



Daniel P. Utt
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February 28, 2025

VIA E-MAIL AND OVERNIGHT MAIL
PDRURY@ANDERSONTOWNSHIPOH.GOV

Anderson Township Zoning Commission
7850 Five Mile Road
Anderson Township, Ohio 45230

Re: Documents in Support of Major Modification – Case 1-2016 PUD

To Whom it May Concern:

This firm represents BEE Properties, Inc (the “**Owner**”). Enclosed with this letter are documents to support Owner’s request to permit a Major Modification to permit a Major Modification to Case 1-2016 PUD (the “**Application**”) issued by the Anderson Township Zoning Commission (the “**Commission**”). The purpose of the Application is to obtain the necessary approvals for two outdoor open-air storage structures utilized in Owner’s business to store equipment used in the business on-site.

At the public hearing of the Commission on December 16, 2024, the Commission previously considered and voted on the requested Major Modification in which three of the five Commission Members were present at the public hearing. Two members of the Commission voted in favor of approving the request, while one member voted against approval. As there were only three Commission Members present, the Application was denied. An appeal of this denial of the Application was considered at a meeting with the Anderson Township Trustees (the “**Trustees**”) on February 21, 2025. Upon consideration, the Trustees determined this matter should be remanded for reconsideration by the full Commission.

The property is located at 4270 Round Bottom Road, Cincinnati, Ohio 45244 (the “**Property**”) and is zoned “ID-PUD” Industrial Planned Unit. The requested Major Modification to a PUD would permit Owner’s use of two portable storage structures, each designed and certified by a professional engineer (the “**Portable Structures**”), to place over vehicles and equipment utilized in the Owner’s Roundbottom Rental business at the Property. The Portable Structures do not have any foundation or footers, and have no lighting or utilities, and are situated and anchored to the existing parking and storage lot at the Property.

In support of Owner’s Application, enclosed in this letter is a copy of the documents previously submitted by Owner to the Commission, as **Exhibit A**, as well as a corrected impervious surface ratio calculation as **Exhibit B**. This proposed Major Modification will not

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Attorneys at Law

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increase the impervious surfaces at the Property. If the requested Major Modification of the PUD Application is approved, Owner will formerly submit a Building Permit Application to the Hamilton County Building Department following discussions with Hamilton County that Building Permits will be required for the Portable Structures.

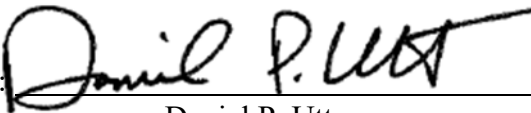
Property Owner understands and agrees that relocation of the structures would constitute a minor modification of the PUD, and is subject to the requirements of Section 4.1.I.1 of the Resolution. Owner further understands that additional Portable Structures will constitute a major modification of the PUD, and is subject to the requirements of Section 4.1.I.2 of the Resolution.

The Portable Structures are important to the Owner's operations of its business and are consistent with the uses approved by the Property's PUD. The Portable Structures provide secure, orderly use of Owner's parking and storage areas for Roundbottom Rental. As such, we respectfully request the Commission approve this request.

Thank you for your consideration of this matter.

Sincerely,

KEATING MUETHING & KLEKAMP PLL

By: 

Daniel P. Utt
Partner

DPU:dmo

c: Mr. Douglas L. Evans
Mr. Benjamin Yoder, Esq.
Mr. Kristopher T. Milner, Esq.

EXHIBIT A

APPLICATION FOR MAJOR MODIFICATION TO A PUD

SUBMITTAL PACKAGE

APPLICATION FOR MAJOR MODIFICATION TO A PUD

Property Address: 4270 Round Bottom Road, Cincinnati, Ohio 45244 (the “**Property**”)
Parcel ID: 500-0170-0036-00
Property Zoning: Industrial Development (PUD)
Owner Name: B.E.E. Properties, Inc. (the “**Owner**”)
Owner Address: 3700 Roundbottom Road
Cincinnati, Ohio 45244
Owner Phone: (513) 831-4102
Owner Email: devans@evanslandscaping.com
Delivery Method: Email

In response to the Zoning Violation Notice dated August 7, 2024, the Owner is submitting this Application for a Major Modification to a PUD to allow for the use of two portable storage structures to place over vehicles and equipment utilized in the Owner’s Roundbottom Rental business at the Property, as depicted on the attached Exhibit A pursuant to Section 4.1.I.2 of the Anderson Township Zoning Resolution (the “**Resolution**”).

