

Bainbridge Township, Ohio
Board of Zoning Appeals
July 17, 2014

Pursuant to notice by publication and certified mail, the public hearing was called to order at 7:12 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Joseph Gutoskey; Mr. Todd Lewis; Mr. Mark Murphy and Mr. Mark Olivier. Ms. Karen Endres, Zoning Inspector was present.

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

Application 2014-20 by Gordmans, Inc. for property at 7605 Market Place Drive

The applicant is requesting area variance(s) for the purpose of installing a wall sign. The property is located in a CR District.

Mr. Harvey Swenson, of Gordmans and Mr. Jay Muller of Omaha Neon Sign Company were present to represent this application.

Mr. Swenson testified that he is the manager for facilities and store projects for Gordmans and a sign variance is something they have done several times and if you notice our storefront it is a very large storefront and we have a formula that is successful for us and we are asking for a 100 sq. ft. variance in proportion and they would like to have their letters and logo so it is an identifiable aggregate that is on all of their buildings. He said it is in proportion to the building as they like it and they are requesting a variance, they are a 100 year old company, they will be 100 years old next year and the 100th store will be next year so they are a growing company, they are opening probably five to ten stores per year and as far as sales their sales nationwide are 612 million and this store they project to do 8 – 10 million. He said they will employ roughly 100 associates to the tune of \$700,000 in annual payroll and they are just looking to get the most they can and the best benefit for their building and they pay attention to the little things in it and they feel the little things are important and they do set away back from the road and the signage they have off the highway is a monument sign, not terribly big and being new to the community they would like people to see us and we feel that the most successful stores are the ones who have the best visibility with signage and there are probably going to be more people motivated as they are driving through and going to the other retailers in that area and seeing our building and sign. He said he does have a couple of things, a letter from the developer and some signs that are already up in other communities around the country. He said he will answer questions about Gordmans and added that he has been with Gordmans for 40 years and he has opened up 60 stores for them.

Mr. Lamanna stated that it is an appropriate place for the sign.

Ms. Karen Endres, Zoning Inspector testified that this is for a height variance, there is signage there that needs to be taken down and explained that the signage allowed in the area of the shopping center is 525 sq. ft. and Gordmans is using 350 sq. ft. so she wanted to point out how much signage is left for other tenants in the future.

Mr. Murphy asked if that is not Market Square, it is Pebb Cleveland for that particular area where this is located, the owner of the shopping center adjacent to the Market Place of Four Corners so this property is not part of the original Market Place of Four Corners anymore.

Ms. Endres explained that it is still part of Market Place of Four Corners but this portion has been sold off to Mr. Jerry Weiner but Mr. Matt McGill still manages Kohl's, Walmart etc. but this particular piece of property is in the Market Place of Four Corners subdivision but it is owned by Mr. Weiner.

Mr. Lamanna said it is still subject to the overall development plan.

Mr. Murphy said this letter just showed up tonight and this is regarding Gordmans and it says Pebb Cleveland LLC is the owner of the shopping center adjacent to the Market Place of Four Corners shopping center and obviously they are saying they are no longer Four Corners at Marketplace and they are in the process of developing that independent of Four Corners and that is what the first sentence in that letter would lead him to believe.

Mr. Lamanna said maybe we need to send a letter back to these folks and say after seeing your letter here please understand that you are still subject to the overall agreement and development plan of Market Place and at this point there is not an issue with the signage because it is a separate free-standing building.

Mr. Swenson said he does not know what the status is of the buildings next to Gordmans whether they have been leased or not.

Mr. Murphy asked if all of the green on the site plan to the south is future buildings and we have 300 sq. ft. of signage remaining.

Ms. Endres referred to the GIS aerial and showed where Gordmans is going to be located.

Mr. Gutoskey asked if Gordmans is going to be attached to the existing building.

Mr. Swenson said yes they are, they are right next door and a 50,000 sq. ft. building.

