

RESOLUTION Z2017-01

**RESOLUTION TO AMEND SECTION 346.1 FENCES AND WALLS
OF THE SYMMES TOWNSHIP ZONING RESOLUTION
AND DISPENSING WITH THE SECOND READING**

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, administer their own zoning resolution and contract with Hamilton County Regional Planning to enforce the code; and

WHEREAS, the Hamilton County Regional Planning Commission provided statistics to administration that in the past 4.5 years there have been 61 cases and 21 of those cases have related to fencing variances which is 35% of all cases in the township; and

WHEREAS, the Symmes Township Administrator is recommending that the Trustees modify the fencing regulations so that the open face area required for a four (4) foot fence is reduced from 75% to 62% to accommodate the Kentucky Board fence and other fences that may meet the 62% open face area requirement; and

WHEREAS, the Symmes Township Zoning Commission on October 18, 2017, held a public hearing and recommended approval of said Amendment with the recommendation by the Hamilton County Regional Planning Commission; and

WHEREAS, on November 14, 2017, the Board of Trustees of Symmes Township held a public hearing and reviewed said Amendment;

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 concurs with the recommendation of the Symmes Township Zoning Commission in Case No. Symmes 2017-02 and approved the amendment for Section 346.1 Fences and Walls as the Board believes the Amendment is in keeping with good land use planning and is not in conflict with the best interest of the Township and the public at large.

Section 2. **SECTION 346.1** shall be amended as follows:

Height and Open Face Area in Front and Side Yard. No fence or wall located in the front or side yard shall be built to a height greater than three (3) feet and shall have an open face area of no less than fifty (50%) percent or when constructed to a height of not more than four (4) feet above grade, shall have an open face area of no less than ~~seventy-five~~ **sixty-two** (75 **62** %) percent. Fences and walls as provided in Sections 344.3 and 346.4 shall be exempt from these height and openness requirements.

Section 3. It is hereby certified 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 4. 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 5. This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

ADOPTED NOVEMBER 14, 2017 – RESOLUTION Z2017-01

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

BOARD OF TRUSTEES:

Jodie L. Leis, President

Kenneth N. Bryant, Vice-President

Philip J. Beck, Trustee

ATTEST:

Carol A. Sims, Fiscal Officer

APPROVED AS TO FORM:

Kevin C. McDonough, Law Director