

Bainbridge Township, Ohio
Board of Zoning Appeals
April 15, 2021

Pursuant to notice by publication and ordinary mail, the public hearing was called to order at 7:02 P.M. by Mr. Michael Lamanna, Chairman. Members present in person were Mr. Michael Corcoran; Mr. Ted DeWater; Mr. Joseph Gutoskey and Mr. Todd Lewis. Mr. Steven Averill, Assistant Zoning Inspector was present in person to monitor and host the Zoom meeting.

Due to the COVID-19 Social Distancing guidelines this meeting was held virtually via Zoom.

Mr. Lamanna welcomed everyone to the regular meeting of the Bainbridge Township Board of Zoning Appeals, explained the public hearing process and stated that individuals will be sworn in when the application is started.

Mr. Lamanna swore in Mr. Steven Averill, Assistant Zoning Inspector and he let the record reflect that Mr. Averill was duly sworn.

Application 2020-37 by 7273 Miller Properties LLC/Handy Rents at 7812 E. Washington Street - Continuance

The applicant is requesting a substitution of a non-conforming use to permit a rental business in a residential district, variances relevant to lot consolidations *and area variance(s) for the purpose of constructing an accessory building*. The property is located in a R-3A District.

Mr. Mike Miller, Mr. Patrick Miller and Mr. Mark Kobosky were present in person to represent this application.

Mr. Lamanna swore in Mr. Mike Miller, Mr. Patrick Miller and Mr. Mark Kobosky and he let the record reflect that Mr. Mike Miller, Mr. Patrick Miller and Mr. Kobosky were duly sworn.

Mr. Mike Miller testified that he is the President of Handy Rents, 7273 Miller Properties and he is here with Mr. Patrick Miller, Vice President and Mr. Mark Kobosky, their facilities manager. He said he wants to say hello to all the board members and they want to thank the board for helping them to work through all of the many issues that they have come to find out here. He said they have resubmitted the new drawings as requested and some of the things that the board wanted them to look at like lot coverage, the entryways to the business, there are two of them, they cut those down. He said he hopes the board has found them to be business owners who reacted well to the board's advice and suggestions as well as the concerns of their neighbors here on E. Washington Street. He said he has had multiple discussions with the neighbor and recently, within the last 10 days, they asked her what the noise levels have been like and she said they have been very good and he gave her his personal phone number and told her that if there

are other issues to contact him. He said they feel that these latest drawings and information address the last concerns with the driveway, the relocation of the parking spots from one side to the other and then flipping the man-door on the proposed building to the other westerly side of the property and just wondered if you folks have any questions about those.

Mr. Lewis said he does, he was looking on your latest set of site plans and in the back area, the area between where you denoted the parking spaces and the new equipment building.

Mr. Miller said yes.

Mr. Lewis said it seemed to him that on the original site plan you had a designated a storage area for parking trailers and such and there was going to be a defined area that would be designated. He said he sees that you did and he just wants to verify. He said the original site plan had the parking spots and he thinks you were maybe going to use some of them if you had to back a trailer in or something, it was for outside storage of bigger objects that couldn't go into a pole barn.

Mr. Miller said yes, that will accommodate some of them but not every single one in other words they have three parking spots up front, they were planning on using those for the customers who come in and making the employees park in the back here in the new designated spots so at any given time there could be three or four employees and that leaves just a couple of spots and we have to have a handicap spot or two available for folks so it doesn't leave a lot of room for putting any trailers anywhere.

Mr. Lewis asked where those will go.

Mr. Miller said they will be just lined up probably in here (he referred to the site plan) or maybe they will put a few in the middle, they don't know exactly how it will lay out because when once the building is up and they don't have an actual plan for where they could put every little piece and it would be difficult to get locked into, well you have to park everything right over here or right over there because besides these pieces of equipment they have about 11 trailers there right now, they own two trucks that are there, they have towable lifts and they are long, even a trailer.

Mr. Lewis asked where those are going to reside.

Mr. Miller said they have some space over here (he referred to the site plan), obviously the building is here, they can line up these items here, we know not to line them up over on the other side because they were told that you guys wanted them on the other side which is fine and that is the plan and now they would like to do it but understand that when folks want to come in and pick up something it is not like going to the convenient food mart where you can go in and get yourself a loaf of bread and then come and then you are gone. He said at their place the customer is going to pull up front, they will come in and say they are here for their trencher or rototiller, we can either do the paperwork right then and send them around the back but when you have multiple customers and this doesn't happen every single time but frequently you are going to have more than one customer at a time so you've got to be able to have a system by which you can send these customers around to the back and let's say they will come back and they pull in and they are told they are going to have to stay here until we can get them loaded up so there could be two or three or four customers at a time, we don't know, they might have a truck or a trailer, they might have their own trailer, they might have a hatch-back vehicle and we got to get them loaded up and get them out of there so we can take care of the next person. He said in the wintertime they are not very busy, they are very seasonal because of the weather in Ohio so it is just the way things flow and you have to have room to function, if they can't swing people around, they will have people trying to back out with a trailer, it just gets crazy and they can't get two scrunched in because how do you function, it is just the nature of this business.

Mr. Lamanna said he thinks really what we are looking at, it is not so much that everything is going to be fixed in some location and obviously during the day you are going to need to be moving stuff around and maybe if somebody is coming for a big piece of equipment you are going to put it in a position and what the board is looking for is that at the end of the day, this is where the stuff will be stored.

Mr. Miller said it will be orderly, he can tell you that.

Mr. Lamanna said we realize that during the day you may be moving something out of the way or getting it ready and positioning it so somebody can easily come up and get it, that sort of thing, but at the end of the day there is not stuff everywhere, that is really all we are looking for.

Mr. Miller said honestly it is orderly now.

Mr. Lamanna said this is the place we are going to put things on a regular basis.

Mr. Miller said they want to be orderly, they want to have them in a line.

Mr. Lamanna said nobody is going to come out because something got left over on the other side now and then, that is not obviously what we are looking for, we are looking for this is the area where equipment is going to be stored on a long term basis and we realize on a daily operational basis we are not trying to say oh no you have to keep it all here you can't move it over because it is in the way and you have to get it out of the way and get the thing next to it out of the way, you can leave it over there for the day until you move it back later in the day or you have to get something out and you want to park it on the other side because you know you've got a customer coming in at 2:00 and you want it easy for him to get.

Mr. Miller said they let us know when they are coming in, we make a reservation on our computer system but then there are other customers who come in and it is just haphazard, someone will come in and say he wants to rent a tiller, do you have one, yes we do and out he goes.

Mr. Lewis asked how tall the side screening fences will be.

Mr. Miller said they wanted to get the maximum, the idea was they have discussed this before but we were going to build up the ground and put in very long 4 x 4s so that they go down deep and they don't move around and they want to have an 8' fence, he had talked to Ms. Endres about this and she said they were allowed up to an 8' tall fence so they were going to do that to block the view of the neighbors so they don't see so much and also their new neighbor who built a house sort of behind us, behind the other property, by putting this fence up all the way there and then putting some nice evergreen type plantings and things around it.

Mr. Gutoskey said he has some questions on that. He said last month you (Mr. Miller) were here and it shows the fence and the parking 10' off the property line and then he asked if you can get a little more 15' to 20' in but your new plan you brought in shows the fence and parking basically jammed right up against the property line so the question he has is how do you do mounding and a fence when you basically have your parking right up to the property line on both sides, we are getting parking and a building and a buffer that should be there.

Mr. Miller said there is a mound there already and they are just going to extend it.

Mr. Gutoskey asked if it is on their property.

Mr. Miller said it is on the property and some of it may be partially on that residential lot that we own next door.

Mr. Gutoskey said the problem is, when you look at this plan it shows basically gravel or an improved area or whatever that means, he assuming it is your parking lot right up to that fence which is pretty much on the property line.

Mr. Miller asked are we talking about the residential side or the other side.

Mr. Gutoskey said both sides, both are residential and he doesn't see what you are doing for landscaping like a buffer of landscaping there, around the building or around the property line, there is really nothing there.

Mr. Lewis asked Mr. Gutoskey if he understands what he is saying that if you are building the fence right on the property line how do you create a mound because you are not improving the adjacent property that you own, you are improving this property so the mound would have to be entirely on this property and maybe that has got to be 6' or 8' wide and then you are going to plant a fence on the top of it so to Mr. Gutoskey's point to create a mound this fence could not possibly be on the property line because you can't build a mound on another property so the fence needs to come in to provide for the width of a mound, and asked Mr. Gutoskey if that is where he is going.

Mr. Gutoskey said yes, he thinks the parking needs to be at least 10' off the line if not 15' instead of jammed against the property line.

Mr. Miller said he misspoke when he said that the mound will only be on the one side that is against where the residential lot is where the neighbor can look in because their property sits higher than our property.

Mr. Lewis said then that fence would have to come in.

Mr. Miller said if it comes in whatever amount of feet we would need to bring it in, we will do that. He said as far as the other side it gets you closer to the property line.

Mr. Mark Kobosky testified that they can't mound on the other side, the eastern because there are tall Pines there and we would kill them with any kind of mounding there and we are allowed to put the fence on the property line there.

Mr. Gutoskey said you can but his own personal feelings are and he doesn't know how everybody else feels but he doesn't like to see the parking and parking lot jammed against the property line.

