

Bainbridge Township, Ohio
Board of Zoning Appeals
August 18, 2016

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. Ted DeWater; Mr. Joseph Gutoskey; Mr. Todd Lewis and Mr. Mark Murphy. 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 2016-5 by Tim Roach for property at 7045 N. Aurora Road - Continuance

The applicant is requesting a substitution of a non-conforming use for the purpose of mulch, plant, nursery and outdoor furniture sales. The property is located in the MUP District.

Mr. Tim Roach, Jr. and Ms. Lisa Harry were present to represent this application.

Mr. Lamanna asked if the survey has been completed.

Mr. Tim Roach, Jr. testified by saying yes and stated that they did the survey and the original one shows the property over a little more and the survey actually tightened it up and we had moved all of the bins, they were right in that area originally (he referred to the site plan), he moved them behind the building so you can't see them which was a detriment to them because it would be nice to have them be seen but they figured they could get more use out of them and get more in that area because on that side we can only put about five. He said now in the back, along the far corner, it is hard to get trucks in there now but that is 50% greenspace.

Ms. Harry testified that it is 52%.

Mr. Lewis asked about the bins on the left and how far those are from the greenspace.

Mr. Gutoskey said about 8' is the closest.

Mr. Lewis said you receive your stuff in bulk and asked what size trucks it comes in on.

Mr. Roach, Jr. said triaxle for most materials but some semis for bulk mulch and added that they can't get on the left side at all, on the right side they have to swing in there.

Mr. Lewis asked if they back up to the bay.

Mr. Roach said yes, they back right up into the bin.

Mr. Lewis asked if there is about 20' from the front of the bay to the greenspace on the right and he is wondering how you get a truck in, they would have to back in from the street.

Mr. Roach, Jr. said yes, without touching the greenspace, yes absolutely.

Mr. Lewis said if they can make the turn into those bays like the last one down.

Mr. Roach, Jr. said not without the front of the truck going on the greenspace, no, they have to drive on that in order to get in there correctly. He said it is impossible to have 50% greenspace. He said there are four there and in this spot right here, (he referred to the site plan) is the well so they try to maneuver around that.

Mr. Murphy asked if the well was not put on this drawing.

Mr. Roach, Jr. said it is in that spot and he may have not seen it there. He said there is no way to get a truck in there without going on the greenspace a little bit.

Mr. Lewis said or a lot.

Mr. Roach, Jr. said at least probably 10' or so and for them to be able to pull a truck in there they have to use that whole thing to turn around. He said and really the back side from the far corner, it is an access road for Verizon, they could use that to swing in there and obviously they don't want us using that, he knows that but they are able to use that right there, it is not a problem. He said as far as the setback it is a problem and they can't really get to those two bins and that is black mulch, brown mulch, topsoil, peat moss and regular brown mulch. He said they really don't use the two in the back but if we have extra gravel or boulders we will put it back there. He said the main thing is they don't have room dedicated to bulk materials, the front is dedicated to plants so when you add parking in there, they have a small section for his Dad to put plants out but the real question is if they are allowed to use this greenspace to set plants on because without being able to do that then it is really not worth it for them to be on this property.

Mr. Lamanna said when you say set them out there, just plants.

Mr. Roach, Jr. said yes trees and shrubs across the whole back. He said they sell all outdoor products.

Mr. Lamanna said when you say setting them on the ground you mean in pots.

Ms. Harry said yes on the grass.

Mr. Roach, Jr. said yes, setting them on the grass in the back, like 40 Pine trees, some Cleveland select Pears and Japanese Maples across the back and then he doesn't want to get crazy with perennials but Hydrangeas and just a few things, they don't have that much room to go crazy, we are not going to be a Pettitis or Lowes or anything like that, just to have some stuff, but to not have use of that.

Mr. Lamanna said if it is just going to be used for growing materials.

