

NOTICE OF SYMMES TOWNSHIP BOARD OF ZONING APPEALS

Notice is hereby given that the Board of Zoning Appeals of Symmes Township, Hamilton, County, Ohio will hear Symmes case #SM2024-02, at its meeting scheduled for Monday, February 5, 2024, at 7:00 p.m. The Board of Zoning Appeals will review an application received for the construction of a chicken coop to be located partly on an adjacent parcel without a principal structure and with less than the required side yard setback permitted under Sections 31.3-3 Location of Accessory Structures, Sections 41 Zoning Districts, Sections 74.14-11 and 82.14-11 Location of Chicken Coops, and Section 281 of the zoning resolution. The subject property is located at 12007/12019 Rich Road, Symmes Township, Ohio 45140, which is on the west side of Rich Road (Parcel #620-0060-0063/0062). This hearing will be held at the Administration building, 9323 Union Cemetery Road, Symmes Township, OH 45140. Plans are on file and open for the public to inspect.

Joseph C. Grossi, Fiscal Officer Symmes Township



SYMMES TOWNSHIP ZONING
HAMILTON COUNTY, OHIO
OFFICE OF THE ZONING INSPECTOR
 138 E Court Street • Room 801 • Cincinnati, OH 45202
 513-946-4550

APPLICATION NO S20230217
BZA CASE NO ZVSM202402

NOTICE OF REFUSAL

TO **BROOKE LEWIS**
 APPLICANT **12007 RICH ROAD**
LOVELAND, OH 45140

TO **ALEXANDER JACOB**
 OWNER **12007 RICH ROAD**
LOVELAND, OH 45140

AUDITOR'S ID NUMBER
BOOK: 620 PAGE: 60 PARCELS: 63

Your application, dated December 19, 2023, for a zoning certificate for the location of a chicken coop partly located on an adjacent parcel without a principal structure and with less than required side yard setback at the premises designated as 12007 RICH ROAD is hereby refused on this 19th day of December 2023 under Sections 31.3-3, 41, 82.14-11 and 281 of the Zoning Resolution in that:

- Section 31.3-3** Accessory Use or Structure: An accessory structure or use... ..is located on the same lot as the principal Structure or principal use served.

- Section 41** Symmes Township Zoning Resolution and District Maps designate said premises to be in the "B" and "C" Single Family Residence districts.

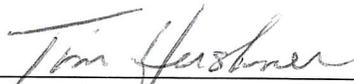
- Sections 74.14-11 and 82.14-11** Subparagraphs c. of both Sections: Any accessory building or enclosure (including fences) shall be located a minimum of twenty (20) feet from all property lines...

- Section 281** It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or to use any land in violation of any regulation in or any provision of this Resolution or any amendment or supplement thereto.

An appeal from this decision to the Symmes Township Board of Zoning Appeals is governed under **Sections 183, 184, 184.1, 184.2 and 184.6** of the Zoning Resolution.



 Kimberly Lapensee, ZONING INSPECTOR



 Tim Hershner, ZONING PLANS EXAMINER

NOTE: ANY APPEAL MUST BE FILED WITH THE BOARD OF ZONING APPEALS WITHIN TWENTY (20) DAYS AFTER THE DATE OF THIS REFUSAL IN ORDER TO BE SCHEDULED FOR A HEARING BEFORE THE SYMMES TOWNSHIP BOARD OF ZONING APPEALS. **FOR FURTHER INFORMATION, CONTACT THE ZONING PLANS EXAMINER, OFFICE OF THE ZONING INSPECTOR AT THE HAMILTON COUNTY RURAL ZONING COMMISSION, 513-946-4550. ALL BOARD OF ZONING APPEALS HEARINGS WILL BE SCHEDULED BY SYMMES TOWNSHIP. THE HEARINGS WILL TAKE PLACE AT THE SYMMES TOWNSHIP ADMINISTRATION BUILDING, 9323 UNION CEMETERY ROAD, LOVELAND, OHIO, 45140, and 513-683-6644.**