The Property is zoned for Industrial Development and subject to the Planned Unit Development as described in Resolution 2016-0222-01, Case 1-2016 PUD dated February 22, 2016 (the “**PUD**”). The PUD allows the Property to be used as a commercial, equipment-rental business, as well as for parking, lighting, landscaping and fencing.

This request addresses two mobile structures, each designed and certified by Mark Walker, PE (the “**Portable Structures**”). The first, larger Portable Structure at the Property is 138.90’ long x 47.89’ wide x 17.55’ high and built in accordance with the Temporary Structure Plan & Details dated June 1, 2024. The second, smaller Portable Structure is 69.78’ long x 41.04’ wide x 10.5’ high and built in accordance with the Temporary Plans & Details dated November 22, 2024. The Portable Structures do not have any foundation or footers, and have no lighting or utilities, and are situated and anchored to the existing parking and storage lot at the Property that is utilized in Owner’s business. A copy of these plans have been attached hereto as Exhibit B.

The Portable Structures are mobile, and may be relocated around the Property as required, in support of the Owner’s business operations at the Property. Currently, the structures are located at or about the location shown on the site plan map attached as Exhibit C. Owner understands and agrees that relocation of the structures would constitute a minor modification of the PUD, and is subject to the requirements of Section 4.1.I.1 of the Resolution.

Any future Portable Structures for use in Owner’s business at the Property would be designed and placed at the Property in the same manner as the Portable Structure reflected on the plans attached as Exhibit B. Owner understands that additional Portable Structures will constitute a major modification of the PUD, and is subject to the requirements of Section 4.1.I.2 of the Resolution

The purpose of the Portable Structures is to support business operations at the Property. The structures provide secure, covered areas for the storage of equipment used by Owner in the business conducted at the Property, which provides more security than open-air storage and

parking. Further, the Portable Structures also protect Owner's equipment and inventory from the sun and inclement weather, and prevents stormwater from coming into contact with construction equipment, facilitating a cleaner parking and storage area.

