

Bainbridge Township, Ohio
Board of Zoning Appeals
September 20, 2001

Pursuant to notice by publication and certified mail, a public hearing was called to order at 7:38 P.M. by Mr. Donald Takacs, Vice Chairman. Members present were Mr. John Kolesar, Mr. Todd Lewis and Mrs. Ellen Stanton. Mr. Michael Lamanna was absent. The following matters were then heard:

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

Mr. Takacs noted that application 2001-37 for Six Flags Worlds of Adventure has been postponed until the October hearing at the request of the applicant.

Application 2001-36 by Chagrin Falls Park Community Center for property at 16765 Bedford Street

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

The zoning inspector's letter dated January 12, 2001 was read and photos of the site were submitted.

Ms. Deanna Fairchild was present to represent this application.

Ms. Fairchild testified that the proposed home will be a 2,000 sq. ft., two story, single family home and area variances are being requested but said this home meets the setbacks for this area.

Mr. Takacs noted that this application came to the board earlier this year as application number 2001-5.

Ms. Fairchild said they had a change in the parcel numbers to utilize the land more efficiently.

Mr. Takacs said this is a large house on small lots.

Ms. Fairchild said the plans were re-submitted because there was a change in the plans and it will be situated on the southwest side of Bedford Street at the end of that street going from south to north.

Mr. Lewis said it looks like the total number of parcels that are joined together are sublots 437, 438, 439, 440, 441, 442 and 443.

Ms. Fairchild replied yes.

Mr. Lewis asked if there was a copy of the house plans with elevations that the board could view.

Mr. McIntyre showed the board the floor plans and elevations of the proposed house.

Mr. Lewis asked if the front yard setback is 15'.

Mr. McIntyre said it will be 15' from the right-of-way.

Ms. Fairchild said it will be 30' back from the edge of the pavement.

Mr. Takacs said the last time the board heard this application there was a greater number of variances but since lots have been added, it changes that.

Ms. Fairchild replied yes.

Mr. Takacs reviewed the variances requested last time and compared them to what is being requested now and said the variances have decreased significantly.

Ms. Fairchild said this is a much better home for this lot.

Mr. Takacs asked about the adjacent neighbors.

Ms. Fairchild said there is a neighbor across the street but none to the north, and it is vacant to the rear because an individual bought it to maintain green space. She added that the CDC owns one or two parcels north of this and the township owns four parcels.

Mr. Lewis asked about the overall height.

Mr. McIntyre said it is 26'.

Mr. Lewis said the original print indicated 35'.

Mr. McIntyre said it would not exceed 35'.

Ms. Fairchild said this home has been pre-sold pending approval tonight and the builder will be McMillon & Co.

Mr. Ted Seliga asked what the square footage is of the combined lots.

Mr. McIntyre said the lots are 11,450 sq. ft. or .26 acres.

Ms. Fairchild said this puts them in a place to have five parcel building lots in this area.

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

Motion 2001-36 - 16765 Bedford Street

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

1. A variance from maximum lot coverage of 10% to 23.35% for a variance of 13.35%.
2. A variance from the required front yard setback of 100' to 15' for a variance of 85'.
3. A variance from the required side yard setback of 50' (for each side) to 15' for a variance of 35'.
4. A variance from the required rear yard setback of 90' to 74' for a variance of 16'.

Based on the following findings of fact:

1. This application has been heard previously as application 2001-5 earlier this year.
2. It is back in front of the board due to the fact that additional lots were acquired and the house position was changed on the lots.
3. The setbacks being provided are consistent with other setbacks in the Chagrin Falls Park Community and without the variances it would be impossible to build the house that is being proposed here.
4. The structure is being built on seven pre-existing lots of record.
5. From the previous minutes and approval of application 2001-5 on February 28, 2001, the applicant has decreased the variance for lot coverage significantly from 30% to 13.35% and for the rear yard setback from 57.5' to a 16' variance.

Mr. Lewis seconded the motion.

Vote: Mr. Kolesar, aye; Mr. Lewis, aye; Mrs. Stanton, aye; Mr. Takacs, aye.

Application 2001-37 by Six Flags Worlds of Adventure for property at 1060 North Aurora Road

The applicant is requesting a conditional use permit for the purpose of developing an area to create a uniquely themed section of the park that features exotic land and water animals and attractions that compliment the other "worlds" of rides, water park and marine life. The property is located in a CR (Commercial Recreation) District.

Motion - BZA 2001-37 - 1060 North Aurora Road

Mr. Takacs made a motion to postpone this application until the October 18, 2001 meeting at the request of the applicant.

Mr. Lewis seconded the motion.

Vote: Mr. Kolesar, aye; Mr. Lewis, aye; Mrs. Stanton, aye; Mr. Takacs, aye.

Application 2001-38 by The Wembley Club for property at 8345 Woodberry Boulevard

The applicant is requesting a conditional use permit for the purpose of adding two platform tennis courts. The property is located in a R-3A District.

The zoning inspector's letter dated September 14, 2001 was read and photos of the site were submitted.

Mr. Philip Artz, new owner of the Wembley Club was present to represent this application.

Mr. Artz testified that platform or paddle tennis is getting popular in this area and it is a winter sport and for it to be viable, there is a need for four courts. He said the Wembley Club only has two courts right now and we had an opportunity to buy two used courts on a fluke and we wanted to take advantage of a great opportunity to do so.