Ms. Endres said she calculated the signage as one long building for the total allowance for signage and Gordmans did go before the Board of Trustees for architectural review and added that she did not send the sign to the Board of Trustees.

Mr. Lewis said the board just needs clarification but they are part of the development regardless of who owns the property.

Mr. Swenson said it is not his worry.

Mr. Lamanna said they must understand if they came in and got it approved that it is part of the development plan.

Mr. Swenson said all of that was at his request that they support the sign variance.

Mr. Lamanna said once the variance is approved, a letter should be sent to the property owner that they have used up a certain amount of sq. ft. of the total square footage of 525 sq. ft. for this building.

Ms. Endres said she did have that discussion with the property owner, that discussion has happened already.

Mr. Lamanna said once this is approved, it should be confirmed to them in writing.

Mr. Murphy asked what the height was of the old Thomasville Furniture sign.

Ms. Endres said she did not have that off the top of her head.

Mr. Murphy said it looks fine in perspective and in terms of where it is located on the building.

Mr. Swenson said it is a nice looking sign.

Mr. Murphy asked if it will be dimmed in the evening.

Mr. Jay Muller testified by saying yes and it is LEDs and reverse lettering so it is not bright, the spacing.

Mr. Swenson said it will only be visible to people driving through the parking lot, it is not visible from the road at all.

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

Motion BZA 2014-20 – 7605 Market Place Drive (Gordmans)

Mr. Lamanna made a motion to grant the applicant the following variance for the purpose of erecting a sign that is shown in the applicant's submittal.

1. A variance from the maximum height of 22' above grade to 27' 6" above grade for a variance of 5' 6".

Based on the following findings of fact:

1. Based on the overall building height and size, the appropriate place to install the sign from an architectural standpoint would be where it has been proposed.
2. This height does not circumvent the intent of the height limitation since it does not extend above the roofline.
3. It is a reasonable size of lettering and again it fits into the appropriate architectural space on the building with respect to its height.

Mr. Lewis seconded the motion.

Vote: Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye; Mr. Olivier, aye.

Application 2014-21 by Joe Trende for property at 18766 Snyder Road

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

Mr. Joseph Trende and Ms. Beverly Conroy were present to represent this application.

Ms. Conroy testified that she is Mr. Trende's sister and is here to help him out with the application. She submitted pictures of the house with the old garage to the board and stated that is the garage they want to tear down.

Mr. Lamanna asked if it is currently a detached garage.

Ms. Conroy replied yes it is. She said right now it is at 82' so the variance from the street is 18' that they need for that and one of the reasons is the septic system is behind it and they want to keep the garage by the driveway.

Mr. Trende testified that the septic system is behind it and he showed a photo of the other building to the board.

Mr. Lewis asked if it is an accessory structure.

Ms. Conroy said yes, it was built in the 1900s.

Mr. Trende said he uses it for storage and the reason for the new garage is he has a 22' boat and a 14' boat and he likes to duck hunt and use it for a workshop too.

Mr. Lamanna asked if it is going to be even with the front of his house.

Mr. Trende said if he does it right now the way it is, yes, the garage is even with the house.

Mr. Lamanna said so the garage will not be forward of the house.

Mr. Trende replied no.

Ms. Conroy replied no.

Mr. Trende said there are three driveways to get in and out.

Ms. Conroy said that two doors down there is a huge existing garage.

Mr. Lamanna said it is going to be a little wider and mostly deeper.

Mr. Trende replied yes. He said Edgewater subdivision is across the street and explained the location of his property per the GIS aerial photo and added that he is south of Taylor May.

Mr. Lamanna asked if there is any issue with the other existing accessory structure.

Ms. Karen Endres, Zoning Inspector testified not that she is aware of.

Mr. Lamanna asked if there is a variance from the side yard setback.

Ms. Endres said it has been there for quite a while.

