

**SYMMES TOWNSHIP
BOARD OF ZONING APPEALS**

STAFF REPORT

FOR CONSIDERATION BY THE SYMMES BOARD OF ZONING APPEALS NOV. 3, 2025

BZA CASE:

SBZA 2025-12 (VARIANCE REQUEST)

HARPERS POINT DIGITAL SIGN

REQUEST: VARIANCE approval for a digital freestanding sign that would have a greater percentage of variable message area than permitted and located closer to the property line than permitted in an existing "E" Retail district

PURPOSE: To replace an existing freestanding sign with a new freestanding sign containing a new digital variable message center

APPLICANT: Liz Salisbury, Signarama (applicant), Harpers Point II Limited Partnership (owners)

LOCATION: 8757 Harpers Point Drive (private); on the east side of Montgomery Road, south of E. Kemper Road (Book 620, Page 210, Parcel 661)

TRACT SIZE: Approximately 35.32 acres

ZONE: "E" Retail

PROPOSED USE: The applicant is proposing to replace an existing groundmounted sign with a 7.9-foot-tall, 32 square-foot groundmounted monument-style sign. A 20 square-foot portion of the sign would include a digital variable message center and a 12 square-foot portion would be non-digital displaying the text "Harper's Point Apartments". The sign would be erected onto a stone base adjacent to a stone column. The sign would be located at the southern side of a private access drive which is the entrance to Harper's Point apartment complex. The sign would be located within a panhandle lot and be setback 4 feet from the closest property line. The tallest portion of the sign would be the stone column which would be 7.9 feet tall. The applicant states that the proposed sign would be illuminated on one side.

HISTORY: The existing Harpers Point apartment complex was developed in 1974 as a permitted multi-family use in an "E" Retail district under the Hamilton County Zoning Resolution. The maximum density permitted by the county code for multi-family uses in the "E" District was 14.52 dwelling units per acre. The development was constructed with 444 total units. When Symmes Township adopted township zoning

in 1996, the density for multi-family uses in the "E" District was reduced to 10 dwelling units per acre. At this time, the development became non-conforming due to the number of dwelling units exceeding the maximum permitted by the Symmes Township Zoning Resolution. The owners of the apartment complex applied for a variance to the maximum density in 2012 as part of SBZA case 2012-17. The request was to approve the current density of the site at 12.57 units per acre where a maximum of 10 units per acre is permitted by the Zoning Resolution. The SBZA approved this request in 2012. In June of 2014, the applicant requested to construct a new maintenance garage on the property that would extend into the 35-foot rear yard setback. The garage was constructed within an existing paved area and resulted in the removal of 4 existing parking spaces. This request was approved in 2014 as part of SBZA case 2014-08.

FINDINGS:

The Harper's Point residential development is located on three separate parcels where two of the parcels contain panhandles that provide frontage onto Montgomery Road. A larger existing freestanding sign exists at the intersection of Montgomery Road and Harper's Point Drive. No changes are being proposed to this sign. A second smaller sign exists approximately 275 feet within the site just past the existing gate house. This is the sign that the appellant is proposing to replace. The proposed sign would replace this existing sign in the same location which is located within the southern panhandle lot. The sign would be located approximately 4 feet from this interior panhandle property line where signs are required to be at least 10 feet from all property lines.

The Zoning Resolution permits variable message sign on properties in the "E" district. However, the sign requires a variance as the variable message center portion of the sign would be more than 50% of the total sign. The proposed 20 square-foot variable message center sign area is approximately 63% of the total sign area. If the sign were proposed at the maximum size permitted of 50 square feet, then a 25 square-foot variable message sign would be permitted where the applicant is only proposing a 20 square foot variable message center.

The sign would be located approximately 50 feet from the overall exterior northern boundaries of the apartment complex adjacent to the shopping center and over 275 feet from the Montgomery Road right-of-way. The sign would be visible from the interior of the site and minimally visible from Montgomery Road. The mature vegetation between the entrance driveway and the apartments would screen views of the proposed sign and the signage, including the variable message center, would only be visible from the west as the sign is only one-sided facing west. The adjacent property to the north is the Shops at Harper's Point complex and would also be screened by mature vegetation adjacent to the entrance driveway. The sign located 4 feet from an interior property line would have minimal impact on adjacent properties and again, a sign already exists in this location. The sign could be moved to a compliant location but since the private entrance road is located within a panhandle lot line it would be difficult to find a compliant location with visibility from this road. It appears that the proposed sign would be about the same size as the existing

sign but slightly taller. The height and size of the proposed sign would comply with the requirements of the Zoning Resolution.

