

Bainbridge Township, Ohio
Board of Zoning Appeals
December 15, 2011

Pursuant to notice by publication and certified mail, the public hearing was called to order at 7:00 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Christopher Horn, Mr. Todd Lewis, Mr. Mark Murphy and Mr. Mark Olivier.

Mr. Lamanna welcomed everyone to the regular meeting of the Bainbridge Township Board of Zoning Appeals. He then explained the hearing process and swore in all persons who intended to testify.

Application 2011-30 by The Wembley Club for property at 8345 Woodberry Boulevard

The applicant (new owner) is requesting a conditional use permit for the purpose of maintaining an existing tennis club. The property is located in a R-3A District.

The zoning inspector's letter dated December 15, 2011 was read.

Mr. Torrey McNeal, General Manager of the Wembley Club was present to represent this application.

Mr. Lamanna asked if there is anything new or different.

Mr. McNeal testified that the club needs to be completely redone on the inside. He said on the outside nothing besides what would be basically landscaping but that won't happen until the spring so as it relates to what the neighborhood would be experiencing, nothing. He said he can't think of any changes that would be noticeable but in terms of membership, they plan on increasing the membership from what it currently is but nothing is different. He said he hasn't been at the club for the last three years but he spent six years there previously so all he can say is the course of business that has been going on for the last ten years probably won't be any different that he knows of.

Mr. Horn asked if there will be an expansion or anything like that.

Mr. McNeal said not anytime soon, it is all repairs for right now.

Mr. Horn said he sees that the real estate is still owned by the previous applicant.

Mr. McNeal said Paddle Partners, yes.

Mr. Horn asked what the arrangement is, if they purchased it.

Mr. McNeal said Prestige Tennis is the company that bought the business so they are running the club and then if Paddle Partners were to sell the land the new owner could not get rid of the said business.

Mr. Horn said so they are leasing or purchasing the business.

Mr. McNeal said yes, it is a lease to own as of right now.

Mr. Olivier asked if they are planning on keeping the domes for the tennis.

Mr. McNeal said yes but in a perfect world the domes would go away in his view but that is never going to happen.

Mr. Horn said somebody had mentioned to him about the vehicle that is in the corner of the parking lot there.

Mr. McNeal said it is gone.

Mr. Lamanna asked if they are still going to have the restaurant there with the same method of operation.

Mr. McNeal replied yes and added that he has not been involved for the last three years but previous to the six years prior, they are running it the same as they were before.

Mr. Lamanna asked Mr. Wrench if there are any issues.

Mr. Wrench testified by saying no.

Mr. Lamanna said he looked at the conditions from the original application and added that some of them were storm water management drawings etc. going back from when it was built so he is assuming it is in compliance.

Mr. Horn said they came in because they were constructing several additions back in 2002 but that is the only change.

Mr. McNeal said they put on a wing for the weight room and over by the pool area they put in a patio but there have been no physical changes since whenever those were.

Mr. Lamanna asked Mr. Wrench if there were any issues with the neighbors with the operation of the club.

Mr. Wrench replied no.

Mr. Lamanna said he hasn't heard anything that is potentially an issue.

Mr. McNeal said they work with the neighborhood and they are actually at the club so they do stay in contact with them about things going on in the summer and they do their best to close up shop by 10:00 PM.

Mr. McNeal continued by saying nobody has ever really seemed to have a problem and they are not big enough to do big weddings or anything so they are not there until midnight or 1:00 in the morning so it kind of eliminates that as a potential problem.

Mr. Lamanna said the applicant needs to be aware that there are a set of standards, conditions that apply to all of these uses and also there were eight conditions originally applied to this of which two of them really relate to things that should have happened but the other ones will continue in effect, from the original decision, and the board will provide a copy of them to the applicant so those other six will remain in effect and he doesn't see any other conditions at this point in time.

Since there was no further testimony, this application was concluded.

