

SYCAMORE TOWNSHIP BOARD OF ZONING APPEALS

RESOLUTION NO. SYCB200009

**A RESOLUTION DENYING AN APPEAL OF
SYCAMORE TOWNSHIP ZONING RESOLUTION**

WHEREAS, on June 19, 2020 the Sycamore Township Property Maintenance Code inspector sent a Notice of Violation to Bradley E. Lehmann Jr. (the “Owner”) for the real property located at 6640 Kugler Mill Road, Sycamore Township, Hamilton County, Ohio being Auditor’s Parcel Numbers 60000920076 and 60000920198 (the “Real Property”) for violations to Section 14-9 of the Sycamore Township Zoning Resolution on the Real Property; and

WHEREAS,. Bradley E. Lehmann Jr. (the “Appellant”) filed an appeal of the decision of the Sycamore Township Property Maintenance Code inspector pursuant to Section 14-9 of the Sycamore Township Zoning Resolution alleging that the inspector was in error; and

WHEREAS, on Tuesday, July 20, 2020, in a public meeting this Board heard the appeal and considered the testimony and evidence presented; and

WHEREAS, the Sycamore Township Board of Zoning Appeals has the authority to affirm or overrule the decision of the Sycamore Township Property Maintenance Code inspector; and

NOW THEREFORE, BE IT RESOLVED, by the Sycamore Township Board of Zoning Appeals:

SECTION 1. The Board hereby makes the following findings of fact and conclusions of law:

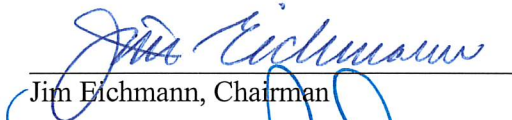
The Applicant’s landscaping encroaches the clear site distance triangle as prescribed by Sycamore Township Zoning Resolution, § 14-9.

SECTION 2. The decision of the Sycamore Township Property Maintenance Code inspector is affirmed, and the appeal is denied.

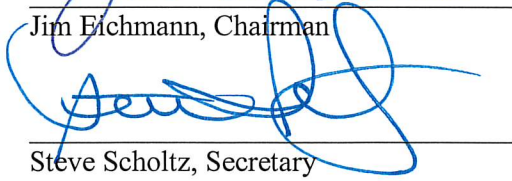
VOTE RECORD: For Affirmation of the decision of the Sycamore Township Property Maintenance Code inspector and denial of the Appeal:

VOTE RECORD: Mr. Ten Eyck- YES
Mr. Leugers-YES
Mr. Eichmann- YES
Mr. Heidel- YES
Mr. Scholtz- YES

APPEAL DENIED at a meeting of the Sycamore Township Board of Zoning Appeals this 20th day of July 2020



Jim Eichmann, Chairman



Steve Scholtz, Secretary

SYCAMORE TOWNSHIP BOARD OF ZONING APPEALS

RESOLUTION NO. SYCB200009

A RESOLUTION DENYING A REQUEST FOR A VARIANCE

WHEREAS, Bradley E. Lehmann Jr., (the Applicant) made application (the “Application”) for a variance to allow for landscape on the property to encroach into the sight triangle, as defined by the official Sycamore Township Zoning Resolution, at the property located at 6640 Kugler Mill Road, Sycamore Township, Hamilton County, Ohio, Auditor’s Parcel Numbers 060000920076 and 06000092198 (the “Real Property”); and

WHEREAS, notice of a public hearing to consider the Application for such a variance was given by mail to parties in interest within two hundred feet of the Real Property and also by publication in a newspaper of general circulation in Sycamore Township, prior to the date of the public hearing; and

WHEREAS, a public hearing was held on Monday, July 20, 2020 by the Sycamore Township Board of Zoning Appeals to consider the Application at which time testimony and evidence were taken concerning the application; and

WHEREAS, the Sycamore Township zoning text and map indicate that the Real Property is located in the “B” – Single Family Residential district; and

WHEREAS, the Sycamore Township Board of Zoning Appeals has the authority to grant variances from the provisions of the Sycamore Township Zoning Resolution where a literal interpretation of the zoning regulations would result in an unnecessary hardship to the owner of real property; and

WHEREAS, the Sycamore Township Board of Zoning Appeals finds that the granting of the variance requested in the Application will seriously affect the general health, safety and morals of the Township and the adjoining property owners;

WHEREAS, the Applicant failed to provide evidence that it is suffering an unnecessary hardship; and

WHEREAS, the Applicant failed to meet all of the standards for allowing a variance under Section 21-6 of the Sycamore Township Zoning Resolution in that there is no unique physical condition of the property from any others in the area, any hardship is self-created, there are no substantial rights affected, and the approval of the Application would be granting a special privilege to the Applicant;

NOW THEREFORE, BE IT RESOLVED, by the Sycamore Township Board of Zoning Appeals:

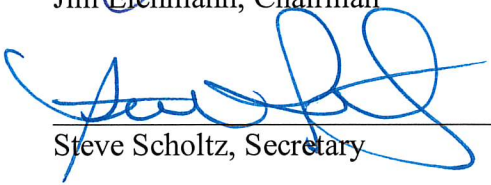
SECTION 1. The Application of Bradley E. Lehmann Jr, for the property located at 6640 Kugler Mill Road, Sycamore Township, Hamilton County, Ohio is hereby denied.