Mr. Kobosky said that is the way it is existing right now, it is not like we are going to add this too and what we tried to do is we tried to put up cones where the original thought was to let's pull it in, let's get 15' on this side and 12' to 15' on this side. He said when they actually tried to turn someone around in there, if we had to stop trailers out there which they are not going to pull into this new barn, it becomes unsafe, you can't get around, you can't make the turnaround if a guy comes in with a truck and a trailer and we have to have a turnaround space in there because many of our customers come in with their own trailers to pick up the bigger equipment, two to three a day at least and they can't do the turnaround in there, if we bring that in and still try to move a trailer, it doesn't work so we need to keep that original width of the property back there so we can get that turnaround, now if you demand that we make little bumpers on the inside of the fence we are the only ones looking at it on the fence side, it doesn't help our neighbors to have that planting on the inside of the fence.

Mr. Gutoskey asked how high of a mound are you thinking of doing.

Mr. Kobosky said they are going to have to do a cut on the parking lot as it is.

Mr. Gutoskey said right, on the west side.

Mr. Kobosky said on the west side 3' to 4', there is a lot of dirt there, so we already have that height up there that we could roll down a couple of feet if we dig our posts in first and then roll it back up to the fence so that it is going to be rolled up to the bottom of the fence.

Mr. Gutoskey asked how high of a mound do you think you will have on the east side.

Mr. Miller said a couple of feet.

Mr. Gutoskey said on the east side, not to the west.

Mr. Kobosky said on the east you can't do a mound because there are Pine trees there and we would kill them by snuffing out the roots there.

Mr. Gutoskey said so with the gravel in the parking lot, that doesn't hurt the roots either.

Mr. Kobosky said it has in some spots and we don't want to do that anymore because the trees will die.

Mr. Gutoskey said wouldn't it be better to pull the parking lot away from the property line and put the fence there then.

Mr. Kobosky said they are not parking a lot right there now, they can make some of that grass but they do need that turnaround for staging and if a trailer is sitting there, if there is traffic all of the time it is different from bagging something up and let it sit there. He said if they brought those in and put the trailers in they lose the turnaround and it becomes to where now how do they get a truck and trailer turned around in there, they don't have the width anywhere and once you turn it into a long tunnel and try and put trailers outside it is just not feasible to do that and then be safe too because we get customers coming in now to get stuff in the back, how are we going to turn around. He said their goal is to turn around a customer and not send them all back to the front and turnaround and wait until we can bring the equipment out to them so we are not hauling equipment all the way from the back to the front, short loading zone with the truck facing out to load them or unload them and make a quick quiet process the best they can and safe too, we are thinking about these people that are coming in to get small things, a lot of this is going to be an on-going process for them too so create the safety and turnaround area and a storage area of their trailers.

Mr. Gutoskey said so what you are saying is the plan you presented to us last month didn't work.

Mr. Kobosky said it didn't physically work, he told the guys to try to work it and see how it is going to work and they said it doesn't work. He said two or three trucks came in there and they got a spur of business and it was chaos.

Mr. Miller said their concern too was they have about five months of inclement weather here in Cleveland, we all know and where you put your snow, how do you deal with this and at the last meeting if there is grass in there how do you police all of that and everything.

Mr. Gutoskey asked what is going to happen in the winter when you have snow piled on both sides and you need to turn around.

Mr. Miller said they have a plan for that actually and they discussed it at length, they are going to create a piece in the middle where they can pile up snow so that people can still zoom around.

Mr. Lamanna said pile it in the middle and just go around, like a round-about.

Mr. Miller said it would still leave them an opening to be able to get around, they are willing to give some amount of width for a fence and so forth but to give 10' to 15' on each side, they can't do that, they can't function there as a business and he is not blowing smoke here this is the honest God's truth.

Mr. Lewis asked if he is looking at the new site plan, your rear access area is full lot line to lot line.

Mr. Kobosky said it is close.

Mr. Lewis said short of the fence, you gave up the 15' buffer on the east side and you gave up the 18' or 20' depth of the parking on the west side and you gave up the 10' buffer on the west side and we want to go border to border with the exception of the width of the fence and maybe a couple of feet on the west side of some left over cut mounding for your fence and all of the landscaping goes away.

Mr. Miller said there is still plenty of landscaping.

Mr. Lewis said you have it shown up around the septic area but behind the septic area and the parking spots. He referred to the site plan and said this is what we were looking at before, you had a 10' buffer here, then you add about the 18' to 20' required depth of the parking, over here you have a 15' buffer with landscaping, all of that is gone.

Mr. Miller said yes.

Mr. Lewis said and now we are full property line to property line with no setbacks or no buffer of any sort on either side and you put in fencing although some fencing was shown originally.

Mr. Miller said they had fencing, they can change the fencing.

Mr. Lewis said you've got the fencing and here you've got kind of a landscape feature into fencing. He said he is just looking to see how much the site plan has changed.

Mr. DeWater asked the applicant to explain the changes in the lot coverage from last month's plan to the increase in this month's plan.

Mr. Miller said there is a lot behind their properties, originally there were four lots and the EPA required them to join two of them because they were putting in the septic system which they have completed and in addition there is a long lot that runs behind all of these properties and in order to get to the 40% lot coverage they added that to it. He said they did that to be able to have a workable plan.

Mr. Lewis said it went from 92,000 sq. ft. to 108,444 sq. ft.

Mr. Gutoskey said because originally when they talked they were going to take this strip and keep it with the residential lot, now they are taking this long strip behind here and adding it to this lot to make this lot bigger so they can get more lot coverage.

Mr. Lewis said okay.

Mr. Miller said there is nothing they can do about it, that is how that lot was and there is no way for them to get it to that 40% without adding that property back to it.

Mr. Gutoskey said originally you had four parcels, right.

Mr. Miller said it would be down to two parcels, yes.

Mr. Gutoskey said but originally you had four.

Mr. Miller said yes sir.

Mr. Gutoskey said so you are taking this long strip that is a tenth of an acre.

Mr. Miller said yes sir.

Mr. Lewis said and that allows you to add landscaping.

Mr. Gutoskey said almost 11,000 sq. ft. of lot coverage.

Mr. Miller said they fall below.

The board reviewed the site plan.

Mr. Steve Averill, Assistant Zoning Inspector referred to the site plan and testified that what they were originally going to do to meet this greenspace, or fix this, was they were going to take this and combine that and this together and this and this together but now that they have to meet greenspace from doing this, they are going to this and this and put them together with this but they are going to need a variance for making a nonconforming lot smaller because they were going to combine these two but now they are keeping this alone but they are still taking this off of this.

Mr. Kobosky said the reason to add that strip in, they didn't want to break it up into a thinner strip, it was all or nothing to put it on this or put it on this and whatever you decide, all we would need a variance for is to get more lot coverage in front of the building so we can do an actual turnaround and function properly and safely and that is what their concerns are mainly, it is all or nothing to put it on these two (he referred to the site plan) or to put it on this and we need it on this to get our turnaround, to be able to put trailers there.

Mr. Gutoskey said if we are splitting lots then, you take 30' out of that other lot to make this wider so we can have a buffer between the residential lot.

Mr. Averill said this is their lot coverage here, what does that reflect, the coverage on just this.

Mr. Kobosky said no, when we are adding in that we are at 34%.

Mr. Averill said if you don't add this in to this do you meet EPA.

Mr. Miller said yes.

Mr. Kobosky said they don't need anything else but these two because the leach fields are up here.

Mr. Averill said he just wanted to make sure. He said so it is either a lot coverage variance for this or it is making a nonconforming lot smaller here for that is what they are asking to do.

Mr. Kobosky said and we are doing this because the driveway didn't exist there before.

Mr. Lewis said so what we give up, we give up our setback on both sides.

Mr. Gutoskey said this is the edge of the existing parking lot right here, right now to here so how are you functioning in this space from here to here. He said this is the edge of the existing parking lot, this line (he referred to the site plan) so how are you functioning now if you need to go property line to property line.

Mr. Kobosky said they are parking stuff over here (he referred to the site plan), this is all grass but we are parking stuff on the grass here.

Mr. Lewis said yes but are you saying you need a bigger circumference to get the trucks and trailers around if you're parking stuff there you don't have the bigger diameter circumference you were lobbying for.

Mr. Kobosky said the difference is we are not functioning out of this area back here, we are going to be moving out of this area.

Mr. Lewis asked you are not doing business out of that area now.

Mr. Kobosky said we leave space here for trucks to get around there, it is tight still.

Mr. Averill said the parking they originally had they wanted to put here right.

Mr. Lewis said yes.

Mr. Averill said so by getting rid of that.

Mr. Kobosky said the issue is when we would bring those grass areas out and then try to put the stuff there that is when it squeezes it down because now you are not just putting it where we are putting it now, you are telling us to put it in a whole other trailer length and then you lose your turnaround, it is there now because we are parking all the way to the edge, we don't intend to go to the edge on this side.

Mr. Lewis said your site plan says going right to the edge on both sides.

Mr. Kobosky said we are supposed to be 2' for the fence.

Mr. Lewis said there is a little gap there, yes you are right but we are basically property line to property line and we have given up the 10' on one side and the 25' on the other so that was what 35' and you are taking 4' back so you are getting back 21' of width.

Mr. Lamanna asked if there is any way to back the parking area away from the fence by about 5 or 10 feet.

The board discussed the site plan.

Mr. Miller asked what if they can go to, instead of 2', what if they went to 5' on either side, would that suffice.

Mr. Gutoskey said he thinks it would help.

Mr. Lewis said you would have to draw your parking in 5'.

Mr. Lamanna said the problem is we are starting off with a lot that is 115'.

Mr. Miller said it is not super wide anyway, he knows, but we could make it 5' on each side.

Mr. Lamanna said if we took 5' from each side.

Mr. Lewis said it leaves them 90' of interior use.

Mr. Gutoskey said on that one side they could mound up a little bit.

Mr. Lamanna said he doesn't know how we would get any significant mound, there is just not room for it.

