

Bainbridge Township, Ohio
Board of Zoning Appeals
August 21, 2014

Pursuant to notice by publication and certified mail, the public hearing was called to order at 7:00 P.M. by Mr. Todd Lewis, Vice Chairman. Members present were Mr. Joseph Gutoskey; Mr. Mark Murphy and Mr. Mark Olivier. Mr. Michael Lamanna was absent. Ms. Karen Endres, Zoning Inspector was present.

Mr. Lewis 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.

Mr. Lewis stated that he is going to rearrange the applications on the agenda.

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.

Mr. Micah Sanders was present to represent this application.

Mr. Sanders testified that when he originally got the variance they tried to lay everything out and he didn't put in any room for error in case his dimensions were off from the property stakes so once he had it surveyed and the addition laid out he noticed that instead of the 15' that he asked for he is actually 14' from the property line with that designed addition so what he is requesting is an amendment for that to be allowable, the 14'.

Mr. Lewis said one foot.

Mr. Sanders said he requested 2' on the application to 13' just to have a little bit of play but the actual building will be 14'.

Mr. Lewis asked if that is from the footer and the sidewall or is there an eave overhang with the roof so that may be another foot right there.

Mr. Sanders said correct and that is why he is not sure exactly what his overhang is going to be so that is part of the reason why he requested the 13' for the 12" eave to cover that. He said he did approach the neighbors and asked them if that had any bearing on them and he believes he submitted a letter stating they had no issues.

Mr. Murphy asked if there are any neighbors here.

Mr. Sanders replied no.

Mr. Murphy said he likes the letter and he doesn't have any issues with the application and added that if the neighbor was concerned he was invited to come and speak as well.

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

Motion BZA 2014-26 – 7429 Chagrin Road

Mr. Lewis made a motion to amend the existing approved variance (BZA 2013-27) and grant the following variance:

1. A variance to modify the side yard setback from 15' to 13'.

Based on the following findings of fact:

1. As the property was surveyed and the true dimensions were established it appears that the as built dimensions were set at 13'.
2. At this particular point there is nobody here that is objecting to it and there is no adverse effect on the adjacent property.

Mr. Murphy seconded the motion.

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

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.

The applicant did not appear.

Motion BZA 2014-25 – 17989 (Lord of Life Lutheran Church)

Mr. Lewis made a motion to table this application to the next regularly scheduled meeting to be held September 18, 2014.

Mr. Olivier seconded the motion.

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

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.

Mr. David Barr and Mr. Jonathan Novak were present to represent this application.

Mr. Barr testified that the plan is to construct some indoor tennis courts and asked the board if they want the business philosophy behind it.

Mr. Lewis said sure, tell the board why you want to do this and then let's talk about the physical structure, its location and proximity since you are adjacent to a residential area.

Mr. Barr said Wembley has been in existence since 1989 and his understanding of the history of it is that he doesn't know if it has ever been profitable. He said his analysis of the property is that he thinks in order to keep in the market of a private club like it is he thinks it needs an indoor tennis court. He said in the summer right now when it rains there everyone gets rained out and we will lose the USTA teams in the tennis association which are now a big part of tennis playing in the summer and year-round and the teams come out to compete frequently and get rained out so they turn around and leave and he thinks some of the folks wonder if they are at the right club or not and if we have indoor courts then they could continue their play uninterrupted and it would help them sell more memberships and have more continuous play and it is going to help a lot across the board and in the winter they will have nine courts instead of five and their intent is for the five courts in the back to remain outside in the summer and under the bubble in the winter and that is the way it has been for a long time. He said having nine courts that are generating revenue is a lot better than having five courts that generate revenue so in order to turn the club around financially he thinks this is a big moment.

Mr. Lewis asked Mr. Barr to tell the board about the structure.

Mr. Jonathan Novak testified that they plan on it being a pre-engineered building, a single span and the peak should not exceed 38', the minimum clearance for tennis is 35'.

Mr. Barr said it is maybe 35' or 38' but they are not creating an enormous structure that is going to dwarf the existing structure and is more in line with the profile, pitches and height of what is there instead of a longer span so there will be four courts under one roof with probably a small mechanical space.

