

Bainbridge Township, Ohio  
Board of Zoning Appeals  
November 9, 2006

Pursuant to notice by publication and certified mail, a special public hearing was called to order at 7:30 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Todd Lewis, Mr. Mark Olivier and Mr. Donald Takacs. Mr. Mark Murphy was absent. The following matters were then heard:

Mr. Lamanna welcomed everyone to the special meeting of the Bainbridge Township Board of Zoning Appeals. He noted that the board will handle the regular agenda at this meeting and the regular meeting will be used to hear another application. He explained the hearing process and swore in all persons who intended to testify.

Application 2006-34 by Mazzulo's Market for property at 16745 Chillicothe Road

The applicant is requesting area variances for the purpose of installing signage. The property is located in a CB District.

The zoning inspector's letter dated November 2, 2006 was read and photos of the site were submitted.

Mr. Brad Rosselot of Mazzulo's Market was present to represent this application.

Mr. Rosselot testified that they have done a little expansion in the last couple of months and showed the board the existing space and where they are headed and said they have taken an additional 1,200 sq. ft. from next door.

Mr. Takacs asked if the signs will be over the door.

Mr. Rosselot said yes and Market Square Confectionary is no longer there so they have taken that space.

The board reviewed the variance request.

Mr. Lewis asked Mr. Rosselot if he is with the sign company.

Mr. Rosselot said no, he is the owner.

Mr. Olivier asked if Mazzulo's is the same sign, just moved down to the center.

Mr. Rosselot said yes, they have renamed the business from Mazzulo's Butcher Block and Deli to Mazzulo's Market.

Mr. Takacs asked what it is today.

Mr. Rosselot said it is Mazzulo's Butcher Block and Deli and they are going to Mazzulo's Market.

Mr. Takacs asked if he is going to leave the Butcher Block and Deli in the middle.

Mr. Rosselot said that is correct because it is their window to the world being on Rt. 306.

Mr. Lamanna said they are within the size permitted and he is not sure it is three signs.

Mr. Rosselot said that is the issue and it is the issue of his sign guy but Mr. McIntyre has a different issue and if you look at the whole plaza and the building behind it, it is so easy to take that trim down and it is one, therefore it is one store front.

Since there was no further testimony this application was concluded.

Motion BZA 2006-34 - 16745 Chillicothe Road

Mr. Lamanna made a motion to grant the applicant a variance for the purpose of installing a sign.

Based on the following findings of fact:

1. The sign is located on three separate panels that together really exist only as a single sign for the business and in a fairly unified way.
2. It is within the size limitations so there is no significant issue with the sign.

Mr. Takacs seconded the motion.

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

Application 2006-26 by Janet Switzer for property at 7147 Rocker Avenue

The applicant is requesting area variances for the purpose of constructing a garage. The property is located in a R-3A District.

Mr. Lamanna made a motion to postpone application 2006-26 to the next regularly scheduled meeting to be held December 21, 2006.

Mr. Takacs seconded the motion.

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

Application 2006-18 by Billie Erickson, Lifespan Learning Communities/Frank Lanza  
Omni Lanza Bainbridge, LLC for property at 16716 Chillicothe Road - Continuance

The applicants are requesting a conditional use permit for the purpose of establishing a school/day program. The property is located in a PO District.

The zoning inspector's letter dated November 1, 2006 was read and photos of the site were submitted.

Mr. Dale Markowitz, Attorney for the applicant, Ms. Billie Erickson, applicant and Mr. Frank Lanza were present to represent this application.

Mr. Markowitz testified that after they were here before, at the board of zoning appeal's request, they went to the zoning commission to allow them to have an adult daycare because it was excluded from the definitions of schools, so now there is adult daycare and schools as a conditional use so they are back tonight for their application for a conditional use permit for Ms. Erickson's Lifespan program which encompasses childcare and adult care facilities. He said they meet all of the conditions and there are no variances that they need. He said the existing building already serves the Goddard School, and because this is a conditional use, they had to come in for a conditional use permit.