Mr. Takacs said the applicant is wanting two additional courts but there will be no change in the lot coverage because it will be placed on the parking lot.

Mr. Artz submitted a drawing that will take the proposed courts off the parking lot.

Mr. McIntyre said that if these two structures are placed anywhere other than the parking lot, it would change the lot coverage and side yard variances will need to be looked at.

Mr. Artz said the open space for the subdivision is 70' so the court is 150' from the first lot next to us.

Mr. McIntyre said if the location is going to shift and go into the side yard setback, the lot coverage is at 34% so there is room to play with. He added that the courts are 30' x 60' each.

Mr. Artz said it seems silly to take away parking if we don't have to.

Mr. Takacs asked if parking is a problem.

Mr. Artz replied no but said again that it is silly to take away parking spaces if we don't have to.

Mr. Lewis suggested placing the courts in the grassy area.

Mr. Artz said the grassy area is next to the pool area and that is where the kids play in the summer. He explained where the paddle courts are now and where the green space is (70' strip) for the Woods of Wembley, per a drawing. He said he actually has 80' and with the court of 30' it would leave a 50' strip and this way he would not take away any parking.

Mr. Lewis said the board has to be conscious of the other property owner.

Mr. Artz said absolutely and they are club members too. He suggested moving the hut next to the 70' strip that the subdivision owns.

Mr. Lewis said but that is not your property.

Mr. Artz said he wants to be a good neighbor and to move a court would cost about \$18,000.00.

Mr. Takacs asked what the dimensions are of a parking space.

Mr. McIntyre said a parking space is 9' x 20' or 180 sq. ft.

Mr. Lewis asked if the hut is a pavilion.

Mr. Artz described the hut and said it is an important thing because people play in the winter.

The board discussed the possibility of Mr. Artz moving the courts.

Mr. Lewis said they could be kept on the parking lot and some parking spaces could be banked.

The board discussed a proposed placement of the courts.

Mr. Takacs asked how many parking spaces would be given up.

Mr. McIntyre said five parking spaces would be given up.

Mr. Lewis asked how the courts are accessed.

Mr. Artz said there is a door in the middle.

Mr. Takacs asked how the required parking spaces are calculated.

Mr. McIntyre said it is based on membership and seating - one for every five members and one for every four seats.

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

Motion 2001-38 - 8345 Woodberry Boulevard

Mr. Takacs made a motion to grant the applicant a conditional use permit with the following variances to allow for two additional paddle courts:

1. A variance from the required 95 parking spaces to 90 parking spaces for a variance of 5 parking spaces.
2. A variance in the required 80' setback on the north side in the area of one paddle court from the front edge (300' back) to 50' to the property line for a variance of 30'.

Based on the following findings of fact:

1. This is to add two additional paddle tennis courts because this is a growing sport and to be part of the inter-league in Cleveland four courts are required.
2. Due to the fact that they are encroaching on some green space, their lot coverage does increase by 1,800 sq. ft. or .04% from 34.6% currently to 34.64% but it is still less than the 40% maximum lot coverage.

Mr. Lewis seconded the motion.

Vote: Mr. Kolesar, aye; Mr. Lewis, aye; Mrs. Stanton, aye; Mr. Takacs, aye.

Since there was no further testimony the public hearing was closed at 8:25 P.M.

Respectfully submitted,

John Kolesar
Michael Lamanna, Chairman
Todd Lewis
Ellen Stanton
Donald Takacs, Vice Chairman

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

Bainbridge Township, Ohio
Board of Zoning Appeals
September 20, 2001

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 8:25 P.M. by Mr. Donald Takacs, Vice Chairman. Members present were Mr. John Kolesar, Mr. Todd Lewis Mrs. Ellen Stanton. Mr. Michael Lamanna was absent.

Minutes

Mr. Takacs made a motion to approve the minutes of the August 16, 2001 meeting as written.

Mrs. Stanton seconded the motion that passed unanimously.

Banners

Mr. Kolesar requested that the board of appeals ask the zoning commission to review the zoning regulations to allow banners as temporary signs.

Breezewood Gardens

Mr. McIntyre met with the board to discuss Breezewood Gardens regarding an extension of a commercial use.

Applications for next meeting

Application 2001-37 by Six Flags Worlds of Adventure for property at 1060 North Aurora Road

The applicant is requesting a conditional use permit for the purpose of developing an area to create a uniquely themed section of the park that features exotic land and water animals and attractions that compliment the other "worlds" of rides, water park and marine life. The property is located in a CR (Commercial Recreation) District.

Application 2001-39 by 422 Company for property at 8198 East Washington Street

The applicant is requesting a conditional use permit for the purpose of creating a small scale baseball practice infield and outfield area. The property is located in a CB (Convenience Business) District.

Application 2001-40 by Chagrin Falls Park Community Center c/o Pat Johnson for property at 7060 Woodland Avenue

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

Application 2001-41 by Anthony J. Piteo for property at 17380 Haskins Road

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

The Bainbridge Township Board of Zoning Appeals set the public hearing on the above applications for October 18, 2001 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 8:35 P.M.

Respectfully submitted,

John Kolesar
Michael Lamanna, Chairman
Todd Lewis
Ellen Stanton
Donald Takacs, Vice Chairman

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

