1 · · · ·	513.792.7250 PHONE 513	NG & ZONING		APR syca	EIVED 2 2 2019 More twp.
ZONING COMMISSION APPLICATION  APPLICATION NUMBER    FEES:					
1. PROJECT ADDRESS: 3608 Blue Ash Rd ZIP CODE: 45242					2
2. NAME	STREET ADDRESS	CITY	ST	ZIP	PHONE NUMBER
OWNER Dominion Real Estate Davis CONTRACTOR	4600 Cooper Rd	Blue Ash	04	45242	
DESIGNER Pelicen Gtudis Bulghirley	16499 gateway dr	criti oc	GH	45742	513.652.8700
APPLICANI	C <sup>t</sup>	11	U	17	11
APPLICANTS E-MAIL ADDRESS					
3. ZONING COMMISSION  ZONE CHANGE O FROM ZONE TO ZONE    PUD I O  PUD I I  LASR O    MAJOR ADJUSTMENT TO A PUD  MINOR ADJUSTMENT TO A PUD O    MAJOR ADJUSTMENT TO A LASR O  MINOR ADJUSTMENT TO A LASR O					
4. STATE IN DETAIL ALL EXISTING &				S:	
Vacant Tor more	than Byrs - exist			1	
histourout/ por on	let fir wingle		<u>317 c</u>	second	+1.
,	•			IGHT: <u></u>	
8. EST. START DATE:	9. EST. FINISH DATE:		10	•. # OF SIGN	NS:
THE DEPARTMENT OF PLANNING & ZONING IS DEDICATED TO THE CONTINUING PROSPERITY OF SYCAMORE TOWNSHIP. WE PROMOTE HIGH STANDARDS FOR DEVELOPMENT AND QUALITY PROJECTS. WE LOOK FORWARD TO SERVING OUR CITIZENS AND BUSINESS COMMUNITY TO MAKE SYCAMORE TOWNSHIP THE BEST IT CAN BE.					
The owner of this project and undersigned do hereby certify that all of the information and statements given on this application, drawings and specifications are to the best of their knowledge, true and correct. The applicant and owner of the real property agree to grant Sycamore Township access to the property for review and inspection related to this Zoning Commission application.					
NOTE: FILING THIS APPLICATION DO	DES NOT CONSTITUTE PERM	USSION TO BEGI	v woi	RK.	
APPLICANT'S SIGNATURE	4.22.19 DATE				
See all all and					

See attached PROPERTY OWNER'S SIGNATURE

DATE

the stand from the stand	DEPARTMENT OF PLANNIN 8540 KENWOOD ROAD, CINCIN	G & ZONING	1990 David Jacobson			
ZONING COMMISSIO	ZONING COMMISSION APPLICATION			APPLICATION NUMBER		
FEES:ZONE CHANGE \$1,000MINOR ADJUSTMENT TO A PUD \$200PUD I\$1,000PUD I\$1,200PUD II\$1,200MINOR ADJUSTMENT TO LASK\$200LASR\$1,000MAJOR ADJUSTMENT TO LASR\$1,000			2019-05P2 do not write in this space			
THERE SHALL BE NO REFUND OR PART THEREOD	F ONCE PUBLIC NOTICE HAS BEEN GIVE	IN				
1. PROJECT ADDRESS: 2608 Blu	ieAshRd		ZIP COI	DE: 4524	2	
2. NAME	STREET ADDRESS	CITY	ST	ZIP	PHONE NUMBER	
OWNER Dominion Rezl Estate Davis	4680 Cooper Rd	Blue Ash	OL	45242		
CONTRACTOR	1000 000012	17100 733 (				
DESIGNER Pelicen Gtudis Bul Ghirley	10449 geteway dr	Criefi oc	GH	45742	513.652.8700	
APPLICANT						
APPLICANTS E-MAIL ADDRESS						
3. ZONING COMMISSION ACTION REQUESTED: ZONE CH PUD I O	ANGE O FROM ZONE					
			יייניא אידי אינייני			
MAJOR ADJUSTMENT TO A PUD MINOR ADJUSTMENT TO A PUD O						
MAJOR ADJUSTMENT TO A LASR O MINOR ADJUSTMENT TO A LASR O						
4. STATE IN DETAIL ALL EXISTING & PROPOSED USES OF THIS BUILDING OR PREMISES:						
vacant for more	than Byrs - exist	ing previo	<u>5U5 (</u>	ise wa		
	st fir single	unit apt	ON	second	fla	
5. SQUARE FEET: 1, 60054	6. USE: COMMENCIAL	nuked	7. HE	IGHT:	2.57	
8. EST. START DATE:	9. EST. FINISH DATE:		10	. # OF SIGI	<b>VS:</b>	
SERVING OUR CUTZENS AND BU	ANDARDS FOR DEVELOPMENI ISINESS COMMUNITY TO MAK	AND QUALITY F SYCAMORE TO	ROJECI WNSHIP	S.WELOOK THE BEST I	T CAN BE	
The owner of this project and undersigned do hereb to the best of their knowledge, true and correct. Th and inspection related to this Zoning Commission a	e applicant and owner of the real prop	d statements given o erty agree to grant S	n this app ycamore T	lication, drawi ownship acces	ngs and specifications are s to the property for review	

