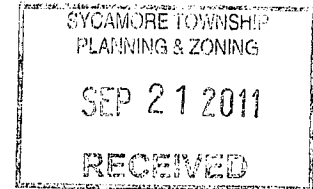


September 20<sup>th</sup>, 2011

Board of Zoning Appeals  
8540 Kenwood Road  
Sycamore Township, OH 45236



Re: A variance at 8342 Wetherfield Lane, Cincinnati, OH 45236

Dear Board Members,

Please accept this letter as a request for a variance. My name is Deepak Minocha. My wife Lali Minocha and I are the owners of the property and we are requesting a variance on the above-mentioned property.

This variance request is for Section 10-3.3. The Sycamore Township Zoning Code states no accessory use or structure shall be located in the front or side yard and the total combined area of all accessory structures shall not occupy more than thirty five (35%) percent of the required area of the rear yard. Where the principal structure is at least two hundred (200) feet from the right-of-way, an accessory structure may then be located within the front or side yard but must be at least one hundred (100) feet from the right-of-way, and all district setback requirements shall be maintained. In the case of panhandle lots, the area of the panhandle cannot be used for calculating the lot area or be counted towards setback from the right-of-way line or edge of easement. All accessory structures must be setback at least six (6) feet from all other structures and at least three (3) feet from all other property lines.

#### **Background**

When we first purchased the property, we had torn down an existing barn built in 1981 because the wood was deteriorating, the roof was collapsing and we did not feel it was safe. A few weeks ago, we decided to replace that barn with a smaller, pre-constructed, wood composite 6x9 storage shed. It has a life-time guarantee for any fading or deterioration. In order to put the storage shed in the same location, we needed to build a secure platform deck on which to situate the shed. The reason for the platform is because there is a fifteen (15) foot slope in the rear left side backyard where the original barn was situated.

#### **Current status**

I did not realize that a new building permit was required since we were replacing the original barn with a smaller storage shed in the same location. I began construction of the platform deck on September 10<sup>th</sup>, 2011 and completed construction of the deck on Sept. 13<sup>th</sup>. The deck dimensions are 22' 3" by 14' 5". The platform deck is currently situated approximately 25" off of the fence line in both the side and rear of the yard. The day after completion of the deck, September 14<sup>th</sup>, we received a letter from Sycamore Township indicating a building permit was required for construction. I immediately contacted Mr. Harry Holbert and submitted the application for a building permit on September 15<sup>th</sup>. I was notified the application was denied on 9/19/2011 because we did not meet the three (3) feet set-back requirement. We are now applying for a variance to allow the deck to remain in its existing location which is set-back 25" from the fence line vs. the required 36". We are requesting a variance for two reasons: 1: Financial hardship. 2: Necessity.

#### **Variance Request**

1. Financial hardship. We have spent a total of \$5,134 in labor and materials for the unattached deck platform that has already been constructed. We have also spent \$600 on the 6x9 storage shed. The total cost to move the deck 11" further into the property line, including tear-down, excavation and re-build will be \$5,334. The breakdown for the teardown would be as follows:

\$1,500 – Tear down  
\$800 - Excavation  
\$2,134 - Labor for rebuild  
\$900 – Material cost  
**\$5,334 – Total**

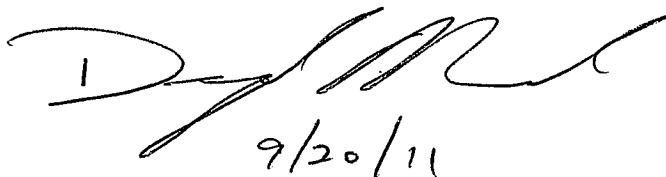
We simply cannot afford to pay this sum of money after already spending \$5,134. This would cause financial hardship for us even just to tear down the existing structure.

2. Necessity. The ideal location for the storage shed is the rear left of the backyard. The right hand side of the rear yard has a water collection area that fills with heavy rain. The contents of the shed would not remain dry under these conditions. Therefore, placing a platform deck on the left side is the best option because it resolves both the slope and any potential water overflow problems. Also, being in the rear left of the backyard, this combination of platform and shed are isolated from the immediate surrounding views. The immediate view on the left side of the fence is our neighbor Mrs. Nancy Curly. I have personally spoken to Mrs. Curly and she does not have any objections with the current placement of the platform deck or shed. The deck is hidden from direct view from Mrs. Curly's home due to pine trees and shrubbery that partially block the view. Behind our backyard are the baseball fields of Rockwern Academy. There is 5 feet of unmaintained shrubbery and trees between our property and the baseball fields. Therefore, the shed is completely hidden from view from Rockwern Academy. The platform deck and shed do not pose any sort of threat to any immediate persons or property, either physically, functionally or aesthetically. Therefore, we kindly request that you please approve this variance request for keeping the exiting platform deck in its current location.

We greatly appreciate your consideration in this matter. Thank you very much.

Sincerely,

Deepak Minocha  
8342 Wetherfield Lane  
Cincinnati, OH 45236  
(513)833-1771



9/20/11