Appeal No. ZYSM2024-02
Filed 12/19/23



Board of Zoning Appeals
9323 Union Cemetery Road
Symmes Township, OH 45140-9386

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APPEAL UNDER THE ZONING RESOLUTION

The appellant must file herewith an explicit typewritten statement setting forth the following:

- a. The principal points on which the appeal is made. In any case, the principal points set forth in this appeal shall be the same as those under which the administrative officer acted, whether the granting or refusal of a zoning certificate or any other decision based upon the regulations of the Zoning Resolution.
- b. A clear and accurate description of the construction use.
- c. Specific reference to the Sections of the Zoning Resolution which, it is claimed, authorize the determination sought.
- d. Names and addresses of owners of all abutting lots and lands within two hundred (200) feet of the property in question. (This list is now provided by the Board on the applicant's behalf.)

NAMES AND ADDRESSES

Appellant <u>Brooke Lewis</u>	Address <u>12007 Rich Road Loveland, Oh</u>
Owner <u>Alexander Jacob</u>	Address <u>12007 Rich Road Loveland, Oh</u>
Lessee _____	Address _____

45140
45140

The undersigned Brooke Lewis hereby appeals under Sections
102.14-11 of the Zoning Resolution
the set back requirement for set back from second
owned parcel

In accordance with the plats, plans and other data hereto attached and made a part of this appeal.

I hereby depose and say that all the above statements and the statements contained in all of the exhibits transmitted herewith are true.

Brooke Lewis
Appellant

Sworn to and subscribed before me, this 9th day of November 2023



JUDITH L DEEHAN
Notary Public
State of Ohio
My Comm. Expires April 12, 2026
Judith Deehan
Notary Public

Address of subject property 12007 Rich Road Loveland, Ohio 45140

Lot Number 620-0060-0063-00 + 620-0060-0062-00

Identification	Name	Address	City	State	Zip Code	Phone No.
Owner	Alex Jacob	12007 Rich Rd	Loveland	OH	45140	513-490-1841
Contractor						
Plans By						

Type of improvement: (Briefly describe proposed work)

variance for chicken coop run to allow the run to be less than twenty (20) feet from side of parcel 620-0060-0063-00 which adjoins additionally owned parcel 620-0060-0062-00 which does not adjoin another domicile house or private property line.

- Commercial Appeal
- Residential Conditional Use
- Other Non-Conforming Use
- Other BZA variance Compatible Non-Conforming Use

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State in detail all existing and proposed uses of this building and premises:

- Existing chicken run currently sits in rear yard 20+ feet from all property line except property line of also owned parcel - sits less than 20 feet from parcel two of vacant land
- Proposed continue to allow chicken run to sit less than 20 feet off of parcel two also owned by us to allow us to properly use and enjoy both owned parcels - since property line does not adjoin any other resident it would oppose no hardship to anyone else.

Ownership

- Private
- Public (Federal, State, Local)
- Corporate
- Other

Cost not adjoin any other resident it would oppose no hardship to anyone else.
Estimated cost of improvement for which this application is made: \$ _____

The owner of this building and undersigned, do hereby covenant and agree to comply with all the laws of the State of Ohio and the Zoning Resolution of Symmes Township, pertaining to building and structures, and to construct the proposed building or structure or make the proposed change or alteration in accordance with the plans and specifications submitted herewith, and certify that the information and statements given on this application, drawings and specifications are the best of their knowledge, true and correct.

Application by: Brocke Lewis | Address: 12007 Rich Road
Alex Jacob | Loveland, OH 45140
DO NOT WRITE BELOW THIS LINE (office use only)

Adopted: _____ Journalized: _____

BZA Filing Fee: \$665.70

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Board of Zoning Appeals

Appellant/Owner: Brooke Lewis/Alex Jacob

Address: 12007 Rich Road Loveland, Ohio 45140

We are requesting a variance on our chicken run/coop to allow the run to be on parcel 1 and parcel 2 of our property.

Our coop does not currently sit more than 20 feet away from our parcel line which we also own- parcel 2 (620-0060-0062-00). At the time of installation, we were not aware that the setbacks pertained to property we owned, only those of adjacent neighbors and roads. The current chicken run adheres to all other setback/placement guidelines set forth by Symmes Township and Hamilton County- sitting more than 20 feet off all other property lines and residing in the rear yard.

