
**MINUTES OF SYMMES TOWNSHIP ZONING COMMISSION
REGULAR MEETING
AUGUST 19, 2020**

The meeting was called to order at 7:00 p.m. Members of the Commission present were: Ms. Bucco, Mr. Etter, Mr. Reichman, and Mr. Singler.

Also present: Bryan Snyder - Hamilton County Rural Zoning, Kim Lapensee - Township Administrator and Jana Grant - Zoning Secretary.

MR. REICHMAN made a motion to approve the Agenda. MR. ETTER seconded the motion. Ms. Bucco - 'yes'; Mr. Etter - 'yes'; Mr. Reichman - 'yes' and Mr. Singler - 'yes'.

MR. ETTER made a motion to approve the July 15, 2020 minutes. MS. BUCCO seconded the motion and the roll call vote was as follows: Ms. Bucco - 'yes'; Mr. Etter - 'yes'; Mr. Reichman - 'abstain' and Mr. Singler - 'yes'.

MODIFICATION TO THE ZONING RESOLUTION:

CYNTHIA BUCCO called to order the public hearing for **SYMMES 2020-01, TEXT AMENDMENTS** a continuance from the July meeting to amend **Sections 54.1, 51.5, 62.14-3, 66.14-3, 70.14-3, 74.14-3, 78.14-3, 82.14-3, 143.3, 143.4, 171.7, 191, 319, 342.5 and 346 of the Zoning Resolution.**

BRYAN SNYDER stated he did not have a lot to add since they discussed the document at the last meeting. He prepared some amendments to address the staffs concerns and sent them to Mrs. Lapensee. They addressed all of the concerns raised at the last meeting and he would be happy to answer any questions they have.

Ms. Bucco stated that she had a question on a comment he made on last month's report about enforcing camper and RV parking on the streets being questionable. It does not appear he is requesting to have that portion removed.

Mr. Snyder stated that he is not requesting that portion to be removed. What he said last month was that it was questionable and he thinks he explained that he has always been told that you could not enforce it, but nobody has ever shown him where in law it says you can't enforce zoning in the public right of way. The Township Legal Staff has reviewed this and does not have an issue with that section.

JAMES SINGLER stated that it appears that since the original proposal to the Planning Commission and the Zoning Commission that substantial changes have been made and there looks like an effort to create a compromise of just trying to codify what current practices are. Is that an accurate statement of what is going on and if not, can he tell him what has changed?

Mr. Snyder stated that most of them are clarifications. The main additions are the requirement for sidewalks, the requirement for fence maintenance standards, clarifications of what they are already doing for driveway surfacing but taking out the required side yard setback. There were a number of text amendments he did not mention because staff did not have any issues with them.

JEFFREY REICHMAN stated that it seems to him the most significant change Mr. Snyder recommended is Section 51.1 where the original language looked at the maintenance of property and he has now revised that to be exclusively fence maintenance standards. He was wondering if they are putting to bed this issue of whether they want to have a General Maintenance Standard in the Zoning Regulations. It is important for the Township to have tools to be able to enforce that properties are maintained in a reasonable and safe manor and ensures the safety of neighbors.

Mr. Snyder stated that is why other Townships have adopted Property Maintenance Codes.

Michael Howell, 7810 Clement Street, Camp Dennison, Ohio stated that he is against the changes and would like this to be postponed where they can meet in person. He stated that he is having interference and can only get about 80% of what is being said at this zoom meeting. Why don't they attack this from the point of letting the Hamilton County Building Department make these changes to fences or whatever needs to be done and fix their end of it so that way it would be a county wide change instead of fixing one small percentage of it.

Mr. Howell stated that the last meeting is the reason why they should do this in person; everybody got to speak their peace and after Mr. Snyder spoke again nobody got to come back to do a rebuttal. This needs to be put on the back burner until they can meet face to face.

JAMES SINGLER stated that he is leaning towards what Mr. Howell is saying, but the only thing is that he has a neighboring property that is 40 years old, the fence has fallen and they have a pool. He stated that he has a 6-year old and a 3-year old and he worries about them drowning in it and so he wonders if there is a compromise here.

Mr. Reichman stated that he does not think they can count on the county to correct the problems that are in the township. He thinks government is best managed at the lowest possible level.

Mr. Singler stated that he thinks that if the administration can wait another couple of months, the public would not have much beef with what they have done.

Mr. Reichman stated that he agrees with Mr. Singler and maybe they ought to post the changes so the public has a chance to review the revisions and come back in September.

