



### ***Staff Report: CASE # 6-24-A***

---

#### **NATURE OF REQUEST**

*The Applicant / Owner is requesting that the Union Township Board of Zoning Appeals consider a Variance request to allow for fencing to exist within the front yard of the property, as defined by the Union Township Zoning Resolution—and as set forth in Article 7, Section 712 (which acknowledges that fences, as accessory uses, are not permitted within the front yard). \*Please refer to the Applicant's statements, plans, and other application enclosures.*

#### **LOCATION**

The subject property, owned by Rachel Ann Best, is located approximately 500 feet to the east of the of Surrey Ridge and Rustic Way intersection, on Parcel #415610D058.

#### **ZONING**

The subject property is zoned both Estate Residential (ER) and Single Family Detached Structure Residential (R-1), with Single Family Detached Structure Residential (R-1) zoning adjacent to the northwest, south, and west of the property—and Estate Residential (ER) zoning adjacent to the northeast, east, and southeast.

#### **BACKGROUND**

On August 9<sup>th</sup>, of 2024, the Township Planning & Zoning Department staff received a complaint that there was an unpermitted fence being constructed along a shared property line (with the neighbor, the Applicant / Owner). On August 12<sup>th</sup>, 2024, the Zoning Inspector subsequently inspected the property and a warning citation was posted (see enclosures)—which acknowledged the unauthorized placement of a *completed* fence in the front yard of the property. On August 13<sup>th</sup>, the Applicant / Owner met with the Zoning Director to discuss how the non-compliance issues on the property could potentially be resolved, with the Applicant / Owner eventually opting to seek a Variance.

## **STAFF COMMENTS:**

After reviewing the proposed application in totality, please note:

- 1) As noted earlier in this report, this case originated as an enforcement action.
- 2) The existing / proposed improvement—which is a 4-foot high Kentucky-Board / Estate style fence—is located on the Applicant / Owner’s southern and western property lines, and connects directly to the existing fencing on the property.
- 3) In August of 2022, the Applicant / Owner was issued a Zoning Permit (#12578) from the Township Planning & Zoning Department for the fence situated in the side and rear yards of the property. The previous permit was completed by a contractor.
- 4) A fence is a permitted accessory use within an R-1 and ER Zoning Districts, provided that it is not “*...located within any street right-of-way or within the front yard.*”
  - a. As defined by the Union Township Zoning Resolution, the Front Yard: “*...means the yard most parallel to the street from which access is attained, being the distance between the right-of-way line (for lots not in subdivisions), or lot line (for lots within subdivisions or panhandle lots), or easement line (for lots on private streets), or road boundary (for lots on private streets with no easement) and the principal building, including its projections.*”
  - b. The proposed, new fence is located approximately 240 feet from the Surrey Ridge Street road right-of-way—which is 200 feet further back from the road than the 40-foot front yard setback requirement for property zoned Single Family Detached Structure Residential (R-1).
- 5) The fence is located within a one-hundred-foot (100') utility easement (overhead electric).
  - a. If a Variance would be granted by the Board, the Applicant / Owner would (still) also need permission from the current easement holder (Duke) to place the fence within the easement area.
- 6) Pursuant to Section 430 of the Township Zoning Resolution, to grant the necessary Variances, the Board would need to find that the literal enforcement or strict application of the provisions of the Zoning Resolution would result in an unnecessary hardship.
- 7) In accordance with Section 431, the Board would also need to find affirmatively on:
  - a. The granting of the Variance shall be in accord with the general purpose and intent of the regulations imposed by this Resolution on the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare.
  - b. The granting of the Variance will not permit the establishment of any use which is not otherwise permitted in the district. *Fences are permitted as accessory uses within both R-1 and ER zoning districts, in the manners noted earlier in this report.*