Mr. Lewis asked about the access into this area.

Mr. Novak stated it is off the back of the existing clubhouse and there is a corridor that they can easily connect into it.

Mr. Lewis asked if there are emergency exit doors in this building.

Mr. Novak said there are going to be four.

Mr. Lewis asked if they are planning to put paved walkways to those emergency doors.

Mr. Novak said at least something to step on.

Mr. Lewis asked if it will be a pad.

Mr. Novak replied yes and generally flat.

Mr. Lewis said so they will be there for an emergency exit, they are not there to be a member or guest short cut in and out making that a revolving door, they will be going in the club through the normal entrance.

Mr. Novak said that is the way they should anyway, it is monitored and that entry should go through the front door anyway.

Mr. Lewis asked if the walls will be insulated.

Mr. Novak replied yes.

Mr. Olivier asked if they are eliminating any structures.

Mr. Barr said there are three outdoor hard courts right now that would be gone.

Mr. Novak said there will be a net gain of one, taking out three and adding four.

Mr. Lewis said it looks like the lot coverage will increase from 37.4% to 39.4%.

Mr. Novak said they are just coming under 40%.

Mr. Olivier asked about the color of the new structure.

Mr. Novak said it is kind of white and all metal.

Mr. Olivier asked if they met with the homeowners association for their approval even though they are not really affiliated with them.

Mr. Barr said no, it is separate, legally it is but they don't dismiss their desire to be good neighbors and there are a lot of people in the neighborhood who are members so he doesn't see them as two complete separate folks but he thinks legally that would be the case.

Mr. Olivier asked about the exterior lighting around the building including emergency lighting.

Mr. Novak said whatever is required.

Mr. Murphy asked if they will be shaded wall backs.

Ms. Karen Endres, Zoning Inspector testified that they are full cut-off fixtures so that there is no glare.

Mr. Gutoskey asked about the landscaping around the building.

Mr. Barr said they haven't gone so far as to be specific about the landscaping but they bought the property just two months ago and the very first thing they did was start on the landscaping, his wife went out and bought flowers and planting flowers and trimming stuff back that had overgrown at the entrance so they definitely want the place to look good and that is the very first thing they did and their plan is to continue to have the place look good.

Ms. Endres asked if the artistic rendering is an accurate depiction of what their plan will be.

Mr. Barr said he can't tell what the landscaping plan will be, they are not there yet.

The board discussed the dedicated green space for the subdivision.

Mr. Olivier asked if there will be a buffer.

Mr. Novak said correct.

Mr. Lewis asked if those are Pine trees or lose your leaf trees.

Mr. Novak said it looks like lose your leaf trees.

Mr. Lewis said the peak of the building, the end of it, is facing Woodberry Boulevard and that is going to show your highest peak, it is going to be a 35' x 128' long solid wall of metal so we need to try to talk about screening at some point.

Mr. Gutoskey said the other thing is the height.

Mr. Lewis said we stop at 35' so we want to double check your blueprints.

Mr. Gutoskey said the rendering is showing 38'.

The board discussed the proposed height and finished grade of the proposed building.

Ms. Endres stated that if the height is 38' they would need a variance for the height.

Mr. Novak said if he can lower the building.

Mr. Gutoskey said if you set the building in the ground because the way the code reads is from existing grade outside the building at the highest point.

Mr. Lewis said regardless of what height you set your floor at if you are looking to back-fill the perimeter of it 3' and not exceed 35' that would eliminate the need to consider a variance.

Mr. Barr said it is their intent to not need a variance.

Mr. Lewis said once again because this is in a residential neighborhood, homes are set at 35' maximum from grade and to see something exceeding the adjacent neighbors isn't consistent with what is happening in the neighborhood. He asked about their hours of operation and since you have the domed area, you have winter play. He asked how they see their hours of operation.

Mr. Barr said he doesn't think the hours will change from what they are now, the club stays open sometimes as late as 10:00 PM, he thinks their hours are around 9:00 PM to 10:00 PM and he is hopeful they will want to stay open until 10:00 PM but on the weekends when they have parties they will stay open a little later.

