

Bainbridge Township, Ohio
Board of Zoning Appeals
October 18, 2007

Pursuant to notice by publication and certified mail, a public hearing was called to order at 7:35 P.M. by Mr. Todd Lewis, Vice Chairman. Members present were Mr. Mark Murphy, Mr. Mark Olivier and Mr. Donald Takacs. Mr. Michael Lamanna was absent. The following matters were then heard:

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

Application 2007-39 by Gregory Noeth, Architect for Bainbridge Associates, Ltd, II, LLC for property at East Market Square Shopping Center (8574 E. Washington Street)

The applicant is requesting area variance(s) for the purpose of increasing lot coverage. The property is located in a CB District.

The zoning inspector's letter dated October 11, 2007 was read and photos of the site were submitted.

Mr. Lewis stated that the applicant is requesting an area variance in order to expand a parking area.

Mr. Gregory Noeth, Architect, Mr. Cliff Hershman, Owner and Ms. Lisa Goretta of the Paddock Saddlery were present to represent this application.

Mr. Hershman testified that Mr. Gregory Noeth will explain what they need and Ms. Lisa Goretta from the Paddock Saddlery is here also, if the board has any questions for her and then referred to Mr. Noeth.

Mr. Noeth testified that they would like to add some additional parking areas in the back on that service drive behind the shopping center by the tenant store and they found out that they maxed out the amount of parking surface and green space that they can have so they would like to use this Stabil Grid type system. He submitted a brochure to the board and said grass would be planted in there and it would keep the green space the way it is and they would like to have a variance to use that system in the back where it is currently grass now.

Mr. Hershman said the reason why they need this is because the Paddock Saddlery brings in horse trailers.

Mr. Noeth said they bring in horse trailers and to make the turn they will be taking away so many of these parking spaces and that is why they want to use the grid system further down where it is grass now to give them additional parking for other tenants in the back, but to make the swing with the horse trailer and the truck it takes away about five or six spaces that is currently paved right now.

Mr. Takacs asked if this will be put where the grass is.

Mr. Noeth said yes, so there can be parking there.

Mr. Takacs asked if it will be right past the bollard for the water meter.

Mr. Noeth replied yes but instead of paving they would put this grid system in which is a 2" thick grid system that sits on 2" of crushed stone on a 1" leveled off stone bed.

Mr. Lewis said this material has not been presented to the township before and there are a couple of ways to look at this because the township does not have a firmly established criteria on this material nor what it takes to install it and create from bottom up a foundation to support it and the township has also not established whether this type of material is a solid structural permanent surface which takes it directly into lot coverage. He said the board would like the applicant to take this and visit the zoning commission to establish the criteria on the use of this material and if the board goes forward now, it needs to look at this as solid surface and deal with it on a lot coverage basis.

Mr. Hershman asked if the board will count this as lot coverage or green space.

Mr. Lewis said it will be counted as lot coverage if the board goes forward with this tonight and added that the board has been real generous with the lot coverage there before.

Mr. Takacs said he has seen this used before for green space.

Mr. Lewis said he would like to push this to the zoning commission.

Mr. Hershman asked when the zoning commission meets because they need to get this in.

Mr. Lewis said they meet next week and added that the board is sensitive to the season and the weather but he would like the zoning commission to look at it first to establish the specific criteria of this and the build-out specs and the board needs to have it established whether it is going to be lot coverage or not. He said he would recommend that this application be tabled tonight to give the applicant a chance to get to the zoning commission because otherwise the board would have to rule on the lot coverage and he is not certain the applicant will get the results he is looking for so this is a different course of action.

Mr. Hershman asked if the zoning commission has no problem with it if they have to come back here next month.

Mr. Lewis replied yes.

Mr. Hershman said it is a small area.

Mr. Murphy asked if the zoning says this is green space will the applicant still be looking for more paving.

Mr. Hershman said no.

Mr. Noeth said they want it as green space.

Mr. Lewis said he does not know if that material meets the criteria for green space.

Mr. Murphy asked if they are losing parking spaces as well.

Mr. Frank McIntyre testified that there is a loss of parking spaces but part of this application is to also make up for the parking spaces.