- c. There must exist special circumstances or conditions, fully described in the findings, applicable to the land or buildings for which the Variance is sought, which are peculiar to such land or buildings and do not apply generally to land or buildings in the area, and which are such that the strict application of the provisions of this Resolution would deprive the applicant of the reasonable use of such land or building. Mere loss in value shall not justify a Variance; there must be deprivation of beneficial use of land. *The Applicant / Owner's property is an irregular-shaped panhandle—which, by the shape of the lot, the minimum front yard setback for the panhandle would be approximately 215 feet from the road right-of-way—and would be on slopes of 20% or greater, near a stream. Due to the aforementioned topography and stream location, the Applicant / Owner's house is approximately 330 feet from the Surrey Ridge Street road right-of-way.*
- d. There must be proof of hardship created by the strict application of this Resolution. It is not sufficient proof of hardship to show that greater profit would result if the Variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this Resolution; it must be suffered directly by the property in question; and evidence of Variances granted under similar circumstances need not be considered. *The conditions necessitating the Variances do not appear to have been self-created by the Applicant / Owner—who paid her contractor to obtain the necessary permits to install the fence.*
- e. The granting of the Variance is necessary for the reasonable use of the land or building, and the Variance as granted is the minimum Variance that will accomplish this purpose.
- f. The proposed Variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area. *The proposed fence does not appear to impair adequate supply of light or air to the adjacent properties, affect traffic, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.*
- g. The granting of the Variance requested will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district. *The Applicant / Owner's request for a fence, which was intended to provide increased safety and security, is not considered a use or structure that involves special privilege(s) denied by Township code (to other lands, structures, or buildings in the same district)—as the proposed fence is approximately 200 feet beyond the required front yard setback.*

## **ACTION REQUIRED**

In accordance with Article 4, Sections 430-431 and Article 7, Section 712 of the Zoning Resolution, the Board of Zoning Appeals' role in the Variance process is to either enter a motion to approve, modify, or deny the Applicant / Owner's request to allow for fencing to exist within the front yard of the property.

*\*\*Please note that these decisions must be based on the evidence, testimony, and Findings of Fact related to the various requests.*

Variance Application  
UNION TOWNSHIP  
BOARD OF ZONING APPEALS  
4312 Glen Este-Withamsville Road  
Cincinnati, OH 45245  
(513) 753-2300

Case#	6-244
Date:	

(\$400 fee)

PLEASE PROVIDE SIX COPIES OF THIS FORM AND ALL MATERIALS

Re: Property located at: 909 SURREY RIDGE CINCINNATI, OHIO 45245  
Property Identification Number from Auditor's Tax Bill 41 56 10D .058

I. APPLICANT INFORMATION

A. Name RACHEL ANN BEST  
Mailing Address 909 SURREY RIDGE, CINCINNATI OHIO 45245  
Phone 513-235-2019

B. Property Owner(s) RACHEL ANN BEST  
Mailing Address 909 SURREY RIDGE CINCINNATI OHIO 45245  
Phone 513-235-2019

C. Contact Person RACHEL ANN BEST  
Mailing Address 909 SURREY RIDGE, CINCINNATI OHIO 45245  
Phone 513-235-2019

II. VARIANCE INFORMATION

A. I hereby request the Board of Zoning Appeals to grant a variance(s) from Section(s) Article 7, Section 712 of the Union Township Zoning Resolution.

B. Please describe generally each variance requested.  
The purpose of my request for the fence is for my safety and security; this also allows me a space for my dogs to play.  
Lowes, the contractor, was supposed to obtain permits according to our contract but apparently did not; I was not ever aware that a proper permit had not been obtained.  
Also I had a misunderstanding of the location of the front of my property, and of the side yard of my property. I assumed that my side yard was at the entrance of my side driveway into the side entry garage.

Variance Application  
UNION TOWNSHIP  
BOARD OF ZONING APPEALS  
4312 Glen Este-Withamsville Road  
Cincinnati, OH 45245  
(513) 753-2300

Case#	6-24-A
Date	9-5-2024

(\$400 fee)

PLEASE PROVIDE SIX COPIES OF THIS FORM AND ALL MATERIALS

Re: Property located at: 909 SURREY RIDGE CINCINNATI, OHIO 45245

Property Identification Number from Auditor's Tax Bill 41 56 10D 058

I. APPLICANT INFORMATION

A. Name RACHEL ANN BEST

Mailing Address 909 SURREY RIDGE, CINCINNATI OHIO 45245

Phone 513-235-2019

B. Property Owner(s) RACHEL ANN BEST

Mailing Address 909 SURREY RIDGE CINCINNATI OHIO 45245

Phone 513-235-2019

C. Contact Person RACHEL ANN BEST

Mailing Address 909 SURREY RIDGE, CINCINNATI OHIO 45245

Phone 513-235-2019

II. VARIANCE INFORMATION

A. I hereby request the Board of Zoning Appeals to grant a variance(s) from Section(s) Article 7, Section 712 of the Union Township Zoning Resolution.