Since the proposed sign would be almost 300 feet away from Montgomery Road, it is unlikely the increased size in signage area with a variable message center and reduced setback would adversely impact adjacent properties. However, the Board may consider placing conditions on the sign that include the standards from Section 321.5-2 that limit the type of display shown, time intervals, and transition requirements. The Board may also wish to require the use of a photocell system that adjusts the brightness of the sign depending on the time of day and weather conditions.

A variance was granted by the Board for a variable message center on a freestanding sign in the vicinity at 11210 Montgomery Road in January on 2010 which were not permitted in "O" Office zone. The Board also granted a variance in October of 2009, for a freestanding entrance pole sign and a second building sign for the Dewey's Pizza location at 11338 Montgomery Road that did not have a variable message center.

STANDARDS:

Section 321.1-3 (2) – "E" Retail District Freestanding Groundmounted Signs: Provides in relevant part: "No freestanding groundmounted sign shall be closer than ten (10) feet to any adjacent property line."

Section 321.5-2 (2) – "E" Retail District Variable Message Centers: Provides in relevant part: "No part of any variable message center sign shall be closer than ten (10) feet to any adjacent property line."

Section 321.5-2 (4) – "E" Retail District Variable Message Centers: Provides in relevant part: "Maximum sign area permitted for use as a variable message center sign is limited to fifty percent (50%) of the total sign area permitted on the freestanding groundmounted sign or the freestanding pole sign."

Section 321.5-2 (5) – "E" Retail District Variable Message Centers: Provides in relevant part: "Functional limits and parameters on time of day and temperature displays may be in five (5) second intervals. No other message, graphic or display shall be moving, flashing, scintillating, animating nor changing in color or light intensity or visible changing in any other manner."

Section 321.5-2 (6) – "E" Retail District Variable Message Centers: Provides in relevant part: "The display change interval, which is defined as the time period between when one message, graphic or display becomes illegible and the next message graphic or display just reaches legibility, shall be .3 seconds or less."

Factors to be Considered: This case includes an "area variance" request based on "practical difficulties" and not a "use variance" based on "unnecessary hardship" or "undue hardship." In addition to the findings above and testimony offered at the

public hearing, the following factors should be considered by the Board to help determine if the “area variance” for the digital variable message center that would have a greater percentage of variable message area and located closer to the property line than permitted should be granted:

1. Can the property in question yield a “reasonable return” or be used in any beneficial way without the variance?
2. Is the variance a substantial deviation from the zoning code?
3. Will the essential character of the neighborhood be substantially altered or would adjoining properties suffer substantial detriment as a result of the variance?
4. Will the variance adversely affect the delivery of governmental services, such as garbage removal, sewage disposal, or water lines?
5. Did the property owner purchase the property with knowledge of the zoning restrictions?
6. Can the property owner’s predicament be feasibly obviated through some method other than a variance? In other words, does the property owner have a remedy other than a variance, which would alleviate the problem?
7. Will the spirit and intent behind the zoning requirement be observed and substantial justice done by granting the variance?

BOARD’S

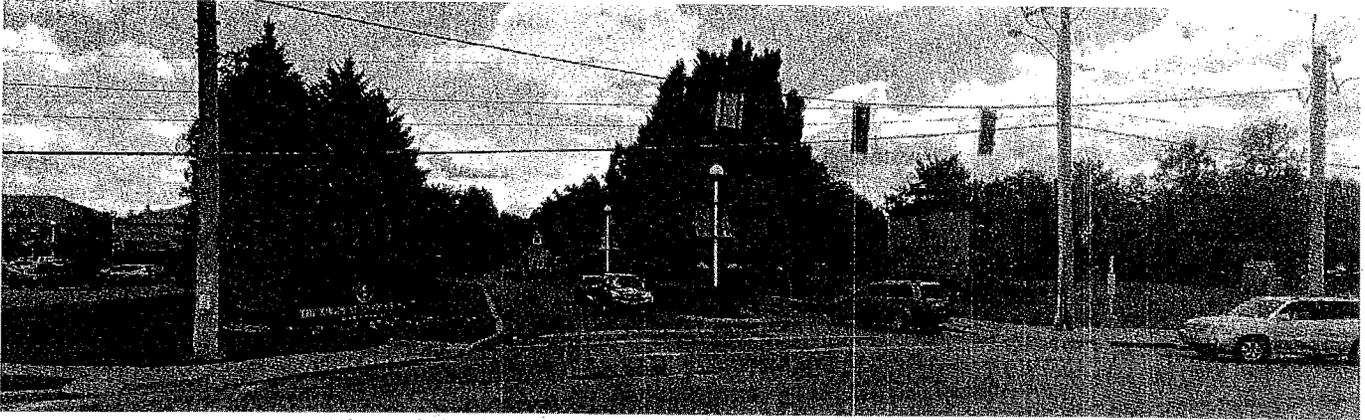
ACTION:

The Board is to decide whether to grant the request for a variance to allow construction of a freestanding sign with digital variable message center that would have a greater percentage of variable message area and located closer to the property line than permitted on the Harpers Point apartment complex property located in an existing “E” Retail District.

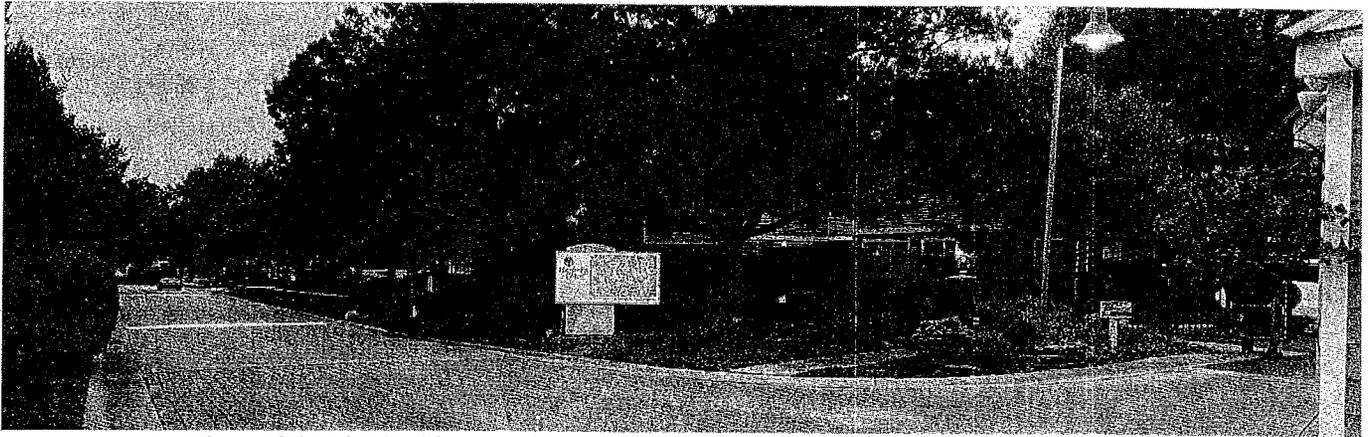
NOTE: Findings in this staff report reflect the opinions of the staff of the Hamilton County Planning and Development Department, but may not necessarily reflect the recommendation of any Board or Commission. This staff report is a technical assessment on the level of compliance with adopted zoning regulations including any required modifications or variances. The final decision of any commission or board may result in findings and conclusions that differ from the staff report.