Ms. Conroy said the previous owner tried to make it a rental and the zoning said no, so it is not a rental, it will never be a rental and nobody will ever live in it.

Mr. Lamanna said so you are still using it as a workshop.

Mr. Trende replied yes.

Mr. Murphy asked if the previous owner subdivided this and sold this.

Mr. Trende said that was the way the lot was broken up when he purchased it.

Mr. Murphy asked Mr. Trende how long he has been there.

Mr. Trende said a year. He said whoever owned it owned all three houses right there in a row.

Mr. Murphy asked if all three houses are on the same septic system.

Mr. Trende replied no, his system actually goes back into where the southern leg is, that is where the leach field is for his house.

Mr. Murphy asked where their leach field is.

Mr. Trende said he does not know.

Mr. Gutoskey said if it was split recently the health department would not have approved the split without the septic being separate.

Mr. Lewis said this board has seen this property before.

Mr. Lamanna said there were two houses already on it.

Mr. Trende said yes and this little building.

Mr. Murphy said he never believed there were two septic systems on that property from that meeting.

Mr. Lewis asked wasn't there some crazy piping.

Mr. Lamanna said he thinks that is why the shape of this lot is the way it is.

Mr. Trende said the septic lines go back through Gibson's property in the little corner where it makes the v, it says on his title there is a variance for his septic to run through his property.

Mr. Lamanna said it would be an easement.

Ms. Conroy said they are trying to make it better.

Ms. Endres said it is not in the documentation packet but it is a letter and the minutes of the variance hearing when the property was sold.

Ms. Conroy said no one lives in that house.

Ms. Endres said it was something to that effect.

Mr. Lewis said there is already a ruling that follows this land about occupying the other house for living quarters.

Mr. Trende said mice and chipmunks live there.

Mr. Lewis said and you can't run a business out of there even if you put up a half acre building.

Mr. Trende said no, no businesses.

Mr. Lewis said it is personal storage and use kind of thing.

Ms. Conroy said right.

Mr. Lamanna said the variance is for a front yard setback.

Mr. Lewis said there is no impact to anybody.

Mr. Murphy asked if anyone is present regarding this application.

Mr. Lamanna said the board has emails from the neighbors in favor of it.

Ms. Conroy stated that the garage will match the house.

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

Motion BZA 2014-21 – 18766 Snyder Road

Mr. Lamanna made a motion to grant the applicant a variance for the purposes of constructing a replacement detached garage in accordance with the description furnished by the applicant in the application.

1. A variance from the minimum front yard setback of 100' to a proposed 82' for a variance of 18'.
2. A variance to the size of the structure to 2,560 sq. ft. from the maximum size of 300 sq. ft. for a variance of 2,260 sq. ft.

Based on the following findings of fact:

1. This is being located on a site of an existing detached garage and it will be no closer to the street than that one was.
2. It is also on the same front line as the adjacent residence on the property therefore it will not adversely affect either the character of the neighborhood or any of the adjacent property owners.
3. It is limited by being a non-conforming lot but the lot size is still 3.5 acres and will still not exceed the lot coverage amount permitted for that.
4. There is a practical difficulty because of the unusual shape of this lot that creates the issue of 300 sq. ft.

Mr. Lewis seconded the motion.

Vote: Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye; Mr. Olivier, aye.

Application 2014-22 by De'Chella M. Woodruff for property at 8502 Pilgrim Drive

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

Ms. De'Chella Woodruff, Mr. Monte Warren and Mr. Don Geitz, Architect were present to represent this application.

Mr. Monte Warren testified that they are proposing to build a single family house on Chillicothe Road and Pilgrim Avenue.

Mr. Lamanna said so you will be on Pilgrim Drive and there is nothing on that other lot yet.

Mr. Gutoskey said it is vacant on both sides.

Ms. Karen Endres, Zoning Inspector testified that for some reason the Chillicothe Road right-of-way is 66' from centerline to the right-of-way here in this area but the other side of Chillicothe is 30' to centerline so the Chillicothe Road right-of-way on this side is more than twice the size.

