Bainbridge Township, Ohio Board of Zoning Appeals January 19, 2023

Pursuant to notice by publication and ordinary mail, the public hearing was called to order at 7:05 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Ted DeWater; Mr. Joseph Gutoskey; Mr. Todd Lewis and Ms. Lori O'Neill, Alternate. Mr. Emeil Soryal was absent. Ms. Karen Endres, Zoning Inspector was present.

- Mr. Lamanna welcomed everyone to the regular meeting of the Bainbridge Township Board of Zoning Appeals, explained the public hearing process and stated that individuals will be sworn in when the application is started.
- Mr. Lamanna swore in Ms. Karen Endres, Zoning Inspector and he let the record reflect that Ms. Endres was duly sworn.
- Ms. Lori O'Neill, Alternate joined the board for consideration of the following application in Mr. Soryal's absence.

Application 2023-1 by Matthew Boehnlein for property at 8325 Tulip Lane

The applicant is requesting area variance(s) for the purpose of constructing an accessory building. The property is located in a R-3A District.

- Mr. Matthew Boehnlein was present to represent this application.
- Mr. Lamanna swore in Mr. Matthew Boehnlein and he let the record reflect that Mr. Boehnlein was duly sworn.
- Mr. Matthew Boehnlein testified that he is looking to construct an accessory building in an effort to move his woodshop from his basement into the backyard to get the dust and noise out of the house, it is a nuisance there, and also to provide room for wood storage. He said wood storage being kiln dried wood that he has already acquired and is currently in his basement, he would like to move to that location as well. He said this is a hobby, it is meant to be used for hobby purposes, he has been doing woodworking for about 25 years and not as a profession but as a hobbyist and he enjoys doing it and he would like to continue. He said this structure is meant to be able to house his tools and his wood and to be able to work in that location.
 - Mr. Lamanna asked if this map shows the proposed location here.
- Mr. Boehnlein said the current request is to be 100' off of the farther east side of the property and 35' off of the south, that would be the back most corner for the outbuilding.
- Mr. Gutoskey asked Ms. Endres to go onto the GIS to see how far the house behind this is off the property line.

Ms. Endres displayed the aerial photo.

Mr. Gutoskey said the house there is in Lake Lucerne. He said it is 67' and the shed is 35' off the rear property line so it is 102' from that house and about 95' off the back of this house and 80' off the porch. He said to Mr. Boehnlein, in your paperwork you filled out it says, this is your response, "There are other accessory buildings with similar height and size that appear on Tulip Lane as well as Eaton Drive in the Dalebrook Subdivision." He said he went onto GIS and did a summary through the subdivision and basically there are two barns in here, the one on Eaton is 768 sq. ft. and the barn next to you is 720 sq. ft. according to GIS so for him he thinks 1,200 sq. ft. is pushing it even when our regs are 900 sq. ft.

Mr. Boehnlein said he had 8473 Tulip Lane, that is up near the stop sign where the turn-around area would be, he doesn't know which properties you looked at.

Mr. Gutoskey said he pulled that off of the GIS ReaLink off of the cards that they have on each property because some of those on there, you can see are outbuildings or garages.

Mr. Boehnlein said for this barn you have 768 for that one.

Mr. Gutoskey said those are the square footages right off the auditor's cards.

Mr. Boehnlein said he obviously didn't measure these simply just looking from the street as far as the height and the overall size and appearance looks so he made a guess for lack of better terms and the one that is further up here, you said this is only 768, this one up here. He said it appears here that they are smaller than he expects.

Mr. Gutoskey said that is the one thing that we have to look at is how the character of the neighborhood is to the building size and then our code too.

Mr. Boehnlein said it is not fairly visible from the street, given that his home is there and there is a wooded portion on what is showing on the west side of the property here. He said probably the most visible would be from the house behind him, that is pretty clear and he thinks he included in there his view from his backyard, it shows you specifically what he sees so it would be right there.

Mr. Gutoskey said that is why he had the zoning inspector try to get a feel for how close it will be to the house behind you. He said you mentioned one other thing too relative to dust and noise so you are going to be moving this out of your basement, what are your adjoining neighbors going to have as far as dust and noise from the woodworking.

Mr. Boehnlein said sure, nothing you wouldn't hear on a Saturday morning in the area whether someone is cutting a two by four with a circular saw in the backyard, it is going to be in an enclosed building so that would be shielded by the building, his hope is to insulate it and heat it so he would hope to cut that noise down significantly from someone just working outside. He said as far as dust, the dust is going to be collected interior so he would be putting a dust collector in order to contain it and keep it from going outside of the building.