Mr. Roach, Jr. said they would be selling them out of there, they would just be there temporarily so he doesn't know if that counts as greenspace.

Ms. Karen Endres, Zoning Inspector testified that we have a provision that allows for outside storage of nursery stock and the question to the board is if it would be okay if he has his outside nursery stock stored in the greenspace.

Mr. Lamanna said as long as it is not set up on platforms so you created a structure there, if it is just natural plant material on the ground he doesn't see why that is a problem.

Ms. Harry said they did take down the greenhouse.

Mr. Lamanna said just natural plants, balled.

Ms. Endres said they may be in plastic pots too.

Mr. Lamanna said it is not an impervious surface it is going to be collecting water no different than if it was natural, the water is going into the pot and will eventually come out of the pot but that itself is trapping the water and then it is going onto the ground.

Ms. Endres said she thought it was worth talking about to make sure we are all on the same page.

Mr. Lamanna said he thinks as long as it is just storage and if people walk up and down to look at them that is fine but what he is talking about is building racks to stack them up on but if there is just a line of trees that are balled and if people walk on the grass in between to look at them that is no big deal either.

Ms. Endres asked if it would be okay to have shepherd's hooks for hanging.

Mr. Lamanna said that is minimal.

Mr. Murphy said there are only three or four good months in Ohio that he can have stuff there and the other places up and down the street have cinder blocks and 2 x 12s on top of them with plant structures etc. and at some point you would think it could come down in the winter.

Mr. Lamanna said as long as they are not creating a structure there and it is truly just plants on the ground then that is not an issue. He said if you have a stick in the ground with something hanging on it he does not see it as a problem.

Mr. Roach, Jr. said if they do Christmas trees they do have to put up something to hold them up so it would be temporary but that would be the only thing.

Mr. Murphy said but that is still greenspace, still mowable lawn.

Mr. Roach, Jr. said right.

Mr. Lamanna said but you are not taking away any appreciable amounts of the absorbed quality.

Mr. Roach, Jr. said he doesn't mind removing the bins back there.

Mr. Lewis said if you took those out and took the other ones and shoved them back you would have room in front of them so the truck can back up and he knows you have to work around the well, he understands.

Ms. Harry said they need the well to water the plants.

Mr. Lewis said you can do a little bit of a work around there because you only have 8' even showing on the lower left between those walls and your lot line, you can't even get a car through there anyway.

Mr. Gutoskey said if they were shifted toward the line it is easier for someone to pull in for loading.

Mr. Lamanna said it would give a little more swing room there.

Mr. Roach, Jr. said their main thing is topsoil, peat moss and brown and black mulch, those are the main things, they don't need all of the other stuff.

Mr. Lewis said that gives you room because what we don't want to see is part of this greenspace becoming part of your driveway to accommodate trucks because right now our lot coverage is set at 40% and you are asking for 47% and there is no greenspace to give so you can't make the truck get around and now that you have one curb cut these trucks are going to back in because there is no way to turn around so now you are going to be stopping traffic on State Route 43 to back a truck in.

Mr. Roach, Jr. referred to the site plan and said he will take this out here because it is so close now to the garage door that is not functional to pull through because there are two garage doors here so if they eliminate that.

Mr. Lewis asked if that could be more of a display area for some of your plantings or potted stuff.

Mr. Roach, Jr. said it is not that much, we had set some stuff on the grass but if we turn all of this into greenspace then it might give us a little room for a truck to pull in straight.

Mr. Lewis said now we are changing the site plan.

Ms. Endres said there were variances granted on the property already for 50% greenspace so they actually have a little bit more leeway with the greenspace so they could actually put in another 2.9% of lot coverage.

Mr. Lewis said let us look at that and use it prudently because if you're not using the double garages as a real drive through, you are giving up a lot of space on that one side of the building of lot coverage you may never use.

Mr. Roach, Jr. said they don't use it really at all anyway.

