
  
PART OF LOT 12  
RIVER VIEW HEIGHTS SUB  
BLOCK A  
PB 4, PG. 57 R.L.

ANDERSON TOWNSHIP TR.  
500-0403-0081  
O.R. 10985, PG. 1832

ANDERSON TOWNSHIP TR.  
500-0403-0089  
O.R. 10985, PG. 1832

B. TOMPKINS M.S. No. 395  
J. HALPERRY M.S. No. 535

SET 5/8" IRON  
PIN & CAP # 7633

SET 5/8" IRON  
PIN & CAP # 7633

SET 5/8" IRON  
PIN & CAP # 7633

EX. 5/8" IRON  
PIN  
W/CAP  
# 7168

COUNTY MON. # 8174  
BRASS DISC  
IN CONC.

COUNTY MON. # 8173  
BRASS DISC  
IN CONC.

LEGEND  
MONUMENTS  
(UNLESS NOTED OTHERWISE)  
○ EX. 5/8" IRON PIN  
⌵ EX. SPIKE  
+ EX. NOTCH  
☆ EX. NAIL  
△ EX. STONE  
□ EX. CONC. MON.  
-X- EX. FENCE LINE  
● 5/8" IRON PIN SET  
⊙ 1" IRON PIN SET  
⌵ SPIKE SET  
+ NOTCH SET  
☆ NAIL SET  
■ CONC. MON. SET

NORTH BASED ON RIVER VIEW  
HEIGHTS SUBDIVISION, BLOCK A  
RECORDED IN PB 4, PG. 57 R.L.  
HAMILTON COUNTY, OHIO  
RECORDER'S OFFICE

Correct End - N: 5000.00000 E: 10000.00000  
Calc. End - N: 5000.00111 E: 10000.00087  
Error - N: 0.0011 E: 0.0009 Total: 0.0014 Brg: S 38-05-13 W  
Distance Traversed: 591.2200 Closure: 417349

Bearing	Distance	North	East
S 47-01-00 W	130.00	5000.00000	10000.00000
N 39-20-19 W	57.78	4911.36787	9904.89823
N 15-24-00 E	220.00	4956.05569	9868.27136
S 23-33-17 E	183.44	5168.15668	9926.69371
		5000.00111	10000.00087

Approx: 0.3773 Acres

#### SURVEY NOTES:

PROPERTY SHOWN HEREON ACQUIRED BY DAVID S. KATSIKAS BY DEED  
RECORDED IN OFFICIAL RECORD 15238, PAGE 819, HAMILTON COUNTY, OHIO  
RECORDER'S OFFICE, AND IDENTIFIED AS PARCEL 500-0403-0088 ON TAX  
MAPS OF SAID COUNTY.

SURVEY BASED ON FIELD EVIDENCE AND DEEDS & PLATS OF RECORD NOTED  
HEREON AND THE FOLLOWING REFERENCES:  
-SURVEY BY LANSDALE SURVEYING, INC., DATED JUNE 2001 FOR PARCEL  
500-0403-0089 AND 0091.  
-SURVEY BY DWIGHT R. WILES & ASSOC. DATED MARCH 1989.  
-SURVEY BY HERBERT N. BYARD DATED NOVEMBER 1958.  
-RIVER VIEW HEIGHTS SUBDIVISION, BLK. A, AUGUST 1955. P.B. 4, PG. 57, R.L.

THE SURVEY SHOWN HEREON WAS PREPARED WITHOUT THE BENEFITS OF A  
TITLE REPORT. DOUGLAS A. SMITH, P.E., P.S. MAKES NO WARRANTIES AS TO  
ANY UNDERLYING EASEMENTS, RESTRICTIONS, COVENANTS AND/OR  
ENCUMBRANCES.



*Douglas A. Smith*  
9/20/2025  
DOUGLAS A. SMITH, P.S. No. 7633

SCALE IN FEET  
0 10 20 40 60

KELLOGG ROAD  
(RIGHT-OF-WAY VARIES)

PLAT OF SURVEY  
SITUATE IN  
B. TOMPKINS MILITARY SURVEY NO.395  
ANDERSON TWP., HAMILTON COUNTY, OHIO  
  
Date SEPTEMBER 2025  
Scale 1"=20'  
DOUGLAS A. SMITH P.E., P.S.  
4148 JAMES DRIVE - CINCINNATI, OHIO 45245  
(513) 752 - 8151  
  
File No. 202502 Sheet No. 1/1