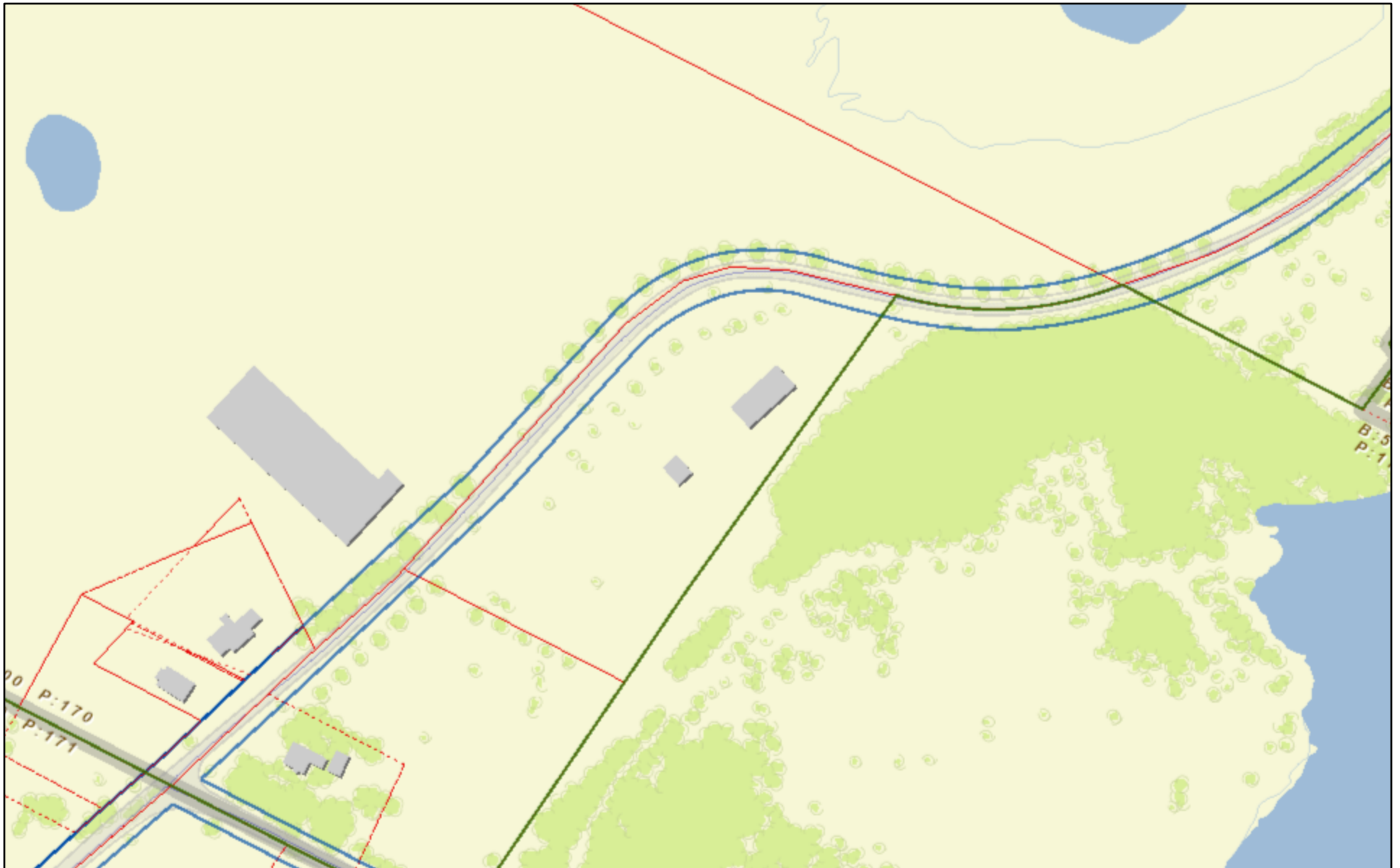
Consistent with, and in support of, the PUD, the Portable Structures: (i) support, and are consistent, with the Property's current uses as permitted under the PUD; (ii) are compatible with surrounding uses, and provide additional protection for equipment on the Property; (iii) provide more orderly operations at the Property; (iv) cause no disruption to adjacent properties; (v) are adequately served by, and does not negatively impact, public facilities and services in existence; (vi) do not affect any scenic or historic features; and (vii) are not detrimental to surrounding property uses.

The Portable Structures are important to the Owner's operations of its business and is consistent with the uses approved by the Property's PUD. The Portable Structures provide secure, orderly use of Owner's parking and storage areas for Roundbottom Rental. As such, we respectfully request this Application for a Major Modification to a PUD be approved.

