Bainbridge Township, Ohio Board of Zoning Appeals September 15, 2011

Pursuant to notice by publication and certified mail, the public hearing was called to order at 7:04 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Christopher Horn, Mr. Todd Lewis, Mr. Mark Murphy and Mr. Mark Olivier.

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 2011-25 by Brian Dezman for property at 17689 Westview Drive

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

The zoning inspector's letter dated September 15, 2011 was read.

Mr. Brian Dezman was present to represent this application.

Mr. Dezman testified that as the board can see on the copies he submitted he is building a 24' x 24' building in the front of his structure. He referred to the GIS aerial photo and said that is the residence there and showed where the turnaround is. He said the reason for the variance is it is in front of a structure.

Mr. Horn asked why he picked that location.

Mr. Dezman said because there is already a concrete pad there and also the main reason for it is it is going to be storage because there is no basement in the residence and he has a lot of property back here (he referred to the GIS aerial photo), the septic is back here and if he goes this far back he would have to end up putting a driveway in to get vehicles back there or else there is no reason to have a two car garage, he would just have a man-door. He said it will be the same roof pitch and the same color as the house. He said he was going to go to the south of the house but the well is right there also and he didn't want to make it look cosmetically longer than needed so he decided it was a better idea to separate the two.

Mr. Horn asked if the size of the lot is 1.45 because a portion was taken by the freeway.

Mr. Dezman said he believes so.

Mr. Olivier asked if there is a leach field immediately behind the house or is it extended.

- Mr. Dezman said there is a fenced in area behind there, like a dog-pen area, probably 24' by the width of the house but his septic holding tanks are out front underneath the trees right now, there is a good tree right here (he referred to the GIS aerial photo) and then there is a line that comes back right here as the leach field.
- Mr. Lewis referred to the GIS aerial photo and asked what is going on right here. He said he doesn't see leach fields, he doesn't see drainage, he doesn't see a well, he doesn't see a fence and he doesn't see trees.
 - Mr. Dezman explained that there is a well right here next to the existing garage.
 - Mr. Lewis said okay but back here in this area, nothing is going on.
 - Mr. Dezman said no.
 - Mr. Olivier asked about the area Mr. Lewis was referring to.
- Mr. Dezman said it is the overall thought of putting a driveway in back there and making use of the pad that is already here, he is just adding to it, it kind of gives some privacy to the back yard from the street, not that that was a bigger issue, it was more or less used for vehicle storage and shelves for more or less an attic because there is no basement or crawl space in that house.
 - Mr. Olivier asked if the existing garage is used for storage.
 - Mr. Dezman said it has two cars and shelves in there with normal cans of paint etc.
 - The board reviewed the application.
- Mr. Horn asked what was going to be done with the present garage and if it is going to be kept.
 - Mr. Dezman said yes.
 - Mr. Horn asked what the other garage will be used for.
- Mr. Dezman said more or less one vehicle and it is 24' x 24' now and you can't fit a full-size truck in there plus a car so he would have his truck in there in the detached garage with additional shelving and storage.
 - Mr. Horn asked how far off the existing structure is from the property line.
 - Mr. Shane Wrench, Zoning Inspector testified that it is 47'.

- Mr. Horn asked about adding onto the existing garage south of it.
- Mr. Dezman said that is where the well is. He added that it is not exactly right in the center, it is off about 31' so it would be right next to it and he was figuring cosmetically that he didn't want one long house and he would put it on the opposite side of the house too but then it affects the whole drive issue and it would definitely be a nice buffer by the freeway but he doesn't want to have a garage on either side of his house either. He said cosmetically the concrete pad is 23' or 24' wide so basically that building would be the same as that pad.
- Mr. Murphy asked Mr. Wrench if there are any other accessory structures on that street in front of the house.
 - Mr. Wrench referred to the GIS.
- Mr. Olivier said it looks like the houses are all on the setback and pretty much in line with the front yard setback.
- Mr. Murphy asked if there is any wording on the established building line, is there anything other than the front yard setback that prohibits structures in front of the house.
 - Mr. Lewis said there is.
 - Mr. Wrench referred to Chapter 105, C. 1 regarding the front lot line.
- Mr. Lewis asked if the approach is establishing what is permitted or is the approach a practical difficulty because of the well-head location with no access to the backyard.
- Mr. Lamanna said this is going to be suddenly the thing that is set far forward of everybody else's and we are going to be half way to the lot line and we will be looking at the back of the garage.
- Mr. Dezman asked if he is talking about the side of the garage, they will have windows on it, street facing.
 - Mr. Lamanna said no, south.
- Mr. Dezman said there will be windows there also. He said the neighbors said they can't wait for the project to be done and the neighbors to the west are happy about it.
 - Mr. Murphy said but in the sketch there are no windows shown on the south side.
 - Mr. Dezman said there will be on the south side but that is the latest copy.

