

BLUE ASH PLANNING COMMISSION

July 9, 2013

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ITEM 1: MEETING CALLED TO ORDER

Chair Ray Schafer called the regular meeting of the Blue Ash Planning Commission to order at 7:03 p.m. on Tuesday, July 9, 2013.

MEMBERS PRESENT: Raymond Schafer, John Berry, John Moores and Jim Sumner

MEMBERS NOT PRESENT: Beverley Gill

ALSO PRESENT: City Manager David Waltz, Assistant City Manager Kelly Harrington, Community Development Director Dan Johnson, Administrative Clerk Traci Smith and Vice Mayor Lee Czerwonka

ITEM 2: OPENING CEREMONY

Pledge of Allegiance

ITEM 3: APPROVAL OF THE MINUTES

Commission members waived the reading of the minutes.

DECISION: Jim Sumner moved, John Moores seconded, to approve the regular meeting minutes of June 6, 2013 as submitted. A voice vote was taken. All members present voted aye. Motion carried.

ITEM 4: HEARINGS

a. 9470 Highland Avenue – Halom House, Inc.

Special Use Permit for an institution of an education, religious or philanthropic nature

PRESENT: Kathy Shannon, Halom House– Applicant
Patrick Hoagland, Bradstetter Carroll Architects – Consultant

Kathy Shannon said she is the new Director of the Halom House located at the corner of Hunt and Blue Ash Roads. They recently purchased the adjacent property located at 9470 Highland Avenue which they are hoping to use as a day program facility for some of the folks in their group homes. The day program would be Monday through Friday from 9:00 a.m. to 3:00 p.m. for recreation and education, for which they have already received approval from the Ohio Department of Developmental Disabilities for this service. This is not a work based program.

Patrick Hoagland stated the only visible changes to the structure seen from the outside would be an accessible ramp to the front door. The changes inside would include moving walls and doors to meet handicapped accessibility and code issues.

Ray Schafer asked about the availability of other services of this type in the area. Ms. Shannon said the Halom House is a Jewish group home and, since the Jewish Vocational Center was recently incorporated into Easter Seals, it no longer has its Jewish identity. Jewish Federation is eager to support this proposed use because it will have a Jewish Garden theme and provide Jewish education. They will keep a

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kosher house and celebrate the Jewish holidays as part of the curriculum. She is not aware of another day program like this in this area.

In answer to a question by Jim Sumner regarding the number of participants on a daily basis, Ms. Shannon said there would be approximately five people doing activities such as computers, music, and art in each of the three bedrooms. They also want to have garden beds in the back yard. They will be partnering with the Jewish Community Center to go there for part of the day to work with their art therapist and plan to be out and about in the community doing recreational activities as much as possible with field trips to movies, the civic center, and other recreational activities. Participants are not limited to residents of the Halom House. The program would be open to all individuals and they anticipate a diverse group.

John Berry asked about the type of recreation activities they do and if their activities would generate many trips in and out. Ms. Shannon said it is more recreation and leisure like yoga and maybe corn hole or badminton in the backyard. Activities typical to what a family might have in their back yard, nothing extremely active and no basketball courts will be built. Ms. Shannon said the field trips would most likely happen one or two times a week.

Ms. Shannon confirmed John Moores request for confirmation that this property would be a day center only and no residents would be staying overnight.

Dan Johnson said the only item in the proposal that is deficient in a way that cannot be addressed is the 50-foot minimum required setback to this type of use; this proposal only has an 8-foot setback at the north property line. In the Special Use process, the Commission has the opportunity to waive that if they feel it is appropriate. Mr. Johnson also provided pictures to show the location of the ramp. Since the ramp is essentially at grade and given the layout of the property, it would mostly like not be visible unless you were specifically looking for it.

There was general discussion regarding the required 50-foot side setback for a Special Use Permit. Ray Schafer noted that the building was not expanding and the two adjacent buildings have the same owner. John Berry said he did not feel this facility would have any more impact on the adjacent neighbors than a typical family, even though numerically the setback appears to be drastic. Jim Sumner stated that even though it was a natural use for an existing property, he has discomfort with the project and where to draw the line. He feels the 50-foot setback was designed to protect the adjoining property owners and views a 42-foot variance as significant. He is also not comfortable with changing from a residential use and setting precedent. John Moores stated that on Hunt Road there is a residential property with a ramp that is a home for disabled individuals. It was determined that it was also a Halom House facility. Mr. Moores noted that it has had zero impact on the neighborhood so he is not uncomfortable with this request.

David Waltz said in zoning there is no official legal precedence; unlike case law in Common Pleas Court. His understanding is that is not a legal threat or concern since there is no such thing as legal precedence in these types of matters.

John Berry thought each decision should be made regarding the individual case at the time and the facts that are presented.

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DECISION: John Berry moved, John Moores seconded, to recommend to Council approval of the Halom House day center located at 9470 Highland Avenue as submitted including modifying the required minimum 50-foot setback to 8-feet along the north property line based upon the low impact operation of the facility and because the structure will not increase in size. A roll-call vote was taken. Three members present voted aye and Jim Sumner voted nay. Motion carried.

ITEM 5: MISCELLANEOUS BUSINESS

David Waltz advised that the Comprehensive Plan will be updated later this year, so information that is given to Council regarding trends in Community Development and housing will be forwarded to them as well. He wanted to note that it was not suggested they agree with everything, but just wanted to keep them up- to-date on discussions going on.

ITEM 6: ADJOURNMENT

DECISION: There being no further business to be discussed, John Moores moved, John Berry seconded, to adjourn the Planning Commission meeting. A voice vote was taken. All members present voted aye. Motion carried. The meeting was adjourned at 7:41 p.m.

Ray Schafer, Chair

MINUTES RECORDED BY:

Traci Smith