

# GRAYDON HEAD

LEGAL COUNSEL | SINCE 1871

Brian W. Fox  
Attorney  
Direct: 513-629-2706  
bfox@graydon.com

August 2, 2016

Via Hand Delivery

Sycamore Township Board of Zoning Appeals  
Attention: Mr. Harry Holbert, Jr., Zoning Administrator  
8540 Kenwood Road  
Sycamore Township, Ohio 45236

Re: Case Number SYCC 160286

To Whom It May Concern:

Pursuant to Chapter 22-4.1 of the Sycamore Township Zoning Resolution (the "Resolution"), please allow this correspondence to serve as the Notice of Appeal for the Notice of Violation served upon my client, Mr. Nicholas Bucciere, for alleged violations of the Sycamore Township Code in Case: SYCC160286. The alleged violations pertain to real property located at 9125 Montgomery Road, Cincinnati, Ohio 45242 (Parcel ID# 060000500012) (the "Subject Property").

The grounds for this appeal are as follows:

- The Notice of Violation failed to articulate with any measure of particularity the alleged violations as is required by law.
- Under these circumstances, neither the Resolution nor Ohio law imposes an affirmative obligation upon the owner of the Subject Property or Mr. Bucciere to apply for, or obtain, a Zoning Certificate. Likewise, neither the Resolution nor Ohio law imposes an obligation for the owner of the Subject Property or Mr. Bucciere to supply parking analysis to the Township.
- Relative to the Notice of Violation, the Township has failed to comply with the enforcement obligations set forth in Chapter 24 of the Resolution and Ohio law.
- The Notice of Violation was improper and violates Mr. Bucciere's rights under the United States and Ohio Constitutions.
- Mr. Bucciere reserves the right to provide additional grounds that may exist under existing legal authorities or for which information concerning this matter surfaces at a later date.

With this filing, Mr. Bucciere does not waive any service of process obligations imposed by the Resolution or any other law. Moreover, Mr. Bucciere expressly reserves his rights with respect to the failure to provide proper service in this matter.

Butler/Warren at University Pointe

Cincinnati at Fountain Square

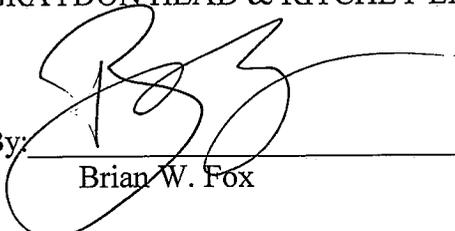
Northern Kentucky at the Chamber Center

Graydon Head & Ritchey LLP | 7759 University Drive | Suite H | West Chester, OH 45069  
513.755.9500 Phone | 513.755.9588 Fax | www.graydonhead.com

Last, in order to comply with Chapter 22-4.2 of the Resolution, I have enclosed hearing fees and duplicate copies of this correspondence and the Notice of Violation referenced herein. Should you have any questions, please do not hesitate to contact me on my direct: (513) 629-2706.

Very truly yours,

GRAYDON HEAD & RITCHEY LLP

By: 

\_\_\_\_\_  
Brian W. Fox

BWF/jas  
Enclosure  
6570823.1