

Bainbridge Township, Ohio  
Board of Zoning Appeals  
August 15, 2002

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

Mr. Lamanna welcomed Mr. Mark Olivier, newest member, to the board.

Mr. Lamanna swore in all persons who intended to testify.

Application 2002-37 by Luigi Oppedisano for property at 9575 E. Washington Street

The applicant is requesting a use variance for the purpose of constructing mini-storage buildings. The property is located in a R-5A District.

The zoning inspector's letter dated June 10, 2002 was read and photos of the site were submitted.

Mr. Steve Ciciretto, Architect was present to represent this application.

Mr. Ciciretto testified that the applicant is requesting a use variance for property located on Washington Street west of the Timmons School drive. He said it is zoned residential five acre and the proposal, instead of single family dwellings, is for two mini-storage buildings which would front on Washington Street. He presented a color rendering of the proposed buildings that included the elevations and an aerial map of the parcel in question. He continued by saying that the property is next to Timmons Elementary School, the middle school and the high school and there is a mix of residential and commercial uses from the school to Snyder Road. He submitted a copy of a map taken from the Bainbridge Township Land Use and Zoning Report prepared by D. B. Hartt, Inc. that indicates this parcel as a non-residential use. He submitted photos, starting at the Auburn Township line of an auto repair store, auto sales and looking west to the mixed uses, the entrance to Timmons School and parking lot and said there is a buffer of trees that will remain and the buildings will be 600' plus from the school. He said there is the Kenston Plaza, landscaping business, dog kennel, mower repair, and the auto repair which was allowed to expand and was given variances to expand. He said this seems like a severe variance in a residential zone but we recognize that and there has not been a lot of precedents set for use variances in the township.

Mr. Ciciretto read from the first page of the Bainbridge Township Land Use and Zoning Report which states: "While the overall objectives set forth in the updated Bainbridge Township Land Use Plan and the Guide Plan continue to be valid policy guidelines for the Township, it was determined that five areas of concern needed more detailed study. Therefore, this Planning and Zoning Review was undertaken" and said that one of the areas specifically studied was E. Washington Street between Snyder Road and the Auburn Township Line.

Mr. Lamanna said the report is not admissible unless you bring in the person who wrote the report.

Mr. Ciciretto submitted a map depicting the uses surrounding this property and said the intent is to meet all the side yard setbacks and they are just asking for a use variance. He indicated on the site plan that the front yard setback will be 100', the side yard setback from a residential lot is 40', to the west there will be 100' to the building line and said there will be 40% lot coverage and added that there will be no sewer, septic or water requirements. He continued by saying that this use is less intense with very little traffic, the buildings will be consistent with the architecture in the area and Mr. Beyer is the only residential neighbor to this property and Mr. Beyer understands the neighborhood and thinks this is a good use and has no objections to it. He added that Mr. Beyer formerly owned this property but sold it to the current owners with the intent to develop it, long term.

Mr. Lamanna said if this use variance is granted, he (Mr. Beyer) could come in and ask for a commercial use too.

Mr. Ciciretto said the township is recognizing that this is not a single family residential property and in the long term the neighborhood would change, but this is a less intensive use and non-volatile with no established parking and no more than 40% lot coverage which is standard with commercial in the township.

Mr. Lamanna asked if there is a specific plan.

Mr. Ciciretto replied yes.

Mr. McIntyre testified that for the record, this print was brought into his office at 12:30 P.M. today.

Mr. Ciciretto said it will be developed under the township commercial setbacks which will be greater, the drive access will only be in the back because of the nature and proximity, especially on the north side of the street and the units will be 20' x 200' in the front and 40' x 200' on the side, the cars would move around the building and it does not require parking. He said the people will drive up and leave their items in the storage units and exit. He said there is 100' from the right-of-way, a 60' rear yard setback, 100' from the Beyer residence and a 20' setback off of the Timmons school drive. He continued by saying there are a little over five acres and they will have some storm water detention, underground piping and the lot coverage will be at 40%.

Mr. Lamanna said if this were a CB (Convenience Business) District you would be required to maintain a 100' setback all the way around.

Mr. Ciciretto said that would work, his interpretation was different for non-residential type uses and can understand Mr. Lamanna's point. He said they could do that and change the configuration because they are not here asking for area variances and they will conform to the zoning.