- Mr. Lamanna asked Mr. Dezman if that is a line of trees along the property line and if they are his trees.
- Mr. Dezman said they don't know, they were thinking about replacing them but his neighbor said he is not replacing on his side (Mr. Dezman's) and he is not replacing them on his neighbor's side.
 - Mr. Horn said it looks like they are on Mr. Dezman's lawn.
- Mr. Lamanna said it is hard to judge that without a surveyor coming through because those lines are not accurate enough.
 - Mr. Lewis asked if those are evergreens or leaf trees.
 - Mr. Dezman said they are evergreens.
 - Mr. Murphy asked if anybody else has anything to say with regards to this application.
- Mr. Lamanna asked how far this is going to be in front of the house, the space between the closest corners of the house and garage.
 - Mr. Wrench said 13' 15' to the corner.
- Mr. Dezman said it is going to be more than that because this is going to be the edge of the pad (he referred to the GIS photo) and it is going to be in front of the building so you are going on an angle this way and there is a big tree in the way so it is more than 10' and it is probably a 32' diameter tree that is right there.
- Mr. Lamanna said so this is actually going to be behind the pad which means if he drew a line from the house to the street this is going to be set farther back from this line even.
 - Mr. Dezman said it is going to be closer to the street yes.
- Mr. Lamanna said he is talking about the existing side yard setback of the house. He said if he draws a line from the side of his house to the front street, so it is parallel to the driveway, how far south of that line will the front of this structure be.
- Mr. Dezman said the pad, he believes, is 20' x 20' so it would be 20' from the main driveway and it is going to abut up right up to the turnaround.
- Mr. Horn said it was said that the house is 47' off now and he wants a 25' variance from 50'.

- Mr. Lamanna said it doesn't jive with that picture because it looks like the edge of that pad is a lot closer to the side yard than the house is.
 - Mr. Murphy asked if part of that pad is going to be the floor of this structure.
 - Mr. Dezman said no.
 - Mr. Lamanna said it is only going to be 10' or 15' here.
- Mr. Olivier asked if it could be built on the back of the existing garage and just having it deeper, that would be the easiest to just go out the back.
- Mr. Lewis asked if the garage doors are going to be right at the end of that pad, to drive right in on the existing pad now.
 - Mr. Dezman said right.
- Mr. Lewis said the existing pad ends 36' off the property line and you are 24' deep on the proposed building so that means you would now be 12' off the side yard so you would be going from a 50' requirement down to 12' so now we are looking at a really substantial variance that is 400%.
- Mr. Lamanna said this would be a hard-sell if this building was touching the existing building or that close too but the variances they would be looking at might be doable. He said by pushing this forward you are adding another 13' 15' of variance into the front yard setback when everybody else's setback looks like it is as much or more than you are so it is just going to be totally inconsistent with everything else that is on the street.
- Mr. Dezman asked what the variance paperwork that he filled out is and he thought the first one was just to build the structure and the second one he filled out was to override it or whatever.
- Mr. Wrench said you (Mr. Dezman) applied for the construction of the garage and then that got turned down and then you applied for the variance.
 - Mr. Dezman said okay, thank you.
- Mr. Olivier said and you (Mr. Dezman) have to prove hardship to the board as to why it has to go there versus areas that are in compliance with the zoning like the area behind the house that doesn't have a well and doesn't have the septic. He said he understands there is an expense associated with the drive but putting it back there brings it more into compliance with zoning.