Mr. Lewis said your driveway comes through the development from Rt. 306.

Mr. Barr said the driveway is off of Woodberry Boulevard.

Mr. Lewis said late hours of operation means a lot of traffic, once again, in a residential neighborhood so he would be more inclined to keep consistent with what you are already doing.

Mr. Barr said their hours will not change at all.

Mr. Olivier said he knows there is a restaurant in there but you don't really have the capacity for wedding receptions or large parties.

Mr. Barr said each room itself only holds a maximum of 55 in any given room so it is not especially conducive for that but at some point they may do some remodeling of the inside and try to open up the floor plan but again that is not something they are doing today.

Mr. Lewis said he wants to make sure the board stipulates that the use of this structure is restricted exclusively to the purpose of playing tennis and not a party center or other things and once again if we carve that in as some guidance criteria it avoids any misunderstandings down the road and it is also working with the neighborhood around you as well.

Mr. Murphy asked what they see the new activity room functioning as.

Mr. Barr said there are a couple of purposes and one, they will be offering some academic programming at Wembley, it is not going to be a school but it is going to be things like tutoring and some special unique programs like training for the chemistry Olympiad and math Olympiad and a unique program to our area at least, all across the board and they will cater to the needs of the kids that want to participate and work on improvement, academic categories.

Mr. Lewis said he has one additional observation, you are taking three outdoor courts and eliminating them and converting that space to four indoor courts, three will become four and what that is going to also do is that building sets up a sound barrier for any of that activity if there is evening play there is no lit court in that area anymore, everything is indoors so the lighting is indoors, the sound is indoors, the parking is all on the other side of the building, there is very restrictive access to the new building area, it is through the clubhouse exclusively. He said and you are meeting the 100' perimeter setback so there is no area variances required, location or height of the building.

Mr. Tom Nolan of 8405 Woodberry Boulevard testified that he lives directly east of the club and he is very pleased that Mr. Barr bought the club but with that being said, this is the first time he has seen the structure and he knows that Mr. Barr talked to the homeowners association board about two weeks ago and he did not have a rendering at that time and this is the first time he or any of the neighbors have seen the rendering. He said he would like to see the new building be pushed back away from Woodberry Boulevard, he doesn't think it enhances the neighborhood very much so he would like to see an alternate plan and a structure 35' that close to the road is worrisome. He said he doesn't know if Mr. Barr would consider maybe lowering that structure and maybe moving it back a little bit and lowering it from 35' to 20', it is something to consider but that size structure would be a real shock to the neighborhood that close to the street.

Mr. Barr said it would be impossible to play tennis.

Mr. Nolan said lower it 15'.

Mr. Gutoskey asked how big are the temporary structures and how tall is the dome.

Mr. Barr said at least 35'.

Mr. Nolan said he doesn't know if he has an alternate plan but it might be something to consider maybe moving it back onto the two clay courts.

Mr. Barr said it would not make the members happy.

Mr. Nolan said he would think being a good neighbor, the homeowners association and the neighbors would be very pleased and it would be a good marketing tool if you could reconsider something here.

Mr. Barr said he thinks from the standpoint of a business owner he can tell you that it would be a very unpopular decision among a good number of our members to lose those clay courts. He said the clay courts are easier on people's knees and especially the older population of their membership would leave the club.

Mr. Nolan asked if when Mr. Barr met with the homeowners association if he brought up that he had to have those clay courts there.

Mr. Barr said no that never came up, no one asked about the clay courts at that meeting.

Mr. Nolan said all he is saying is that a 35' structure that close to the road, bare bones, steel sides, he doesn't think the neighborhood would be very pleased about that so hopefully it can come to an alternate plan but not the way it was presented here. He asked Mr. Barr if he showed these renderings to anybody.

Mr. Barr said they were turned in a week ago.

Mr. Murphy asked if there is an architectural review board in Wembley.

Mr. Olivier said he doesn't think this is part of Wembley but the building could be brought back to the side of the dome and push the clay courts up to the front but he is throwing out the idea.

