

RESOLUTION NO. 2013 - 77

A RESOLUTION APPROVING A SITE PLAN FOR THE UPPER ECHELON BAR DEVELOPMENT, DISPENSING WITH THE SECOND READING, AND DECLARING AN EMERGENCY

WHEREAS, application was made by Alice M. Carr (the "Applicant") on behalf of Hardial Singh, Trustee (the "Owner") for approval of a site plan for the real property located at 7292 Kenwood Road, Sycamore Township, Ohio, being Auditor's Parcel No. 600-0080-0073-00 (the "Real Property"); and

WHEREAS, the Real Property is located in the "E"- Retail District with Special Public Interest (SPI) overlay; and

WHEREAS, the proposed use of the Real Property requires that the Owners and Applicant obtain approval of a site plan; and

WHEREAS, on May 13, 2013, after proper notice having been given, the Sycamore Township Zoning Commission held a public hearing to consider the application for site plan approval; and

WHEREAS, on May 13, 2013, the Sycamore Township Zoning Commission recommended approval of the site plan for the Real Property with certain conditions; and

WHEREAS, on June 6, 2013, after proper notice having been given, the Board of Township Trustees of Sycamore Township held a public hearing to consider the application for site plan approval for the Real Property;

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

SECTION 1. Subject to the conditions attached to this Resolution as Exhibit A, the site plans, specifications, and renderings submitted in the application for site plan approval made by the Applicant for the Real Property and presented to the Board of Township Trustees at its public hearing and meeting held on June 6, 2013 are hereby approved.

SECTION 2. The approval of the site plans, specifications, and renderings granted herein is subject to the conditions contained on the attached Exhibit A which are made a part of this Resolution as if fully rewritten herein.

SECTION 3. Any use and improvements made to the Real Property which is the subject of this Resolution shall be constructed in strict compliance with the plans, specifications, and renderings submitted in the Application approved by this Resolution, including the conditions attached as Exhibit A.

SECTION 4.

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

SECTION 8.

This Resolution is hereby declared to be an emergency measure necessary for the public peace, health, safety and general welfare of the Township. The reason for the emergency is to provide the approval for the development in a timely manner in order to avoid any delays in permit approval, construction, and occupancy.

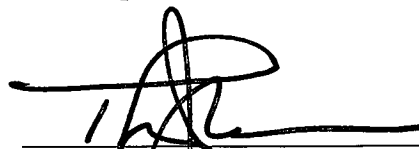
VOTE RECORD:

Mr. Bishop AYE

Mr. Connor AYE

Mr. Weidman AYE

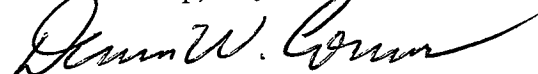
Passed at a meeting of the Board of Township Trustees of Sycamore Township this 18th day of June, 2013.



Thomas J. Weidman, President



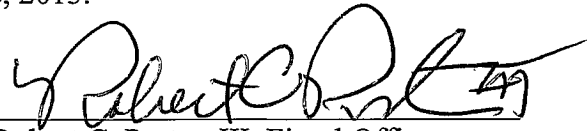
Cliff W. Bishop, Vice President



Dennis W. Connor, Trustee

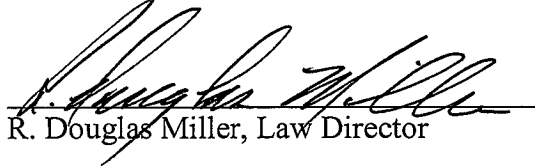
AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 18th day of June, 2013.



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

APPROVED AS TO FORM:



R. Douglas Miller, Law Director

EXHIBIT A

1. The Applicant/Owner shall install a streetscape buffer that is compliant with the requirements of the Sycamore Township Zoning Resolution for number of plantings within sixty (60) days of the passage of this resolution.
2. Only a ground mounted sign compliant with the Sycamore Township Zoning Resolution shall be permitted. The existing freestanding sign shall be removed within forty-five (45) days of this approval. The existing sign on the rear of the building shall be removed within forty-five (45) days of this approval.
3. Due to the limited number of parking spaces, no more than six (6) salon chairs/stations shall be permitted in or on the Real Property.
4. No telecommunications towers are permitted on the site.

The Site Plan is approved with the following variances from the Sycamore Township Zoning Resolution:

1. Section 12-4.2 Parking Lot Access.
2. Section 14-3.1 Boundary Buffering.
3. Table 8-4.3.5 Bulk Area and Lot Requirements.
 - Minimum Rear Yard Setback: 20 feet
 - Minimum Side Yard Setback: 20 feet
 - Minimum Road Frontage: 100 feet
 - Minimum Lot Area: 20,000 square feet