Mr. Warren said it was possibly for a turning lane to turn into Pilgrim Village.

Mr. Lamanna said that would have made sense. He asked if there is just one other lot there.

Mr. Warren replied yes, on Pilgrim Avenue.

Mr. Lamanna said there is plenty of room to put a house on that lot and stay far from this one.

Mr. Lewis asked if Pilgrim Village has an ARB.

Mr. Gutoskey said yes, deed restrictions.

Mr. Lamanna reviewed the requested setbacks.

Mr. Gutoskey said most of the lots in Pilgrim Village are 150' x 300'.

Mr. Pat Sweeney, President of the Pilgrim Village Homeowners Association and Mr. Alan Tatro, Vice President of the Pilgrim Village Homeowners Association were present. Mr. Tom Hoffman, resident of Pilgrim Village was also present.

Mr. Pat Sweeney testified that Ms. De'Chella, Mr. Warren and Mr. Geitz presented the Pilgrim Village board with a set of plans for review so the way the process works in PV the board reviews and has the authority to approve any drawings or any construction in the neighborhood but this doesn't happen too often in Pilgrim Village because the development was built quite some time ago. He said the board really didn't know the disposition of that parcel and how it was subdivided so back apparently in the 1980s it was called subplot A and it was split into three lots back then so we weren't aware of that so when this set of plans was submitted to the board it was a little bit confusing to us whether that lot was even a part of Pilgrim Village so that was a question we needed to answer and through our research we found out that it is a piece of property that is part of the Pilgrim Village Subdivision. He said when they looked at it and when the subdivision was developed there were pre-fixes assigned to all of the lots and the association assigned some type of construction type to each lot in the neighborhood and since the 1980s there is no construction type of classification pre-fix assigned to those lots there. He said to give you an example any subplot with a pre-fix of N requires 50% of the width of the front elevation and it has to be two stories, a lot that has a B in front of it requires 1-1/2 stories and a pre-fix of C allows for a one-story home so those three parcels of land never went through that review process back when the subdivision was platted.

Mr. Lamanna asked if that was done during the original platting of the subdivision.

Mr. Sweeney said it was.

Mr. Lewis said so those street parcels never got assigned a design code for a type of structure.

Mr. Sweeney said as near as they can tell.

Mr. Lamanna asked if that was done by the developer.

Mr. Alan Tatro testified that it was the original developer.

Mr. Lamanna asked if the developer left any authority after that in the association to change that or add to it.

Mr. Tatro said the way they read the current by-laws if he is reading them correctly, he does not know where that pre-fix N comes from and per their by-laws he believes it should be A and the way he reads the current by-laws and it is all they have to go by, it says that if it is not a B, or a C, or an A then it must be a colonial with 2,200 sq. ft. minimum and no taller than 35' and he thought that there was some sort of setback requirement and in the past there has only been one house that was constructed and that was on Birch Hill and it met the setback relative to the house at 75' from the road and that was just in keeping with the architectural nature of the area.

Mr. Lamanna said they meet the 75' at least from the Pilgrim Village standpoint.

Mr. Tatro said really the bigger view of the by-laws, the board is supposed to follow the by-laws.

Mr. Sweeney said if the board wanted to have more control over the style of that house on that lot they should have been on it back in the 1980s when it was split up and the original plat probably should have been amended and reflected with these pre-fixes.

Mr. Lamanna said you would review this like you would review anything but you are just not bound by the constraint that it has got to be one of those specific requirements. He said you can look at it and determine if it fits in or doesn't fit in.

Mr. Tatro said if he reads it correctly and it is not a 1-1/2 or one-story it defaults to a colonial.

Mr. Lamanna asked what the final decision was on this.