Mr. Barr said they actually have had discussions about if there are any alternate possibilities and met a couple of the people from the neighborhood and we walked around and tried to figure out if there would be any alternate possibilities and one thing is a possibility perhaps is moving the clay courts slightly to the east but moving the courts is not without costs and they don't have an unlimited budget.

Mr. John Holodinski of 8360 Woodberry Boulevard testified that he lives directly across from the Wembley Club. He said he is not opposed to the structure but he does not want a barn in front of his house, he didn't buy that house to have a barn outside his front door. He said there are scrap trees in the front and he doesn't want to lose money on his house or have a hard time selling his house with a barn in front of his house. He said he is a member there and all of his kids go there and they are there all of the time but at the end of the day being that close, it is going to be 250' from his front door so when he gets up every morning he can look at it and asked how many of you guys would like that, a white building.

Mr. Charlie Waldorff of 8285 Woodberry Boulevard testified that when you look on the map there and you look at the building you see a circular driveway, that is his lot and he has been there for 11 – 12 years. He said one thing that he has noticed having lived there for a long time, in the summertime they virtually don't see the club because of all the leaves on the trees but in the wintertime they see everything out there including the trash that never made it into the dumpster so they cannot rely on deciduous trees to provide a visual barrier in the wintertime, it is just not happening. He said it has been a problem for many years and Mr. Barr has done fine improvements to the club but there are lights left on all night long and music left on because people are using the outdoor courts and make no assumption that the trees block the view of the new structure, that is not going to happen. He said when you characterize this new structure as a barn or a warehouse, it is basically not anything close to what has been built and when Prestige built out this neighborhood they had a set of specific plans for what houses needed to be, how much stone were on them and everybody had to comply with that and the result is they have a neighborhood right now that is consistently an upscale neighborhood. He said let's not comply with what everybody else had to comply with, let's go off and put up a steel building and it will substantially change the character of this neighborhood. He said everybody who drives up and down the street is going to see a white steel building and he has the same feeling as other people do and it is going to change the property values in the neighborhood. He said there are ways to deal with it and they alluded to it by lowering the floor and if the floor is lowered you won't have a 35' tall building with these long walls that are so large and secondly if you require the walls not to be 100' straight lines, if you break up the visual look, the houses don't have sides that are 50' long and flat, they are architecturally done differently than that so if this is going to be considered a project for the Woods of Wembley it ought to have to be the same standard as any other structure in the Woods of Wembley.

Mr. Gutoskey said when the board reviewed the funeral home when they were proposing to come in across on Rt. 306 they worked with Wembley on their design to make it fit and he thinks that is what he is hearing from the residents.

Mr. Waldorff said one consideration is if the floor level is lowered and the building is lowered now you have all of this extra dirt you can put up next to the structure so the structure itself won't be so large and when you start putting landscaping in you could put a structure in there that would be visually much less noticeable than what is being proposed.

Mr. Lewis asked if the main existing buildings are metal buildings, the main clubhouse etc.

Mr. Barr replied no.

Mr. Olivier asked if they are sided with asphalt shingles.

Mr. Barr replied yes.

Mr. Lewis said the setback is 100'.

Mr. Gutoskey said it will probably be about 120' off of the pavement, it is 100' off the right-of-way and probably another 20' from the right-of-way.

Mr. Holodinski asked how far the fence is now because this structure is closer to the street than the fence. He said the picture doesn't show.

Mr. Murphy said that picture shows the existing courts that are there.

Ms. Katy Donahue of 16440 Wembley Court testified that they will lose some of those trees in the front and aside from that they will have to take more out in order for them to have construction and she knows that some of the trees will die that are close to the construction. She said the trees that are there now are tall and beautiful for the most part and if any of that barrier is taken out it is not going to cover so if there is any way it can be pushed back further.