Mr. Lewis said would it be working better for you on the bin side and also the drawing doesn't show parking spaces, it shows allocated parking up front. He said you have one curb cut so how do you see the orientation of the parking spaces in front of the building.

Mr. Roach, Jr. said right now they are parking right here along that side right there, (he referred to the site plan) and they will back up and head out.

The board discussed the parking area.

Mr. Lewis said if you have them head in you have 4' so you can't get traffic by then.

Mr. Roach, Jr. said they just moved that greenhouse out but that is part of the greenspace there, it will go back to grass.

Mr. Gutoskey explained a proposed configuration for the parking area. He said between the bin and the front you get seven spaces but the problem in the front is you only have about 30' from the right-of-way to where the asphalt ends which isn't even wide enough for a drive aisle and a parking space. He asked Ms. Endres how many spaces they need based on use.

Ms. Endres said this is not a permitted use so there is no chart and landscapers are not one of the things on the list.

Mr. Gutoskey asked what about a garden center.

Ms. Endres said there is really nothing in here, it is not residential. She read through the listed uses and said the closest thing would be retail stores which would be 250 sq. ft. of usable floor area.

Mr. Gutoskey said the building is about 2,050 sq. ft. so you would need eight spaces.

Mr. Roach, Jr. said you could use the loading zone in the back for a parking space maybe.

Ms. Endres said the employees could park in the back too then.

Mr. Roach, Jr. said his Dad uses a golf cart.

The board discussed the proposed parking areas.

Mr. Gutoskey said he would suggest that once you slow down for the season if there is a way to reconfigure the bins and move them back this way. He asked how wide the bins are.

Mr. Roach, Jr. said they should be about 15'.

Mr. Lamanna asked if right now the bins are in the setback area.

Ms. Endres said they are in the 90' setback area and the surveyor went ahead and put in all of the setback lines so the board can visualize how much area you have to work with and if it needs to conform to the setbacks.

Mr. Lamanna said the rear yard is definitely a problem and right now you are into the side yard a little bit but if you relocate these things and get rid of the bins on the one side there anyway then you can relocate back to the side yard setback.

The board discussed the location of the building on the property.

Mr. Murphy said you are like a lot of other people in Bainbridge coming in for a variance because the zoning regulations have gone to larger lots so there are a lot of things like this that are small and tough to work around.

Mr. Lamanna said as long as the bins are behind the building and at least 10' off.

Ms. Endres said there is a provision that concrete can be in the required setback and she didn't send that for a variance because of the exception language.

Mr. Lamanna said the way this lot is configured and since there is that access road there anyway, as long as you kept those behind, if you drew that line from the building back to the point where it got to 10' from the property line and then you follow the property line that would be the setback line so you just project the building line back and then at some point it would reach where it is 10' from the property line and then it would go parallel to the property line and that would become the setback line. He asked what is in the back.

Mr. Gutoskey said between the last bin and the line, about 20' to 21'.

Mr. Lamanna said if we do 20' from the back.

Ms. Harry said there is nothing back there, the tower.

Mr. Lamanna said there is nobody back there to be impacted by it.

Mr. Roach, Jr. said they plow their road for them, we try not to use it because the road is so tore up and bumpy but there is access through there.

Mr. Gutoskey said if the bins can be reconfigured behind the building you can probably get six and still be about 20' off the line.

Mr. Lewis said the bins would serve to protect especially when you get a delivery and a guy back there with a truck and through your well head he goes.

Mr. Lamanna said and there is some greenspace he can play around with if he needs to make a little more room for the trucks.

Mr. Gutoskey said he can make some greenspace behind the bins here.

Mr. Roach, Jr. said that will be the trade-off.

Mr. Lamanna said this isn't a conditional use so if he wants to reconfigure as long as he stays within the 50% then he can reconfigure, so if he wants to make a little greenspace over here or he needs a little semi-circle for the trucks to back around.

Ms. Endres said all she asked for is a site plan.

