

Bainbridge Township, Ohio  
Board of Zoning Appeals  
November 18, 2010

Pursuant to notice by publication and certified mail, the public hearing was called to order at 7:05 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 2010-24 by Michael A. Bonner, Architect for Michelle Berkes, Trustee for property at 17360 Lookout Drive

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

The zoning inspector's letter dated November 18, 2010 was read.

Mr. Michael Bonner, Architect and Mr. Jeff Berkes, Homeowner were present to represent this application.

Mr. Bonner testified that his client wants to put in a picnic shelter with a fireplace and if he built it where he has to or supposed to the 50' rear yard setback would be within 25' from his house. He said there used to be a thing called an accessory building that had different setbacks and some cities will have it, some cities don't and he guesses the township doesn't have it anymore so this is not a house but it is an accessory building. He said the hardship would be if the back property line was another resident which is not the case here, it is a 25' buffer strip which abuts another 100' buffer strip for the next development so it is not like you are seeing any damage as far as being close to the property line. He said if the building were to be put as close to the house as the setback requires, it would be too close to his house and too close to the neighbor's house so they would probably prefer it to be at the 15' setback.

Mr. Lamanna asked if the house is on a corner lot.

Mr. Bonner said no it is on a culdesac.

Mr. Lamanna said okay.

Mr. Bonner said he has two sets of plans, one was that (he referred to a site plan) and the other one showed the setback and more of the property surrounding it.

Mr. Murphy asked Mr. Wrench to show where this is on the GIS map.

Mr. Bonner said there is a lake in the back on the second buffer that you can't even see.

Mr. Shane Wrench, Zoning Inspector testified that it is right next to River Road Park.

Mr. Murphy asked if that is not Dinallo's property with the lake.

Mr. Wrench said yes it is.

Mr. Murphy said that is the development off of Chagrin River Road.

Mr. Wrench said right.

Mr. Murphy said that lake is actually on somebody's lot.

Mr. Jeff Berkes testified that just a little corner is in the buffer strip and the majority is on Sublot 10 he believes.

Mr. Lewis asked about the side yard.

Mr. Bonner said they are at 15' and they are okay with that. He submitted a letter from the Canyon Lakes Homeowner's Association stating that they approved the plan.

Mr. Lewis asked if the board has a copy of that.

Mr. Berkes said it was emailed to him yesterday.

Mr. Lamanna asked if there is a reason to put it off to one side rather than the middle.

Mr. Berkes said the rear space in the great room is all glass and they would like to keep it on the 15' setback from the side. He said he spoke with the neighbor on the east and he is the only neighbor he has spoken to and we have already planted 20' white pine trees on our property and the neighbor had some questions but he didn't have any problems with it as long as it is shielded by the evergreens.

Mr. Horn asked about the height of the proposed building.

Mr. Bonner said it is about 18' and the roof is 12/12.

Mr. Berkes said the pines he put in are already in excess of 20' in that corner of the property.

Mr. Olivier asked if they run the complete side yard.

Mr. Berkes said they run the first 30' or 50' and it acts as a buffer between their properties.

Mr. Murphy asked if the lot is cleared completely.

Mr. Berkes said the builder cleared it completely so it is a wide open backyard.

Mr. Horn asked about the size of the lot.

Mr. Wrench said it is .67 acres.

Mr. Murphy asked if there are other accessory structures in Canyon Lakes.

Mr. Berkes said yes there are other buildings.

Mr. Horn said but essentially you (Mr. Berkes) want to get a variance because you don't want it too close to your house.

Mr. Berkes said that is correct, he would like to have it a little further from his house.

Mr. Lamanna said that would be practically touching the house if it was put within the setback.

Mr. Horn said that is a good reason and because of the small size of the lot.

Mr. Lamanna said there just isn't any backyard to put it in and you can't feasibly put anything like this in a 50' rear yard setback so the question is do we need to go all the way to a 15' setback and the other question is, is the board satisfied that if it is going to be pushed back that far, is it okay to leave it that close to the side yard setback.

Mr. Horn said the house is that close.

Mr. Lamanna said right but would it be any more visible to the neighbors.

Mr. Horn asked if the variance is granted how far will it be from the rear of the home.

Mr. Bonner said from the front of it about 50' – 55' and the setback would be about 15' – 20' away so the 35' makes a big difference.

