
**MINUTES OF SYMMES TOWNSHIP BOARD OF ZONING APPEALS
REGULAR MEETING
June 1, 2020**

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

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

PUBLIC HEARINGS

MS. HARLOW convened the public hearing for BZA 2020-04 for Donatos Pizza, 11924 Montgomery Road.

MR. SNYDER stated that Donatos currently has a 32 square foot sign located on the northern façade of the building facing Montgomery Road and a freestanding sign in the parking lot. The Zoning Resolution only allows one sign on either side of the building but not on both. When Donatos opened the restaurant last year, they chose to have their sign facing Montgomery Road. However, it is located over the service entrance and customers are entering the wrong door. They would like to add the exact same sign on the other side to improve visibility and direct customers to the front door. The two signs would total 64 square feet which is significantly less than the permitted maximum building sign area of 129 square feet. Staff is concerned about the precedent this would set because everyone on Montgomery Road wants more signage. However, a similar variance to allow building signs on both sides was approved for a strip retail building next to the Kroger Fuel Center on Montgomery Road.

DON JOHNSON (2300 Estate Ridge Drive, Cincinnati 45244) stated that they chose to install the sign over the broadest part of the building facing Montgomery Road. They didn't think it would be a problem because they also had a freestanding sign on Montgomery Road. Unfortunately, that is not the case. Customers are confused and trying to enter through the service entrance or get mad because they drive pass the restaurant and have to make a quick right onto the service road behind the building. They have also had customers call them from the parking lot at night asking if they are open because they don't see any lights on the western façade of the building.

MR. HAVILL wanted to know why the proposed sign won't be centered over the front door.

MR. JOHNSON noted that they are only utilizing the front side of the building. The other side will eventually be rented out to another tenant and they will be allowed to install a sign on that corner of the building.

MR. WOLFE stated that he has driven by the location and feels that the freestanding sign is sufficient for identification but, if they want more recognition, they should just move the existing sign over to the western façade.

MS. HARLOW wanted to know if the maximum allowed signage area of 129 square feet includes both tenants of the building.

MR. SNYDER stated that it does not; the new tenant will be permitted to have its own sign. In this case, since Donatos occupies the corner of the building facing Montgomery Road, it can choose which side of the building it wants to display their sign but they cannot display a sign on both. The other tenant will only be allowed to install a sign on the western façade.

MR. HORVATH stated that he has experienced the same issues when he visited Donatos recently. He is supportive of the second wall sign because the square footage is under the maximum building sign area and a similar variance was granted in this area.

MR. WOLFE reiterated that one wall sign along with the freestanding sign is sufficient for identification purposes. They are welcome to move the wall sign if they wish.

MR. HAVILL agreed.

MR. HORVATH noted that the freestanding sign located on Montgomery Road only lets customers know that the restaurant is located somewhere in the plaza. It doesn't necessarily mean the restaurant is right there. He believes that we should help facilitate their business. He thinks two neatly placed wall signs on the building would be much more appealing and suggested that the Board make a condition to remove the freestanding sign.

MR. JOHNSON stated that it would not be feasible to remove the freestanding sign from a business perspective. Besides, the freestanding sign also has a message board that will help promote specials.

MS. HARLOW noted that she did not encounter any problems when she visited the restaurant but can see where some people may have an issue finding it due to how the building is situated along the roadway. However, she does not want to set a precedent to allow more signage along Montgomery Road.

MR. WOLFE made a motion to deny the variance request to permit an additional wall sign on the western façade of the building at 11924 Montgomery Road.

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

MS. HARLOW convened the hearing for BZA 2020-05 for the property at 10910 Loveland Madeira Road.

MR. SNYDER stated that this is a request for a Conditional Use to permit a transient vendor in an "F" Light Industrial District. The property is located on the south side of Loveland Madeira Road, east of Twightwee Road. In 2015, the applicant was approved to operate a flower sales operation on this site from June 15th through September 30th for a period of five years which has expired. This includes the installation of an 800 square foot tent and one 32 square foot sign. He would like to renew the conditional use for another five years. Symmes Township has not received any complaints about this vendor and there are no issues with any of the findings for Conditional Uses listed in the Staff Report.

MR. PROBST (9669 s. SR 48, Loveland 45140) stated that he is proud to be part of the community and can't wait to come back. He will be happy to answer any questions.

MR. WOLFE wanted to know if the hours of operation will still be from 9:00am to 7:00pm.

MR. PROBST stated that they actually work 10:00am to 6:00pm but have it listed from 9:00am to 7:00pm as a precaution. They will never run past the designated hours.

MS. HARLOW stated that they have been operating there a long time and seem to do well. She has no issues with this request.

MR. HORVATH agreed and said he likes to support good businesses.

MR. SNYDER noted that the Board put a stipulation onto this Conditional Use that it needs to be reviewed each year. They can change it if they want.

MR. PROBST noted that he loves this area and will abide by whatever the Board decides but an approval for a 7 to 8-year period would be better from a business standpoint.

MR. HAVILL thought the five-year timeframe was sufficient and did not provide any hardship to the applicant.

The Board agreed.