Mr. Lamanna said now with this it will be easy to see where everything is and it is laid out.

Ms. Endres asked the board, regarding the revisions, is that something the board would want their surveyor to put on the plans or it looks like Mr. Gutoskey is putting together a hand-drawn suggestion.

Mr. Lamanna said he doesn't think it has to be re-surveyed, just update the drawing.

Ms. Endres said update the plan to show the board's suggestions.

Mr. Lamanna replied right.

Mr. Gutoskey said if he wants to reconfigure the bins and make some greenspace behind them and take some greenspace over here (he referred to the site plan) so he has more room to maneuver.

The board reviewed the site plan.

Mr. Lamanna said what is needed is to have the applicant mark up the drawing as to where he finally puts the bins and then show where the parking spaces will be.

Mr. Roach, Jr. said he is ready to get all of this stuff in place and be done.

Mr. Lewis asked where we ended up with the sign.

Ms. Endres said she hasn't issued the sign permit yet because she hasn't issued the business permit because she didn't have the site plan so once she issues the commercial use permit then Mr. Roach, Jr. will be applying for a ground sign permit.

Mr. Roach, Jr. said right now it is 2' x 12'.

Ms. Endres asked Mr. Roach, Jr. if that is where he intends to leave it.

Mr. Roach, Jr. said it didn't matter to him.

Ms. Endres said it looks like it is functional there, it serves the needs.

Mr. Roach, Jr. said it works for now at least until they are ready to do something more permanent.

Ms. Endres said that 2' x' 12' is fine.

Mr. Gutoskey said if he has some extra topsoil he could put it over the gravel in the right-of-way here and plant some grass.

Ms. Endres said she thinks that is what his intent was after talking to his father.

Ms. Harry said they are not going to do grass because of the salt, they will do more of a flower bed, probably tall grasses.

Ms. Endres said she wants to make sure that we are okay with one driveway going in because generally ODOT prefers fewer curb cuts so everyone is good that we are eliminating a curb cut, right.

Mr. Gutoskey said yes because it is less conflicts pulling out.

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

Motion BZA 2016-5 – 7045 Aurora Road

Mr. Lamanna made a motion to grant the applicant a zoning certificate for the purposes of operating a landscaping business including retail sales of plants, outdoor art and mulch supply including outside storage bins.

1. This is a substitution of a non-conforming use.
2. Previously there has been granted for this property a variance to permit outdoor sales of bulk material and landscaping materials that was never actually put into place.
3. The property in the past has been used for this type of application and also has been used for a carwash and other similar related businesses.
4. The board believes that this current use is consistent with the prior uses of the property.
5. Given the location and other types of prior uses, this use should not be more intensive than the other previous uses because there should be actually less traffic going in and out than for some of the other car washing business and other businesses that will have higher traffic.
6. Giving the surrounding commercial nature of this area this is not a type of business that is inconsistent with the fact that there is other substantial retail type operations in a similar area.

With the following conditions:

1. The applicant will keep his bins, which are relocated, behind the building.
2. With respect to parking the applicant will maintain at least eight spaces based on the building size and the retail operation being conducted there.
3. The variance to the 50% lot coverage that was previously granted will continue with respect to this substituted use.
4. Because of the size of this lot and its unusual shape it is reasonable to continue this 50% requirement and this actually will increase the amount of green space that is probably actually effectively present on this property.

Motion BZA 2016-5 – 7045 Aurora Road - Continued

5. The board also notes that the applicant can use the undeveloped area that is shown on his site plan as undeveloped space for placing plants and other growing materials provided that there is no substantial structures built for the purposes of displaying such merchandise.
6. Also the applicant may reconfigure his bin location and some of his proposed areas of impermeable covering and with the rearrangement of some of the access to the bins when the applicant has a final plan, when the applicant has finally completed that, he will submit to the zoning inspector a revised plot plan showing the new locations of the bins and the new locations of any of impermeable areas so that the board can confirm that the 50% lot coverage is being met.