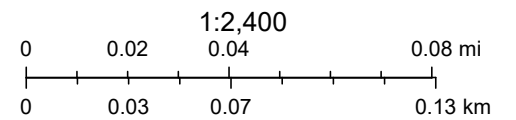
13969976.2

EXHIBIT A
PROPERTY MAP

CAGIS Map



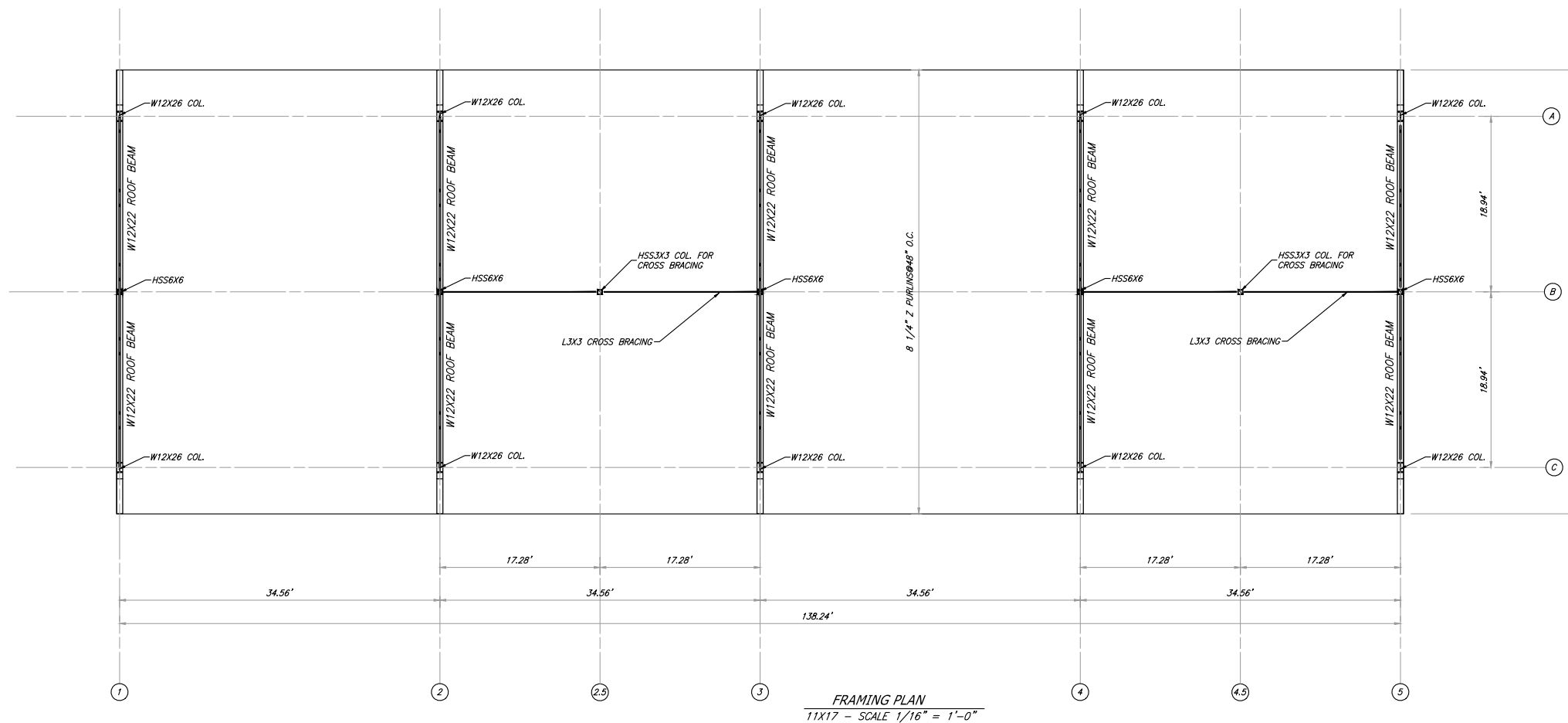
8/30/2024, 7:55:42 AM



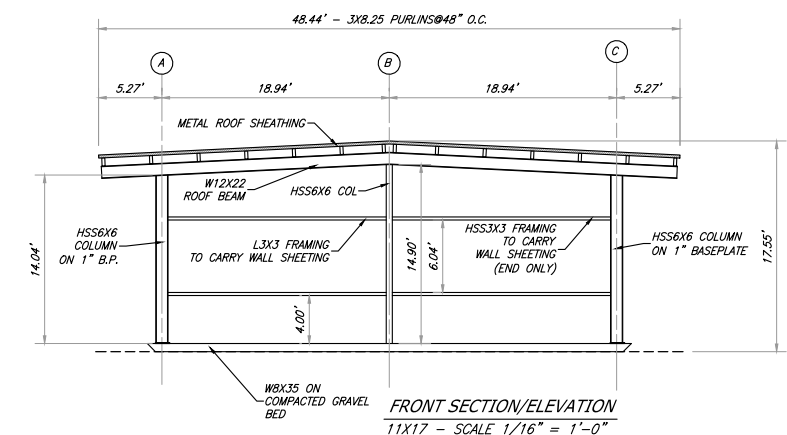
