

**Meeting Minutes  
Sycamore Township Board of Zoning Appeals  
Township Administration Building  
8540 Kenwood Road,  
Sycamore Township, Ohio 45236  
Monday, June 21, 2021  
6:30 p.m.**

Mr. Ted Leugers – Chairman  
Mr. Jeff Heidel – Vice Chairman  
Mr. Steve Scholtz – Member  
Ms. Tracy Hughes-Member  
Mr. George Ten Eyck III – Member  
Mr. Michael Schwartz - Alternate

**Item 1.-Meeting Called to Order**

Mr. Leugers called the meeting of the Board of Zoning Appeals to order on Monday, June 21, 2021, at 6:30 p.m.

**Item 2.-Roll Call of the Board**

Mr. Scholtz called the roll.

Members Present: Mr. Heidel, Mr. Schwartz, Mr. Scholtz, Ms. Hughes, and Mr. Leugers

Members Absent: Mr. Ten Eyck III

Staff Present: Skylor Miller, Kevin Clark and Angela Zammert

**Item 3.-Pledge of the Allegiance / Opening Ceremony**

Mr. Leugers led the Pledge of Allegiance.

1:12

**Item 4.-Swearing in of those Providing Testimony**

Mr. Leugers explained this is a public hearing in which testimony will be given by staff and members of the public. He then swore in those providing testimony.

**Item 5.-Approval of Minutes**

Mr. Leugers entertained a motion to approve the March 15, 2021, meeting minutes.

Mr. Leugers asked if there is any discussion on the meeting minutes. No response

Mr. Scholtz called roll.

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Mr. Schwartz – YES  
Mr. Heidel – YES  
Ms. Hughes – YES  
Mr. Leugers – YES  
Mr. Scholtz - YES

**Item 6.-New Business**

Case SYCB210004  
David M. Eickman  
7654 Glenover Drive  
Cincinnati, Ohio 45236

**Request:** Variance

**Applicant:** David M. Eickman

**Parcel PIN:** 060000910013

**Current Zoning:** “B” Single Family Residential

**Zoning Compliance Issues:** Tabled 4-6, lot area, lot width, yard requirement is 35 feet front yard setback in residential districts.

**Request:** A front and side yard encroachment of 2,745 square feet at 25 feet 5 ½ inches tall garage, dining, and bedroom addition of 15 feet 8 ½ inches front yard setback and 6 feet 3-inch side yard encroachment.

**Proposal:** Applicant is requesting a variance to allow for the construction of a three-car garage addition.

4:25

Mr. Clark displayed several pictures of applicant’s home and plans of the proposed three-car garage and driveway. He explained where applicant is requesting to put driveway and garage.

Mr. Scholtz asked if the new addition would exceed the width of the current driveway.

Mr. Miller stated the driveway was not measured; we can ask the applicant when it is his turn to speak.

Mr. Clark stated the driveway can go all the way up to the property line.

Mr. Clark asked if there were any questions. No response.

7:30

Mr. Miller stated the garage would be incompatible with Table 4-6 of the Township’s Zoning Resolution. Table 4-6 indicates the setbacks. He also explained side and front yard encroachments.

Mr. Miller displayed the site plan and explained the setbacks on the applicant’s property.

Mr. Leugers asked which directions are in violation of the current code.

Mr. Miller answered that at the front yard line you are looking at an encroachment, but the total side yard encroachment is six feet three inches.

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Mr. Leugers asked what the side yard setback is.

Mr. Miller replied eight feet.

Mr. Clark stated the front yard setback is 35 feet and the applicant is going into it 15 feet 8 ½ inches.

10:25

Mr. Scholtz stated the homes in that area look big for the property and asked if they have the same zoning guidelines.

Mr. Miller advised other homes are compliant with the zoning code.

Mr. Leugers stated in the past he could recall maybe one variance.

Mr. Heidel asked about the anonymous letter which talked about the blockage of view.

Mr. Miller stated something we always look at is the nature of the surrounding areas and in this area all the homes maintain the 35 feet setback. He further stated he is not sure if it is going to be in the right of way, but it is not consistent with the rest of the homes.