JPK/BDS

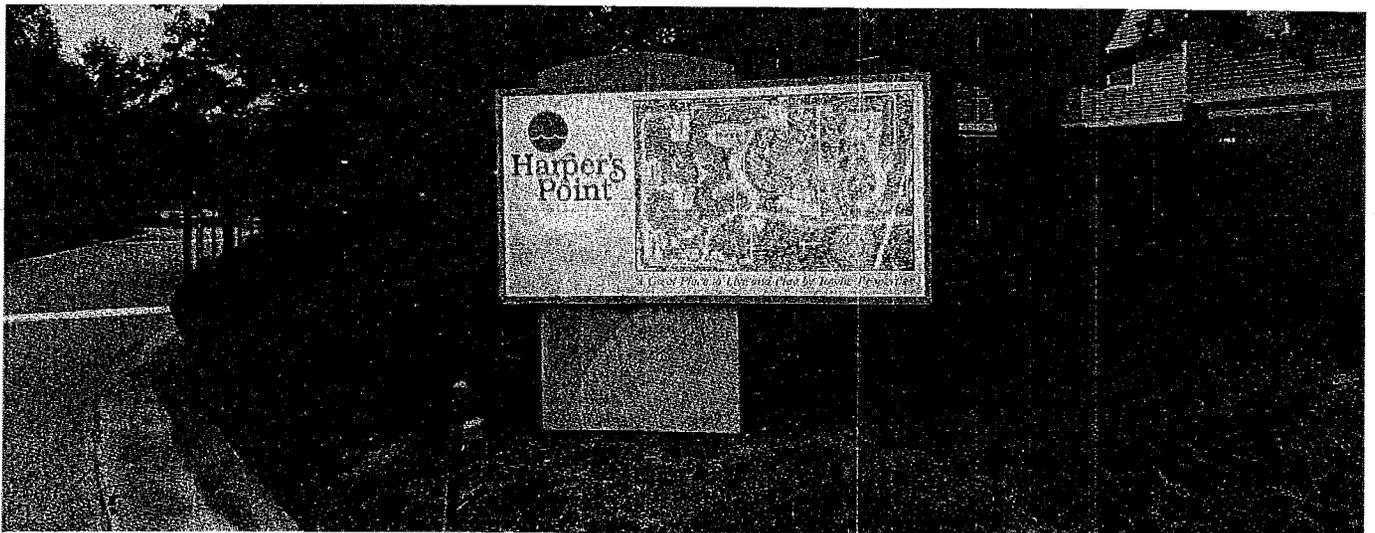
SITE PHOTOS



View of site looking east (Google Streetview – June 2025)



View of the site looking southeast toward the existing sign that would be replaced



Close-up of existing sign

Company & Client Contact
 Angela Kopp
 E-mail: angelakopp@towneproperties.com
 Work:(513) 489-1160

Address
 Towne Properties - Harpers Point
 8713 Harperpoint Dr
 Cincinnati, OH 45249

Job No.: 43484
File: 43484_1.7
Date: 6/24/25
Sales: WN
P.M.: CM
Designer: CM

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 ACCORD SIGNS LLC, AND MAY NOT BE REPRODUCED IN
 ANY MANNER WITHOUT WRITTEN PERMISSION FROM
 ACCORD SIGNS LLC.