Variances

1. With respect to the side yard setback and rear yard setback a variance will be granted to 20' with respect to the southwesterly line at least insofar as it is behind on a perpendicular line from the northeast corner along the right-of-way to the rear property line and everything to the west of that will have a 20' rear yard and everything east of that will have a 50' setback.
2. With respect to the west side of the property the setback starting from behind the building will be such that you extend the sideline of the building to the point where it reaches 10' from the westerly sideline of the property and then continuing back to the rear line 10' from the property line will be the side yard setback along that side so a variance will be granted to that setback line and also to the existing building southwest corner which is over which is beyond the side yard setback so the variance will also extend to that portion of the building until it reaches the 20' setback line at the rear of the building.

Based on the following findings of fact:

1. The reason for granting the variances is because of the peculiar nature and location of this lot.
2. Additionally the variances will not adversely affect the character of the neighborhood nor because of the use of the adjacent properties and it will not affect the adjacent properties on the one side where the board granted the variances for the side yard setbacks.
3. There is an access road and the area behind is currently being used for a communications tower so this will not be affected by the reduced setback in the rear.

Mr. DeWater seconded the motion.

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

Application 2016-19 by Art Lyons for property at 9310 Stafford Road - Continuance

The applicant is requesting a modification of a previously granted variance for the purpose of constructing a detached garage. The property is located in a R-5A District.

Mr. Art Lyons was present to represent this application.

Mr. Lyons testified that he was here last month to get a variance because he was looking to build a detached garage and there were three components to the variance, one he was over the covered area regulation and the second one was the structure is larger than the 300 sq. ft. requirement and the third item was the setback from the property line and the board approved everything and we came to a compromise on the setback for the side property line and that is why he is here tonight. He said they agreed on the 25' side yard setback from the line and he thought at that point in time that it was doable and we discussed a little bit about the proximity of the well to the garage door opening on the proposed structure and at that point in time he thought it would be in close proximity to the driveway so after the meeting, the next day, he got in touch with the health department because they have a provision that you have to have a 10' setback from a water source to the structure and he was wondering if they also had a requirement for a driveway, they do and it is 5' so the reason he is back tonight is he is requesting to maybe reduce that 25' to 20' and that would give him the 5' from the driveway that he is looking to run to the building. He showed the board some photos and said they are to help explain or illustrate what is going on.

Mr. Lamanna said you just want to move it over 5' so you have enough clearance from the driveway to the well.

Mr. Murphy asked if there were any neighbor issues last month and added that he wasn't here.

Mr. Lyons said no, it was on the north side, he was here and he just wanted to see what was going on. He said the neighbors on both sides of him and the folks across the street, he guesses don't have a problem with it, they have been notified twice now.

Mr. Lamanna said the board is just going to amend the prior decision and the minutes will be amended to reflect the change before the minutes become final because it is not a substantial change and everybody had plenty of opportunity at the last meeting to comment on this who wanted to comment on it and it was an issue that was clearly addressed at that meeting so he doesn't think that we need to postpone this and the board will modify the minutes so its decision will become final tonight.

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

Motion BZA 2016-19 – 9310 Stafford Road

Mr. Lamanna made a motion to modify the board's previous decision on this application at the last meeting to reflect that the side yard setback will be 20' instead of 25'.

Based on the following findings of fact:

1. The reason for making this change is that the board has subsequently learned that there is a 5' setback requirement for wells from driveways of which the board was unaware and in order to meet that requirement the structure needs to be moved 5' closer to the property line.
2. This is a small change and based on the board's findings and when we originally considered the application a change to 20' would not change any of the conclusions reached in our decision.

Mr. DeWater seconded the motion.

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

Application 2016-21 by Aidan Kilker for property at 8318 Bainbridge Road

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

The board acknowledged that this application was withdrawn by the applicant.