Mr. Olivier asked if this will be added in two places, one for the trailer service and one for additional parking.

Mr. Hershman said it is to make up for the lost parking spaces.

Mr. Takacs asked what was being put in for the additional parking spaces.

Mr. Hershman said that would be the regular asphalt.

Mr. McIntyre said from the interpretation of the zoning resolution, it is all hard surface, all coverage.

The board discussed this application and lot coverage.

Mr. Lewis said that the zoning commission needs to do the definition and then the board can go ahead and fast track it next month at the November 15th meeting.

Mr. Murphy referred to the area around the canopy and dumpsters and asked if they need to move further out from it and what the new turnaround is.

Mr. Noeth said there will be horse trailers coming in here and will pull around and the people will take their horse out.

Mr. Olivier said to be fitted for saddles etc.

Mr. Noeth said right.

Mr. Olivier said so this is simply a temporary parking spot for the owner's horse.

Mr. Noeth said there are about three to five per month on average just for two or three hours, they will take the horse out versus pulling in the front and taking the horse all the way around the shopping center and the tenant also has their own horse trailer and that would be parked back there too.

Mr. Murphy asked if it will be parked there full-time.

Mr. Noeth said yes when it is not at shows or on the road and that would be on the asphalt area.

Mr. Lewis asked if they want to store a horse trailer there.

Mr. Murphy said they will lose eight asphalt parking spaces.

Mr. Noeth said since they can't use the asphalt they were going to use the Stabil Grid as green space.

Mr. Takacs asked if that is the only place they are going to use it.

Mr. Noeth replied yes.

Mr. Olivier said they are not taking any parking away they are simply adding more spaces and filling in the gap between those spaces with the grid.

Mr. Hershman said right.

Mr. Noeth said the other option they have is to put the Stabil Grid on the green space and park the trucks with the horse trailers on here (he showed the board the location on the site plan), it would be like parking them on the grass.

Mr. Olivier asked if they will demo some of these existing spaces.

Mr. Hershman said no they will use them for the drive.

Mr. Olivier said if this is an approved material you can tear out these spaces if it counts as green space assuming that this material is approved permeable non-lot coverage.

Mr. Lewis said let the board get the material's criteria established and then the board can take another look at it to see what makes the best sense.

Mr. Olivier asked if there is any usage issues associated with this at this point.

Mr. McIntyre said the use itself is basically for horses to come and be fitted but he just found out tonight that they are planning to maintain a horse trailer there on a regular basis that is outside storage and the board will have to look into that to see if that is permissible in the shopping center as a conditional use and if it is not, we will have to put it also on next month's hearing.

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

Motion BZA 2007-39 - 8574 E. Washington Street

Mr. Lewis made a motion to table this application until the next regularly scheduled meeting to be held November 15, 2007 as the applicant needs to visit the zoning commission with the use and criteria of the materials.

Mr. Takacs seconded the motion.

Vote: Mr. Lewis, aye; Mr. Murphy, aye; Mr. Olivier, aye; Mr. Takacs, aye.

Application 2007-40 by David DeSatnik for property at 16740 Brigadoon Drive

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

The zoning inspector's letter dated October 11, 2007 was read and photos of the site were submitted.

Mr. David DeSatnik, applicant and Mr. Frank Marincek of Viking Builders were present to represent this application.

Mr. DeSatnik testified that he does not have enough room.

Mr. Marincek testified that Mr. DeSatnik just purchased the home 1-1/2 months ago or so on Brigadoon, the actual culdesac lots are a little odd and Mr. DeSatnik did not know as a homeowner, it is more rectangular and when he purchased the property he had always had intentions of adding a three-car garage, he has a three-car garage now, but it is actually only a two-car because the bay under the single is only half deep, the owner had built the house into it so it is not usable. He continued by saying that he has classic cars and classic motorcycles and he stores everything, everything stays inside and when they drew up the plans they did not think twice about anything and never thought about it and dropped it off over here but that particular subdivision has a 50 ft. side yard setback which is different than most in Bainbridge and they do have 60 ft. or more between their house and the end of the lot.