Mr. Singler asked Mrs. Lapensee how the public would normally be informed on something like this.

MRS. LAPENSEE stated that they post it on their website, she was waiting for the outcome of this meeting and what the Zoning Board recommended so they could go ahead and post those recommendations on their website as well. Once they get the Board's recommendation, then at the next Trustee meeting on September 1st, she would schedule the Board to actually make a decision to schedule a public hearing. That is unless this hearing is continued again.

C.J. CARR, 10403 Willow Drive, Loveland, Ohio stated that he had a couple of questions to start with. First off is the fence issue, they already have a fence section in their zoning code, so why are they making up another section when they can just include that in section 346 in their existing zoning code? Fences around a swimming pools are a big issue for children's safety. There should be something in there, he just thinks it is in the wrong section of the code. The second issue he has is that he understands that the resolution has been posted on the website but what was not posted on the website is a copy of the staff report that came from Hamilton County and the changes that the Committee is looking at tonight. The general public really has no idea of what they are looking at and no way to respond to anything that is being talked about. Mrs. Lapensee stated that they don't usually post any of their staff reports online.

Ms. Bucco stated because of all the technical difficulties that they have had this evening and the fact that some of the documents are not out there for the public to see, she would recommend that they do not make any final decisions on what they are recommending for this month and hold it till next month.

CAROL SIMS, 9972 Washington Street, Camp Dennison, Ohio stated that this needs to be an in-person meeting. The Trustees held a meeting in-person in July at the Safety Center. There was glass up in front of the Trustees, everyone wore masks and everyone was social distancing and it worked out fine. There is no reason why they cannot have another meeting at the Safety Center on this issue. The main thing she is concerned about is the variable message centers that they are wanting to put into the signage section when it should continue to be handled as a conditional use.

D'ARCY HAVILL, 9976 Lincoln Road, Camp Dennison, Ohio stated that the largest land owner in Camp Dennison is the Village of Indian Hill. They do not really adhere to all the standards. He feels that if they try to enforce this and the Village of Indian Hill does not comply, how can they force it on the residents within Camp Dennison when another party will not comply?

MARK LEGUILLION, 9355 McKinney Road, Loveland, Ohio stated that he is going to make the same statement that he has made at every meeting. He believes in the time of COVID they need to delay meetings and decisions until the entire community can participate. In earlier conversations he agrees with a number of people that talked about fences around pools. He also agrees with the in-person meetings and agrees with Mike Howell, C.J. Carr and Carol Sims comments. In June the Trustees stated that they heard very clearly and loudly from the residents about the property maintenance code and they were not pursuing the Code; it is a dead issue. His concern is that all of sudden it gets dumped on the laps of the Zoning Commission after it was supposed to be a dead issue.

Ms. Bucco closed the public comment portion of this meeting.

Mr. Reichman stated that he can sympathize with some people having technical problems trying to access this meeting but it is rather common in our current environment that people have meetings on zoom right now. This is a far more effective and convenient way of interacting with government officials.

Ms. Bucco stated that in general if they can have meetings at the Safety Center that would be great and at the same time with the attitude that they need to wait until everybody can meet in-person, she does not know if she can buy into that. We are going to have an election for President during COVID-19. Clearly, they had a lot of technical difficulties tonight and it is clear that some of the documentation that the public has a right to see has not been viewed by them. If they could actually see what Mr. Snyder has proposed there would probably be much less dissent about it than they currently have, because it does take a lot of the property maintenance issues out of the document.

Mr. Singler stated that he thinks it is a nice compromise between the residents and the administration and he would vote in favor if this was open to public comment for another month.

MR. SINGLER made a motion to continue the public hearing for case Symmes 2020-01; Text Amendment until the September regular meeting.

MS. REICHMAN seconded the motion and the roll call was as follows: Ms. Bucco - "yes": Mr. Etter - 'yes'; Mr. Reichman - 'yes' and Mr. Singler - 'yes'.

OLD BUSINESS

None

NEW BUSINESS

Zoom meeting next month on September 16, 2020

ADMINISTRATIVE MATTERS

None

ADJOURNMENT

MR. SINGLER made motion to adjourn at 8:22 p.m. MR. ETTER seconded the motion and the roll call vote was as follows: Ms. Bucco - "yes": Mr. Etter - 'yes'; Mr. Reichman - 'yes' and Mr. Singler - 'yes'.

Minutes of REGULAR

Held Township Admin. Bldg.

August 19, 2020

Approved:

Chairperson

Zoning Secretary