

Meeting Minutes

**Sycamore Township Board of Zoning Appeals
8540 Kenwood Road
Sycamore Township, Ohio 45236
Monday, March 20, 2023, at 6:00 p.m.**

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

Item 1.-Meeting Called to Order

Mr. Luegers called the meeting of the Board of Zoning Appeals to order on Monday, March 20, 2023, at 6:00 p.m.

Item 2.-Roll Call of the Board

Mr. Leugers called the roll.

Members Present: Mr. Luegers, Mr. Heidel, Ms. Hughes, Mr. Ten Eyck, and Mr. Schwartz

Members Absent: Mr. Scholtz

Staff Present: Jeff Uckotter, Kevin Clark, Jon Ragan

Item 3.-Pledge of the Allegiance / Opening Ceremony

Mr. Leugers led the Pledge of Allegiance.

Item 4.-Approval of Minutes

Mr. Leugers entertained a motion to approve the December 19, 2022, meeting minutes.

Mr. Leugers asked if there is any discussion on the meeting minutes. Mr. Leugers did mention there was a minor typo with his name. This was resolved in the December minutes.

Ms. Hughes made a motion to approve the minutes. Mr. Ten Eyck seconded the motion.

Mr. Leugers called the roll.

Mr. Leugers- YES

Mr. Heidel- YES

Ms. Hughes - YES

Mr. Ten Eyck -YES

Mr. Schwartz – ABSTAINED and noted that he was not present.

Item 5. Swearing in of Those Providing Testimony

Mr. Leugers swore in all those providing testimony. He 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.-New Business

Prior to Mr. Clark presenting the first case he noted for the record Jon Ragan the new Planning and Zoning Assistant, and Jeff Uckotter the new Planning and Zoning Administrator.

Case: SYCB230001
Applicant: Linda Engelhart Gunther
Subject Property: 9095 Shadetree Drive, Cincinnati, Ohio 45242
Request: Variance for a (4ft) tall Kentucky board fence in the front yard.
Resolution: Residential Variance

Mr. Clark presented the case to the board. A corner lot, the applicant proposes a (4ft) Kentucky board fence in the front yard (defined as forward of the front line of the house). Mr. Clark outlined the proposal. Mr. Clark noted that a zoning hardship does not exist for the fence and that the fence would negatively affect the character of the neighborhood.

Mr. Clark asked the board if there were any questions. Mr. Leugers stated that we were talking about a difference of about 3 feet. Mr. Clark confirmed Mr. Leugers question.

Ms. Hughes stated that a letter had been sent out with no response.

Mr. Leugers requested that the applicant come forward to present their case. The applicant was not present.

Mr. Leugers turned to the audience to ask if there were any concerned members of the public. There were no concerned members of the public.

Mr. Leugers then closed the public comment period and opened up the discussion of the board.

Mr. Leugers entertained a motion.

Mr. Ten Eyck made a motion to Decline the variance request for Case SYCB230001

Ms. Hughes seconded the motion.

Mr. Scholtz called roll:

Mr. Leugers: YES
Mr. Heidel: YES
Ms. Hughes: YES
Mr. Ten Eyck: YES
Mr. Schwartz: YES

Tim Greene with DNK Architects took the stand. He stated that there is a fan on the roof, however, he was unsure how tall it was.

Mr. Uckotter suggested a parapet. Mr. Schwartz noted one probably would not be necessary given the elevation difference of the Cross County Highway.

Mr. Leugers asked if the audience had any comments. They did not.

(Mr. Scholtz arrived at the meeting)

Mr. Leugers entertained a motion.

Ms. Hughes made a motion to approve the variance request for Case SYCB230002 with the staff's recommended conditions.

- 1) A downward-directed wall pack light fixture shall be installed on the rear of the detached car wash to ensure safe night-time activity; footcandles exceeding .5 at the property line are permitted (downward directed light), but light shall not be directed towards the Cross County driving area.
- 2) If a dumpster is left outside on the subject property or associated property, a dumpster enclosure is required as specified in 10-5 of the Sycamore Township Zoning Resolution.

Mr. Heidel seconded the motion.

