

RESOLUTION G2023-44

**RESOLUTION APPROVING A MAJOR REVISION TO AN EXISTING “EE”
PLANNED RESIDENCE DISTRICT AND ZONE CHANGE FROM “A” RESIDENCE
TO “EE” PLANNED MULTIPLE RESIDENCE LOCATED AT 8322 EAST KEMPER
ROAD AND 11540 SNIDER ROAD**

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, on April 11, 2023, heard Case #ZC2023-01, a request for a major revision to an Existing “EE” Planned Residence District and to change the zoning at 8322 East Kemper Road and 11540 Snider Road from “A” Residence to “EE” Planned Multiple Residence (parcel 620-0210-0040/43); and

WHEREAS, the proposed use is not consistent with the Symmes Land Use Plan, which was updated in 2020, and the Hamilton County Thoroughfare Plan; and

WHEREAS, the Hamilton County Regional Planning Commission on February 2, 2023, at its regular meeting voted to recommend denial; and

WHEREAS, the Symmes Township Zoning Commission on February 15, 2023, held a public hearing and recommended denial of said zone change; and

WHEREAS, on April 11, 2023, and April 20, 2023, the Board of Trustees of Symmes Township held a public hearing and reviewed the zone change.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, Hamilton County, Ohio:

Section 1. That the Board of Trustees of Symmes Township of Hamilton County, Ohio hereby does not concur with the recommendations of the Symmes Township Zoning Commission and approves the major revision to an existing “EE” Planned Residence District and Zone Change for 8322 East Kemper Road and 11540 Snider Road from “A” Residence to “EE” Planned Multiple Residence (parcel 620-0210-0040/43) subject to the standard covenants for planned districts and the following conditions:

Section 2. That the Board of Trustees approves the zone change with the following conditions:

1. That a detailed landscaping plan in compliance with the Zoning Resolution shall be submitted as part of the Final Development Plan.
2. That a detailed lighting plan in compliance with the Zoning Resolution shall be submitted as part of the Final Development Plan.

3. That a detailed signage plan in compliance with the Zoning Resolution shall be submitted as part of the Final Development Plan.
4. That a four (4) foot sidewalk shall be installed along Snider Road from the terminus of the existing sidewalk to the northern property line.
5. That the site shall be limited to a maximum of one (1) freestanding ground-mounted sign not to exceed fifty (50) sq. ft. in area and ten (10) feet in height.
6. That, in addition to the required landscape materials, the boundary buffer along the northern and eastern property lines shall contain a privacy fence installed such that the finished side faces out and the landscaping is installed between the fence and the property line.
7. That, in addition to the required landscape materials and the privacy fence required above, the boundary buffer along the northern property line shall conform as shown on the proposed landscaping plan submitted at the Trustees meeting on April 20, 2023.
8. That the existing volleyball net and court area located at 8317 Patrilla Lane shall be permitted to encroach onto the subject property and shall be indicated on the Final Development Plan.
9. That the buffer yards be increased to 33'-6" feet on the northern boundary and 69'-0" feet on the eastern boundary as shown on the plan submitted at the Trustees meeting on April 20, 2023.
10. That the parking be limited to 89 additional spaces per the plan submitted at the Trustees meeting on April 20, 2023.

Section 3.

That the Board of Trustees approves the zone change with the following variances:

1. Section 137.3-2 – That the existing restaurant building shall be permitted to be nine (9) feet from the right-of-way on East Kemper Road where it is required to be fifty (50) feet.
2. Section 147.2 – That the site shall be permitted to provide no loading space where one (1) loading space is required.
3. Section 327.3 – That the existing building shall be allowed in the streetscape buffer where no buildings are permitted and that the existing pedestrian walk shall be allowed in the streetscape buffer where no walkways are permitted.
4. Section 346.2 – That the proposed privacy fence shall be permitted to be eight (8'-0") feet tall where a six (6'-0") fence is the maximum allowed as a buffer between land uses.

Section 4.

The Board hereby certifies that all formal actions of the Board of Trustees of Symmes Township, Hamilton County, Ohio relating to the adoption of this Resolution were taken in an open meeting of the Board and that all

deliberations of the Board were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. Upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of this Resolution upon its first reading.

Section 6. This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

ADOPTED APRIL 20, 2023 – RESOLUTION G2023-44

Vote Record: Mr. Beck _____ Mr. Bryant _____ Ms. Leis _____

BOARD OF TRUSTEES:

Philip J. Beck, President

Kenneth N. Bryant, Vice-President

Jodie L. Leis, Trustee

ATTEST:

APPROVED AS TO FORM:

Joseph C. Grossi, Fiscal Officer

Jeff Forbes, Law Director