

RESOLUTION  
GRANTING  
APPEAL NO. 2025-04

WHEREAS, Mike Domek, SHP (applicant) and the Public Library of Cincinnati and Hamilton County (owner) on April 4, 2025 filed Appeal No. 2025-04 with the Symmes Township Board of Zoning Appeals under Section 383.1 of the Zoning Resolution, requesting that a conditional use be approved to modify the previously approved Conditional Use request to alter the approved signage and sidewalk plan for a recently approved library at the property located at 11850 Enyart Road, Symmes Township, Hamilton County, Ohio; and

WHEREAS, a public hearing was held on said appeal on May 5, 2025, notice of such hearing was given by first class mail to parties in interest and also by publication in a newspaper of general circulation in the Township at least ten (10) days prior to the date of said hearing in accordance with Section 303.15 of the Ohio Revised Code; and

WHEREAS, Section 41 et seq. of the Zoning Resolution and the Symmes Township District Maps designate said premises to be in the "A" Residence District; and

WHEREAS, Conditional Uses require that a property occupied by a library zoned for residential uses be subject to the requirements of Section 385 - General Considerations for Conditional Uses and Section 386 – Specific Criteria Pertaining to Conditional Uses. In approving a Conditional Use, the Board shall make a finding that the proposed development is appropriate in the location proposed based upon the following general considerations and specific criteria; and

WHEREAS, staff of The Hamilton County Regional Planning Commission prepared a Staff Report for case No. 2025-04, a request to consider modification of a previously approved Conditional Use request to alter the approved signage and sidewalk plan for a recently approved library, stating the facts of the case and such report being part of the record for this case;

WHEREAS, The Board of Zoning Appeals held a public hearing on May 5, 2025 where the matter was discussed and all interested parties having an opportunity to be heard; and

WHEREAS, Allison McKenzie, architect for the owner, spoke for the case. There was no one in attendance to speak against the case.

WHEREAS, Section 381, empowers this Board to approve by resolution those uses listed as conditional uses; and

WHEREAS, Section 383.6 provides that the Board shall approve the conditional use, approve the conditional use subject to further specified approvals or modifications necessary to achieve full compliance with all standards, or disapprove the conditional use; and

WHEREAS, it is the consensus of this Board, after careful consideration of all the facts, testimony, and evidence submitted, that approval of the requested Conditional Use is appropriate at this particular location and in the particular matter proposed in that the proposed plan complies with the standards and conditions set forth in Article XXXV of the Zoning Resolution; and

NOW, THEREFORE BE IT RESOLVED that upon consideration of the foregoing, the Symmes Township Board of Zoning Appeals moves to approve the Conditional Use for the property located at 11850 Enyart Road as per the plans submitted in accordance with the authority granted in Section 381 and does hereby determine that a conditional use and zoning certificate may be issued to the applicant consistent with the terms set forth in this Resolution; and

SUBJECT TO THE FOLLOWING CONDITIONS:

1. That all conditions of BZA case Symmes 2024-07 shall remain in effect for the site.
2. That a revised lighting plan in compliance with the Zoning Resolution shall be submitted prior to the issuance of a Zoning Certificate for the development modifications.

3. That the signage, lighting, and sidewalk shall be constructed in compliance with the submitted plans.
4. That the illuminated signs shall not be illuminated between the hours of 11 pm and 7 am daily.

SUBJECT TO THE FOLLOWING VARIANCE:

1. Section 386 (p)(2) – That the site shall be permitted to have a maximum of 3 signs with a maximum combined area of 50.4 square feet with the freestanding sign and the logo building sign permitted to be internally illuminated signs where only one non-internally illuminated sign at maximum of 12 square feet is permitted.

BE IT FURTHER RESOLVED that all plats, plans, applications and other data submitted be and are hereby made a part of this Resolution.

ADOPTED at a regularly scheduled meeting of the Symmes Township Board of Zoning Appeals in session this 5th day of ~~April~~, 2025.  
MAY

Mr. Snider – “aye”, Mr. Trick - “aye”, Mr. Wolfe – “aye”, Mr. Deutch – “aye”.

APPROVED: MAY 5, 2025



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Wayne Gates  
Zoning Secretary



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Ralph Wolfe, Board Chairperson