

Bainbridge Township, Ohio
Board of Zoning Appeals
May 18, 2017

Pursuant to notice by publication and ordinary mail, the public hearing was called to order at 7:07 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Ted DeWater; Mr. Joseph Gutoskey; Mr. Todd Lewis and Mr. Mark Murphy. Ms. Karen Endres, Zoning Inspector was present.

Mr. Lamanna welcomed everyone to the regular meeting of the Bainbridge Township Board of Zoning Appeals, explained the public hearing process and swore in all persons who intended to testify. He noted for the record that everyone present had been duly sworn in.

Application 2017-8 by DiMuzio-Speranza Enterprises, Inc. for property at 16706 Chillicothe Road

The applicant is requesting a conditional use permit for the purpose of change of ownership of a childcare center (Goddard School). The property is located in a PO District.

Mr. Scott DiMuzio was present to represent this application.

Mr. DiMuzio testified that he and his wife Kim DiMuzio are purchasing the Goddard School from Mr. Jim Nerpouni and they are taking ownership the evening of the 31st of this month and they request to transfer occupancy to them.

Mr. Lamanna asked if there have been any changes to the current operation or type of operation of the school.

Mr. DiMuzio replied no.

Mr. Lamanna asked if there are any outstanding issues with respect to this location.

Ms. Karen Endres, Zoning Inspector testified that she has not had any complaints of any kind.

Mr. Lamanna asked if they are in compliance with the conditional use requirement.

Ms. Endres said she is not aware of any issues.

Mr. Lamanna asked if there was anyone else with questions or comments with respect to this application.

There were none.

Mr. Lamanna explained to the applicant that he will be taking over the conditional use with any of the conditions that were previously applicable to that grant of use which would be in the board's original decision and will set forth any of those special conditions. He said in addition there are a set of general conditions in the Bainbridge Township zoning code that apply to all conditional uses so it would be advisable to make yourself familiar with those and talk to the zoning inspector and she can help you.

Mr. DiMuzio said okay.

Mr. Lamanna said he just wanted to make sure the applicant is aware of it because some people inadvertently do something because they didn't realize that these things are out there and you (Mr. DiMuzio) should be aware of them. He said he proposes that the conditional use should go for five years.

Mr. Lewis asked Mr. DiMuzio if they are planning on changing the name on the signage.

Mr. DiMuzio said no, the name of the signage will not be changed, it will stay the same.

Mr. Frank Lanza testified that it will stay the same.

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

Motion – BZA 2017-8 - 16706 Chillicothe Road (Goddard School)

Mr. Lamanna moved to transfer the existing conditional use permit to the new owner, DiMuzio-Speranza Enterprises with respect to the operation of the child care center, the property at 16706 Chillicothe Road and that this conditional use be effective for a period of five years before requiring renewal.

Based on the following findings of fact:

1. The operation will continue in its same character after this transfer and there are currently no known complaints or no known non-compliances within the existing conditions.

Mr. Lewis seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye.

Application 2017-9 by Church of the Holy Angels for property at 18325 Chillicothe Road

The applicant is requesting a modification of a conditional use permit for the purpose of waiving part of the tree planting and mounding requirements for the barn. The property is located in a R-3A District.

Mr. Mike Maroun was present to represent this application.

Mr. Maroun testified that he will make it short and sweet because pictures are worth a thousand words. He said part of the requirement was when they built the barn on Rt. 306 one of the conditions was to put 12 trees in, originally it was six and then we rotated the building, upon the rotation, once we did that we planted six trees, they would be more toward the north side of the building, the left side of the building as you are coming up the driveway so they planted six trees there as required, Pine trees basically, but the rest of the lot if you look at it really doesn't allow for six more because there is no way to get that many trees in that area. He said even though it is kind of spread out there are a ton of trees there, it is not a virgin lot, the rise from Rt. 306 all the way up to the barn is quite considerable so even if we go into the second item which is item #6, you wanted to have it mounded two to three feet, frankly it is not going to make a darn bit of difference, two to three feet because you are looking at it from Rt. 306 and that two to three feet difference, it won't make any difference. He said there are currently, on the right side of the building, as you can see probably nine to eleven Pine trees, probably within 20' of the existing new barn so you have got nine to eleven trees on the right side of the building then we planted six more Pine trees on the left side of the building.

Mr. Murphy asked if that is the west facing side of the barn, facing Rt. 306.

Mr. Maroun said yes, the building faces the west so between the number of trees as you can see they are all starting to fill in there but just the spacing to add six more Pine trees, the lot starts to drop off to the south side so now you've got a drop off heading south in addition to all of the mature hardwood trees that you are going to be disrupting, potentially killing because you have got to cram in six more Pine trees so basically what we are asking is to waive both item #5 which wanted 12 trees and item #6 which was the mounding issue.

Mr. Lewis said he is trying to get an idea about how far these trees, this first row of hardwood trees is because there is an isle way in front of it.

Mr. Maroun said from the front of the building to this set of trees is probably about 20' and from here he is guessing 100' somewhere in that range where the hardwoods start to kick in and then the other trees that we planted would be actually in front of this area because it is the only flat area we can get to, to be in this area to the left on the pictures.

Mr. Lewis said he likes that on the right side there is a lot of coverage with some nature Pine trees and big stuff.

Mr. Maroun said which is where they can fit the six trees.

Mr. Lewis said this is the thing we wanted to have go away, this line of site.

Mr. Maroun said and that is where the six trees are planted, the other trees would have to be planted here (he referred to the site plan) and they are in the woods.

Mr. Lamanna said you can barely see that building back there, he is surprised how well hidden it is.

Mr. Maroun said it is so far back there.

Mr. Lewis said to put six trees in the woods where the building is already covered.

Mr. Gutoskey said it is back so far that you really don't even notice it there.

Mr. Lewis said it is a good color, it blends even with the gray season which is ten months out of the year here.

Ms. Polly Feldman of 8820 Taylor May Road testified that she is a resident of Taylor May Road and has a lot to say. She said she is a taxpaying resident and the facility is not only visible, it is ugly and visible and is having an effect on residents seeing a warehouse at the end of their street is very inappropriate and saying you have to have flat land to plant trees, since when. She said you can plant a tree on non-flat land and she doesn't know what the board is looking at there so she can't argue what you are looking at, she can't see it, but the trees and building is bright gray, extremely visible and she would love to have it hidden as it was supposed to be. She said she doesn't know about the count or number of trees but she is sure the purpose was to hide the building so whatever it takes to hide that building is what needs to be done. She said they have already gotten a variance for that extra building on Taylor May which is not supposed to be occupied but as she drives up the street at 11:00 or 12:00 at night and sees the television on and the lights on in the building she knows they are not taking that variance as it was written so she doesn't see why you would grant them another one to also not do what they had promised to do.

Mr. Lewis asked what the landscape looks like on the south side of the building.

Mr. Maroun said you can't see it from Taylor May.

Ms. Feldman said the south side of the building is not a problem, it is the west side of the building which you can clearly see from Rt. 306.

Mr. Lewis said and you live on Taylor May right.

Ms. Feldman said yes she does.

Mr. Lamanna said so you can't actually see the south side of the building.

The board viewed the aerial photos of the area.

Ms. Marsha Simon of 8648 Taylor May Road testified that she agrees with what Ms. Feldman said.

Mr. Gutoskey asked her if she is having a problem with the west side, the Rt. 306 side.

Ms. Simon said you can see it from Rt. 306.

Mr. Maroun said it was also approved by Bainbridge was it not.

Mr. Lewis said months ago and we had numerous hearings on it.

Mr. Lamanna said adding these additional trees is not going to change the appearance of this building.

Ms. Feldman said she thinks you can see a great deal of it, she drives up and down that street, not from Taylor May, but from Rt. 306 it is clearly visible.

Mr. Lewis said they have got trees planted on the left side, there are trees planted that block the left side of the building, they are already in the ground, they will grow. He said the board is looking at current photos, very current and we are seeing about 20' of the building on the left side through the foliage which carries all of the weight until winter and they have already planted trees in that area because it complied, the other tall Pine trees to the right that are already pre-existing already are blocking the front if your concern is related to what is visible from Rt. 306, it is substantially already blocked with pre-existing tall evergreens. He said that is what you can see and there are trees planted in front of that right now.

Ms. Feldman said she wants to make sure we are talking about the same thing because she sees that bottom picture and the shiny rectangle right there and asked if there are trees planted in front of that.

Mr. Lewis said yes.

Ms. Feldman said but we can still see the building.

Mr. Lewis said you have to give them a few weeks to grow.

Ms. Feldman asked when they were planted.

Mr. Maroun said in the spring.

Mr. Lewis said we approved this application and building months ago and we needed to wait for the planting season to put them in.

Ms. Feldman said so you are saying the trees that were already planted will block that side of the building that we see now.

Mr. Lewis said that is the exact intent of what our motion was set up to do in the first place so yes we are very sensitive to the surrounding residents and the idea was to hide it the best we could so we have just got to get the foliage a chance to grow up. He said you (applicant) were looking for relief on items # 5 and #6.

Mr. Maroun said that is correct.

Mr. Murphy said because there were comments from the neighbors there seems to be a tenant in the house that is not intended to stay or part of the long term use of that house, is that what he is understanding.

