



RESOLUTION

GRANTING

APPEAL NO. 2026-01

WHEREAS, Jonathan Tieman Webrichs Landscaping 8753 Mt. Hope Road, Harrison, Ohio, appellant, on November 6, 2025, filed Appeal No. 2026-01 under Section 183 of the Zoning Resolution, seeking a variance approval from the literal enforcement of Section 351.1 of said Resolution as applied to the property at 10224 Sleepy Ridge Drive, Symmes Township, Hamilton County, Ohio; and

WHEREAS, said appellant, on November 6, 2025, applied to the Symmes Township Zoning Inspector for a Zoning Certificate for the construction of a gazebo with greater height than permitted; and

WHEREAS, said Zoning Inspector, on November 6, 2025, acting upon said application and the plats and plans submitted, refused to issue said Certificate, her reasons being based upon the maps and regulations of the Zoning Resolution; and

WHEREAS, a public hearing was scheduled for said appeal on January 5, 2026, 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 "B" Residence District; and

WHEREAS, Section 351.1 provides, in relevant part, that 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; and

WHEREAS, according to testimony offered at the public hearing, the appellant is requesting to construct a 506 square-foot gazebo at the rear of the home with materials matching the existing house. The proposed gazebo would be at a height of sixteen (16) feet to the midpoint of the gable which exceeds the minimum height requirements; and

WHEREAS, according to further testimony offered at the public hearing, the appellant states that the twelve-twelve (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; and

WHEREAS, according to further testimony offered at the public hearing, the appellant states that 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 nearby properties; and

WHEREAS, according to further testimony offered at the public hearing, Section 184.6 empowers this Board to permit a variation in the yard requirements of any District where there are practical difficulties or unnecessary hardships in the carrying out of these provisions due to irregular shape of the lot, topographic or other conditions, provided such variation will not seriously affect any adjoining property or the general welfare; 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 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 the literal enforcement of the strict application of Section

351.1 of the Zoning Resolution will result in practical difficulties to the appellant of the property in question; and

WHEREAS, the variation, in accordance with the following conditions, will not seriously affect any adjoining property owners or the general welfare; 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 requirement of Section 351.1 of the Zoning Resolution in accordance with the authority granted in Section 184.6. 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 Section 351.1 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 this Resolution; and

SUBJECT TO THE FOLLOWING CONDITIONS:

1. That, the existing mature trees on the property be maintained on the Northern, Eastern and Western property lines;
2. That, the gazebo be installed and located exactly as shown on the plats and plans submitted to this Board; and
3. That, the gazebo shall not be relocated or enlarged without the approval of this Board;
4. That, the gazebo shall be maintained in a satisfactory condition at all times;
5. That, the Zoning Certificate and building permit (if required) for the gazebo shall be obtained within six months (6) months and all work be completed withing one (1) year from the date of adoption of this Resolution;
6. That, the gazebo shall comply in all other respects with the Zoning Resolution and the lawful requirements of the Hamilton County Building Commissioner;

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 10th day of SEPTEMBER 2018.

Ms. Bucco – ‘aye’, Ms. Harlow – ‘aye’, Mr. Trick – ‘aye’, Mr. Wolfe – ‘aye’, and Mr. Deutch – ‘aye’.

JOURNALIZED: January 5, 2026

---

Peter Pandilidis  
Township Zoning Secretary

---

Ralph Wolfe, Board Chairperson