Mr. Schwartz stated he did a site visit and conveyed it is a consistent development pattern on both sides of Glenover Drive.

Mr. Scholtz asked if anything in the anonymous letter is accurate in terms of code.

13:49

Mr. Miller stated the new additions to homes are within the allowed height limitations. They may or may not be consistent with other homes in the area, but a single-family home is allowed to be as tall as 35' feet or 2.5 stories. He noted the applicant is not here for a height variance.

Mr. Scholtz stated he was concerned about utility easements.

Mr. Miller replied that there are utility easements in the front yard and if this were approved there would have to be conditions stating they do not encroach on the easements.

17:05

Mr. Leugers asked if the applicant would like to come forward.

Mr. Leugers explained what a variance is and the standards by which the Board makes its decision.

17:52

Mr. David Eickman (applicant) stated his home has been in his family since 1956. He explained that he has taken care of family members and knows the things that need to be fixed to make it a forever home. About three years ago he hired an architect, who is on vacation and unable to attend this meeting. He hired him to do a few major things. One was to make it compatible to take care of aging people therefore, making it all one level. Second, he stated there are a couple of structural issues with concrete that have broken and began to sink which is getting to be a

problem. Third, is to make it compatible with the neighborhood, which is a little bit of a trick in that neighborhood.

19:41

The applicant asked if the picture of the “birds’ eye” view can be shown on the screen. He stated if you look at both homes on the left and right of him they are both new. He stated they all have a completely different proportion. He stated he has a 4/12 rooftop and the homes next to him are tall.

20:46

The applicant also stated he told the architect to come up with a plan to have the laundry room on the first floor instead of in the basement. He continued to state there is no family room or dining room. He wanted to add both. The applicant continued to state that the architect designed the three-car garage despite the zoning issues. The architect suggested to look at alternative designs. Applicant continued to convey they currently have three cars and will have another driver in 18 months that will eventually have his own car. The applicant stated if he can make it compatible, make it look decent and the neighbors do not care, he wants the three-car garage. He also stated the garage needs to be in the front; there’s not enough room to move around on that lot. You cannot put a garage on the side or in the back and still put in a dining room, kitchen, and family room. He also stated he is almost forced to do a two-car garage.

25:30

Mr. Leugers asked the applicant if he can do a two-car garage. He further stated, I am looking for the hardship; and asked why the applicant must have a three-car garage.

Applicant stated my wife has a car, I have a car and I am restoring a car as a project. I also have a son that will be driving soon. There will be a car outside no matter what. He does not really want to put a shed in the back yard, but he does not have many alternatives.

Mr. Schwartz asked if the other alternatives need a variance.

27:12

Applicant answered, the side and front variance is due to the corner of the garage and how far the garage comes down.

Mr. Schwartz asked the applicant if he has two alternative designs.

Applicant said if you pull the garage back it is a two-car garage.

Mr. Schwartz asked the applicant if that would meet the setback requirements.

Applicant stated yes, when I say two alternatives, I mean alternatives that would not require a variance.

Mr. Leugers asked if there were anymore questions for the applicant. No response.

Mr. Leugers stated since we do not have any members of the public, we can move on.

Mr. Leugers asked what to do with the letter.

Mr. Miller stated please note for the record; we received a letter late in the day from an anonymous person claiming to be a member of the subdivision. In general, the person was writing against the variance. They cited various reasons to request a denial of this application. Their reason was general area of consideration and line of sight. Unfortunately, there is no name on the letter to give true and good testimony. Mr. Miller continued to say that it is not necessary to read it.

29:27

Mr. Miller stated if anyone did not have an opportunity to read the letter, we can discuss it.

Ms. Hughes asked if we received any other comments from neighbors.

Mr. Miller stated we did not, and we did notify the public within 200 feet of the property.

Mr. Leugers stated we are going to close this and the Board will discuss.

Mr. Leugers asked Mr. Schwartz for his comments a second time.

