

**Meeting Minutes**  
**Sycamore Township Board of Zoning Appeals**  
**Township Administration Building**  
**8540 Kenwood Road**  
**Monday, October 19, 2020**  
**6:30 p.m.**

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

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

Chairman Eichmann called the meeting of the Board of Zoning Appeals to order on Monday, October 19, 2020 at 6:30 pm.

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

Mr. Eichmann called the roll.

Members Present: Mr. Eichmann, Mr. Leugers, Mr. Ten Eyck, Mr. Heidel, Mr. Scholtz and Ms. Hughes

Staff Present: Skylor Miller, Kevin Clark and Jessica Daves

**Item 3.-Opening Ceremony**

Mr. Eichmann led the Pledge of Allegiance.

**Item 4.-Approval of Minutes**

Mr. Eichmann entertained a motion to approve the September 21, 2020 meeting minutes.

Mr. Heidel made a motion, seconded by Mr. Ten Eyck to approve the September 21, 2020 meeting minutes.

Mr. Eichmann called roll.

Mr. Leugers-YES  
Mr. Heidel-YES  
Mr. Eichmann-YES  
Mr. Scholtz-YES  
Mr. George Ten Eyck III-YES  
Ms. Hughes-YES

**Item 5.-Electronic Signature**

Mr. Eichmann made a motion, seconded by Mr. Heidel to approve electronic signature.

Mr. Eichmann called roll.

Mr. Leugers-YES  
Mr. Heidel-YES

Mr. Eichmann-YES  
Mr. Scholtz-YES  
Mr. George Ten Eyck III-YES  
Ms. Hughes-YES

**Item 5.-Swearing in of Those Providing Testimony**

Mr. Eichmann explained that 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 6.-Old Business**

SYCB190018 (Continued to TBD)  
Five Star Equity Investors, LLC  
6100, 6331, 6341, 6491 & 6551 Kugler Mill Road  
Conditional Use

**Item 7.-New Business**

Mr. Eichmann explained conditional uses and the process.

Mr. Eichmann changed the order in which the cases were to be heard according to the Agenda.

SYCB200016  
Nelson & Lauren Lee  
6380 Euclid  
Conditional Use

Mr. Clark presented Case SYCB200016 in a PowerPoint.

Mr. Clark said the current zoning is “B” single family residential. The applicant requests a conditional use approval for a property zoned for single family residential for a short-term rental.

Mr. Clark said the prospective owners are realtors and intend to provide short term furnished accommodations to individuals who have a short gap between when their house and their next house closing. Terms could be as short as a few days up to a few months. The owners may list on Airbnb or similar website for marketing.

Mr. Eichmann asked Mr. Miller why they need to approve rental of property.

Mr. Miller explained that B & Bs are considered a conditional use in residential zoning districts and the conditional use language in the Sycamore Township Zoning Resolution that is pertinent to B & Bs.

There was discussion about how they could avoid a B & B from becoming a neighborhood nuisance.

Mr. Leugers asked Mr. Miller what the shortest period of time without the conditional use that they can rent it.

Mr. Miller answered 15 days.

There was discussion about the Township not having any B & Bs and the applicants being proactive contacting the Township regarding the proposed plan.

Ms. Hughes asked Mr. Miller if anybody has sent comments into the staff when they were notified about this hearing.

There was discussion about notification, there not being a sign on the property about the public hearing, and a phone call from someone from the public inquiring about information for the proposed plan.

Mr. Nelson Lee and Ms. Lauren Lee, Realtors, 8311 Colonial Mill Manor, West Chester, OH 45069, addressed the board.

Mr. Lee explained that they are trying to find a solution for their clients needing temporary housing.

Mr. Lee said he wanted to address the issue of a party house because this is a common problem with Airbnb's. He said, you can specify in the listing no parties, so they would include that in a listing for an Airbnb. He does not think their primary goal is to Airbnb the house. Their primary goal is to keep it rented with their clients. He said they will have a minimum stay defined on Airbnb, but they just don't know what that is going to be at this point.

