

Meeting Minutes

**Sycamore Township Board of Zoning Appeals
8540 Kenwood Road
Sycamore Township, Ohio 45236
Wednesday, February 25, 2026, at 6:00 p.m.**

Mr. John O'Shea
Mr. Michael Schwartz
Mr. George Ten Eyck
Mr. Karl Hoalst
Mr. Brian Weinel
Mr. Speeth - Alternate

Item 1.- Meeting Called to Order

Mr. O'Shea called the meeting of the Board of Zoning Appeals to order on Wednesday, January 28, 2026, at 6:00 p.m.

Item 2.- Roll Call of the Board

Mr. O'Shea called the roll.

Members Present: Mr. Schwartz, Mr. Ten Eyck, Mr. O'Shea, Mr. Hoalst, Mr. Weinel

Alternate Present: Mr. Speeth

Members Absent: None

Staff Present: Jeff Uckotter, Kevin Clark, Jon Ragan, Matthew J. Byrnes (Assistant Law Director)

Item 3.- Pledge of the Allegiance / Opening Ceremony

Mr. O'Shea led the Pledge of Allegiance.

Item 4.-Approval of Minutes

Mr. O'Shea moved to approve the January 28, 2026, meeting minutes. Mr. Hoalst seconded the motion.

Mr. O'Shea called the roll:

Mr. O'Shea- YES
Mr. Schwartz- YES
Mr. Weinel- YES
Mr. Ten Eyck- YES
Mr. Hoalst- YES

Item 5. Swearing in of Those Providing Testimony

Mr. O'Shea swore in all those providing testimony. Mr. O'Shea then explained variances, reviewed the meeting procedures, and discussed the process by which the Board of Zoning Appeals makes decisions on such requests.

Item 6.-Old Business

Case: BZA-2025-6
Applicant: Ace Hardware of Deer Park (Anthony Zembrodt)
Subject property: 3986 E. Galbraith Road (Ace Hardware)
Request: Appeal

Mr. Uckotter stated that Anthony Zembrodt (appellant) is at the national Ace Hardware conference and could not attend tonight's meeting. Mr. Uckotter noted that he circulated a proposed drafted Findings of Fact for this case.

Mr. O'Shea stated that the appellant has done a lot to improve the Ace Hardware store, and he would like that noted. Mr. O'Shea stated that he would prefer the appellant to be present at the meeting. Mr. O'Shea stated that he reviewed the drafted Findings of Fact and he would like the opportunity for further review.

Mr. O'Shea made a motion to table Case BZA-2025-6 to a later date; Mr. Ten Eyck seconded the motion. All in favor, none opposed.

Mr. Uckotter stated that the appellant has applied for a LASR via Zoning Commission case ZC-2026-6.

Mr. Byrnes stated that he reviewed the zoning resolution and action by the Board of Zoning Appeals noting within 120 days following the notice of appeal, and within 30 days after the closing of the public hearing, the board shall render its decision unless the appellant has agreed to a longer period of time. Mr. Byrnes stated that unless the appellant agrees, a decision must be made by the board tonight.

Mr. Schwartz made a motion to deny the appeal and uphold staff's determination based on the drafted Findings of Fact.

There was discussion between Mr. O'Shea and Mr. Byrnes on Chapter 22 of the zoning resolution. Mr. Brynes stated that a decision must be made by the board unless the appellant is here or on the phone to request a continuance.

At the direction of Mr. O'Shea and the board, Mr. Uckotter stated that he would attempt to contact the appellant on the phone. The appellant did not answer the phone, and Mr. Uckotter left a message.

Mr. Schwartz stated that for the record, he will withdraw his prior motion. Mr. Schwartz made a new motion to table the case until the end of new business. Mr. O'Shea seconded the motion. All in favor, none opposed.

