

Bainbridge Township, Ohio
Board of Zoning Appeals
February 15, 2007

Pursuant to notice by publication and certified mail, a public hearing was called to order at 7:34 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Mark Murphy and Mr. Donald Takacs. Mr. Todd Lewis and Mr. Mark Olivier were absent. The following matters were then heard:

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

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

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

The zoning inspector's letter dated December 4, 2006 was read and photos of the site were submitted.

Mr. David Koenig was present to represent this application.

Mr. Koenig testified that he is filing for a variance for a sideline to put up a garage off the back of the concrete drive that can be seen in the picture and from the application and drawing. He said his truck does not fit in the existing garage that is on the house and the three toddlers' extra toys don't fit in there either.

The board reviewed the variance request.

Mr. Lamanna asked how far it is from the property line to the neighbor's house.

Mr. Koenig said he did not know.

Mr. Lester Hillier, 18880 Rivers Edge Drive, neighbor, testified that it is about 30' from the property line to the house.

Mr. Lamanna asked Mr. Hillier if he had any comments about this application.

Mr. Hillier said he appreciates that the board postponed it twice because he did have a problem with the way his house was sitting down in but Mr. Koenig said he would put some big pine trees along there and drainage so he won't have any water run-off. He added that Mr. Koenig needs a place to put his truck and he actually built a barn, then asked for a variance and explained where his barn is and he does not have a problem with what Mr. Koenig is doing now.

Mr. Koenig said the original drawing shows the building right off the back of the garage but he agreed to move it back another 15' so the drawings will be altered now and Mr. McIntyre said he could submit it to the board when he came. He said he moved the garage back so it would be next to his house and not in front of it.

Mr. Takacs asked if the garage will be in contact with the back of the drive or if it will be 15' further back.

Mr. Koenig said it will be 15' off the back of the driveway and he will continue the concrete from the existing pad to the garage, just the width of garage.

Mr. Takacs asked if it will be just the width of the drive.

Mr. Koenig said correct.

Mr. Hillier said the septic systems in Bainbridge really tie the residents in regarding where to put structures in their yards and that is what Mr. Koenig ran into, he cannot build so close to his septic lines.

Mr. Lamanna asked if there is a reason why, instead of running parallel to the property line, actually being perpendicular to the house.

Mr. Takacs said he notices there is a trellis in the back, off the corner, and asked why it could not be perpendicular to the house versus the property line.

Mr. Lamanna asked why the line of the existing garage doors could not be extended back.

Mr. Koenig said the big reason why he did not want to do that is that he has spent the last four years backfilling that area off the back of the driveway because it used to be a four foot drop, the grade that used to be there, so he spent the last four years creating a backyard because there used to not be one at all and if he puts the garage closer to the house versus closer to the property line, it is going to close off every bit of that backyard and all he will have from property line to property line is house and garage, there will be no accessibility to the backyard.

Mr. Lamanna asked what he meant by the backyard.

Mr. Koenig referred to the site plan and said where the vehicle is parked now is where the garage will be off the back of the drive.

Mr. Lamanna said it could be moved to the right slightly.

Mr. Koenig referred to where the trellis is and said it is an arbor that goes over a walkway that accesses the deck and if the garage were located in the place the board would prefer, he would have no accessibility to his backyard because the grade drops away to the rear and off the side property line and when he did the backfill, they had to bring in dirt.

Mr. Lamanna asked if the garage is going to be put where the grade drops off.

Mr. Koenig said no, they graded it off and it is a slow grade drop now and the grade drops basically in a directional pattern and the garage would sit just off the back of the driveway where it is fairly flat.

Mr. Lamanna asked if there is any physical reason why it can't be over farther.

Mr. Koenig said he is not sure of the distance to the septic holding tanks because they are in there somewhere and the physical reason for him is the functionality to the backyard.

Mr. Lamanna said unfortunately, if someone wants to build a big garage, they have to give up something in return.