Mr. Lamanna said if the board approves the use, it will only be approved according to the plans submitted.

Mr. Ciciretto said they are intending to conform to the setbacks.

Mr. Lamanna said that this use is actually only a permitted use in a LIR District.

Mr. Ciciretto said the setbacks for LIR are less.

Mr. Lamanna explained that in the hierarchy of uses, first there is residential, then PO, next is CB and then LIR.

Mr. Ciciretto asked if it were a retail use if there is more or less impact.

Mr. Lamanna said that the legislature decided that this type of use is a LIR use and by the trustees' action, it is a more intense use than CB.

Mr. Ciciretto said they are not asking for a variance for a CB use, but will apply the stricter standard of CB use to it.

Mr. Lamanna said if one were entitled to a use variance, it would be moved down to PO, CB, LIR etc. and said you have to work your way through all of those possible uses and prove they are not viable.

Mr. Ciciretto said the Chagrin Valley Mini Storage is in a CB District and some were constructed prior to the zoning code but additional buildings were granted.

Mr. Lamanna said it has nothing to do with this case but they about the LIR District.

Mr. Ciciretto asked if they should investigate a PO District first.

Mr. Lamanna said he was just pointing that out.

Mr. Ciciretto said he thinks there are special circumstances with this property because it will not require water or sewer and will not adversely affect the neighborhood but understands the board's position.

Mr. Lamanna asked Mr. Ciciretto if he petitioned the township trustees or zoning commission with these issues.

Mr. Ciciretto replied no.

Mr. Lamanna said the board was presented with a copy of a real estate purchase agreement for this property dated June of last year (2001) in the amount of \$145,000.00 and asked Mr. DiBlasi if that is true.

Mr. DiBlasi replied yes.

Mr. Lamanna asked Mr. DiBlasi if he chose not to accept this offer.

Mr. DiBlasi said that is correct.

Mr. Lamanna said the offer was made in June, 2001 by Chagrin Falls and Aurora Congregation of Jehovah's Witnesses for a permitted use on this property and asked Mr. DiBlasi if this in fact was a copy of the offer.

Mr. DiBlasi replied yes.

Mr. Ciciretto stated that they will withdraw this application and will retain what was presented to the board.

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

Motion BZA 2002-37 – 9575 E. Washington Street

Mr. Lamanna made a motion to accept the withdrawal of this application without prejudice.

Mr. Takacs seconded the motion.

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

Application 2002-33 by JGD Associates Inc. for property at 8501 East Washington Street (Shell Fueling Station) - Continuance

The applicant is requesting a conditional use permit for the purpose of remodeling. The property is located in a CB (Convenience Business District)

Mr. Lamanna made a motion to postpone this application until the next regularly scheduled meeting at the request of the applicant.

Mr. Takacs seconded the motion.

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

Application 2002-44 by JGD Associates Inc. for property at 8501 East Washington Street (Shell Fueling Station) - Signage

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

Mr. Lamanna made a motion to postpone this application until the next regularly scheduled meeting at the request of the applicant.

Mr. Takacs seconded the motion.

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

Application 2002-35 by Christina L. Petti for property at 7777 Lori Lane

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

Mr. Lamanna made a motion to postpone this application until the next regularly scheduled meeting at the request of the applicant.

Mr. Takacs seconded the motion.

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

Application 2002-34 by Daria Mooney Saks for property at 8740 Tanglewood Trail

The applicant is requesting an area variance for the purpose of a lot split. The property is located in a R-3A District.

The zoning inspector's letter dated June 10, 2002 was read and photos of the site were submitted.

Ms. Daria Mooney Saks was present to represent this application.

Ms. Saks testified that she has lived at her residence for the last 20 years and has two acres. She said she would like to split her lot and keep one acre because most of the lots in Tanglewood Subdivision are ¼ acre lots.

Mr. Takacs asked if there was a house on the lot.

Ms. Saks said the house is on one acre, it is wooded and is across from the country club.

Mr. Lamanna asked how much frontage the lot has and if a survey has been done.

Ms. Saks replied no.

Mr. McIntyre explained the frontage required.

Mr. Lewis asked if this is not part of the platted Tanglewood Subdivision and is a stand alone parcel.

Ms. Saks replied yes.

Mr. Lamanna asked if the existing house is on septic or sewer.

Ms. Saks said it is on sewer.