Mr. Lewis said if that goes in 5' and we are in now 2', do we go in 5' to the fence from the property line.

Mr. Miller said the fence line would be 5' off the property line on both sides.

Mr. Gutoskey said they should add dimensions of the driveways on the plan to 24' and 35' just there is a set dimension on there. He said they redrew the drives in the front but they are not dimensioned so the eastern drive should be 24' wide where it finally narrows down and we talked about the western drive being at 35' wide.

Mr. Kobosky said he knows that it narrows.

Mr. Lamanna said so we won't have a question later on.

Mr. Lewis said right, we need to add dimensions to that.

Mr. Kobosky said they will do that, 24' and 35'.

Mr. Gutoskey said we talked about some landscaping around the building because of how close it is to the property line, some proper landscaping. He referred to the site plan and said where it kind of narrows down here you've got this area, parking spaces here, didn't we add a couple of trees in here.

Mr. Miller said yes.

Mr. Lewis said just add them back in, you had them on the first one, it will enhance the area a little bit. He said we want that landscaping to stay. He asked how radically did we just reduce the square footage of this adjacent lot and make it even more non-conforming.

Mr. Gutoskey said it is right here, the triangle.

Mr. Lewis said since our last meeting one of the things that he brought up was having a clear understanding of the timeline of a completion date on this new equipment building.

Mr. Kobosky asked what the board is requiring.

Mr. Lewis said if we are going to go through and grant a ton of variances and the whole point of this is that the building moves everything in your backyard other than big trailer stuff of course indoors, that is the whole point of this exercise. He said he doesn't want to find out that we granted a bunch of this stuff and two years from now, fast forward, there is no building and we still have the same thing going on, so you see gentlemen, he is actually after a hard completion date which nails down the agreement at both ends.

Mr. Miller said okay.

Mr. Lewis said we talked about this a month ago.

Mr. Miller said we did yes.

Mr. Lewis said he thinks you were sent home to do a little homework on that and okay gentlemen, because if there is a motion we want to bake that into any kind of a motion particularly if we address a motion tonight with a completion date.

Mr. Miller asked do you need a completion date to get everything done.

Mr. Lewis said he is looking at the building.

Mr. Miller asked just the building.

Mr. Lewis said when you decide to grade and do your parking lot and build your fences he looks at that as one project within the project, he looks at the building structure which is driving this whole arrangement.

Mr. Kobosky said we have a September start date right now.

Mr. Miller said a September start date.

Mr. Lewis said if we say we would like a completion date of December 31 of this year.

Mr. Miller said that won't happen.

Mr. Kobosky said it is the availability of materials.

Mr. Miller said we could tell you that we plan to start and we will even give you a signed agreement once we have it, we will bring it up here and drop it off to Mr. Averill but we will get on this right away and we will complete it at least by a year from now, he doesn't want to lie to you.

Mr. Lewis said if we can't manage the completion date we can manage when you guys present a signed agreement for a building contract.

Mr. Lamanna asked the applicant if the completion date could be in a year from now and if a year is enough and we would like the signed agreement within three months.

Mr. Miller said honestly they want to get this done right away but nobody that they have spoken to and they have spoken to two people who want to do this job but neither of them can start right away but he promises the board they will get you a signed agreement as soon as they can.

Mr. Lamanna said a signed agreement in three months and completion a year after.

Mr. Lewis said he is good with that.

Mr. Lamanna said a year from now and another four months after that to complete the rest of the landscaping and fencing. He asked if they can get all of that done in a year.

Mr. Miller said they hope so.

Mr. Kobosky said it will slow us down.

Mr. Lamanna said he knows it is not easy because it disrupts what you are doing. He said you might as well do it all at once.

Mr. Corcoran asked if the apartment above the shop is vacated.

Mr. Miller said not yet and he explained to Ms. Endres that she is going to move next door with her son, her son owns the property next door and her son told us that she is going to move in there so we will make that happen.

Mr. Corcoran asked if there is a date for that.

Mr. Miller said 90 days.

Mr. Lewis said we are good with that and that also takes the hammer off of you because the township is setting what we want.

Mr. Gutoskey asked if there is anybody else interested in this application.

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

Motion BZA 2020-37 – 7812 E. Washington Street (Handy Rents)

Mr. Lamanna moved as follows with respect to this application.

1. At the previous meeting on March 18, 2021 certain items were approved. There is a modification of one of those items. The reconfiguration of the existing lots is modified such that the long skinny lot at the back, which is designated as PP# 03-007100, will be joined in its entirety with PP# 03-007200.
2. The portion of PP# 03-007200 comprising of a triangle approximately 32' on one side and 117' on the other side will be joined onto PP# 03-007000 as well thus the size of PP# 03-007200 will be reduced by approximately 1,883 sq. ft. All of that is more particularly shown on the drawing that was submitted by the applicant dated April 14, 2021, which will be put into the record.
3. With those changes the board approves the lots as shown in the referenced drawing and the board approves that PP# 03-007200 will become slightly more non-conforming but finds that it is not a significant difference and it will confirm the status of a of land that has effectively been used as part of the other property for a substantial period of time so it is a minor increase in the non-conforming size of this lot but will not have any material effect on either the neighborhood or the other adjacent properties.
4. The board approves the building that was proposed, as shown in the most recent submitted drawings, including its location as shown, provided that the front of the building will be 272' from the northern most point of the existing building (since that dimension is not actually shown on the map but that is what the board calculates from scaling the dimension on the drawing).
5. With respect to the property layout as shown by the referenced drawings the following clarifications will apply. These have been discussed and the applicant has agreed to them.
 - A. The width of the east driveway is 24' and the west driveway is 35'.
 - B. The fence will be relocated to 5' from the property lines and the improved area will move back with that.
 - C. The applicant will update the landscaping plan to include some landscaping (i) in the small grass area on the west side and (ii) on the east side, the space between the building, the septic and the property line.
6. The applicant has agreed that a signed contract for construction of the building will be provided within three months from today's date and will be completed, the building and the reconfiguration of the property and the fencing and parking by one year from today's date. This schedule is a condition and requirement of the approval of the site improvements with the understanding that the applicant can return to the board if circumstances are such that there are construction delays and they cannot meet those dates.

Motion BZA 2020-37 – 7812 E. Washington Street (Handy Rents) - Continued

7. After the adjustments approved in paragraphs one and two above (with respect to the addition of the entire lot in the back and the other piece in the front), the maximum lot coverage for PP# 03-007000 will be set at 35%, which is found to be consistent with the character of the neighborhood.
8. Regarding the substitution of the non-conforming use, upon the completion of the modifications to the site and its improvements that have been approved herein, there will be granted a substitution of a non-conforming use to permit the continued operations of the rental business the applicant has been conducting on this location to be conducted in accordance with the revised plans and reconfiguration of the buildings and property and removal of other non-conforming items and the continuing of the noise abatement activities which have been previously discussed in the hearings on this application and have been accepted by the applicant.
9. As a further condition to the granting of the substitution of the non-conforming use, the applicant will end any use of a part of the building as a residence and that termination will be completed (the current tenant will vacate) within three months from today's date.

Based on the following findings of fact (in additions to any stated above):

1. There has been substantial difficulty in determining exactly what activities have been historically conducted at the property and for what period of time. However, activities similar to the ones currently being conducted have in fact been conducted during prior periods. There is sufficient evidence with respect to such uses to approve this substitution.
2. The improvements that are being provided for and committed to by the applicant in the course of these hearings and as otherwise reflected in the board's decision will also reduce the impact of the operations on the adjacent property owners which will actually cause a reduction in the impact of those non-conforming uses and thus will otherwise improve the character of the neighborhood and reduce the impact of that non-conformity use. The completion of the improvements and the other conditions set forth in this decision are an essential element in the approvals and variance granted in this decision (including without limitation the substitution of nonconforming use, and would not have been granted or made based on the evidence but for same.

Mr. Lewis seconded the motion.

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

Application 2021-6 by Easy Sign Group Inc. for property in the Right-of-Way on the NE Corner of Lake in the Woods Trail and Chillicothe Road

The applicant is requesting area variance(s) for the purpose of installing a subdivision sign within the Lake in the Woods Trail right-of-way on the NE corner of Chillicothe Road and Lake in the Woods Trail. The property is located in a R-5A District.

Application 2021-7 by Easy Sign Group Inc. for property at 9128 Lake in the Woods Trail

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

Mr. Jeff Clark of Easy Sign Group was present via Zoom to represent these applications.

Mr. Lamanna swore in Mr. Jeff Clark and he let the record reflect that Mr. Clark was duly sworn.

Mr. Jeff Clark testified that Mr. Rob Ward was going to join the meeting via Zoom to represent the homeowners' association. He said he will start with the sign on Chillicothe Road and this is going to be a replacement of an existing sign which has limited life and needs to be replaced. He said you can see the variance that they need is to replace the sign within the township right-of-way. He said the pond that is there, if this was outside the right-of-way with the proper clearances the sign would be 2' away from the water in the weeds and he doesn't think that is what the township really wants. He said that is his comments for now until you have questions.

Mr. Lamanna said he is assuming you have an agreement with the township to do that.

Mr. Clark said no, he is coming for the variance with you.

Mr. Lamanna said you are actually putting it in the right-of-way.

Mr. Clark said yes.

Mr. Lamanna said you have to have the township's permission to do that.

Mr. Clark said he is not sure what the township's procedure is but he knows they had to get a variance from you because of the setback.

Mr. Steve Averill, Assistant Zoning Inspector testified that the trustees are prepared to deal with this once the variance is granted.

Mr. Lamanna said okay, they want the variance granted first.

Mr. Averill said yes and Timber Trail did the same thing he believes.