Application 2016-22 by Paul Mele for property at 8385 Tulip Lane

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

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

Mr. Lamanna said he assumes the shed is already there.

Mr. Paul Mele testified by saying yes and there are actually two structures. He said there is a firewood shelter along the house and it has been there since they moved in and he was told that since there were no sides on the shelter, it is just to keep the firewood dry, that he would not need a permit. He said it is too close to the side property line, the side property only has about 45' as it is now, the other side of the property is for the septic field that runs through so he only has 45' there and he has the firewood shed that is there and then he has a shed he built next to it in 2008 that is an 8' x 10' metal shed for the purposes of storing the lawn mower and other various stuff from the garage. He said the problem is he needs a 50' space between the property line and the shed or the shed has to be along the side in line with the back of the property. He said the shed is in line with the back of the garage and the house extends another 5' or so beyond that so he guesses he is in violation there. He said the entire side there is all wooded between where the firewood shed is and on the side of the shed all the way to the back of the property and along the side of the property.

Mr. Lamanna asked if the aerial could show the adjacent property.

Mr. Mele said their house actually was built too close to the property line so they ended up purchasing a little piece of his so it is very close to the property line. He said the people have been there and moved in two years ago and as far as he knows they don't have an issue with it, they can't even see it from their house.

Mrs. Mary Lou Mele testified that they are 19.5' for the shed and they need to be 20'.

Ms. Karen Endres, Zoning Inspector testified that 20' was the standard back when the house was originally built and the standard today is 50' and she has provided that information so the board can consider what was permitted when the small lots were originally platted.

Mrs. Mele said the entire lot is wooded so it can't be put anywhere else.

Mr. Gutoskey asked if the woodshed was there when they moved in.

Mr. Mele said he put it there when he moved in.

Mr. Gutoskey asked if it has just a roof and it is open-sided.

Mr. Mele said correct.

Mr. Lamanna said that is 12' x 6' and the other one is 8' x 10'. He asked if it is on a foundation, the closed-in shed.

Mr. Mele said the closed-in shed, they give you a steel frame to put the plywood on top of it and it is just sitting on top of gravel on top of the ground. He said he had to move it back a little bit because there was at one time a big large tree that was there and he had since then had to get rid of it.

Mr. Lamanna said so that is 19' off the property line, that shed.

Mr. Mele replied yes.

Mrs. Mele said she has some pictures of it.

Mr. Murphy asked how long they have been in the house.

Mr. Mele said since 1992.

Mrs. Mele showed the board the photos of the metal shed and woodshed. She said the wood shed opens to the west so the street is to the north.

Mr. Lewis said the side view faces the street.

Mrs. Mele said right.

Mr. Gutoskey asked how this came up, was there a complaint, was it some kind of spite thing.

Ms. Endres said yes.

Mrs. Mele asked if there was actually a formal complaint.

Ms. Endres said yes and she tries to keep things peaceful.

Mr. Lamanna said there looks like there is stuff in front of the sheds.

Mr. Mele said there is a walkway between the house and the sheds and added that he had the tree taken down last year.

The board viewed the Pictometry aerial photo.

Mr. Lamanna asked if it is possible to relocate the ladder somewhere else so the woodshed is used as a woodshed and not for storage for other things.

Mr. Mele said yes he can relocate it, he just had it hanging there to get it out of the way.

Mr. Lamanna said if you have a woodshed, let's keep it as a woodshed, you have a storage building to put the other stuff in.

Mr. Gutoskey said make the woodshed look like a woodshed.

Mr. Lamanna said it gives people less reason to be upset and it keeps the stuff inside.

Mr. Lewis said it looks like there is enough natural screening.

Mr. Gutoskey said it is right off the corner of their house so it is not in view when looking out a window and there is so much vegetation there already.

Mr. Murphy asked if the neighbor to the right bought some of their property, is that correct.

Mrs. Mele said yes when they built that house in the 1950s.

