

RECORD OF PROCEEDINGS

Minutes of the Public Hearing of the Trustees of Sycamore Township Sycamore Township, Hamilton County, Ohio

Wednesday, November 5, 2025, 5:00 p.m.

The public hearing for Zoning Case ZC-2025-6 was called to order at 5:01 p.m. by Chairman Schwegmann.

Present for the hearing were Chairman Schwegmann, Vice Chairman Weidman, Trustee Kellums, Law Director Barbieri, Administrator Bickford, and Planning & Zoning Administrator Uckotter.

Mr. Uckotter presented Case ZC-2025-6. He noted on September 23, 2025, the Board of Trustees passed Resolution 2025-074, which initiated the proposed text amendment. He said the Zoning Commission heard the case at its last meeting and had no changes to the proposed text changes. Mr. Uckotter explained the proposed text changes clarify that smoke shops and other similar uses are designated as requiring a conditional use approval in the F – Light Industrial District. He said it also sets 1000-foot barriers between this particular use and a use that would have children under age 18 present, such as sports facilities, parks, schools, and daycares.

Mr. Uckotter reported the proposed text changes also include definitions in Chapter 2 of the Zoning Resolution, a clause stating specific uses that are not listed are prohibited and would have to go through the PUDII process, and there would be a sunset clause on conditional use cases that will trigger a review.

No one from the public signed up to comment on the case.

Ms. Schwegmann entertained a motion to adjourn the Public Hearing for Case ZC-2025-6. Mr. Weidman made a motion to adjourn. Mr. Kellums seconded. Vote: All Aye.

The public hearing closed at 5:05 p.m.

The public hearing for Zoning Case ZC-2025-3 was called to order at 5:15 p.m. by Chairman Schwegmann.

Mr. Uckotter presented Case ZC-2025-3. Mr. Uckotter stated the case is an appeal of a PUD1 denied by a 5-0 vote of the Zoning Commission at their September 11, 2025, meeting. He said the applicant is Hampton Architects, LLC, and Mr. Eli Kadiu. He said the property in question, 8401 & 8403 St. Clair Avenue, is .408 acres and is zoned C – Single Family Residential.

Mr. Uckotter reported that the applicant has been seeking a path to split the two lots into three separate lots and has reviewed the case and case history for the property. In April 2025, in BZA Case SYCB250004, the Board of Zoning Appeals (BZA) unanimously denied substantial variance requests for a similar site design that would, like Case ZC-2025-3, propose three separate lots to build three separate houses. In that case, the substantial variance requests were for lots under 6,000 square feet. For the proposed corner lot, a variance was sought to reduce the

buildable lot width to less than the required 40 feet and to reduce the front yard setback facing St. Clair Avenue to five feet, instead of the required 30-foot setback.

Mr. Uckotter outlined the applicant's Case ZC-2025-3 proposal (PUD-1 Plan), a very similar three-lot plan to that of the unanimously denied plan in BZA Case SYCBSYCB250004, in which the applicant has sought a three-lot zero lot line PUD-1 and ranch-style dwellings. Like the BZA case, Mr. Uckotter noted that the PUD-1 Plan also fails to meet the 40-foot buildable area requirement for a corner lot. Mr. Uckotter outlined the relevant Zoning Resolution sections, STZR 4-1.5B and 4-2.5B, as well as the general standards for PUD Plan Approval in STZR 18-7A-J. Specifically, Mr. Uckotter highlighted 18-7H, *whether modifications of the zoning or other regulations are warranted by the innovative design of the development plan*. Mr. Uckotter noted that there was nothing innovative about the proposed PUD-1 Plan, as it was an end-around of the C – Single Family Residential Zoning Districts regs because it was similar to the already denied BZA plan, and that it did not match the site arrangement example shown in STZR 4-2.5B. Conspicuously missing from the PUD-1 Plan was an innovative design feature in which clusters of development are buffered by open space or green space, as shown in the STZR 4.25B example. In reference to a textbook subdivision that conforms to the Zoning Resolution in the aspect of site arrangement and proper green space, Mr. Uckotter noted Somerset subdivision, located in Sycamore Township.