NOTE: FILING THIS APPLICATION DOES NOT CONSTITUTE PERMISSION TO BEGIN WORK.

4,22,19 DATE 4.2219 DATE ę APPLICANT'S SIGNATURE ÷., l 0 ą PROPERTY OWNER'S SIGNATURE

ŧ,

March 25, 2019 *Rev. April 19, 2019* 

Board of Zoning Appeals Sycamore Township 8540 Kenwood Road Sycamore Township, Ohio 45236-2010

Re: PUD-II Application 2019-05P2 (formerly case SYZ-19-019) 8608 Blue Ash Road Blue Ash, OH 45242

Dear Sycamore Township:

Thank you for taking time to review my application for a Zoning Certificate/Permit; unfortunately, the application was denied on February 21<sup>st</sup>, 2019 and again on March 12<sup>th</sup>, 2019. At the request of the Zoning Administrator, please accept this Letter of Intent which accompanies the PUD-II Application, Plans which include the Metes and Bounds Description, Zoning Plat requirements and Existing and Proposed features.

The initial application for the Zoning Permit was denied due to:

Letter dated February 21, 2019

- 1. Requested ISR Worksheet for intended use
- 2. Parking Analysis for intended use

Letter dated March 12, 2019

"The proposed project does not meet the requirements of sections 9-1.1, 9-1.5, 9-2.2, 5-1.2 a & e, table 5-5, 12-4.1, 12-4.2, 12-4.3b, table 12-4, 12-4.7, 12-5.1, 12-6.2, 12-6.3, table 12.9, and chapters 14 and 15 of the Zoning Resolution."

In order for a Zoning Certificate to be issued for this project, you must apply for and be approved for a PUDI by the Zoning Commission.

In response, the following requested information is being presented in order of the PUD Application Checklist for clarity.

- a. Description of Change of the Premises:
- b. Size of the Area Involved:
- c. Description of the Proposed Use:
- d. Character of Development:
- e. Description of Surrounding Land Use
- f. Changes in Character and Conditions of the Area:
- g. Effect pm Community and Area:
  - 1. Effect on Community Objectives and Plans:
  - 2. Character of the Immediate Area:
  - 3. Adjacent Property:
  - 4. Public Facilities and Services:
- h. Other Information:

Following is a summary of the project site:

SITE DATA		
ADDRESS	8608 Blue Ash Road	
	Blue Ash, Ohio 45236	
	Parcel No. 600-0201-0119-00	
PROPERTY DESCRIPTION	BLUE ASH RD 50.90 X 190 PT LOT 18 ASHMORE SUB	
BUILDING GROSS SQUARE FEET	2,652	
EXISTING ZONING	Retail "E"	
EXISTING USE	Vacant (Previously occupied by residential tenant and	
	bar/restaurant.)	

The purpose of this proposal is to finish the interior spaces and building exterior located at 8608 Blue Ash Road, Sycamore Township, Hamilton County, Ohio 45236. The 2,652 square foot building is currently vacant and the proposed use for the  $1^{st}$  floor is retail and/or service or office with no changes to the existing floorplan. The proposed use for the  $2^{nd}$  floor space remains the same; 2bed/1bath apartment with no changes to the existing floorplan.