Motion BZA 2011-30 – 8345 Woodberry Boulevard (The Wembley Club)

Mr. Lamanna made a motion to transfer the conditional use permit to the new applicant who is officially Prestige Tennis, Inc.

Based on the following findings of fact:

1. With respect to the conditional use the board finds that it is a continuation of a pre-existing conditional use.
2. The applicant is going to operate it in essentially the same manner as previously operated.

With the following conditions:

1. There are no additional conditions that would be appropriate to apply but the board does note that the standard conditions applicable to all conditional uses will apply to this.
2. In addition, the conditions numbers 1, 4, 5, 6, 7 and 8 from the decision on application 88-14 for the prior conditional use, listed below, will continue to apply.
 1. The applicant will be in compliance with the Bainbridge Township Zoning Resolution and Exhibit A – Development Consideration Study for the Proposed Tennis & Swim Club.
 4. The applicant shall conform to setback requirements on southern boundary (closest = 80').
 5. The applicant to the greatest extent possible shall preserve the natural tree boundary.
 6. The applicant shall understand that material changes to the restaurant will require Board of Zoning Appeals approval.

Motion BZA 2011-30 – 8345 Woodberry Boulevard (The Wembley Club) - Continued

7. The applicant can expand the parking spaces up to 40% lot coverage.
8. The Conditional Use permit is issued for a period of five years.

Mr. Lewis seconded the motion.

Vote: Mr. Horn, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye; Mr. Olivier, aye.

Since there was no further testimony, the public hearing was closed at 7:12 P.M.

Respectfully submitted,

Christopher Horn
Michael Lamanna, Chairman
Todd Lewis, Vice Chairman
Mark Murphy
Mark Olivier

Attested to by: Linda L. Zimmerman, Secretary
Board of Zoning Appeals

Date: January 19, 2012

AUDIO RECORDING ON FILE

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Bainbridge Township, Ohio
Board of Zoning Appeals
December 15, 2011

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 7:12 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Christopher Horn, Mr. Todd Lewis, Mr. Mark Murphy and Mr. Mark Olivier.

The board acknowledged Mr. Horn's recent election to the Bainbridge Township Board of Trustees.

Minutes

Mr. Lamanna made a motion to adopt the minutes of the November 17, 2011 meeting as written.

Mr. Lewis seconded the motion.

Vote: Mr. Horn, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye; Mr. Olivier, aye.

Proposed Zoning Resolution Update

The board discussed a list of zoning issues for the proposed zoning resolution update.

Applications for January 19, 2012

Application 2012-1 by Candice W. Channing for property at 9251 Stafford Road

The applicant is requesting area variance(s) for the purpose of a lot split. The property is located in a R-5A District.

Application 2012-2 by R. A. Young Construction, Inc. for Roger and Kim Jones for property at 7310 Brighton Park Court

The applicant is requesting area variance(s) for the purpose of a lot split. The property is located in a R-5A District.

Application 2012-3 by Cicogna Electric Sign Company and McGill Property Group for property at Market Place Drive (Bainbridge Shopping Center)

The applicants are requesting area variances for the purpose of installing an additional multi-tenant monument sign and four (4) directional signs within the shopping center. The property is located in a CR District.

The Bainbridge Township Board of Zoning Appeals set a public hearing on the above application for January 19, 2012 at 7:00 P.M. at the Bainbridge Township Community Hall, 17826 Chillicothe Road, Bainbridge Township, Ohio and unanimously resolved to request the Bainbridge Township Board of Trustees to issue a purchase order for legal advertising.

Since there was no further business, the meeting was adjourned at 8:12 P.M.

Respectfully submitted,

Christopher Horn
Michael Lamanna, Chairman
Todd Lewis, Vice Chairman
Mark Murphy
Mark Olivier

Attested to by: Linda L. Zimmerman, Secretary
Board of Zoning Appeals

Date: January 19, 2012