Mr. Lewis asked Ms. Donahue if she has seen the site plan and said part of what the board is looking at is as we talked about pushing it here or pushing it there, if you push it back further from the street it would be sitting on top of existing clay courts, if you push it further to the west which could be done, you are getting closer to the turn-around, you are getting a further easterly setback which is at 100' right now. He said the orientation that currently exists of the other three courts that are not under roof actually sets up an interesting conversation that, could you use the existing footprint of the three courts, put your building up that way, the peak would be going left and right rather than towards the street and you have covered your three courts, it would not give you the four you are looking for but it would still allow you to put in your activity center. He said that pushes it back off the street pretty close to what is consistent with the existing courts, the peak on the west side is facing your turn-around and the peak on the east side is facing a more wooded area that could be mounded and heavily screened with year-round large evergreens to be sure the visibility is reduced, then what is fronting the street is merely the side height of the building not that you are seeing that big wall.

Mr. Nick Yuhas of 8320 Woodberry Boulevard testified that he is the third home to the left and they would have an absolute direct view looking right at it. He said he met with Mr. Barr and he has done a great job trying to enhance the club and try to pick it up and increase it but he feels, move it back or use the existing footprint of the three courts and any dirt that is excavated could be mounded to the front with Pine trees just so when you are driving by you don't see it. He said the other point is architecturally if it is not near the look of the rest of the buildings with brown siding or something to soften it so it will look like the rest of the Wembley structures because those are good size homes in Wembley about 4,000 sq. ft., you are adding nine homes in one area, that is a lot of building for that space and he personally thinks that they could use the existing structure proposed with three courts or eliminate the clay courts, he doesn't think that they will make everybody happy, but the further back they can make it and put the fourth court in there and not go further.

Mr. Yuhas continued by saying actually the artist rendering like Ms. Donahue said, when you go into those woods, because he walked it off, you are about half-way through the woods when you walk 32 paces and he knows it is not exact but you are going to lose 10 – 15 – 20 of trees and the structure is ginormous and again at 4,000 sq. ft. homes at 35,000 sq. ft. it is almost nine homes and for a single structure that big. He said he appreciates the board's consideration.

Mr. Waldorff stated that he has two observations regarding the business issues that were raised and one is if the clay courts were taken out, some of the members potentially could be impacted especially the older people but keep in mind that those clay courts are basically not used from October until sometime in April or May anyhow because once the season changes from warm to cold the nets are taken down so if you are going leave in April who are you going to lose because those courts are not available most of the year anyhow. He said they are not lit so that is one factor that says it cannot be as big of an initial impact as might initially been stated and secondly USTA, unless something has changed since he was involved it takes five courts so where is the extra court coming from.

Mr. Lewis said five in the dome.

Mr. Waldorff said when USTA plays it plays on the five courts in the back there and because you have three double matches and two singles matches. He added that he is not a tennis expert but the proposed structure is four courts or less so it is not really going to meet the needs of USTA unless somehow you schedule the matches at different times.

Mr. Lewis said but what it does allow the club to do is hold a tournament on the five courts and still have indoor member courts for non-tournament players.

Mr. Waldorff said USTA is played in the summertime.

Mr. Lewis asked if they do not have winter tournaments.

Mr. Barr said they do have winter tournaments, USTA, they play year-round.

Mr. Lewis said it allows them to hold a tournament and have another structure to accommodate the regular membership.

Mr. Barr said absolutely.

Mr. Yuhas stated that one other thing to consider was building the permanent structure where the dome is now because that is really completely out of site and then use the dome to potentially cover other courts. He asked how many the dome covers now.

Mr. Barr said five.

Mr. Yuhas said you have three courts and the two clay courts and use that five court dome to cover those five courts, potentially in the winter, and then you have that permanent structure in the back of the club that you could use and have full-time coverage. He said where the dome is now and take that structure, those are five good courts right now and if they want to add additional courts from a zoning standpoint, why not dome the area that is green space now and of course that is a cost but why not dome the area that everybody is kind of okay with doming for the wintertime.

Mr. Olivier said he doesn't know if they want a dome 35' that close to the homes either.

Mr. Yuhas said if they start where the existing courts were and came back somehow.

Mr. Barr said you can't just relocate a dome.