Ms. Karen Endres, Zoning Inspector testified that she has spoken to Father about that and she is supposed to be leaving in June and she will follow up with that at the beginning of June.

Mr. Murphy said that was not the board's intent and that building was not meant to be a residence and he just wanted to talk about that because it was brought up by the neighbors and the board understands that and we are talking about it now that that is not intended to be a residence for anyone, there is somebody living there now and they are moving out and you won't be going by at 11:00 and seeing televisions on.

Mr. Gutoskey asked Mr. Maroun with the Pine trees that were existing and what was added how many Pine trees are there.

Mr. Maroun said he counted at least 9 – 11 existing Pine trees to the south side, the ones closest to the building, the tall ones and they added six more to the left side.

Mr. Gutoskey said there is more coverage than the board asked for because when we looked at requiring the 12 trees we assumed there were no trees there.

Mr. Maroun said it is not virgin land that you are dealing with, this lot is fully matured out.

Mr. Gutoskey said driving through there, if you are not paying attention you don't even know it is there.

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

Motion - BZA 2017-9 - 18325 Chillicothe Road – Church of the Holy Angels

Mr. Lamanna moved for the board to amend the conditional use permit previously granted in BZA case 2016-1 with respect to 18325 Chillicothe Road to modify condition #5 to eliminate the requirement to increase the Pine trees to 12 and leave it at 6 Pine trees and to also remove the mounding provision with respect to item #6.

Based on the following findings of fact:

1. After looking at the as built pictures with respect to the building there are a significant number of large Pine trees on the south side of the building where the 6 trees were supposed to go already in place and that end of the building is already, because of those existing trees, adequately screened from State Route 306.

Mr. DeWater seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye.

Application 2017-10 by Ted and Kathleen Hoaglin for property at 17821 Northwood Lakes Drive

The applicants are requesting area variance(s) for the purpose of constructing an addition. The property is located in a R-3A District.

Mr. Gregory Koss, Architect for the Hoaglins was present to represent this application.

Mr. Koss testified that he is the architect for Mr. and Mrs. Hoaglin.

Mr. Lamanna asked Mr. Koss if he has a letter of authorization from the Hoaglins.

The board acknowledged the letter of authorization.

Mr. Koss said they are proposing to add a single story with full basement, 800 square foot addition onto the existing north side of the building, there is an existing sunroom there now, it is about a 10' x 10' or 10' x 12' room that is going to be demolished and add this new 22' x 36' addition master suite and in addition to that they are taking the entire rear of the house that faces the lake extending out 6' for the great room and the entire kitchen area. He said with the outside look of the building, they were very sensitive and took great pains to design the new addition so that it blends in with the existing materials, size, massing of the building so it won't even look like an addition when we are finished.

Mr. Lamanna said that Ms. Endres looked up the original approval for this cluster development.

Mr. Gutoskey asked about the setback for the sunroom now.

Mr. Koss said he thinks it is 20' to 22'.

Mr. Gutoskey said these are like condominiums and he knows there is a plat filed with the recorder which shows those dimensions so currently it is like 22'.

Mr. Koss said it is 22' to 24'.

Mr. Gutoskey said there are drawings as if it was a condo because there are house plans,

Mr. Lamanna said but now they are just regular lots.

Ms. Karen Endres, Zoning Inspector testified that there is space dedicated to each house.

Mr. Gutoskey said and there is open space too.

Ms. Endres said right so it is kind of a mish-mash.

Mr. Koss said it was 24' and then he heard it is a 20' requirement and all of a sudden it became a 30' requirement and the ordinance or the statute that he saw was a sum of two building heights divided by two and he is not sure what that means.

Ms. Endres said that is what she found back in the old regulations, not the distance between buildings, that was from the old cluster zoning regulations.

Mr. Gutoskey said from what he remembers using those that was more for the distances between the buildings based on the heights and how much of the building overlapped and all of those crazy formulas.

Ms. Endres said there are four or five formulas that apply to old cluster regulations so she provided the board the simplest calculation from the old cluster regulations and then she provided what the current cluster regulations require.

Mr. Gutoskey said we have a cluster development with 10 property lines.

Ms. Endres said she wasn't comfortable with approving it because our current cluster regulations do state a 30' sideline setback.

Mr. Murphy asked if there are nine houses in this Northwood Lakes subdivision in almost 27-2/3 acres so everybody is on a three acre lot basically, the lake is greenspace and the entrance on the right side of the drive in is greenspace.

Mr. Koss replied yes.

Ms. Endres said ReaLink shows all of these lots as being zero acres.

Mr. Murphy asked if this is an R-3 residential zoning area.

Mr. Koss said yes.

Mr. Murphy asked how many feet the new addition will be to the closest home.

Mr. Koss said 150'.

Mr. Murphy asked if this homeowner is here.

Mr. Lamanna said Mr. Hesse.

Mr. Lamanna swore in Mr. Charles Hesse and noted that he was duly sworn.

Ms. Karen Endres said from house to house it is about 150'.

Mr. Lamanna said at this point in time the easiest way to treat this where there are actual delineated lots of a nature they have created something akin to a private lot where the owner of the house and the lot has some exclusive right to use that area then it just makes sense in this case that the board will apply the current standards of 30' or a 30' setback so we are looking basically at a variance on a 30' setback requirement.

Mr. Gutoskey said noting that the current side yard setback is 24'.

Mr. Lamanna said the existing is 24' already and it will drop down to 12'.

Mr. Koss said it varies between 12' and 24'.

Mr. Lamanna asked if there are any issues on the back side.

Ms. Endres said all of the other sides are okay.

Mr. Lamanna said the only issue is right there running on a taper from the narrowest point of 12' out.

Mr. Charles Hesse of 7777 Bainbridge Road testified that his house is the one in the middle.

Mr. Murphy said the 12' that he is asking for the variance for is your lot.

Mr. Hesse replied yes.

Mr. Lamanna said the rear of his lot and it is 140' away.

Mr. Koss said to the property line.

Mr. Hesse said he and his wife Barbara are the owners of the house in the middle at 7777 Bainbridge Road and they are one of the nine, in fact they were the first one, theirs was built in 1870 as a barn to the farmhouse across the street and was remodeled after World War II and they have been there about 20 years. He said they know the Hoaglins well and they have been briefed by them as to what they would like to do. He said they have two concerns, one minor concern is the continual encroachment on the property line, we are now at a 12' setback, and we had much more footage and setback but we have trees around there which has created an accommodation for both of us so we don't look into each other's bedrooms or bathrooms or whatever the case may be so that is not an issue at this point. He said the concern he has however at the property line between their property and his property where we have the 12' setback we have six lovely evergreen trees that have been there probably for 60 years and they are about 60' tall and they are small shrubbery as well so there is barrier for both of us but if in fact the addition is going to include a full basement he is concerned to what might happen to the roots of those trees and will they in five or six years be jeopardized for their livelihood particularly on the Hoaglin's side of the property because the roots will be torn up and the trees will die, even though the trees are mine and Mr. and Mrs. Hoaglin confirm that those are the Hesse trees so the question he has is if they put the full basement in and they sever roots and in four or five years several of the trees in that area begin to die does he have the responsibility to take them down or does Mr. Hoaglin have that responsibility to take them down if they in fact die. He added that they are 50' to 60' evergreens.

Mr. Lamanna said the rule in Ohio is where the tree falls, that is who is responsible for taking it away so if the tree is growing on your property and it dies, you are responsible for it if it is still standing but if it gets weak and falls over literally the rule is where the tree lands that is who is responsible for it, if it falls on your neighbor's property it is his problem and you are not responsible for the damage it causes. He said there may be some issues if you have a known dead or diseased tree and you don't do anything about it and it then falls over on your neighbor's property that might be a different situation but if the tree is slowly fading away and falls over it is where it falls, that is who is responsible for it. He said if it falls on his house, his insurance company is going to be responsible for it.

Mr. Hesse said the trees run from west to east and so they are affected by the prevailing westerlies or from a strong northern wind, they are all in good shape even though they are 50 – 60 years old and he realizes trees don't live forever but he is not putting a building there and putting in a basement.

Mr. Lamanna asked how close the trees are to the property line.

Mr. Hesse said they are about 12'.

Mr. Lamanna said they are on your lot and then we have another 12'. He asked Mr. Koss if he is going to be under the canopy of those trees at all.

Mr. Koss replied no.

Mr. Lamanna said usually once you get outside the canopy of the Pine trees, it will be okay if you don't get within maybe 2' to 3' of that dripline of the tree, that is the key part of the tree, is the dripline. He said it is not going to matter if you put a full basement or a slab you are going to kill those roots because of how far they are under the surface.

Mr. Hesse said most of the roots go in his direction and will not be affecting the addition.

Mr. Murphy said they go in both directions but the thing is we would expect the architect and the builder to make sure that those roots are protected and we could make it mandatory that driving bobcats and bulldozers over the roots is not going to be allowable.

Mr. Lamanna said all of the construction work needs to be conducted inside the line.

Mr. Koss said with normal construction practice we would keep on our property.

Mr. Hesse said the trees are right on the property line and they are 36" in circumference so they are big trees.

Mr. Lamanna said one of the important things is right where the edge of where your foundation is is not to be driving vehicles between that edge and the property line, do all of the work coming in from the sides and not be coming around and pushing the tillage back around the foundation with a bulldozer because that will be death for those trees so if you keep all of the equipment activity probably from the front.