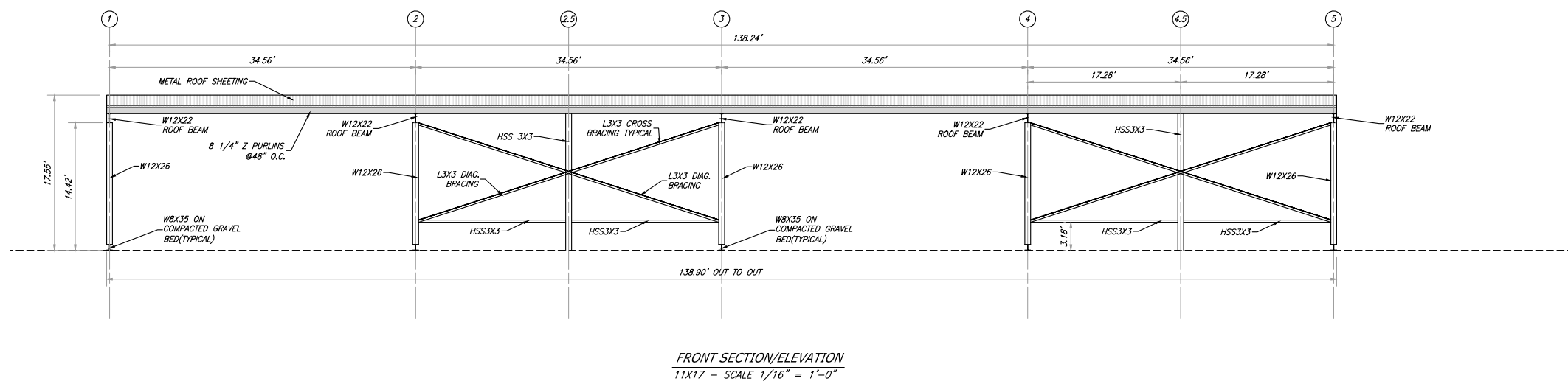
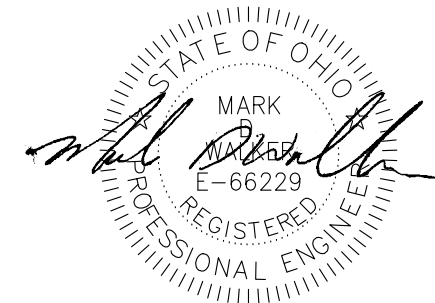
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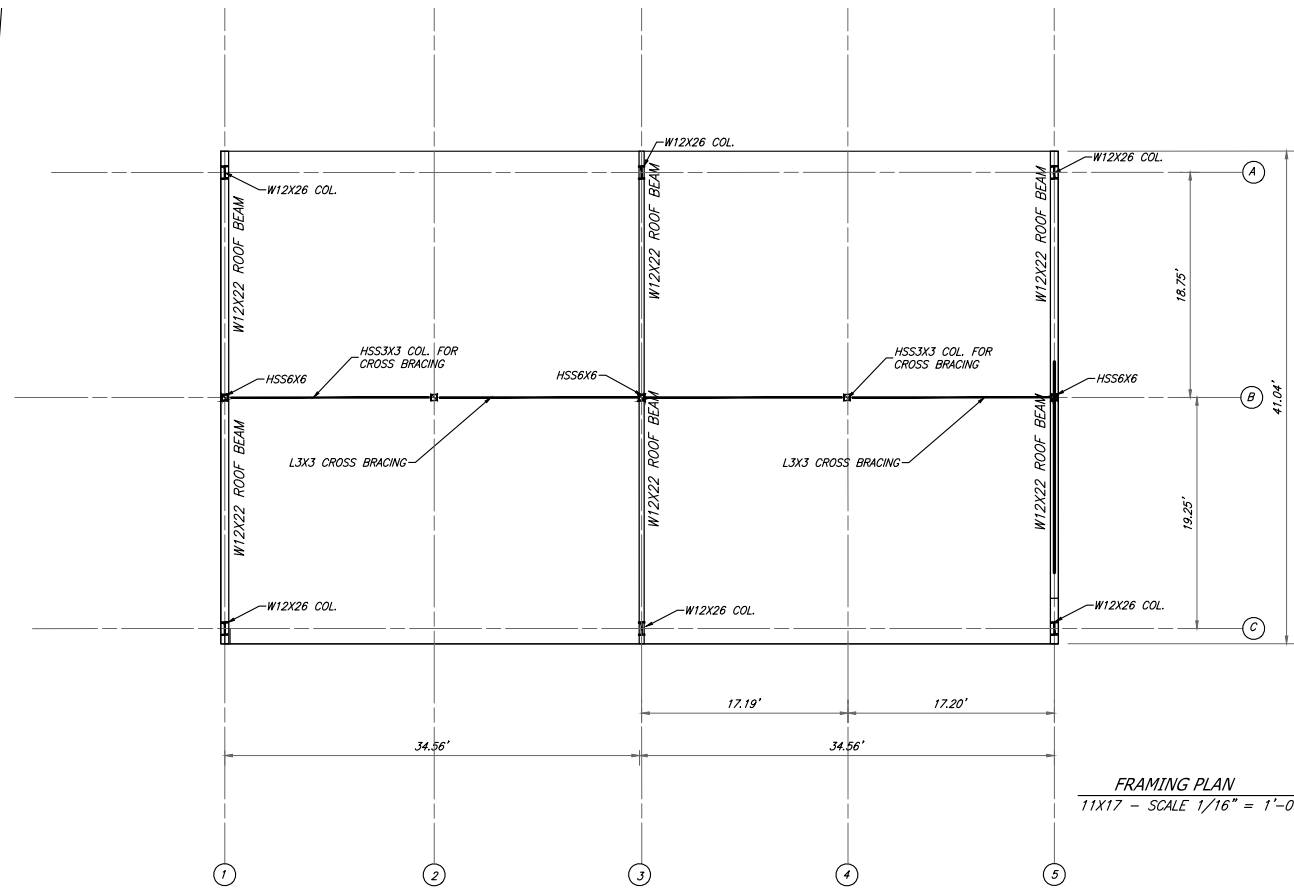
EXHIBIT B
STORAGE STRUCTURE DRAWING



