

September 10, 2018

Mr. Roger Friedmann – Chairman  
Mr. Rich Barrick – Vice-Chairman  
Mr. Tom Kronenberger – Member  
Ms. Anne Flanagan – Member  
Mr. Bill Mees – Secretary  
Mr. Steve Roos – Alternate

**Item 1. – Meeting called to Order**

Mr. Friedmann called the regular meeting of the Zoning Commission to order at 7:00 p.m. on Monday, September 10, 2018.

**Item 2. – Roll Call of the Board**

Mr. Mees called the roll.

Members Present: Ms. Flanagan, Mr. Barrick, Mr. Friedmann, Mr. Kronenberger and Mr. Mees

Members Absent: Mr. Roos

Staff Present: Harry Holbert

**Item 3. – Approval of Minutes**

Mr. Friedmann stated the first order of business is the approval of the August 13, 2018 meeting minutes.

Mr. Friedmann asked for any corrections to the August 13, 2018 minutes.

Mr. Mees moved to approve the August 13, 2018 meeting minutes.

Mr. Barrick seconded.

Ms. Flanagan – YES  
Mr. Barrick – YES  
Mr. Friedmann - YES  
Mr. Kronenberger – YES  
Mr. Mees – YES

**Item 4. – Old Business**

2018-13MA  
Tutoring Properties, LLC  
8810 & 8812 Montgomery Road  
Major Adjustment to a PUD

Mr. Friedmann noted this case had been continued to the October 9<sup>th</sup> meeting.

2018-11T  
Sycamore Township  
Text Amendments to Zoning Resolution

Mr. Holbert reviewed items that were discussed at the August meeting:

1. Definition of Building Height

Mr. Holbert stated staff recommendation for this item is to measure the overall height of a structure. There was discussion regarding the types of roofs and the Board agreed with staff's recommendation.

## 2. Chapter 2 and Table 3-6 Bee Keeping

Mr. Holbert noted most of the current Sycamore Township Zoning Resolution originated from Hamilton County's Zoning Resolution, noting it has been modified over the years to fit the Township's demographics.

Mr. Holbert read some of the guidelines for Bee Keeping standards from the Hamilton County Zoning Resolution, noting it is broken down according to lots under one acre and lots over one acre. He stated Hamilton County requires bee hives to be in the rear yard, at least ten feet from the property lines and registered with the Ohio Department of Agriculture. He then pointed out they regulate the condition of the hive types that they be sound and in usable condition and must be enclosed by a fence that is at least six feet tall.

There was discussion about requiring a Zoning Certificate for Bee Keeping. Mr. Holbert noted the Ohio Department of Agriculture inspects the hives and we don't want to over-regulate it.

Mr. Friedmann asked if any member of the public present wished to comment on Bee Keeping.

Mr. Robert Mohat of 8463 Monroe Avenue, Sycamore Township, OH 45236, addressed the Board. Mr. Mohat stated he has been a Bee Keeper since 1976 in Sycamore Township. Mr. Mohat discussed how bees are classified and went on to say the 100 feet setback is unreasonable for a bee hive. He pointed out that bee hives should not be held to the same regulations as those pertaining to chickens or other livestock. He said he has provided Mr. Holbert with copies of ordinances from other cities which specifically address Bee Keeping noting Bee Keeping may be done safely in densely populated areas. He said Sycamore Township should include text specific to Bee Keeping in the updated Zoning Resolution instead of including Bee Keeping with other agricultural uses.

Mr. Ray Babcock, a resident of the City of Wyoming and President of the Southwestern Ohio Bee Keeper's Association, addressed the Board. Mr. Babcock spoke about the importance of bees and discussed bee keeping as a hobby.

The Board asked questions of Mr. Babcock.

Mr. Babcock answered the questions and commented on the Hamilton County regulations that Mr. Holbert had read saying they are reasonable.

Mr. Mohat addressed the Board again saying the 100 feet setback would make Bee Keeping impossible in Sycamore Township and may set a precedent for other municipalities to adopt that setback preventing their residents from Bee Keeping also.

Mr. Holbert discussed the importance of education when it comes to Bee Keeping, the keeping of chickens and other livestock, composting and the like so that these practices are done correctly and do not become a nuisance.

The Board members discussed the issues brought before them in regards to Bee Keeping.

3. PUD Definition

Mr. Holbert stated the goal is to make the process easier.

4. 3-7.3 and Table 3-6

Mr. Holbert said the other topic discussed last meeting was agriculture, compost bins specifically. He spoke about Hamilton County helping to educate our residents regarding compost bins. He recommended the setback requirement for compost bins be a percentage of the width of the rear yard.

Mr. Kronenberger stated last meeting the Board discussed making the setback for compost bins equal to the side yard setback for the zoning district in which the property is located. The other Board members agreed that was what was decided last month.

Mr. Friedmann asked if anyone from the public would like to comment.

Mr. Tom James, of 5784 White Chapel Drive, Sycamore Township, OH 45236 addressed the Board with a question regarding the setbacks.

Ms. Kathy Kugler, of 7106 Tenderfoot Lane, Sycamore Township, OH 45249, addressed the Board saying the Township should be promoting things like composting that reduce waste. She asked why Jacobs chose 100 feet for the setback requirement. She would like to know the justification for that.