VOTE RECORD: Mr. Ten Eyck- YES
Mr. Leugers-YES
Mr. Eichmann- YES
Mr. Heidel- YES
Mr. Scholtz- YES

DENIED at a meeting of the Sycamore Township Board of Zoning Appeals this 20th day of July, 2020.



Jim Eichmann, Chairman



Steve Scholtz, Secretary

SYCAMORE TOWNSHIP BOARD OF ZONING APPEALS

RESOLUTION NO. SYCB200009

A RESOLUTION APPROVING A REQUEST FOR A VARIANCE

WHEREAS, Bradley E. Lehmann Jr., (Applicant) made application (the “Application”) for a variance to construct approximately 3400 square foot addition to the principle structure on the property that would encroach into the front yard setback of the property located at 6640 Kugler Mill Road, Sycamore Township, Hamilton County, Ohio, Auditor’s Parcel Numbers 060000920076 and 06000092198 (the “Real Property”); and

WHEREAS, notice of a public hearing to consider the Application for such a variance was given by mail to parties in interest within two hundred feet of the Real Property and also by publication in a newspaper of general circulation in Sycamore Township, prior to the date of the public hearing; and

WHEREAS, a public hearing was held on Monday, July 20, 2020 by the Sycamore Township Board of Zoning Appeals to consider the Application at which time testimony and evidence was taken concerning the application; and

WHEREAS, the Sycamore Township zoning text and map indicate that the Real Property is located in the “B”- Single Family Residential district; and

WHEREAS, the Sycamore Township Board of Zoning Appeals has the authority to grant variances from the provisions of the Sycamore Township Zoning Resolution where a literal interpretation of the zoning regulations would result in an unnecessary hardship to the owner of real property; and

WHEREAS, the Sycamore Township Board of Zoning Appeals finds that the granting of the variance requested in the Application will not seriously affect the general health, safety and morals of the Township or the adjoining property owners;

NOW THEREFORE, BE IT RESOLVED, by the Sycamore Township Board of Zoning Appeals:

SECTION 1. That the Application of Bradley E. Lehmann Jr., (Applicant) for the property located at 6640 Kugler Mill Road, Sycamore Township, Hamilton County, Ohio is hereby approved.

SECTION 2. That the approval of the Application granted in this Resolution is subject to the following:

1. As submitted

SECTION 3.

No Zoning Certificate shall be issued by the Zoning Administrator until:

A. A Zoning Compliance Plan in compliance with this Resolution has been received and approved by the Zoning Administrator; and

B. All documents submitted for zoning certificates are fully coordinated and consistent with the approved Zoning Compliance Plan.

The Hamilton County Building Commissioner shall issue no building permit for actual construction before a Zoning Certificate is received from the Zoning Administrator.

SECTION 4.

The Zoning Administrator shall issue no Final Zoning Certificate until the development complies with all requirements contained in this Resolution and the Zoning Compliance Plan.

SECTION 5.

All aspects of the development of the property including, but not limited to, property improvements, landscaping, and ground cover, as set forth in the plans, specifications, covenants, conditions, requirements and limitations of the Zoning Compliance Plan and contained in this Resolution shall be continually maintained by the owner of the property. Any failure to maintain the development shall be considered a violation of the Zoning Resolution and shall be subject to all penalties and remedies there under.

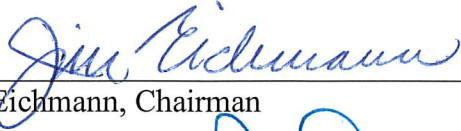
SECTION 6.

Subject to an extension of time granted upon application to the Board of Zoning Appeals, no variance shall be valid for a period longer than six (6) months unless applications for permits or approvals referenced in Section 21-9 of the Sycamore Township Resolution have been filed, building permits issued and construction is diligently pursued to completion. This variance shall be deemed to authorize only the particular construction or development for which it was issued and shall automatically expire and cease to be of any force or effect if such construction or development shall be removed and not replaced within six (6) months following such removal unless extended in writing by the Board of Zoning Appeals.

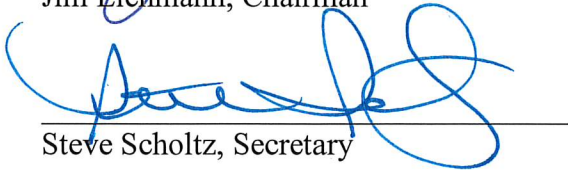
VOTE RECORD:

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

APPROVED at a meeting of the Sycamore Township Board of Zoning Appeals this 20th day of July, 2020.



Jim Eichmann, Chairman



Steve Scholtz, Secretary