Ms. Lee said they want to make sure as agents that they are following zoning guidelines and they honor the community that they are purchasing properties in, so that is why she reached out to the Township.

Mr. Eichmann asked if they had other properties in other parts of Cincinnati.

Mr. Lee answered no, this is their first temporary rental.

There was discussion about parties and the applicants restricting parties or stating no parties allowed.

Ms. Hughes asked Ms. Lee if they don't have a client in there, they will put it on Airbnb.

Ms. Lee said absolutely, that is why they decided to pay for this conditional use application.

There was discussion about parties and monitoring of the property.

Mr. Lee said if it doesn't work out, they will just rent it long term.

Mr. Scholtz asked Ms. Lee if they will be advertising this service to large corporations.

Ms. Lee said she does not think right now that they will have that much availability.

Mr. Eichmann asked Ms. Lee if it was furnished.

Ms. Lee answered yes.

Mr. Eichmann said so there won't be moving trucks coming in and out.

Ms. Lee answered no, it is designed to be furnished completely.

Mr. Eichmann asked if there were any other questions for the applicants.

No response.

Mr. Eichmann asked if there is any attending public.

No attending public.

Mr. Eichmann closed the public comment.

Mr. Leugers discussed his concern about Sycamore Township not being very good at enforcing anything like this and the property could become a nuisance with an Airbnb. He said he is inclined to deny.

Mr. Ten Eyck said he knows there is a need for this. He said they have to be careful of it becoming a nuisance, but they have a lot of properties that are nuisances. It is not just exclusive to a short-term rental.

Ms. Hughes said if this isn't granted, they can still rent it for two weeks for transitional.

Mr. Leugers said that is correct, as far as he understands the minimum is 15 days.

Ms. Hughes discussed that she suspects that if this is granted it sets a precedent.

There was discussion about Airbnb's, other property owners wanting B & Bs in the Township, and renting for a two-week minimum.

Mr. Miller discussed community enforcements and parties.

Mr. Ten Eyck said he is for this in that he doesn't see a whole lot of difference between the minimum two weeks stay for short term rental, it is just the platform that is being used.

Mr. Eichmann asked if there were any other comments.

No response.

Mr. Eichmann entertained a motion.

Mr. Leugers made a motion to deny the conditional use for Case SYCB200016.

Mr. Heidel seconded.

Mr. Eichmann asked if there was any further discussion.

Mr. Scholtz called roll.

Mr. Leugers-YES  
Mr. Ten Eyck- NO  
Mr. Heidel-YES  
Mr. Eichmann-NO  
Mr. Scholtz-NO

Mr. Eichmann entertained another motion.

Mr. Ten Eyck made a motion to approve Case SYCB200016 with the following condition:

1. A minimum three-day rental.

Mr. Scholtz seconded.

Mr. Eichmann asked if there was any discussion.

There was discussion about parties and if this became a nuisance property.

Mr. Ten Eyck said he supposes we could put a condition on there if the property becomes a nuisance that they can readdress this.

Mr. Eichmann asked Mr. Miller if they could put a time limit on it that they would examine it for its use after a years' time.

Mr. Miller answered you can set time limits. He said what he is thinking of to deal with parties would be renting for the purposes of parties or special events not related to typical residential stays shall be prohibited.

There was continued discussion about possible conditions about parties.

Mr. Scholtz said he likes to rely on the integrity of the applicants to do what they say they are going to do.

Mr. Ten Eyck agreed with Mr. Scholtz.

Ms. Hughes asked if this runs with property or the property owner. She asked if they sell this to someone this conditional use goes to the next owner, correct.

Mr. Miller answered yes unless there is a timeline on this.

Mr. Eichmann said, or the condition could be put in the case of the current owners.