- Mr. Dezman said he just doesn't want it in back of his leach field that's all. He explained the location of his septic, leach field and well per the GIS photo and said if he puts the building where the board is proposing it, possibly it will be in the 300' lines for his septic. He referred to the GIS and said the septic is actually back here.
- Mr. Lamanna asked Mr. Dezman if there was anything preventing him from putting it on the other side of the house, the north side.
- Mr. Dezman said nothing is preventing him unless he can put a driveway in there but he believes he can't have two driveways on the property but he would love to put it there.
 - Mr. Lamanna said he could have a second driveway.
- Mr. Dezman said the other option was he didn't want to have two drives on either side of the house but he would have done it.
- Mr. Murphy said it doesn't look like it gets any easier if the setback is on the north side anyway.
 - Mr. Olivier said it could be a sound buffer.
- Mr. Lamanna said but there is nothing there, there is a freeway over there and added that it could be staggered, it wouldn't necessarily be straight with the house, he could bring it forward 20' over there.
 - Mr. Dezman said his septic runs right through there.
 - Mr. Lamanna asked if the holding tanks are in the front.
 - Mr. Dezman said yes.
 - Mr. Lamanna said the pipe could be relocated.
- Mr. Murphy said he sees the row of evergreens as a possibility of allowing it but he would like to see windows on the south side of it and he thinks it is too close at 12'. He asked how long that driveway has been in.
 - Mr. Dezman said he couldn't tell you, he bought it two years ago.
- Mr. Lamanna asked if it could be brought up next to the house and make it so the corners are as close as reasonable.

- Mr. Dezman said he was trying to leave it open and there is a tree that would have to come down and again he is trying to leave it so it is not cramped either. He said he is not going to stay there forever, he does not want someone to look out their front door and have a garage right in the middle of their driveway more or less.
- Mr. Lamanna said the board is trying to reduce the amount of variances required and the farther back it is the less it is going to be sticking out away from the house into the front yard.
- Mr. Horn asked if it can go south of the building between the well-head and the residence.
 - Mr. Dezman said then he would run into the same problem.
- Mr. Horn said but you would have a side yard variance instead of a front yard variance to be consistent with the front of the other houses on the street.
 - Mr. Wrench said he thinks it is 10' from the well now.
 - Mr. Lamanna said if he has them close together then it is down to a 7' variance.
 - Mr. Horn said but it would get rid of one variance.
- Mr. Lewis said he is not real comfortable with approving a 1,000 sq. ft. stand-alone structure in the front yard that is not conforming with the front yard setback with every other house on the street.
 - Mr. Horn said if it is parallel to the house even though it is maybe 10' off.
 - Mr. Lewis said and because there is some permanent screening there.
- Mr. Lamanna said it could be put in the same line as the house but it could be set slightly forward so if he wanted to stagger it.
 - Mr. Horn said or come up a little.
 - Mr. Lamanna said or bring it forward about 8' 10' instead of being one straight line.
 - Mr. Olivier asked what the structure is as viewed on the GIS aerial photo.
 - Mr. Dezman said that is his trailer and explained the location of the well-head.
- Mr. Lewis asked if there is room between the well-head and the existing house for a 10' or 12' wide driveway that would swing right into the backyard because he is not seeing specific leach fields directly behind the house in that lower area.

- Mr. Horn asked if that is a trailer and if it is stored there.
- Mr. Dezman said yes, it is stored there pulled in the back.

The board discussed the variances requested.

- Mr. Lamanna said at a minimum it should be brought back to the corner of the house and then it would be about 25' on the side yard and about 92' or 93' on the front yard so it would get conceivably close to something the board can live with but that is pushing the limits but he is not seeing any other really good solution.
- Mr. Murphy said the problem could still be the well if in fact the well is in line with the front edge of the house, you have to stay 10' from that.
- Mr. Horn said you could put a driveway in there between the house and the well and put the garage behind it or back a little bit behind the well-head.
 - Mr. Lewis said that is kind of what he was favoring.
- Mr. Horn said or put it to the north and move that pipe. He said Mr. Dezman will maybe have to re-think his proposal based on what the board talked about tonight and come back to the board next month or sometime thereafter.
 - Mr. Lamanna said the board needs some accurate locations on this potential structure.
- Mr. Lewis referred to the GIS aerial photograph and said he really needs to know what is going on in this area (behind the existing garage) and if there are leach fields, he really needs to know where they really are and if this area here has no leach fields in it, he doesn't see that as a drainage issue and he thinks it can get past the well-head and added that Mr. Dezman needs to show the board that this area is emphatically not buildable and the reasons why so that has got to mean that there is something going on underground and the board wants to give him a chance to present it.
- Mr. Dezman said he is not positive but he does know that there is a septic leach field that is not operational but he doesn't know for sure where it is.
- Mr. Lewis asked if it is shut down and it is not operational because the sanitary was updated.
 - Mr. Dezman said right.
- Mr. Lewis said if it is an abandoned field he is not seeing that as a significant issue particularly because a basement will not be dug there, he would just be putting in some footers.