B. Please describe generally each variance requested.

I am requesting a variance to allow permission for a fence on my property due to undue hardships in complying with the zoning ordinance. My property has unique hardship circumstances not created by myself, specifically with physical constraints due to the irregular shape of the estate (over two acres), topographical challenges such as steep slopes and heavily wooded areas combined, and legal restrictions. For specificity, I have conducted a second survey, due to previous markers/stakes being removed, and I've installed a fence on the only grassy area without heavy trees and well within my property markers. I am requesting a variance for permission for the fence installed in my side yard which connects to the back fence on the property. Because my property is isolated, heavily wooded except for the side yard that I have now fenced, I feel this will not only add to the property value to have a flat, usable yard versus unusable and steep topography, which is un-navigable, but it also provides me with additional security.

## EXHIBIT A

Please describe how the variance requested conforms to standards stated in Section 431.5(a-g) set forth below (a response to each of the subsections 431.5 (a-g) must be provided for each variance requested, additional sheets and/or additional copies of this page may be used).

Section to which a variance is requested: \_\_\_\_\_

431.5.a. Please describe how the granting of the variance is consistent with the general purpose and intent of the regulations imposed by this Resolution on the district in which it is located, and is not injurious to the area or otherwise detrimental to the public welfare.

Granting this variance is consistent with the general purpose and intent of the regulations imposed by allowing use of my residential property in the only area where the topography is not steeply sloped and dangerous to traverse. As a homeowner, having a secure, fenced yard, well within my surveyed property, allows me added security and the ability to walk in my yard again. As my property sits well off the main road in the Estate section of Surrey Hill subdivision, and much of the topography in my yard is steeply sloped, uncleared, and wooded, granting this variance allows me a fenced area on the side of my house that is grassy and flat where I can safely traverse and enjoy my yard with my family and my dog.

431.5.b. Please describe how the granting of the variance will not permit the establishment of any use which is not otherwise permitted in the district.

Granting this variance will not permit the establishment of any use which is not otherwise permitted in the district. The fence defines the homeowner's unique topographical parcel at the SW corner of the property. No change of use is planned. This simply allows me to have an area of my yard fenced where I can walk my dog where it is safe, flat, and cleared of trees and wooded uncertainties.

431.5.c. Please describe the special circumstances or conditions, applicable to the land or buildings for which the variance is sought, which are peculiar to such land or buildings and do not apply generally to land or buildings in the area, and which are such that the strict application of the provisions of this Resolution would deprive the applicant of the reasonable use of such land or building. Mere loss in value shall not justify a variance; there must be deprivation of beneficial use of land.

There are special circumstances surrounding the land for which the variance is sought, specific to the property at 909 Surrey Ridge which are such that the strict application of the provisions of this Resolution would deprive me of reasonable use of land. Specifically, the topographical challenges unique to the property make it extremely difficult to increase erosion in many areas, and as such, I have prohibitive use of the remainder of the property. The variance is sought as the property's residential use is limited without a flat area of yard with which to fence and enjoy as part of owning this property. Not only is the lot shape unique, but the steep slopes and uneven terrain of the property prohibit strict compliance. Due to the uneven elevation changes, there is a practical difficulty in complying with zoning regulations. The zoning regulations impose an undue hardship that is not shared by other properties in the area and the proposed change does not negatively impact on the surrounding community.

(Ex. A continued)

431.5.d. Please describe the proof of hardship created by the strict application of this Resolution. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must result from the application of this Resolution; it must be suffered directly by the property in question; and evidence of variances granted under similar circumstances need not be considered.

Proof of hardship created by the strict application of this Resolution is shown in the topographical map of the property at 909 Surrey Ridge. It is unique in shape, elevation, positioning of the home on the parcel, and clearly shows the topographical hardship is not self-created, but a true hardship preventing me from enjoying a flat, non-wooded area directly connecting the back of my property to the side area that is grassy and cleared. This area is well-within the surveyed markers of my property, does not impact or impede, or in any other way affect the community – it is simply a request for a variance to install a fence on the flat, grassy area of my property to allow a secure yard and area to be safely enjoyed.

431.5.e. Please describe why the granting of the variance is necessary for the reasonable use of the land or building, and why the variance requested is the minimum variance that will accomplish this purpose.

Granting of this variance is respectfully requested and necessary for reasonable use of the land. My home is a residential home in the Estate section of Surrey Hill subdivision, is quite secluded, allows me to have an area on my property that is not only fully fenced (side fence connects to back fence) for security and peace of mind, but is the only area topographically that allows for me to have reasonable use of my land. Prior to this, there seemed to be some discrepancies from the neighbors at 907 Surrey Ridge as to if I were allowed to walk in the area of my yard that is now fenced. The survey and resulting fence clearly define the property and allows me to safely enjoy my yard and is placed well within the surveyed markers.