Following are the sections of the Zoning Resolution that will be addressed according to the letter dated March 12<sup>th</sup>, 2019:

#### 9-1.1 - Purpose

This chapter recognizes that, through provisions for compatible non-conforming uses, <u>that the improvement of a</u> <u>nonconforming use may be desirable in unique circumstances to achieve additional protection of adjacent</u> property and benefit the surrounding neighborhood.

This chapter also recognizes the new standards for...and setback requirements may conflict with the investment backed expectations of owners of developments that existed prior to the adoption of these regulations and <u>therefore allows limited exception from such regulations to minimize the affect of these standards on existing property rights.</u>

The building has been vacant for at least 5 years and is of no value to the neighborhood in it's current state. With the full renovation of the building, the property value increases. With the building being fully occupied, tax dollars increase as well as deters vandalism, squatters and deferred exterior and interior maintenance.

#### 9-1.5 – Burden of Establishing Legality of Nonconformity

The burden of establishing that any noncomforming use lawfully exists under the provision of this Resolution shall, in all cases, be upon the owner of such nonconformity and not upon the Township. Thus the purpose for submission of this proposal and hearing process.

#### 9-2.2 - Nonconforming Use Discontinued

If a lawfully existing nonconforming use of land or of any structure is voluntarily discontinued for two (2) years or more, any future use shall conform to all the regulations of the zoning district in which it is located, <u>unless</u> approved by the <u>Board or Zoning Appeals according to the provisions of Section 9.5.</u>

Section 9.5 (Compatible Nonconforming Uses) states: Not withstanding the foregoing provisions to the contrary, the usable area of a nonconforming use may be increased or improved where the owner of such use can demonstrate through application to the Board of Zoning Appeals that the manner in which the usable area of the nonconforming use will be increased or improved will have no adverse impact upon adjacent property owners and other permitted land uses in the surrounding neighborhood or can be made compatible with the adjacent property owners and the uses in the surrounding neighborhood upon compliance with special conditions. PUD application, proposal and fee submitted for consideration.

#### 5-1.2 – Statement of Intent

The Commercial Districts, which include the O Office district and the E Retail Business district, <u>are intended to</u> <u>provide controlled and harmonious settings for office developments and business commercial developments, to</u> <u>enhance employment opportunities, to encourage the efficient use of land, to enhance property values and the</u> <u>tax base, to encourage a high quality of design in office and business/commercial developments...</u>

It is our intent to conform with the Zoning Resolution to enhance employment opportunity, encourage efficient use of land (and structure), to enhance property value and the tax base and to encourage a high quality of design (please see attached Scope of Work).

#### 5-1.2 (a) - Mechanical Equipment to be Screened

All ground level and roof top mechanical equipment visible from public streets and residential districts or any districts with permitted residential uses shall be screened.

The scope now includes screening the visible equipment on the north roof of the building.

5-1.2 (e) – Permanent Outdoor Storage or Display

N/A - the space was mis-identified on the original submission and has been corrected.

Table 5-5 – Lot Area, Bulk And Yard Requirements In Commercial Districts for Low Intensity Uses Permitted As of Right

This information is shown on the cover page. It should be noted that no changes to the exterior of the building will be considered that negatively affect the existing non-conforming setbacks. The intent is to leave the exterior building footprint as is.

#### 12-4 – Design of Parking Spaces and Aisles

12-4.1 - Aisles

Each required parking space shall have direct and unrestricted access to an aisle of the minimum width set out in Table 12-4 and illustrated in Figure 12-4A.

Current parking spaces have direct and unrestricted access to an aisle of the minimum width set out *in Table 12-4 and illustrated in Figure 12-4A*.

The proposed layout has maximized the potential possible aisle width given the existing site conditions between buildings. The intent is to seek relief from strict adherence.

#### 12-4.2 - Access

All parking spaces shall be entered and exited along parking aisles arranged perpendicular to access drives <u>wherever possible</u>. Parking shall be restricted along the area defined as an "entry drive" entry drives within 30 feet (30') of the right away or easement line (and at greater distances as may be required by the Sycamore Township Zoning Commission depending on the traffic generation and parking lot size) nor within eight feet (8') if the curb or pavement edge of such restricted entry drive area.