Mr. Koss said they are doing work basically from the front and the rear of the house so they can access front and rear, not necessarily from the side.

Mr. Murphy said the neighbor is asking that you do that, everything from the front and back and not from the side.

Mr. Koss said the basement is a walkout basement so that when they are digging the basement they can dig it from the lakeside from the front to the back so they are not really putting equipment between the new residence or the new building and the property line.

Mr. Lamanna said the board would want as a condition that when you do this that you don't disturb that area and obviously you have to excavate for the foundation wall but beyond that you are not using that area or bringing any construction vehicles in that area or piling dirt in that area.

Mr. Koss said he understands.

Mr. Lamanna said it is going to be easy enough to start on the bottom side and work your way around that way.

Mr. Lewis asked Mr. Koss if he is the architect.

Mr. Koss replied yes.

Mr. Lewis asked who the general contractor is.

Mr. Koss said they don't know yet.

Mr. Lewis asked who is going to relay the message to the general contractor.

Mr. Koss said he will put it on the drawing.

Mr. Lamanna asked Mr. Koss if he will be supervising the general contractor.

Mr. Koss said yes, absolutely.

Mr. Gutoskey asked Mr. Koss if he has the room to get the addition in there and stay out of the dripline of the trees.

Mr. Koss said if they are 12' from the property line and it was said that the base of the tree was 12' from the property line so in essence the building will be 24' from the base of the tree.

Mr. Gutoskey said you will be basically building right at the edge.

Mr. DeWater said the dripline is the distance of the farthest growth of the branch and by that map it looks like it is almost going over the sunroom now.

Mr. Koss said no it is not.

Mr. Lewis said to go up there with a couple of stakes and line them out where the dripline is plus a couple of feet and just be sure that the thing does go in the appropriate footprint.

Mr. Koss said okay.

Mr. Gutoskey told Mr. Hesse that his wife signed the form saying she is okay with this.

Mr. Hesse said that was until we talked about the trees. He said if the roots are going to be affected by compaction then we are going to start to lose those trees.

Mr. Gutoskey said normally it would show on the plans that the contractor puts up fencing along that dripline so it keeps the machinery out of it so he is sure they could put that on their plans.

Mr. Hesse said it is going to be awfully tight.

Mr. Gutoskey said yes it will be. He said other than the trees he doesn't have a problem with it.

Mr. Hesse said he is realistic enough to know that these trees are 50 – 60 years old and they are not going to live forever.

Mr. Lamanna asked what species the trees are.

Mr. Hesse said they are like a White pine.

Mr. Gutoskey said the roots are usually only 8" deep because the water table is so high.

Mr. Murphy said he said he would ask the Hoaglins if in three years when there are two dead Spruces there if they would have them removed and put something else in.

Mr. Hesse said at their expense.

Mr. Murphy said for the next 40 years when the Hesse's are looking at the dead trees sitting out there and they don't really have the funds to take them down it would be a nice neighborly thing to do if in fact the trees die and it could take four to five years with the basement excavation to kill the Spruce trees and to make sure there is a note on the drawing.

Mr. Koss said duly noted.

Mr. Lamanna said it is in the Hoaglin's best interest for the trees to be there but if they do blow over it is their problem if they fall on their house and that is another reason why you don't want to damage the trees.

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

Motion - BZA 2017-10 - 17821 Northwood Lakes Drive

Mr. Lamanna moved to grant the applicant the following variance:

1. A variance to the side yard requirement of 30' to a side yard from the side of the house ranging from 24' to 12' as shown on the drawings submitted by the applicant.

Based on the following findings of fact:

1. A practical difficulty exists because this is a cluster development approved in 1987 and it is a very unusual lot shape.
2. The existing house was put back in a narrower part of this lot therefore it is very close to the sidelines.
3. In addition, because the sideline of this lot is actually the rear lot line of the adjacent lot, there is 140' of distance between the houses so this should not adversely affect the neighboring property and given the way this entire cluster is laid out it is not inconsistent with the arrangement of the cluster.

With the following conditions:

1. There also exists some large Pine trees that screen between the houses but as a condition the board requires that the applicant take all measures necessary to avoid doing construction work over the roots of those trees and will avoid doing any construction work or moving any vehicles in the area between where the new edge of the house will be and the property line.
2. During the course of construction fences or stakes will be put up to delineate that area so as to avoid to the greatest extent possible any damage to the root systems of those trees.

Mr. Gutoskey seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye.

Application 2017-11 by Megan Roche for property at 18294 Cranberry Ridge Lane

The applicant is requesting area variance(s) for the purpose of constructing an addition. The property is located in a R-3A District.

Ms. Megan Roach, property owner and Mr. Rick Siegfried, architect were present to represent this application.

Mr. Siegfried testified that this is a nice house but like a lot of houses the needs change over the years and what was once adequate, there are some things that are pretty cool to make it even a better house for a growing family and this is one of those houses that happens to be on a corner on Cranberry Ridge. He said there are two things they want to do and what the Roches would like to do is add onto the back of the house which isn't a problem and it will double the size of their family room, which could really use it and in the front, when you come in from the garage now there is a washer and dryer in the hallway and a little dinky closet and it is not up to modern standards so in the front left corner what they want to do is add on about 100 sq. ft. and put a laundry room and a bigger closet and a nicer back hall and entry and because the house sits on the corner, normally it is not a problem, but because it is on the corner the setback line has a curve and you can see where the corner of that porch part goes 6' over the setback line so what they are requesting is a variance for that little corner and to encroach over that front setback line by 6' which is about 18 sq. ft. of building. He said they feel it is pretty de minimis in nature and hope the board agrees. He added that there are no trees in the way.

Mr. Lewis said it is just filling in that corner.

Mr. Siegfried said yes, it is just filling in that corner.

Ms. Roche testified that it is not going past the current garage.

Mr. Lewis said it is carrying the same front of the house line and the side garage line.

Mr. Siegfried said it is just a little bit back from the front of the garage, just enough to give it a little articulation there but it will make a big difference on the inside.

Mr. Lewis asked if this will change your front walk a little.

Ms. Roche said she has pictures on her phone

Mr. Lewis said there is a proposed walk.

Mr. Murphy asked if there are any neighbors here.

Mr. Lamanna asked Ms. Endres about the lot coverage.

Ms. Endres said she didn't require a hearing on the lot coverage, they are proposing 16.6% lot coverage. She referred to the non-conforming lots of record and said back in the day they were allowed 20% lot coverage but if the board wants to grant a variance for lot coverage that would be fine too but because of the PUD she applied the 20%. She said it is the same story with the PUDs with no provisions for it.

Mr. Lamanna said we should really consider having a transition provision added that says what happens with respect to all of the existing PUDs and how changes are handled and when changes need variances and when they don't so it is clear as to what the procedure is. He said if you look at the total number of lots that are in PUDs, it is a lot of lots, Tanglewood has over 400 not counting the condos, hundreds in Laurel Springs.

Mr. Gutoskey said the lots are just a hair under 7 tenths of an acre so you are obviously going to be hitting more than 10% lot coverage and hopefully all of the other open space is still there.

Mr. Lamanna said he doesn't see an issue with this application. He said it is certainly not going to obstruct anybody's view down the road or be inconsistent with the character of the neighborhood.

Mr. Gutoskey said he doesn't see a problem with this.

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

Motion – BZA 2017-11 - 18294 Cranberry Ridge Lane

Mr. Lamanna moved to grant the applicant the following variance:

1. A variance to the front yard setback on this corner lot from the 50' previously required in this area of the PUD to 44'.

Based on the following findings of fact:

1. This variance is because the existing front line of the house is going to be extended along to then match up the existing sideline of the garage because this is a corner lot it will cause a small encroachment into the area of the front yard.
2. Because this house sits on a corner lot at an angle this variance and this extension of the house will not adversely affect the character of the neighborhood and will not create an inconsistency with other houses on the street and also because of its location it is not going to adversely affect any of the neighbors or in any way affect anybody's line of site around the corner.
3. In addition the board notes that the final lot coverage of just in excess of 16% is within the 20% permitted in the original PUD development and the board finds no issue with that lot coverage.

Mr. Gutoskey seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye.

Application 2017-12 by Kyle Witczak for property at 18070 Harvest Drive

The applicant is requesting area variance(s) for the purpose of constructing a driveway and pole barn for storage. The property is located in a R-5A District.

Mr. Kyle Witczak was present to represent this application.

Mr. Witczak testified that he is the homeowner and he is requesting to go over the 10% lot coverage by .8% and he is proposing to put a driveway in, a driveway pad and a pole barn. He said he is putting the driveway 30' from the property line and the building is more than 90' from the back of the property. He said the problem he has run into that is making the lot coverage .8% over is his leach field is in the middle of his yard, he would love to put the building closer and it would probably save him \$20,000 but he has to go beyond the leach field and it still gives him enough coverage in the back of the lot, on the drawings for future leach fields. He said the drawings on file with the county aren't correct.

Mr. Lamanna asked what the purpose is of the 40' x 56' pole barn.

Mr. Witczak said storage. He said it is mainly why he moved out here for the property, it is a nice three acres of land with a pole barn on it and added it will be 10.8% lot coverage.