The requested variance would allow us to leave the run in the current location and would allow us to properly use and enjoy both owned parcels. Since the shared property line is ours, and not a neighbor's, it would not oppose hardship to anyone else, and as stated, would allow us to fully use and enjoy both owned parcels.

This position on our property keeps it as far as possible from our neighbor's home. If we have to move the chicken run/coop inside the fenced in portion of our lot, to meet all set back requirements, it would be in line with and closer to our neighbor's home. We feel the current location is the best place to respect all neighbors and enjoy both parcels of our land.

Thank you for your consideration and time.

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9323 Union Cemetery Road
Symmes Township, OH 45140-9386

**CERTIFICATION OF COMPLIANCE
WITH SUBURBAN AGRICULTURE - SUBURBAN CHICKENS**

Name of Property Owner Alexander Jacob and Brooke Lewis
Property Address 12057 Rich Road Loveland, OH 45140
Aud. Bk. 620 Pg. 60 Par. No. 63 Zone District C

STANDARDS FOR THE KEEPING OF CHICKENS IN THE SINGLE FAMILY DISTRICT

Keeping of Suburban Chicken Standards, subject to the following standards:

- a. **Purpose.** The sole purpose of keeping Suburban Chickens is for the farming of their eggs for the private consumption of the property owner and not to sell the product. In no case shall any product produced or made as a result of the keeping of suburban chickens as provided in this section be offered for sale on any property zoned for residential use. Furthermore, these regulations are not meant to limit poultry husbandry uses as regulated by Section 53.1.
- b. **Number of Fowl.** The number of chickens shall be limited to ten (10) per household. Roosters are prohibited.
Number of Fowl proposed: 10
- c. **Suburban Chicken Enclosure.** Any accessory building or enclosure (including fences) shall be located a minimum of twenty (20) feet from all property lines, shall be located within the rear yard, shall provide a minimum of 10 square feet in area per chicken with a maximum size of 100 square feet for the total enclosure area, and shall be a maximum of 6 feet in height at the highest point.
- d. **Maintenance.** Chickens and their enclosures shall be kept in neat, clean and sanitary condition free from offensive odors, excessive noise, or any other condition that would constitute a nuisance.
- e. **Confinement.** Chickens shall not be permitted to be outside the designated fenced enclosure and shall be closed up in their coop between the hours of 10 p.m. and 7 a.m.
- f. **Slaughter.** No chicken shall be slaughtered on property zoned for residential use; however, those chickens that die through some other means or are slaughtered off site may be cleaned and dressed on the property for consumption or disposal.

Symmes Township

The owner of this building and undersigned, do hereby covenant and agree to comply with all laws of the State of Ohio and the Zoning Resolution of Symmes Township to building or buildings, and to operate the proposed business in accordance with plans, standards and or specifications submitted herein, and certify that the information and statements given on this application, are to the best of their knowledge, true and correct.

Applicant Signature Date 5/25/23

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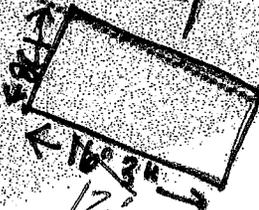
BLK
PB

ARLES W HEITMEYER
BLK A.R.O.
PB 89 P 73

S21°14'28"W
140'

34'2"

100ft +



16'3"
12' (12/19/23)

Chicken run dimensions:
16'3" x 8ft + 6ft
12' (12/19/23)
near of Chicken run
is 34'2" from back
property line and 100+ feet
from 020-0060-0062-00
property line



12007 RICH RD, SYMMES

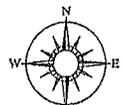
S68°45'32"E

187.50'

R= 12.50
19.00

127.50'

45'32"W



0 0.003 0.006 Miles

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Planning + Development
 138 E Court Street, Room 801
 Cincinnati, Ohio 45202



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1:480
 1 inch = 40 feet
 12/20/2023

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Loop size - 8' x 12' x 6'
distance from rear lot = 34' 2"

12/04/2022