

**SYMMES TOWNSHIP
BOARD OF ZONING APPEALS**

STAFF REPORT

FOR CONSIDERATION BY THE SYMMES BOARD OF ZONING APPEALS JANUARY 5, 2026

BZA CASE:

SBZA 2026-01 (VARIANCE REQUEST)

10224 SLEEPY RIDGE

REQUEST:

VARIANCE approval for a detached gazebo with greater height than permitted on the property located in a “B” Residence District

PURPOSE:

To construct a 16-foot tall, 506 square-foot, one-story detached accessory gazebo structure in the rear yard to the north of the home on the property in question

APPELLANT:

Jonathan Tieman, Webrichs Landscaping (appellant); Regis & Terra Rogers (owners)

LOCATION:

10224 Sleepy Ridge Drive; on the north side of Sleepy Ridge Drive, west of Windy Hill Court (Book 620, Page 60, Parcel 147)

TRACT SIZE:

Approximately 0.459 acres

ZONE:

“B” Residence

PROPOSED USE:

The appellant is proposing to construct a 506 square-foot detached gazebo at the rear of the home. The submitted plans indicate that the gazebo would be constructed of wrapped cedar painted to match the existing house with a pitched roof and shingles which would also match the existing house. The gazebo would contain a large open area with space for multiple tables and seating. The appellant is requesting a taller gazebo at a height of 16 feet to the midpoint of the gable where the maximum height permitted by the Zoning Resolution is 12.5 feet. It would replace an existing gazebo that would be demolished. Most of the new gazebo would be to the northeast of the existing gazebo. The appellant is also proposing to construct pavers and install additional shrubs adjacent to the proposed gazebo. The appellant states that the 12/12 pitch on the proposed gazebo roof was chosen to match the pitch on one of the gables of the house and the attached screened porch roof.

FINDINGS:

The Symmes Township Zoning Resolution permits detached accessory structures on lots of less than one acre to be located in the rear yard and to include a maximum area of 1,032 square feet and 12.5 feet in height. The proposed location and size of the gazebo as proposed is permitted. The existing gazebo would be replaced by the proposed 16-foot-tall new gazebo. The appellant is seeking a height variance as the proposed gazebo would be 3 feet and 6 inches taller than permitted.

The existing two-story house along with the existing mature trees on the property would block the view of the gazebo from the street and from most of the nearby residences. The proposed gazebo would not be highly visible from the adjacent property to the west as a row of existing mature evergreen trees were planted around 2010 which help screen the backyard. The proposed gazebo would also not be visible from the property to the north as large mature trees would block the view. The detached gazebo would likely be visible from the home located east of the property at 10224 Sleepy Ridge Drive. Although a similar row of mature evergreen trees exists along the eastern property line, the top of the gazebo at its highest point of 22 feet in height may be visible. This row of evergreen trees was planted around 2020 and have not had as much time to grow and provide screening as the evergreen trees along the western property line. Plus, the gazebo is proposed to be 11 feet off the eastern property line making it much closer to the eastern property line than the western property line. Noise from the existing gazebo and pool already exists in the backyard. The replacement of an existing gazebo would likely not generate additional noise.

The appellant could construct a larger gazebo up to 1,032 square feet in size and construct it within 8 feet of this eastern property line. This would likely have a greater impact on this eastern adjacent property than what is being proposed. The gazebo could be redesigned with less height to meet the requirements of the Zoning Resolution without impacting the functionality of the structure. However, with less height, the roof pitch would not match the pitch of the existing roof lines of the home.

It does not appear that any similar variances for detached structures have been recently granted in the area. The only variance granted in the area was for the home located north of the subject property at 11714 Darbyshire Court for a fence open face area variance in April of 2013.

STANDARDS:

Section 351.1 – Area and Height

On parcels of less than one (1) acre, no more than one thousand thirty-two (1,032) square feet in area and twelve and one-half (12.5) feet in height measured to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

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 detached accessory gazebo structure with greater height 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 detached accessory gazebo structure with greater height than permitted in the rear yard on the north side of the home on the property located at 10224 Sleepy Ridge Drive.

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.