Mr. Marincek continued by saying he had some figures that he would pass around and the way the house is situated very little of it will be seen, they will be cutting no trees down and every bit of natural cover that is between their neighbor and what is there now will stay, they will not be disturbing anything and added that Mr. DeSatnik will be happy to plant more trees. He submitted photos to the board that shows the site and said there is asphalt there now, they will be cutting the pad for the garage and it is really a large turn-around. He said knowing all of that it would not behoove anyone to move it because there is a brand new septic system that was just put in by the previous owner right before he sold, right in the back so the addition will be in front of that and if they went behind the house, there would be no windows in the family room or kitchen so that would not work either. He said they did not want to do anything detached and added that this addition will have matching brick etc.

Mr. DeSatnik testified that he talked to all of his neighbors and nobody has a problem with it and the neighbor that it fronts more than anybody else is here at the meeting.

Mr. Olivier asked if that is the house to the left.

Mr. DeSatnik replied yes and said he has neighbors on both sides of him and across the street and not one of them have any problem with it.

Mr. Marincek said if they built it according to the print they still would have 22' or 23' give or take of land and again they will not cut any trees down, it is pretty solid foliage yet they would be more than happy to landscape it anyhow.

Mr. Murphy asked if the addition will be all just garage storage or will there be living space.

Mr. Marincek said it will all be just garage.

Mr. DeSatnik said it will be a place to showcase the cars that he has been able to collect over the years.

Mr. Takacs asked about a possible pole barn.

Mr. DeSatnik said he would have no way to get to it.

Mr. Marincek said he would have to cross over the septic system because the septic system and leach fields are basically behind there and added that one of the photos shows the tanks.

Mr. Lewis asked if anybody has a rendering of what the addition is and if he could see it.

Mr. Marincek said they even went to the extent of adding an extra gable, extra siding etc. so everything will match.

Mr. Takacs asked about the size of the addition.

Mr. Marincek said it is 36' x 26' or 27' with matching siding, gutters, etc.

Mr. DeSatnik said if it would have been anywhere else in Bainbridge he would not have to be here.

Mr. Murphy explained that it does not matter where it is in Bainbridge, the zoning regulations are the same with 50' side yard setbacks.

Mr. Marincek said they did not know, they thought it only applied to this street.

Mr. Murphy said a lot of people have come to the board for similar reasons.

Mr. Marincek said they thought it was just a Brigadoon thing.

Mr. Lewis said it is a 50' side yard setback throughout Bainbridge.

Mr. Kevin Daugherty of 16750 Brigadoon testified that he is the next door neighbor and if Mr. DeSatnik pulls his cars out of his driveway, they are going to be in the same spot as where the garage will be so he is really no closer with the cars as where the garage is going to be so it will not have very much impact on him.

Mr. Murphy asked if they are losing any of the existing asphalt.

Mr. Marincek said the building will go where the asphalt is so they are not creating any more hard space.

Mr. Murphy said so they will not be getting rid of any green space.

Mr. Marincek replied no.

Mr. Murphy asked if they will be burying one of the existing garage doors.

Mr. Marincek said no.

Mr. DeSatnik referred to the photos and said as you can see from the street, you will barely see it.

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

Motion BZA 2007-40 – 16740 Brigadoon Drive

Mr. Lewis made a motion to grant the applicant the following variance.

1. A variance from the minimum required side yard setback of 50' to 21.7' for a variance of 28.3'.

Based on the following findings of fact:

1. This is a culdesac lot that is narrow and a bowling alley shape through the full depth of it and it does not sustain the traditional pie shape, getting wider as it goes back so the narrowness of the lot prevails the full depth of it.
2. There is no way to put an additional structure behind the house as access to it with the narrow side yard to start with would require crossing over septic fields and tanks.
3. The size of the structure appears to be 38' by 27' roughly and would be consistent with the same basic architectural style of the house and would blend and look like a continuation of the existing structure.
4. The adjacent properties and dwellings are far enough away that this does not impose any adverse effect on the adjacent properties.

Mr. Takacs seconded the motion.

Vote: Mr. Lewis, aye; Mr. Murphy, aye; Mr. Olivier, aye; Mr. Takacs, aye.