Mr. Lamanna asked if the additional lot will be able to tie into the sewer.

Mr. Robert Saks testified by saying he did not know.

Mr. Lamanna said the lot is not big enough to put a septic on and asked why they want to split the lot other than money or they are not using it.

Ms. Saks said it is a beautiful piece of property just sitting there.

Mr. Lamanna explained that a lot of people in Bainbridge Township would like to divide their lots and Tanglewood was put together as a unified basis as a PUD with a lake, golf course, playing fields and other common areas and that is why smaller lots were permitted and outside the boundary is not applicable. He said so many people out there would like to divide their lots and some have been turned down because there has to be some difficulty or hardship associated with the property and to market the property is not a good reason.

Ms. Saks said her neighbors, next door, showed an interest in the property and would leave it like it is.

Mr. Lamanna said if you come in here and want to split the lot with restrictive covenants and if that is your goal here to make the neighbor's property bigger and not develop it, the board would consider it but we cannot look at it as a buildable lot. He suggested talking to the Tanglewood Homeowners Association about the abutting piece and said he thought it was meant to be a riding trail.

Ms. Saks asked if it belongs to Tanglewood Homeowners Association.

Mr. Olivier said he would have to look to see if the association is paying taxes on it.

Mr. Lamanna suggested tabling this application for a couple of months.

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

Motion BZA 2002-34 – 8740 Tanglewood Trail

Mr. Lamanna made a motion to postpone consideration of this application until the board's October meeting.

Mr. Takacs seconded the motion.

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

Application 2002-36 by Timothy and Rhonda Savage for property at 8221 Valley Drive

The applicants are requesting area variances for the purpose of constructing a new single family dwelling. The property is located in a R-3A District.

The zoning inspector's letter dated June 10, 2002 was read and photos of the site were submitted.

Mr. Tim Savage and Mr. Steve Ciciretto, Architect were present to represent this application.

Mr. Ciciretto testified that this lot is a pre-existing, non-conforming lot of record and is .9 of an acre. He said it is located at the corner of Valley Drive and Sunset Drive and presented a photo looking down Sunset Drive. He said the lot is under the three acre zoning and is required to have 200' in width and added that there is 128' at the building line and it would be impossible to make the 50' side yard setbacks. He said there are existing sanitary sewer and existing storm sewer easements and said the lot does have a sanitary lateral and these plans were approved by the Lake Lucerne Architectural Review Board with 10' setbacks but the building will be put 15' off the east property line and 43' 10" off the west side and 110' to the rear yard property line. He said the review board likes the building because it is staying in line with the other houses on Valley Drive and there is a heavy treed buffer on the west side. He said they are asking for variances from the setbacks based on the three acre zoning.

Mr. Savage testified that these setbacks are much better than most in the subdivision.

Mr. Lamanna said they are consistent with homes already existing in the neighborhood.

Mr. Lewis asked if Lake Lucerne approved this.

Mr. Ciciretto replied yes.

Mr. John Palladino, neighbor, testified that he has no problem with this and it looked pretty nice to him.

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

Motion BZA 2002-36 – 8221 Valley Drive

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

1. A variance from the required front yard setback of 100' to 62' for a variance of 38'.
2. A variance from the required side yard setbacks of 50' to 43' and 25' for variances of 7' and 25'.
3. A variance from the maximum lot coverage of 10% to 14% for a variance of 4% or 1,104 sq. ft.

Based on the following findings of fact:

1. A practical difficulty exists because this is a pre-existing lot of record in the Lake Lucerne subdivision.
2. Due to the lot size, it would be impossible to maintain the variances and still build on the lot.
3. In addition, there are two existing sanitary and culvert easements on the property which limits the proposed location of the house and the depth to which it can be set on the property.
4. Furthermore, the setback of the house is consistent with the existing setback line on Valley Drive.
5. The house is also consistent in size with the existing houses in this area so the lot coverage will be similar or even less of a percentage than the existing development and the existing side yard setbacks proposed are consistent with the ones existing in this area as well, therefore, the granting of these variances will have no adverse effect on the adjacent property owners and would be consistent with the existing developments in the community.

Mr. Takacs seconded the motion.

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

Application 2002-40 by Paul and Joan Stone for property at 19120 Haskins Road

The applicants are requesting an area variance for the purpose of constructing a detached garage. The property is located in a R-3A District.