431.5.f. Please describe how the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.

The proposed variance will not impair an adequate supply of light and air to any adjacent property. The fence is a flat, three-rail Kentucky-style with wire mesh allowing for free flow of air, and at a standard height of 4-foot does not secure site-lines. This is placed on private property, down a private drive, and so, does not increase any congestion, danger of fire, endanger public safety, or substantially diminish or impair property values of the adjacent area.

431.5.g. Please describe why the granting of the variance requested will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

Granting of the variance requested will not confer on me, the applicant, any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district. This variance is requested due to the unique topographical challenges and characteristics of my property at 909 Surrey Ridge and as such, does not impact or influence any other lands, structures or buildings in the same district.

# We'll take your fence install\* from here.



If you have questions or need to make any changes to your installation, please call our Lowe's Installations Support Team at **888-516-1010**.

## Installation Includes:

- Any permits necessary for your project will be pulled by Lowe's or Lowe's Independent Service PROvider, while product is being prepared.
- If your project requires a permit, the permit will be posted on jobsite and must remain posted until inspections are complete.
- The Independent Service PROvider, if required by your state, will contact the 811 system to mark the location of utility lines (electrical, plumbing and gas lines).
- Delivery of materials will be delivered directly to the job site.
- Test to ensure proper operation.
- Dirt from post holes will be spread over new post area.
- Installation of fencing to manufacturers specifications and to local code.
- Setting all posts in concrete or to local building code
- Review warranty and product instructions with you.
- Clean-up of job site. Does not include debris from line clearing.

## Installation Does Not Include:

- Haul away and disposal of your old fence (see a Lowe's associate for purchase).
- Paint, seal or stain fences.
- Installation of electric or solar gate openers.
- Removal or installation of electric fences.
- Structural modifications.

## Don't Forget:

- Wood products require maintenance! You will need to stain or seal wood that has been installed within 60-90 days after the job is complete. See an associate or [Lowes.com](#) for available product options.
- The customer is responsible for repairs or damages incurred if lines and hazards are not properly marked including utility lines (for states where it is the homeowner's responsibility to call 811), all irrigation lines, sprinkler heads, septic tank and fields, or any other hazards that are unique to your property.

## Please note:

- Customer is responsible** to inform us if property is governed by HOA and that the project is compliant with any regulations and covenants. Lowe's does not perform installations in homes classified as located in a historical district
- Unforeseen Work.** Once your existing product has been removed, it's possible the Independent Service PROvider notices that there is unforeseen work or repair required to complete your installation. Items such as surface preparation on plywood, concrete or other surfaces, rotten/damaged wood or other surfaces, structural issues, moisture barrier, etc. Additional charges may apply.

