

BLUE ASH BOARD OF ZONING APPEALS

July 8, 2019

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ITEM 1. – Meeting Called to Order and Roll Call

Vice Chair Joe Hoelker called the regular meeting of the Board of Zoning Appeals to order at 7:00 p.m. on Monday, July 8, 2019 and requested a roll call.

MEMBERS PRESENT: Bruce Crutcher, Joe Hoelker, Jeremy Kraus, and Jeff Uckotter

MEMBERS NOT PRESENT: Brian Gath and Sal Wertheim

ALSO PRESENT: Community Development Director Dan Johnson, Community Development Assistant Paul Kleier, Councilman Marc Sirkin, Councilman Joe Leet, and interested citizens

ITEM 2. – Approval of Minutes

The Board waived the reading and approved the minutes of the Board of Zoning Appeals regular meeting of May 13, 2019.

Vice Chair Hoelker swore in all those in attendance wishing to testify for any of the agenda items and gave a brief overview of the Board of Zoning Appeals.

ITEM 3. – New Hearings

a. 9254 Plainfield Road - Skyline

Appeal to allow a drive-thru, an expansion of a nonconforming use, at a proposed new Skyline Chili restaurant.

C. Francis Barrett, counsel for Skyline, described the proposed restaurant with the inclusion of a drive-thru; the proposal takes into consideration input of City staff gathered from a meeting in advance of the Board of Zoning Appeals meeting.

The project architect, Jim Sheanshang, explained the site plan and the process of finding a site layout that accommodates a drive-thru. Landscape screening was included, but not to the full extent required in order to maximize building visibility. He clarified that entrance to the restaurant would be at the current curb cut for the existing Skyline and all stacking for the drive-thru would be on-site.

Because Skyline was on the agenda for Board of Site Arrangement, as well as Board of Zoning Appeals, Dan Johnson explained that the Board was able to discuss any aspect of the site plan during Board of Zoning Appeals relating to use of the drive-thru. Jeff Uckotter suggested that the landscaping plan is deficient along Plainfield Road and that a more robust buffer should be in place. Bruce Crutcher applauded Skyline for working with staff and trying to propose a visually appealing building. The Board decided to address screening during the Board of Site Arrangement meeting.

DECISION: Bruce Crutcher moved, Jeremy Kraus seconded to approve the appeal for 9254 Plainfield Road as submitted. Vice Chair Hoelker stated there was a motion on the table. For the record, this decision is based on a finding by each member, and the Board as a body, that the application does, or does not, satisfy the factors in Section 1127.07(a)(4) subsections “A” through “J”. Based on the evidence provided, these factors determine if the variance complies with the purpose and intent of this Zoning Code and determine whether literal enforcement of this Zoning Code would result in practical difficulty. These criteria are listed in the Staff Report. As there were no comments or additional discussion, Vice Chair Hoelker called for a vote. A roll call vote was taken. All members present voted aye. Motion carried to approve.

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b. 4445 Lake Forest Drive – CEI Vision Partners

Appeal to allow a wall sign exceeding the maximum sign area permitted on a wall.

Jay Morey spoke on behalf of CEI explaining the desire to add a sign compliant with linear distance requirements, but needing an area variance because of the size of the office building and its distance from Glendale Milford Road. He explained that the Sogeti sign would be moved to allow greater distance between signs.

In response to a question from Joe Hoelker, Paul Kleier confirmed that the proposed sign is approximately 65 feet larger than what would be permitted without a variance.

In response to a question from Bruce Crutcher about the number of patients seen, Kerry McGehee of CEI Vision Partners explained the growth of the company and provided details of its operations.

Jeremy Kraus suggested a condition of approval that would limit the number of additional signs on the building, but Jay Morey offered that according to City ordinances the building could not accommodate additional signs. Following a discussion of the merits of such a condition, the Board decided not to include one.

DECISION: Bruce Crutcher moved, Jeremy Kraus seconded to approve the appeal at 4445 Lake Forest Drive as submitted. Vice Chair Hoelker stated there was a motion on the table. For the record, this decision is based on a finding by each member, and the Board as a body, that the application does, or does not, satisfy the factors in Section 1127.07(a)(4) subsections “A” through “J”. Based on the evidence provided, these factors determine if the variance complies with the purpose and intent of this Zoning Code and determine whether literal enforcement of this Zoning Code would result in practical difficulty. These criteria are listed in the Staff Report. As there were no comments or additional discussion, Vice Chair Hoelker called for a vote. A roll call vote was taken. All members present voted aye. Motion carried to approve.

ITEM 4. – Continued Hearings

None

ITEM 5. – Miscellaneous Business

None

ITEM 6. – Adjournment

DECISION: There being no further business Joe Hoelker moved, Jeremy Kraus seconded to adjourn the Board of Zoning Appeals. A voice vote was taken. All members present voted aye. The meeting was adjourned at 7:37 p.m.

Joe Hoelker, Vice Chair

MINUTES RECORDED BY:

Traci Smith