Mr. Uckotter noted that at the Zoning Commission hearing, he referred to the PUD-1 Plan as a novel PUD-1 and that the applicant's architect agreed. In reference to the novelty of the PUD-1 Plan, Mr. Uckotter added that this was the first instance in which such a small (three proposed lots) PUD-1 subdivision, in which no substantial surrounding open or green spaces were present.

Next, Mr. Uckotter noted that the applicant's application attempted to compare nearby nonconforming lots in the surrounding neighborhood in terms of lot size and building setbacks—a similar theme to the BZA case. Mr. Uckotter noted that the framers of the Zoning Resolution established the C—Single Family Zoning District area standards with the understanding that the surrounding lots in this neighborhood were built in the 1920s to 1940s, before the advent of modern zoning.

Mr. Uckotter provided a recommendation of denial of the PUD-1 Plan due to the reasons stated in this staff report. There were no questions from the Board.

Mr. Eli Kadiu, the applicant, of 5052 Elmcrest Lane, Cincinnati, Ohio 45242, addressed the Board. First, the Law Director, Larry Barbieri, swore the applicant in. Mr. Kadiu noted that he specializes in modernizing old buildings. Mr. Kadiu purchased the subject property and stated that the foundation of the house on the corner lot was so bad that he had no choice but to tear down the old corner lot house.

Mr. Kadiu addressed the variance case, BZA Case SYCB250004, that was unanimously denied by the BZA in April 2025. Mr. Kadiu read an email from the Planning & Zoning Administrator dated January 27, 2025, in response to an inquiry about potential variance(s) for the subject properties. In the email that Mr. Kadiu read out loud, Mr. Uckotter outlined the C-District standards and the STZR 21-6 variance review standards found in the Zoning Resolution, voicing concern about the absence of any practical difficulties. Mr. Kadiu then went on to describe other elements of the April 2025 BZA case that he disagreed with, at which point the Law Director

Larry Barbieri interjected to note for the record that Mr. Kadiu was not talking about the ZC-2025-3 case at hand, but the BZA Case SYCB250004 case that was unanimously denied by the BZA and not appealed; to which Mr. Kadiu confirmed that he did not appeal the BZA case.

Mr. Kadiu noted that the staff were unnecessarily combative. Mr. Kadiu discussed elements of the prior BZA case that he disagreed with, such as the fact that a purchase agreement was not provided to staff regarding additional property. Mr. Kadiu also asserted that the staff's interpretation of STZR 4-1.5B, which addressed 40-foot buildable widths on corner lots, was incorrect. Mr. Kadiu next claimed that the April 2025 staff report, in which he disagreed with staff's derogatory language, and read several excerpts of the BZA report citing staff analysis relating to the STZR 21-6 variance review standards language that he disagreed with.

Mr. Kadiu noted the time and money spent on these cases. He then announced that he would be canceling and withdrawing his application for a PUD and that he had a bad experience with staff. Mr. Kadiu noted that he had letters of support from his neighbors. Mr. Uckotter noted that the letters have been provided to the Board. Before Mr. Kadiu could present the letters, Mr. Barbieri interjected, noting that Mr. Kadiu had withdrawn the application and that the public hearing had ended. A discussion ensued between Mr. Barbieri and Mr. Kadiu regarding the outcome of the public hearing, as Mr. Kadiu had withdrawn the case. Mr. Kadiu then went on to describe the elements of the April 2025 BZA case. Chairman Schwegmann inquired with Mr. Barbieri whether any further comments should be made until the public speaking portion of the regular Trustee meeting. Mr. Barbieri noted that, in his legal opinion, the case should not proceed further and that Mr. Kadiu had withdrawn his application. Further discussion occurred, and as a result, Chairman Schwegmann entertained a motion to close the public hearing

Mr. Weidman made a motion to close the public hearing, seconded by Mr. Kellums. Vote: All Aye. The hearing adjourned at 5:46 p.m.



Tracy Schwegmann, Chairman



Thomas J. Weidman, Vice Chairman



Tracy Kellums, Trustee



Jonathan T. Deters, Fiscal Officer
Public Hearing Cases ZC-2025-6 & ZC-2025-3 11/05/2025