SITE PHOTOS



View of home looking northeast from Sleepy Ridge Drive

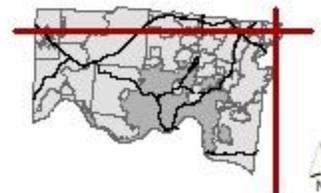


View of home looking north from Sleepy Ridge Drive



VICINITY MAP

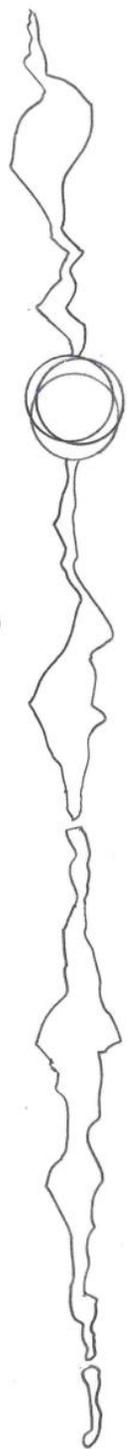
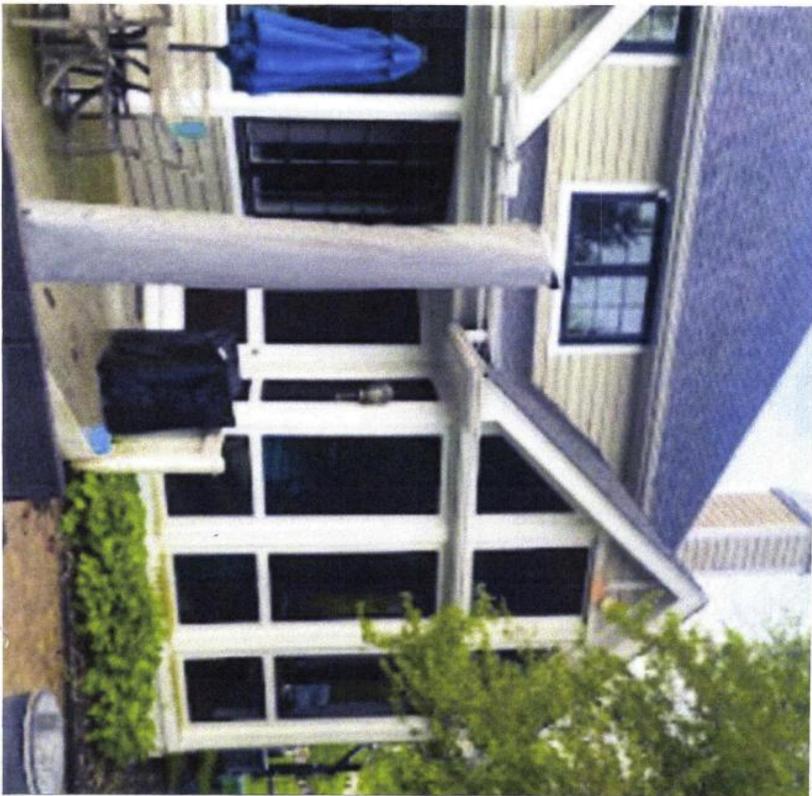
Case: SYMMES 2026-01: 10224 SLEEPY RIDGE
 Request: ZONING VARIANCE



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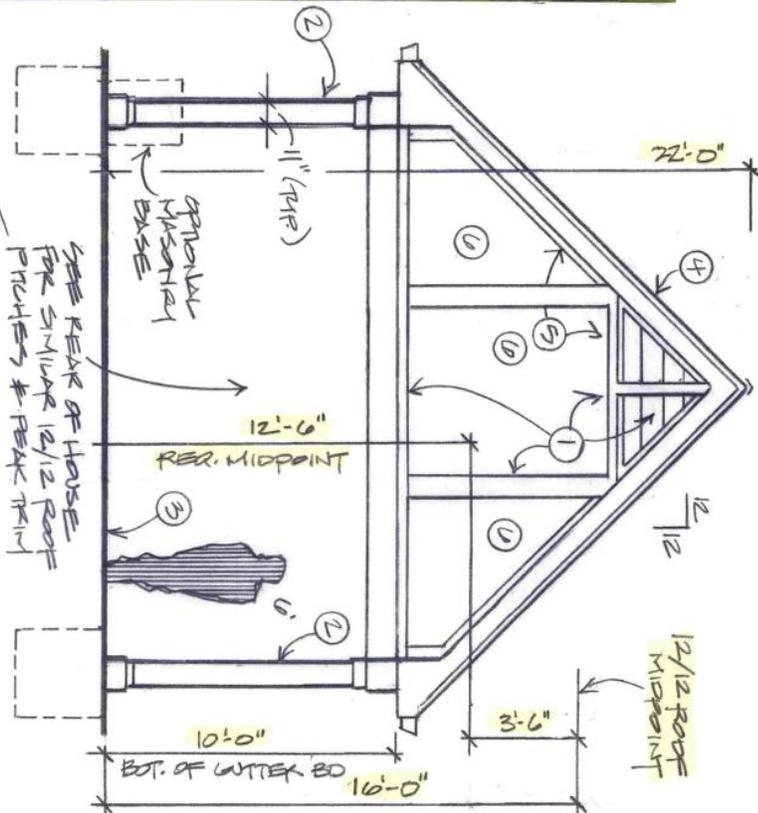
ELEVATION



DRAWING NOTES

1. SIDING / TRIM TO MATCH EX. STAINED POPCAT
2. LEAD. WRAPPED PT 6x6 POST - PAINTED TO MATCH
3. PLYER. BASE TO MATCH POOL SURROUND
4. SPLICERS TO MATCH EX. HOUSE

5. RIDGE BOARD SPLIT SQUARE / USE STAINED LEAD GELICUS TO MATCH EX. SPPL. POPCAT
6. OPEN AREA



FRONT VIEW

- HOA APPROVAL REQUIRED
 - SECTION 391.1 - SPLICERS TRAP ZONING VARIANCE REQUIRED
- 1/4"=1'