Mr. Lamanna asked if he is planning a paved driveway or gravel.

Mr. Witczak said it is going to be gravel until he recoups some funds after putting a 450' driveway in.

Mr. Lamanna asked why such a big pad back there.

Mr. Witczak said he wants the building centered, the house is centered on the lot and keep the building centered and wanted to keep it away from the property line as well and be courteous but the pad is for his snowmobiles and he has a 27' boat so putting that in the pole barn is not going to be easy.

Mr. Lamanna said the board wouldn't want that pad area to be used as a parking area.

Mr. Witczak said it is strictly just to turn 30' trailers in a little easier.

Mr. Lamanna said that is fine but we don't want somebody to find the boat is parked out there all of the time. He said you could take the boat out and clean it etc. but it is not to become another storage area.

Mr. Witczak said he may put up a basketball hoop and no it is not going to be a paved parking area.

Mr. Gutoskey said so you would pull in and back the boat into the barn.

Mr. Witzak said in theory until he gets out there and actually does it, you may have to back the boat all the way into the driveway, it depends.

Mr. Gutoskey said the reason he is asking is, is there a reason a pad is needed on the whole width or whole side of the building because it looks like the doors are on one end.

Mr. Witzak said the garage doors are to the pad side so you are pulling the trailer in and backing it into the garage.

Mr. Gutoskey said what he is wondering is if there is a way to eliminate some of the pad.

Mr. Witzak said he is trying to keep the barn centered in the yard. He showed the board on the site plan where the doors are located. He said he has windows in the barn so when kids are running around outside he can see them.

Mr. Lamanna asked what is this whole area now.

Mr. Witzak said it is yard until you see that tall grass, ragweed.

Mr. Lamanna said so nobody else has really developed anything in that area.

Mr. Witzak said the barn will be between the pool and the barn on the north side of his property so it would be between his pool and barn and no one else is back there.

Mr. Lewis asked which way this lot tilts because you will have a good size barn there and when it rains are you guttering and down-spouting and what are you doing to direct the water.

Mr. Witzak said Soil and Water said it goes toward the back of the lot, she went off pictures and it slopes to the south.

Mr. Lewis asked Mr. Witzak if he is going to use gutters and downspouts.

Mr. Witzak said yes and drains in the barn.

Mr. Lewis asked if he is going to put a floor drain in.

Mr. Witzak said yes.

Mr. Lewis asked if there will be power, electricity, gas

Mr. Witzak said eventually, down the road and yes a gas line, radiant heat.

Mr. Lewis asked Mr. Witzak if he realizes that nobody can ever live in there.

Mr. Witzak said yes, it is going to be filled with snowmobiles, boats and yes he understands that.

Mr. Lamanna asked if anybody else has any questions.

Mr. Tom Florian of 18088 Harvest Drive testified that he has a few questions. He said it was mentioned that you (Mr. Witzak) are going to put a gravel driveway in with the intent of paving.

Mr. Witzak said yes when he recoups \$40,000.00.

Mr. Florian said it is a very expensive proposition.

Mr. Witzak said he would like to have concrete in five to seven years.

Mr. Florian asked which side of the property the driveway will be installed.

Mr. Witzak said it would be toward your (Mr. Florian) side.

Mr. Florian asked Mr. Witzak if he ever considered saving some money by taking it off his existing drive.

Mr. Witzak said he would have to go through his garage, through the house.

Mr. Florian said he is talking about just coming off the existing drive.

Mr. Witzak said his septic tank and leach field is right there.

Mr. Florian said so you would be going over that.

Mr. Witzak said correct.

Mr. Florian asked if he is going to remove any of the trees along there.

Mr. Witzak said along our property line, no, there are four trees being removed. He showed on the aerial photo which trees are being removed and which ones will stay.

Mr. Florian asked if there is a requirement for plantings around the barn because earlier there was a couple here.

Mr. Witzak said he has no idea.

Mr. Lamanna said that other application was a conditional use permit and it is a different situation.

Mr. Florian asked how far back this barn will be.

Mr. Witczak said the barn itself is going to be 450' from the street.

Mr. Florian said so it is about 200' back from your existing house.

Mr. Witczak said 317'.

Mr. Florian said from the back of your house.

Mr. Witczak said correct.

Mr. Florian said that is a lot of drive.

Mr. Lewis said it is actually not as far back as the neighbor's accessory structure is from the street on the other side of his property.

Mr. Florian said by how far.

Mr. Lewis said about 20' to 30' further back.

Mr. Murphy told Mr. Florian that he can come up and take a look if he would like.

Mr. Gutoskey said the Soil and Water drawing shows a proposed berm next to the driveway.

Mr. Witczak said it is going to be on the side of the driveway yes.

Mr. Gutoskey asked if it is for screening.

Mr. Witczak said yes, privacy. He said he is going to put some evergreens on top to make it look nice and obviously he doesn't want it to be ugly.

Mr. Florian said the water run-off is going to go to the south towards our property. He said they do have a considerable amount of water run-off back there that causes some problems and you can see we don't use very much of it back there, you can see where we have a mower service entrance, a loop there to take care of grass clippings etc. and it gets very soggy back there that is why they let it grow to dissipate the water through the foliage. He said he is a little concerned with the amount of water that will be coming off of it and he asked Mr. Witczak what the size of the barn is.

Mr. Wiczak said 40' x 56'.

Mr. Florian asked if that can be adjusted or dammed up or pooled because there is a concern.

Mr. Lamanna said he said he was going to collect it with gutters and direct it towards the rear of the property.

Mr. Florian said okay, towards the rear of the property.

Mr. Lamanna said it looks like the topo lines run that way, not very aggressively but the slope looks like it is very gradual that way.

Mr. Wiczak said when you stand in the middle of the property it is slanting towards the house, not towards the west side of the property.

Mr. Gutoskey said you are going to be channeling towards the ditch, towards the road.

Mr. Wiczak said yes.

Mr. Florian said a lot of that property was filled and he doesn't know if Mr. Wiczak is aware of that.

Mr. Wiczak said there is going to be a huge berm.

Mr. Lamanna said he is putting a berm along the side the length of the driveway.

Mr. Lewis said between your property lines.

Mr. Lamanna said that will prevent any water run-off from coming onto your property. He said the board has the benefit from the drawing from Soil and Water.

Mr. Florian said he will take the board's word for it.

Mr. Murphy asked Ms. Endres to put up the contours because the applicant is saying downhill is toward the street.

Mr. Wiczak said yes according to the topography.

Mr. Gutoskey said there is 10' of fall there, those are 2' contours. He said there is 10' of fall from where the barn is going to be to the road.

Mr. Murphy asked if a storm drain could be installed, put a pipe in and take the downspouts right out to the ditch.

Mr. Gutoskey said or a swale.

Mr. Witzak said there would a 450' pipe all the way from the barn to the street.

Mr. Murphy said when you are digging up the top soil throw in a drain alongside or under your berm. He said that amount of rainfall on the roof back there, if he doesn't put any downspouts or gutters isn't going to change how this water comes to your yard but if he can get it to the ditch that would be great.

Mr. Florian said Mr. Witzak said he was going to put a drain inside the garage.

Mr. Witzak said it will go to the street.

Mr. Lewis said floor drain, gutters, downspouts, that would be terrific.

Mr. Florian said great.

Ms. Karen Endres, Zoning Inspector testified that she didn't notice the accessory building here and asked if this accessory building is on the right property.

Mr. Florian said yes it is, the lines there don't jive with what we have up towards the transformer.

Ms. Endres asked how far off the property line it is.

Mr. Florian said it is considerable.

Ms. Endres asked Mr. Florian how far off it is from the line.

Mrs. Florian testified that it was there when they bought the property.

Mr. Florian said it is considerably off the line, he doesn't know why those lines are so tight. He said it seems as if it was shifted.

Mr. Witzak asked if Soil and Water is going to be mad with putting it towards the street even though the lines show it going to the back of the property.

Mr. Gutoskey asked Ms. Endres what the numbers read for the contours.

Ms. Endres said this one is 1160, and this one is 1150 so it is a 10' fall.

Mr. Lewis said when you sink your basin in the garage it will go down 2' – 3' and then from there to the street it will be good.

Mr. Gutoskey said the size of the building is over 300 sq. ft. and isn't there a property where the people added onto their house to park their motorhome.

Mr. Witzak said yes it is across the street from him.

The board discussed the number of pole barns on the street.

Mr. Lamanna said this is a three acre lot.

Mr. Witzak asked if Google maps can be pulled up for his street. He pointed out the existing accessory structures on the street and said they are huge. He said there is a two acre lot behind him.

Ms. Endres said the properties behind his are on Haskins.

Mr. Witzak said he thought there was a two acre lot between his house and Haskins that someone else owns, he doesn't think the house behind him owns all of that.

Mr. Florian said from what he understands that is a legal water run-off, it is not to be built on.

Mr. Witzak said there is a lot of property between the house behind him.

Mr. Lamanna said you can see some kind of watercourse there.

Ms. Endres said there are a couple of landlocked lots.

Mr. Lamanna said it is with property with frontage.

Mr. Murphy asked what we do about the maximum size of this accessory structure as 300 sq. ft.

Mr. Gutoskey said because of what we have had in this development there are about a half a dozen that are over.

