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**MINUTES OF SYMMES TOWNSHIP BOARD OF ZONING APPEALS  
REGULAR MEETING  
September 14, 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, Mr. Horvath, and Mr. Wolfe.

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

**PUBLIC HEARING**

MS. HARLOW convened the public hearing for BZA 2020-09 for the property at 10033 Fields Ertel Road.

MR. SNYDER stated that this is a request for a variance for a detached accessory structure that is larger than permitted in an "A" Residence District. The property is located on the south side of Fields Ertel Road, west of Meadowknoll Drive and contains approximately 1.001 acres. The Zoning Resolution permits detached accessory structures on lots of one acre or larger in the rear yard with a maximum area of 2,000 s.f. and a maximum height of 24 feet with a setback of 25 feet from the property lines. However, the proposed structure is 560 s.f. larger than permitted necessitating the variance request. The applicant has not indicated how tall the garage will be. If it is taller than 24 feet, he will need a variance for that as well. The proposed structure would not likely have an impact on the adjacent properties to the south due to vegetation along the back-property line but it will be highly visible from the properties on the east and west side of the property. As noted before a 2,000 s.f. detached accessory structure is permitted in the rear yard with no restrictions for driveways. The only issue is the additional 560 s.f.

MR. HORVATH wanted to know if there were any other structures on the property because it looks like it from the photos in the Staff Report.

MR. SNYDER stated that there is a shed on the property. The Zoning Resolution does not put a number on how many structures can be located in the rear yard as long as it does not occupy more than 30% of the area. Essentially, the appellant is allowed to put a 2,000 s.f structure and a 1,000 s.f. right next to each other.

BRUCE GROSECLOSE (10033 Fields Ertel Road, Loveland) stated that he is the owner of the property. The height of the garage will be less than 24 feet. He would like to construct a garage large enough to store his RV and a smaller trailer side by side and provide a work space. Right now, he is looking at constructing the pole barn with corrugated steel in either a dark red or green color with black piping.

DAVID NECAMP (9960 Sadler Circle, Loveland) stated that he has concerns about the garage ultimately being used for commercial purposes and the drainage that might incur into their subdivision.

TRACEY TENT, 10005 Fields Ertel Road, Loveland) stated that from where her house is located, she will be looking directly at the pole barn. It is way too big and will be an eyesore and affect her property value. Do residents have a say about the building materials or color? How will he get his vehicles back there without driving over the leach bed?

MR. SNYDER stated that there are no restrictions for building materials; however, the Board can make stipulations. As for the leach bed, the applicant will need to apply for a building permit and go through a storm water review.

RANDY SADLER (9989 Sadler Circle, Loveland) stated that the residents have had problems with the leach beds coming into their backyards in the past and this may aggravate it. The vegetation along the back-property line is thin and we can still see through it. In the winter it will be even worse. He does not want to look at a big red building; it should at least match the house. He does appreciate, however, that he is trying to store his RV instead of leaving it in the driveway but needs to come up with a better idea.

ROBERT CETTEL (8521 Owlwoods Lane, Cincinnati) stated that he is the attorney representing the Sadler Circle subdivision. The applicant is basically requesting a large commercial appearing building which is 136% the size of his own residence and would require a retention pond. The water table in this area is relatively high and a structure this size will exacerbate these issues. He does not believe that the applicant meets the criteria outlined in the Staff Report. All of this information is pointed out in a letter submitted to the Board this morning.

MS. HARLOW wanted to know if the Board was given a copy of the letter.

MS. FELTER noted that she put the letter into the file but did not forward it because he said he was coming tonight and thought it would be better for him to speak on the record.

MR. CETTEL requested that the letter also be made part of the record.

MR. SNYDER noted that since he is the attorney for the Sadler Circle subdivision the letter can be made part of the record.

GINGER KUBALA (9993 Sadler Circle, Loveland) stated that she owns the two properties at the end of the cul-de-sac that back up to the appellant's property. The proposed metal garage is too big and will be located too close to her property lines which will affect her property values. She would at least like it built within the Zoning Code.

DON FLISCHEL (9975 Sadler Circle, Loveland) stated that the proposed garage is too large for aesthetics and will affect the property values.

MR. GROSECLOSE stated that he appreciates everyone concerns. He loves the woods behind his house and will make every effort to make it cohesive.

MR. WOLFE stated that he has concerns about the size of this structure and not likely to grant the variance.

MR. HORVATH agreed.

MS. HARLOW noted that the appellant did not make any compelling reason for the extra square footage. She believes that a 2000 s.f. garage allowed by the Zoning Code is sufficient.

MS. HARLOW made a motion to deny the request for a detached accessory structure at 10033 Fields Ertel Road. MR. HORVATH seconded the motion and the roll call vote was as follows: Mr. Fowler – 'aye', Ms. Harlow – 'aye', Mr. Havill – 'aye', Mr. Horvath – 'aye' and Mr. Wolfe – 'aye'.