The zoning inspector's letter dated June 10, 2002 was read and photos of the site were submitted.

Mr. and Mrs. Paul Stone were present to represent this application.



Mr. Stone testified that a variance is needed because the building will be within 20' from their neighbor's property line. He said they looked at other options but they plan on moving into the house some day and putting on an expansion.

Mrs. Stone testified that their neighbors, the Benjamins, are present.

The board viewed the photos of the site.

Mr. Stone presented a rendering of the existing house.

Mr. Lamanna asked if there is a garage there now.

Mr. and Mrs. Stone replied no.

Mr. Lewis asked if they will be expanding the house.

Mrs. Stone said yes.

Mr. Olivier asked if the addition will be to the north.

Mr. Stone said yes it will be to the north.

Mr. Lewis asked if the garage could be attached.

Mr. Stone said if there is a concern about the two outbuildings, they will be consolidated into one.

Mr. Lamanna said it looks like room is left to walk in between the house and garage.

Mr. Stone replied yes.

Mr. Lamanna asked if there were some restrictions as to why the garage cannot be moved further back.

Mrs. Stone said there is a big tree.

Mr. Takacs asked how close Benjamin's house is to the property line.

Mrs. Stone said between 60' to 70'.

Mr. Benjamin testified that it is more like 100'.

Mr. Lamanna asked how wide the proposed garage will be.

Mr. and Mrs. Stone said 22' wide.

Mrs. Stone said it is all woods and there is a huge tree.

Mr. Lamanna asked if the proposed garage is one story.

Mr. Stone replied yes.

Mr. Lamanna asked if the existing house is one story.

Mr. Stone said yes, the house is 19' tall and the proposed garage will be 14' to the peak and the siding will match the siding on the house.

Mr. Lamanna said it is a modest addition.

Mr. Stone said there are almost two acres but the narrowness of the property creates the problem.

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

#### Motion BZA 2002-40 – 19120 Haskins Road

Mr. Lamanna made a motion to grant the applicants a variance of 30' to the 50' side yard requirements resulting in a 20' side yard setback for the purposes of constructing a one story detached garage.

Based on the following findings of fact:

1. This property is a pre-existing lot of record, smaller than three acres.
2. It is only 181' wide.
3. Because of the location of the existing driveway and house, which does not have a garage, this is the only practical place to locate the garage.
4. The size of the garage is 22' wide and only being a single story garage, it is reasonable in size and mass with the other existing structures on the property.
5. Furthermore, the adjacent property owner's house is between 70' and 100' from that property line and therefore there will still be a substantial separation between the properties.
6. The garage is approximately only 14' high so it should not unduly intrude as it is the same or lower height of the existing house structure.
7. As a side note, the applicants currently have two accessory structures on the property and have indicated that they are going to be consolidated into one so that the addition of this detached garage will still fall within the permitted two existing accessory structures.

Motion BZA 2002-40 – 19120 Haskins Road - Continued

Mr. Takacs seconded the motion.

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

Application 2002-41 by Karl and Joyce Southerland for property at 8352 Chagrin Road

The applicants are requesting an area variance for the purpose of constructing a barn. The property is located in a R-3A District.

The zoning inspector's letter dated June 10, 2002 was read and photos of the site were submitted.

Mr. Karl Southerland was present to represent this application.

Mr. Southerland testified that he would like to build a 16' x 20' barn but has no intention to house animals in it. He submitted an aerial photo of his property and said he just wants to store his garden equipment and he calls it a barn because of its gambrel roof. He continued by saying that he realized he needed a 50' setback but the area is heavily wooded and he hates to cut down the trees because of aesthetics. He said he cleared a space already and the space he chose is an ideal location and described where the barn will be located per the photo.

The board viewed the aerial photo.

Mr. Southerland said there are some pretty good sized hardwood trees such as Birch, Sugar Maple and Hickory.

Mr. Lamanna said it looks like there is a natural clearing.

Mr. Southerland said yes, there is an access path from the kids playing in the woods.

Mr. Lewis said the picture looks like a barn, but there will be no animals.

Mrs. Southerland testified that there will be no animals.

Mr. Southerland said it will be a place to store his tools.

Mr. Lewis asked if Mr. Southerland would want to tuck the barn into the cleared area so there is a buffer between the proposed barn and the neighbor's back yard.