Ms. Erickson testified that she submitted to the board a pamphlet and information about her proposed school. She thanked the board for listening tonight and said she will explain what she does. She said they serve both children and adult individuals with autism and the staff is trained in the areas of autism and brain injuries. She said her history with the area of disabilities is that she has a son who was born with a heart defect and as a result, developed a brain injury so she has been involved with a group of professionals for all of those years who have supported them on how to support him, live with him and educate and help him. She said in the process of doing all of that, she became very involved with families and other agencies who serve children that are primarily autistic so they tend to hang out with people whose children have autism because the needs and level of degree of support is so intense. She said through those years she has gained a lot of knowledge and training and expertise in this area and has decided with her husband and a group of other families who have the same kind of need that there needs to be an agency that really specializes in this type of disability, particularly to support them through their lifespan so as their children are becoming teenagers, and eventual adulthood, there really is a need for specialized support so their intention is to provide school services, outpatient therapy and in this location they would also do rehabilitation for adults and teens, daycare, preschool and added that everything they do is in very small numbers. She said the professionals that they have worked with over many years are from the Cleveland Clinic Foundation and Kent State University and they serve as consultants to their business and they have a new staff of young professionals who have years of experience, somewhere between three and ten years of experience and they are continuing their training with the consultants who have been doing this for a long time.

Ms. Erickson continued by saying that they do art therapy, speech and language, occupational therapy, they have an outdoor experiential education and recreation program and the recreation program is adapted for people with disabilities and they try to do those things out in the community through Special Olympics and other recreation programs where they support the people with disabilities. She said their staff is certified in CPR, First Aid, Therapeutic Crisis Intervention, one of the staff members is an EMT and they are equipped to deal with emergencies, injuries and outbursts that could become potentially volatile, but it has never happened and they have never had to call for emergency back up and she has not seen that happen in the twelve years she has been working and associated with the other agencies.

Mr. Markowitz asked Ms. Erickson to tell the board what she is doing now.

Ms. Erickson said they have been operating since June at Centerville Mills and they started a summer camp program for individuals with disabilities and in August they opened their school services program and they have outpatient therapy, speech and language therapy, music therapy, social skills groups for individuals and plan to continue to do all of that and that location has worked out very well for them but the building is not really set up for it, but they like the property and the grounds.

Mr. Takacs asked if that will be moved to Mr. Lanza's facility.

Ms. Erickson said yes, all of the services they have been providing down there, will come up to Mr. Lanza's building. She said they will continue to use Centerville Mills for recreation and outdoor purposes and added that they love it there. She continued by saying that the individuals gradually develop an increased level of independence and they generally continue to need support but gain their independence as they go along. She said from a practical and operational standpoint, the business would be open from 8:00 A.M. to 6:00 P.M., Monday through Friday, initially, they will be open up to two evenings a week using the facility for educational purposes to support families or professionals who are seeking more knowledge and skills in these areas, and as time goes on, she foresees they will be open on weekends from 8:00 A.M. to 6:00 P.M. providing therapeutic services and respite and daycare for families. She said they never serve more than six individuals in a group and in the space that they want to rent, there would be no more than three groups at one time so the maximum capacity would be 18 clients and about six to eight staff members at one time and that would be a combination of school services and outpatient services as well. She said drop-off and pickup for school services would be around 8:30 A.M. and that would be ranging from one to six students at a time and if we are transporting them, we would pickup multiple students and bring them in. She said if school districts are transporting them one at a time, then they will come in one at a time.

Mr. Lamanna asked if mini school buses will be used.

Ms. Erickson said yes, usually and occasionally they will come on a big school bus and her son went to a school where occasionally one student would be transported in a giant bus.

Mr. Lamanna said the board wants to know what kind of vehicles will be used that will have to be accommodated.

Ms. Erickson said mostly vans will be used and for the outpatient therapies, families are bringing people in cars and they stay for an hour and then they leave.

Mr. Lamanna asked what the greatest number of people that are going to be arriving at any one time within a fifteen to twenty minute period will be.

Ms. Erickson said six.

Mr. Lamanna said that group would all arrive at the same time, it is not like a daycare center where there is a period of time that everybody comes in and another period where everybody leaves, this is more of a continuous flow.

Ms. Erickson said it is a continuous flow and there are more than two things going on simultaneously throughout the day and one is the outpatient services where people are coming and leaving every hour and then they will have up to six students who will come at 8:30 A.M. and leave at 2:30 P.M.

Mr. Lamanna said six people will arrive at about the same time so there will not be a big issue with 50 cars arriving at once, it will be a relatively modest number for pickups and drop offs.