Mr. Schwartz stated he did a site check and drove the surrounding neighborhood noticing a very consistent development pattern. He also noticed some homes were torn down and rebuilt but they all have a consistent setback. There was not a home that looked out of place. Mr. Schwartz finally stated, after hearing the testimony, my observation is the same.

Ms. Hughes stated she drove Glenover Drive.

Mr. Scholtz asked if the three-car garage would interrupt the consistency you are talking about.

Mr. Schwartz stated this building would be inconsistent with the rest of the homes and the development pattern.

Mr. Miller stated we are seeing a number of homes torn down and rebuilt, noting the aesthetics may not be the same, but the setbacks are consistent. He further mentioned another home similar but with the same setbacks of the neighborhood.

35:33

Mr. Leugers entertained a motion.

Mr. Schwartz said he will vote to deny the request on the basis that the applicant has not satisfied the standards of 21-6 of the Zoning Resolution. I do not find there are any unique physical conditions that are relevant to the site. The site has comparable width and depth as other lots along the roadway, and I feel the property will continue to be used for single family residential. Furthermore, granting the variance would significantly alter the character of the neighborhood and the applicant stated he has other options that do not require variances.

Mr. Heidel second the motion.

Mr. Leugers asked if there was any discussion. No response.

Mr. Scholtz called the roll

Mr. Scholtz - YES  
Mr. Heidel- NO  
Mr. Leugers- YES  
Ms. Hughes-YES  
Mr. Schwartz -YES

37:03

**Item 7.-Resolution**

Mr. Miller stated with that motion to deny the application; I will go ahead and put the Resolution on the board that can be voted on tonight.

Mr. Miller stated the Resolution SYCB210004; a resolution denying a request for variance.

Mr. Leugers asked if there was any discussion on this.

Mr. Scholtz asked if we have a straight vote or do, we have a motion.

Mr. Miller stated we can have a motion to adopt.

Mr. Scholtz stated I move.

Mr. Leugers second the motion.

Mr. Scholtz asked if there was any discussion. No response.

Mr. David Eickman stated the name in the Resolution was spelled incorrectly.

Mr. Miller corrected the name to reflect Mr. David Eickman.

38:54

Mr. Scholtz called the roll.

Mr. Schwartz - YES  
Mr. Scholtz – YES  
Mr. Heidel – NO  
Ms. Hughes – YES  
Mr. Leugers - YES

Mr. Miller stated he would have the Resolution printed out and to be signed after the meeting.

**Item 8.-Date of Next Meeting**

The next regular meeting will take place on Monday, July 19, 2021, at 6:30 p.m.

Mr. Leugers stated he will not be attending next meeting.

Mr. Miller stated as of right now we do not have any cases, but we will let you know.

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**Item 9.-Communication or Miscellaneous Business**

Mr. Miller introduced Angie Zammert and advised that Jessica Daves resigned.

Mr. Miller stated the Land Use Plan has been reviewed by the Land Use Steering Committee and will be going to the Zoning Commission in July and hopefully be reviewed by the Board of Trustee's the first week in August. Some modest updates to bring us up to current standards.

Mr. Scholtz asked if there was any further consideration for corner lots.

43:23

Mr. Miller stated the way we review them is two front lots, a side, and a rear therefore, the rear yard setback is certainly impeding the full use of that property. He further said other communities have a side and rear yard instead of arbitrarily picking which one is a side and which one is a rear.

Mr. Schwartz talked about different scenarios for defining corner lots. There was discussion about the options.

Mr. Miller stated Hamilton County is currently in the process of working with their Planning Commission to depict a model code and it was recommended we wait for any overhauls to the Sycamore Township Zoning Resolution until that is completed.

Mr. Miller stated we do code enforcement for Columbia Township and there has been talk about us doing code enforcement for Symmes Township as well. He also stated if we had similar code, it would make things easier.

**Item 10. – Adjournment**

Mr. Leugers entertained a motion to adjourn.

Mr. Scholtz moved to adjourn.

Mr. Heidel seconded.

Mr. Schwartz - YES

Mr. Scholtz – YES

Mr. Heidel – YES

Ms. Hughes – YES

Mr. Leugers - YES

Mr. Miller adjourned meeting at 7:17 p.m.