

Bainbridge Township, Ohio
Board of Zoning Appeals
November 20, 2003

Pursuant to notice by publication and certified mail, a public hearing was called to order at 7:36 P.M. by Mr. Donald Takacs, Vice Chairman. Members present were Mr. Todd Lewis, Mr. Mark Olivier and Mrs. Ellen Stanton. Mr. Michael Lamanna was absent. The following matters were then heard:

Mr. Takacs swore in all persons who intended to testify.

Application 2003-51 by James B. Davidson for property at 18981 Chillicothe Road

The applicant is requesting an area variance for the purpose of maintaining a shed. The property is located in a R-3A District.

The zoning inspector's letter dated November 12, 2003 was read and photos of the site were submitted.

Mr. James Davidson was present to represent this application.

Mr. Davidson testified that he started building his shed too close to the property line and did not realize that it was supposed to be 50' off the line and added that he wanted to preserve the trees.

Mr. Takacs asked about the adjacent property.

Mr. Davidson said the adjacent property is the YMCA property to the south.

Mrs. Stanton asked about the setback of the existing house.

Mr. Davidson said the house is 30' to 35' from the property line.

Mrs. Stanton asked if the shed is totally behind the home.

Mr. Davidson said yes.

Mr. Lewis asked how he ended up with 40' off the property line.

Mr. Davidson said he was trying for 30' but got 40' and it is partially up with two sides and the ends are open.

Mr. Takacs asked Mr. Davidson if it has to be moved, which way would it go.

Mr. Davidson said it would go to the north.

Mr. Lewis asked if the shed is on a foundation or a slab.

Mr. Davidson said it has six concrete pillars.

Mr. McIntyre showed the board an aerial of the house, ravine and woods.

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

Motion BZA 2003-51 – 18981 Chillicothe Road

Mr. Takacs made a motion to grant the applicant the following variance:

1. A variance from the required side yard setback of 50' to 40' for a variance of 10'.

Based on the following findings of fact:

1. This structure sits back about 150' and the house sits 30' off the property line.
2. The structure sits behind the existing house.
3. The adjacent property is owned by Bainbridge Township.
4. There is an existing ravine and probably no chance of anyone building adjacent to this side yard property line.

Mr. Lewis seconded the motion.

Vote: Mr. Lewis, aye; Mr. Olivier, aye; Mrs. Stanton, aye; Mr. Takacs, aye.

Application 2003-52 by Discount Drug Mart for property at 16765 Chillicothe Road

The applicant is requesting a conditional use permit for the purpose of installing a pharmacy drive-up facility. The property is located in a CB District.

The zoning inspector's letter dated November 12, 2003 was read and photos of the site were submitted.

Mr. David Howe and Mr. Cliff Hershman were present to represent this application.

Mr. Howe presented a site plan to the board showing the location of Rt. 306, E. Washington Street, CVS on the corner and the Market Square shopping center and the new retail construction drive, etc. He testified that the drive comes in from Rt. 306, is 20' wide and continues with a double row of parking. He said it is wider where the proposed pharmacy will be located and added that it will operate with a shoot with compressed air mechanics. He said the car will sit under a little canopy with a roof going back to the building. He indicated where the canopy will be per the rendering.

Mr. Takacs asked what the purpose of the roof is.

Mr. Howe explained that the canopy will go over the asphalt and the existing grass will remain. He said they will use the same brick and the same roof so it will blend in with the existing building.

Mr. Takacs asked how the drive-up will work if someone needs a prescription.

Mr. Howe said the people will call in their prescriptions and they can be picked up when they come in and there will be television cameras there to look at the attendant.

Mrs. Stanton asked what is to the right of the proposed pharmacy.

Mr. Howe said there is 20' of existing driveway.

Mr. Lewis asked if the parking is going into the existing green space.

Mr. Howe said there will be more green space with fewer cars.

Mr. Lewis asked which way is out and if the people will have to cross the traffic.

Mr. Howe said yes they will.

Mr. Lewis said they will have to cross the traffic to get in and to get out.

Mr. Howe said they could go around the building.

Mr. Lewis said they could enter onto the wrong side.

Mr. Howe said they could turn around because there is room to turn around.

Mr. Hershman testified that once a person does it one time, they will realize how to do it.

Mr. Howe said there will probably be about four cars per hour on average so only a few cars will be using the drive-up, it is not like a fast food drive-up.

Mr. Lewis asked about the hours it will be open.

Mr. Howe said probably the drive-up will be open from 9:00 A.M. to 10:00 P.M.

Mrs. Stanton asked if there will be lighting.

Mr. Howe said yes, underneath the canopy.

Mrs. Stanton said her concern is the whole area is lined up with dumpsters and asked if the garbage trucks back in.

Mr. Hershman said he has never seen a garbage pick-up there.

Mr. Howe said it will be the same distance from the front of the car to the wall and nothing has changed.

Mr. Hershman said they will use five parking spaces and would like to put them in the back.