Mr. Lewis said part of that is the criteria in the code that says if somebody wants a structure over 300 sq. ft. then they have got to come in for a variance on it.

Mr. Lamanna said most of the time we are talking about a one half acre lot or a one acre lot, here we are talking about a three acre lot.

Ms. Endres said this lot is non-conforming because it is not wide enough, it is too narrow so technically it is a non-conforming lot, it is not non-conforming because of acreage, it is non-conforming because of the lot width.

Mr. Gutoskey said but it is three acres.

Mr. Lamanna said the 300 sq. ft. is really not material for this lot.

Ms. Endres said she had to throw it in.

Mr. Lamanna said you have to throw it in and technically it is correct but for the point of granting a variance there is no reason not to grant the variance because it is a three acre lot. He added that the lot coverage is driven by the driveway.

Mr. Gutoskey said because of the location of the septic.

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

Motion – BZA 2017-12 - 18070 Harvest Drive

Mr. Lamanna moved to grant the applicant the following variance for constructing a 56' x 40' accessory structure as shown in the application.

1. A variance to the overall lot coverage of .8% to 10.8%.
2. A variance with respect to accessory buildings on non-conforming lots to a 22' high building and square footage of 2,240 sq. ft.

Based on the following findings of fact:

1. With respect to the lot coverage there is a practical difficulty because of the existing leach field, the only place to put this structure is significantly back on the lot requiring an approximately 450' driveway and therefore most of the extra lot coverage is due to the driveway and not the building.
2. With respect to the maximum accessory building and with respect to pre-existing non-conforming lots this variance is designed more to deal with lots that are sub-standard in area. This lot is actually a full three acres therefore having these larger buildings would not be inconsistent with the size of the lot.
3. Additionally these variances will not adversely affect any of the neighbors nor will they be inconsistent with the character of the neighborhood where there are already several other large accessory buildings.
4. This is located 450' deep in the lot and rear lots are extremely deep as well with the houses far, far away from the location of this accessory structure.
5. The applicant is going to add a berm along the driveway as shown on his plans to reduce any flow of water to the neighbor's property and in the area between the houses will plant some trees on that berm to have some screening to replace that which currently is existing between the houses which will have to be removed for the driveway.

Motion – BZA 2017-12 - 18070 Harvest Drive - Continued

6. In addition the applicant is going to gutter and drain the structure to the street in order to assure that the water flow carried out to the street does not drain onto the neighboring properties.

Mr. Lewis seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye.

Motion – BZA 2017-12 - 18070 Harvest Drive - 2

Mr. Lamanna moved to amend the motion to reflect the addition of the following:

1. The board notes that this building can only be used for storage and cannot be used for business or living purposes.

Mr. Gutoskey seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye.

Application 2017-7 by Matthew Domonkos for property at 17055 Savage Road - Continuance

The applicant is requesting area variance(s) for the purpose of constructing a storage building. The property is located in a R-3A District.

Mr. Matthew Domonkos was present to represent this application.

Mr. Lamanna said this is for a variance for a 24' x 24' accessory structure and a variance to the rear lot line.

Mr. Domonkos testified by saying yes and that property belongs to his father-in-law.

Mr. Lewis said this is an odd-shape lot with tough topography. He asked Ms. Endres to show an aerial of what is around this lot.

Mr. Gutoskey asked if the pool is proposed or does it exist.

Mr. Domonkos said it is in. He said this is an accessory structure to hide the pool equipment, he is going to build the building around the pool equipment.

Ms. Karen Endres, Zoning Inspector testified that the pool was constructed around a year ago and now he wants to add an equipment building.

Mr. Domonkos replied right. He said the way the house is oriented it is the side of the house but it is the back line of the property so it is a goofy lot.

Ms. Endres said there is a shared drive situation here also.

The board viewed the aerial of the property.

Mr. Domonkos said technically the back side of the lot we are looking at is his driveway that comes around there.

Mr. Gutoskey said this goes back to Mr. George Quay's house.

Mr. Domonkos said yes.

Mr. Lamanna said so technically you are fronting on the left here.

Mr. Gutoskey said yes, that is Savage Road.

Ms. Endres said she counted Savage Road as the front lot line.

The board discussed the lot lines and driveways.

Mr. Domonkos said the front of the house is orientated north and the driveway runs in off the back from the north also.

Mr. Lamanna said your driveway is coming in from another drive that is actually running along your rear property line. He asked if that is an easement.

Mr. Domonkos said it is an easement.

Mr. Gutoskey said he thinks that is a flag to a piece of property in the back.

Ms. Endres said she thinks so.

The board discussed the easement and driveways to the properties.

Ms. Endres said she thinks all of the drives are addressed off of Savage.

Mr. Lamanna said they actually have their own driveway.

Mr. Domonkos said it is all his in-laws if he gets credit for that.

Mr. Murphy asked if the in-laws are here to complain about this.

Mr. Domonkos said no.

Mr. Murphy said it is pretty far back in the woods. He said the structure looks sort of like a barn.

Mr. Domonkos said he will make it look nice.

Mr. Murphy said in the winter you can see the house from Savage Road and we wouldn't want it to look anything less.

Mr. Domonkos said it will not.

Ms. Endres said in the staff letter she referenced the variance hearing to allow for the shared driveway.

Mr. Lamanna said given the configuration of the buildings back here this is not going to impact anything.

Mr. Gutoskey said there is really nowhere else to put the building because of the septic location etc. and it needs to be on the flatter part of the lot.

Mr. Murphy said the barn is bigger than what you need for the pool so it is obviously going to be for more.

Mr. Domonkos said the pool isn't even complete yet and he already has inflatable unicorns and pool noodles and more junk than he even cares to deal with.

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

Motion – BZA 2017-7-17055 Savage Road

Mr. Lamanna moved to grant the applicant a variance for purposes of constructing an accessory structure as described in the application.

1. A variance from the required rear yard setback of 90' to 68' for a variance of 22'.

Based on the following findings of fact:

1. A practical difficulty exists because the house on the lot on Savage Road is way to the back of the lot because there is a shared driveway situation therefore because of the existence of a leach field the only practical site to put this structure is in what is technically the rear of this property.
2. In fact the adjacent property that this abuts against also accesses off of the same private drive and there is actually a sliver of land between the private drive and the applicant's lot so that there will be no houses or other structures that likely would be built in that space so because of that it is not going to adversely affect the adjacent property owner nor will it affect the character of the neighborhood because of its great distance back from the public street and to a group of homes sharing a private driveway.
3. The board notes that this building can only be used for storage and cannot be used for business purposes or living purposes.
4. A sediment control plan will be required because of the size of the structure.

Mr. Gutoskey seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye.

Application 2017-6 by the Federated Church by Amy Eugene, Senior Director of Operations for property at 16349 Chillicothe Road - Continuance

The applicant is requesting a conditional use permit for the purpose of a temporary use for the YMCA to hold a day camp. The property is located in a R-5A District.

Ms. Amy Eugene and Ms. Cyndi Larned were present to represent this application.

Ms. Eugene testified that she is from the Federated Church and she is joined by some Bainbridge residents who are also members of the Federated Church and also joined by staff members from the Young Men's Christian's Association for the summer camp and she would like to introduce Ms. Maren Koepf who is their Vice Moderator for the church council and is just going to say a word or two and then we will answer any questions the board has about the amended proposal that we provided for tonight's meeting.

Ms. Maren Koepf testified that she would like to say being a resident of Bainbridge for 23 years and then as Vice Moderator she just wants to say that this is about kids, this is about a time when we have so much bullying and opiates and so much negativity around children, this is about a summer camp for kids.

Ms. Eugene asked the board if they had any questions for them with regard to the amended proposal that the YMCA put together and provided in advance of the meeting.

Mr. Lewis asked if she is talking about the one where the comments are in red.

Ms. Eugene said correct.

Mr. Lamanna asked Ms. Eugene to summarize those in case some of the other people here who are interested didn't have a chance to actually look at these.

Ms. Cyndi Larned testified that they have gone over their schedule and modified it so they could be off site daily from 9:30 – 3:00 and it wasn't their best wish but they would certainly entertain that and do that so that they would be off site as much as possible and by them doing it puts them on site about 4-1/2 hours a day so from 7:00 to 9:30 AM the bus would depart daily around 9:30 and then return the site at 3:00 from wherever said location, field trip, park visit, swimming they would have been doing for the day. She said they also are recognizing that they would keep all of their outdoor play restricted to the front of the property and from 4:30 to 6:00 and one hour of the day.

Mr. Lewis said we have two time segments, 4:30 to 6:00 and another hour.

Ms. Larned said no, sometime between 4:30 and 6:00 for one hour.

Mr. Lamanna said it will be for one hour between 4:30 and 6:00.

Ms. Larned said she also noted that they would be requesting the temporary expansion for this year to revisit how it works out for everybody involved.

Ms. Endres said one of your original documents says 4:00 to 5:30.

Ms. Larned said she sees it in hers too but sometime, whatever hour restriction the board puts on it, for one hour they would be outside.

Mr. Lewis asked what time they close.

Ms. Larned said 6:00 PM.

Mr. Lewis asked what they do after 5:30 with the kids while they are waiting for pick up.

Ms. Larned said they will be back inside.

