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**MINUTES OF SYMMES TOWNSHIP BOARD OF ZONING APPEALS  
REGULAR MEETING  
March 2, 2020**

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The meeting was called to order at 7:00 p.m. Members of the Commission present were:  
Mr. Fowler, Ms. Harlow, Mr. Havill, and Mr. Wolfe.

Also present were: Bryan Snyder, Hamilton County Zoning Inspector and Luanne Felter, Zoning Secretary.

ELECTION OF OFFICERS

MR. WOLFE nominated MS. HARLOW to serve as Chairperson. MR. FOWLER seconded the motion and the roll call vote was as follows: Mr. Fowler – ‘aye’, Ms. Harlow – ‘aye’, Mr. Havill – ‘aye’, and Mr. Wolfe – ‘aye’.

MS. HARLOW nominated MR. HAVILL to serve as Vice-Chairperson. MR. WOLFE seconded the motion and the roll call vote was as follows: Mr. Fowler – ‘aye’, Ms. Harlow – ‘aye’, Mr. Havill – ‘aye’, and Mr. Wolfe – ‘aye’.

PUBLIC HEARING

MS. HARLOW convened the public hearing for BZA 2020-01 for Cincinnati Hills Christian Academy at 11300 Snider Road.

MR. SNYDER stated that the applicant is requesting Conditional Use approval to allow the construction of a 14-foot tall chapel between the existing early childhood school and existing upper elementary school buildings for an Eagle Scout project. The proposed chapel would be connected by an existing walking path. The Board granted Conditional Use approval to Cincinnati Hills Christian Academy previously for a large campus construction project that included the expansion of the upper and lower school buildings, the construction of a new gymnasium and modified signage on the campus. All construction has been completed except for the gymnasium. As for the compliance with general considerations, my analysis found that the proposed chapel would not have any adverse effect upon adjacent properties as there is significant vegetation and a landscaped berm between the area and the nearest adjacent residents and no new signage and or lighting is proposed.

MR. WOLFE wanted to know if there is a limit on the number of conditional uses for a property and if the proposed chapel meets the height restriction.

MR. SNYDER stated that there is not a limit on the number of conditional uses and the chapel will be in compliance with the height requirement.

STEVE SEDERIS (3084 Walnut Grove Drive, Cincinnati) stated that he is the principal for the upper elementary school building. The proposed chapel, which will be built by one of their students for an Eagle Scout project, will provide an outdoor area for classes.

MATTHEW RECHEL (2733 Werkrige Drive, Cincinnati) stated that he first thought about building picnic tables as his Scout project but Mr. Sederis had a better idea. He has raised all the funds and organized the labor for the project.

MR. FOWLER wanted to know if the structure would be open and there would be any electricity.

MR. SEDERIS stated that chapel will be open. They have no plans for electricity at this time. However, they may add solar in the future. All the music will be acoustic.

MR. WOLFE stated that he thinks the proposed chapel will be a nice addition to the property and made a motion to allow the construction of a 14-foot tall chapel between the existing early childhood school and existing upper elementary school buildings.

MR. FOWLER seconded the motion and the roll call vote was as follows: Mr. Fowler – ‘aye’, Ms. Harlow – ‘aye’, Mr. Havill – ‘aye’, and Mr. Wolfe – ‘aye’.

MS. HARLOW convened the public hearing for BZA 2020-02 for the Indian Hill Shooting Club at 7250 Glendale Milford Road.

MR. SNYDER stated that the applicant is requesting Conditional Use approval to allow the construction of a 400 square foot shooting structure in an "H" Riverfront District. Since this is considered to be a private club, any changes or additions in a riverfront district need to be reviewed under a Conditional Use. The proposed shooting structure would be long and narrow with a roof over top to provide shelter for the shooters. New lighting is proposed on the structure but it will be similar to what is already there. No other modifications or alterations are proposed to the existing vehicular use areas. Staff reviewed the general considerations for private clubs in riverfront districts and found no issues. The proposed structure would not likely create any adverse effects on adjacent property as there already is shooting and noise on the property and the site is screened by mature vegetation. Also, the proposed shelter meets all the setback and height requirements.

JON WEST (Village of Indian Hill, 6525 Drake Road, Cincinnati) passed out photos of the site. He stated that the property has been used as a shooting range since the Civil War. The Village of Indian Hill purchased the site in 1958 from the government. The proposed structure will be built on an area that is currently used as a "Five Stand Shooting" range. As you can see in the top photo, there are currently five separate lattice shooting structures. The stairs located behind the structures leads to a deck that employees use to load the throwing machines. They are unsafe and need to be improved. The proposed structure will be approximately 14 feet tall with a deck located on top to hold three of the nine throwing machines. You can refer to the back page of the handout for a visual. The outdoor lights you see in the photos will remain. Low level lights will be installed in the shooting structure. We currently have about 25 shooters per week. Our hours of operation will not change.

MR. WOLFE wanted to know what they used for skeet shooting.

DICK STEUERWALD (6525 Drake Road, Cincinnati) stated that he was the shooting club supervisor. For that section of the shooting range they use a chisel shot - 7 ½, 8, and 9.

MR. WOLFE stated that he had concerns of lead. He remembers years ago there was a shooting range by the Dayton Airport that ended up with lead in the land that permeated into the aquifer system.

MR. STEUERWALD stated that it would not happen because they will not be having any additional shooters and they monitor the property constantly.