MS. HARLOW convened the public hearing for BZA 2020-10 for Symmes Elementary School at 11820 Enyart Road.

MR. SNYDER stated that this is a Conditional Use to permit modifications to the existing site that includes a 13,300 s.f. preschool/kindergarten wing onto the southwestern portion of the building, a 1,525 s.f. addition to the existing kitchen area on the southwestern portion of the building, a 1,570 s.f. performance platform extending north off of the northern facade and a 1,905 s.f. classroom addition on the eastern facade. The proposed changes to the parking lots include converting the existing northwestern parking lot into a 13-space bus parking lot with a

bus turnaround area and expanding the southernmost parking lot to the west towards Enyart Road for cars. A storm water detention basin will be constructed on the southeast corner of the site. There are no changes proposed to the north. The reason I point that out because there is no significant buffer there and boundary buffers are required on all sides. However, if there are ever any changes to the field in that area, we could require a buffer at that time. The boundary buffer will be maintained along the southern property line. Some vegetation will be removed for the storm water detention basin but there is significant vegetation there. Streetscaping is required along Enyart Road so it will screen the additional parking. Lastly, the applicant is requesting a light pole height variance to replace the existing 20-foot-high light poles with new 20-foot-high light poles where a maximum of 15 feet is permitted.

CHARLIE JAHNIGEN (SHP, 312 Plum Street, Cincinnati) stated that on a site this big 15-foot-high poles will reduce the light where 25-foot-high poles are common. They will maintain 0.5 foot-candles along the property line. The streetscape buffer is not common for school buildings because cars are pulling in and dropping off and they need to maintain a clear sightline for safety. They are working with Hamilton County regarding the installation of a turn lane.

MR. SNYDER noted that the Zoning Resolution requires streetscapes for all Conditional Uses and commercial developments to provide a buffer. A clear sight line can still be maintained.

MR. FOWLER wanted to know how many additional students the expansion is designed for and if there will be additional buses.

MR. JAHNIGEN stated that the overall goal is to bring the school up to standard with the other schools in the Sycamore School District. They will be increasing classroom size and adding 8 more classrooms for preschool/kindergarten. Right now, there is no designated parking-- everything is mixed which is not safe.

CHAD LEWIS (5959 Hagewa Drive, Cincinnati) stated that he is the Director of Business Operations for the Sycamore Community Schools. When we went through a redistricting process several years ago Mapledale Elementary was built to accommodate preschool/kindergarten. However, with an increase in enrollment and a desire for a more modern learning environment we need to make some changes to Symmes Elementary. All the other schools have been renovated except this one. There may be additional buses with more students but it would not be significant.

MR. FOWLER wanted to know what will happen to the fields that are there.

MR. JAHNIGEN noted that they will keep two normal size fields and two smaller fields.

FRANK FORSHOEFEL (5959 Hagewa Drive, Cincinnati) stated that he is the Superintendent. They want to provide more opportunities for the younger students and are excited for the opportunity.

KEVIN CAIN (9168 Pinewood Drive, Loveland) stated that his property abuts the school's property along the southern property line and has concerns that the natural boundary will be disturbed. He also worries that the storm water detention basin will create a negative impact on his property. Will there be standing water?

STOEVE KORTE (6219 Centre Park Drive, West Chester) stated that he is the engineer for the project. There is currently a low-lying swale in that area that needs to be expanded to handle the runoff. It will be designed per Hamilton County Storm Water regulations and reviewed by Public Works and then OEPA for water quality management. There will not be a constant pool of water that will attract mosquitos. Another swale will be located north of the property.

MR. HORVATH wanted to know if there will be lighting around the detention pond that will disrupt Mr. Cain's property.

MR. JAHNIGEN stated that no lighting is planned around the retention pond. He noted that only a minor amount of vegetation will be cleared for this project. Much of the buffer will remain.

MR. CAIN noted that they have selected a low slope membrane roof for the preschool/kindergarten building and it does not blend in with the existing roof. It looks more like an industrial warehouse than a school.

MR. JAHNIGEN noted that they could not match the existing roof because the materials are too expensive. This style is not uncommon for schools.

KEITH DOLBY (11793 Enyart Road, Loveland) stated that he lives across the street from the school. On the plans, it appears that the second driveway will be located directly across from his property and is concerned about traffic. Enyart Road is only a two-lane road. Will a turn lane really be added and, if so, where will they take the property to widen the roadway?

MR. KORTE stated that Hamilton County has conducted a Traffic Impact Study and it has been determined that a southbound left turn is warranted so cars can turn into the school. They are just in the preliminary stages right now but it appears that it will be more cost effective to utilize the school's property for the road improvements so they don't have to move any underground utilities.

MR. DOLBY noted that he looks out at soccer fields now but will be looking at a parking lot in the future.