Mr. Lewis said their outdoor play will be restricted for one hour a day in the front area known as the approved soccer field area in the front of the building.

Ms. Larned said correct.

Mr. DeWater asked Ms. Endres to put up Exhibit A.

The board reviewed Exhibit A.

Mr. Lewis asked if the soccer area was approved within the loop or this side of the loop.

Ms. Eugene said outside the loop.

Mr. Lewis said that is good, that is even a greater distance from the residences. He asked the applicants if they mind reviewing the Geauga County Water Resources memo and asked Ms. Eugene if she is the property owner.

Ms. Eugene said she is the Director of Operations for Federated. She said if you look at the email from Laura Weber from the Geauga County Department of Water Resources on April 20th she thinks what stands out for her is her comment that “the McFarland Wastewater treatment plant does have capacity for what you propose for this camp.” She said she is not sure what else the board would like her to summarize there. She said from Laura Weber they have been affirmed that the plans that the summer camp has as far as water and sewer that they have the capacity to handle what they are going to do.

Mr. Lewis said your water comes from a well.

Ms. Eugene said yes.

Mr. Gutoskey asked if the lunches are going to be boxed or bagged lunches.

Ms. Larned said they will be bagged lunches and the kids bring their own lunch, we don't provide lunch to them.

Mr. Lewis said so there are no kitchen services.

Ms. Larned said no, the only thing that they provide to them is a prepackaged snack in the afternoon.

Mr. Lewis said he was also looking at the summary of your other locations that you were kind of considering. He thanked Ms. Larned for the information and said it was interesting to him that there was no room at Gurney with the Chagrin Falls School District because you had been a long term tenant.

Ms. Larned said for the school year.

Mr. Lewis said and with them having this on their wish list for more than ten minutes he was probably a little amazed you didn't get an option but you didn't so plan B.

Ms. Larned asked if that email that she sent to Ms. Karen Endres on May 15th was included in the packet.

Ms. Karen Endres, Zoning Inspector testified that she gave the board everything she received.

Mr. Lewis said you have a couple of block out dates where you didn't have buses.

Ms. Larned said correct, she just wanted to make sure that was made aware of.

Mr. Lewis said he doesn't have any more questions, everything he wanted has been answered.

Mr. DeWater asked about the number of kids coming.

Ms. Larned said they average about 45 a day, it fluctuates by five kids here and there, the most she thinks they had, when she proposed this in April was they had one day of 55 kids last year of the whole summer.

Mr. Joe Franzese of 45 Wolfpen Drive, S. Russell testified that on behalf of his neighbor Mr. Jose Feliciano, he sent a declaration that he would like to have read into the record, that was sent to your office today.

Mr. Lamanna said yes we have it.

Mr. Franzese asked if it is going to be read into the record.

Mr. Lamanna said it doesn't need to be read into the record.

Mr. Franzese asked if it can be offered.

Mr. Lamanna said you can offer it whether we will technically accept it because generally you have to be here in person to do this, we will accept it but what weight we will give it, reading it doesn't give it any additional weight, he was here before and so all of his testimony is in the record and we take that testimony. He said in reading through this a lot of it is legal argument and we can look at the legal argument, that is not evidence per say, it is argument and certainly we will consider that and he doesn't really see anything here from a factual standpoint that was any different than that which he presented at the last meeting. He said everything Mr. Feliciano said is still on the record.

Mr. Franzese said in the ensuing month from the last meeting where else did the YMCA, possibly with the assistance of the Federated Church look for another location for the daycare.

Mr. Lamanna asked for a quick summary.

Ms. Larned said originally they had spoken with Chagrin Falls Schools when they learned of them putting a levy on the ballot which we all know has now passed and they told us at the time there was no space for us at Gurney and we knew that in November and they said they would sign our lease at the intermediate school but they were going to write a clause into it that said they could ask us to vacate at any time which could have been before we even set foot in the door for camp and having the children already have a place secured for their summer care she didn't feel like that was feasible so he suggested a couple of places that she start looking at and she did and she met with the Federated Church and our visions aligned and she didn't really pursue anything outside of that until April and in April she went back to Mr. Chris Woofter at the schools, he again indicated to her that there was no place for them at Gurney and she believes previously to that she mentioned that she had asked about the high school and he said absolutely not, there is no place for us in the high school. She said she has since April contacted the township and she spoke with someone about Centerville Mills and the building that would have been available to us was the Lakeside property and according to our licensing laws it would not fit into the regulations we would have to uphold for the children because of its proximity to the body of water so that became unavailable to us and she since has gone back again to Mr. Woofter and proposed even that the Gurney be just a drop off and pick up location so that the kids would get dropped off for camp, we would meet at 9:30 and not come back to the site until 4:00 in the afternoon, she proposed to him and they declined. She said she asked if they would revisit us going into the intermediate school if we took the lease agreement with a clause to vacate to give us more time to secure another location and they said no, everybody that is in the building is being vacated now with the levy passing and added that she thinks there is an office in there, he said something to her about a credit union. She said the summer theater program that operates out of there, they are all being asked to leave once school is over.

Mr. Murphy asked what was the Lantern Community living center.

Ms. Larned said that is next door to the Family Life Center and we have been talking with them for several months about providing programming with the residents that are there in conjunction with preschoolers and bringing those two generations together and offering some unique opportunities for programming there and we considered looking at that as an alternative for summer camp but there is not the square footage that we are required to have, it just won't work for the need for camp.

Mr. Franzese asked if she made an inquiry with the Kenston School System similar with the Chagrin Falls School System.

Mr. Lewis said that was asked and answered, we covered that in the previous meeting, but they did make an effort to work with Kenston and they were declined.

Mr. Franzese said so you are still proposing to have your summer camp next door to a residential neighborhood where as he understands you are licensed to have 72 children there and added that he has nothing against children, this is not about children but it is also about their neighborhood that has already experienced one issue with the soccer ten years ago and he doesn't see how this is going to be different. He said tonight before he came here he was on his deck and could hear clearly whistles from the soccer area and it might be 250' away from his property but he can clearly hear them just like he is sitting here and when he drove by he saw Lacrosse teams out there and he doesn't know if that is part of the mission they have here simply because the word cross is in Lacrosse so he already has sports games going on over there. He said they are asking him to be a good neighbor again which he was when they built the facility he had asked for and was told that we could get a berm and he had heard this evening an extraordinary concern about buffering between residential neighbors worried about screening, visual impact on houses but this is different, this is a large facility next to single family residences. He said on trash day at 5:00 in the morning he hears a trash truck backing up and down the driveway as it tries to maneuver in a driveway that is inadequate for a trash truck, sometimes for as long as ten minutes at 5:00 in the morning, that is what he had to put up with for ten years.

Mr. Lewis said he thinks some conversation was on the time of that collection in the previous meeting and he thinks the representative from Federated said that they were going to try to get ahold of the trash holder and see if they could modify the pick up to a more civil hour. He said what happened ten years ago, it is a wonderful facility, you have an outstanding nationwide organization with the YMC association, professionally run saying give us a 90 day trial package, we are only going to let the kids in the front yard for an hour a day, they are not even going to be on the property the majority of the time. He said they want a repeat performance so let's see how they do.

Mrs. Konneen Schantz of 53 Fairfax Drive, S. Russell testified that she didn't know about the previous meeting so she doesn't know how long the sessions are, is there more than one session.

Mr. Lewis said that is all in the minutes and referred to the representative.

Mr. Lamanna said it will run between certain hours.

Mrs. Schantz said so it is going to be the whole summer.

Ms. Larned said they are going to start on June 8th and will end on August 18th and we will not be in session on July 4th.

Mrs. Schantz asked how old the children are.

Ms. Larned said Kindergarten through sixth grade, 12 years old.

Mrs. Schantz asked how many buses, is there going to be just one bus going back and forth.

Ms. Larned replied yes.

Mr. Ron Schantz of 53 Fairfax Drive, S. Russell testified that he is her husband and the back of their property bumps right up against their nature trail that goes up and down and he has lived there 30 years and several times when the Federated Church would have outings that people would wander into their backyard and he wishes that they being the YMCA that they preach to their students to have respect for other people. He said that is a nature trail and they mow that every week so he knows that they are going to use that and you might say they are going to be outside but they are going to walk down that nature trail, it is probably a good mile and he doesn't like the idea that people run into his yard.

Mr. Lamanna said they are not going to be using that area.

Mr. Schantz said he doesn't believe that and he will be the first one to call.

Mr. Lamanna said if they don't do what is required the recourse is to call the zoning inspector who will go over and make sure that they comply with the requirements. He asked how often are people coming onto his property.

Mr. Schantz said during the last 10 – 15 years he would see maybe five or six bicycles parked on their property, they see kids cut across the mud area because there is a stream there and walk through the backyard and he could follow them clear to Kensington Green with their footprints so he would say that probably during the last ten years there has been at least six or seven times, it is not a lot but it is aggravating.

Mr. Lamanna said he is not sure it is necessarily the church's fault because when he was a kid and if there was something like this there and he was living in there he would be riding his bike and cutting across and going over to the parking lot and ride around the parking lot.

Mr. Schantz said kids don't respect their elders and if you talk to them today they are going to vandalize your house.

Mr. Gutoskey asked where the kids are coming from.

Mr. Lamanna asked if they are coming from the church.