Ms. Erickson said yes and they visualize that they would position their signs and have signs very similar to what Goddard School has now and position them the same way they did which is on the lawn opposite their front door indicating pickup and drop off. She said in the case of their clients if they are dropping them off or the school is dropping them off, the staff goes out to the vehicle and escorts the students into the building and in the case of outpatient therapies, the parents are either escorting the client in and leaving and coming back for them or they will stay and wait. She said the traffic pattern will be exactly the same as the Goddard School where it is already established in a one-way pattern which will work really well for Lifespan as well and will be very safe. She said she has been there when Goddard is dismissing in the evening and though there is a high flow of traffic through there for the Goddard School, it is very orderly and looks very safe to her.

Mr. Olivier asked Ms. Erickson if she is sharing a building with Goddard or if she is in another building.

Mr. Frank Lanza testified that it is the same building at the opposite end.

Ms. Erickson said as for parking spaces, they will need 12 parking spaces on a daily basis for employees and for the clients that come and go and in the evenings twice a week, they could get up to 18 cars but Goddard is not in session during those hours so there should be plenty of spaces.

Mr. Takacs asked of the 12 spaces and there will be six to eight employees, who are the other four spaces for.

Ms. Erickson said there are outpatient clients that come and go throughout the day, every hour.

Mr. Lanza said there could be up to 12 if they were all there at the same time.

Mr. Lewis asked if there are enough spaces in that section.

Mr. Lanza said there are 30 spaces there.

Mr. Markowitz said they did land bank some areas in case they need more.

Mr. Olivier asked Ms. Erickson if Lifespan has transportation of its own that will be parked there.

Ms. Erickson said right now they are not leaving it overnight but they will soon be leaving it and it is just one van.

Mr. Lanza said the Goddard School does the same thing, they have a little bus that they park there and it stays there.

Mr. Lamanna asked if there will be any outside activities at this location.

Ms. Erickson replied no.

Mr. Lanza said that is what Centerville Mills is for.

Ms. Erickson said right and they are out in the community at different places.

The board reviewed the conditional use requirements for this application.

Mr. Olivier asked about proposed signage other than the directional signage.

Ms. Erickson said there is a spot next to the door on the building for a sign.

Mr. Lamanna asked if there is an existing monument sign.

Mr. Lanza said there are monument signs at the entrance, one on each corner that is called Cambridge Commons and there is a Goddard School sign by the road and the other signs are actually right on the building.

Mr. Lamanna said so there will be no separate monument sign.

Mr. Lanza replied no.

Since there was no further testimony this application was concluded.

Motion BZA 2006-18 - 16716 (16706) Chillicothe Road

Mr. Lamanna made a motion to grant a conditional use permit for the purposes of operating a special education center as described in the application and such special education center being provided by provisions of Chapter 141.02.

With the following condition:

1. The applicant will need to comply with any of the provisions set forth in Chapter 117.13 (b), (d) and (e) to the extent they are applicable to the operation of this special education center.

Mr. Takacs seconded the motion.

Vote: Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Olivier, 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, Vice Chairman  
Mark Murphy  
Mark Olivier  
Donald Takacs

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

Date: December 21, 2006



Bainbridge Township, Ohio  
Board of Zoning Appeals  
November 9, 2006

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

Minutes

The board reviewed the minutes of the October 19, 2006 meeting.

Applications for December 21, 2006

Application 2006-26 by Janet Switzer for property at 7147 Rocker Avenue

The applicant is requesting area variances for the purpose of constructing a garage. The property is located in a R-3A District.

Application 2006-35 by Chagrin Cinemas for property at 8200 E. Washington Street

The applicant is requesting area variances for the purpose of installing signage. The property is located in a CB District.

Application 2006-36 by David J. Koenig for property at 18862 Rivers Edge Drive East

The applicant is requesting area variances for the purpose of constructing a detached garage. The property is located in a R-3A District.

Application 2006-37 by Sarah Sanders for property at 16653 Franklin Street

The applicant is requesting area variances for the purpose of constructing an attached garage. The property is located in a R-3A District.

Application 2006-38 by Giant Eagle, Inc. for property at 17675 Chillicothe Road

The applicant is requesting a conditional use permit for a change of ownership for a service station garage with convenience sales. The property is located in a CB District.

Since there was no further business, the meeting was adjourned at 8:22 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: December 21, 2006