Mr. Howe said there is plenty of room for a car to turn around there.

Mr. Takacs asked about signage.

Mr. Howe said the signage has not been worked out yet.

Mr. Takacs asked if there will be lighting on the canopy only.

Mr. Howe said they may add some lighting but there will be no sideways spill.

Mrs. Stanton said it is so dark back there now.

Mr. Takacs asked about the cut-out on the site plan.

Mr. Hershman said it is green space but they want to add five more parking spaces there. He asked what if they make the parking spaces gravel.

Mr. Olivier said it will still count as lot coverage.

The board discussed the increase in lot coverage and shifting the five parking spaces over.

Mr. Howe explained the posts that are on the edge and said one is on the back edge.

Mr. Hershman said now that they have opened up the back area, it adds an element to the shopping center and livens up the back area. He said they also added 13 trees back there and explained the proposed mounding for the future restaurant.

The board viewed photos and discussed them with Mr. Hershman.

Mr. Olivier asked Mr. Howe if they can bury the tube.

Mr. Howe said they cannot bury the tube.

Mrs. Stanton asked if there will be cameras and a microphone.

Mr. Howe replied yes.

The board discussed the issues with this application.

Mrs. Stanton said that lighting is an issue and she hopes the trucks are careful coming around there.

Mr. Hershman said he was originally concerned but after analyzing the plans, they are in good shape and most of the trucks are Drug Mart's and they don't have many deliveries at night.

Mr. Takacs asked if more landscaping can be added.

Mr. Hershman said they added a lot of trees already.

Mr. Takacs asked if the dumpsters are for the Wine Reserve and the Breadsmith.

Mr. Hershman explained the location of the dumpsters and said they will stay the same.

Mrs. Stanton said the trucks need to be encouraged to use the service road.

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

Motion BZA 2003-52 – 16765 Chillicothe Road

Mr. Takacs made a motion to grant an amendment to a conditional use to add a pharmacy drive-up facility with the following variances:

1. A variance from the maximum lot coverage of 40% (existing lot coverage is 44.8% and the proposed canopy and parking equals an additional .76%) for a total lot coverage of 45.56%.

Based on the following findings of fact:

1. It is an extension of an existing conditional use (shopping strip center).
2. The board does not feel that it would be a negative use, or take away from the present use, or have any adverse effect on the existing strip shopping center.

With the following conditions:

1. The added lighting will be down-lit in the canopy.
2. As a result of building the canopy in the drive-through, there are five existing parking spaces in the rear that will be relocated to the right and east of the canopy in an area that is being constructed in the new part of Market Square.

Mr. Lewis seconded the motion.

Vote: Mr. Lewis, aye; Mr. Olivier, aye; Mrs. Stanton, aye; Mr. Takacs, aye.

Since there was no further testimony the public hearing was closed at 8:00 P.M.

Respectfully submitted,

Michael Lamanna, Chairman
Todd Lewis
Mark Olivier
Ellen Stanton
Donald Takacs, Vice Chairman

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

Date: December 18, 2003

Bainbridge Township, Ohio
Board of Zoning Appeals
November 20, 2003

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 8:00 P.M. by Mr. Donald Takacs, Vice Chairman. Members present were Mr. Todd Lewis, Mr. Mark Olivier and Mrs. Ellen Stanton. Mr. Michael Lamanna was absent.

Minutes

Mr. Takacs made a motion to adopt the minutes of the October 16, 2003 meeting as amended to add the following to the findings of fact for application 2003-47:

BZA 2003-47 – 8505 Rockspring Drive

5. The property owner was aware that he needed a permit per a quote from Auburn Fence Corp. dated March 9, 2002 and marked Exhibit A.

Mr. Lewis seconded the motion.

Vote: Mr. Lewis, aye; Mr. Olivier, aye; Mrs. Stanton, aye, Mr. Takacs, aye.

Applications for next meeting

Application 2003-53 by Mark A. Murphy for property at 17117 Catsden Road

The applicant is requesting area variances for the purpose of constructing a new single family dwelling. The property is located in a R-5A District.

Application 2003-54 by Boyer Signs & Graphics for Home Savings Bank for property at 7075 Kent Road (Route 43)

The applicant is requesting an area variance for the purpose of installing signage. The property is located in a CR District.

Application 2003-55 by Boyer Signs & Graphics for Home Savings Bank for property at 7075 Kent Road (Route 43)

The applicant is requesting an area variance for the purpose of installing signage. The property is located in a CR District.

Application 2003-56 by Heritage Development Company for property at PP# 02-420598 Aurora Road

The applicant is requesting a conditional use permit with area variances for the purpose of building a commercial retail center. The property is located in a CR District.

Since there was no further business, the meeting was adjourned at 8:14 P.M.

Respectfully submitted,

Michael Lamanna, Chairman
Todd Lewis
Mark Olivier
Ellen Stanton
Donald Takacs, Vice Chairman

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

Date: December 18, 2003