Mr. Lamanna said he can look at the other possibilities too and see, especially moving it back, if it turns out that the other area is not going to be buildable, moving it back so it is pretty close to the house there on the corner so we can minimize the variances as much as we can. He told Mr. Dezman that he might even try looking at going on the other side, it would not be a very big side yard setback left but it is the freeway right-of-way so the board would be a lot more willing to grant a big variance on that side of the property where it abuts the freeway rather than on the other side where it abuts another house.

Mr. Horn suggested seeing what the cost would be to move that pipe so he would have some idea going in.

Mr. Lewis said that Mr. Lamanna had made a great point that if there was an excavator in there anyway digging the foundation for the garage building, it would be a convenient time to move things.

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

Motion BZA 2011-25 – 17689 Westview Drive

Mr. Lamanna made a motion to table this application to the next regularly scheduled meeting.

Mr. Lewis seconded the motion.

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

Application 2011-26 by Anthony Paskevich & Assoc./Al Klauss for Katie & Mike Fox for property at 8394 Lucerne Drive

The applicants are requesting area variances for the purpose of constructing a new house to replace an existing residential home. The property is located in a R-3A District.

The zoning inspector's letter dated September 15, 2011 was read.

Mr. Mark Murphy recused himself from this application due to a personal association.

Mr. Al Klauss was present to represent this application.

Mr. Klauss testified that he is with the architectural firm of Anthony Paskevich & Associates and they represent the Fox residence for their new home that they want to purchase. He said the board has before them a preliminary site plan and louse plan. He explained the existing property with the existing house on it and showed the board a picture of the existing house and the property next to it and said it is his understanding that what they were looking for here is a side yard setback variance and lot coverage variance.

- Mr. Klauss said this lot is 1.282 acres and it is in a zone that is zoned for three acres where the setbacks have to be 50' from the side yard and 90' from the rear and 100' from the front. He said they are meeting the rear and the front setbacks but they cannot meet the zoning for three acres with the side setback, the property is just too small that way. He said the old house had a lot coverage of 22.6%, the new home has a lot coverage of 21.7% and on the one property line they are basically staying with the old setback of 13.1' and he thinks they are at 13' and on the other side so they are actually increasing the setback from 30' to 40'. He said that is pretty much it in a nutshell.
 - Mr. Olivier asked what the current side yard setbacks are on the existing house.
- Mr. Klauss said the existing house is 13.1' from the one property line and 30' from the other property line and they are going to be increasing the one side to 40' and the other side will be at 13' or 13.1' and as far as the front and rear yards there are no issues with the setbacks.
 - Mr. Horn asked if the Lake Lucerne Architectural Review board reviewed this.
- Mr. Klauss said he met with Mr. and Mrs. Fox prior to this meeting and they looked at this and the issues they have are they want to see the material but there were no issues with the location or setbacks.
- Mr. Lewis said he is looking at the Lake Lucerne subdivision standards and both side and rear yard setbacks do meet their standards as proposed for the new structure which are 10', 10' and 30' in the back.
- Mr. Lamanna said this house is really not much different of a footprint from the other one.
- Mr. Klauss said it is not that much, it is pretty close. He said the other house was a rather large home too.
 - Mr. Lamanna asked if this is still two sublots.
 - Mr. Klauss said it is and to his understanding it does have to be consolidated.
 - Mr. Lamanna said it does, the board would like to have it consolidated.
- Mr. Klauss said that is fine he has already gotten prices for that to be drawn up and he will make sure that is done.
 - Mr. Horn asked if they are going to keep the chimney on the house.
 - Mr. Klauss asked if he meant the old chimney.