Mr. Koenig said that is exactly why he is only building a 14' garage, but he would like to have a big garage.

Mr. Lamanna said right now it does not look like they are using the space back there.

Mr. Takacs said it looks like there is a lot of lawn back there and a garage up by the house is not going to matter that much, there is a big area back there.

Mr. Koenig said but when he pulls into his drive in his yard, he will not be able to access that unless he goes to the left toward Mr. Hillier's house, where the grade does drop to the left.

Mr. Takacs said it does not drop that much according to the pictures.

Mr. Lamanna said in looking at the pictures, it looks like the way the applicant wants to go is actually worse as far as the drop-off.

Mr. Koenig said it will drop off to the left and explained that straight off the back, the grade is dropping away and added that, to him, the big problem is aesthetics and whatever he has put into his backyard will be lost if he has to put the garage in the middle and that is why he worked so hard with Mr. Hillier to make it try to work for him with his property line.

Mr. Lamanna said the board is not talking about putting the garage in the middle of the backyard they are talking about putting it at the end of the drive.

Mr. Koenig said when he said middle he meant the middle of the back of the driveway.

Mr. Lamanna said it should be oriented with the house so that it is on the same plane as the house.

Mr. Koenig asked if the drawing shows it at an angle.

Mr. Takacs said the drawing shows it at an angle and it actually shows it closer to the side yard lot line and the proposed place for the garage shows 14', it is encroaching more on the side lot line and added that it looks like two different dimensions here.

Mr. Lamanna asked how far it is from the corner of the house.

Mr. Koenig said it may be 20', but if it is going to be back 15' it will be that difference, it will be at an angle because we are moving the new garage back 15'.

Mr. Takacs asked how the backyard will be accessed.

Mr. Koenig explained per the aerial, that all the space between the existing and the new garage would still be open.

Mr. Takacs asked if he is going to drive vehicles or lawn mowers back there.

Mr. Lamanna said it is going to go back 15' farther.

Mr. Koenig explained the location of the entrance to the new garage and it will give him space off the back of the driveway to access the backyard, and added that it is mostly lawn mowers and his kids have powered four-wheelers and he showed where the sandbox and swing set are per the site plan.

Mr. Lamanna said he does not see any reason why this garage cannot be on the line parallel to the side of the house.

Mr. Koenig asked if he could make it parallel to the side of his house and keep it to the property line.

Mr. Lamanna said the board is trying to get it as far away from the property line as feasible and part of the deal is if a variance is granted it is the minimum variance granted to obviate the difficulty that the applicant has. He said in this case, a 34' variance is being requested and the primary reason for at least 8' – 10' of that is to keep it away from the backyard and there is no physical obstruction that says it cannot be moved over and straight back, especially since it is going to be moved back anyway, so it allows plenty of room to go between the house and the garage to get into the backyard because there will be a 15' opening there now.

Mr. Koenig said if it is moved toward the house, there won't be any opening there.

Mr. Lamanna said there will be 15' going back.

Mr. Koenig said that would really put it in the middle of the functional area of the backyard.

Mr. Takacs asked how big the backyard is because the photos show a lot of grass there, a lot of area.

Mr. Koenig said he does not know the dimensions of his backyard but the grade falls coming off of the deck and back to the driveway down a sloping grade and he is not sure what photos the board has.

The board reviewed the photos.

Mr. Koenig said the sandbox is basically the point where it becomes a flat, functional ground for using the backyard.

Mr. Lamanna said these pictures look like there is a continuous slope from the back of the driveway.

Mr. Koenig asked to look at the photos and said the picture is pretty much taken at the point where the slope stops and flattens out into flat ground.

Mr. Lamanna said it looks like there is 40' – 50' at least in the back of the garage.

Mr. Koenig showed the board the location of the first septic line and said that septic line is, he believes, 55' off the back of the drive, which is the reason they are allowed to get 15' off the drive so they will be away from the septic lines.