The proposed layout has maximized the potential possible access width and length from R.O.W. given the existing site conditions between building and existing road. The intent is to seek relief from strict adherence.

#### 12-4.3 – Maneuverability Areas

**12-4.3 (b)** – Back-Up Area. Each parking space shall be provided with a sufficient back-up area to permit egress in one maneuver, consisting of one backward and one forward movement.

The proposed layout has maximized the potential possible maneuvering area given the existing site conditions behind the buildings. The intent is to seek relief from strict adherence.

Table 12-4 – Parking Stall And Aisle Dimensions

The proposed layout has complied with the size of parking stalls and maneuvering aisle, but given the existing site conditions access drive width and aisle width do not conform with defined requirements. The intent is to seek relief from strict adherence.

#### 12-4.7 – Wheel Stops and Continuous Curbs

Wheel stops or continuous curbs shall be provided, located and designed to protect required screening devices and landscaping and pedestrian ways from damage or encroachment of vehicles and to provide necessary traffic control in the parking area.

- (a)
- (b)

(c)

(d)

The intent is to comply with the current Zoning requirements which we believe the proposed layout complies.

### 12-5 – Location of Required Parking Spaces

#### 12-5.1 – Off-Street Parking

Required off-street parking spaces for any use shall be located on the same parcel as the use they are intended to serve, <u>except where these regulations allow shared parking between uses on different lot pursuant to Section 12-3.3</u>

Section 12-3.3 (Shared Parking) states: For shopping centers, parking requirements may be located on adjoining parcels if the parking requirements for the entire shopping center are met, the total number of required parking spaces are located within 300 feet from the uses they are intended to serve, and there is a recorded agreement from the Owner or between the Owners involved and all future owners or assigns which shall be submitted with the required plan.

The proposed layout significantly improves the original parking condition. The proposed concept shows the maximum potential possible number of spaces given the existing site conditions. The intent is to seek relief from strict adherence. Depending on the actual tenant that occupies the building will determine the actual quantity of spaces. However, should more spaces be required than possible to provide on the property, the Owner will negotiate and enter into agreement for shared parking with adjacent Property Owners within 300 feet of the building.

#### 12-6.2 - Total Landscaping Required

The total landscaping required in vehicular use areas is 22 sq. ft. per parking and stacking space. Interior and street landscaping count toward the minimum sq. ft. of landscaping required per parking space. Boundary buffers do not count toward the minimum square feet of landscaping required per parking space. Landscaping will be included as indicated on the concept plan. The intent is to comply with the current Zoning requirements which we believe the proposed layout complies.

#### 12-6.3 – Interior Landscaping Standards

**12-6.3 (a)** – <u>Design</u>. Landscape area shall be peninsular, island type, or tree islands as defined in Section 12. <u>Location</u>. All parking spaces must be at least within 100 feet of a landscaped area.

Landscaping will be included as indicated on the concept plan. The intent is to comply with the current Zoning requirements which we believe the proposed layout complies.

#### Table 12.9 - Schedule of Off-Street Parking Requirements

According to the Table, in addition to the Accessory Apartment, businesses that occupy the first floor of the building would be able to accommodate parking for uses that require 150sf per space or greater. The uses that require 100 sf (net area) / parking space may conform once the final layout of the interior is determined.

## RECEIVED

APR 25 2019 If additional spaces are required, the owner will make every attempt to obtain a shared parking agreement before entering into contract with said tenant. SYCAMORE TWP.

#### **Chapter 14 of the Zoning Resolution**

#### 14-1 - Purpose

The purpose of this chapter is to require buffering noncompliance between noncompatible land uses, provide coordinated streetscapes, protect sight triangles, and to protect, <u>preserve and promote the character and value of surrounding neighborhoods</u> as well as, to promote the public health and safety through the reduction of noise pollution, air pollution, visual pollution, air temperature, and artificial light glary by providing for the illustration and <u>maintenance of buffer areas and landscaping in accordance with the standards and requirements set forth</u> below.