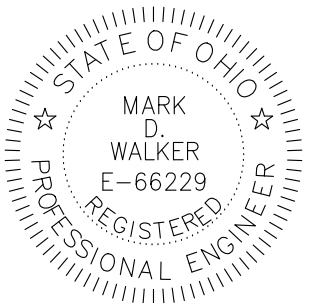
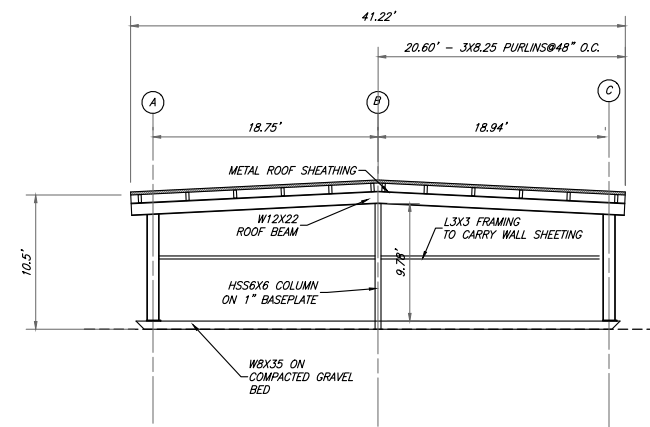
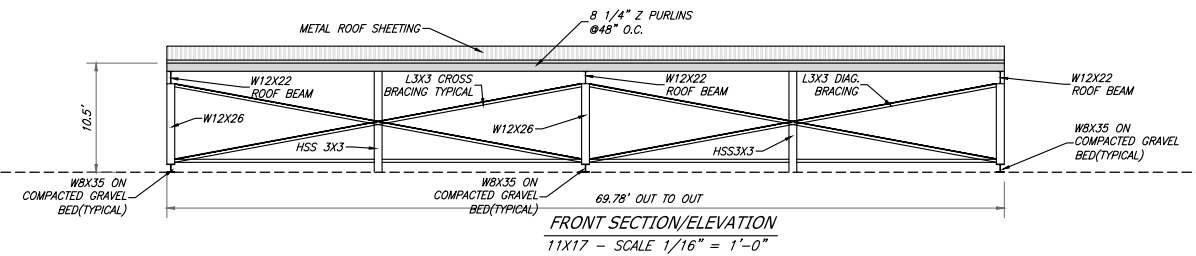
- NOTES:
- 1.) STRUCTURE IS A TEMPORARY MOVEABLE STRUCTURE.
 - 2.) IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE STABILITY DURING ALL PHASES OF CONSTRUCTION.
 - 3.) ALL STEEL SHALL HAVE A MINIMUM YIELD STRENGTH OF $F_y = 50$ ksi.
 - 4.) ALL STEEL CONNECTIONS SHALL BE WELDED ALL AROUND WITH A CONTINUOUS 3/16" FILLET WELD.



