

RESOLUTION Z2019-01

**RESOLUTION APPROVING A ZONE CHANGE FROM “H” RIVERFRONT TO “EE”
PLANNED RESIDENCE LOCATED AT 9675 E. KEMPER ROAD**

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio, on April 2, 2019 heard Case #ZC2019-01, a request to change the zoning at 9675 E. Kemper Road from “H” Riverfront to “EE” Planned Residence (with subservient Retail) (parcel 620-0090-0007); and

WHEREAS, the proposed use is not consistent with the Symmes Land Use Plan which has not been updated since 2009, and the Hamilton County Thoroughfare Plan; and

WHEREAS, the Hamilton County Regional Planning Commission on February 7, 2019, at its regular meeting voted to recommend approval; and

WHEREAS, the Symmes Township Zoning Commission on February 20, 2019 held a public hearing and recommended approval of said zone change with conditions and variances; and

WHEREAS, on April 2, 2019, 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 concurs with the recommendations of the Symmes Township Zoning Commission and approves the zone change for 9675 E. Kemper Road from “H” Riverfront to “EE” Planned Residence (with subservient retail).

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

- a. That the proposed directional signs shall be no closer than five (5) feet from the ROW along E. Kemper Road.
- b. That the applicant shall locate all required streetscape trees and shrubs along E. Kemper Road at the base of the retaining wall facing the road.
- c. That a detailed landscape plan in compliance with the Zoning Resolution and with Condition #b above shall be submitted as part of the Final Development Plan.
- d. That a detailed lighting plan in compliance with the Zoning Resolution shall be submitted as part of the Final Development Plan.

- e. That the site shall be permitted a maximum of one freestanding monument sign with a maximum height of ten (10) feet and a maximum area of fifty (50) square feet.
- f. That there shall be no wall signage located on the southern façade of the building.

Section 3. That the Board of Trustees approve the variances as recommended by the Zoning Commission:

- a. Section 321.4-1(1) – that in addition to the permitted signage on the northern and western façade, that one (1) additional wall sign with a maximum area of seventy-three (73) square feet shall be permitted on the eastern façade of the building canopy where no wall sign is permitted.
- b. Section 321.5 – that the freestanding sign for the development shall be permitted to be an electronic message center sign with one hundred percent (100%) of the sign area permitted to be electronic and that the building mounted sign on the eastern façade of the canopy portion of the building shall be permitted to be an electronic message center sign with one hundred percent (100%) of the sign area permitted to be electronic where only twenty-five percent (25%) of the freestanding sign is permitted to be electronic provided that all copy messages be displayed in forty-five (45) second minimum intervals.

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 2, 2019 – RESOLUTION Z2019-01

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

BOARD OF TRUSTEES:

Philip J. Beck, President

Jodie L. Leis, Vice-President

Kenneth N. Bryant, Trustee

ATTEST:

Carol A. Sims, Fiscal Officer

APPROVED AS TO FORM:

Kevin C. McDonough, Law Director