Application 2007-41 by McMillon Construction Inc. for property at Sublots 96-102 at Rocker Avenue and Bedford Street

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

The zoning inspector's letter dated October 11, 2007 was read and photos of the site were submitted.

Mr. Cedric McMillon was present to represent this application.

Mr. Lewis stated this is due to the height of this proposed structure and the exceptionally close proximity to the rear yard, not inclusive of the deck which puts it about one foot off the property line.

Mr. McMillon testified that he will eliminate the deck totally and would be willing to put in writing that there will never be a rear deck.

Mr. Lewis said the adjacent property owner has expressed great concern and has put so in writing to the township and unfortunately for the adjacent property owner, one of her family members in the last 24 hours incurred a very bad injury and that person is not here tonight to speak on her behalf but if the board wants to go ahead and hear the application, he has concerns because the application is being challenged by the adjacent property owner as they feel there are adverse effects and due to an unforeseen tragedy in the family, they are not able to attend. He then asked for comments from the board.

Mr. Takacs asked if it is being challenged because of height or location.

Mr. Lewis said primarily the location, but he can only relay the information that was provided without the adjacent property owner here to speak.

Mr. Takacs said in looking at this, it is limited with the number of lots he has where to locate the house.

Mr. McMillon said he had a rebuttal to the opening statement.

Mr. Lewis said the board is okay with hearing the application, this is not an expression of his opinion this is just a statement of understanding before the board proceeds.

Mr. Olivier said the board may want to hear that individual's comments before it rules.

Mr. McMillon said that weather is definitely against this situation that is why he was prepared to present this and the solutions that he thinks might work.

Mr. Takacs said he is willing to hear it and make a judgment based on that whether to proceed or table it.

Mr. McMillon said he would like to construct a 1,700 sq. ft. dwelling and they are on an odd shaped piece of property once again and that is their situation here but with the setback and all of the side yard setbacks he thinks he can achieve this and plus who owns whatever lots behind. He said for the front setback on the site plan, they are going to be 15' and is asking for a variance there and once again, they are in a lot of green space area, there is nothing around the front. He said the side which is on Rocker will be within 15' or greater for the side yard and then on the other side they would be within 15' and the question is definitely in the rear and they stated it is 6' minimum but as they go towards Rocker in the north direction, they are increasing from 12' to 23' to 30' for the rear.

Mr. Takacs asked Mr. McMillon to explain where the 15' setback is because it is not marked.

Mr. McMillon showed Mr. Takacs on the site plan and said that number is not projected on there.

The board discussed the proposed setbacks.

Mr. McIntyre explained the setbacks to the board members.

Mr. Takacs said the south side is a non-issue.

Mr. McMillon said there are seven lots.

Mr. McIntyre said the initial application showed the entire thing.

Mr. McIntyre said there are two fronts and when there is a corner lot both fronts are counted and there is a rear yard setback and there is lot coverage.

Mr. McMillon said he made the application and the land is in the process of being purchased.

Mr. McIntyre said he got a letter explaining that the township was actually selling 15 or 17 lots to the CDC and two of them are still under Geauga County's control.

Mr. McMillon said that they do not want to own those lots, they will sell them to Bainbridge Township who then will endorse them to the CDC.

Mr. McIntyre asked Mr. McMillon if the township approved all of the lots except the ones belonging to Geauga County because they are not the township's to approve.

Mr. McMillon said correct.

Mr. Lewis asked since it is 6' off which lot does that back into.

Mr. McMillon showed the board on the site plan.

Mr. McIntyre said it is the seventh lot.

Mr. Lewis said it is 40' off the nearest lot owned by another party and because of the angle of the house really favoring Bedford much more than Rocker, it is expanding the distance from the rear of the house as it gets further down where the homes are and added that it clarifies it a lot.

Mr. Takacs asked Mr. McMillon if his intentions are to purchase those lots.

Mr. McMillon said correct, they have been purchased and the others are in the process of being purchased and he has done the best he can do to be in compliance with the regulations. He added that with the rules of the revitalization plan, they have a home to be built through entitlement and contract.

The board discussed the adjacent properties and setbacks requested.