The board discussed the distance the structure will be from the house.

Mr. Berkes said it is only going to be 50' away.

Mr. Lamanna said the picture does not show any of the pine trees.

Mr. Horn asked if the pine trees are going to be behind it or next to it.

Mr. Berkes said they are on the property line between the east side of his home and the west side of the neighbor's home and they are already in place.

Mr. Lamanna asked about the spacing between them.

Mr. Berkes said they are staggered and about 8' on center, about 12' in diameter and about 22' high and there is no space for the first 16' to 18'.

Mr. Lamanna asked if the neighbor will be able to see this.

Mr. Berkes said he won't be able to see it from the first floor of his home or his backyard.

Mr. Bonner said he would have a better chance of seeing it if it was up closer.

Mr. Horn asked if there will be electricity to this structure.

Mr. Berkes replied yes.

Mr. Lewis said it is almost a pavilion.

Mr. Lamanna said it is and asked if there is going to be lighting in it.

Mr. Berkes said yes.

Mr. Lamanna asked if there will be a lighting design that doesn't spread out anywhere because that is what will create the complaints.

Mr. Lewis asked Mr. Berkes if he is putting any spot lights on the building or if there will be down-lighting.

Mr. Berkes said it could be down-lighting but they may end up putting in some fluorescent coves.

Mr. Lamanna said the best thing would be to have lighting so that you can't visibly see the bulb from anywhere because then nobody can complain and it doesn't take much light to be potentially annoying when it is dark.

Mr. Murphy asked if it is going to be screened.

Mr. Berkes replied no.

Mr. Murphy said but it could be screened and turned into an all-season room or a tree house for the kids next year.

Mr. Berkes said it is just a pizza oven/fire-pit with a cover.

Mr. Horn asked Mr. Berkes why he doesn't attach something like this to the back of the house as an addition to the structure.

Mr. Berkes said because he wanted to get it away from the house and enjoy it in the back.

Mr. Murphy said according to Laura Cramer she calls it a landscaping plan and Geauga County calls it a structure with a building permit and asked Mr. Berkes if he will have to get a building permit from Geauga County.

Mr. Bonner replied yes.

Mr. Lamanna said he is not sure it would matter if this was moved around side to side, it is really not going to make any difference because the view is pretty well cut-off from the neighbors and moving it over is not going to make much difference there.

Mr. Murphy asked if the woods are that thick that the pond cannot be seen.

Mr. Berkes said in the dead of winter you probably can see it but right now you can actually see an outbuilding on Dinallo's property and that is with the leaves off (he referred to the GIS aerial photo) it is some kind of shed or outbuilding and that is only when you are in the back woods and it is like a buffer zone from his property.

Mr. Murphy said so there is a thick woods as a buffer zone between their backyard and yours.

Mr. Horn asked if the Dinallo property has to have a buffer zone too, they have their own buffer zone, not the Canyon Lakes buffer zone.

Mr. Bonner said yes.

The board discussed Dinallo's buffer zone and the Canyon Lakes buffer zone.

Mr. Lamanna said buffer zones are used in terms of impact on adjacent properties and in this case where the house is positioned there is not any room back there to put it.

Mr. Lewis said it is a small lot, pine trees, double buffer zone behind it and it is not a very tall structure, it is within the shoulders of the house and an architect can be very compliant with the lighting.

Mr. Horn said the small lot is a good reason but on the other hand everybody else has a small lot and the neighbors have a small lot so that is a negative from that standpoint.

Mr. Lewis said it is catty-corner so they can share the same screening.

Mr. Lamanna asked Mr. Berkes if he was planning on installing a 5,000 watt stereo system because that is one thing that would cause trouble, blasting music or if light is shining out of it.

Mr. Berkes said that is not part of the plan.

Mr. Bonner asked if it was closer to the street if that matters.

Mr. Lamanna said that wouldn't matter much.

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

#### Motion BZA 2010-24 – 17360 Lookout Drive

Mr. Lamanna made a motion to grant the applicant the following variance for the purpose of constructing a 20' x 20' shelter in accordance with the plans and views submitted by the applicant.