MS. HARLOW made a motion to approve the Conditional Use to permit the temporary seasonal flower and produce sales at 10910 Loveland Madeira Road from June 15th through September 30th for a period of five years with the hours of operation from 9:00am – 6:00pm.

MR. WOLFE seconded the motion and the roll call vote was as follows: Mr. Havill – “aye”, Ms. Harlow – “aye”, Mr. Horvath - “aye”, Mr. Wolfe – “aye”.

MS. HARLOW convened the hearing for BZA 2020-05 for the property located at 8889 Remington Road.

MR. SNYDER stated that this is a variance request to allow the construction a shed in an “F” Light Industrial District. The property is located on the southwestern side of a private driveway that extends southeast off of Remington Road. The applicant wants to construct 560 square-foot storage shed on the northeastern side of the home which is located within the front yard area. The shed would be setback approximately 10 feet from the northern property line and 30.44 feet from the eastern property line. The existing home is accessed off a driveway that exists north of the home and within the abandoned public street right-of-way from old Loveland Madeira Road. The proposed shed cannot be located in the rear of the property because there is an existing pool followed by steep slopes to the south which lead down to the existing creek. The existing home and proposed shed would be completely surrounded by light industrial uses except for a single-family home located across Remington Road where the impact would be minimal. Lastly, the proposed location of the shed would be mainly be screened from Remington Road by existing pine trees and completely screened from Glendale Milford Road by an existing building.

MR. HAVILL wanted to know what type of businesses were in the industrial area.

MR. SNYDER stated that there are self-storage units next door and a treatment plant at the end of the road. He thinks two other buildings may have been used as an office and a church. He noted that even though this is considered light industrial, a variance is required because the proposed shed would be located in the front yard of the existing home.

MS. HARLOW noted that the applicant is not in attendance.

MR. SNYDER stated that the applicant does not have to be in attendance but if the Board has questions, they are welcome to continue the case. The Board decided to proceed.

MR. HORVATH said he did not have any issues with the request considering it is in a heavily commercial area.

MS. HARLOW agreed and said it would be different if it was located next to someone’s house.

MR. WOLFE stated that he did not have any issues with this request especially since the single-family home is located on a private drive and not facing Loveland Madeira Road.

MR. WOLFE made a motion to approve the variance request for a storage shed in the front yard area of the home at 8889 Remington Road.

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

MS. HARLOW convened the hearing for BZA 2020-06 for the property at 8772 Glendale Milford Road.

MR. SNYDER stated that this is a request for variance approval to permit the construction of a commercial building addition with less side and rear yard setback than required in an "E" Residence District. The subject property is located on the north side of Glendale Milford Road, west of Loveland Madeira Road. The applicant is proposing to construct a 2100 square foot addition onto the existing single-family home for a recording studio that would extend approximately 52 feet north from the existing structure into the rear yard area of the home. The property currently contains two parcels and an accessory structure located in the rear of the property that would be removed as part of this request. The setback from the addition to the northern property line would be 31 feet where a 50-foot rear yard setback is required and the setback from the addition to the western property line would be 20.5 feet where a 30-foot side yard setback is required. The applicant will utilize an existing paved area to stripe an eight-space parking lot. The applicant is providing the required streetscape buffer along Glendale Milford Road along with the required amount of plants. However, the applicant is proposing to waive the boundary buffer requirement along the western property line since it already contains mature vegetation that will screen the addition for the adjacent property. He does not see any issues.

BRETT SHEPPARD (8730 Remington Road, Cincinnati 45242) noted that his house is located closer to the western boundary than the proposed addition. Also, the residential property that is located to the west is owned by him; he purchased it for office space/mother-in-law suite. There are no other residents in the area.

JACOB MILEY (3 Picardie Lane, Bowling Green, OH) stated that he is the architect of the project. He believes that they have proposed the most efficient use of the property.

MR. WOLFE stated that he did not see any issues granting this request. The Board concurred.

MR. WOLFE made a motion to approve the variance request for a proposed commercial building addition located a minimum of 31 feet from the northern property line and 20.5 feet from the western property and to waive the required boundary buffer required along the western property line at 8772 Glendale Milford Road.

MR. HORVATH second the motion and the roll call vote was as follows: Ms. Harlow – 'aye', Mr. Havill – 'aye', Mr. Horvath – 'aye', and Mr. Wolfe – 'aye'.

ADMINISTRATIVE MATTERS

MR. HORVATH made a motion to continue the Village of Indian Hill's request for a continuance for Conditional Use approval of a shooting club stand structure at 7250 Glendale Milford Road.

MS. HARLOW seconded the motion and the roll call vote was as follows: Ms. Harlow – 'aye', Mr. Havill – 'nay', Mr. Horvath – 'aye', and Mr. Wolfe – 'aye'.

MS. HARLOW made a motion to approve the minutes of the March 2, 2020 meeting.

MR. WOLFE seconded the motion and the roll call vote was as follows: Ms. Harlow – 'aye', Mr. Havill – 'aye', Mr. Horvath – 'abstain', and Mr. Wolfe – 'aye'.

ADJOURNMENT

MS. HARLOW adjourned the meeting at 8:35pm.

Approved:

Jennifer Harlow, Chairperson

Luanne Felter, Zoning Secretary