MR. HAVILL wanted to know if they monitor noise.

JON WEST stated that they do not do any monitoring. However, they believe that because the new structure will have the roof angled towards the river it will direct the sound away from Camp Dennison.

MR. HAVILL wanted to know if they follow the guidelines for shooting ranges as stated by the Ohio Department of Wildlife.

MR. STEUERWALD stated that they are not subjected to any guidelines.

MR. HAVILL stated that according to the Ohio Revised Code Section 1501:31-29-03 (B), the noise standards for indoor and outdoor shooting ranges is unacceptable if the sound level exceeds 90 decibels for one hour out of 24 hours or 85 decibels for eight hours out of 24 hours and the sound measuring receiver is located at the boundaries of the range property.

MR. WEST stated that he will have his solicitor review that section. However, they are not here to see if the shooting range is a permitted use. They are here for the approval of the structure.

MR. HAVILL noted that the proposed structure will enhance the noise.

MR. WEST stated that they are only replacing what was originally there it will not increase the noise.

MR. HAVILL said the shooting range may possibly be in violation.

MR. WOLFE noted that they may be reluctant to approve the structure because it may be in violation of the ORC.

MR. WEST does not consider the shooting range to be in violation and does not know if the section even applies to them.

MR. WOLFE noted that they are not grandfathered in.

MR. WEST stated that he did not think this matter is open for discussion but will definitely have his solicitor look into the ORC section to see if they are in violation and, if so, how they can better monitor it or address it.

MR. HAVILL wanted to know how they monitor the lead content.

MR. WEST stated that they have two monitoring ground water wells. Indian Hill Water is located directly next door in Columbia Township. They have nine wells on an aquifer that have to meet strict EPA guidelines. They do all their own monitoring and meet those guidelines.

MR. HAVILL wanted to know if they follow the Maximum Obtainment Level Guide.

MR. WEST said that they have to ensure they meet the maximum levels of lead and water and do testing all the time. This has nothing to do with the proposed structure.

MR. HAVILL stated that in May the levels are not "0" as indicated by the EPA they are up to "4". Indian Hill has set a tolerance of "15" which is arbitrary for them and it is probably leaking into that water supply since the Civil War.

MR. WEST stated that is why they monitor the levels.

MR. HAVILL stated that they may be monitoring it but you are not keeping the lead out of the water. How are you going to stop it?

MR. WEST reiterated that that is not why they are here tonight.

MR. WOLFE suggested that he postpone the hearing until next month when he can bring his solicitor with him and all the documentation so we can have a conversation. If the Board goes ahead and takes a vote tonight it may fail.

MR. WEST asked if he can wait until after the public comments to make a decision.

MR. SNYDER stated that he could as long as it was done before the deliberations.

JILL SMITH (319 Miami Lakes Drive, Milford) stated that she lives across the river. The lights from the shooting range are bright like a shopping center and she doesn't want it to get worse. They are shooting till 10:00 at night and she has been awakened. Tuesday is automatic weapons day and they shoot all day long. You can hear the noise across the river. She has concerns that the style of roof will bring even more noise.

BRUNO MAIER (7837 Daniel Avenue, Camp Dennison) agreed that the noise is bad especially on Tuesdays and the proposed structure will only make it worse. He is in the environmental field and is shocked that Indian Hill's wells are located next to the shooting range and everyone should be concerned. If this proposed structure is going to increase gun fire, he suggests that the Board get an analysis on how this is going to affect the ground water.

ANDREA BARNHILL (7914 Clement Street, Camp Dennison) stated that the noise has increased since she moved in 10 years ago. She also has concerns about the lead and that it can leach into the fields and go downstream into the river. She heard the reason they fought to get rid of the gravel pits was to preserve the water, nature and cleanliness and this is counteractive to that.

MR. WEST wanted to know if Mr. Havill is an attorney or sought out any legal advice on the research he did.

MR. HAVILL stated that he did his own research.

MR. WEST requested that the case be continued until next month and wanted to know what information he should bring with him so he can address their concerns.

MR. WOLFE suggested he bring water samplings from the past year.

MR. WEST noted that Indian Hill Water does their own testing and it is done only once a year. They also do their own testing.

MR. WOLFE suggested that he bring samplings from both so that they can compare. It would also be a good idea to bring a representative from the water company to explain that the limits are safe according to state requirements.

MR. HAVILL preferred that they bring records for the past 4-5 years so they can have a better comparison.

MR. WEST wanted to know the specific section Mr. Havill referred to on noise.

MR. HAVILL noted that is ORC 1533.83.

MR. SNYDER reminded the Board that they should comply with Sections 385 (b) and (c) under the General Considerations for Conditional Uses.

MS. HARLOW made a motion to continue BZA 2020-02 until the April 6<sup>th</sup> meeting.

MR. HAVILL seconded the motion and the roll call vote was as follows: Mr. Fowler – ‘aye’, Ms. Harlow – ‘aye’, Mr. Havill – ‘aye’, and Mr. Wolfe – ‘aye’.

ADMINISTRATIVE MATTERS

The minutes from the September 9, 2019 were tabled due to lack of quorum.

ADJOURNMENT

MR. WOLFE adjourned the meeting at 7:59 p.m.

Approved:

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Jennifer Harlow, Chairperson

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Luanne Felter, Zoning Secretary