Mr. McMillon said there is a severe ravine that also limits the setbacks so there is a ton of green space and nothing in the rear. He showed the board the location of the ravine on the map.

Mr. Olivier said that could cause them, with the creek, if they build on those five lots to push their house back closer to the rear line as well.

Mr. McMillon explained the location of the creek.

Mr. Olivier asked if there is riparian through there and if those lots are privately owned, if the house will be forced to be pushed back.

Mr. McMillon said he thinks they would have adequate space.

Mr. McIntyre asked if they would have a riparian issue.

Mr. Olivier said he did not know if it would be a riparian issue or if it would be not buildable because of the swale or creek bed.

Mr. McIntyre said if it is not marked or indicated on the print and if it is a riparian his office along with another office will have to go out and see what the story is and that will determine where the structure can be built on the lot.

Mr. Takacs asked Mr. McMillon with the land he is purchasing from Bainbridge if he is planning to shift the house towards the Bainbridge side or leave it where it is at.

Mr. McMillon said they will leave it the way it is which will be the most severe setback at 6' and if more is purchased, it would solve every setback issue except for the front which will be 15' and added that is the only severe issue and he has tried his best to revolve that considering it is such an odd shaped lot, they situated the house in the best location.

Mr. Murphy asked how many acres are in that pie.

Mr. McIntyre said .221 acres.

Mr. Murphy said those may be 20' wide but they are not a full typical lot of the original park lots. He asked Mr. McMillon if he is going to build the neighbor's house as well on the additional lots in the back and asked if there is a driveway access to the back properties.

Mr. McMillon replied no.

Mr. Murphy asked if it would not make more sense to put the whole thing together and then build the house in the middle of the whole thing because by locking these up with the house, we are creating a landlocked situation with the lots right behind it.

Mr. Lewis asked why you would buy seven or so lots that there is no access to because the only way to get to any of those lots is to buy the Lynch property.

Mr. McMillon said exactly.

Mr. Lewis said because that is the only point of entry and if you don't have the Lynch lot you would have no entry to the other lots.

The board discussed the lots and access to them.

Mr. McMillon said if they were to stay within their zone here the lots would still be buildable.

Mr. Lewis said the three lots of record would not be adequate to build on because that one is cutting the whole piece in half.

The board discussed the consolidation of the lots with Mr. McMillon.

Mr. McMillon said the lots are sold to the CDC and the CDC sells them to him.

Mr. Lewis asked if he intends to acquire the lots and join them in.

Mr. McMillon said correct and he has no intentions of trying to put another house back there.

Mr. Lewis said once the lots are joined it negates the rear setback of 6' and once that is done if they are acquired and lot joined, the rear setback is then not so dramatically intrusive on the existing line so then the deck could be added.

Mr. Takacs asked about the Bainbridge lots.

Mr. McMillon said the Bainbridge lots are within this letter to be purchased.

Mr. Lewis said the board needs to consider this with the 6' in that corner because that is all we have today, if something else changes down the road, it will be addressed then.

Mr. McMillon said that is the way they basically draw up all of the their plans but with this odd shaped lot he knows that it does not work, so he is ready to commit to a letter of notation that there will not be a deck ever established there until this is resolved but at the same time he could say no deck period.

Mr. Lewis said he would be more inclined to put that in today and if the decision is appealed down the road with a new application based on some other criteria available at that time that may allow something to qualify and he has every right to make another application but as looking at the properties today, the board can impose that condition and the board and the applicant are in agreement with that.

Mr. McMillon said he is in agreement.

Mr. Murphy asked Mr. McMillon if he bought the Bainbridge lots behind.

Mr. McMillon said correct.

Mr. Murphy said those lots will become landlocked properties.

Mr. McIntyre said he did not realize that the one large strip belongs to the same owner who has the small parcel that is dividing all of these lots, the Lynch property, so if the board is in favor of granting the area variance, without having complete control of both sides of the Lynch property, the board by granting this or the applicant would be creating a non-conforming lot of record and he is not sure the board can do that and it would probably take an opinion from the prosecutor's office that by virtue of granting the variance to build a house, a non-conforming lot of record would be created.