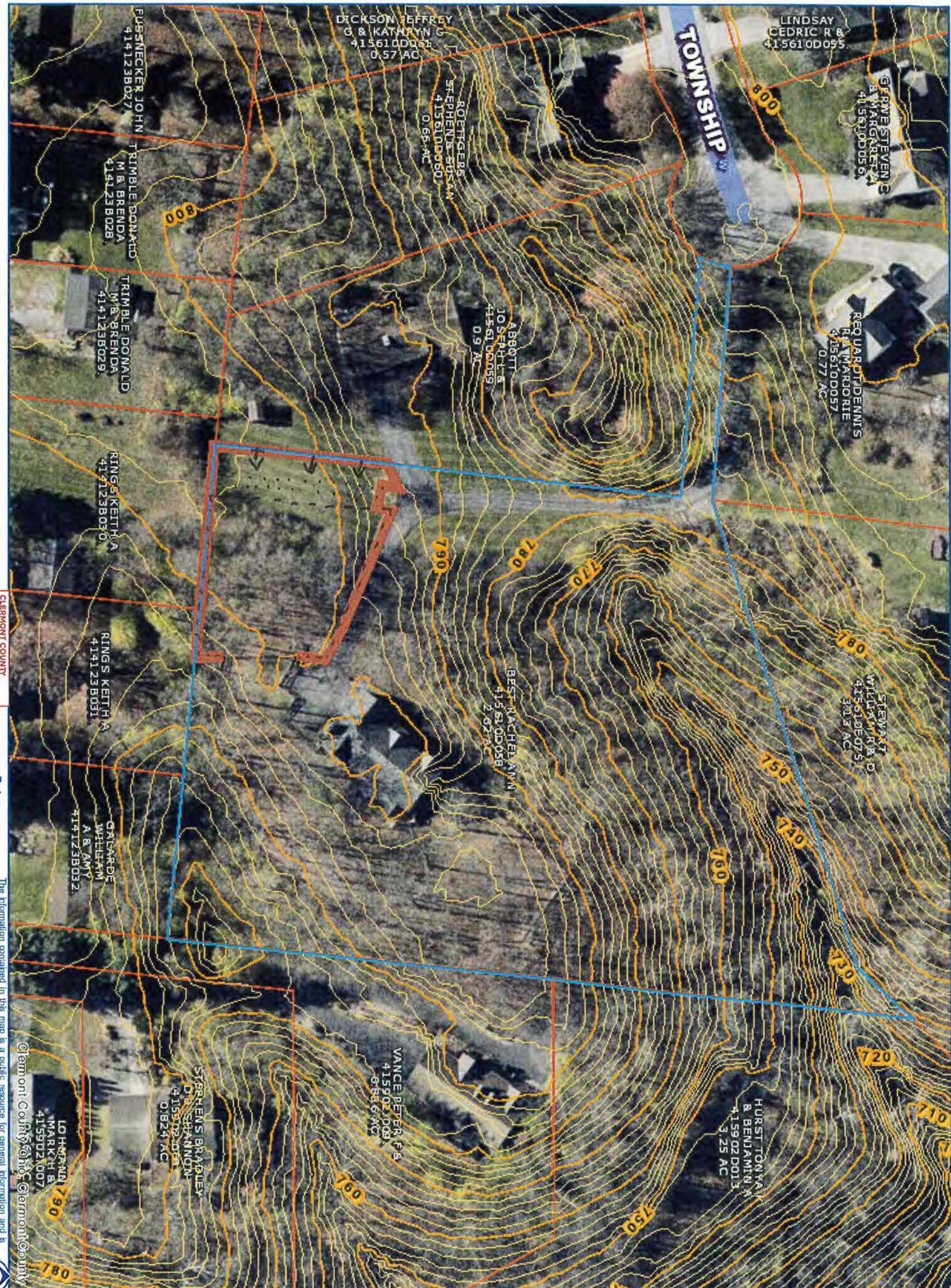
## Pre- Installation Checklist:

- A professional Independent Service PROvider will contact you to schedule your installation.
- Ensure the work area is accessible and clear of all debris.
- Prior to installation date, mark all irrigation lines, sprinkler heads, septic tank and fields, or any other hazards that are unique to your property located within the project area. Call 811 to request a utility survey, if the homeowner is the required party to call in your state, and ensure all markings are not disturbed prior to installation.
- Validate your property lines with local municipality to ensure the fence is installed within your property.
- Both children and pets should be protected from construction. Customers should keep children and pets away from the work area.
- An adult 18 or older must be present during the installation.
- That's it! Sit back and enjoy your fencing installation completed through Lowe's!





# Clermont County Auditor Map



0 50 100 150

SCALE: 1" = 50'

SURREY HILL SUBDIVISION  
BLOCK B  
P.C. 4, PG. 641  
LOT 75

CAP No. 7524 S-4

CAP No. 7524 S-4

**PLAT OF SURVEY**  
LOT 58  
SURREY HILL SUBDIVISION  
BLOCK D  
P.C. 4, PG 142-143

**SURREY RIDGE  
SURREY RIDGE  
DRIVE (50' RNN)**

100' EASEMENT TO C.G. & E  
MISC. BK. 12, PG. 245

N 138.76' W  
S 87.56' 25" W

25' WIDE EASEMENT FOR INGRESS,  
EGRESS, & UTILITIES

LOT 59

143.47' E

S 284.90' W

S 03'54'56" W

20' WIDE STORM DRAINAGE EASEMENT

CAP No. 7524

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/8 INCH PIN  
FOUND ON LINE

LOT 10

2.626 ACRES

LOT 9

464.18' E

N 03'11'34" E

5/



## WARNING CITATION FOR ZONING VIOLATIONS

### UNION TOWNSHIP DEPARTMENT OF PLANNING & ZONING

Property Location: 909 Sunley Ridge Drive  
Company: \_\_\_\_\_

#### VIOLATION(S):

- Unlicensed and/or Inoperable Motor Vehicles
- Junk, Motor Vehicle Parts, Discarded Debris
- Signage or Banners
- Off Street Parking
- Recreational Vehicles and/or Utility Trailers
- Objectionable, Noxious, or Dangerous Uses, Practices or Conditions
- Unpermitted construction
- Other \_\_\_\_\_

Violation of Section(s): 210, 260 & 712

of the Union Township Zoning Resolution.

