

Bainbridge Township, Ohio
Board of Zoning Appeals
June 17, 2021

Pursuant to notice by publication and ordinary mail, the public hearing was called to order at 7:00 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Michael Corcoran; Mr. Ian Friedman, Alternate; Mr. Joseph Gutoskey and Mr. Todd Lewis. Mr. Ted DeWater was absent. Ms. Karen Endres, Zoning Inspector was present.

Mr. Lamanna welcomed everyone to the regular meeting of the Bainbridge Township Board of Zoning Appeals, explained the public hearing process and swore in all of those present who intended to testify.

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.

Mr. Lamanna moved to postpone this application until the next regularly scheduled meeting to be held July 15, 2021 at the request of the applicant.

Mr. Lewis seconded the motion.

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

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 accept the request of the applicant to withdraw this application.

Mr. Lewis seconded the motion.

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

Application 2021-13 by Charles Blouir for property at 9162 Willson Drive

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

Mr. Charles Blouir was present to represent this application.

Mr. Blouir testified that he lives at 9162 Willson Drive and as you can see from the pictures displayed he lives at the end of Willson Drive and he needs a little more space to park his tractor and other lawn care equipment and things like that and he picked up woodworking when he retired a couple of years ago so he wants to put a little space in there for his woodworking shop. He said there is really only one space with the riparian setback that he can put it and to get the space he needs, 300 sq. ft. just wasn't going to be enough so this is a fairly low building, single story and kind of matches the house architecture and he can paint it the same color of the house so it will look like it was part of the property. He said Ms. Endres and Mr. Averill came out and looked around and gave him an idea of where he could put it so he sketched that up and that is the reason he is here, to get it approved to get the extra space. He said he will still be under the maximum lot coverage and that is about all he can say about it at this point. He said it is a dead-end street and he is almost the last house in the woods at the end of the street, there are two more houses further down in the woods beyond him. He said it is a pretty open area in there plus when the garage is up you won't even see it pretty much anywhere.

Mr. Gutoskey said so it will be somewhat hidden by the existing trees and he sees you are saying you will get rid of the temporary tents and structures that are there so really it is kind of a clean-up and he doesn't have a problem with this.

Mr. Blouir said he doesn't like the tents so you can help him out here.

Mr. Lamanna asked Ms. Endres where we ended up on the issue of structures in the front yard, in front of the principal dwelling, was anything ever done on that.

Ms. Karen Endres, Zoning Inspector testified that on conforming lots she believes that that language says it has to be behind the front of the house. She said in 1977 she believes it can be in front of the house but it has to be the same setbacks as the house, that is why there is a 20' setback instead of 15'.

Mr. Blouir said he was able to find the pins for all four corners of his property so it will be better to locate the building.

Mr. Gutoskey said you really can't push it back to the riparian. He asked where the septic location is, if it is behind the house or in the front.

Mr. Blouir said it is in the backyard.

Mr. Gutoskey said kind of where the grass is green there.

Mr. Blouir said that would be the spot. He said he really can't put anything back there and referred to the aerial photo. He said to the left of there he has a sub-surface sand filter and there were so many trees they wouldn't let him put in a leach field, he had to put in a sand filter so the backyard is pretty much not an option.

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

Motion BZA 2021-13 – 9162 Willson Drive

Mr. Lamanna moved to grant the applicant the following variances for the purpose of constructing a detached garage in accordance with the plans submitted by the applicant.

1. A variance to the maximum accessory building size for non-conforming lots from 300 sq. ft. to 1,008 sq. ft.
2. A variance to the maximum height of an accessory building for non-conforming lots from 15' to 25'.
3. It will be located as shown on the drawing submitted by the applicant.

Based on the following findings of fact:

1. This location is the only location where the applicant can build this due to the existing riparian setback and the existing septic system fields behind the house.
2. The size of this accessory structure, due to the fact that this is a 2.6 acre lot, is not unreasonable, nor is the height unreasonable.
3. The applicant has also indicated that this will be painted and constructed to generally match the existing house so that there will be no adverse impact on the character of the neighborhood or on the adjacent property owners as well since its location is well screened and at the end of a private right-of-way.