Mr. Lewis said Mr. Jeff Markley co-signed the application and acknowledged that once this piece is done it will go the board of trustees and they will go ahead and formalize their approval.

Mr. Lamanna said that would be a condition for ultimately the granting of this variance, the zoning certificate approval will be satisfactory to the board of trustees.

Mr. Gutoskey said this entrance on Chillicothe Road, the right-of-way is 36' wider behind ODOT's right-of-way so it is actually physically in the township right-of-way versus the ODOT right-of-way and basically it is behind that 30'. He said if they never added in that extra right-of-way there it would be 19' off of the Rt. 306 right-of-way.

Mr. Lamanna said it is quite away from the road.

Mr. Gutoskey said yes it is.

Mr. Clark said it is like a double right-of-way there.

Mr. Lamanna said it is technically in a right-of-way but this right-of-way is far bigger.

Mr. Gutoskey said if you look at the plat map they added an extra 36' of right-of-way, the drawing shows 30' but he thinks it is actually 36'.

Mr. Clark said it is actually almost going exactly where the original sign is.

Mr. Lamanna said the only other thing is the height.

Mr. Clark said it is does not need a variance he doesn't believe, the height of the other sign does.

Mr. Lamanna said okay.

Mr. Clark said Mr. Rob Ward is present via Zoom and may have something to add.

Mr. Lamanna swore in Mr. Rob Ward and he let the record reflect that Mr. Ward was duly sworn.

Mr. Rob Ward testified that he lives at 9128 Lake in the Woods Trail.

Mr. Lewis asked Mr. Ward if he represents the HOA.

Mr. Ward said himself and Mr. Eric Schmidt who is the HOA president and is also on the call.

Mr. Schmidt said that is correct.

Mr. Lamanna swore in Mr. Eric Schmidt and he let the record reflect that Mr. Schmidt was duly sworn.

Mr. Schmidt testified that he lives at 9095 Lake in the Woods Trail, not the ex-CEO of Google.

Mr. Lewis asked if there are any other questions on the first sign.

Mr. Lamanna said if there are no issues there let's look at the second sign.

Mr. DeWater said he thinks it is very nice and in the approximate location, no issues.

Mr. Gutoskey said he agrees. He asked if the current sign has lighting.

Mr. Schmidt said the current sign does have lighting.

Mr. Gutoskey asked if the new sign will have lighting.

Mr. Schmidt said the plan is to continue with the lighting, yes.

Mr. Lamanna said the issue on this one is the height.

Mr. Clark said the overall height is beyond what is allowed and it is necessary so that you can cut the grass below the panel and not get knocked off your lawn tractor and the other variance was the distance between the top of the sign panel to the top of the post, it is listed as 1' and we've got it at 18-3/4" because it looks better. He said it carries the theme from the main entrance and replaces an existing sign.

Mr. Gutoskey said that was his question, it is still in the same spot as the existing, right.

Mr. Clark said it is within a couple of feet, that probably has a cement footer so they will probably dig a new hole rather than digging out the old one.

Mr. Gutoskey said so it will be approximately the same as the existing sign.

Mr. Clark said yes.

Mr. Lamanna asked if this is the same type of sign as the existing sign.

Mr. Clark said no, quite nicer, the other one has been there for 30 years at least, it has a stone base that matches the main entrance with a hanging panel.

Mr. Lamanna said the existing sign is on a pole, sort of.

Mr. Clark said yes, it is about 3' high maybe.

Mr. Lamanna said he thinks this is fine, it is a just a different style, it is more like a street sign.

Mr. Lewis said yes it is, as far as the height goes because it is on a narrow tall pole with an elbow hanging out with a sign on it.

Mr. Lamanna said it needs to be at that height otherwise it is going to look silly.

Mr. Lewis said he has no issues with the height, the dimensions, the location or anything on this.

Mr. DeWater said he agrees.

Mr. Lamanna asked if there are any other people who have an interest in this application.

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

Motion BZA 2021-6 – Right of Way on the NE Corner of Lake in the Woods Trail and Chillicothe Road (Lake in the Woods Subdivision Sign)

Mr. Lamanna moved to grant the applicant a variance to locate a sign as shown in the application within the road right-of-way of the township along Chillicothe Road and the Lake in the Woods Trail right-of-way.

1. The variance is with respect to both Sections 173.08(e) and 173.10 (a)(1).
2. The conditions of the granting of this variance and granting of the zoning certificate with respect to the application are that the applicant acquires a signed agreement from the Board of Trustees of Bainbridge Township permitting the placement of the sign and any other conditions that are required by the Board of Trustees.
3. The board notes that the township and fire department have no objection to the sign as shown on the plans.

Based on the following findings of fact.

1. The board grants this variance because there is substantial additional right-of-way at this location so the sign will be a considerable distance from the roadway, farther than that normally required.

Mr. Gutoskey seconded the motion.

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

Motion BZA 2021-7 – 9128 Lake in The Woods Trail (Lake in the Woods Subdivision Sign)

Mr. Lamanna moved to grant the applicant the following variances for the construction of a sign as shown in the application, dimensions and shape, at the approximate location of the existing sign.

1. A variance from the height requirements from 72” to 102.27”.
2. A variance to the decorative cap at 19” versus 12”.

Based on the following findings of fact:

1. Due to the nature of this sign and its much smaller size this is a better architectural presentation and does not create any issues that would otherwise be there if any sign was located there.
2. It is not an unreasonable obstruction nor does it adversely affect the neighboring property owners or the character of the neighborhood.
3. It is a slightly different architectural taste, it is more fitting for this location than the standard subdivision ground sign.

Mr. DeWater seconded the motion.

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

Application 2021-8 by MM Washington LLC for property at 8531 E. Washington Street

The applicant is requesting a modification of an existing conditional use permit. The property is located in a CB District.

Mr. Jim (JP) Ptacek of Larsen Architects was present in person to represent this application.

Mr. Lamanna swore in Mr. Ptacek and he let the record reflect that Mr. Ptacek was duly sworn.

Dr. Nawaf Masri and Dr. Mouawia Ghiba, property owners were present via Zoom to represent this application.

Mr. Ptacek testified that when they purchased the building there were a whole series of nonconformities that are associated with this property as you have conferred to them officially at the last Board of Zoning Appeals meeting that we were at last year. He said he has prepared documents that are trying to make improvements to the building both site improvements that will allow them to just generally make repairs to barely a drive along the back of the building. He said despite what is obviously a sterling example of Western Reserve architecture for the building itself, that was a joke and not a good one obviously, joking aside, they are hoping to reface this building and the inception of this is that it is a tired property that really doesn't respect what this township really represents, most of the architecture, and so we were tasked with how do we reface this building, how do we give it a new presence, how do we fix the site so this looks like this is a new development while keeping the bones as much as possible within the site. He said as you may be aware this was bounced around a couple of different places, it has been talked through the trustees, it is now back here to address some of the nonconformities, some of the nonconformities that were created by the improvements and also addresses some of the conditions that the trustees had requested in the pre-application meeting as well so some of which the two just deals primarily with the traffic management issues. He said the Rt. 306 entrance onto the property had been requested, because of the traffic for southbound that it is going to be restricted with a right-in and right-out which was a direct request of the trustees for safety and ODOT echoed that request and that has been accommodated in this drawing as revised and with this goal of creating essentially a long stack drive-thru condition out of the rear property to the far east rear portion of the building where a drive-thru window is so we can create as long a stack possible on the back of the site. He said in order to make those movements for traffic assuming a one-way circulation path we were also requested to widen the tight condition exiting onto Washington so that there were better site lines and an eased curb condition so that a turning radius could be better accommodated and as part and parcel of that movement we did kind of essentially push the parking lot further to the east by creating a retaining wall condition with the property to the east so that we could both maneuver safely.

Mr. Ptacek continued by saying there is at present no dumpster enclosure, we are creating kind of a makeup for historical loss that would have been part of this project and it also then allows the back of the area to be cleaned up where dumpsters are present and be consolidated into the new dumpster enclosure that is tucked into the back of the site at that point. He said due to some of the losses of parking, in addition to the movement, we are trying to offset that same parking loss from a series of losses around the site with the five or six that we are picking up along the east side with the newly created, a paved surface at that point. He said he thinks that is generally the site improvements, the building improvements essentially are taking away the green canopy and the face, and basically doing an overbuild series of projected and recessed for the face of the existing building to create some visual architectural interest to the exterior of the building but it is going to be re-clad in a stone façade.

Mr. Lewis asked if this is still kind of a general representation forgetting the sign part of it.

Mr. Ptacek said yes and if it helps you've got green, green, green, green, green all the way down, they are basically maintaining store fronts as its existing condition, they are basically creating no elements that pop out and will take the place of where the columns are now which they are going to have to reconstruct them because the existing ones are not structural and then in between they are going to have to build a façade, the existing is going to be walled and they are just re-veneering it and then putting on this vertical interest, some visual play shadow so that it is not going to read as a flat façade, either they will create this in and out play across the shopping center so it will look like small little changes in roof elevation, more visual interest.

Mr. Lewis said and the signage would go on the face of the building as opposed to what was on the canopy.

Mr. Ptacek said correct, they are moving the dedicated locations that would then have extra illumination with a dedicated sign panel location that a Becker Sign representative looked at trying to reach a compromise of compliance with the zoning code.

Mr. Lewis said and we realize you are not here with a sign package tonight, this is just a rendering to give us kind of a, more than concept, but kind of hard glance at what you want to do and what you have been working on with the trustees.

Mr. Ptacek said yes, absolutely so basically it is a multi-prong thing, things that ownership wanted to do in terms of building aesthetics and the things the trustees had requested that they do to address traffic and access around the site.