Mr. Holbert discussed the process by which Jacobs researches its recommendations for the text amendments. He noted the reason for the public hearings in front of Zoning Commission is to get feedback from residents.

Mr. Kronenberger pointed out the 100 feet setback is in the current zoning resolution saying it is less about where that number came from and more about deciding what the appropriate change should be.

Mr. Friedmann stated the Board will now discuss the proposed text amendments to chapters five through nine of the Zoning Resolution.

Mr. Holbert stated he would review comments he received from the public and Board members for chapters 5-9.

1. 5-1.2 Impact Controls in Commercial Districts

He stated the concern is there is very little difference between the decibel levels permitted for daytime and nighttime. Mr. Holbert discussed the decibel levels in various areas and districts.

The Board discussed measurements for sound levels and what this section is supposed to be regulating.

Mr. Mees asked Mr. Holbert if the Township receives a lot of complaints about excessive noise.

Mr. Holbert answered no and gave some examples of the types of noise complaints received.

2. 7-2.3 Procedure for District Designation

Mr. Holbert stated he had received a comment about the readability of this section. He read the Board revised text to make the regulations regarding deadlines in this section simpler to read.

There was discussion about the wording of the text being difficult to understand. It was agreed it should be rewritten for clarity.

3. 8-1.9 Classification

Mr. Holbert stated he received a comment this section regarding classification for SPI districts is too restrictive.

Mr. Holbert said before discussion of 8-1.9, he wanted to talk about Chapter 7, Specific Plan Districts. He said there have been questions about specific plan districts, or double letter districts, which are zone changes approved through a review process to encourage efficient use of land. He said the Special Public Interest districts addressed in Section 8-1 are in place to ensure development provides needed services and protects quality of life in the Township. He then listed some examples of areas being redeveloped as of right because they are able to meet the requirements of the Zoning Resolution. He then explained why some of the categories of SPI Districts had been removed from Section 8-9.1.

Mr. Holbert went on to talk about parks and green spaces in the Township.

Mr. Holbert then stated there is no reason to have different special districts with different regulations when site plan review gives the Township sufficient flexibility for developments that may not be approved as of right. He pointed out that there is a lot of re-development in the Township and there are standards now to protect the community that were not in place when older developments were first constructed. He stated keeping all of the regulations in the Zoning Resolution just because they've always been there is not a good reason to include them.

Mr. Barrick said when he read this section he did not object to the removal of the items Mr. Holbert discussed. He did say it might be good to preserve the ability to create overlay districts in residential areas to preserve the integrity of neighborhoods that may be re-developed in the future.

Mr. Holbert noted pan handle lots are specifically addressed in the Zoning Resolution. He also said even if they are developed as of right, larger subdivisions are regulated by Hamilton County noting Heitmeyer Reserve is an example.

Mr. Mees asked how the Overlay Districts are created and if residents would have to be in agreement.

There was discussion about the process for creating Overlay Districts and the benefits of such districts.

It was decided there are benefits to allowing the language for the Neighborhood Quality District listed 8-9.1 to remain in the updated Zoning Resolution.

Mr. Holbert noted he had received an email questioning where the Kenwood SPI Overlay District's boundaries are. He said he answered that person by email and reviewed the boundaries for those present.

4. 8-3.3 Modification Limits

Mr. Holbert stated he received a comment that item #4, Accessory Uses and Structures, under Modification Limits should be removed. He said staff agrees it does not apply to that section and should be removed.

5. 9-4.2 Regulations for Single Family Use of Nonconforming Lots

Mr. Holbert said he received a comment that this section should be removed. He then explained the reasoning for the section.

Mr. Friedmann asked if any member of the public present wished to comment on Chapter five through nine of the amended Zoning Resolution.

Ms. Kathy Kugler, of 7106 Tenderfoot Lane, Sycamore Township, OH 45249, addressed the Board. Ms. Kugler commented that it takes a commitment for the Board members and members of the public to review and understand this large document. She noted there were not many people present for the meeting. Ms. Kugler stated the ramifications of the document are great and asked if there was a better way to review it.

Mr. Friedmann replied that the meetings are announced and the proposed changes to the document are available for anyone who wishes to review. He pointed out the Board has broken it down into a few chapters at a time over many meetings to make it easier. Mr. Friedmann said he is open to suggestions but thinks the Township is going about it in a pretty open way.

Ms. Kugler said she appreciates the way the Board has listened. She suggested the Township make comments from the public regarding the proposed amendments available online as well.

Mr. Holbert said comments would all be public record. He said the Township does take anonymous complaints.

Mr. Tom James, of 5784 White Chapel Drive, addressed the Board again. Mr. James asked if the Township keeps records of anonymous complaints.

Mr. Holbert answered yes, the Township creates a record for all complaints even those submitted anonymously.

Mr. James suggested keeping a log with the date and time anonymous complaints are received to alleviate perception that there is selective enforcement. He went on to state that public comments on the proposed changes to the Zoning Resolution could be scanned and added to the website under the case number. Mr. James also stated it would be nice to have the sections the Zoning Resolution being discussed up on the screen during the meetings for the benefit of the members of the public present.

Mr. Holbert said that can be done for the next meeting.

Ms. Kugler said when she comments for the Power Siting Board it is made public.