Mr. Ten Eyck made a motion to amend Case SYCB200016 with the following conditions:

1. Rental for the purposes of parties or special events not related to typical residential stay shall be prohibited.
2. There shall be a minimum of a three-day rental.
3. This conditional use shall be revoked upon transfer of ownership.

Mr. Scholtz seconded.

Mr. Scholtz called roll.

Mr. Leugers-NO

Mr. Heidel-NO

Mr. Ten Eyck- YES

Mr. Eichmann-YES

Mr. Scholtz-YES

**Resolution**

Mr. Miller presented a resolution to approve Case SYCB200016 for a conditional use with conditions.

Mr. Scholtz called roll.

Mr. Leugers-NO  
Mr. Heidel-NO  
Mr. Ten Eyck- YES  
Mr. Scholtz-YES  
Mr. Eichmann-YES

SYCB200015  
Anthony Maley  
4676 Largo Drive  
Variance

Mr. Eichmann swore in the applicant providing testimony and explained the public hearing variance process.

Mr. Clark presented Case SYCB200015 in a PowerPoint presentation.

Mr. Clark said the current zoning is “C” residential. The applicant requests a variance to table 4-6 of the Zoning Resolution to construct a deck in the defined front yard of a corner lot.

Mr. Clark presented a photo of a property near the proposed property with a deck on a corner lot similar to what the applicant is proposing as an example.

Mr. Clark said the applicant is requesting a variance to allow a deck of 315 square feet, 4 and a half feet tall in the shortest area to 8 feet tall in the tallest area in the defined front yard.

Mr. Clark and Mr. Miller explained the locations of the different heights of the proposed deck.

Mr. Ten Eyck asked why this needed a variance.

Mr. Miller explained this property is what they consider legal non-conforming use, the property being a corner lot having two front yard setbacks and the proposed plan encroaching into the front yard setback.

There was continued discussion about the property being legal non-conforming and setbacks.

Mr. Eichmann asked if there were any other questions for the staff.

No other questions.

Mr. Eichmann asked the applicant if he would like to add anything.

Mr. Anthony Maley said there is nothing he would like to add.

Mr. Eichmann asked if there was anybody from the public that would like to comment.

No response.

Mr. Eichmann closed the public comment.

Mr. Eichmann asked if any board members had any comments.

Mr. Leugers said this is a corner lot and they changed the setbacks. He said he is inclined to approve it as submitted.

Mr. Scholtz said he agrees with Mr. Leugers.

Mr. Ten Eyck said he agrees with Mr. Leugers.

Mr. Eichmann entertained a motion.

Mr. Leugers made a motion to approve Case SYCB200015 as submitted.

Mr. Scholtz seconded.

Mr. Scholtz called roll.

Mr. Leugers-YES

Mr. Eichmann-YES

Mr. Heidel-YES

Mr. Ten Eyck- YES

Mr. Scholtz-YES

**Item 8- Resolutions**

Mr. Miller presented the resolution to approve a variance for Case SYCB200015.

Mr. Scholtz made a motion to approved.

Mr. Eichmann seconded.

Mr. Scholtz called roll.

Mr. Leugers-YES

Mr. Heidel-YES

Mr. Ten Eyck-YES

Mr. Eichmann-YES

Mr. Scholtz-YES

**Item 9.-Date of Next Meeting**

The next regular meeting will take place on Monday, November 16, 2020 at 6:30 p.m.

**Item 10.-Communication or Miscellaneous Business**

None

**Item 11. – Adjournment**

Mr. Eichmann entertained a motion to adjourn.

Mr. Leugers moved to adjourn.

Mr. Heidel seconded.

Mr. Scholtz called roll.

Mr. Leugers-YES  
Mr. Heidel-YES  
Mr. Ten Eyck-YES  
Mr. Eichmann-YES  
Mr. Scholtz-YES

Meeting adjourned 8:11 p.m.  
Minutes Recorded by Jessica Daves  
Planning & Zoning Assistant