Mr. Lewis said so on Chillicothe Road, the right-in, right-out, are you going to put like an island in there or something, tell me about that feature.

Mr. Ptacek said what is represented is it tends to be a triangular space that they would also then put signage on either side to denote right-in, right-out as well and they still have to maintain it for safety vehicles, it has to be driven over.

Mr. Lewis said the fire department would have to get a fire truck in.

Mr. Ptacek said absolutely, so it is kind of this hybrid, it is trying to keep honest people honest but it is not trying to wreck a vehicle.

Mr. Gutoskey asked would it be a 4" mountable curb.

Mr. Ptacek said it would be the bellied condition, he doesn't know that they need 6", they may talk to the fire department.

Mr. Lewis said what he was after that it was actually almost like a small structure as opposed to just some painted lines on the road.

Mr. Ptacek said no, it is probably going to be a rolled curb and 4" high.

Mr. Gutoskey referred to the site plan and said when he scales this thing down here it is about 5' wide and asked if there is any way to push this over a little bit and get this thing a little bigger.

Mr. Ptacek said he thinks what they were trying to do, it is a wide drive to start with and there probably is a tendency to basically swing wide now because it is a wide drive but knowing that that is almost a blind corner to turn right it is hard to see because of the vegetation that is right on that property line. He said there is nothing to stop someone from turning left if they are so willing.

Mr. Lewis said there is always one.

Mr. Gutoskey said you've got a drive-thru on the east but your drawing shows it on the south.

Mr. Ptacek said correct. He said there was an early version of the site plan that showed it on the west and if we were to put a window on the east side you create a wider turn condition. He said they looked at that 20' radius and what it would take to get it squared up again where with this one you can kind of angle in because you've got almost two car lengths, if this is 40 that is 40 plus, it is easy enough in 40 to get kind of snugged up against and then pull around and get out.

Mr. Corcoran asked if there is any plan to widen the entrance on E. Washington Street.

Mr. Ptacek said there was not but the request from the trustees was that we basically broaden the tight radius into it.

Mr. Gutoskey said there are three problems with that, it is the small turnout at the south end of it, it is the grade of the drive and then it is the curb that is there now, the height of a retaining wall, people are afraid to pull in there so they go in the middle of the drive. He said what you need to look at is fixing the grade on this drive coming in even if it has to go as far as up into toward where the handicap spaces are and even back in a little bit and fix the grade and then drop the curb down 4" to 6" and then pull the grade back away from the curb. He said he has some pictures that he took earlier today and asked that they be displayed on the screen. He said you see how the curbs are there, that makes it for people turning in and out kind of tough. He asked Mr. Averill to go to the next photo. He said that is kind of looking west.

Mr. Ptacek said if the curb was rebuilt, two things, if we are losing the two spots on the east and west of that to start with we could create a better view angle so we won't be blocking that view if there is a car either side of it so where the black car is there, if that is pushed back.

Mr. Gutoskey said plus you will be able to pull the grade back.

Mr. Ptacek said that is what is saying so if those curbs don't remain as 1' high curbs.

Mr. Gutoskey said if you can get them down to 4" to 6" if you can get the curbing there fixed he thinks it is going to help it and pulling the grade back because then people hug that side because they are worried about taking the side of their car off from the curbing.

Mr. Ptacek said okay.

Mr. Lamanna said if the striping was maintained there it would help a lot because that would tend to give people a guideline.

Mr. Ptacek said the civil right now is roughly showing maybe a removable point and transition new curb here but that is already broken.

Mr. Gutoskey said the curb is all beat up.

Mr. Ptacek said yes so if that is the case if we just extend the curb down.

Mr. Gutoskey said replace the curb and then grade that back and see if you can, the grade coming into, and added the picture doesn't do justice.

Mr. Ptacek said it really doesn't.

Mr. Lewis said it is really a steep entry, it is really an illusion.

Mr. Gutoskey said and that is another problem too, he knows this driveway well.

Mr. Lamanna said we all know it well.

Mr. Ptacek said he was looking at the lift where the concrete apron is, let's say the middle of that there is less than 2' over.

Mr. Gutoskey said that is 5-1/2%.

Mr. Ptacek said yes it is a little steep.

Mr. Gutoskey said maybe fixing the curbing and pulling the grade back may help, maybe put a stripe there in the middle.

Mr. Lamanna said there is kind of a change, it is steep, if it was a constant grade. He said the problem is the very steep incline at the beginning.

Mr. Gutoskey said the concrete apron part is 10% grade so if you could regrade that back into the parking lot you would get it down to 5-1/2% which is reasonable.

Mr. Corcoran said so there is a constant grade.

Mr. Ptacek said the sad part is it is beautiful concrete right now.

Mr. Gutoskey said they just replaced it when the receiver took over. He said it makes it hard pulling in and out and this is going to be your main ingress/egress now because of the limiting of the right-in/right-out on Chillicothe so this is the worst problem that he sees as far as accessing and getting out of there, the grade and the curbs and being able to cut the grade back in and doing the turnout that you show on the plans.

Mr. Ptacek said he doesn't know if either doctor will comment at this point.

Mr. Gutoskey said we are looking at safety ingress/egress here now and again it is going to be the main ingress/egress for the site.

Mr. Ptacek said he can raise the question with the civil engineer with what can be done, that is all he can agree to.

Mr. Gutoskey said even if you just take it back to here since you would already be doing part of this and it would be about 5-1/2% grade which is more workable than the 10% coming in.

Mr. Ptacek said it is possible that they could flatten out the asphalt from that transition but he doesn't know.

Mr. Gutoskey said you would have to do the concrete too and that is in the right-of-way, it is barely in the right-of-way.

Mr. Averill said the majority of that concrete is in the right-of-way.

Mr. Gutoskey said understood but it is their apron so they can repair it, it is a county highway and when we worked on the Drug Mart project up the street we actually moved their driveway to line up across the street.

Mr. Ptacek said he can bring it up as a concern.

Mr. Gutoskey said the only other thing would be to try to line the apron up with the apron across the street but you probably don't want to do that.

Mr. Ptacek said they have encumbered more things on this project than he thinks they ever expected to encumber and each one of these things, they are spending a limited amount of money, they have followed up with problems, they have lost tenants due to the pandemic so again, not necessarily a concern of the board of zoning appeals but when you start losing tenants because people go out of business it just changes some of the economics of what they are trying to work through.

Mr. Lamanna said the reason why we are interested in this is because we all have a lot of experience with this and it is somewhat of a detriment to people using it in coming in here.

Mr. Gutoskey said right because if your customers won't come in you are not going to have tenants.

Mr. Lamanna said he hasn't stopped there on some days because it is chaos at the entrance.

Mr. Gutoskey said this is one of the busiest intersections in the county.

Mr. Lewis said so if we make it wide and reduce the curb heights and we try to flatten it from road to parking and the grade, it would be much more inviting and as property owners this is the front gate to your whole property, we want to make it safe and inviting.

Dr. Nawaf Masri asked if he could ask a question and said good evening everybody and he was listening to the board and he appreciates your time.

Mr. Lamanna swore in Dr. Nawaf Masri and he let the record reflect that Dr. Masri was duly sworn.

Dr. Masri testified that they are looking to do whatever it takes to get this property going within a reasonable cost and we got into this property with very high hopes and things are not moving as easily as we thought they were going to go and given the COVID conditions things are very complicated and tenants are leaving so we hope we can get some reasonable compromise from everybody, they are willing to do whatever it takes to make it safe within a reasonable cost so he will give the floor to Mr. Ptacek to explain what your requests are because he is not sure he understands your requests. He asked if you want a wider in-turn and are we losing more parking.

Mr. Ptacek said no, and told Dr. Masri that unfortunately he couldn't see the photographs they were sharing and that the concern is the concrete apron between the start of the asphalt on Washington is very, very steep and so it becomes a detriment to driving in and the curbs are also in some bad shape as well and so we were improving certain areas to make the drive more generous to lose the two parking spaces that were east and west of the existing drive and the request is that we do a little bit more curb work and that possibly we change some of the grading on this entranceway.

Dr. Masri said we have no problems, the township had mentioned them pitching in and helping us, some kind of funding.

Mr. Ptacek said Trustee Markley said something that there may be some TIF funding that might be available to make some of these repairs.

Mr. Lamanna said you would have to talk to them.

Mr. Ptacek said it was part of the pre-application conversation.

Mr. Lewis said you are certainly entitled to explore any economic assistance that you can get, our role is to make the property safe.

Mr. Lamanna said when you hit the bottom of that thing, if you jump out of there quickly which often happens on the weekends because of the traffic, you hit down pretty hard.

Mr. Corcoran asked Mr. Ptacek if he has been to the property.

Mr. Ptacek said yes and he knows the photographs don't do justice to that experience.

Mr. Gutoskey said we get a lot of snow here too so in the winter it is even more of an issue.

Mr. Ptacek said he is happy to re-explain it and talk to the civil engineer and then quantify what that is.

Mr. Lamanna said if that grade was evened out and you had like a constant curb along it with the dimensions and the widening that you have shown on here he thinks we would have the problem licked pretty well.

Mr. Ptacek said understood.

Mr. Gutoskey said as far back as to where your islands are right now is about where you would have to go based on the elevations we looked at, if you were at 5-1/2% that would be perfect.

Mr. Ptacek said if it was 5-1/2% it is average.

Mr. Gutoskey said we'll see but right now it is 5-1/2% if you average it but the problem is it is 10% across the concrete.

Mr. Ptacek said they could average that out and then flatten it.