Mr. Lamanna asked what the dimension of the pad is and said one of the problems here is what has been given to the board to review is inadequate for trying to make a decision.

Mr. Koenig said when they were going off the back of the pad, the 14' garage was two feet to the left of the sideline of the drive so it would have put that right at the seam of the concrete which leaves 12' which means there is another 12' – 15' between the seam and the actual garage and the total dimension of the concrete pad is 27' or 26' so this for him is the best picture to justify what he is talking about. He said if the garage was right here (he showed them on the site plan), he would have no visual access to his backyard when he pulls into the driveway.

Mr. Takacs said there are no obstructions and it does not even fall off that much.

Mr. Koenig said that grade is pretty much going to be the same from one side of the pad to the other.

Mr. Lamanna said it could be moved over 10'.

Mr. Koenig said the issue for him is that he has spent so much time making the backyard what it is, it was a cliff off the back of the drive before and a swamp at the bottom of it and he spent so much time making that backyard and now to drop that garage there, it will be in the center of all that area that he has created.

Mr. Lamanna said the area lost would be about 10' x 26'.

Mr. Takacs said the board is being asked to grant a 36' variance.

Mr. Koenig said his problem is the space that gets lost to the left of the garage, if he could push the garage over as far to the left as he can, it creates more functional space in the center of the yard versus if the garage is moved to the center, we will lose whatever is over to the side plus what we are losing in the center.

Mr. Takacs said you are asking for a variance because you are supposed to stay off the property line and you are asking for a 36' variance which is significant.

Mr. Koenig said he understands that and his big reason for postponing for two months is to try to get his neighbor, who it does directly impact, to understand that and we have both agreed to work together to make that work. He said when he first started working on this awhile back he was told that the covenant for the development and the township and for their subdivision is to go to the neighbors.

Mr. Lamanna said it is not a question of what your neighbor thinks about it.

Mr. Koenig said he understands that it has to do with township zoning.

Mr. Lamanna said there is a standard that says the side yard has to be 50' and to grant relief from that, there has to be a physical reason why that can't be met and to the extent that the house is already there, placed where it is, that is somewhat of a physical reason. He explained that zoning is in place for a purpose and if the rules are strictly applied, the board could say you cannot build anything there at all or put it in your backyard, but the board is trying to at least make a reasonable accommodation here, but to say, you want to put it 14' from the side property line, that is a huge variance and the only reason that has been presented is a little bit of the backyard will be lost and that is the trade-off to do this.

Mr. Lamanna continued by saying the board will look to find the minimum that is actually needed to do this in a way that is reasonable in terms of the existing placement of the house by lining it up with the side of the house within a couple of feet of it and having it going back parallel to the house, at least it is running away from the property line and it will look less like a freestanding building or like part of the main structure all of which will lessen the impact and there is no reason why it can't be done that way other than 460 sq. ft. of the yard that will be lost. He said he understands that a lot of work has been done but that is the situation.

Mr. Koenig asked what the physical reason is why he could not put the garage on the line or closer to the line.

Mr. Lamanna said if there is a physical situation that prevented the applicant from following the rules, for the board to grant a variance, there has to be a practical difficulty and there has to be something about the lot or what is already on the lot, the physical condition of the lot, that would prevent the garage from being put there, like if there was a giant rock outcrop that was sticking up at a particular point and nothing could be built there without dynamiting out some giant piece of property, then the board would say that is okay, or if the applicant had a part of their septic system there, the board would grant an allowance for that because technically a septic system is something that is in control of the property owner but it is recognized and in this case, the board could easily get this up to 25' with very little impact on the applicant and the impact has to go on the person seeking the variance.

Mr. Koenig said that is what he was asking, what is the physical reason why it could not be on the line in this situation.

Mr. Lamanna said it is not a question of a physical reason, it is the zoning.

Mr. Koenig said the variance is what is willing to be allowed.

