

BLUE ASH BOARD OF ZONING APPEALS

June 8, 2009

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ITEM 1. – MEETING CALLED TO ORDER

Madam Chairman Julie Brook called the regular meeting of the Board of Zoning Appeals to order at 7:00 p.m. on Monday, June 8, 2009.

MEMBERS PRESENT: Julie Brook, Paul Collett, Jr., Mark Kirby and Marc Sirkin

ALSO PRESENT: Assistant Community Development Director Dan Johnson, Administrative Clerk Traci Smith and interested citizens

ITEM 2. – NOMINATIONS AND ELECTIONS

Madam Chairman Julie Brook presented the following nominations to be effective beginning July 2009:

Marc Sirkin, Chairman
Mark Kirby, Co-Chairman
Paul Collett, Secretary

DECISION: Marc Sirkin moved, Paul Collett seconded to elect the slate as presented. A voice vote was taken. All members present voted aye. Motion carried.

ITEM 3. – APPROVAL OF MINUTES

The Board waived the reading of the minutes.

DECISION: Marc Sirkin moved, Paul Collett seconded the motion to approve the minutes of the Board of Zoning Appeals meeting of May 11, 2009. A voice vote was taken. All members present voted aye. Motion carried.

ITEM 4. – 4300 ROSSPLAIN DRIVE – Jewish Vocational Service

Appeal to allow a reduced front setback adjacent to Shell Road for a handicapped accessible entrance and canopy

PRESENT: Bob Clayton, Appellant

Madam Chairman Julie Brook swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

Bob Clayton said that Jewish Vocation Service is an agency that deals with handicapped individuals in all of Butler and Hamilton Counties. They have a vocational rehab center where people come in and work during the day and get paid a small wage through state funding. The agency's growth has been greater than expected when they originally bought and renovated the building. They have over 400 handicapped and 200 staff a day in their two facilities. They need a safe, efficient manner to enter and exit the building. As former Chairman of the Board, he has watched the agency grow and they can no longer continue to take people through the stairway with a one-chair lift. That is the reason they are requesting the handicapped ramp and, if permitted, will put a cover over it per Code. They would also like to extend the canopy to where the buses and vans drop off people to keep them covered during inclement weather. They will also be doing the same thing to the front of the

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building (not part of this appeal). In addition, they will be remodeling the inside of the building and updating the restroom facilities.

Paul Collett commended the services of the facility and personally did not have any objection to this request. Dan Johnson said that Mike Duncan, Public Works Director, had reviewed the appeal and did not see any issues with the canopy in the right-of-way. Paul Collett said he has noticed some individuals waiting for the metro bus that could benefit from some type of protective shelter. Mr. Clayton said there are only a few that ride the public transportation and that most are transported by their buses or city vans. Marc Sirkin said he saw ten buses on the property when he visited. Mr. Sirkin also said he did not have any issues with this as the surrounding properties are all industrial.

As there were no further questions Madam Chairman Julie Brook closed the public hearing portion of the meeting.

DECISION: Paul Collett moved, Mark Kirby seconded to approve the request for additional handicap access improvements at 4300 Rossplain Road. A roll call vote was taken. All members present voted aye. Motion carried.

ITEM 5. – 9364 CANARY COURT - Dunaway

Appeal to allow a reduced front and side setback for a porch addition

PRESENT: Kurt Windisch, Appellant
Brooks Dunaway, Owner

Madam Chairman Julie Brook swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

Kurt Windisch said they are proposing to add a front porch that would be made of a composite material with a shingled dormer that would project 8-feet from the house with overall height being 19 ½-feet tall. All posts would be set into ground with concrete.

Paul Collett asked if the new structure would go into the side setback. Mr. Windisch said he did not think it would but he has considered getting a survey. Dan Johnson said it appears to him it will be the same side setback as the house, but that a survey would clear that up. Mr. Collett said that final construction drawings would also clear that up. Mr. Collett asked about the setback with the curved right-of-way. Marc Sirkin said it appeared to him that the setbacks on that street vary from 8-feet to 32-feet. His personal thought is that all the other houses on this street should do the same thing and feels this will be a great addition.

As there were no further questions Madam Chairman Julie Brook closed the public hearing portion of the meeting.

Julie Brook said this seems to be a common request in this neighborhood. Paul Collett commented that a survey would be required since it so close to the side yard before any construction permits would be issued.

DECISION: Mark Kirby moved, Marc Sirkin seconded to approve the application for 9364 Canary Court to allow a reduced front setback for a front porch addition with the condition that a survey be obtained to verify the side setback. A roll call vote was taken. All members present voted aye. Motion carried.

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ITEM 6. – 9370 LANSFORD DRIVE - Goodfellow

Appeal to allow a reduced front setback for an addition to the existing garage

PRESENT: James Goodfellow, Appellant

Madam Chairman Julie Brook swore in those wishing to testify and gave a brief overview of the Board of Zoning Appeals.

Jim Goodfellow said they were just exploring their options since they have some repairs that need to be done including some concrete work and a new garage door. They thought they would explore their options of extending out 8-feet toward the street to add an additional room for a laundry/mud room and storage. Before they spent money with an architect, they wanted to check with the Board to see if it would be possible to get a variance for this request.

Paul Collett said that Mr. Goodfellow would need to check with the Ravenwood Subdivision covenants to see if the setback could be encroached upon. Mr. Collett asked why they decided to extend in the front instead of the back. Mr. Goodfellow said it would not fit the interior configuration. Julie Brook asked about going to the side; however, Mr. Goodfellow said that would not work.

Paul Collett commented that variances are generally intended to address exceptional or unusual conditions or to remedy a hardship. He did not feel that a variance was appropriate. Julie Brook said this idea should probably go before the Ravenwood HOA first. Mr. Goodfellow explained that they were really just hoping to get the laundry room out of the basement. Ms. Brook said she thought that this proposed addition would be out of character with the neighborhood.

As there were no further questions Madam Chairman Julie Brook closed the public hearing portion of the meeting.

DECISION: Marc Sirkin moved, Mark Kirby seconded to deny the variance request for a reduced front setback at 9370 Lansford Drive due to vagueness of application. A roll call vote was taken. All members present voted aye. Motion carried to deny.

ITEM 5. – MISCELLANEOUS BUSINESS

Dan Johnson said the City is adopting new storm water regulations that are related to a federal requirement. The Board of Zoning Appeals will be the designated appeal body.

ITEM 6. – ADJOURNMENT

DECISION: There being no further business, Paul Collett moved, Marc Sirkin seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 7:38 p.m.

Julie Brook, Madam Chairman

MINUTES RECORDED BY:

Traci Smith, Administrative Clerk