Mr. Lamanna said because now you end up with boomp, boomp and then the road comes up above it and you unfortunately with the traffic you have to kind of juice it to come out there a little bit and when you hit that bottom.

Mr. Gutoskey said the CVS right across the street is offset a little bit.

Mr. Lewis said at least they are not cutting straight across.

Mr. Ptacek said he is happy to explore that and we can see what options we have open to us.

Mr. Lewis said one of the things we are going to want to talk about is a community dumpster.

Mr. Ptacek said there are no dumpsters whatsoever on the property right now, everything is behind the building, we are cleaning that up.

Mr. Lewis said this is perfect so what we will want to talk about is the hours of service because you're adjacent residential so we will want to set something in place where it is not before 7:00 in the morning just because of what is around.

Mr. Ptacek said understood and he thinks the house is closer to the street here and this is commercial next door so they tried to get it away as much as possible.

Mr. Lewis said the placement location is great, we just don't want the sounds of the truck and the clanging of stuff.

Mr. Ptacek said that is something that the doctors can certainly orchestrate with whatever trash vendor they are going to work with.

Mr. Lewis said that is one of those good neighbor things.

Dr. Masri said it would not be an issue, he thinks they can arrange that for certain.

Mr. Lewis said that would be wonderful and thanked Dr. Masri.

Mr. Gutoskey said no outside storage anywhere because there is junk outside there now. He asked about the lighting, are you using existing lighting, cut-offs.

Mr. Ptacek said he thinks the notion is they would do some downcast off the back of the building, just augmented, they are not trying to put in any poles, just to do some secure lighting down and puddles near the door.

Mr. Lewis asked fully covered.

Mr. Ptacek said if it is downlighting anyway, it wouldn't trespass.

Mr. Lewis said that would be great.

Mr. Gutoskey asked if there will be any lighting in the front, Washington is pretty well lit there right now.

Mr. Ptacek said they are not having any official poles at this point.

Mr. Gutoskey asked what about signage, he sees you show two locations here, you show one here at the south property line, the southwest corner of the site and then some kind of monument at the corner.

Mr. Ptacek said and neither of those have been vetted and were before this board in terms of we are not seeking any variances at this point. He said he knows that there have been discussions for what the signage might be and the goal was that they would be in compliant for any monument signs.

Mr. Gutoskey said it would look really nice if you could tie in the architecture of the building with that monument sign.

Mr. Ptacek said that has already been discussed and that is part of the direction that this is following and the stone look with the veneer condition.

Mr. Gutoskey said landscaping is the next question. He said he took some pictures of the intersection, the CVS across the street that is well landscaped, CVS is a little further back from the road but you can see what is there. He said there is the bank across the street, theirs is well landscaped and mulched and even the Shell station has a lot of landscaping and what you are not seeing is they have a lot of flowers in the summer, it is well landscaped and then we see this. He referred to a photo of this site.

Mr. Ptacek said there are two landscaped plans at this point, previously this was originally intended that this was going to be only seen by the trustees because of the previous legal issues this property is encumbered by, we are here because we were told that this is now the correct route per the Geauga County Prosecutor's Office at this point so we were primarily concerned with addressing the variance issues we needed to seek, they were not specifically aware that there were landscape variances.

Mr. Gutoskey said but we like to see some nice landscaping here because as you can see you are the sore thumb of the intersection there.

Mr. Ptacek said correct.

Mr. Gutoskey said there is a lot of traffic and he would think the doctors would do well here with the amount of traffic that goes through this intersection and the demographics too.

Mr. Ptacek said it is something they have not addressed yet but obviously there is not much to write home about what is there now.

Mr. Lamanna said it is also a pretty small area to deal with.

Mr. Ptacek said it is the fourth corner of three generally well landscaped corners.

Mr. Lamanna said this is the front of your presentation to the world and it sort of drove him crazy, you've got this strip center here and when you drive up to it you are not exactly being invited to come in by what you see there.

Mr. Ptacek said understood, yes.

Mr. Lamanna said it seems sort of somewhat counterproductive here.

Mr. Ptacek said this dilapidated property has brought in new ownership with goals of making this actually much more purposeful.

Mr. Lamanna said again, we are talking about an eighth of an acre or something.

Mr. Gutoskey said the other thing is non-permitted signs in the right-of-way.

Mr. Lamanna said a banner sign.

Mr. Gutoskey said banner signs and flag signs.

Mr. Ptacek said he does know that one of the signage discussions was electronic messaging.

Mr. Gutoskey said that was another question they had.

Mr. Lewis said look real hard into Bainbridge Township's signage code in the electronic pieces because sometimes your sign can only be so big and you've only got so much space on a panel side and you have multiple tenants you need to rotate and digital allows you to do that but we've got displayed intervals and it is nice because he has also learned that now you can program your sign sitting in a parking lot from your cell phone or your tablet, you don't need a control panel, you don't need to be hardwired back into a building.

Mr. Ptacek said that is being explored, they are looking at pricing for what that could be because they know that that would be advantageous to their site definitely.

Mr. Gutoskey said picture that nice beautiful sign that matches the building there with nice landscaping around it.

Mr. Ptacek said understood.

Mr. Gutoskey said because the problem is with the front of the property the parking lot is only 2' off the right-of-way you can get your grass cut and that is about it right.

Mr. Lewis said there isn't room to do much else as far as landscape features.

Mr. Ptacek said understood.

Mr. Lewis said we've got the two areas, we want a really nice presentation at the corner, it looks like the front of the building is being taken care of with the design and we want to enhance and make the entrance much, much more inviting and then these guys get tenants and they get a lot of customers and we have a really happy thing going on. He said he was looking at his short list and we've covered outdoor storage, the curb cuts, the right-of-way, the dumpsters, pick up, potential sign package, the entrance.

Mr. Gutoskey said the drive in the back is going to be one-way correct, one way going east.

Mr. Ptacek said correct and paint and concrete with new catch basins and with the downspouts tied into that storm system so we don't have ice and debris and everything, it is cleaning up what probably historically should have been installed when it was first put in. He said again it is evidence that the doctors are saying we need to do this, we need to do it right, they are turning the back of the building into a prominent feature, it has to be nice.

Mr. Gutoskey said and the back is just going to all be repainted to match.

Mr. Ptacek said right.

Mr. Lewis said you've covered all of his questions.

Mr. Corcoran said he didn't have anything.

Mr. DeWater asked if the building can be completed like next week.

Mr. Ptacek said if the doctors had their wish they would be under construction right now.

Mr. Lewis said they can take the awning down this weekend.

Mr. DeWater said the parking lot is probably 90% going to be required to be repaved so doing that and curbs along E. Washington it is going to be a minimal expense at that point.

Mr. Ptacek said there are some plans to improve it, obviously they are going to have asphalt out towards the expansion of the parking lot so they can go and clean up the other aspects of it and it will look like it is a brand new investment in the community.

Dr. Masri said they are definitely interested in trying to make it look nice, you don't have to worry about it, they will have nice landscaping around the signage, it will be nice and everyone will be proud of this property.

Mr. Averill asked if he can bring up the sign.

Mr. Gutoskey said he was just reading through your comments and the question is the three sides that identify the building as Washington Square, is that what you are talking about.

Mr. Averill said yes and on your pictures here you can see, we don't have the history on this to see how this was permitted, he thinks they have had an allotment from his understanding for the overall sign square footage for the frontage of the building at one point.

Mr. Gutoskey said it was by lineal feet.

Mr. Averill said now we don't have that and they want to maintain this type of identification, like an address type of thing.

Mr. Lewis said you've got it on the three towers.

Mr. Ptacek said yes that is correct.

Mr. Gutoskey said the question is, is that considered as an address.

Mr. Lewis said square footage allocations.

Mr. Averill said the other signs are proportionately correct.

Mr. Ptacek said they were trying to ascertain that we would be compliant to 1.25 per lineal foot of frontage. He said the question is if right now and this is again, it is non-conforming and we recognize that but the building is aggregate with Washington Square and the hope is that if the building with the reinvestment will continue to have its placemaking of you have arrived at Washington Square because even a tendency with this many tenants it is like we are in Washington Square.

Mr. Gutoskey asked Mr. Averill to go back to the picture of the sign and asked what is behind there, is that framing or what is it.

Mr. Ptacek said it is aluminum framing, it is like any awning at that point.

Mr. Gutoskey asked do you need two on the north side or is one sufficient in the middle.

Mr. Ptacek said they are trying to bookend the architecture.

Mr. Gutoskey said he was thinking of the building that is there now and he didn't think of looking at that. He asked what if we put the one at the corner on an angle to the corner.

Mr. Ptacek said some of it is the relationship of the building to the street so if you angle it then you are presenting a weird small side to Rt. 306 traffic that is stopped at the light that you won't actually see or you would be seeing it at such a weak angle.

Mr. Gutoskey said the only other question is does the one on the Rt. 306 side need to be as big as the two on the front.

Mr. Ptacek said it is not because we are respecting the fact that this holds a lot more real estate on the longer side so it feels proportional and when we turn the corner he has a taller vertical because if he puts this here it would dwarf the side so we have a smaller side presence for the 306 side so basically we are taking what is present, to some degree it is an echo of what was there now which is he has one large Washington Square facing 306 and he has two pucks that are in the middle, he has one, two and three whether this ever had it he doesn't know that in the pre-history but it is on here and here and if you had a choice of where to put it you put it at the intersections at the end so you can see Washington Square in that nice 5-1/2% grade.

Mr. DeWater said the signs, if we allow two along Washington would that set a precedent that we would run into this problem down the road with other buildings.

Mr. Lewis said we have given signage on two sides, the corner tower we have on two sides.

Mr. Gutoskey said the Kitchen and Bath, we gave them one extra sign on the side.