Mr. Lamanna said the rule is the setback and it is the applicant's burden to demonstrate that there is a practical difficulty and there has to be something about the property that prevents the applicant from building a structure in a place that complies or if a person is entitled to a variance they are only entitled to a minimum variance necessary to overcome whatever difficulty there is and the board will not ask that this building be placed behind the house, that would be unreasonable.

Mr. Koenig said with coming over to line up with the front of the garage to the right side of the garage to line up with the front side loading existing garage, he does not know if that would fit with the septic tanks where they are, it may be too close to the septic tanks.

Mr. Lamanna asked Mr. Koenig if he knows exactly where the septic tanks are.

Mr. Koenig said he knows where they are but he does not know what the distance would be at that point, he has a septic map but once the garage is moved over and if he put it 14' away from the line it would have been far enough away from the tanks.

Mr. Takacs asked if the septic system comes out of the basement or somewhere in the garage.

Mr. Koenig said it comes out the back of the house.

Mr. Takacs said the existing garage is probably 20' deep.

Mr. Koenig said it is 20'.

Mr. Takacs said if it goes straight back it would be at least 20' away.

Mr. Koenig said the septic does not come straight out of the back, it is at an angle and the tanks come out at an angle. He explained the location per the site plan and said the tanks are right off the back of the deck.

The board reviewed the location of the septic tanks in relation to the house.

Mr. Lamanna explained where the garage could be placed and lined up with the house and there would still be a view.

Mr. Koenig said he would really like to keep something between the garage and the house.

Mr. Lamanna said that would provide 8' – 10'.

Mr. Koenig said per the original drawing when it was up on the driveway, the right edge of the garage goes dead center on the drive because it was 2' off the edge and then 12' over to the center.

Mr. Lamanna said it would be over 8' to clear the trellis.

Mr. Koenig asked at that point if it would be parallel to the wall or the property line.

Mr. Takacs said it would look better for the whole layout if it was parallel to the side of the house or perpendicular to the back of the house.

Mr. Koenig said he spent four years thinking about this since he bought his house and he pictures it going off the back of the driveway.

Mr. Takacs said the problem is, there is no hardship here and the board gets requests for variances all of the time and this is one where there is really no physical hardship that says you cannot move it over some and this is a significant variance request.

Mr. Lamanna said everybody that comes in wants to position the structure so it is most convenient for them so it gives them the best thing to look at in the backyard etc. and they maybe don't want to cut down a tree or something but once the board goes down that road, there no longer becomes any objective standard.

Mr. Koenig asked if he went 20' off, what it would be.

Mr. Lamanna suggested 25'.

Mr. Takacs said it is still a 50% variance.

Mr. Koenig asked if he goes with a 25' side yard setback, does the front and back matter to the board, and he will cover that with Mr. Hillier, but if it is moved closer to the house now, it is almost a matter that he would move it closer to the driveway again.

Mr. Lamanna said no matter where it is, it will be farther away than it was before.

Mr. Murphy said there are new zoning regulations that whenever possible to not go any closer to the side yard lot line than the house is already and added that he would hate to lose the trellis and the walkway, but the garage could just as easily be turned 90 degrees and add the other door right next to the existing door, one wall could be gained and it would eliminate the entire need for any variance whatsoever and it is another possibility.

Mr. Lamanna said he may be closer to his septic.

Mr. Koenig said he thought about that and thought about extending the garage but because of the length of his truck, it just does not fit. He said his chimney bumps out into his garage and the access door into the house is on the right side of the garage as you pull in and his truck could barely fit in there and he does not know if the next one will fit in there but you can't get out of the house once the truck is in the garage that is how tight it is.

Mr. Murphy said he does understand that and just wanted to ask.

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

Motion BZA 2006-36 – 18862 Rivers Edge Drive East

Mr. Lamanna made a motion to grant the applicant the following variance to the side yard setback requirement for the purposes of constructing a detached garage according to the size and plans as shown in the applicant's application.