14-6.6 - Existing Fence, Wall Berm or Landscaping on Adjacent Parcel

When the adjoining parcel has an existing fence, wall berm, or landscaping within 10 feet (10') of a developing parcel boundary that fulfills the buffer requirements of the developing parcel, the existing landscaping material on the adjacent lot may be used towards the requirements for the boundary buffer required for that boundary edge only. All credits for existing landscape material must be in accordance with Section 15-6, and other related chapters. Any additional landscape material necessary to meet the boundary buffer requirements shall be added. The intent is to provide landscaping as indicated on the proposed concept plan, taking into consideration the existing heavily wooded buffer between the east adjacent property and both north and south adjacent property owners with similar Use groups allowing splitting the required buffer width equally on both property Owners sites.

#### **Chapter 15 of the Zoning Resolution**

#### 15-1 - Purpose

The purpose of this chapter is to assure that, in conjunction with the purposes of Chapters 12, 14 and other related chapters all landscape requirements of this Resolution are effectively achieved with high quality landscape elements and to provide flexibility in incentives to retail existing landscape material elements where appropriate.

The intent is to comply with the current Zoning requirements which we believe the proposed layout complies.

In summary, the owner is currently seeking to zone the property R-2/B, to permit the interior/exterior finish of the building and to consider the proposed parking spaces as appropriate for off-street parking. Please see Proposed Site Concept Plan included. Additional parking is available in the immediate area. It may become necessary for the owner to seek a shared parking agreement depending on the type of tenant that is interested in occupying the first floor.

Further, the owner believes the proposed building finish upgrades offer a significant improvement to the business corridor as well as to the structure itself. In its current state, the building is of little value and potentially a nuisance. Finished and occupied with a commercial and residential tenant, there is tax value for the township.

Lastly, the request for the variance satisfies the standards outlined in the Sycamore Township Zoning Resolution: is a unique physical condition, is not self-created, would deny substantial rights, is not merely a special privilege, must be in harmony with the Township Resolution. Further, the proposed would not result in a use or development on the subject property that: would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development value of property or improvements permitted in the vicinity; would materially impair an adequate supply of light due to adverse location of shadow to the properties and improvements in the vicinity; would substantially increase hazardous conditions in the public streets due to traffic or parking; would unduly increase the danger of flood or fire; would unduly tax public utilities and facilities in the areas; or would endanger the public health or safety.

If you would like more information on this proposal, please feel free to contact either of us at the information shown below. We look forward to working with you in hopes of bringing a viable building and business to the township. We would also appreciate the opportunity to discuss in more detail at the Zoning Commission Meeting.

:

Respectfully submitted,

Tiffany Davis, Owner 513-375-9687 tiffany@treorealtors.com

Paul Shirley, Architect and applicant 513-652-8700 <u>pshirley@pelstuarch.com</u>

## ZONING INFORMATION

PROPERTY INFORMATION: 8608 BLUE ASH RD., CINCINNATI, OHIO 45242 SYCAMORE TWP, HAMILTON CTY.

PARCEL ID: 600-0201-0119-00 (PART OF LOT 18 ASHMORE SUBDIVISION)					
SITE ACREAGE:	0.213(±) ACRES ( (9,292(±) SF)				
ZONING DISTRICT:	COMMERCIAL: "E" - RETAIL BUSINESS				
LOT REQUIREMENTS:					
	<u>Requirement:</u>	Proposed			
LOT AREA:	20,000 sf (min)	9,292 sf (exist)	NO CHANGE		
LOT WIDTH:	100 ft	50 ft (exist)	NO CHANGE		
FRONT YARD:	30 ft	10.90 ft (exist)	NO CHANGE		
SIDE YARD:	10 ft (each)	0 ft / 9 ft (exist)	NO CHANGE		
REAR YARD:	20 ft	118.47ft (exist)	NO CHANGE		
IMPERVIOUS					
SURFACE					
RATIO:	0.50% (max)	0.89% (proposed)	CHANGED		
HEIGHT OF					
BUILDING:	35 ft (max)	32 ft (exist)	NO CHANGE		

#### SITE INFORMATION SHOWN FROM VARIOUS RESOURCES:

- BOUNDARY INFORMATION FROM MORTGAGE EXHIBIT "A": LEGAL DESCRIPTION AND PLAT BOOK 31, PG 5 OF THE PLAT RECORDS OF HAMILTON COUNTY, OHIO.
- BOUNDARY MEETS AND BOUNDS AND BUILDING LOCATION FROM BOUNDARY SURVEY BY T. DILLINGER DATED APRIL 15, 2019
- CAGIS RECORDS FOR SITE TOPOGRAPHY.
- FIELD MEASUREMENTS AS NOTED.