Mr. Lewis said and it seems to him, did we do something on Rt. 43 at Steak and Shake or one of those where we gave, or the carwash where we gave them two faces.

Mr. Lamanna said this is the kind of thing we have to look at and he doesn't know how many other places, he thinks Marketplace has something on the top of their signs. He said you are looking at this from the standpoint of it called Washington Square.

Mr. Ptacek said they are not advertising that they are a pharmacy.

Mr. Lamanna said its locational it is not functional.

Mr. Ptacek said it is almost directional almost from that standpoint.

Mr. Lewis said Legacy is a destination, Crocker Park is, Pinecrest is, Washington Square is a destination and it is a consolidation of a group of shops and businesses.

Mr. Lamanna said the other thing is because you have a lot of stores in a very small spot we don't want a line of ground signs in front of the building. He said he thinks in the whole concept of looking at the signage and saying that those signs up there will be treated a little differently or we will allow more signage than might otherwise counting those things to be permitted but it is all still part of the whole signage package but he thinks the understanding is we are willing to look favorably on the fact that those signs are somewhat different than a conventional advertising sign.

Mr. Ptacek said correct.

Mr. Lamanna said in a total scheme of things because perhaps other places are going to have to have smaller signs because there are so many of them, if you want to put a huge sign on the corner that is 8' high, that is not really going to be feasible because of the traffic issues and the siting issues that that is sort of an offset so we have to be sort of considerate of them all together but he thinks you can see the sense is we would give some consideration to those signs in sort of a different way because they're more locational than specific to the business.

Mr. Ptacek said he was going to say in the trope of if you are going to make an improvement make the change, if you are not don't and to some degree it is like alright so we are not changing a thing and he has Anthony's Salon etc. and what he does, has the amount of square footage that is up there. He said the one thing that is being done is intended to be actually just so significant and more tasteful, it is regulated, it is celebrated with lighting, it is tastefully set in stone, everything about what they are trying to do and their aspirational goals.

Mr. Lamanna said it doesn't look honky-tonk.

Mr. Ptacek said Dr. Ghiba said it has to look nice, we own it, it has to look nice and so that is what we tried to present but we know that there are conflicts and again we have talked about this already so all we are looking for is something that maybe is a commitment.

Mr. Lamanna said he thinks that does make a lot of sense here because of this location and it makes it easy for people to spot the general location because if somebody is looking for it we don't want them spending a lot of time looking for it at this location, it is probably the busiest intersection in the township.

Mr. Lewis said it is a terrific location, it is just loaded with traffic. He said he doesn't really have any more questions, he would like to see a landscape plan even though there is a whole lot to do it would be more like dressing up around the main sign area and whatever time you want to ask for that.

Mr. Corcoran said and a lighting plan.

Mr. Gutoskey said one of the comments in our report was about loading spaces and it looks like there are no loading spaces.

Mr. Ptacek said they weren't on the original submittal work, when we received it we talked to the civil engineer and said where would you guys locate these and he said actually where they would otherwise probably sit where they could be tucked behind the building and wouldn't impact the flow of traffic for whatever limited amount of time they were there.

Mr. Gutoskey said you need a variance on the length, looks like we required a 12' x 50' and you've got 12' x 30'. He said the loading space will actually look okay, you won't get many tractor trailers back there so you wouldn't need the 50'.

Mr. Ptacek said not for the tenants that are here. He said as many times as he has been on site where there has been traffic pulled in the back there was a tenant that was moving in or out, it was a box truck. He said if someone is taking deliveries, CISCO comes or something, they are smaller trucks and they know the site of what they physically could or could not bring on the property.

Mr. Lewis said it would be interesting to know what the gentlemen, the ownership, think about their tenants parking vehicles in the front parking spots all weekend long that are basically wrapped vehicles of signs.

Mr. Ptacek said that has not come up to him.

Mr. Lewis said it would be real interesting, he is not sure that is the image that they want.

Mr. Ptacek said and hopefully there is an EMC at the corner that will eliminate the need for someone to arbitrarily park a vehicle.

Mr. Lewis said yes, those are interesting, graphic advertising by parked vehicles.

Mr. Gutoskey said by inoperable vehicles and he thinks they are gone.

Mr. Lewis said the project is coming along well.

Mr. Gutoskey asked if the landscaping plan will be with the signage because once they figure out what they are going to do with the monument sign at the intersection they can figure out the landscaping.

Mr. Ptacek said he doesn't think they would finalize something until they have it cohesive.

Mr. Gutoskey said a nice sign that matches the architectural and zoning would be great and you did a nice job on the building, it looks really nice.

Mr. Ptacek said maybe just a clarification procedurally, we were not directly responsible for signage that is being outsourced to a third party vendor, if submittal of signage and submittal of landscaping is done even if they have an outside consultant, a landscaper will draw it up and suggest the plans, is that something that would come back to this board or would it be administratively reviewed.

Mr. Lamanna said the signs will have to come back here if they require any variances otherwise they can be administratively approved and with respect to the landscaping plan, given the nature of this he thinks that can be administratively approved.

Mr. Lewis said he thinks so too.

Mr. Ptacek said he will be advocating for what he heard in the past is that because we have gone through a series of, we are going to go here and we are going to go here, it will take time.

Mr. Lamanna said we are talking about a pretty small area here, you can see what is already on the corner, there is a lot of stuff already done there so you can kind of get an idea of what is there.

Mr. Ptacek said he is trying to get the process so if they are greenlighted to move forward that they may not be waiting for another month.

Mr. Lewis said we don't want to delay your process.

Mr. Ptacek said that is all he is advocating for and obviously regardless, obviously this has been a really great conversation that he thinks has probably improved the project overall, all of these conversations have probably made a better fit for Bainbridge because this has been so neglected for so long, these improvements have been a long time coming, both architecturally, both site improvements and some of the safety aspects for just the motoring public so he thinks the doctors are going to end up in the end with a better project that will better fit into the community at this point which again hopefully better tenancy, better retention.

Mr. Averill asked if they want to address the Washington Square sign now or is that something you are going to want to come back.

Mr. Lamanna said we have to address that as part of the sign package.

Mr. Averill said he thinks the sign package from Brian Becker basically said those signs as proposed on there meet the 1.25 square footage of lineal frontage per unit as they are allowed to be.

Mr. Gutoskey said the question is, is that part of the consideration tonight.

Mr. Averill said that is what he is asking, the point is that if the sign package doesn't require any variances then we don't have to bring them back, his question or Ms. Endres' question is do you feel that we need to address those Washington Square signs. He added that they have not submitted an application for the sign package, but with that in front of you.

Mr. Lewis said he thinks they have to go through the procedure of submitting a sign package and then the Zoning Department can rule on that as to whether or not a variance is required or it gets approved as is.

Mr. Averill said he would agree.

Mr. Lewis said we are not approaching it at an ad hoc manor and this is just not for the township, this is for the applicant as well. He said if they are looking to fast track their project then the sooner your clients get their sign package in.

Mr. Gutoskey said when they get these plans done and then in the meantime they get the signs and landscaping in so he gets going on his stuff. He said obviously you will not need signs for a couple of weeks.

Mr. Ptacek said he thinks the concern from his conversation was that if they were in this conversation viewed as part of an aggregate per that 1.25 what it would compromise is what the tenancy signages would be if we have to encumber both.

Mr. Gutoskey said license plate size.

Mr. Ptacek said yes, right and again the sign vendor, Mr. Becker's comment is basically saying is that an aggregate there is a certain relationship that you want the distance to the road that the sign is readable for the public.

Mr. Lewis said he has that chart.

Mr. Ptacek said even to maintain that within the zoning code and he thinks we are right at the edge of that compliance if we are sort of penalized for the naming of the facility in aggregate, as directional or address or however it would be deemed he is basically saying you can't see the sign, you might as well not put it up.

Mr. Gutoskey asked if that is what is holding up the corner sign too.

Mr. Ptacek said he is looking at that independently, they are looking at pricing for an EMC and a static sign so that is being worked out as well.

Mr. Gutoskey asked if Mr. Becker would know if the Washington Square issue was affecting the size of the monument sign.

Mr. Ptacek said he thinks they are under a different metrics, he thinks that is the primary reason is that Washington Square has a building sign identifying the center that was codified so there wasn't anything that he could come up with.

Mr. Gutoskey asked Mr. Lamanna if he has his cheat sheet there of what the laundry list is. He said there is lot coverage, building setbacks.

Mr. Lamanna said yes definitely you need a cheat sheet on those things.

Mr. Gutoskey said we talked about the signs, number 7, building setbacks, existing building, variances for the building setback, a variance for the driveway off of Chillicothe Road being less than 200' from the intersection. He said the next one is parking spaces along the one side are 9' x 18' on the north side.

Mr. Ptacek said the drive in existing condition was 22' so to compromise, so that a car could overhang they made the drive 24' to be compliant but creating a non-conformity for the northern most spaces but those can actually overhang the grass.

Mr. Gutoskey said that is what he was going to say but also the drive isle is 24' which is good because that is really the problem in there and 18' on the spaces, it will overhang over the grass and/or.

Mr. Ptacek said he cut in 20' on the inside, right.

Mr. Gutoskey said it is 18' because you've only got 60'.

Mr. Ptacek said you are right, yes, but both sides could potentially overhang.

Mr. Gutoskey said you are going to do the bumper blocks there, but the walk will have a curb on it, right, a 6" curb, sidewalk.

Mr. Ptacek said that is an open question because he thought the existing condition was fairly flush.

Mr. Gutoskey said he thinks because they put extra patches against there, he doesn't see anything here above 4". He said the next thing is spaces and drive isles and it looks like those are pretty much fixed and a variance on parking spaces.

