

Bainbridge Township, Ohio
Board of Zoning Appeals
December 16, 2004

Pursuant to notice by publication and certified mail, a public hearing was called to order at 7:35 P.M. by Mr. Todd Lewis, Vice Chairman. Members present were Mr. Mark Olivier, Mrs. Ellen Stanton and Mr. Donald Takacs. Mr. Michael Lamanna was absent. The following matters were then heard:

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

Application 2004-46 by Daniel M. Fine for property at 9519 Taylor May Road – Continuance

The applicant is requesting a conditional use permit with area variances for the purpose of establishing a cluster housing development. The property is located in a R-5A District.

Mr. Lewis made a motion to table this application until the January 13, 2005 special meeting at the request of the applicant.

Mrs. Stanton seconded the motion.

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

Application 2004-51 by Farmington Woods Estates, LLC (Rep. John Scimone) for Richard P. and Dorothy Rogel for property at 16533 Chillicothe Road – Continuance

The applicant is requesting area variances for the purpose of constructing a second single family dwelling. The property is located in a R-5A District.

Mr. Lewis made a motion to table this application until the January 13, 2005 special meeting at the request of the applicant.

Mrs. Stanton seconded the motion.

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

Application 2004-52 by McMillon Construction Inc. for Bruce and Jackie Akins for property at 16665 S. Franklin Street

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

The zoning inspector's letter dated December 7, 2004 was read and photos of the site were submitted.

Mr. Cedric McMillon was present to represent this application.

Mr. McMillon testified that he is representing Bruce and Jackie Akins and they are planning on building a 2,400 sq. ft. home on 8 lots that total 160' wide and 100' deep. He said the proposed house is 55' wide and 47' deep with a 12 course basement and it will be a two story home that will not exceed 32' high. He said there will be a side entrance garage and the house will face west with the doors facing west. He continued by explaining the setbacks per the site plan and said there are pre-existing utilities and there is hilly terrain and this is the best location for the building and drainage.

Mr. Lewis asked if that is the reason the house is set so far on the one side of the lot.

Mr. McMillon said yes, and for excellent drainage and there is an additional 40' of green space that will remain green space.

Mr. Olivier asked how many lots are on the north side of the structure.

Mr. McMillon said there are two lots on that side and explained the areas that will remain green.

Mr. Takacs asked about the house in the photo.

Mr. McMillon explained the house per the photo.

Mr. Lewis mentioned that the former homes on these properties were demolished by the township.

The board reviewed the lot coverage and setback calculations.

Mr. McMillon explained that the title will be transferred prior to building.

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

Motion BZA 2004-52 – 16665 S. Franklin Street

Mr. Lewis made a motion to grant the following variances for the construction of a new single family dwelling:

1. A variance from the minimum required front yard setback of 100' to 20' for a variance of 80'.
2. A variance from the minimum required side yard setback of 50' to 20' for a variance of 30'.
3. A variance from the minimum required rear yard setback of 90' to 18' for a variance of 72'.
4. A variance from maximum lot coverage of 10% to 21.87% for a variance of 11.87%.

Secretary's note: The lot size is actually 160' wide and 87' deep.

With the following condition:

1. This variance is contingent upon all documentation of property transfer to new owners being submitted to the zoning inspector prior to issuing the zoning certificate.

Based on the following findings of fact:

1. A practical difficulty exists.
2. These are pre-existing lots of record located in the Chagrin Falls Park subdivision.
3. The applicant is building a customary size house for this area.
4. The setbacks are consistent with those of other property owners.
5. Granting these variances will not adversely affect the adjacent property owners.

Mr. Takacs seconded the motion.

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

Since there was no further testimony, the public hearing was closed at 8:06 P.M.

Respectfully submitted,

Michael Lamanna, Chairman
Todd Lewis, Vice Chairman
Mark Olivier
Ellen Stanton
Donald Takacs

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

Date approved: January 20, 2005

Bainbridge Township, Ohio
Board of Zoning Appeals
December 16, 2004

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 8:06 P.M. by Mr. Todd Lewis, Vice Chairman. Members present were: Mr. Mark Olivier, Mrs. Ellen Stanton and Mr. Donald Takacs. Mr. Michael Lamanna was absent.

Meeting Schedule

Mr. Lewis made a motion to hold a special meeting on January 13, 2005 for applications 2004-46 and 2004-51.

Mr. Takacs seconded the motion that passed unanimously.

Minutes

Mr. Takacs made a motion to adopt the minutes of the November 18, 2004 meeting as amended.

Mrs. Stanton seconded the motion.

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

Applications for special meeting to be held January 13, 2005

Application 2004-46 by Daniel M. Fine for property at 9519 Taylor May Road – Continuance

The applicant is requesting a conditional use permit with area variances for the purpose of establishing a cluster housing development. The property is located in a R-5A District.

Application 2004-51 by Farmington Woods Estates, LLC (Rep. John Scimone) for Richard P. and Dorothy Rogel for property at 16533 Chillicothe Road – Continuance

The applicant is requesting area variances for the purpose of constructing a second single family dwelling. The property is located in a R-5A District.

Application 2005-1 by Brian Hooper for property at 8653 Taylor May Road

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

Applications for regular meeting to be held January 20, 2005

Application 2003-56 by Heritage Development Company for property at PP# 02-420598
Aurora Road - Continuance

The applicant is requesting a conditional use permit with area variances for the purpose of building a commercial retail center. The property is located in a CR District.

Application 2005-2 by Prestige Homes for property at 16485 Majestic Oaks Drive

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

Application 2005-3 by Anthony S. Meldon for property at 8133 Chagrin Road

The applicant is requesting a conditional use permit with area variances for the purpose of establishing a cluster housing development. The property is located in a R-3A District.

Since there was no further business, the meeting was adjourned at 8:33 P.M.

Respectfully submitted,

Michael Lamanna, Chairman
Todd Lewis, Vice Chairman
Mark Olivier
Ellen Stanton
Donald Takacs

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

Date approved: January 20, 2005