CLIENT CODE: Evans	SHEET TITLE: TEMPORARY STRUCTURE PLAN & DETAILS	SHEET NO. 1/1
DATE: 06/1/2024	 WALKER & ASSOCIATES LAND SURVEYING & MAPPING CIVIL & STRUCTURAL ENGINEERING PHONE 513.284.3232 MARK@SURVEYWALKER.COM WWW.WALKER-ENGINEER.COM	
AS NOTED		



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FRONT SECTION/ELEVATION
11X17 - SCALE 1/16" = 1'-0"

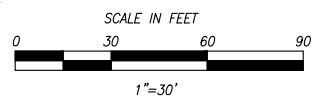
CLIENT CODE: Evans	SHEET TITLE: TEMPORARY STRUCTURE PLAN & DETAILS	SHEET NO. 1/1
DATE: 11/22/2024	WALKER & ASSOCIATES <small>LAND SURVEYING & MAPPING CIVIL & STRUCTURAL ENGINEERING</small> <small>PHONE 513.284.3232</small> <small>MARK@SURVEYWALKER.COM</small> <small>WWW.WALKER-ENGINEER.COM</small>	
AS NOTED		

EXHIBIT C
STORAGE STRUCTURE LOCATION



BASIS OF BEARING:
OHIO STATE PLANE COORDINATES
NAD 83, OHIO SOUTH ZONE

B E E PROPERTIES INC
O.R. 12334, PG. 2056
PID 500-170-36
4.419 AC.
192511.43 S.F.




