First Reading: July 13, 2022
Second Reading: Dispensed

RESOLUTION NO. 2022 070

A RESOLUTION APPROVING A ZONE CHANGE AND S-PUD FOR KLIENFELDER CAPITOL IN SYCAMORE TOWNSHIP AND DISPENSING WITH A SECOND READING

WHEREAS, application (the "Application") was made by SHP for Klienfelder Capitol (the "Applicant") for approval of a zone change for the parcel of real property located at 8760 Montgomery Road, Sycamore Township, Ohio, being Auditor's Parcel No. 60000600011 (the "Real Property") in Sycamore Township Zoning Case Number 2022-10Z; and

WHEREAS, the real property in Case No. 2022-10Z, consists of the real property located 8760 Montgomery Road in Sycamore Township, Hamilton County, Ohio, and are designated as Hamilton County Auditor's Parcel Number 60000600011 (the "Real Property");

WHEREAS, on June13, 2022 after proper notice having been given, the Sycamore Township Zoning Commission held a public hearing to consider the application for the zone change in Case Number 2022-10Z; and

WHEREAS, the Real Property is currently located in a "B"- Single Family Residential District and the Application is for the zone change to a "OO" – Planned Office District; and

WHEREAS, on June13, 2022 in an open meeting, the Sycamore Township Zoning Commission recommended approval of the development; and

WHEREAS, on July 13, 2022, after proper notice having been given, the Board of Township Trustees of Sycamore Township held a public hearing to consider the application for the zone change in Case No. 2022-10Z;

NOW THEREFORE, BE IT RESOLVED, by the Board of Township Trustees of Sycamore Township, State of Ohio:

SECTION 1. The Application for the zone change for the Real Property to a zoning designation of "OO" – Planned Office District is hereby determined to be consistent with the Sycamore Township land use plan and approved.

SECTION 2. Any use and improvements made to the Real Property which is the subject of this Resolution shall be made and constructed in compliance with the plans, specifications, and renderings submitted to the Board of Township Trustees of Sycamore Township on July 13, 2022 as approved by this Resolution.

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;

B) all documents submitted for zoning certificates are fully coordinated and consistent with the approved Zoning Compliance Plan;

No building permit for actual construction shall be issued by the Hamilton County Building Commissioner before a Zoning Certificate is received from the Zoning Administrator.

SECTION 4. No Final Zoning Certificate shall be issued by the Zoning Administrator until the development complies with all requirements contained in this Resolution and the Zoning Compliance Plan and, unless waived by the Zoning Administrator, the following documents are received and approved by the Zoning Administrator:

A) a summary report from Hamilton County Engineer certifying that the approved plans and specifications for roadway and access improvements, either on-site or off-site, have been completely implemented, and that any required rights-of-way have been dedicated;

B) a summary report from the developer's registered engineer or surveyor as required by and addressed to the Hamilton County Director of Public Works Department certifying that the approved plans and specifications for storm drainage improvements have been completely implemented; the Director of Public Works shall inform the Zoning Administrator when such letter is received and approved;

C) a summary report from the Metropolitan Sewer District or Hamilton County Board of Health certifying that the approved plans and specifications for sanitary sewer and wastewater treatment have been completely implemented;

D) a summary report from the registered landscape architect who prepared the plan, certifying completion of the landscape plan, and soil erosion and sedimentation control measures as specified on the approved plan and noting any deviations and the reasons for such deviations;

E) a summary report from the Sycamore Township Fire Chief certifying that the approved plan and specifications for fire prevention and control have been completely implemented, and

F) a summary report from the applicant's registered engineer, surveyor or attorney certifying that required easements for access, utilities, or other purposes have been recorded in the Office of the Hamilton County Recorder.

SECTION 5. All aspects of the development of the Real Property including, but not limited to, drainage, property improvements, lighting, 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, including any exhibits attached hereto shall be continually maintained by the owner of the property. Any failure to so maintain the development shall be considered a violation of the Sycamore Township Zoning Resolution and shall be subject to all penalties and remedies thereunder.

SECTION 6. The Trustees of Sycamore Township upon at least a majority vote do hereby dispense with any requirement that this resolution be read on two separate days, and hereby authorize the adoption of this resolution upon its first reading.

SECTION 7. This resolution shall take effect on the earliest date allowed by law.

VOTE RECORD:

Mr. Weidman AYE Ms. Schwegmann ABSTAIN Mr. James AYE

Passed at a meeting of the Board of Township Trustees of Sycamore Township this 16th day of March, 2021.

Thomas J. Weidman., Chairman

Tracy Schwegmann, Vice Chairman

Thomas C. James, Jr, Trustee

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 13th day of July, 2022.

Robert C. Porter, III, Fiscal Officer
Sycamore Township, Ohio

APPROVED AS TO FORM:

Larry Barbiere, Law Director