1. A variance from the minimum required rear yard setback of 50' to 15' for a variance of 35'.

Based on the following findings of fact:

1. It is not a very deep lot and there is only 82' from the house to the rear property line so it would be very difficult to keep it within the rear yard setback and not have it unreasonably close to the primary dwelling.
2. This location is also such that the applicant has large pine trees screening it which will be maintained as a condition of this variance to prevent the structure from being viewed by the adjoining property.
3. There are also substantial undeveloped zones behind this property to the next properties to the rear so it should not adversely affect any of the neighboring properties to the rear of this one.
4. The applicant will make sure that any permanent lighting installed in the structure will be designed as down-lighting and there will not be a direct view of the lights from outside of the structure on the neighboring properties.

Mr. Lewis seconded the motion.

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

Application 2010-25 by Bainbridge Shopping Center II, LLC for property at 7145 Market Place Drive

The applicant is requesting area variance(s) for the purpose of allowing the shopping center to re-subdivide the parcel for tax purposes only. The property is located in a CR District.

The zoning inspector's letter dated November 18, 2010 was read.

Mr. Ken Hejduk of Hejduk-Cox & Associates was present to represent this application.

Mr. Hejduk testified that he is from Hejduk-Cox, Engineers in Solon and the shopping center had requested that what is now known as remainder lot, Sublot 8 be split up to separate the parcel that has the Dick's Sporting Goods on it into its own parcel and that is for tax purposes only. He said he has a copy of the plat if the board wants to see the plat or to make it a little simpler, right now the parcel 8 remainder consists of the colored parcel, Dick's is on what is going to be called 8B so once Dick's is split it will leave these two other parcels (he referred to a plat) on either side of it. He said Dick's would have legal access to Lake Street and then it would also have vehicular access through the shopping center and here again is the Dick's store showing the proposed boundaries on that.

Mr. Lewis asked if they will have access through Lake Street.

Mr. Hejduk said no you need a minimum of 150' wide and their legal 150' width is on Lake Street with their actual physical access being through the shopping center.

Mr. Horn said but they could have access to Lake Street.

Mr. Hejduk said he believes they have an agreement that they will not have access through to Lake Street.

Mr. Lamanna said this property was previously subdivided under a previous decision of the Board of Zoning Appeals. He asked Mr. Hejduk if he knows what that is.

Mr. Hejduk said no but he is sure it is probably mentioned.

Mr. Lamanna said there are a whole series of conditions and everything else that was established at the time that had to go into the deeds.

Mr. Hejduk said correct and they have BZA Motions 2000-60, 2000-69 and 2003-42.

Mr. Lamanna said it is probably 2003-42.

Mr. Wrench obtained a copy of the 2003-42 Board of Zoning Appeals minutes.

Mr. Lamanna said it is due to financing and there are real property tax issues so that they get separated out.

Mr. Hejduk said he is not sure but he thinks right now, all of the colored parcels (he referred to a site map) come in under one tax bill because it is one parcel.

Mr. Lamanna said the rest of them wanted it separated off.

Mr. Hejduk said Walmart and Kohls got separated and there was a bunch of them. He referred to the Walmart parcel and said their 150' is also on Lake Street.

Mr. Horn asked why now, why hadn't they done this when they first came in.

Mr. Hejduk referred to the site map and said this is the Dick's building right there even though they are all attached.

The board discussed the application.

Mr. Lamanna said there are still all kinds of restrictive agreements between them on what can go into those spaces.

Mr. Lewis said no change in use but if the retail tenant is changed to somebody else and still compliant with that type of business.

Mr. Horn said part of the resolution that you have here, establishment, how is that related to what is being requested.

Mr. Lamanna said basically what the board decided when we allowed them to subdivide is there has to be an agreement among all of the property owners and restrictive covenants in the deeds that even though you have this lot you are subject to the overall development plan of the shopping center and you have no rights with respect to zoning on your particular lot and the lot coverage cannot be extended to more such as going from 22% lot coverage to 40%.

Mr. Horn said you would be an aggregate part of the total whole. He asked Mr. Wrench what the area is in red.

Mr. Wrench said that is Walmart.

Mr. Horn said and that is the parking lot too.

Mr. Hejduk said that would be Sublot 7 which is primarily the Walmart building and the parking lot.



Mr. Wrench obtained a copy of the 2000-60 and 2000-64 Board of Zoning Appeals minutes.

