

RESOLUTION
GRANTING
APPEAL NO. 2025-05

WHEREAS Jamie Kellerman, D.H.A.S. Inc. (appellant) and Loveland Maderia Road LLC (owner) on April 4, 2025 filed Appeal No. 2025-05 with the Symmes Township Board of Zoning Appeals under Section 183 of the Zoning Resolution, seeking a variance from the literal enforcement of Sections 102.5 and 321.4-1, requesting that a variance be approved to allow for the installation of a 54 square-foot building sign on the western façade of the existing building that does not contain road frontage at the property located at 10732 Loveland Maderia Road, Symmes Township, Hamilton County, Ohio; and

WHEREAS, said appellant, on April 2, 2025 applied to the Symmes Township Zoning Inspector for a Zoning Certificate to allow for the installation of a 54 square-foot building sign on the western façade of the existing building that does not contain road frontage; and

WHEREAS, said Zoning Inspector on April 3, 2025, acting on said application and the plats and plans submitted, refused to issue said Certificate, the reason being based upon the maps and regulations of the Zoning Resolution; and

WHEREAS, a public hearing was scheduled 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, said public hearing was continued until the June 2, 2025 meeting; and

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

WHEREAS, Section 321.4-1 provides, in relevant part, that any property or business shall be permitted 1.5 square feet of building sign surface area for each linear foot of building frontage (façade) facing the public street on which the principal access is located; and

WHEREAS, staff of The Hamilton County Regional Planning Commission prepared a Staff Report for case No. 2025-05, a request to allow for the installation of a 54 square-foot building sign on the western façade of the existing building that does not contain road frontage, 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 June 2, 2025 where the matter was discussed and all interested parties having an opportunity to be heard; and

WHEREAS, Raymond Glines, owner, spoke for the case. There was no one in attendance to speak against the case.

WHEREAS, Section 184.2 empowers this Board to authorize, upon appeal, in specific cases, such variance from the terms of the Zoning Resolution, as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of the Resolution will result in unnecessary hardship; and

WHEREAS, Section 185 provides in exercising the above-mentioned powers, the Board may reverse or affirm, wholly, or partly, or may modify the order requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the Officer from whom the appeal is taken; and

WHEREAS, it is the consensus of this Board, after careful consideration of all the facts, testimony, and evidence submitted, that literal enforcement of the strict application of Sections 102.5 and 321.4-1 of the Zoning Resolution will result in practical difficulties to the appellant of the property in question; and

NOW, THEREFORE BE IT RESOLVED that upon consideration of the foregoing, the Symmes Township Board of Zoning Appeals does hereby grant a variance from the requirements of Sections 102.5 and 321.4-1 of the Zoning Resolution with the authority granted in 184.2. Furthermore, the decision of the Zoning Inspector to deny the issuance of a zoning certificate for the reason that the

application failed to comply with Sections 102.5 and 321.4-1 of the Zoning Resolution is affirmed, but in accordance with the authority of Section 185, the Board of Zoning Appeals, having granted a variance as stated above, hereby determines that a zoning certificate may be issued to the applicant consistent with the terms set forth in the Resolution; and

SUBJECT TO THE FOLLOWING CONDITIONS:

1. That the signage be non-illuminated.
2. That, the proposed new sign shall be located exactly as shown on the plans submitted to Board;
3. That, the proposed new sign shall comply in all other respects with the Zoning Resolution and the lawful requirements of the Hamilton County Building Commissioner;
4. That, the Zoning Certificate and Building permit (if required) for the proposed new sign shall be obtained within six months (6) months and all work be completed within one (1) year from the date of adoption of this Resolution;
5. That, the proposed new sign not be relocated or enlarged without the approval of this Board;
6. That, the proposed new sign shall be maintained in a satisfactory condition at all times

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 2nd day of June, 2025.

Ms. Bucco – “aye”, Mr. Trick - “aye”, Mr. Wolfe – “aye”, Mr. Deutch – “aye”.

APPROVED: JUNE 2, 2025



Wayne Gates
Zoning Secretary



Ralph Wolfe, Board Chairperson