## **BUILDING CODE NOTES**

#### PROJECT SUMMARY:

PROJECT SCOPE OF WORK CONSISTS OF INTERIOR COSMETIC IMPROVEMENTS OF AN EXISTING COMMERCIAL MIXED USE BUILDING AND RESTORING FIRE RATED SEPARATION BETWEEN USE GROUPS, PROVIDING AN ACCESSIBLE ENTRANCE, MODIFYING EXISTING EGRESS TO APARTMENT AND REAR EGRESS, REMOVING AND REPLACING EXISTING ROOF AS REQD, REPLACING AWNINGS AND IMPROVING THE PARKING LOT.

CONSTRUCTION TYPE: USE GROUP: FIRE SUPPRESSION: FIRE PROTECTION:

3B - NO CHANGE B (FIRST FLR)/ R-2 (SECOND FLR) - NO CHANGE NON-SPRINKLERED - NO CHANGE NO CHANGE

### BUILDING HEIGHT AND AREA:

- NO CHANGE TO EXISTING OVERALL BUILDING HEIGHT OR AREA - NO CHANGE TO EXISTING TENANT SPACE AREA

AREA OF EXISTING FIRST FLOOR TENANT SPACE: GROSS AREA: 1.644 SF NET AREA: 1,282 SF

AREA OF EXISTING SECOND FLOOR APARTMENT: GROSS AREA: 1,022 SF

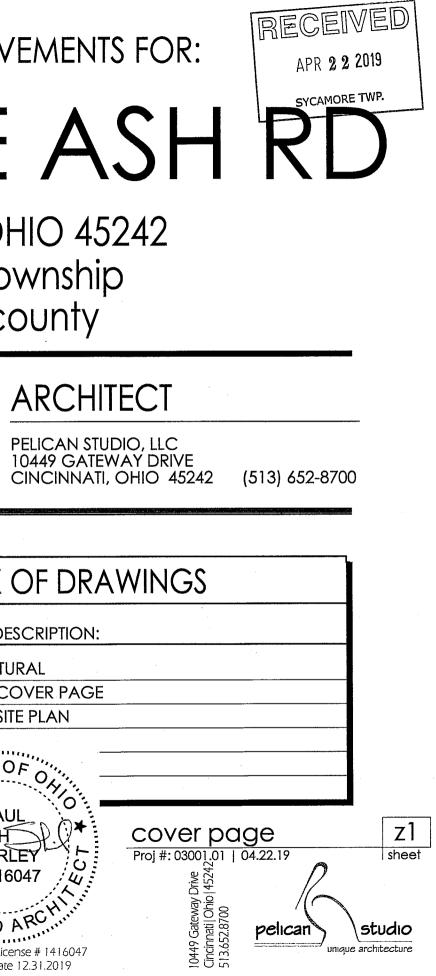
# **PROPOSED IMPROVEMENTS FOR:**

# 8608 BLUE ASH R

## CINCINNATI, OHIO 45242 sycamore township hamilton county

**OWNER** 

DOMINION REAL ESTATE CONSULTING 4680 COOPER RD BLUE ASH, OHIO 45242



VICINITY MAP	INDEX OF
Choope at	SHT NO: DESCR
Remail Respon Cross Dourny MMY	ARCHITECTURA
	z1 COVE
PROJECT LOCATION	z2 SITE PI
biolog Blue Ash Robid Promove ag Rontand / Her Indian Creek Apartments Indian Creek Apartmen	PAUL PAUL PH SHIRLEY #1416047

## Proposed Improvements: 8608 Blue Ash Road

Paul H. Shirley, License # 1416047 Expiration Date 12.31.2019