Mr. Hejduk referred to the site map and said the one that you referred to in red this parcel here and then the Dick's parcel is 8B and even though it is still owned by the Bainbridge Shopping Center LLC it is still the Walmart site.

Mr. Lamanna said he would rather have the reference back to when the board did this.

The board reviewed the previous minutes regarding this property.

Mr. Lamanna asked how this lot does not comply with the minimum standards.

Mr. Hejduk referred to the site map and said he knows they have the width and he does not know if there is an area variance because some of the lots are definitely smaller but maybe that is a variance too.

Mr. Lamanna said the board needs all of the variances including the lot coverage variance because last time some of the m required setback variances and some of the m required lot coverage variances and we have to identify every way in which this proposed lot does not conform with our zoning and we have to include in the resolution a variance to that requirement otherwise they are not going to approve the lot split and we haven't done that.

Mr. Hejduk said no we haven't and he was not aware that needed to be done and the discussion with the county was to get approval from Bainbridge and you are good to go.

Mr. Lamanna said that is what we need to give you approval and he does not know if there is enough information here and asked Mr. Hejduk if he has the other site plan with the building on it.

Mr. Hejduk said no he does not because he is primarily dealing with the property not so much with the structures because they are not doing any additions or any building under this re-subdivision so he did not come prepared for that.

Mr. Lamanna said if they had the information the board could decide what needs to be done.

Mr. Hejduk asked if individual variances were granted as the shopping center was built.

Mr. Lamanna explained that first there was a variance granted based on the development plan for the entire shopping center and subsequent to that, they came in and said various people who are coming into the shopping center want to have their own lots so we want to subdivide the center into a series of separate lots so basically the board said it really doesn't change anything provided the proper safeguards are in place but when you do that you have to address each one of these things as separate lots so each lot has got to have for itself the appropriate variances granted with respect to that lot but there is also a requirement again that everybody agrees that the owner of the property consents to that lot being bound by the approved development for the shopping center and there is a deed restriction in that that says you can't look at your lot individually, it is only considered in the scheme of the entire development. He said that goes back to the 2000-60 through 2000-69 cases and if you go back and look at them you will see the individual lots where they needed a setback on the rear lot line because this building was built effectively on the rear lot line of the lot they created. He said some of them have 80% lot coverage because that is just the way the parcel was carved off.

Mr. Horn said by knowing how they are carved off and what the parcel is we would know if they are in compliance with the overall plan.

Mr. Lamanna said right and it could be looked at to see if it has the appropriate variances for the lot it is on. He said the parking should be addressed as well but the main thing the board needs to look at is the area issues such as setbacks and lot coverage. He said technically there should be a variance for any non-compliance with the typical lot requirements and added that the county is more concerned with the physical issues of the lot.

Mr. Horn said there should be something that Lake Avenue cannot be used as an entrance.

Mr. Lamanna said that probably should be mentioned separately.

Mr. Murphy said it is not really due to a conservation easement but that buffer in the woods he thought was a big part of the reason that there are as many acres of asphalt and parking out there.

Mr. Horn said there are a lot of run-off issues.

Mr. Lamanna said everything still has to be in compliance with the development.

Mr. Murphy asked if there is a reason that 8B, 8D, 8A and 8C were linked by that little tiny piece, the two blue zones used to touch but once you do the pink development, 8D and 8C are no longer going to be in contact.

Mr. Hejduk said when it started out 8 was really a large parcel because it included 8A and he thinks that is where the Circuit City parcel is at so he has to assume somewhere when they were building that one they wanted to split that one off too.

Mr. Lamanna asked what the parcel is.

Mr. Hejduk explained that these are all one parcel, 8B, C & D right now are all one parcel.

Mr. Lamanna asked what is going to become of the separate parcel.

Mr. Hejduk said because the Dick's parcel is right in the middle there will be three parcels.

Mr. Lamanna asked about the other parcel.

Mr. Hejduk said it is Petsmart and Michaels.

Mr. Lamanna said there will be a variance required for that parcel too.

Mr. Hejduk said other than where Walmart, Home Depot and Target are he doesn't know.

Mr. Murphy said you are adding three parcels.

Mr. Hejduk said correct and his question is does he need to have Mr. McGill get the zoning data for all three parcels then.

The board discussed the lot coverage on the parcels.

Mr. Lamanna said these are three applications.

Mr. Horn said this application is regarding one parcel.