Mr. Mele said he thinks it is 5' and a long triangle piece to make it fit.

Mr. Lamanna said that chewed off part of your setback anyway from the original. He said you wouldn't have this problem if you had another 5' and from the original 20' we are only talking about 1'.

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

Motion BZA 2016-22 – 8385 Tulip Lane

Mr. Lamanna made a motion to grant the applicant the following variances for the purpose of maintaining an existing woodshed and an existing storage building on the east side of the property.

1. A variance from the required 50' side yard setback to 21.5' for the 6' x 12' woodshed.
2. A variance from the required 50' side yard setback to 19' for the 8' x 10' storage shed.

Based on the following findings of fact:

1. The reason for granting this variance is a practical difficulty.
2. It is a prior conforming lot.
3. The former setbacks in this area were 20' on the side yard setback.
4. In addition, in an earlier time, part of this side of this property was deeded to the adjacent property because they had built their house too close to the property line.
5. This variance is not inconsistent with the character of the neighborhood and it should not affect the adjacent property owner because there is heavy vegetation along the property line.
6. The location and orientation of the adjacent house means that they don't look directly out at these two sheds.

Motion BZA 2016-22 – 8385 Tulip Lane - Continued

7. The woodshed will be used as a woodshed and will not be used to store other items.
8. The applicants have agreed that they will remove the ladder that is being currently stored on the side of the woodshed.

Mr. DeWater seconded the motion.

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

Application 2016-23 by Living Lean for property at 16625 Wren Road

The applicant is requesting a substitution of a non-conforming use for the purpose of an indoor athletic training/practice facility. The property is located in a CB District.

The board acknowledged that this application has been postponed to October, 2016 at the request of the applicant.

Since there was no further testimony, the public hearing was closed at 8:08 P.M.

Respectfully submitted,

Ted DeWater
Joseph Gutoskey
Michael Lamanna, Chairman
Todd Lewis, Vice Chairman
Mark Murphy

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

Date: September 15, 2016

AUDIO RECORDING ON FILE

Bainbridge Township, Ohio
Board of Zoning Appeals
August 18, 2016

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 8:08 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Ted DeWater; Mr. Joseph Gutoskey; Mr. Todd Lewis and Mr. Mark Murphy. Ms. Karen Endres, Zoning Inspector was present.

Minutes

With respect to the minutes of July 21, 2016 Mr. Lamanna moved to accept those minutes with one change and that is to the decision in 2016-19 changing the 25' variance to 20' to reflect the modification the board made in the meeting tonight with respect to that application.

Mr. Lewis seconded the motion.

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

Applications for Next Month

Application 2013-35 by Eric Smith (C-4 Holdings) for property at 16625 Wren Road - Continuance

The applicant is requesting variances for the purpose of expanding a warehouse. The property is located in a CB District. *This is on the agenda for the purpose of dismissal.*

Application 2016-24 by Diane and David Sands for property at 8521 Peppermill Run

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

Application 2016-25 by Emeil Soryal for property at 17360 Wood Acre Trail

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

Application 2016-26 by Federated Church by Sarah Northcraft Spann, Senior Director of Operations for property at 16349 Chillicothe Road (Family Life Center)

The applicant is requesting a renewal and modification of a previously granted conditional use permit for the purpose of a church community center with short term lease for temporary use as a public school for the Chagrin Falls Exempted Village School District.

Application 2016-27 by Rick Dinallo for property at 7350 Brighton Park Court

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

Application 2016-28 by Dr. Thomas Scott for property at 8485 Summit Drive

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

Application 2016-29 by Ryan Sanders (Premier Custom Builders) for property at 19033 Haskins Road

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

Since there was no further business, the meeting was adjourned at 8:50 P.M.

Respectfully submitted,

Ted DeWater
Joseph Gutoskey
Michael Lamanna, Chairman
Todd Lewis, Vice Chairman
Mark Murphy

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

Date: September 15, 2016