Mr. O'Shea called the roll:

Mr. O'Shea- YES
Mr. Schwartz- YES
Mr. Weinel- YES
Mr. Ten Eyck- YES

Mr. Hoalst- YES

Item 7.-New Business

Case: BZA-2026-2
Applicant: Steven Rothstein
Subject property: 7875 Montgomery Road
Request: Appeal

Mr. Uckotter presented the case, stating that this is an appeal of Notice of Violation CE-2025-439. Mr. Uckotter stated that Violation CE-2025-439 was issued by the Sycamore Township Zoning Inspector, Kevin Clark.

Mr. Clark confirmed that as the Sycamore Township Zoning inspector, he issued the notice on December 22, 2025.

Mr. Uckotter stated that Mi Cozumel installed a large rectangular wall sign without a zoning certificate in violation of STZR 20-1, 8-4.3.8B, and 13-12.4b. Mr. Uckotter noted that the sign is backlight with LED lights that can change colors, shades, patterns, or evoke an image or symbol to attract attention to the restaurant. Mr. Uckotter noted that the sign violates STZR 8-4.3.8b Building Materials and Design Standards of the Kenwood SPI District. Mr. Uckotter stated that the window graphics were installed underneath the rectangle sign also in violation of the zoning resolution. Mr. Uckotter noted that a sign in a window is a building sign.

Mr. Uckotter stated that a zoning certificate was issued for only one exterior building sign (SYZ-25-002), a smaller "Mi Cozumel" building sign located above the front exterior door of the restaurant.

Mr. Uckotter reviewed applicable code STZR Chapter 13 "Sign" definition, STZR Chapter 13 "Building Sign" definition, STZR 8-4.3.8b, STZR 13-12.4b, and STZR 20-1.

Mr. Uckotter stated that staff recommends that Violation Notice CE-2025-439 be upheld.

Mr. Uckotter displayed Exhibits A through C as shown in the staff report to the board.

There was discussion between the board and Mr. Uckotter on LED sign lighting and flashing.

Mr. Schwartz asked Mr. Uckotter if the zoning resolution includes the sign regulations purpose/intent. Mr. Uckotter displayed STZR Chapter 13 scope and purpose.

Mr. Byrnes asked Mr. Uckotter if the shopping center which houses Mi Cozumel has three or more stores. Mr. Uckotter stated that is correct. Mr. Byrnes stated that the sign faces a public road and parking lot in which the principal access is located. Mr. Uckotter stated that is correct.

The applicant Steven Rothstein (10895 Indeco Dr, 45241) introduced himself as Counsel for Mi Cozumel from the podium. Mr. Rothstein stated that his client had every intention of being present for the meeting, however she was unable to make it due to an illness. Mr. Rothstein stated that the applicable code that was cited refers to a "Sign". Mr. Rothstein noted that the definition of a sign excludes works of art, which is what the subject rectangle and window

decals are. Mr. Rothstein stated that his client is happy to apply for a zoning certificate to rectify the situation. Mr. Rothstein stated that the landlord approved the art in question and it improves the site. Mr. Rothstein stated that he and his client suggest that the violation be dismissed subject to applying for a zoning certificate.

Mr. Byrnes stated that part of the board's decision here tonight is to determine whether the subject matter is a sign or work of art.

Mr. Rothstein stated that their interpretation is that the Township's interpretation of calling this a sign is wrong.

There was a brief pause in the meeting to allow counsel to converse about case BZA-2026-2 in the hallway. While counsel was conversing, via phone call the BZA made contact with the appellant from BZA-2025-6, Anthony Zembrodt. Mr. Zembrodt stated that he would like to request a continuance of the original appeal to the next regularly scheduled meeting.

With the appellant's verbal labeling request at hand, Mr. O'Shea moved that the consideration of Case BZA-2025-6 is moved to the next scheduled meeting (March 25, 2026).

Mr. Hoalst seconded the motion.

Mr. O'Shea called the roll:

Mr. O'Shea- YES
Mr. Schwartz- YES
Mr. Weinel- YES
Mr. Ten Eyck- YES
Mr. Hoalst- YES

Mr. O'Shea stated that the board is now back to Case BZA-2026-2.