Mr. Olivier said but you are creating three others.

Mr. Horn said but right now there is one parcel, you are starting with one.

Mr. Lamanna said last time it was broken down separately for each of the parcels.

The board discussed the former lot splits and variances.

Mr. Lamanna said it is good to try avoiding multiple parcels especially when the parcels aren't under common ownership anymore.

Mr. Lewis said he looks at this as one parcel and they are taking the middle of it out, the left and right no longer touch, so we need to work with three parcels of record.

Mr. Lamanna said there should be three separate application numbers so that each one would have its own.

Mr. Horn said wouldn't it be one application and the variance would address what they intend to do and each of the parcels would have to comply with these terms.

Mr. Lewis said if there are structures on any of them then each one is going to have its specific nuances where we have to deal with each one.

Mr. Lamanna said technically it is not the lot split that is being approved, it is the variances on the individually created parcels that would result on the lot split that we are dealing with.

Mr. Horn said right because the county does all of those.

Mr. Lamanna said right so really we are dealing with three parcels.

Mr. Olivier said until he transfers that one parcel.

Mr. Lewis said if he takes his big piece of property and divides it into three lots as long as each stand-alone one meets the acreage requirement or criteria for it, they can be of different proportions they don't have to be equals.

Mr. Lamanna said yes as long as each one individually meets it but if someone wants to create two lots and on each of these lots he wants to have a variance because the lot does meet the requirement such as if there is a house on one and there would be an improper setback and the other one would have an improper lot width situation such as it is not wide enough or .1 acre short that requires a variance then the question would be should we handle that as two separate applications since we are creating two separate parcels. He said of the ones that were done, there were ten separate applications 60 through 69 and each one of the individual lots were treated with separate applications and had its own separate set of variances with respect to that parcel.

Mr. Lewis said even if it was the same owner of multiple lots doesn't change the fact that each lot is a stand-alone parcel at that point and he thinks maybe that is the approach to take on this is, you have three lots regardless of who owns them.

Mr. Horn said we are not doing the lot split, if he leaves today and we approve something today, we still have one lot.

The board discussed the proposed lot split.

Mr. Olivier said he would vote for consistency.

Mr. Lamanna said that was what was done in the past.

Mr. Horn said except if it wasn't right in the past why continue it.

Mr. Lamanna said there is obviously no clear answer on what is right here and what he likes is that each parcel tracks back to a separate application, there are not multiple parcels sitting on a separate application and in this case we are dealing only with that parcel, it is not like somebody coming in with three parcels and the parcels are being treated as a single entity but in this case each one of these deals with a parcel and deals with the characteristics of that parcel and the board is only granting area variances with respect to each of the three parcels that are created.

The board reviewed the previous BZA applications regarding the lot splits for this shopping center and noted they are 2000-60 through 2000-69 and 2003-42 which was another lot that was created.

Mr. Hejduk said when the first Sublot 8 split that created Circuit City and Thomasville he does not remember getting all of the information as far as zoning variances for all of the existing buildings that remained on Sublot 8. He said when they did the first one they had one huge Sublot 8 parcel and then they created Sublot 8 remainder and Sublot 8A.

Mr. Horn said that was at the side, that wasn't splitting what you have now and if it was still connected it would only be needed for Dick's.

Mr. Lewis said it was that border that seceded from the union but didn't cut the union in half.

Mr. Murphy said we could keep 8D and 8C in tact.

Mr. Hejduk said at the time he was just trying to simplify something but maybe he made it worse, he does not know.

The board discussed the previous applications and the lot coverage.

Mr. Lamanna said the lot that was left after they cut this off didn't need any variances and that may be possibly true here. He said the only thing that is going to be an issue is the lot coverage. He said there might be some zero side yards but it is possible for the blue piece (he referred to a site plan) that if you cut these pieces off, the remainder may be okay.

Mr. Hejduk said correct and those parcels both have ample vacant land.

Mr. Lamanna said they are already below the 40% lot coverage because what you are cutting out is mainly building space and he thinks the blue piece (he referred to the site plan) does not have any buildings.

Mr. Hejduk said there are some and explained the location of the vacant parcels.

Mr. Lamanna referred to the site plan and said this might require something.

Mr. Hejduk said it is a zero setback.

Mr. Lamanna said a variance would be required there.