- Mr. Horn replied yes.
- Mr. Klauss said the old chimney, no.
- Mr. Horn said the reason he asked is down the street somebody else bought the property down there and tore down the house and the only thing they kept was the chimney.
- Mr. Klauss said with this house he doesn't know if the chimney is that unique and he understands that this is one of the first houses in Lake Lucerne.
 - Mr. Lamanna asked if anyone had any questions regarding this application.
- Mr. Ron Siler of 8374 Lucerne Drive, adjacent neighbor asked about the setback on the west side of the house.
- Mr. Klauss said on the west side there will be a 40' setback instead of 30' and on the other side it is going to be the same as what it is now.
 - Mr. Siler said he doesn't think Mr. Klauss meant that 40' is on the west.
 - Mr. Lewis said east would be 40', west would be 13'.
 - Mr. Siler asked about the front and the back.
- Mr. Klauss said the setbacks will be the same, they are pretty much on the same footprint as the one before.
 - Mr. Horn asked Mr. Siler if he has seen the footprint.
 - Mr. Siler said no. he has not.
 - Mr. Siler and Mr. Klauss discussed the site plan.
 - Mr. Siler said the garage actually would then be coming up further toward the front then.
 - Mr. Klauss replied yes.
 - Mr. Siler asked if the existing driveway is going to be used.
 - Mr. Klauss said pretty much.
 - Mr. Siler asked if everything is coming down.
 - Mr. Klauss said yes, everything is coming down.

- Mr. Lewis said he didn't have any questions.
- Mr. Siler asked if this is in compliance with the Lake Lucerne ARB.
- Mr. Klauss said it went to them and they just wanted to see materials and they want a landscape plan and we are going to do that when we get to the construction plan.
- Mr. Siler asked if the actual structure has to be approved too or is that being approved right now.
- Mr. Lewis said this board is looking at the actual placement of the structure on the property regarding zoning and then it will go off to the building department to pull permits and it will go before the architectural review board of Lake Lucerne to make sure that materials and aesthetics meet their compliance and then it is out to the county and the contractor will start pulling permits.
 - Mr. Siler asked if the elevation will change on the home.
- Mr. Klauss said he doesn't recall but it meets code. He said the owner lives on the street now and bought the property and will sell their other home and stay in Lake Lucerne, a young couple with three kids.
 - Mr. Siler said the setback on his side will be close.
- Mr. Lewis referred to the Lake Lucerne setback standards regarding side yards and he said for each dwelling their shall be two side yards with a minimum width for each side yard of 10' so it is consistent with the regs for Lake Lucerne.
- Mr. Siler said it is his concern that he will get this larger structure right next to his property line. He asked how far his home is from the property line at 8374 Lucerne Drive.
 - Mr. Shane Wrench, Zoning Inspector showed Mr. Siler on the GIS aerial map.
 - Mr. Siler said that is the only objection he has which will be blocking his view.
- Mr. Horn told Mr. Siler that that may be something to take up with the Lake Lucerne Architectural Review Board when it comes before them.
 - Mr. Olivier asked if it could possibly be screened or moved a little bit.
 - Mr. Wrench said the lines could be off a little bit.
- Mr. Lewis said it is a good suggestion that Mr. Siler attend the ARB meeting and express himself.

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

Motion BZA 2011-26 – 8394 Lucerne Drive

Mr. Lamanna made a motion to grant the applicant the following variances for the purpose of constructing a new single family dwelling.

- 1. This application encompasses two permanent parcels Sublots #9 and #10. The applicant has indicated that they will consolidate these lots into a single parcel and for the purposes of that consolidation the board grants a variance from the total lot requirement to the existing lot acreage of 1.282 and from the minimum lot width of 250' to the existing lot width of those two sublots.
- 2. The board also grants the following variances with respect to the construction of a new dwelling on that property as presented on the application:
 - A. A variance from the minimum required side yard setback of 50' to 10' for a variance of 40' on the west side.
 - B. A variance from the minimum required side yard setback of 50' to 40' for a variance of 10' on the east side.
 - C. A variance from the maximum lot coverage of 10% to 21.7% for a variance of 11.7%.

Based on the following findings of fact:

- 1. A practical difficulty exists because these are pre-existing lots of record that are significantly smaller than the required lot area.
- 2. The side yard setbacks are consistent with the prior requirements of the Lake Lucerne area and are also consistent with what has actually occurred in that area and will not adversely affect any of the neighboring properties because the total lot acreage is substantially smaller than normally required.
- 3. A variance would be needed to construct a normal size dwelling in that area and such a variance is consistent with other lot coverage variances in the area.

Mr. Lewis seconded the motion.

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

Application 2011-27 by Jonathan Baker for property at 8292 Summit Drive

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

The zoning inspector's letter dated September 15, 2011 was read.

Mr. Jonathan Baker, applicant and Mr. Jim Kusa of Auburn Home Builders were present to represent this application.