REVISION HISTORY

APPROVAL

NOTES

• Client Approval

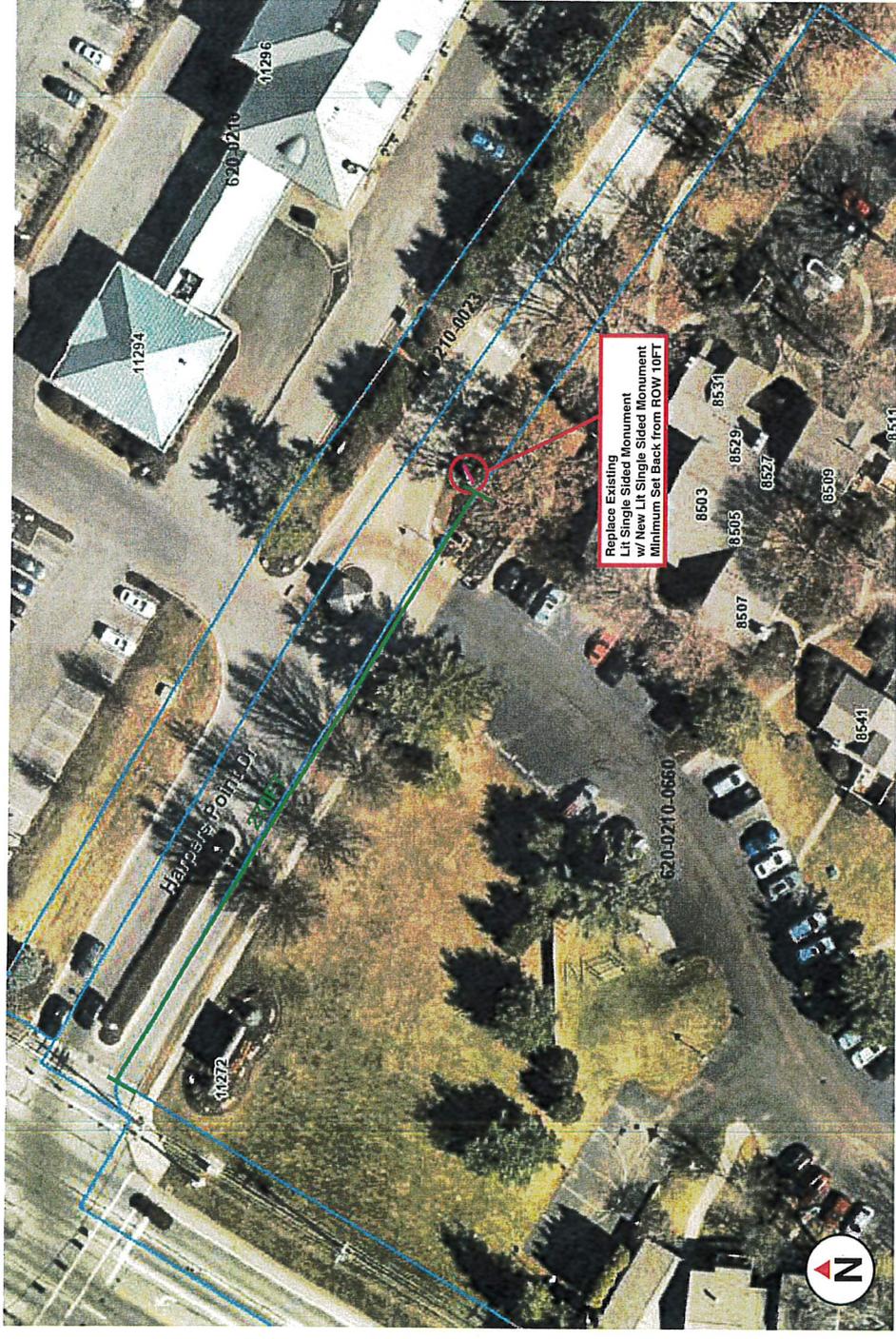
• Landlord Approval

Signarama
 815-575-5516 | info@signarama-lawrencburg.com
 1090 West Eads Pkwy, Lawrenceburg, IN 47025
 855-262-7446 | info@signarama-lbrentz.com
 8880 Bankers St, Florence, KY 41042

YESCO
 1090 West Eads Pkwy, Lawrenceburg, IN 47025
 812-577-4984 | dcanson@yesco.com

Lic # : E26854

SITE MAP
 Initial Proposal



PROPERTY INFORMATION
 Group Parcel ID: 062002100661
 Owner: HARPERS POINT II LIMITED PARTNERSHIP
 Address: 1055 St Paul Pl Cincinnati, OH 45202

Verify all wording, spelling, art and sizes are correct before approving. (Drawing may not be to scale). Once approved, you are responsible for 50% the remake cost should any errors be found after production begins. C-colors portrayed on proof may not match final product due to difference between digital and printed colors. Up to 3 proofs provided at no charge. Charges beyond the 3rd proof will be subject to the rate of \$95/hour. PRODUCTION WILL NOT BEGIN UNTIL APPROVAL IS RECEIVED. Rush Jobs - Orders requiring completion within 48 hours or less, are subject to an additional 25% charge, above the originally quoted price. (Limitations apply). This fee is not applicable on installations. Payment - All orders will require a 50% deposit. Balance is due upon delivery and/or installation. Credit terms may be extended on a case-by-case basis. Unpaid invoices past 30 days are subject to a \$25 late charge, together with interest accruing at the rate of 1.5% annual. Project Completion - All completed orders are stored for 30 days after notification. If arrangements aren't made and product remains after 30 days, the item will be promptly discarded.



**SYMMES TOWNSHIP ZONING
HAMILTON COUNTY, OHIO
OFFICE OF THE ZONING INSPECTOR**
138 E Court St, Suite 801, Cincinnati, OH 45202
(513) 946-4550

APPLICATION NO
25HAM-ZCERT-000439

NOTICE OF REFUSAL

TO APPLICANT SIGNARAMA
LIZ SALISBURY
1090 W EADS PKWY
LAWRENCEBURG, IN 47025

TO OWNER HARPERS POINT II LIMITED
PARTNERSHIP
1055 ST PAUL PL
CINCINNATI, OH 45202

AUDITOR'S ID NUMBER
BOOK: 620 PAGE: 0210 PARCEL: 0661

Your application, submitted August 15, 2025, for a zoning certificate for the construction of a freestanding ground mounted variable message center sign at the premises designated as **8713 Harpers Point Drive** is hereby refused on this 17th day of September 2025 under Sections 41, 321.1, 321.1-3, 321.5, 321.5-2, and Section 281 of the zoning resolution in that:

Section 41 The Zoning Resolution and the Symmes Township District Maps designate said premises to be in the "E" Residence District (with Subservient Retail).