Mr. Lamanna said yes he sees the number here.

Mr. Gutoskey said for the loading space you are going to need a variance on the size of those because these are 12' x 30', correction, they are 10' x 30' so you are going to need a variance on the size of the loading spaces and you will definitely need a variance on the lot coverage.

Mr. Gutoskey said in the revised site plan they gave us they show two that are 10' x 30' versus 12' x 50' and that is below the setbacks for the parking and drive.

Mr. Lamanna said the lot coverage is calculated now at 89%.

Mr. Gutoskey said yes, proposed is 91.5% but they calculated it at 89% excluding the right-of-way.

Mr. Ptacek said Ms. Endres asked for both numbers just because this goes to the center line of the road.

The board reviewed the lot coverage calculations and setbacks.

Mr. Gutoskey said 64.2' is the setback from Washington and then from Chillicothe, the closest is 44.4', the east property line is 35.56' and 21' on the south side. He said the parking setback is 2.8' from the Washington Street right-of-way, the rear property line is 4.1' versus 5', Chillicothe Road is probably zero, the setback to the edge of the drive is zero.

Mr. Lamanna said it is from zero to 27' and the problem with some of these things is when you start talking about a thing that moves at a distance, you are really not saying we are giving you zero, that doesn't make it now relocate to zero, it is going to be at the existing edge as shown on the drawing from zero to approximately 27'. He said the variance isn't a line of zero.

Mr. Gutoskey said it is along the existing curve which varies from zero to 27.

Mr. Lamanna said you have to pick the point in which the perpendicular from Chillicothe intersects the farthest arc of the radius turn.

Mr. Gutoskey said if you draw a diagonal from the right-of-way to the building corner on this side, it is off.

Mr. Lamanna said if you keep drawing the perpendicular lines you find the one that is tangent to that curve. He said if the curve is part of a circle he can find the center of the circle and he can use that to find the point, without doing it by trial and error he can do it by calculation. He said it ranges from 36'.

Mr. Gutoskey said one other thing that should be baked into the motion is on that drive-thru, it is either on the east side of the building or as far east on the south side of the building as possible. He said allow them to have it on the east side of the building or within so many feet of that corner so it doesn't pop up somewhere else on the south side of the building. He said 20' off the east corner of the building., right now it is at 10' so we don't have any other popping up here and creating a problem for stacking of cars.

The board discussed the proposed drive-thru and the stacking of cars.

Mr. Ptacek said the hard part they were under was that even until essentially this was granted the trustees had given them assurances to basically say from the pre-application meeting we believe this makes sense and please go ahead with the township's sort of explicit blessing that we can allow this to happen so long as you are going to move it to the end of the building but we have sufficient stack, you are not going to create a traffic issue so the person who is seeking these tenancies you can start looking at.

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

Motion BZA 2021 – 8 – 8531 E. Washington Street

Mr. Lamanna moved to grant the applicant a conditional use zoning certificate for the purposes of modifying the existing strip center previously permitted as a result of an agreed judgment entry which is now being requested to be modified and therefore this modification will supplant the judgment entry and this property will continue forward under the application of the Bainbridge Township Zoning Resolution. The permitted modifications will be currently as set forth in the revised drawings, dated April 7, 2021, the board has been considering before it and submitted as part of the record will set forth the proposal and the approved items with the following.

With respect to the conditional use the board will grant the following variances.

1. With respect to the setback from property lines the setbacks will be 64.2' from the Washington Street right-of-way on the north, 44.4' from the Chillicothe Road right of way on the west, 35.56' from the east side property line and 21' from the south or rear property line.
2. A variance to 117.13 (b) (3) with respect to the driveway off of Chillicothe Road, since it is less than 200' from the intersection the board will grant a variance for the location of that driveway as shown on the drawings with the notation that it is being reconfigured to allow only right-hand turns in and right-hand turns out with signage.
3. A variance with respect to parking space size on the north side of the building to 9' x 18'.
4. A variance to the total number of parking spaces required from 90 to 73.
5. A variance to parking setbacks required according to 143.03(d) will be 70' from Washington Street and 100' from Chillicothe Road, the rear (south side) 50' and the side (east side) 20'.
6. The setbacks for parking and drives will be 2.8' from the Washington Street right-of-way, 1' on the east lot line, 4.1' on the rear or south lot line and on Chillicothe Road a setback variance from 0' to 36' as shown on the drawing.
7. A variance to the size of loading space to 10' x 30' versus 12' x 50'.
8. A variance to Section 143.03(c) to the lot coverage from 85.0% at present to 89.0% based on excluding the right-of-way calculation.

The following conditions will apply to this approval.

1. Any drive-thru windows will be limited to point less than 20' from the southeast corner of the building on the south side of the building or on the east side of the building that runs down to that same southeast corner.
2. The applicant will make arrangements so that removal of trash will not be at too early an hour considering the presence of residential properties adjacent to this property, after 7:00 A.M.

3. Before installing any new lighting the applicant will submit a lighting plan to the Zoning Inspector for approval in accordance to meet township requirements.
4. There will be a landscape plan submitted at the time the signing package is submitted for approval to the Zoning Inspector which landscape plan will also be subject to the approval of the Zoning Inspector as measured against the other landscaping that is located at this corner to be consistent with and similar to that.
5. The applicant will deal with the curb size and the slope of the driveway onto E. Washington Street because it has been previously discussed at this meeting and submit a finalized plan for that driveway to the Zoning Inspector for the Zoning Inspector's approval prior to the construction proceeding on the modifications to the center.
6. The rear drive is one-way eastbound.
7. The board notes that outside storage of materials for sale is not permitted by the township zoning resolution and as the board sees no areas designated for that the board will say that no areas have been approved for that or no variances to that requirement are to be implied.

Based on the following findings of fact:

1. The board is granting these variances and this conditional use zoning certificate to reflect the fact that there is already a pre-existing building here and that substantial improvements are being made to the building and the surrounding parking lot that will make significant improvements to the property and to the flow of traffic around the property.
2. The variances being granted are reasonable and necessary so that a number of these changes can be made to deal with some previous shortcomings at this property and recognizing the other modifications and changes that are being made by the applicant to improve this property and make it more compliant with the zoning requirements.
3. With respect to the time of this, the zoning certificate, so long as the Zoning Inspector after one year is satisfied that all of the specific requirements of complying with the drawings and this decision have been met, this conditional use certificate shall be valid for five years otherwise it shall terminate after one year and be subject to renewal at one year.

Mr. Lewis seconded the motion.

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

Application 2020-35 by Dangelo, Ltd. for property at 16965 Park Circle Drive -
Continuance

The applicant is requesting area variance(s) for the purpose of maintaining a pavilion. The property is located in a LIR District.

Application 2021-4 by Dangelo, Ltd. for property at 16965 Park Circle Drive -
Continuance

The applicant is requesting area variance(s) for the purpose of constructing a restaurant/event center. The property is located in a LIR District.

Mr. Lamanna moved to continue these applications to the next regularly scheduled meeting to be held May 20, 2021.

Mr. DeWater seconded the motion.

Vote: Mr. Corcoran, aye; Mr. DeWater, aye; Mr. Gutoskey, abstain; Mr. Lamanna, aye; Mr. Lewis, aye.

Secretary's note: Per a letter dated April 1, 2021, Ms. Kathleen Dangelo has requested a continuance of the April 15, 2021 public hearing regarding applications 2020-35 and 2021-4 to the June 17, 2021 BZA meeting.

Since there was no further testimony, the public hearing was closed at 10:05 P.M.

Respectfully submitted,

Brent Barr, Alternate
Michael Corcoran
Ted DeWater
Ian Friedman, Alternate
Joseph Gutoskey
Michael Lamanna, Chairman
Todd Lewis, Vice Chairman

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

Date: May 20, 2021

AUDIO RECORDING ON FILE

Bainbridge Township, Ohio
Board of Zoning Appeals
April 15, 2021

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 10:05 P.M. by Mr. Michael Lamanna, Chairman. Members present in person were Mr. Michael Corcoran; Mr. Ted DeWater; Mr. Joseph Gutoskey and Mr. Todd Lewis. Mr. Steven Averill, Assistant Zoning Inspector was present in person to monitor and host the Zoom meeting.

MINUTES

Mr. Gutoskey moved to adopt the meeting minutes of March 18, 2021 as written.

Mr. DeWater seconded the motion.

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

APPLICATIONS FOR NEXT MONTH

Application 2021-9 by Jeremy Fischbeck for property at 16745 Chillicothe Road (Market Square Shopping Center)

The applicant is requesting an expansion of an existing conditional use permit for the purpose of installing a walk-in freezer to serve Mazzulo's Market. The property is located in a CB District.

Application 2021-10 by Brandon O'Neill for property at 17695 Plum Creek Trail

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

Application 2021-11 by Richard Gierlach for property at 18764 Chillicothe Road

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

Application 2021-12 by Roger Matt Reinert for property at 9695 Stafford Road

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

The Bainbridge Township Board of Zoning Appeals set a public hearing on the above applications for May 20, 2021 at 7:00 P.M. at the Bainbridge Township Community Hall, 17826 Chillicothe Road, Bainbridge Township, Ohio and unanimously resolved to request the Bainbridge Township Board of Trustees to issue a purchase order for legal advertising.

Since there was no further business, the meeting was adjourned at 10:08 P.M.

Respectfully submitted,

Brent Barr, Alternate
Michael Corcoran
Ted DeWater
Ian Friedman, Alternate
Joseph Gutoskey
Michael Lamanna, Chairman
Todd Lewis, Vice Chairman

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

Date: May 20, 2021