Mr. Scholtz called roll:

Mr. Leugers:	YES
Mr. Heidel:	YES
Ms. Hughes:	YES
Mr. Ten Eyck:	YES
Mr. Schwartz:	YES

Item 7.-Date of Next Meeting

The next regular meeting will take place on Monday, April 17, 2023, at 6:00 p.m.

Item 8.-Communication or Miscellaneous Business

Mr. Leugers asked if there was any miscellaneous business.

Mrs. Linda Engelhart Gunther approached the board to speak and stated that she had the time of the meeting as 6:30pm not 6:00pm. Therefore, she was late to the meeting and did not get to hear the case or testify. Mrs. Gunther was the applicant for case SYCB230001.

Mr. Uckotter states that the Board of Zoning Appeals calendar online states 6:00pm.

Mr. Leugers stated that the hearing had already been held and the variance was denied. He stated that the hardship associated with a variance was not present in this case. Mrs. Gunther requested to file for another variance. Mr. Leugers replied that another similar variance request could not

Case: SYCB230002
Applicant: EAN Holdings, LLC
Subject Property: 555 E. Galbraith Road, Cincinnati, Ohio 45215
Request: Variance
Resolution: Commercial Variance

Mr. Clark presented the case. Mr. Clark described the industrial area that surrounds this property.

Mr. Uckotter explained that to the south of the building is Cross County Highway, and to the west of the building is Mill Creek.

Mr. Clark stated that the car wash would not be detrimental to the surrounding area.

For safe nighttime activity, Mr. Uckotter stated that a light fixture is recommended at the back of the building that is downward-directed, not facing Cross County Highway. Mr. Uckotter also noted it would be advantageous to allow for a variance for footcandles exceeding the .5 standard onto the vacant ODOT right-of-way, but direct light not directed onto the road deck.

Mr. Clark read the recommendation, which stated, approval of the variance with conditions.

Those conditions being:

- 1) The downward-directed light be installed on the rear of the car wash outside.
- 2) If a dumpster is on-site, the proper enclosure is to be used as stated in 10-5 of the Sycamore Township Zoning Resolution Code.

Mr. Leugers asked if the board had any questions.

Mr. Scholtz asked if the off-street parking requirements will still be met with the inclusion of this building.

Mr. Uckotter stated "Yes",

Mr. Leugers asked the applicant if they would like to speak.

Stephanie Wetherell of EAN Holdings, LLC took the stand. She explained that they would like to keep the dumpster with wheels in a garage bay. She stated they agreed to roll the dumpster in and out upon and prior to pick up. Mr. Uckotter noted this would be okay, but the condition was meant for the future if policy changed.

Mr. Leugers asked if the board had any questions.

Mr. Schwartz asked if there would be any roof-mounted mechanical equipment that would be seen from Cross County Highway.

be applied for. Mr. Uckotter said that the next step in the appeals process would be Hamilton County Common Pleas Court.

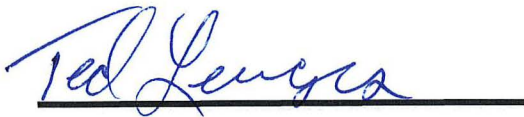
Item 9. – Adjournment

Mr. Leugers entertained a motion to adjourn. Mr. Schwartz made a motion to adjourn, seconded by Mr. Heidel.

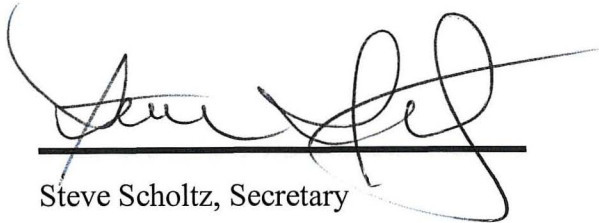
Mr. Scholtz called roll.

Mr. Leugers - YES
Mr. Heidel – YES
Ms. Hughes – YES
Mr. Ten Eyck - YES
Mr. Schwartz- YES

The meeting adjourned at 6:33 p.m.
Meeting minutes prepared by Jon Ragan



Ted Leugers, Chairman



Steve Scholtz, Secretary

