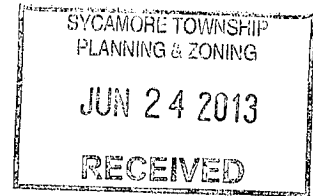


Letter of Intent for Variance Application
8113 Deer Path Lane, Cincinnati 45243
6/24/2013



Location and size of the property

22,330 sq. ft.
8113 Deer Path Lane
Cincinnati, OH 45243

Purpose of the request

Homeowners Andrea Otter and Martin Mishkin are requesting a variance for an open-air pergola constructed inside of the 6' setback from their house.

Specific sections of the Zoning Resolution in question

Section 10-3.3 Location of Accessory Structure

Pertinent information to support the variance sought

Our home is located on Kugler Mill, an increasingly busy road. It is not uncommon for cars and large trucks to exceed speeds of 50 mph on this 35 mph road, which is just 65 feet from our home. The traffic during rush hour is very heavy and loud.

A portion of our relatively small backyard has some protection from Kugler Mill with the L-shape orientation of our house and garage. The resulting rectangular space affords the only outdoor protection we have from the high speed, high volume traffic on Kugler Mill. Unfortunately, it faces direct sunlight in the afternoon due to the western exposure, making shade a necessity.

Our open-air pergola was designed to nest into this protected rectangular area to provide shade (see Photo 1). If it were pushed back 3' further from the bay window to accommodate a 6' setback (see Photo 2), a significant portion of the pergola patio would be exposed to the road noise, i.e. not get the benefit of the sound insulation provided by the brick garage. While plantings do help with visual screening from the road (see Photo 3), unlike the brick garage, they do not provide meaningful sound abatement. Alternatively, shortening the pergola by 3' would reduce the square footage of our very limited, sound-protected, shaded space.

Our original intent was to attach the pergola to the house to obviate the need for the 6-foot setback requirement, a compromise approved by the Sycamore Plan Reviewer. However, once the pergola was constructed, the negatives of attaching the structure to the house became more apparent. Specifically, attaching the pergola to the home would obscure existing architectural details including a 12' high, arched patio entry and the master bedroom bay transom window (see Photo 4), and the multiple rooflines (see Photo 1) make an attachment very challenging. Structurally, attaching the pergola to the roofline of the house would create entry points for moisture and insect damage. Also, the pergola is completely open on all sides, so it does not obstruct access to the home's roof or rear entry like closed structures such as a shed or garage. We hope that the Township takes these unique circumstances into consideration with this variance so that we can avoid investing an additional \$500+ to add a structurally nonfunctional attachment.

This backyard project represents a \$70,000 improvement to our property and the neighborhood. We have included a letter from our next-door neighbor, Manuel Suro, attesting to his support for this variance. We have been careful to create a design that complements the features of our home and fully utilizes our limited protected space. We feel a variance for Section 10-3.3 is warranted due to the unique physical condition of our backyard with respect to traffic noise protection, the open nature of the pergola structure, and the design challenges presented by attaching the structure. Finally, this application satisfies all 6 of the variance standards set forth in the variance description.