1. A variance from the required side yard setback of 50' to 25' for a variance of 25' with the line of the detached garage being parallel to the side line of the existing structure.
2. The applicant will also plant four pine trees along the side of the new structure to help screen from the adjacent property owner.

Based on the following findings of fact:

1. A practical difficulty exists due to the width of the lot and location of the existing house.
2. With the proposed location and planting the trees, it should have minimal impact on the adjacent property.

Mr. Takacs seconded the motion.

Vote: Mr. Lamanna, aye; Mr. Murphy, aye; Mr. Takacs, aye.

Application 2007-2 by Nicholas D'Amico for property at 18367 Snyder Road

The applicant is requesting an area variance for the purpose of constructing an addition. The property is located in a R-5A District.

The zoning inspector's letter dated January 29, 2007 was read and photos of the site were submitted.

Mr. Nicholas D'Amico was present to represent this application.

Mr. Lamanna stated that the applicant is requesting a variance of 29' on the front yard requirement because it is a corner lot.

Mr. D'Amico testified that he wants to add on 20' to the south end of the house that faces Taylor May Road. He said it will have all new siding and all new windows throughout the house so if you were to look at it today and come back and look at it a month after it is built, it will not look like an addition.

Mr. Lamanna asked if there is a wooded area along Taylor May Road that will stay.

Mr. D'Amico said yes, it is about 50' wide.

Mr. Takacs said the only reason the applicant is here is because it is a corner lot, so there are two front yards.

Mr. Lamanna said the house behind this one is the next house down the road.

The board viewed the photos of the site.

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

Motion BZA 2007-2 – 18367 Snyder Road

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

1. A variance from the required front yard setback of 100' to 71' for a variance of 29' for a second front yard on Taylor May Road.

Based on the following findings of fact:

1. A practical difficulty exists because the applicant has a corner lot which requires two 100' setbacks.
2. Seventy-one feet is much greater than the normal 50' side yard setback.
3. The area between the house and street is wooded.
4. Any of the adjacent buildings are of such distance away that they will not be adversely affected.
5. Granting this variance will not have any impact on the surrounding look of the neighboring properties.

Mr. Takacs seconded the motion.

Vote: Mr. Lamanna, aye; Mr. Murphy, aye; Mr. Takacs, aye.

Application 2007-3 by Jataya Wren-Wiley for property at 16682 Lorain Street

The applicant is requesting area variances 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 January 29, 2007 was read and photos of the site were submitted.

Ms. Jataya Wren-Wiley and Mr. Michael Wiley were present to represent this application.

Ms. Wiley testified that she would like to build a two-story home and they are in the process of clearing the lot right now, but it is not cleared yet.

The board reviewed photos of the site.

Mr. Lamanna asked how many lots there are.

Ms. Wiley said she has nine lots but she just obtained the two lots off the back from the Land Bank.

Mr. Takacs said there are seven lots.

Ms. Wiley said she is just going to put the house on the five lots.

Mr. Takacs said in looking at this, the house will be 30' off the front and wondered why the house was set at 30' with 42' in the back.

Ms. Wiley said there was no reason, her dad drew it up and they can put the house where the board thinks it is best.

Mr. Lamanna asked what the rest of the houses on that street are.

Ms. Wiley said that is one reason her dad put it there is because he went out and measured and there is only one house on that side of the street and he measured how far back that house is located.

Mr. Lamanna said so it is lined up with what is there already.

Ms. Wiley replied yes, rather than have it too far back or too far forward.

Mr. Lamanna said he thought it was probably pretty consistent with what the board has been granting for setbacks.

The board reviewed the variances requested.

Mr. Lamanna said with five lots it is pretty consistent with what we want to see.

Mr. Murphy asked if the lots are built on, on the corner of Lorain and Huron.

Ms. Wiley said there is a house on the corner of Rocker and Kent Street.