Mrs. Schantz said sometimes they come from the church and other times they are going to the church.

Mr. Gutoskey asked if they are cutting through your neighborhood to get to the church.

Mr. Schantz said yes.

Mr. Gutoskey said so it is S. Russell kids.

Mr. and Mrs. Schantz said yes and are they part of the Federated Church or the organized sports or something else that is going on.

Mr. Lewis said he thinks this is a little bit different.

Mr. Lamanna said it is one thing if it is kids coming to the church for a planned activity then you need to talk to the people who are doing the activity and say if you want to use our property you are going to have to tell the people they can't be cutting through other people's properties to reach the church but unfortunately kids do that sort of thing and kids have always done that sort of thing, they are going to take the path of least resistance.

Ms. Eugene asked if there are sidewalks so the kids can ride their bikes to get to the church.

Mr. Lamanna said they would have to go to Bell Road and unfortunately somebody didn't have the foresight to put a path through.

Mrs. Schantz said in the afternoons she hears children and asked Ms. Eugene if she has a drop off for kids that get out of school they are waiting for their parents because there are children that play outside and we live right where the religious marker is and there are children that play back there on a regular basis and wondered if there was a Kindergarten or daycare there that these kids are back there at that time because it is usually the same time every day.

Ms. Eugene said no they don't.

Mr. Lewis said back to the YMCA, you have young people 5 – 12 years old, their parents are purchasing typically in one week segments a camping experience and part of that is as a parent dropping their kid into your program that the YMCA is sanctioned, certified and everything else is taking on the responsibility and care of those kids while they are there which means to him there is no unsupervised activities, nobody is wandering off, you are with a group, you have a supervisor there, that is part of what the YMCA program is so we need to detach that from other programs that may have activities with Federated at that property, this is about what the YMCA is going to do with their program and is in front of the board right now.

Mrs. Schantz said the Federated Church has a playground and asked if the kids will be playing on that.

Mr. Lewis said no, they are going to be in the soccer fields only in the front and that is all in writing.

Mr. Gutoskey said and limited to one hour a day.

Mr. Lewis said between the hours of 4:00 – 5:30 PM for a one hour segment.

Mr. Murphy said or 4:30 – 6:00 PM, somewhere in that time frame.

Mr. Lamanna said it is a pretty narrow window.

Mr. Franzese asked isn't the Board of Zoning Appeals supposed to be based on some hardship.

Mr. Lamanna said this is not a hardship situation, this is based upon conditional uses that are permitted.

Mr. Franzese said he wants to clarify that. He said they were granted a conditional use so that conditional use is going to be subject to another conditional use, how many more will come after that, how many more times.

Mr. Lamanna said you have to understand how a conditional use works. He said the zoning ordinance allows certain conditional uses so whenever you want to do one of those uses you have to come in specifically and apply with respect to that use, you don't get a blanket conditional use that is why it is a conditional use and it is specific so if there are 20 things that are permitted as conditional uses if you want to do one of them you come in and get permission to do that, if you want to add three more you have to come in and get permission to do that, if you want to build another building you have to come in and get permission to do that, each one of those is allowed but it is conditional which means that there are a set of conditions that apply generally to all of them and there are conditions that the board can establish in the granting of that permitted use that limits or regulates that use such as this proposed here, they have specific hours, they can only be outside for a certain amount of time, all of the various things that we discussed are conditions that are placed upon that use and that limits it with and the idea being that we are trying to ameliorate any impact of that use on the surrounding property owners to the extent it is reasonable and balancing the relative rights to each of the property owners. He said that is the purpose and yes every year if they wanted to do something different or have some different program they would have to come in and get approval of that so it is not that you keep adding and adding, you don't just keep adding and adding because if you were adding and adding at some point the board would say there is becoming too much activity here but you may see what they do this year and get approval for this or they want to do something for three months, they actually have to come in and get approval for each of those because each one of those is a separate regulated use and it may have separate conditions attached to it and in theory anything they want to add they have to get approval for and there may be things that are run simultaneously but the board also looks at, as part of that, how much activity is going on in total and there would be a point where the board would say enough is enough you have reached the capacity limit for this property, there can't be any more activity because if there is more activity it does become a burden on everybody. He said you add all of those into the pot when we look at it.

Mr. Gutoskey said there are always time limitations so that they can come back in and the board can review it or add conditions.

Mr. Lamanna said typically there is a five year review period, up to five years and often the first time they have a much shorter review period because we want to give people the opportunity if things don't work out the way we thought they were going to work out we can say you have to change these things that are causing a problem or say this doesn't really work, it is not working in this location so control it that way as well, we control it in terms of the time period which there can be a re-review and a revisiting of the conditions that might be applied or whether or not the use will even continue to be permitted or whether additional conditions might be added to deal with any issues, such as the garbage trucks are coming at 5:00 AM, you should arrange with them and tell them this is a residential area so you can't come at 5:00 in the morning.

Mr. Franzese asked what the board would suggest as a reasonable accommodation to ameliorate the condition of sight and sound.

Mr. Lamanna said they have limited their time outside to one hour a day, they moved it to as far away as they can get on their property from any of the residences, they are going to be quite a distance away, away from where people live and they have limited it to one hour in the late afternoon when people are generally doing something anyway and are not expecting that there is going to be a lot of quiet because you are into the time when people are coming and going anyway because they are coming home from work so they have kind of put it in a high activity part of the day, not in the middle of the afternoon where someone might want to be out there on their deck chilling out, listening to a little music or doing a little writing.

Mr. Franzese said that is precisely the time he arrives home at 3:00 that he is outside on his deck trying to enjoy himself. He asked if it would be unreasonable if he asked for a visual and a sound buffer as he has heard the board speak so eloquently about other neighboring properties but now you have got activity and it might not be this year, it could be 45 and next year it could be 72.

Mr. Lamanna said you also note when we talk about visual and sound barriers you are talking about situations where somebody is 100' away or 200' away or 50' away or a lot of cases 30' away so we are talking about much closer proximity. He said he sees some tree plantings along the property line there.

Mr. Lewis said they are going to be playing in the front yard in front of that service loop where the soccer fields are.

Mr. Lamanna said he lives 1-1/4 miles from the Kenston High School field over the hill on the other side of the hill going across Haskins Road and he can hear the whistles blowing on that field 1-1/2 miles away, that is how far that whistle sound will carry.

Mr. Gutoskey said although they have agreed that whistles or other noise makers will not be used while group games are occurring.

Mr. Lamanna said whistles carry a long way and they are designed to do that unfortunately but this will probably not be as noisy as a Lacrosse game.

Mr. Paul Koepf at 8742 Holly Springs Trail testified that he is a member of the Federated Church and prior to 2000 this was a working farm and did the zoning board receive complaints about diesel tractors running 12 hours a day and dumping raw sewage in the fields, did you receive complaints for that and referred to the water wells.

Mr. Franzese said you brought up the very sore subject of wells. He said he will remind this group that within a month of them drilling their well he had no water, zero, it cost him almost \$4,000 to have his well dropped and when he called the so-called expert he said that is a coincidence and he knows enough about geology that it is not a coincidence because his neighbor Mr. Feliciano lost his water too.

Mr. Lewis said he lives in the south end of Bainbridge and his well was 65' deep and it was good for about a week, he is now at 450' down and he is cased all the way, it has nothing to do with what his neighbors did, it was just the nature of that aquifer, you are either lucky or you are not and he had to put in two wells.

Mr. Lamanna asked Mr. Franzese how deep his well his.

Mr. Franzese said he didn't know.

Mr. Koepf said the back wells were 250' deep and they have been abandoned and the front well is 150' deep.

Mrs. Schantz asked if they are dry.

Mr. Koepf said they use one of them for irrigation but all of the nitrates affected the wells.

Mr. Lewis said it is not potable water anymore.

Mr. Franzese asked if the board is going to make any recommendations for other than the time of day or does he have to put up with it again.

Mr. Lamanna said they moved it to the front.

Mr. Franzese said that is great for the people who live further to the east.

Mr. Lamanna asked which lot is his.

Mr. Franzese showed the location of his lot to the board via the aerial photo. He said he has a great view of the back of their building from his deck.

Mr. Koepf asked if anybody has done any sound analysis comparing noise from that place to the truck traffic on Route 306.

Mr. Lamanna said probably not.

Mr. Koepf asked if that would be beneficial to compare the sound noises from the Meals on Wheels in the morning.

Mr. Lewis said the property was always designed and intended to have moderate outdoor youth activities and adult activities whether it was a marital service or a picnic or kicking the ball around in the front yard and you are not going to put up a 20' tall fence all the way around it because the sound is going to hop over the fence anyway and these are pretty much little people and they are highly supervised.

Mr. Franzese asked how this property was zoned prior to the church.

Mr. Lamanna said everything is single family.

Mr. Franzese said when he bought his property he knew there was a farm there and he knew there would be the sound of a tractor occasionally, that was okay and the south was single family, the property to the east, single family, property to the west was going to be single family so his reasonable expectation was that it was going to be single family.

Mr. Murphy said it could have been a development with double the volume of your development right there.

Mr. Franzese said that is correct.

Mr. Lamanna said this is a permitted use in a residential district and it was zoned to allow this and it is a permitted use just like a single family dwelling.

Mr. Franzese said he made the argument, did anybody complain about the farm.