Mr. Lewis said as far as visibility goes we have the authority with conditions on conditional uses to go pretty aggressively on landscaping requirements so when you start talking about mounding and 20' tall Pine trees, day one Pine trees, there are a lot of things that his outlook on it is he pretends that the woods around it don't exist, he views it as he is starting with a cornfield because the trees are all going to lose their leaves and how do you address your property at the time there is zero screening at all which he thinks is a fair approach. He said we haven't talked about reorienting this building either. He asked the applicants to approach the board and asked Ms. Endres to show the proposed building. He referred to the yellow building on the top right and let's say that right now it is running north and south and you have got your four courts stacked top to bottom. He said if you rotate that 90 degrees it is really kind of interesting, it pretty much fits between the 100' setback and your turnaround and covers the three courts and a little bit more that you see on the left. He said what that does is, one of the peaks is now facing the interior of the property and what is being seen from the street is not the 35' mega wall roof peak but he is still thinking about the business mode. He said you want four courts so that you can run your business at a profit every single day of the year and you can put people in there and you are not climate affected. He said a failing business or a distressed business in the middle of a residential neighborhood does not do their property values any good either so somewhere in here there is a compromise to run a profitable business and still keep with the general overall character of the neighborhood. He asked what the sidewall elevation is.

Mr. Murphy said it is 18'.

Mr. Lewis said 18' is a lot better view from the street.

Mr. Yuhas said that is more his concern is if it is inside the original footprint it will not be getting into the tree line. He referred to the projected rendering and said where the current structure kind of goes and per the artist rendering, if you see where the original structure is, if you can turn that, from his standpoint there is room for Pine trees up against that and if it can be pushed back more that would be great because then you can use some of that dirt for mounding here and then put in more Pine trees.

Mr. Barr said what he is suggesting, if he understands it right, move it here, right up to the circle, so keep the three courts that currently exist and suggest a fourth court there right by the circle.

Mr. Gutoskey said basically just turn the building so it would be over the existing courts and it would give more room for mounding in front of it.

Mr. Lewis asked about the roof material and if it is a metal roof building or is this a shingle.

Mr. Barr said it is metal.

Mr. Lewis asked if they would consider earth tones which would soften it.

Mr. Holodinski stated that they will get a lot more customers with an indoor facility than they would have with the clay courts. He said he has been a member for three years and unless there is something he is missing he guarantees there will be more members with the indoor facility than with the clay courts.

Mr. Barr said he wouldn't disagree with that but he was hoping for something mutual.

Mr. Holodinski said if that building was back over to where the clay courts are right now next to where the existing courts are it would be so far off the road.

Mr. Yuhas said you have a net loss of one court as opposed to three.

Ms. Endres stated that according to the zoning resolution, tennis clubs are actually allowed to build their structures 80' from the lot line which conflicts with the 100' setback so we have one of those inconsistencies throughout the resolution but there would be a rationalization for allowing it to go 80' from the lot line rather than 100' if that helps any.

Mr. Lewis said he thinks it helps and his position would be with regards to our zoning inspector enlightening us on our code dilemma where there are two sets of standards he is more inclined to say he would consider 80' if this was not smack dab in the middle of a residential area, he thinks our goal is still to try to sustain the 100'. He said if rotating this building and getting it to work and getting it to work with the adjacent residents' needs and at some point we are conceding for example 2', he thinks the board is probably open to that discussion.

Mr. Lewis continued by saying just in recap here, he thinks there are concerns about the metal building and the metal roof and he thinks there are serious concerns about the height and orientation of it, there are serious concerns about the impact on the adjacent properties because this is a substantial structure in a residential neighborhood and while we are pressing the borders of 100' setbacks and he commends the applicant of being aware of that and it is not consistent at all with the architectural building materials and the style of which the existing structures are so he is thinking from his standpoint before having any board business on this that his inclination would be for the applicant to revisit this and re-plan this, visit heavily with the Wembley residents in advance and work through the mounding and screening, colors and orientation and maybe a stronger consensus on a compromise that is fair to the surrounding people with their homes and still allows the applicant to run a profitable business as we do want it to succeed.

Mr. Ken Polanka of 8400 Wembley Court testified that he thinks the idea of relocating the building 90 degrees and possibly putting in some dormers which would soften the roofline would go with the rest of the residential area because most of us that are facing the street have some kind of a peak type of structure on the front of their houses and to look at this would be a pleasant orientation and looking at that 35'. He said if you turn the building you can do something architecturally with the roofline.