The board discussed the neighboring lots.

The board asked what the object is on one of the neighboring lots per the aerial photo.

Mr. Shane Wrench, Assistant Zoning Inspector testified that it is a car.

Ms. Wiley explained where her lots are located per the aerial photo.

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

Motion BZA 2007-3 – 16682 Lorain Street

Mr. Lamanna made a motion to grant the applicant the following variances.

1. A variance from the minimum required front yard setback of 100' to 30' for a variance of 70'.
2. A variance from the minimum required side yard setback of 50' to 15' for a variance of 35' on one side.
3. A variance from the minimum required side yard setback of 50' to 23' for a variance of 27' on the other side.
4. A variance from the maximum lot coverage of 10% to 15% for a variance of 5%.
5. A variance from the minimum lot acreage requirements from 3.0 acres to .41 acres for a variance of 2.59 acres.

Based on the following findings of fact:

1. These are pre-existing lots of record.
2. The applicant is combining seven of these lots and ultimately nine for a building site.
3. The size of the building being proposed for the site is reasonable.
4. It is consistent with the setbacks in the neighborhood and will not unduly impact the neighborhood or any of the adjacent properties.

Mr. Takacs seconded the motion.

Vote: Mr. Lamanna, aye; Mr. Murphy, aye; Mr. Takacs, aye.

Application 2007-4 by McMillon Construction for property at 7045 Lewis Drive

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

Motion BZA 2007-4 – 7045 Lewis Drive

Mr. Lamanna made a motion to postpone this application to the next regularly scheduled meeting to be held March 15, 2007 at the request of the applicant due to his illness.

Mr. Takacs seconded the motion.

Vote: Mr. Lamanna, aye; Mr. Murphy, aye; Mr. Takacs, aye.

Application 2007-5 by Larry Licata of Cicogna Electric Sign Company for Bainbridge North Land Development, LLC for property at 7020 Aurora Road

The applicant is requesting area variances for the purpose of installing ground signs. The property is located in a CR District.

The zoning inspector's letter dated February 5, 2007 was read and photos of the site were submitted.

Mr. Larry Licata of Cicogna Electric Sign Company was present to represent this application.

Mr. Licata testified that there has been a change since last week regarding the ground signs and they had originally proposed two tenants in that space (Steak "n" Shake and BW3) and now Steak "n" Shake is buying the sign and they want the whole space for that. He said it is a 6' x 4' sign or 24 sq. ft. and they will just be taking up two spaces on that one sign.

Mr. Takacs asked if BW3 did not want one.

Mr. Licata said he was not sure what the story was and said this might not even require a variance, but since Mr. McIntyre was going to be on vacation for a couple of weeks, they wanted to get this into production. He added that Steak "n" Shake wanted this done in a couple of weeks and if he could get approval tonight, he could start the manufacturing of the sign even though it won't go up for another four weeks.

The board reviewed the proposed sign.

Mr. Lamanna asked if it was 24 sq. ft.

Mr. Licata said yes and instead of two panels it would just go into one Steak "n" Shake sign.

Mr. Takacs asked Mr. Licata who he is representing.

Mr. Licata said he is with the sign company and is representing Steak "n" Shake and Bainbridge North Land Development Company and added that Mr. Matt McGill is in Florida and he has given us written authorization. He also said that Steak "n" Shake has contracted with his company to build the sign.

Mr. Lamanna asked what the issue is.

Mr. Shane Wrench, Assistant Zoning Inspector testified that originally it was going to be two signs with BW3 on the sign on Steak "n" Shake property which would be off-premise advertising.

Mr. Lamanna asked where the BW3 will be.

Mr. Wrench said it is going to be behind it in a separate building.