Mr. Baker testified by thanking Mr. Shane Wrench, Zoning Inspector for putting the proposal together and it is his first time to come before a zoning board and it has been an education. He said what they have on the property is an existing structure that currently complies with a 50' setback variance from the front and is currently in keeping with the existing Lake Lucerne setbacks given that it is a .6 of an acre lot in Bainbridge and what he is proposing is that we make an addition to the existing structure to increase the living space for his family and still comply with the Lake Lucerne setbacks and the existing area variance. He said he does believe that the variances they are requesting right now would be for side yard setbacks and area. He said they do have approval currently through the Lake Lucerne ARB.

- Mr. Lamanna asked if the free-standing structure is a garage.
- Mr. Baker said it is an existing porch that is attached to the house.
- Mr. Lamanna asked if that is disappearing with the new addition.
- Mr. Baker replied yes.
- Mr. Horn asked if the barn in the back is an existing structure.
- Mr. Baker said it is.
- Mr. Lamanna asked if the driveway is on the right.
- Mr. Baker said that is correct and added that the garage is on the east side of the structure but the driveway goes right up next to it.
 - Mr. Kusa testified that it is a rear entry.
 - Mr. Lamanna asked if there are any lot coverage issues here.
 - Mr. Wrench testified by saying no.
 - Mr. Baker said he believes right now that the proposal will take it to 10.7% lot coverage.

- Mr. Wrench said he was thinking of the 20%.
- Mr. Lewis said so it is at 10.7% now so that would be a .7% variance on lot coverage. He asked about the side yard.
 - Mr. Baker said the west is the one in question.
 - Mr. Kusa replied correct.
 - Mr. Olivier asked if that is a drive that crosses over to the neighbor's property.
- Mr. Baker said it does appear that way on Access Geauga, it does not now but the east edge of that driveway is on the line and there is some woods coverage.
 - Mr. Olivier said he was wondering what that was.
- Mr. Baker said he didn't know what that is because that is not the way the driveway is now.
 - Mr. Lamanna asked what the existing front yard is.
 - Mr. Baker asked if that is across the property.
 - Mr. Lamanna replied yes and said it looks like 70'.
- Mr. Baker said he believes it is but he doesn't know if he actually took an exact measurement but the setback from the front door is probably 70' 75' in that neighborhood.

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

Motion BZA 2011-27 – 8292 Summit Drive

Mr. Lamanna made a motion to grant the following variances for the purposes of constructing a new addition to the existing property and removing parts of the existing structure.

- 1. A variance from the minimum required rear yard setback of 90' to 78' for a variance of 12'.
- 2. A variance from the minimum required front yard setback of 100' to 75' for a variance of 25'.
- 3. A variance from the minimum required side yard setback of 50' on the west side to 14' for a variance of 36'.
- 4. A variance from the minimum required side yard setback of 50' on the east side which will be maintained at the existing distance of approximately 25' for a variance of 25'.
- 5. A variance from the maximum permitted lot coverage of 10% to 10.7% for a variance of .7%.

Based on the following findings of fact:

- 1. A practical difficulty exists because this is a pre-existing lot of record which is approximately .6 acres.
- 2. The total lot coverage is reasonable and consistent with that in the neighborhood.
- 3. The allowed setbacks and variances are consistent with the size of the lot and the size of the structures in the neighborhood and are also consistent with the setbacks throughout this area of development and therefore will not have any adverse effect on the neighborhood or adversely impact any adjoining properties.

Mr. Lewis seconded the motion.

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

Since there was no further testimony, the public hearing was closed at 8:30 P.M.

Respectfully submitted,

Christopher Horn Michael Lamanna, Chairman Todd Lewis, Vice Chairman Mark Murphy Mark Olivier

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

Date: November 17, 2011

Bainbridge Township, Ohio Board of Zoning Appeals September 15, 2011

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 8:30 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Christopher Horn, Mr. Todd Lewis, Mr. Mark Murphy and Mr. Mark Olivier.

Minutes

- Mr. Horn made a motion to adopt the minutes of the August 18, 2011 meeting as written.
- Mr. Olivier seconded the motion.

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

Meeting Schedule

Mr. Lamanna made a motion to cancel the regularly scheduled meeting of October 20, 2011 since no applications were filed.

Mr. Lewis seconded the motion.

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

Since there was no further business, the meeting was adjourned at 8:40 P.M.

Respectfully submitted,

Christopher Horn Michael Lamanna, Chairman Todd Lewis, Vice Chairman Mark Murphy Mark Olivier

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

Date: November 17, 2011