Mr. Lewis said great comment and because we are dealing with a sidewall height of 18', possibly backfilled is bringing that really to a 15' exposed wall and the building is now close to another 30' – 40' off the road it leaves a huge area to put in a 4' – 6' mounding, then set the Pine trees on that. He said there is a lot of really interesting things and we have very capable people in this room and he thinks that this could just be revisited.

Mr. Lewis closed the public hearing portion and asked if there are any comments from the board.

Mr. Murphy said he thinks that even if this is a commercial district and a commercial business and it is on E. Washington Street and this came in and you want this to be what you show to the main street, that he would be abhorred at that. He said architecturally something has to be done if this is the first draw and the least expensive, one steel building structure, four flat walls etc. he understands that but you are in a residential neighborhood and it makes it little tough and there are ways to architecturally do things. He said turning it is probably going to be a good idea, not getting into the woods any further than you have, he likes that idea as well but perhaps something can be done to make it not look so much like a warehouse and obviously the neighbors have all said the same thing.

Mr. Polanka said most of the other houses in the neighborhood don't have a flat front even though they have peaks, not a flat surface like the 120' you are going to have.

Mr. Olivier said he agrees with the rest of the board. He said there are 30 different colors of metal roofs, there are browns, greens, reds and earth tones and they could certainly be explored and he thinks it will still be a big mass even if it is rotated so color might be a way to soften it for the neighbors and he doesn't think from a cost perspective it would be a whole lot of changes in cost.

Mr. Gutoskey said as he said before, work with the residents, the same with the funeral home on Rt. 306, they worked with the residents and they had no problems so that is probably the first place to start.

Mr. Lewis said maybe our expectation might be that next time we visit maybe with a modified site plan, the board would like to see a landscape plan at least something reasonably accurate conceptual, we are not asking you to go out and hire a landscape engineer and incur substantial costs.

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

Motion BZA 2014-24 – 8345 Woodberry Boulevard (The Wembley Club)

Mr. Lewis made a motion to table this application to the next regularly scheduled meeting to be held September 18, 2014.

Mr. Olivier seconded the motion.

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

Since there was no further testimony, the public hearing was closed at 8:10 P.M.

Respectfully submitted,

Joseph Gutoskey
Todd Lewis, Vice Chairman
Mark Murphy
Mark Olivier

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

Date: September 18, 2014

AUDIO RECORDING ON FILE

Bainbridge Township, Ohio
Board of Zoning Appeals
August 21, 2014

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 8:10 P.M. by Mr. Todd Lewis, Vice Chairman. Members present were Mr. Joseph Gutoskey; Mr. Mark Murphy and Mr. Mark Olivier. Mr. Michael Lamanna was absent. Ms. Karen Endres, Zoning Inspector was present.

Minutes

Mr. Lewis made a motion to adopt the minutes of the July 17, 2014 meeting as written.

Mr. Murphy seconded the motion.

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

Zoning Inspector's Comments

Ms. Endres briefed the board on potential BZA cases.

Mr. Lewis commended Ms. Endres and thanked her for her tremendous effort in documenting the information regarding each BZA case in the letter provided to the applicants and the board.

Applications for September 18, 2014

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

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 - Continuance

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 2014-27 by David A. Jackson & Michael T. Skolaris as JackAris, LLC for property at 8327 E. Washington Street

The applicant is requesting a review and renewal of a conditional use permit for the purpose of establishing new ownership of a car wash (express or full service) and oil change facility. The property is located in a CB District.

Application 2014-28 by Timothy Alder for property at 18849 Riverview Drive

The applicant is requesting a variance for the purpose of amending a previously approved area variance for the construction of an addition to a pole barn. The property is located in a R-3A District.

Application 2014-29 by Todd Linville for property at 7043 Pine Street

The applicant is requesting an area variance for the purpose of constructing a storage shed. 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 September 18, 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 8:45 P.M.

Respectfully submitted,

Joseph Gutoskey
Todd Lewis, Vice Chairman
Mark Murphy
Mark Olivier

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

Date: September 18, 2014