Mr. Sweeney said they asked themselves three questions: Was the house in Pilgrim Village? They all agreed that it was in Pilgrim Village. Can the board apply any restrictions to this home, any of those pre-fixes? The way they read the by-laws is at this point in time, no they can't. He said they debated about whether this met the by-laws requirements for a traditional, authentic colonial style home, they went back and forth on it and agreed that it is a different looking home and they actually got on the phone with Mr. Warren and discussed it with the board. He said he referenced some of the other homes in the neighborhood that were built back in the 1970s and 1980s etc. and they were colonials and he is looking to build a colonial but it is a 2014 style colonial which is different and after talking to them they felt that it met the intention of the by-laws so the board voted and were all in favor.

Mr. Tatro said they don't do this a lot because the subdivision is pretty well built out.

Mr. Sweeney said it is a beautiful home, it is bigger and it looks different than what we are accustomed to seeing.

Mr. Lewis said he thinks it is going to make a nice statement as you are driving into Pilgrim Village. He said it is formal and elegant and represents 2014, not 1965.

Mr. Murphy asked if there are two different site plans here.

Mr. Geitz said they had to turn the house and they had 75' from this line (he referred to the site plan) and they found out they could be 20' so they turned it and it got it farther away from Rt. 306 and they will have to go around the island to come into this property.

Mr. Tatro said the 1.89 acres is to the east of this lot and asked if that is a full lot because what he has seen on the plats looks different.

Mr. Gutoskey said they combined them.

Mr. Tatro said he was a little concerned that the 20' would make that house in that triangle a little difficult to build but if we are convinced that 1.89 is it, there is plenty of room for them to do what they want to do. He said there is a guy who lives in Pilgrim Village who he thinks owns the lot and he presented a house to the board two to three years ago, a really nice house and he wanted to set it back and we approved it but he doesn't know if he ever applied for a building permit but at that time he doesn't recall knowing where this piece was or anything like that but with 1.89 acres he does not see a problem.

Mr. Lewis said it is a good buildable lot.

Mr. Tom Hoffman testified that he lives at 17880 Gardiner Lane and he has been watching this property for a good while and actually he has lived here for over 20 years and the original property owners owned all three lots obviously and a few years ago the gentleman passed away and the estate put this land up for sale so the three lots were for sale. He said he actually put in a bid for the one right behind his property but he wasn't really too serious and he didn't want to pay more taxes but he wanted to buy it for the green space so the one lot for Pilgrim Avenue sold to a gentleman in Pilgrim Village and he has plans to build there and the other one sold a few months ago to the gentleman who owns the Montessori school and then the third lot sold on the corner of Pilgrim Village and it was a very good green space property but somebody bought it to build a house and it is anybody's right to do that. He said the easement along Chillicothe Road was just added when the property went up for sale.

Mr. Gutoskey said it was added in 1961 when the subdivision was platted.

Mr. Hoffman said it could be but he just noticed it in the county lot drawing when it was put up for sale.

Mr. Gutoskey said it shows it right here, the plat from 1961, 66' off centerline.

Mr. Lamanna said they requested it when it was in the platting process.

Mr. Hoffman stated that it is not a good thing for the property to build a house because Rt. 306 is a very busy road and down the road it is going to be even busier, it has gotten a lot worse over the years so he thinks the board has to keep that in mind. He said he thinks this house would be a big effect on the neighborhood, good or bad, he is not sure but it is like a showcase house that is right on the corner of a neighborhood that has been there for a long time.

Mr. Gutoskey said hopefully it will improve the property values.

Mr. Lamanna said the one disadvantage we have now is you are one person, the association has represented everybody who lives there.

Mr. Hoffman said if there was a vote taken in the neighborhood he bets they wouldn't like it and they may not like it when it is built.

Mr. Lewis said it is a buildable lot.

Mr. Lamanna said he is looking for them and he doesn't see them here.

Mr. Hoffman said all he knows is they are trying to keep the old antique version of the neighborhood and there are older houses all the way along here and then you are going to see that house, a mansion or what on a very small lot.