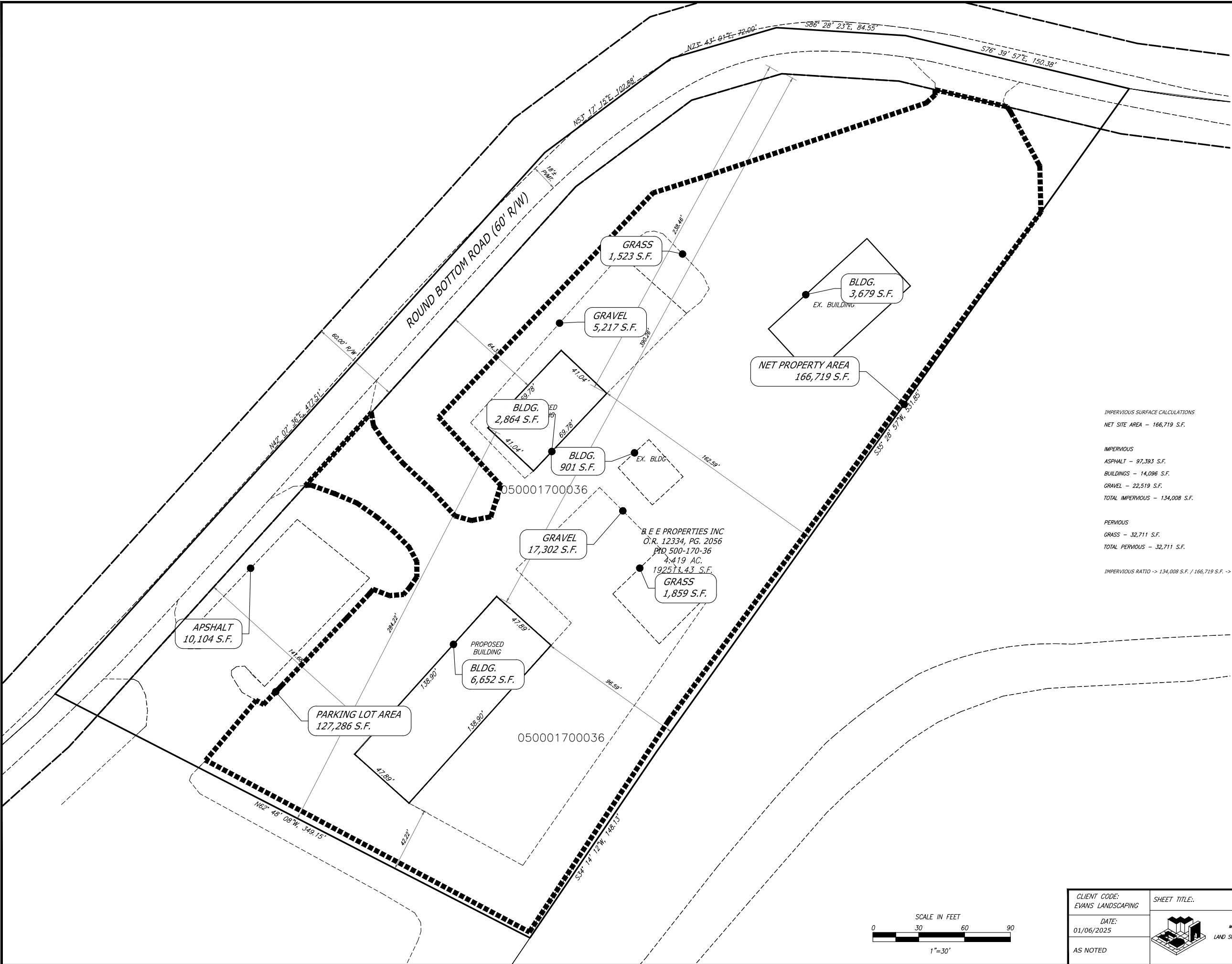
CLIENT CODE: EVANS LANDSCAPING	SHEET TITLE: SITE PLAN	SHEET NO. 1/1
DATE: 11/18/2024	 MR. WALKER & ASSOCIATES LAND SURVEYING & MAPPING CIVIL & STRUCTURAL ENGINEERING PHONE 513.284.3232 MARK@SURVEYWALKER.COM WWW.WALKER-ENGINEER.COM	
AS NOTED		

EXHIBIT B

IMPERVIOUS SITE RATIO



BASIS OF BEARING:
OHIO STATE PLANE COORDINATES
NAD 83, OHIO SOUTH ZONE

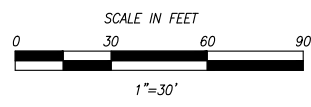



IMPERVIOUS SURFACE CALCULATIONS
NET SITE AREA - 166,719 S.F.

IMPERVIOUS
ASPHALT - 97,393 S.F.
BUILDINGS - 14,096 S.F.
GRAVEL - 22,519 S.F.
TOTAL IMPERVIOUS - 134,008 S.F.

PERVIOUS
GRASS - 32,711 S.F.
TOTAL PERVIOUS - 32,711 S.F.

IMPERVIOUS RATIO -> 134,008 S.F. / 166,719 S.F. -> 80%



CLIENT CODE: EVANS LANDSCAPING	SHEET TITLE: SITE PLAN	SHEET NO. 1/1
DATE: 01/06/2025	 MR. WALKER & ASSOCIATES LAND SURVEYING & MAPPING CIVIL & STRUCTURAL ENGINEERING PHONE 513.284.3232 MARK@SURVEYWALKER.COM WWW.WALKER-ENGINEER.COM	
AS NOTED		