Required Action: Obtain THE REQUIRED  
ZONING APPROVAL FOR THE NEW FENCE  
AND ATTACH THE FENCE MESH TO THE  
FRONT OF YOUR PROPERTY.

\* FEES ARE DOUBLE SINCE NO PERMIT  
WAS OBTAINED FIRST.

#### NOTICE:

This warning citation has been issued to advise you of a zoning violation at the above-mentioned property.

Union Township seeks voluntary cooperation to remedy zoning violations and avoid legal action. Please resolve the above violation(s) before August 26, 2024. Your cooperation is appreciated.

Should you need additional information, please contact the Planning & Zoning at 753-2337 or 753-2300.

Jeffrey S. Buley  
Zoning Inspector

8-12-24  
Date

## VIOLATION FORM

**TAX ID NO.** 41-56-10D-058

DATE: August 9, 2024

**Property Location:** 909 Surrey Ridge Drive

**Property Owner:** Rachel Ann Best

**Mailing Address:** 909 Surrey Ridge Drive

**ZIP:** 45245

**If Rental Property, Resident's Name:** \_\_\_\_\_

**Complainant Name:** Margaret Abbott **Phone:** 513-253-7536

**Address:** 907 Surrey Ridge Drive

**Alleged Zoning Violation:** Fence in front yard

**INSPECTION RESULTS:** **8/12/24**-Upon inspection I found that fencing had been installed without zoning approval in the front yard of the above-mentioned property. I met with Ms. Best and explained what needed to be done to put her property back into zoning compliance, a warning citation was also issued and given to her at the time of our meeting.

**Action Taken:**

*Resolved no further action required*

8/12/24      **Warning Citation (DEADLINE**      August 26, 2024

*Send Noncompliance Letter (DEADLINE*

### ***Send Violation Letter (DEADLINE***

**SEND COPY OF FILE TO TOWNSHIP ATTORNEY**

**Citing for Violation of Section(s) of the UTZR: 210, 260 & 712**

**Citing for Violation of Section (s) of the ORC:**

## Burkey, Scott

---

**From:** Wright, Cory  
**Sent:** Friday, August 9, 2024 4:41 PM  
**To:** McCormack, Mark  
**Cc:** Britnell, Tiffany; Burkey, Scott; Woodruff, Blake  
**Subject:** FW: 909 Surrey Rdg 45245  
**Attachments:** survey stake & fence to common utilities.jpg; front door of 909 from fence.jpg; Going up hill.jpg; Contractor info said they had permit.jpg

Mark,

FYI.

I spoke with the complainant today and the photos clearly document an unpermitted fence, in an impermissible location.

On Monday, my expectation is that an inspection is completed, and a violation notice is promptly issued.

Thanks,

Cory Wm. Wright  
Township Administrator  
**UNION TOWNSHIP, CLERMONT COUNTY**  
4350 Aicholtz Road  
Cincinnati, OH 45245  
Phone: (513) 752-1741  
Fax: (513) 753-2697  
[cwright@utclermont.gov](mailto:cwright@utclermont.gov)

---

**From:** Britnell, Tiffany <[TBritnell@utclermont.gov](mailto:TBritnell@utclermont.gov)>  
**Sent:** Friday, August 9, 2024 3:55 PM  
**To:** Wright, Cory <[CWright@utclermont.gov](mailto:CWright@utclermont.gov)>  
**Subject:** FW: 909 Surrey Rdg 45245

Tiffany Britnell

Administrative Assistant | Planning & Zoning Department  
[tbritnell@utclermont.gov](mailto:tbritnell@utclermont.gov)

UNION TOWNSHIP, CLERMONT COUNTY  
4350 Aicholtz Road  
Cincinnati, OH 45245  
513-753-2300 - DIRECT  
513-753-2697- Fax  
[www.utclermont.gov](http://www.utclermont.gov)

**From:** Meg Abbott <[meg.abbott@fuse.net](mailto:meg.abbott@fuse.net)>  
**Sent:** Friday, August 9, 2024 3:38 PM