Mr. Lamanna said and then there is a very modern looking church nearby and nobody can predict what is going to happen to the other lots along there.

Mr. Hoffman said this is our neighborhood and he is not sure how this is going to work. He said the house that is going to be built on Pilgrim Avenue next to it, what is it going to look like, it is right up against this mansion and even though there is some room there.

Mr. Lamanna said the board has no control over architecture.

Mr. Hoffman said he understands but you have control over zoning, the law is the law and zoning is there for a reason and when you vary from the zoning it means you are changing the laws.

Mr. Gutoskey said it is a grandfathered lot of record.

Mr. Lamanna explained that there is actually a legal right to a variance.

Mr. Hoffman said but aren't the zoning rules in place for a reason and that is so you don't have a house that is sitting on a small lot.

Mr. Gutoskey said the lot is actually as big as the other ones in Pilgrim Village.

Mr. Hoffman said it is going to be a huge house on the corner of Pilgrim Village and will change the whole architecture and we are changing the rules.

Mr. Tatro said just to clarify we are looking at the by-laws.

Mr. Hoffman said he hopes the builder accounts for the lot being very wet, especially in the winter, there is a swale that was put in between his property and his neighbor's property and it runs to a catch basin right along the border there, he is not exactly sure where it is at but, and it is a low spot there right on the corner so keep that in mind. He said also the hook-up to the sewers right there costs between \$20,000 to \$30,000.

Mr. Lewis said they are already working with Geauga Soil & Water so all of the conservation and all of the elements of that lot are already being taken into consideration and are being managed and monitored and we have the documentation already.

Mr. Lamanna said the sewers are in the approved plan.

Mr. Hoffman said they picked the smallest lot.

Ms. De'Chella testified that it was the only one left.

Mr. Murphy asked if there is some reason that you put it at 24' and kept the Rt. 306 side to 34' for the setback.

Ms. Endres explained that it is because it is a brand new structure so the 50' side yard applies.

The board discussed that the side yard setbacks in Pilgrim Village are 20'.

Mr. Lamanna said when they build a house on the neighboring lot this house will be farther from that house than probably any other house in the entire Pilgrim Village.

Mr. Lewis said the house conforms to the ARB standards for Pilgrim Village.

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

Motion BZA 2014-22 – 8502 Pilgrim Drive

Mr. Lamanna made a motion to grant the applicant the following variances for the purpose of constructing a single family house on this lot.

1. A variance from the minimum required front yard setback of 100' to 75' for a variance of 25'.
2. A variance from the minimum required side yard setback (easterly side) of 50' to 20' for a variance of 30'.
3. A variance from the minimum required side yard setback (other side) of 100' to 34' for a variance of 66'.
4. A variance from the maximum permitted lot coverage of 10% to 18% for a variance of 8%.

Motion BZA 2014-22 – 8502 Pilgrim Drive - Continued

Based on the following findings of fact:

1. The reason for granting a variance to the lot coverage is this is a pre-existing lot of record and approximately 1.1 acres so given the size of the lot it is appropriate to increase it from 10% to 18%.
2. The 20' setback is consistent with the side yard setbacks in the Pilgrim Village area.
3. It is also necessary because of the overall total lot width because the size of the road right-of-way has reduced the lot width in this area.
4. The other side the 34', there will be an additional 30' from the road itself so it will be consistent in conforming with the local neighborhood.
5. The board notes that the structure has been approved by the Pilgrim Village architectural review board and therefore this would not be inconsistent with the character of the neighborhood with respect to the variances being granted.

Mr. Lewis seconded the motion.

Vote: Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye; Mr. Olivier, aye.

Application 2014-23 by Alan & Susan Runo for property at 7977 South Riverside Drive

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

Mr. Alan Runo was present to represent this application.