Section 321.1 Freestanding ground mounted signs. The following restrictions shall apply to freestanding ground mounted signs within the "E" and "EE" Districts:

Section 321.1-3 All wall signs shall conform to the following requirements: 2. No freestanding ground mounted sign shall be closer than ten (10) feet to any adjacent property line.

Section 321.5 Variable Message Centers. The following restrictions shall apply to variable message center signs within the "E" or "EE" Districts:

Section 321.5-2 All variable message center signs shall conform to the following requirements: 2. No part of any variable message center sign shall be closer than ten (10) feet to any adjacent property line.

4. Maximum sign area permitted for use as a variable message center sign is limited to fifty percent (50%) of the total sign area permitted on the freestanding ground mounted sign or freestanding pole sign.

Section 281 It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or 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.

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.

Billy R. Pitman

Bill Pitman, ZONING INSPECTOR

Brian Thompson

Brian Thompson, ZONING PLANS EXAMINER

PUBLIC HEARING

Notice is hereby given that a public hearing will be held by Symmes Township Board of Zoning Appeals on Monday, November 3, 2025 in Symmes Township Administration Building:
9323 Union Cemetery Road, Cincinnati, OH 45140 at 7:00 pm for the purpose of:

Case Number: Symmes ZVSM2025-12; Harpers Point Sign

Subject Property: ... SYMMES TOWNSHIP; 8713 HARPERS POINT DR; 062002100661

Applicant: Liz Salisbury

Request: To request a variance to allow a new freestanding sign with more digital sign area and less setback than required To replace an existing freestanding sign with a new digital freestanding sign that would have a greater percentage of variable message area than permitted and located closer to the northern property line than permitted

Plans are on file and open for public inspection in:

Todd B. Portune Center for County Government

138 E Court St, Suite 801, Cincinnati, OH 45202

Office Phone: (513) 946-4550

Note: Publish one day in the Cincinnati Court Index - Please Send Affidavit



NOTICE OF PUBLIC HEARING SYMMES TOWNSHIP

Date Mailed: 10/17/2025

Dear Property Owner:

The Symmes Township Board of Zoning Appeals has scheduled a public hearing. This notice is being sent to all property owners within 200 feet of the property that is the subject of the public hearing. The date, time and location of the hearing, are shown to the right. Details of the subject case and a vicinity map of the subject property are included on the reverse side.

The plats, plans, application as well as associated documents may be examined at the Planning and Development office during normal business hours. Associated written correspondence may be directed and addressed to:

Hamilton County Planning and Development
138 E Court St, Suite 801, Cincinnati, OH 45202

**FROM THE OFFICE OF
Planning and
Development**

138 E Court St, Suite 801,
Cincinnati, OH 45202

This notice is provided to advise adjoining property owners of the case pending before the Board of Zoning Appeals. Your presence at the public hearing is not required but rather at your discretion.

Individuals requiring special accommodations to participate in or attend any meeting or hearing should call the Symmes Township Administration Office at (513) 683-6644 seven days prior to the meeting.

GENERAL INFORMATION
(513) 946-4550

**County Zoning Inspector/
Administrator**

Bryan Snyder, AICP

**HAMILTON COUNTY
PLANNING AND DEVELOPMENT**

Bryan Snyder, AICP, Development Services Administrator

SYMMES TOWNSHIP BOARD OF ZONING APPEALS
9323 Union Cemetery Road, Cincinnati, OH 45150