Mr. Murphy said that is true but things change.

Mr. Franzese said he won't say anything else because it sounds as though you have already made up your mind.

Mr. Murphy asked Mr. Franzese if he had anything new to add.

Mr. Franzese said no.

Mr. Murphy asked if there is anybody else.

Mr. Lamanna closed the public hearing part of this meeting.

Mr. Murphy said from the play area to your deck it is 759'.

Ms. Endres said that is a rough estimate yes, counting the middle of the soccer field area to the back of his house, is roughly 760'.

Mr. Lamanna said he is not sure what other screening you can put in between there.

Mr. Franzese said evergreens, the ones that were supposed to be there to begin with and then the berm was supposed to extend along the entire property line which doesn't.

Mr. Lamanna asked Ms. Endres if she has looked at that.

Mr. Franzese said he was advised that there would be a berm extending along the entire property line screening your property from mine, the berm terminates, it is only higher on the east end and then drops down and you can see the sparse trees as it goes to the west.

Mr. DeWater said you are saying the berm is further south.

Mr. Franzese said the berm is further east but the berm was supposed to extend to the west and it doesn't.

Mr. Lamanna asked where it ends now.

Mr. Franzese said it ends roughly 60' and he has a photograph from his deck you can see the back of their building when the trees are clear. He said the berm is supposed to extend the entire length and be populated with evergreens and it is not.

Mr. Lewis said he distinctly remembers a berm which would follow that development until it ended but it was never being bermed all the way to the street.

Mr. Lamanna said we will pull the minutes and review them.

Mr. Lewis said if there was something the board did wrong and it was part of the original agreement and it wasn't adhered to then that would be a matter with our zoning inspector and with the property owner to say you have a little work to do.

Mr. Franzese thanked the board.

Mr. Lamanna said the board will go back and take a look at that issue and we will look at the issue on a going forward basis and if it wasn't addressed as what you may be able to do in that area to try to deal with that situation. He said if that wasn't required originally we might want to look into that to see what might be effective or feasible, you have got to have the room, you can't just throw up a berm that could create some other issues

The board reviewed the original motion.

Mr. Lamanna said this goes back to 2003.

Mr. Lewis said he thinks that is a fair request to ask the township to go back and look at the original motions and conditions and work with the property owner and if there are any shortcomings or oversight we will have zoning work with the property owner.

Mr. Lamanna said it seems reasonable that we would have had a berm along where the development was.

Mrs. Schantz asked Ms. Endres to put the photo back up that shows the houses. She said on the far right hand side that is their house right there, there are no evergreens, no nothing to protect them from seeing the back of the building. She said there is a berm west and see where that round circle is that is the labyrinth, they are catty-corner from that.

Mr. Lamanna said that is an outdoor landscaping feature basically, it is a decorative feature and a religious purpose too.

Mrs. Schantz said she is not complaining about that, we just got nothing.

Mr. Lamanna said he thinks what happened was in directing the berm what the board was trying to do is we have a building and parking lot and the rest was just open field is we were trying to screen the building and parking lot from the residential area.

Mrs. Schantz said they can see the parking lot and the lights when they are on at night.

Mr. Murphy said besides the original landscape issues we have the 2003 revised minutes that talk again about screening, trees and berms as well as lighting on the facility to shield the parking lot lighting and if it hasn't been done he thinks it should be done.

Ms. Endres said that she has not checked out the lighting before.

Mr. Lamanna said if you look at and somebody has a 60 watt light bulb a mile away and you can see it, your eye can see that light bulb, you won't see any light on your hand but your eye can see that light bulb.

The board discussed giving a conditional use permit only for the summer session.

Mr. Lewis said it would expire before the next session.

Ms. Endres said she would suggest making the expiration date the end of August.

Mr. Lewis said he doesn't want to see winter programs going on there without them being back here.

Mr. Lamanna said if they want to come back and do it again, the board can revisit any issues.

Ms. Eugene said if we have to come back every year are you going to put us at the end of the agenda.

Mr. Lewis said absolutely.

Mr. Lamanna said we adjust the agenda so people who have only ten or fifteen minute applications can get in and out and if we just did it in number order, continuances are always at the front end and the continuances are the ones that usually take the longest so that is why we often move them to later in the meeting so we can get the new applications taken care of.

Mr. Lewis said so we have the hours of operation and we have the time block for the supervised outdoor activity on the soccer field only and we have your other opening statement that said from 9:30 – 3:30 the kids were going to be off-premises with the exception of the five or six total days during the whole summer and those dates were provided to us in an email where you didn't have transportation services.

Mr. Gutoskey asked who provides the transportation.

Ms. Larned said a bus company that we lease the bus from.

Mr. Lewis noted that the premises will not be providing kitchen services or food preparation service and added that they will not be there for lunch.

Mr. Murphy said so the couple of hours in the morning 7 to 9 they will be indoors.

Mr. Lewis said he has nothing more, they put just about everything in writing with their various exhibits.

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

Motion – BZA 2017-6 – 16349 Chillicothe Road (Federated Church Family Life Center)

Mr. Lamanna moved to modify the existing conditional use certificate for this property to allow for a YMCA day camp program to be run from June 8, 2017 to August 18, 2017 Monday through Friday from 7:00 AM to 6:00 PM.

Based on the following findings of fact:

1. The conduct of the camp will conform to the material supplementally provided in the application in Exhibits A – F in a letter dated May 8, 2017 in terms of the use of the property and the types of activities being conducted.
2. In particular with the fact that the outside activities will be limited to one hour per day between the hours of 4:30 P.M. and 6:00 P.M. and will be confined to the area of the soccer fields which are to the front of the auxiliary access road going to the back of the building and they will not be using any whistles or bullhorns or other similar noise making devices during the conduct of that outside activity.
3. There is a certain uncertainty about the current status compliance of the property with prior requirements in 2003 with respect to planting 15 additional trees and the original requirement with respect to screening and berming the adjacent residential area. The zoning inspector will review those requirements to determine whether or not there has been compliance with that.
4. In addition if there is current compliance but those requirements do not include screening along the full area where there is a line of site from the residential area into the building or parking lot the board will ask that the applicant submit a report on the feasibility of adding some additional screening in that area so that we can have that the next time we revisit a conditional use modification with respect to this property.
5. The board will also ask that the applicant make arrangements with its trash pickup service that it not be done before 7:00 AM since this is in a residential district, it is not a commercial district, it would be appropriate to have that type of activity being conducted at a time and place that is conducive to a residential location.
6. This conditional use will expire at the end of the term for this camp and the reason for granting this short period is if there is going to be a request for future activity of this kind, the board wants to review how well this particular session worked out and what impact it had upon the neighboring properties so the board can determine whether it would be appropriate in the future or if it would be appropriate to add additional conditions if it were to be allowed in the future.
7. The board finds that this YMCA day camp is consistent since it is a religiously oriented organization and it is consistent with the use of this property for church purposes.

Mr. DeWater seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye.

Since there was no further testimony, the public hearing was closed at 10:07 P.M.

Respectfully submitted,

Ted DeWater
Joseph Gutoskey
Michael Lamanna, Chairman
Todd Lewis, Vice Chairman
Mark Murphy

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

Date: June 15, 2017

AUDIO RECORDING ON FILE

Bainbridge Township, Ohio
Board of Zoning Appeals
May 18, 2017

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 10:07 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Ted DeWater; Mr. Joseph Gutoskey; Mr. Todd Lewis and Mr. Mark Murphy. Ms. Karen Endres, Zoning Inspector was present.

Minutes

Mr. Murphy moved to adopt the minutes of the April 20, 2017 meeting as written.

Mr. DeWater seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye.

Applications for Next Month

Application 2017-13 by DeChella Woodruff for property at 8502 Pilgrim Avenue

The applicant is requesting area variance(s) to permit hardscaping as constructed including sidewalks, decks and patio areas. The property is located in a R-3A District.

Application 2017-14 by Brilliant Electric Sign Co. for property at 18845 North Market Place Drive

The applicant is requesting area variance(s) for the purpose of installing window signs. The property is located in the MUP District.

Application 2017-15 by Terry Cowoski for property at 8815 East Pilgrim Drive

The applicant is requesting area variance(s) for the purpose of constructing a front porch addition. The property is located in a R-3A District.

Application 2017-16 by Todd Mosher (R.A. Smith National, Inc.) for Discount Tire for property at 18915 and 18919 Summit Street and 7025 Aurora Road

The applicant is requesting area variance(s) to permit the consolidation of four lots and the new consolidated lot would exceed the permitted lot size. The property is located in the MUP District.

Application 2017-17 by Todd Mosher (R.A. Smith National, Inc.) for Discount Tire for property at 18915 and 18919 Summit Street and 7025 Aurora Road

The applicant is requesting a conditional use permit for the purpose of tire sales and installation for cars and light trucks. The property is located in the MUP District.

Application 2017-18 by David J. Ollie for property at 7855 Country Lane

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

The Bainbridge Township Board of Zoning Appeals set a public hearing on the above applications for June 15, 2017 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 10:40 P.M.

Respectfully submitted,

Ted DeWater
Joseph Gutoskey
Michael Lamanna, Chairman
Todd Lewis, Vice Chairman
Mark Murphy

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

Date: June 15, 2017