Mr. Runo testified that the main reason he is here for the variance is that thirty some years ago he built the structure, in the early 80s when they built their original barn and it would be 35' from their side property line and that structure has stood for 30 some years and finally we decided we need to replace it with something more aesthetically pleasing so they tore the barn down and he came here to propose they build another barn and get a zoning permit for it and found out that there is a 50' setback. He said the barn itself is only going to be 16' deep and a 50' setback from the side yard would basically put the whole barn in their backyard with one foot of it in the wood line, tree line which wouldn't really make anybody real happy so he was hoping that the board sees that we could replace our barn on the existing foundation where we had the other barn and just make it so that it looks natural and normal like it was before. He said they will have it built by Storage Barns Unlimited, it is a standard barn 12' x 16' x 12' center and their existing barn was 14' x 12' x 16' high so it will be a smaller building.

Mr. Lamanna said so you are building where the old barn used to be on an existing foundation.

Mr. Runo said yes and there are wolmanized two by sixes and it surprised him when the building came down they were still good and the gravel is still there and we kept the water out of it. He said there are trees on the other side and their side and the other house will appreciate the better view.

Mr. Olivier asked if there was a variance for the first shed.

Ms. Karen Endres, Zoning Inspector testified that she didn't find anything.

Mr. Murphy asked how far it is off of the road.

Ms. Endres said it will be 180' from the right-of-way.

Mr. Runo said it will not be seen from the street.

Mr. Murphy said we have asked people to tuck them in behind the house but this is hidden completely in the woods.

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

Motion BZA 2014-23 – 7977 S. Riverside Drive

Mr. Lamanna made a motion to grant the applicant the following variance for the purpose of constructing an accessory structure to replace one on the same location and using the same foundation materials from the prior barn.

1. A variance from the minimum required side yard setback of 50' to 35' for a variance of 15'.

Based on the following findings of fact:

1. The lot is a tapering lot at this point. The barn is also over 200' from the road and will be totally screened off by the vegetation between the barn and the road.
2. Also the location of the dwelling on the adjacent property is a significant distance from the property line so this barn will not adversely affect the neighboring property or even be visible from it.

Mr. Murphy seconded the motion.

Vote: Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye; Mr. Olivier, aye.

Since there was no further testimony, the public hearing was closed at 8:20 P.M.

Respectfully submitted,

Joseph Gutoskey
Michael Lamanna, Chairman
Todd Lewis, Vice Chairman
Mark Murphy
Mark Olivier

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

Date: August 21, 2014

AUDIO RECORDING ON FILE

Bainbridge Township, Ohio
Board of Zoning Appeals
July 17, 2014

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 8:20 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Joseph Gutoskey; Mr. Todd Lewis; Mr. Mark Murphy and Mr. Mark Olivier. Ms. Karen Endres, Zoning Inspector was present.

Minutes

Mr. Lamanna made a motion to adopt the minutes of the June 19, 2014 meeting as written.

Mr. Lewis seconded the motion.

Vote: Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Murphy, aye; Mr. Olivier, aye.

Applications for August 21, 2014

Application 2014-24 by The Wembley Club (David Barr) for property at 8345 Woodberry Boulevard

The applicant is requesting a conditional use permit for the purpose of constructing an addition including indoor tennis courts. The property is located in a R-3A District.

Application 2014-25 by Lord of Life Lutheran Church for property at 17989 Chillicothe Road

The applicant is requesting a review and renewal of an existing conditional use permit for the purpose of continuing a preschool. The property is located in a R-3A District.

Application 2014-26 by Micah and Laurie Sanders for property at 7429 Chagrin Road

The applicant is requesting a variance for the purpose of amending a previously approved area variance for the construction of an addition. 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 August 21, 2014 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 8:40 P.M.

Respectfully submitted,

Joseph Gutoskey
Michael Lamanna, Chairman
Todd Lewis, Vice Chairman
Mark Murphy
Mark Olivier

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

Date: August 21, 2014