Record Id: 25HAM-BZAA-000033

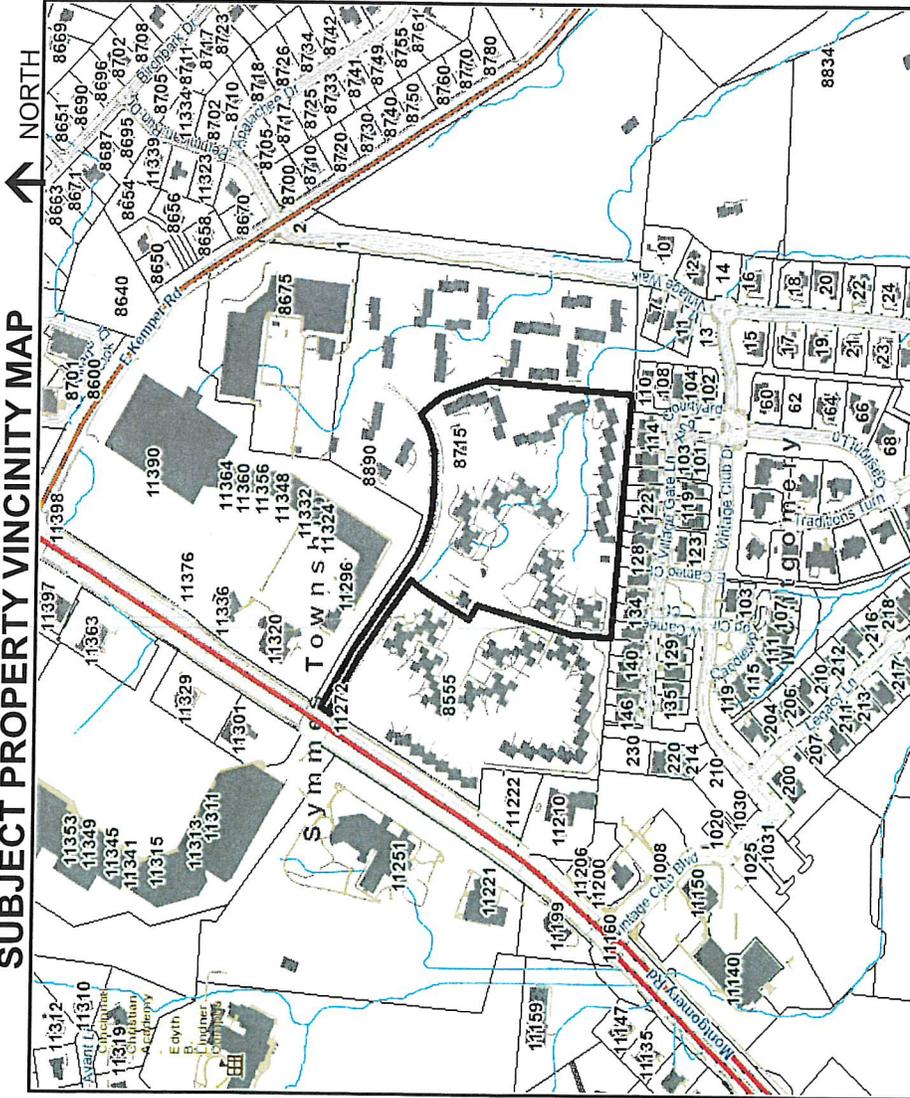
Parcel Id: 06030A230108

HEARING DATE, TIME & LOCATION

Date & Time: Monday, November 03, 2025 at 7:00 PM
Location: Symmes Township Administration Building:
9323 Union Cemetery Road, Cincinnati, OH 45140

VINTAGE CLUB COMMUNITY ASSOCIATION INC THE
11340 MONTGOMERY RD #
CINCINNATI OH 45249

SUBJECT PROPERTY VICINITY MAP



SUBJECT CASE DETAILS

Case Number:

Symmes ZVSM2025-12; Harpers Point Sign

Subject Property:

8713 HARPERS POINT DR

Applicant:

Liz Salisbury

Application:

To request a variance to allow a new freestanding sign with more digital sign area and less setback than required... Commercial Variance

Plan Summary:

To replace an existing freestanding sign with a new digital freestanding sign that would have a greater percentage of variable message area than permitted and located closer to the northern property line than permitted

VICINITY MAP DISCLAIMER:

Neither the provider nor any of the parties of the Cincinnati area geographic information system (CAGIS) make any warranty or representation, either expressed or implied, with respect to this information, its quality, performance, merchantability, or fitness for a particular purpose. As a result this information is provided "as is", and you, the recipient, are assuming the entire risk as to its quality and performance.

In no event, will the provider or any party of CAGIS be liable for direct, indirect, incidental, or consequential damages resulting from any defect in the information or any other part of the map product, even if advised of the possibility of such damages. In particular, neither the provider nor any party of CAGIS shall have any liability for any other information, programs or data used with or combined with the information received, including the cost of recovering such information, programs or data.

Any floodway and flood fringe information provided on this map is for conceptual planning purposes only. For official determination of limits recipient must refer to the 2004 FEMA floodway fringe maps. Large differences can exist between actual flood prone area and