

## Meeting Minutes

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**Sycamore Township Board of Zoning Appeals  
8540 Kenwood Road  
Sycamore Township, Ohio 45236  
Wednesday, March 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, March 25, 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. Ten Eyck stated that he noticed a possible typographical error on page three (3) of the drafted February 25, 2026, meeting minutes.

Mr. Ragan stated that he would listen to the recording and make any necessary revisions.

Mr. O'Shea moved to table the February 25, 2026, meeting minutes. 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

**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 the appellant applied for an LASR case, and there was an initial zoning commission hearing in March (2026). Mr. Uckotter noted that after discussion in that case, it was tabled to the May (2026) meeting. Mr. Uckotter stated that BZA case BZA-2025-6 and the LASR case are mutually exclusive, however it seemed like there was interest from the board in considering both.

Mr. Schwartz stated that the board should act on case BZA-2025-6.

Mr. Byrnes stated that the appellant has the right to request a continuance.

Mr. Schwartz stated that even if the LASR is approved, the board must deny the appeal because the signs were erected without a zoning certificate.

The appellant, Anthony Zembrodt (3986 E. Galbraith Rd), introduced himself from the podium. Mr. Zembrodt stated he requests a continuance for this case to be heard at the May 2026 meeting (he is unable to attend the April 2026 meeting).

Mr. Byrnes stated that the board has a requirement to make a decision within a certain number of days and by requesting the continuance, the appellant is waiving the time requirement. Mr. Zembrodt stated that he understands and is in agreement.

Mr. O’Shea made a motion to continue case BZA-2025-6 to the May 2026 meeting at the request of the appellant. Mr. Ten Eyck seconded the motion.

Mr. O’Shea called the roll:

Mr. O’Shea- YES  
Mr. Schwartz- NO  
Mr. Weinel- NO  
Mr. Ten Eyck- YES  
Mr. Hoalst- YES

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

As a recap, Mr. Uckotter stated that case BZA-2026-2 was continued from the February 2026 meeting. Mr. Uckotter displayed the sign in question that is the subject of the case and violation notice CE-2025-439. Mr. Uckotter read the "Sign Definition" from the Sycamore Township Zoning Resolution.

Mr. Schwartz asked Mr. Uckotter to display a google street view of the Mi Cozumel's façade before it was Mi Cozumel. Mr. Uckotter showed a 2022 rendering of the previous Red Robin.

Mr. Uckotter stated that the appellant applied for a zoning certificate (SYC-2026-80) on 3/24/26 at 9:47pm for the sign structure, proposed as a façade change. Mr. Uckotter stated that on 3/25/26 at 10:05am, staff denied the application noting "This application is for the illegally installed sign as noted in violation notice CE-2025-439. Pursuant to STZR 13-12.4b, this sign, which can be backlit with LED lights to evoke an image and draw attention to the business, exceeds the sign allotment for this shop space; therefore, the zoning certificate application must be denied".

Mr. Byrnes stated that he spoke with Mr. Rothstein and due to the denial of the zoning certificate, his client would likely be filing an appeal on that as well to the BZA. Ideally, if filed timely, that appeal would be heard at the next BZA meeting. In conjunction, the original appeal could be continued to the next hearing, that way the board would make a decision on both cases.

From the podium, Steven Rothstein (10895 Indeco Dr, 45241) introduced himself as Mi Cozumel's counsel. Mr. Rothstein stated that procedurally it makes sense to continue the case, however, there are some things he would like to state for the record. Mr. Rothstein stated that related to the notice of violation, there was a section of the violation (STZR 8-4.3.8B) that mentions reflective material. Mr. Rothstein stated that he obtained a letter from the contractor who built the art structure stating that the materials used were non-reflective. Mr. Rothstein stated that the STZR sign definition excludes works of art.

Mr. Uckotter stated that any commercial façade work in the Township requires a zoning certificate. Mr. Uckotter mentioned that the sign is backlit and therefore reflective and attention grabbing.

Mr. Rothstein stated that on behalf of his client, he is willing to waive any time constraints under the Ohio Revised Code or Zoning Resolution with respect to when the board is required to issue a decision from now until the next BZA hearing.

Mr. Schwartz moved to grant the appeals on the following findings based upon the evidence and testimony that has been presented over the previous public hearing and this one.

- 1) The graphic element does not meet the definition of a sign because it does not identify a product sold by the restaurant, it is not related to the business logo or branding of the restaurant, and while it has been lit, it displays an emblem of a nation. All things that relate to art.
- 2) While the window graphics may meet the definition of signage, they are not legible from any public right of way, public sidewalk, or adjacent property. Pursuant to Section 13-2 of the STZR, there is no legitimate public purpose to regulate them as signs because they are not legible by those standards.

- 3) The graphic element does not meet the standards of Section 8-4.3.8B, as there are no reflective metals or painted or unpainted cinder block.
- 4) Since the graphic element is not a sign and was installed in the same location and area as the previous graphic element, the denied zoning certificate is moot.

There was not a second motion from the board.

Mr. Hoalst asked Mr. Rothstein questions relating to the construction of the subject sign. Mr. Hoalst asked Mr. Rothstein if there was an electrical permit for the sign. Mr. Rothstein stated that he could obtain the electrical permit.

Mr. Hoalst asked Mr. Uckotter if the STZR defines art. Mr. Uckotter stated that there is not a definition for art in the resolution.

Mr. Hoalst asked Mr. Rothstein if the installer of the sign was from the same company that made the sign. Mr. Rothstein stated that he did not have that information.

Mr. Rothstein stated that courts interpret statutes or ordinances, but they only interpret them where they're ambiguous. Mr. Rothstein stated that if there is no ambiguity, there's no interpretation and there is no ambiguity in this case.

Mr. O'Shea made a motion to close the public hearing portion of the appeal and send it out for decision at the next BZA hearing on April 22, 2026.

Mr. Ten Eyck seconded the motion.

Mr. O'Shea called the roll:

- Mr. O'Shea- YES
- Mr. Schwartz- NO
- Mr. Weinel- NO
- Mr. Ten Eyck- YES
- Mr. Hoalst- YES

**Item 7.-New Business**

None

**Item 8. Date of next meeting**

Wednesday, April 22, 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. Hoalst.

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 6:53 p.m.  
Meeting minutes prepared by Jon Ragan



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John O'Shea, Chairman



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~~George Ten Eyck, Secretary~~  
Michael Schwartz, Vice-Chairman