Mr. Gutoskey seconded the motion.

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

Application 2021-14 by Michael Polz for property at 16355 Stone Ridge Road

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

Mr. and Mrs. Michael Polz were present to represent this application.

Mr. Michael Polz testified that he lives at 16355 Stone Ridge Road and this is his wife Kristen Polz and that their existing garage is pretty small and they can't park both of their cars in it the way it is now so they talked to their builder and he said it would make more sense to kind of reuse the existing frame for the garage that they have now and turn it into a den or a mudroom and he has pictures of that. He said and then off of that they would like to put up a new garage to replace the existing one and it would make parking easier. He said his neighbor to the north, Dan Sutherin would have been here tonight but he is out of town.

Mr. Gutoskey said that is almost a repeat of the last one with a riparian and asked Mr. Polz if his septic is in the front.

Mr. Polz said it is on the other side of the house, their well is in the front and their septic is towards the street on the other side of the house.

Mr. Lewis said they are looking for a 5' 7" side yard setback variance for this placement, everything else conforms.

Mrs. Polz testified that the roofline on the house will match.

Mr. Lamanna said the driveway is right down the property line.

Mr. Polz said yes, originally both of those lots were one lot when the house was built back in the fifties and when he drew that line he was going to have his daughter live next door, it was a huge lot that is why it made sense where the house was placed because he would have had them both and to be able to look at that giant field in the front but obviously when they split it up, kind of where it is now is where the driveway is, there was no other choice as far as where to put the garage.

Mr. Lamanna said so that was the first house, the other house was added later.

Mr. Polz said yes, in the eighties.

Mr. Lamanna said so the first person owned the whole lot.

Mr. Polz said yes, the first person owned both and split them up.

Mr. Lamanna said there is a pretty good distance between the houses.

Mrs. Polz said and there is a natural tree line too.

Mr. Lamanna said and you are actually sitting back so really you would have a hard time seeing the garage anyway.

Mrs. Polz said yes because the garage actually from the front of the house is going to be set back even a few more feet and then obviously it will be sided so everything will match.

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

Motion BZA 2021-14 – 16355 Stone Ridge Road

Mr. Lamanna moved to grant the following variances for the purpose of the applicant constructing a proposed garage addition as shown in the application that has been submitted.

1. A variance to the side yard setback of 14.3' versus the 20' required.

Based on the following findings of fact:

1. A practical difficulty exists because the house was originally on a bigger lot, the lot was split and after the split the house ended up very close to the dividing line with the driveway coming right up alongside the dividing line.
2. This is the only place where it is really feasible to add a garage.
3. The area is well screened from the adjacent property owner on that side.
4. The house is also a significant distance from the side yard setback.
5. The additional house was built when the lots were split but there will be no adverse effect on the adjacent property owner nor will this in any way change the character of the neighborhood.

Mr. Lewis seconded the motion.

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

Since there was no further testimony, the public hearing was closed at 7:16 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: July 15, 2021

AUDIO RECORDING ON FILE

Bainbridge Township, Ohio
Board of Zoning Appeals
June 17, 2021

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 7:16 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Michael Corcoran; Mr. Ian Friedman, Alternate; Mr. Joseph Gutoskey and Mr. Todd Lewis. Mr. Ted DeWater was absent. Ms. Karen Endres, Zoning Inspector was present.

The Board acknowledged Mr. Corcoran's resignation from the Board of Zoning Appeals, wished him well and thanked him for his service on the board.

MINUTES

Mr. Lamanna moved to adopt the meeting minutes of May 20, 2021 as written.

Mr. Gutoskey seconded the motion.

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

APPLICATIONS FOR NEXT MONTH

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 2021-15 by Jason Rion of Highland Construction for Dominic Brault for property at 7555 Cottonwood Trail

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

Application 2021-16 by Diane Bija of New Creation Builders for Joe Kish for property at 8230 Tulip Lane

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

The Bainbridge Township Board of Zoning Appeals set a public hearing on the above applications for July 15, 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 7:59 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: July 15, 2021