Mr. Byrnes stated that he spoke with the appellant's Counsel in the hallway and he would like to propose the completion of the public hearing portion of the request, the board hold their decision in abeyance with the agreement of the appellant and their attorney. Mr. Byrnes stated that in the meantime, they will apply for a zoning certificate. Mr. Byrnes stated that a decision on this case as well as the zoning certificate can be issued on the same day. Mr. Byrnes stated that this is his proposal due to judicial economy.

Mr. Schwartz made a motion that the board continues the public hearing until the March 25, 2026, meeting.

Mr. Ten Eyck seconded the motion.

Mr. O'Shea called the roll:

Mr. O'Shea- YES

Mr. Schwartz- YES
Mr. Weinel- YES
Mr. Ten Eyck- YES
Mr. Hoalst- YES

Case: BZA-2026-3
Applicant: Will Stephenson
Subject property: 4843 Heitmeyer Ln
Request: Setback Variance

Mr. Uckotter presented the case stating that the applicant proposes the construction of a 25-foot by 14-foot deck, along with a 20-foot by 15-foot attached roof structure over the deck. Mr. Uckotter noted that the subject property is located in the "B" – single family residential district which requires a 35-foot rear setback, and the applicant is requesting an 11-foot variance (35 feet to 24 feet).

Mr. Uckotter stated that in discussions with the applicant and property owner, staff explored alternatives to address drainage and usability concerns due to sun exposure without requiring a variance. However, the applicant indicated a strong preference for direct access from the house to a covered area, which necessitates the requested variance. Mr. Uckotter stated that staff's concern is the limited setbacks for surrounding properties and precedent.

Mr. Uckotter presented photos of the subject property, the proposed addition, and reviewed Section 21-6 Standards to review a variance, as shown in the staff report.

There was discussion between Mr. Schwartz and Mr. Uckotter on the rear 20-foot drainage easement as shown on the site plan that was presented to the board.

Mr. Uckotter stated that for the reasons noted in the staff report, staff recommends denial of this variance request.

Mr. Uckotter stated that the applicant could construct an accessory structure (pergola) without a variance, however, the zoning resolution requires it to be at least 6-feet from the primary structure.

There was discussion between Mr. Uckotter and the board on what can and cannot be constructed and/or planted in a drainage easement.

Mr. Ten Eyck stated that he has precedent concerns if the variance is granted.

Greg Pinter (4843 Heitmeyer Ln, 45242) introduced himself as the property owner from the podium. Mr. Pinter stated that his family moved into the residence five years ago, and outdoor time has been limited due to the uncovered condition of the rear yard and sun exposure. Mr. Pinter stated that he is proposing a 14-foot by 25-foot attached covered deck, noting that the roof extends one foot past the edge of the deck.

Mr. Uckotter stated that if the deck was uncovered, a variance would not be necessary. He noted that because the deck is covered, staff views the deck and cover as one unified structure - therefore the variance is necessary.

Mr. Ten Eyck made a motion to deny the variance as requested, as recommended in the staff report.

Mr. Weinel seconded the motion.

Mr. O'Shea called Roll:

Mr. Schwartz- YES
Mr. O'Shea- YES
Mr. Ten Eyck- YES
Mr. Hoalst- YES
Mr. Weinel – YES

Item 8. Date of next meeting

Wednesday, March 25, 2026, at 6:00 pm.

Item 9.-Communication or Miscellaneous Business

Mr. Uckotter stated that there is nothing to report at this time.

Item 10. – Adjournment

Mr. O'Shea made a motion to adjourn, seconded by Mr. Ten Eyck.

Mr. O'Shea called Roll:


Mr. Schwartz- YES
Mr. O'Shea- YES
Mr. Ten Eyck- YES
Mr. Hoalst- YES
Mr. Weinel – YES

The meeting adjourned at 7:39 p.m.

Meeting minutes prepared by Jon Ragan



John O'Shea, Chairman



George Ten Eyck, Secretary
Michael Schwartz, Vice-Chairman