Mr. Lamanna said with this whole project, we are treating the center as unitary and the dividing up of separate parcels is done for more of a convenience for the tenants and when we allowed them to do that, we said that we are treating these things as a whole so the board should clarify for the future standpoint, and referred to the tenant sign in the front, and technically if they had their own properties, they would all be off-premise so for the future unless someone disagrees, the board will treat this whole center as one property for the purposes of determining signage and no sign on the property will be treated as off-premise because somebody happens to own their own lot because some people do and some people don't.

Mr. Takacs said so if they put the sign up front, it is still treated as one property.

Mr. Lamanna said yes and we should be treating this as a single development.

The board discussed the location of the existing roads, buildings and existing and proposed signage.

Mr. Licata said the restaurant has frontage on Rt. 43.

Mr. Takacs said it looks like BW3 is also located on Aurora Road.

The board continued reviewing the application and the height limitations for ground signs and discussed the standards for ground signs.

Mr. Lamanna said that this sign needs a height variance and asked Mr. Licata if he is dealing with all of the signs for Steak "n" Shake.

Mr. Licata said he is just dealing with the ground sign.

Mr. Murphy stated that he thought Steak "n" Shake had been to the board and requested variances for their wall signs.

The board reviewed the meeting minutes for application 2006-23 (July 20, 2006) regarding previously granted sign variances for Steak "n" Shake and it was determined that this sign requires a variance because of the total square footage requested.

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

Motion BZA 2007-5 – 7020 Aurora Road

Mr. Lamanna made a motion to grant the following variances for the purposes of constructing a ground sign as shown in the application.

1. A variance from the 6' maximum height of the sign to 6'-4" for a variance of 4".
2. A variance to the total signage allowed on the premises noting that the applicant had already previously received a variance to have two wall signs and those combined wall signs consumed the total allowable signage so the 48 sq. ft. of this sign represents a variance to that previously permitted.

Motion BZA 2007-5 – 7020 Aurora Road - Continued

Based on the following findings of fact:

1. The applicant has a two-sided building facing two different roads.
2. Having the additional square footage of signage represents the additional wall sign on the secondary access road.
3. The signage on the main frontage of the building with the wall and ground sign together would comply, therefore it is reasonable additional signage for this location.

Mr. Takacs seconded the motion.

Vote: Mr. Lamanna, aye; Mr. Murphy, aye; Mr. Takacs, aye.

Since there was no further testimony, the public hearing was closed at 9:12 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: March 15, 2007

AUDIO RECORDING ON FILE

Bainbridge Township, Ohio
Board of Zoning Appeals
February 15, 2007

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 9:12 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Mark Murphy and Mr. Donald Takacs. Mr. Todd Lewis and Mr. Mark Olivier were absent.

Minutes

Mr. Lamanna made a motion to adopt the minutes of the January 18, 2007 meeting as written.

Mr. Takacs seconded the motion.

Vote: Mr. Lamanna, aye; Mr. Murphy, aye; Mr. Takacs, aye.

Applications for March 15, 2007

Application 2007-4 by McMillon Construction for property at 7045 Lewis Drive - Continuance

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

Application 2007-6 by Gregory J. Hanson for property at 9270 Taylor May Road

The applicant is alleging error by the zoning inspector. The property is located in a R-5A District.

Application 2007-7 by Gregory J. Hanson for property at 9270 Taylor May Road

The applicant is requesting a variance for the purpose of maintaining outside storage within the required front yard setback. The property is located in a R-5A District.

Application 2007-8 by Alan Bobnar for property at 16780 Snyder 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 2007-9 by Dan Glavin of Glavin Industries for McGill Property Group for property at 18825 N. Market Place Drive

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

Application 2007-10 by Signature Sign Company for Dress Barn for property at 18845 N. Market Place Drive

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

Application 2007-11 by Archer Sign Corp. for McGill Property Group for property at 18855 N. Market Place Drive

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

The Bainbridge Township Board of Zoning Appeals set a public hearing on the above applications for March 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.

Since there was no further business, the meeting was adjourned at 9:17 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: March 15, 2007