Mr. Southerland said there is a buffer there and he cannot see the neighbor's house in the summertime. He said he spoke to both neighbors and this is OK with them.

Mr. Olivier asked if moving the barn to the east is feasible.

Mr. Southerland said he could move it another 2' – 3' but he would have to take down a little Pine tree.

The board discussed the variance request.

Mr. Lamanna told Mr. Southerland not to clear closer to the property line, only cut to the center of the property.

Mr. Southerland replied OK.

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

Motion BZA 2002-41 – 8352 Chagrin Road

Mr. Lamanna made a motion to grant a variance to the side yard setback requirement of 50' to 23' for a variance of 27'.

Based on the following findings of fact:

1. A practical difficulty exists because the applicant has a heavily wooded lot that is narrower than the standard three acre size required.
2. It is a pre-existing lot of record.
3. There is a natural clearing that is an ideal spot to place the proposed barn and this will reduce the amount of trees that would have to be removed.
4. The applicant has also indicated, to the extent that any further clearing is required, that all the clearing will be directed away from the property line towards the center of the property.
5. This setback is consistent with that already present on this lot since the applicant's house is setback 22' from the side yard setback.
6. Looking at the adjacent properties, the houses on the adjacent properties are located a substantial distance away from this proposed barn.
7. There is also a heavy natural cover which should screen the barn at least fully or partially from view depending on the season, and therefore this proposed location should not adversely affect any of the adjacent property owners to the side or rear.

Mr. Takacs seconded the motion.

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

Application 2002-42 by Lord of Life Lutheran Church for property at 17989 Chillicothe Road

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

The zoning inspector's letter dated June 10, 2002 was read and photos of the site were submitted.

Mr. Dean Sladek and Mr. Doug Duffies were present to represent this application.

Mr. Duffies testified that the church added on a 9,000 sq. ft. addition south of the old part and the church hopes to get approval for a sign that was designed for the new configuration of the church. He continued by saying they want people to see the sign from the north and the south and the committee asked to put the sign further south than it is now because of the rise on Rt. 306 and the location of the tree. He presented a model of the proposed sign and said the angle of it will enhance the view from the north and south and proves to be more visible. He said their request is that the sign be angled even though it is not on a curve of the road. He continued by saying that their pre-school will start this Fall and it is important that people will recognize the Bainbridge Christian Pre-School because it will be on the sign and explained the thickness of the walls of the sign.

Mr. Sladek testified that the sign is a good reflection of the building itself.

Mr. Lamanna asked about the overall height.

Mr. Sladek said it is 4' high.

Mr. Duffies said it conforms to the signage regulations.

Mr. Lamanna asked about the frontage.

Mr. Duffies said the frontage is 260' but the next phase is to take down the parsonage and build more south of the existing property.

Mr. Lamanna asked if they really thought this proposed sign gives more visibility.

Mr. Sladek replied yes and said there is an Elm tree there.

Mr. Lamanna asked if the sign is at a 45° angle.

Mr. Sladek said yes.

Mr. Lamanna said that two sides make a 90° angle.

Mr. Duffies replied yes.

Mr. Takacs asked if the sign will be lighted.

Mr. Sladek said there will be a ground spot light.

Mr. Duffies said it will be up-lit.

Mr. Takacs asked what the distance from the street is to the sign.

Mr. Duffies said it will sit 14' back and this will avoid the glare from the highway.

Mr. Lamanna said all these lights should be shielded.

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

#### Motion BZA 2002-42 – 17989 Chillicothe Road

Mr. Lamanna made a motion to grant a variance to Chapter 173.11 (B,6) with respect to ground signs to permit a V-shaped ground sign which meets all other requirements as to size, if this is to be considered a single two-sided sign.

Based on the following findings of fact:

1. Due to the location of this sign and the configuration of Chillicothe Road, at that location with hills and trees, it would be difficult to view a sign that was perpendicular to the roadway and that by having a sign that sits at a 45° angle to the roadway, it will become more visible.
2. Since the sign meets the general size requirements, it will not be unduly noticeable and the applicant has substantial frontage along Chillicothe Road so that the scale of the sign in relation to its total property width is very reasonable and it should not be unduly obtrusive or in derogation to the intent of the sign regulations.

Mr. Takacs seconded the motion.

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

#### Application 2002-43 by The Wembley Club for property at 8345 Woodberry Boulevard

The applicant is requesting a conditional use permit for the purpose of maintaining an addition. The property is located in a R-3A District.

