

RESOLUTION NO. 2018 - 43

**A RESOLUTION APPROVING A MAJOR ADJUSTMENT TO THE BRE DDR
CROCODILE (TEXAS ROADHOUSE) PLANNED UNIT DEVELOPMENT AND
DISPENSING WITH A SECOND READING**

WHEREAS, application (the "Application") was made by GreenbergFarrow (the "Applicant") on behalf of BRE DDR Crocodile Sycamore (the "Owner") for approval of a major adjustment to a planned unit development to add outdoor signs to the Texas Roadhouse area of the real property located at 7860 Montgomery Road, Sycamore Township, Hamilton County, Ohio (the "Application") in Sycamore Township Zoning Case No. 2017-17MA; and

WHEREAS, the real property in Case No. 2017-17MA, consists of the real property located at 7860 Montgomery Road, Sycamore Township, Hamilton County, Ohio and is designated as Hamilton County Auditor's Parcel Number 600-0080-0178-00 (the "Real Property"); and

WHEREAS, the Real Property is located in an "EE"- Planned Retail District with a Special Public Interest overlay district (SPI) requiring an approval of any changes to an approved Plan; and

WHEREAS, on March 12, 2018, after proper notice having been given, the Sycamore Township Zoning Commission held a public hearing to consider the Application for the major adjustment to the plan on the Real Property; and

WHEREAS, on March 12, 2018, the Sycamore Township Zoning Commission recommended approval of the Application with conditions; and

WHEREAS, on April 5, 2018, 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 plan for the Real Property;

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

SECTION 1.

The Application as set forth in the plans and specifications as presented to the Board of Township Trustees on April 5, 2018, is hereby approved with the following conditions:

1. Two building signs are permitted with a maximum combined area of 150 square feet;
2. The area of any one sign is limited to 100 square feet.

SECTION 2.

Except as amended herein, any use and improvements to the Real Property which is the subject of this Resolution shall be in complete compliance with previous approved applications for the Real Property.

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

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 if required.

SECTION 5.

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 6.

This Resolution shall take effect on the earliest date allowed by law.

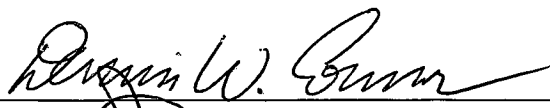
VOTE RECORD:


Mr. Connor Aye

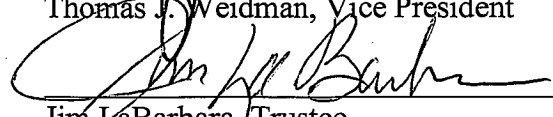
Mr. LaBarbara Aye

Mr. Weidman Aye

Passed at a meeting of the Board of Township Trustees of Sycamore Township this 17th day of April, 2018.

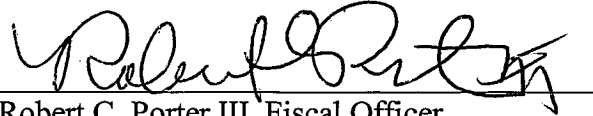

Dennis W. Connor, President


Thomas J. Weidman, Vice President


Jim LaBarbara, Trustee

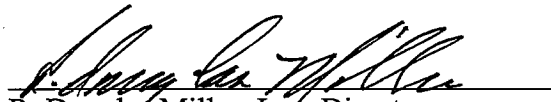
AUTHENTICATION

This is to certify that this resolution was duly passed and filed with the Township Fiscal Officer of Sycamore Township this 17th day of April, 2018.

A handwritten signature in black ink, appearing to read "Robert C. Porter III", written over a horizontal line.

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

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "R. Douglas Miller", written over a horizontal line.
R. Douglas Miller, Law Director