

Christopher (Kit) S. Houston
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September 3, 2024

Paul Drury, Director
Anderson Township Planning and Zoning Department
Anderson Center
7859 Five Mile Road
Cincinnati, Ohio 45230

Re: Application for Planned Unit Development (“PUD”)/Waterfront Estates at
Coldstream

Dear Mr. Drury:

On behalf of all of the owners, whose consent is attached, of the Waterfront Estates at Coldstream (the “Owners”), please take this as their Planned Unit Development Application (“PUD”) for Waterfront Estates at Coldstream Subdivision (the “Estates”). The Application is for the owner’s request to convert the Estates to a PUD converting the public road serving the Estates to a private road and gated community all in accordance with the attached proposed PUD plan.

PUD Request. As previously noted, the Owners are requesting the PUD designation for the Estates to a private gated community. The owners are submitting its PUD application in response to heightened security concerns following a high number of non-owner visitors driving through the Estates to view the homes of the local high-profile families. The non-owner visitors have been spotted outside the family homes several times and posts have been shared on social media alerting the public to the location of the various owners. In addition, some of the residents have been subject to online attacks and “stalkers,” which has further increased their security concerns. The public street, Waterfront Way, has been developed to public right-of-way standards. A homeowner’s association has already been established, along with a declaration of covenants, easements, and restrictions (“Declaration”) for the Estates setting forth, among other things, various use restrictions and design requirements and guidelines. The Declaration, if necessary, will be amended to provide for restrictions, relating to the designated no clearing and conservation areas, and for the HOA to maintain all common areas, including the street and the entrance gate/monumentation. Such amendment would also specify the responsibility of the respective Owners to maintain the conservation areas located on their respective lots.

Background.

1. On or around January 24, 2022, the prior owner of the Estates (Cold Stream Estates Development, LLC) provided its application to Anderson Township for the Planning and Zoning Commission (“Zoning Commission”) (Case #1-2022 PUD) to consider approving the Estates for

a PUD for a gated community. The applicant tabled the hearing given both the Commission and staff comments.

2. On February 28, 2022, the Zoning Commission heard the prior applicant's request for a PUD which was approved subject to the staff's recommendations and conditions consistent with its staff report.

3. On June 27, 2022, the Zoning Commission heard the prior applicant's request for a major modification to the PUD in order to relocate the "tree clearing line" to provide a river view for the Estate lots. The Zoning Commission approved the request subject to the staff's recommendations and conditions.

4. On July 25, 2022, the Zoning Commission heard the applicant's request for removal of the Estates from the Anderson Township PUD regulations. The Zoning Commission approved the removal of the Estates from the PUD regulations.

Current Status. Currently the property is under Anderson Township's A-A Zoning. The subdivision is compliant with all A-A zoning requirements.

The Owners are submitting this PUD application in response to heightened security concerns following a high number of non-owner visitors driving through the development to see the homes of a local high-profile family who have acquired four of the seven lots. Drive by viewings and posts sharing the location of the family homes have caused significant stress on the Owners who now fear for their safety. Online attacks and other security-related events have also heightened safety concerns of some of the residents. When the PUD was withdrawn on June 25, 2022, the number of non-Owner visitors could not have been anticipated. The high number of visitors seeking to catch a glimpse of the family homes effects all Owners of the Estates who feel that creating a gated community will allow them the privacy and safety they deserve in their homes.

All seven lots have been sold to third parties, with Waterfront Way currently being in the name of the Developer (or its affiliates). The Owners (and the Developer) are in favor of the conversion of the Estates to become a private gated community in order reduce the high amount of non-owner traffic and provide updated privacy and security.

Following the withdrawal of the PUD on July 25, 2022, several trees within the previously approved "no-cut line" have been removed or topped. Due to this removal, the newly proposed "no-cut line" will differ from the originally approved PUD. The "no-cut line" will include 100' to 150' buffer from the private drive to the south.

Thank you for your time and attention.


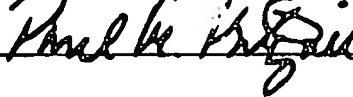
Very truly yours,

TAFT STETTINIUS & HOLLISTER LLP

IN RE: PUD APPLICATION FOR THE WATERFRONT ESTATES AT COLDSTREAM

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We further acknowledge the gate and private road will be maintained by the homeowner's association and therefore all costs of road maintenance and the gate installation will be the sole responsibility of the owners through homeowners association assessments and dues. The undersigned further acknowledge that the firm of Taft Stettinius & Hollister LLP ("Taft") is authorized to file and seek the application as their agent, it being understood, however, that Taft is being engaged by, and solely representing, the Ruby family members. Accordingly, owners are free to engage their own counsel in this matter if they choose to do so.

OWNER'S NAMES	PROPERTY	SIGNATURE
Laura H. Kitzmiller	190 Waterfront Way Cincinnati, OH 45255 (Lot 1)	 Date: 9/3/24 
Debra D. Weigel, Trustee of the Qualified Personal Trust Residence Trust Agreement U/A/D January 17, 2024	180 Waterfront Way Cincinnati, OH 45255 (Lot 2)	Date:
Brian Anderson and Melissa Anderson	170 Waterfront Way Cincinnati, OH 45255 (Lot 3)	Date:
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Brandon Ruby	150 Waterfront Way Cincinnati, OH 45255 (Lot 5)	Date:
Thomas R. Eger, Trustee U/A known as the 140 Waterfront Way Trust	140 Waterfront Way Cincinnati, OH 45255 (Lot 6)	Date:
Justin Evans, Trustee of 130 Waterfront Way Trust	130 Waterfront Way Cincinnati, OH 45255 (Lot 7)	Date:
Coldstream Estates Development, LLC (Developer)	Waterfront Way Cincinnati, OH 45255	Date:

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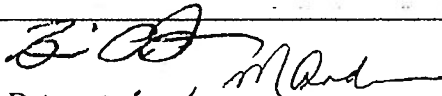
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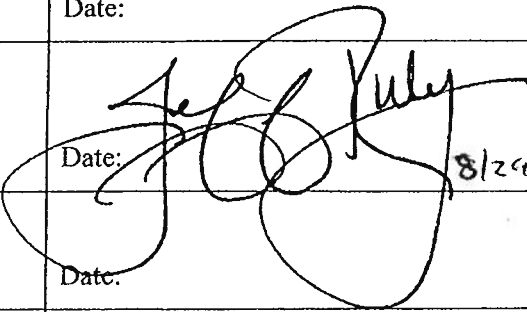
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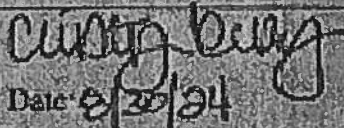
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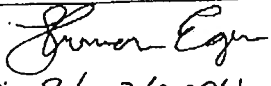
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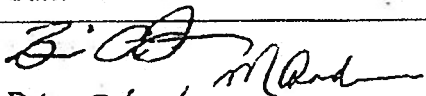
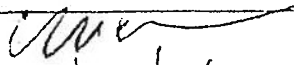
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