

**A RESOLUTION APPROVING A MAJOR ADJUSTMENT WITH CONDITIONS TO  
AN APPROVED PLANNED UNIT DEVELOPMENT FOR LEMONS & LIMES  
BOUTIQUE, LLC, 7292 KENWOOD ROAD  
AND DISPENSING WITH THE SECOND READING**

**WHEREAS**, an application was made by Lemons & Limes Boutique, LLC. (the "Applicant"), for a major adjustment to the planned unit development (original case 2013-04MA) for a change in use; and

**WHEREAS**, the real property in Case No. 2023-13MA consists of the real property located at 7292 Kenwood Road in Sycamore Township and is designated as Hamilton County Auditor's Parcel Number 060000800073, the "Real Property"; and

**WHEREAS**, the Real Property is located in the "E"- Retail District; and

**WHEREAS**, on October 10, 2023, after proper notice having been given, in a public hearing and an open meeting, the Sycamore Township Zoning Commission held a public hearing to consider the application for a major adjustment for the subject properties in case No. 2023-13MA. The Sycamore Township Zoning Commission recommended approval of the Application with conditions and communicated its recommendation to the Board of Township Trustees; and

**WHEREAS**, on November 01, 2023, after proper notice having been given, the Board of Township Trustees of Sycamore Township held a public hearing to consider the application for the major adjustment to the planned unit development in Case Number 2023-13MA; and

**WHEREAS**, the applicant and members of the public, after being duly sworn, gave extensive testimony regarding the application for the major adjustment to the planned unit development;

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

**SECTION 1.**

The recommendation of the Zoning Commission is modified as set forth hereinafter. The Application of Lemons & Limes Boutique, LLC. is hereby approved as modified in the conditions of Exhibit A. This approval is subject to the Real Property being in compliance with all of the conditions contained within this Resolution and those conditions set forth in Exhibit A attached hereto and incorporated herein.

**SECTION 2.**

All other approvals, conditions, obligations, and requirements contained in previous approval of the development as amended in prior resolutions of the Board of Township Trustees and not adjusted herein shall remain in full force and effect.

**SECTION 3.**

Any use and improvements made to the Real Property, which is the subject of this Resolution, shall be constructed in compliance with the plans, specifications, and renderings submitted to the Board of Township Trustees of Sycamore Township at the public hearing on November 01, 2023, and approved by this Resolution, including any conditions contained on the Exhibit A attached hereto, and any previous resolutions in effect that affect the Real Property that are not amended herein.

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

**SECTION 4.**

- 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 5.**

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 waste water 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 6.**

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 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 7.**

The Decision of the Board of Trustees modifying the recommendations of the Zoning Commission is based upon the Staff Report presented at the hearing, the testimony of the applicant, and the testimony of the public.

**SECTION 8.**


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.

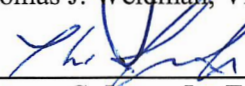
**VOTE RECORD:**

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

**Approved** at the meeting of the Board of Trustees this First Day of November 2023.


  
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Tracy Schwegmann, Chairman

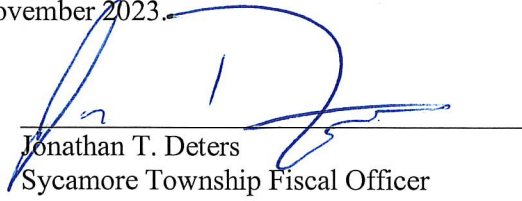
  
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Thomas J. Weidman, Vice-Chairman

  
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Thomas C. James Jr., Trustee

**AUTHENTICATION**

This is to certify that this Resolution was duly passed, and filed with the Sycamore Township Fiscal Officer, on this First Day of November 2023.

  
Lawrence E. Barbieri, Law Director

  
Jonathan T. Deters  
Sycamore Township Fiscal Officer

## **EXHIBIT A**

1. If applicable, all conditions of the 2013-04MA case shall remain in full force and effect unless amended in this case.
2. The landscape plan of this case shall supersede the landscape plan shown in the 2013-04MA case. The proposed landscaping plan shall be installed within 60 days of the decision date of this case.
3. All private social events shall be limited to 12 guests/patrons.
4. All parking related to this use shall be contained to the subject property.
5. Unless modified in this case, all signage must conform to the Sycamore Township Zoning Resolution Chapter 13 E – Retail standard.
6. No signage is permitted on the rear or side of the building. All wall signage must be on the Kenwood Road elevation of the building.
7. Related to use in the context of this PUD-2, if in the future Lemons & Limes were to vacate this space, and a new user was to propose a new use, if the use were not a similar business – a boutique that generally sells products such as textile fabric products, glassware, jewelry, household décor, children’s accessory products, and kitchenware (See attachment A), a separate major adjustment case would be required. For example, if disparate uses such as, but not limited to: a gym, a salon, a small grocery store, a pet store, a convenience store, or a vape shop were to be proposed, a major adjustment case would be required.
8. No telecommunication towers are permitted on this site.