MR. JAHNIGEN reiterated that they will be maintaining four soccer fields. As for the parking, they currently have space for 169 cars and will expand that to 186 which is only 17 additional parking spaces. The bus parking area already accommodates 13 spaces for buses but there are no stripes. The designated spots will make it much safer.

MR. SNYDER pointed out that even though they are only adding 17 new spaces they are moving approximately 70 parking spaces over from the other side.

MR. FOWLER wanted to know if there will be any bus parking overnight.

MR. LEWIS noted that all buses are parked in the bus garage on Cooper Road at night which is fenced in for security purposes. As for the traffic, there are only two times a day where traffic may be heavy which is in the morning when kids are dropped off and in the afternoon when kids are picked up and it lasts only about 15 minutes. The rest of the time traffic just trickles in.

SHAWN MCKEE (9148 Pinewood Drive, Loveland) stated that the school backs up to his property. He is concerned about the buffer. From the map it looks like the playground will come within 10 feet of the property line. The buffer is thin already. Will a fence be installed or can shrubs be planted to replace the natural barrier?

MR. SNYDER noted that a new playground will be constructed as part of the improvements. It is noted in the Staff Report but he forgot to mention it tonight. Even though only a minimal amount of vegetation is proposed to be removed to square off the area for the playground it is still too close to the residents of Pinewood Drive. Staff suggests that the playground be relocated elsewhere or that a privacy fence be installed on the edge of the playground. The Board can also require additional landscaping.

MR. HORVATH wanted to know how they will address the aesthetic issue and noise.

MR. JAHNIGEN stated that this is a preschool playground. There is no other place to move it. It will be designed for small children and ADA compliant which means there will be lower activities. They also plan to use poured rubber which should absorb the sound. They already plan to add 4-foot fencing around it but are willing to add landscaping.

ANDREW PAUL (9140 Pinewood Drive, Loveland) noted that he bought his property because of the buffer which contains beautiful mature trees. It also contains significant amount of undergrowth which provides privacy and a sound block. It's not clear exactly what will be cut down but a suitable barrier should be put up in its place.

MATT BLAIR (11774 Enyart Road, Loveland) stated that the two-lane road was never intended to bear this amount of traffic. A lot more traffic is happening with new development in the area. With preschool/kindergarten classes that means more cars with distracted parents. The larger parking lot may also encourage some congregating other than school users and create light pollution. They should have utilized the north side of the property for a parking lot. What is the construction schedule?

MR. JAHNIGEN stated that they would like to begin with preliminary site work in October with a target completion date of Fall 2021. The whole project should take approximately 14 months. As for the light poles, we plan on using 0.5 foot-candles which is within the Zoning requirements.

MR. HORVATH noted that this project is an asset for the community. His only concern is that they provide a better map for the playground that outlines exactly what will be removed and added. He does not want to decrease the quality of life for those neighbors. He also suggests that they enhance the streetscaping along Enyart Road.

MR. WOLFE agreed with the points made by Mr. Horvath and wished the school district would have worked this out with the neighbors beforehand.

MS. HARLOW wondered if the Board should continue the hearing.

MR. SNYDER noted that the Board can continue the hearing or impose certain conditions.

MR. JAHNIGEN noted that it is critical that they receive zoning approval tonight. They are willing to compromise. The school district has offered to install light shields on the light poles. He proposes that they plant 8 additional shrubs around the playground and install a six-foot-tall fence with privacy slats for screening along the southern property line.

MR. LEWIS stated that he wants to be a good neighbor and is willing to make conditions.

MR. HORVATH made a motion to approve a Conditional Use for the proposed building additions and modifications for Symmes Elementary School located at 11820 with the following conditions:

1. That, a lighting plan shall be submitted in compliance with the maximum illumination of 0.5-foot candles at the property line and with up to 20-foot-high light poles where a maximum of 15-foot-high light poles are permitted;
2. That, a revised landscape plan shall be submitted to comply with the interior and streetscape landscaping requirements with a streetscape buffer along Enyart Road and a minimum of 8 Evergreen trees be planted between the southernmost playground and the southern property line;
3. That, a 6-foot chain-like fence with privacy slats be constructed along the south side of the southernmost playground;

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

ADMINISTRATIVE MATTERS

MS. FELTER noted that the applicants for BZA 2020-07 have filed an appeal with the Court of Common Pleas.

MR. HORVATH made a motion to approve the minutes of the August 3, 2020 meeting.  
MR. WOLFE seconded the motion and the roll call vote was as follows: Mr. Fowler – not present, Ms. Harlow – ‘aye’, Mr. Havill – ‘aye’, Mr. Horvath – ‘aye’ and Mr. Wolfe – ‘aye’.

ADJOURNMENT

MS. HARLOW adjourned the meeting at 9:57pm.

Approved:

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Jennifer Harlow, Chairperson

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Luanne Felter, Zoning Secretary