Mr. Hejduk said right and he would assume that (he referred to the site plan) this would need a variance and that would need a variance.

Mr. Lamanna said right but not for the blue piece and he thinks they assign all new parcel numbers when there is a split.

Mr. Lewis said for the tax bill.

Mr. Hejduk said that is sort of why they renamed it because Mr. Dave Dietrich said the county was getting confused and rightfully so, so they renamed it something else and initially when they did the first split they kept one called 8 and it was just called 8 remainder but Mr. Dietrich said they already have an 8A, let's create an 8B, 8C and 8D that way you know in the future that original 8 is now gone, not gone but just split up so they have gone back and forth with Mr. Dietrich quite a bit and other than here (he referred to a site plan) he thinks everyone is set on the split.

Mr. Lamanna said what the board needs to do is go back and look at the three lots that are going to come out of this and figure out what variances are necessary, just looking at those as free standing lots in terms of setbacks and lot coverage and then see if there actually needs to be an application for this because it may not require any further variances, the board can just acknowledge that fact when the other two are acted on and there should be a separate application with the variances that are needed and then go back and look at the 2000-60 through 2000-69, the same conditions would be applied that were defined then and there were a set of deed restrictions that were developed back when this was done so those same deed restrictions will need to be applied.

Mr. Hejduk said they are actually listed on the plat because that is a requirement of the county.

Mr. Lamanna said if the board gets that altogether, we can go back and make reference to our previous action here and apply the same conditions and grant the necessary variances to take to the county so the parcels will be compliant with the township zoning.

Mr. Hejduk said he will relay that information to Mr. McGill and they will come back to the board with that data.

Mr. Lamanna said there should probably be another application that is created, either one or two depending on whether that other parcel needs to be changed.

The board discussed the overall development of the shopping center.

Mr. Lamanna said his concern is when they get down to the last parcel the lot coverage will be used up but it is the risk of the developer.

Mr. Hejduk said there are setbacks, side yards and lot coverage and as long as the board is not interested in parking, because the parking is pretty much shared.

Mr. Lamanna said the board never dealt with that before and he does not think the county is worried about that when doing lot splits, they are worried about physical things.

Mr. Hejduk said correct.

Mr. Lewis said if their parcel lines include some of the parking lot then we need to be cognizant of that for the lot coverage.

Mr. Lamanna said the lot coverage is calculated based on what the parcel actually is. He asked Mr. Hejduk if he can come back in January because unless there is a really great reason, he would rather put this off until January.

Mr. Horn asked if they should identify the lot coverage as to what portion is structure and what portion is parking lot area.

Mr. Lamanna said no because it doesn't have to be distinguished but if it were the original yes but at this point in time the only lot coverage that matters is the regulated lot coverage which covers everything.

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

Motion BZA 2010-25 – 7145 Market Place Drive

Mr. Lamanna made a motion to table this application to either the December 2010 or January 2011 meeting depending on when the applicant is ready to resubmit the application.

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 8:25 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: January 20, 2011

AUDIO RECORDING ON FILE

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Bainbridge Township, Ohio  
Board of Zoning Appeals  
November 18, 2010

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 8:25 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. Lamanna made a motion to adopt the minutes of the October 28, 2010 meeting as written.

Mr. Lewis seconded the motion.

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

Meeting Schedule

Mr. Horn made a motion to cancel the regularly scheduled meeting for December 16, 2010.

Mr. Murphy seconded the motion that passed unanimously.

Applications for January 20, 2011

Application 2010-25 by Bainbridge Shopping Center II, LLC for property at 7145 Market Place Drive - Continuance

The applicant is requesting area variance(s) for the purpose of allowing the shopping center to re-subdivide the parcel for tax purposes only. The property is located in a CR District.

Application 2011-1 by Anthony Paskevich & Assoc./Al Klauss for Paul Voinovich for property at 17110 Hidden Point Drive

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

Application 2011-2 by Fastsigns Lyndhurst for Montefiore (The Weils) for property at 16695 Chillicothe Road

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

Application 2011-3 by Bainbridge Shopping Center II, LLC for property at 7205 Aurora Road

The applicant is requesting a modification to a conditional use permit. The property is located in a CR District.

The Bainbridge Township Board of Zoning Appeals set a public hearing on the above applications for January 20, 2011 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 8:41 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: January 20, 2011