Mr. Lewis said that is a very valid point and he thinks the board has gotten past most of the other things but to create a landlocked set of lots is a tough one.

Mr. McIntyre said he is not sure then how much value that small strip would be to the current owner.

Mrs. McMillon testified that it is swampy.

Mr. McIntyre said swampy is fine but it completes the non-conformity and how much of an increase in value does that create to the CDC if that one parcel is the only parcel that can open up a possible buildable lot behind.

Mr. Lewis said acquiring the Lynch parcel is the key to the six lots behind it because without those six lots he cannot do a darn thing and the board is struggling with locking them in.

Mr. McMillon said they did call Mr. Lynch and they plan on meeting with him.

Mr. McIntyre said strictly from a business point of view, there is an issue on that Lynch property and if the variance is granted, it ties up all of those lots, we are creating non-conforming lots.

Mr. Takacs asked if the board can do that.

Mr. Lewis said he does not think the board has the authority to do that.

The board discussed the problem of granting the variance.

Mr. Murphy said there are other ways of breaking up the pie.

Mr. Lewis asked if this corner wedge, Lot #71, is already lot joined with the rest of these.

Mr. McMillon said correct.

Mr. Lewis said what Mr. Murphy was saying is if it is not and if the existing lots are different there would be a door in without the Lynch property.

Mr. McMillon said that is for another home.

Mr. Lewis said the board cannot lock the lots with no access but if the corner pie was not part of this whole thing and was left solo and the other lots were acquired, there would be a point of entry without the Lynch lot and added that he would like to get an opinion from the prosecutor about locking up those lots.

Mr. McIntyre said those lots are freestanding lots and none of these lots are consolidated so technically there is access but if the board grants the variance that has got to be consolidated for a house and right now it would be shutting off all access and right now the only access is through the one parcel that is not owned by the CDC, township or the county so by virtue of the township doing that we will make the non-conformity that much more severe because now all access to it will be taken away, it becomes a lot with no access and the only access is if the Lynch property is purchased and then consolidated.

Mr. Lewis said what if the township owns it or the county does and to buy landlocked lots, he would say it is a significant adverse effect on that property owner whether it being held by public or private entity.

Mr. McMillon said he is confused because this is already purchased.

Mr. Lewis said right and asked if they have all been lot joined.

Mr. McMillon said yes.

The board discussed the lots involved, the ones that would be landlocked, the reconfiguration of the lots and the access for them.

Mr. Lewis said all that is really needed is a triangle at the end, enough to drop a driveway in.

Mr. McIntyre said that variances will still be needed.

The board discussed the placement of the proposed house on the lots.

Mr. Takacs suggested that the applicant wait until all of the lots are acquired, look at it and divide them up appropriately rather than the board trying to drive this one in a hurry right now.

Mr. Lewis asked Mr. McMillon where he is at with his purchase negotiations with the township on these other lots.

Mr. McMillon said they have a contract and the money has been paid, they are just going through title work.

Mr. Lewis asked about the two Geauga lots.

Mr. Olivier said they have to move from Geauga to Bainbridge first.

Mr. Lewis asked about the timeline for something like this.

Mr. McIntyre said the transfer will take longer than it will for the county commissioners to sign a document stating they are giving these or selling them for \$1.00 to the CDC or to the township, the township will then do it in one motion to sell it to the CDC and then the CDC has already expressed that they will then sell it to McMillon Construction.

Mr. McMillon said they already have established that they have a signed contract and a customer ready to go and this was made upon the guidelines and rules that they also state about having someone ready to go.

Mr. Lewis said even if we were to work toward the corner piece to give access to the five Bainbridge lots that Mr. McMillon is on his way with, he still can't landlock the two Geauga lots at the end because those aren't on the table for the board to speak on because the township does not have those yet and there is no agreement on those. He added that he is favoring Mr. Takacs' position on this that he would really like to see what the rest of these lots are going to do and hopefully in the next thirty days, this can be resolved.

Mr. Takacs said if the board does that it may be the answer for this party right now against the one that has the issue and when all of this is laid out and the parcels are acquired then take a look at the big picture.

