

First Reading: October 6, 2011
Second Reading: Dispensed

RESOLUTION NO. 2011 - 97

**A RESOLUTION APPROVING TEXT AMENDMENTS TO THE SYCAMORE
TOWNSHIP ZONING RESOLUTION AND DISPENSING WITH THE SECOND
READING**

WHEREAS, on March 3, 2011, the Board of Township Trustees of Sycamore Township considered the process to initiate text amendments to the Sycamore Township Zoning Resolution for internet cafes and internet sweepstakes cafes; and

WHEREAS, on August 8, 2011, the Sycamore Township Planning and Zoning Commission initiated such text amendments for internet cafes and internet sweepstakes cafes; and

WHEREAS, on September 1, 2011, the Hamilton County Regional Planning Commission held a public hearing and recommended denial of the text amendments for internet cafes and internet sweepstakes cafes; and

WHEREAS, on September 12, 2011, after proper notice having been given, the Sycamore Township Zoning Commission held a public hearing to consider proposed amendments to the Zoning Resolution of Sycamore Township for internet cafes and internet sweepstakes cafes; and

WHEREAS, the proposed amendments, being text amendments, affect all of Sycamore Township; and

WHEREAS, upon conclusion of the public hearing, the Sycamore Township Zoning Commission recommended approval of the amendments to the Zoning Resolution for internet cafes and internet sweepstakes cafes; and

WHEREAS, on October 6, 2011, the Board of Township Trustees, after proper notice having been given, held a public hearing to consider the recommendation of the Sycamore Township Zoning Commission and the proposed zoning text amendments for internet cafes and internet sweepstakes cafes; and

WHEREAS, upon conclusion of the public hearing, the Board of Township Trustees of Sycamore Township considered, in an open meeting, the proposed amendments to the Sycamore Township Zoning Resolution and the recommendation of the Sycamore Township Zoning Commission for internet cafes and internet sweepstakes cafes;

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

SECTION 1.

The following definitions shall be added to the list of definitions contained in Section 2-3 of the Sycamore Township Zoning Resolution:

“Internet Café: An Internet Café or cybercafé is a business which provides internet access to the public, usually for a fee. These businesses usually provide snacks and drinks, hence the *café* in the name. The fee for using a computer is usually charged as a time-based rate. Does not include viewing or ability to view pornographic or sexually oriented materials. Can also be applied as an accessory use to an existing establishment where the primary function of the business is not internet access.”

“Internet Sweepstakes Café: An internet sweepstakes café or sweepstakes café is a business that promotes the sale of prepaid internet time cards or phone cards or similar device to retail customers in varying amounts for use at its business location which entitle each cardholder to participate in sweepstakes. The sweepstakes system allows a customer to use the phone card or internet time cards or similar device at a game terminal to browse the internet or participate in games which reveal sweepstakes entries, prizes, prize values or the like.”

SECTION 2.

An internet café shall be a permitted use in the following districts:

- (a) In the O Office District as a PUD-1 as a low intensity use;
- (b) In the E Retail District as a low intensity use;
- (c) In the F Light Industrial District as a low intensity use;
- (d) In the E Retail District as a PUD-1 as a moderate intensity use;
- (e) In the F Light Industrial District as a PUD-1 as a moderate intensity use;
- (f) In the E Retail District as a PUD-2 as a high intensity use;
- (g) In the F Light Industrial District as a PUD-2 as high intensity use;
- (h) In an OO Planned Office District, EE Planned Retail District, or an FF Planned Light Industrial District with approval of the original PUD or as a major adjustment to an existing PUD.

SECTION 3.

An Internet Sweepstakes Café is not a permitted use in any zoning district in Sycamore Township.

SECTION 4.

The Zoning Administrator is hereby directed to cause the additions and deletions of the zoning text to be adopted into and reflected in the Sycamore Township Zoning Resolution.

SECTION 5.

The Board waives any requirement that this Resolution be read on two separate days and authorizes its passage upon one reading.

VOTE RECORD:

Mr. Bishop Aye

Mr. Connor Aye

Mr. Weidman ABSENT

Passed at a meeting of the Board of Township Trustees of Sycamore Township this 6th day of October, 2011.

ABSENT

Thomas J. Weidman, President

Cliff W. Bishop

Cliff W. Bishop, Vice President

Dennis W. Connor

Dennis W. Connor, Trustee

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Clerk, this 6th day of October, 2011.

Robert C. Porter, III

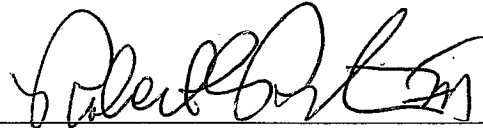
Robert C. Porter, III, Fiscal Officer
Sycamore Township, Ohio

APPROVED AS TO FORM:

R. Douglas Miller
R. Douglas Miller, Law Director

PROOF OF PUBLICATION

I hereby certify that I have published this Resolution on _____
by posting in the five most public places as established by the Board of Township Trustees
such places being the Sycamore Township Government Complex, Bob Meyer Park, Bechtold
Park, the Robert L. Schuler Sports Complex, and the Clete McDaniel Sports Complex.



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