The zoning inspector's letter dated June 10, 2002 was read and photos of the site were submitted.

The applicant was not present.

Mr. McIntyre explained that the 8' extension to the health and fitness room was discovered on an inspection and originally they were only going to bump it out 2' but the addition accounts for .11 sq. ft. of lot coverage and they are within their lot coverage.

The board viewed photos of the site.

Mr. McIntyre said when questioned, they said they wanted this additional space but decided they could not afford it but the builder used the original drawings instead which included the additional 8'.

Mr. Lewis asked if they were alright with the lot coverage and parking spaces required.

Mr. McIntyre said they added 1.24% to the existing lot coverage but are still under. The only variance needed would be for the parking, they have one less space.

Mr. Lamanna said they are within all the requirements and there is no appearance of trying to circumvent anything.

Mr. Takacs asked how wide the addition is.

Mr. McIntyre said it is 16' wide.

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

#### Motion BZA 2002-43 – 8345 Woodberry Boulevard

Mr. Lamanna made a motion to grant an amendment to the conditional use permit for this particular property for the modification that was most recently approved. The applicant's addition will be increased by 8' from that previously shown which increases the lot coverage by .11% and also has added two Bocce courts of .66%. The board has already considered the total number of parking spaces that have been required and granted permission not to have 14 of the otherwise required spaces based upon the actual usage that has been experienced and that in connection with this, the board will grant a variance for that one additional space so that no additional parking will be required because it does not appear that this small added addition will increase the actual parking requirements at the club.

Motion BZA 2002-43 – 8345 Woodberry Boulevard - Continued

Based on the following findings of fact:

1. The resulting lot coverage will still be below the maximum permitted.
2. In addition, the added increase in the building size is within all approved setbacks, the only change will be that this slightly larger addition would increase the parking requirement by one parking space.
3. The board also finds that this increased addition does not adversely affect the surrounding property.
4. It is consistent with the development already at the site and appears to be done by the applicant innocently with no attempt to circumvent the zoning or to avoid seeking approval of the project.

Mr. Takacs seconded the motion.

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

Since there was no further testimony the public hearing was closed at 9:15 P.M.

Respectfully submitted,

Michael Lamanna, Chairman  
Todd Lewis  
Mark Olivier  
Ellen Stanton  
Donald Takacs, Vice Chairman

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

Date: September 19, 2002



Bainbridge Township, Ohio  
Board of Zoning Appeals  
August 15, 2002

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 9:15 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Todd Lewis, Mr. Mark Olivier and Mr. Donald Takacs. Mrs. Ellen Stanton was absent.

Minutes

Mr. Lamanna made a motion to adopt the minutes of the July 18, 2002 meeting as written.

Mr. Lewis seconded the motion.

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

New Business

Mr. McIntyre met with the board to discuss oil and gas well regulations.

Applications for next meeting

Application 2002-45 by The Winbury Group for property at Route 422 and Bainbridge Road

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

Application 2002-46 by The Winbury Group for property at 8401 Chagrin Road

The applicant is requesting an area variance for the purpose of installing a banner. The property is located in a PO District.

Application 2002-47 by Bruce Johanns for property at 7700 Bainbridge Road

The applicant is requesting an area variance for the purpose of sharing a common drive. The property is located in a R-3A District.

Application 2002-48 by Frank and Doris Lanza for property at 16716 Chillicothe Road

The applicants are requesting a use variance for the purpose of establishing a day care center. The property is located in a PO District.

Application 2002-49 by Tanglewood Partners for property at 8505 Tanglewood Square

The applicant is requesting a conditional use permit for the purpose of establishing a day care center at the Tanglewood Professional Building. The property is located in a CB District.

The Bainbridge Township Board of Zoning Appeals set the public hearing on the above applications for September 19, 2002 at 7:30 P.M. at the Bainbridge Community Hall, 17826 Chillicothe Road, Bainbridge Township, Ohio and unanimously resolved to request the Board of Trustees to issue a purchase order for legal advertising.

Since there was no further business, the meeting was adjourned at 9:34 P.M.

Respectfully submitted,

Michael Lamanna, Chairman  
Todd Lewis  
Mark Olivier  
Ellen Stanton  
Donald Takacs, Vice Chairman

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

Date: September 19, 2002