Mr. Lewis said the board will go ahead and do that and table this application and put it into next month and it will give Mr. McMillon some elbow room to communicate closely with the zoning office on any of the acquisitions that are made or the letters of intent etc. and still try to get this in before winter.

Mr. Takacs said the customer for the house may want a different solution also.

Mr. Olivier said for him to continue is a large risk.

Mrs. McMillon said she hopes they don't lose the client because they have been waiting awhile to get a new home there.

Mr. Lewis said the board will do what it can to expedite it for them.

Mr. Takacs said they may like the Bainbridge lots with the ravine and the house may fit in better.

Mr. McMillon said they will work this out.

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

Motion BZA 2007- 41 – Sublots 96-102 at Rocker Avenue and Bedford Street

Mr. Lewis made a motion to table this application to the next regularly scheduled meeting to be held November 15, 2007.

Mr. Takacs seconded the motion.

Vote: Mr. Lewis, aye; Mr. Murphy, aye; Mr. Olivier, aye; Mr. Takacs, aye.

Application 2006-33 by Voproco Properties Limited for property at 16941 Savage Road
– Continuance

The applicant is requesting a conditional use permit with variances for the purpose of constructing single family cluster homes. The property is located in a R-3A District.

Motion BZA 2006-33 – 16941 Savage Road

Mr. Lewis made a motion to postpone this application to the next regularly scheduled meeting to be held November 15, 2007.

Mr. Takacs seconded the motion.

Vote: Mr. Lewis, aye; Mr. Murphy, aye; Mr. Olivier, aye; Mr. Takacs, aye.

Since there was no further testimony, the public hearing was closed at 8:50 P.M.

Respectfully submitted,

Michael Lamanna, Chairman
Todd Lewis, Vice Chairman
Mark Murphy
Mark Olivier
Donald Takacs

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

Date: November 15, 2007

AUDIO RECORDING ON FILE

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Bainbridge Township, Ohio
Board of Zoning Appeals
October 18, 2007

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 8:50 P.M. by Mr. Todd Lewis, Vice Chairman. Members present were Mr. Mark Murphy, Mr. Mark Olivier and Mr. Donald Takacs. Mr. Michael Lamanna was absent.

Minutes

Mr. Lewis made a motion to adopt the minutes of the September 20, 2007 meeting as written.

Mr. Olivier seconded the motion.

Vote: Mr. Lewis, aye; Mr. Murphy, aye; Mr. Olivier, aye; Mr. Takacs, aye.

Applications for November 15, 2007

The Bainbridge Township Board of Zoning Appeals set a public hearing on the above applications for November 15, 2007 at 7:30 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.

Application 2007-39 by Gregory Noeth, Architect for Bainbridge Associates, Ltd, II, LLC for property at East Market Square Shopping Center (8574 E. Washington Street) - Continuance

The applicant is requesting area variance(s) for the purpose of increasing lot coverage. The property is located in a CB District.

Application 2007-41 by McMillon Construction Inc. for property at Sublots 96-102 at Rocker Avenue and Bedford Street - Continuance

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

Application 2007-42 by Archer Sign Corp. for Huntington Bank for property at 8420 E. Washington Street

The applicant is requesting area variance(s) for the purpose of installing signage. The property is located in a CB District.

Application 2007-43 by Theodore Johnson and Sheila Tarshis for property at 8379 Eaton Drive

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

Application 2007-44 by Vizmeg Landscaping for Mr. and Mrs. Joseph King for property at 8140 Woodberry Blvd.

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

Application 2007-45 by Rolene Murphy for property at 7583 Country Lane

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

Application 2007-46 by Great Clips and Agnew Sign Co. for property at 8444 E. Washington Street

The applicants are requesting area variance(s) for the purpose of installing signage. The property is located in a CB District.

Application 2006-33 by Voproco Properties Limited for property at 16941 Savage Road – Continuance

The applicant is requesting a conditional use permit with variances for the purpose of constructing single family cluster homes. The property is located in a R-3A District.

Since there was no further business, the meeting was adjourned at 9:00 P.M.

Respectfully submitted,

Michael Lamanna, Chairman
Todd Lewis, Vice Chairman
Mark Murphy
Mark Olivier
Donald Takacs

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

Date: November 15, 2007