Mr. DeWater asked Ms. Endres if the Dalebrook Homeowner's Association has architectural review.

Ms. Endres said she doesn't believe they have an architectural review board, no.

Mr. Gutoskey said they have an HOA but no ARB.

Ms. Endres said correct.

Mr. Lamanna asked Mr. Boehnlein if he is going to do any spray finishing.

Mr. Boehnlein said more than likely yes.

Mr. Lamanna asked how he is going to deal with that.

Mr. Boehnlein said interior, he is not planning on doing it outdoors, it would still be in the interior of the building, another reason to get this out of the house, nobody likes to smell that in the house. He said this is something that is not going to have an open flame, for safety reasons, his plan would be to do some finishing in there so it is a lacquer finish or something that would probably be the worst.

Ms. O'Neill said are you asking about ventilation.

Mr. Lamanna asked if he is going to have an enclosed space cabinet, painting cabinet or more precisely, how are you going to vent it out, are you just going to vent it out through the roof.

Mr. Boehnlein said he included a couple of drawings of this so when it comes to ventilation he would prefer a cross breeze over something through the ceiling so he would open up doors on the side of the building and let natural air flow through, that would be the goal there to get it out of the building. He said now in some cases you don't want wind so he would probably finish and then open the doors.

Mr. Lamanna said usually if you are finishing you want controlled air flow because it doesn't take much dust to make a mess of the finish.

Mr. Lewis asked Mr. Boehnlein what he is making.

- Mr. Boehnlein said he can show the board pictures if you would like.
- Mr. Lewis said he was just trying to get an idea, furniture or cabinets.
- Mr. Boehnlein said mostly furniture, he doesn't do a lot of cabinet work but he does do furniture, tables, he has made beds, he has done closet enclosures.
 - Mr. Lewis asked if these are for you or are you selling these items.
- Mr. Boehnlein said he is not selling the items, these are for him so he furnished most of his house but there is still quite a bit to be furnished including his basement so if he can move this out then he will be finishing the basement as well.
 - Mr. Lamanna asked if this is going to have a second floor in it.
- Mr. Boehnlein said one portion of it would be planned for storage for loft space for wood storage yes, only a portion of it though.
- Mr. Lamanna said that is why you have the pitch on the ceiling. He said one of the issues here is the height because obviously if you've got a good size building and then you have 2-1/2 stories high, it is a bigger concern for the board in terms of the impact on the neighbors. He said it is not just square footage it is both and obviously a building with a 4/12 roof on it is a much different profile than a 10/12 roof.
- Mr. Gutoskey said it looks like the roof pitch is 12/12 on the existing house. He asked Mr. Boehnlein how high his existing house is, is it about 35'.
 - Mr. Boehnlein said it is pretty close to saying 35' but he can't say exactly.
- Mr. Lewis said we are trying to determine what is taller, your house or the accessory structure.
- Mr. Boehnlein said certainly the house, he can tell you that. He said he can measure to the window that is in the garage, it is probably about midway through that window, it is 24'.
- Mr. Lewis said we are just trying to have some accurate numbers, measurements so if we refer to something in a motion, we can express ourselves with a fair amount of detail. He said the height of the house is here, plus here, plus here.
 - Mr. Gutoskey said and it might even go a little higher than that.
- Ms. Endres said the program she has up there right now allows her to measure and it is roughly 30'.

- Mr. Lewis said that helps because it displays that the house is taller than the proposed accessory structure so now it is a matter of what is your visibility from Lake Lucerne with 24' tall and 35' off the line with 95' to the back of their house.
- Mr. Gutoskey said it is 105'. He asked how big the existing shed is, the existing shed at the end of the drive.
- Mr. Boehnlein said it is about 299 sq. ft., it is right on the edge, he came here for a variance to get that for where it is at.
- Mr. Lamanna asked Ms. Endres, just out of curiosity, how does this end up with a 5' rear yard setback, does that go back to the original.
- Ms. Endres said that goes back to the original 1977 regulations. She said when she does inspections she would find a shed that was right in the backyard and with the setback of 1977 for accessory buildings.
- Mr. Lamanna said this is one of these ones where you have to be careful about going back and using things unless you really make sure you do the research and see what it entails because you end up with some unintended consequences. He said on conforming lots we certainly wouldn't let anybody build a building this big 35' from the lot line.
 - Ms. Endres said on a conforming lot the rear setback for accessory buildings is 50'.
- Mr. Gutoskey said if you are on a conforming lot you can have two 900 sq. ft. buildings, 300 over that.
- Ms. Endres said on conforming lots they could have had two 900 sq. ft. accessory buildings.
 - Mr. Gutoskey asked what it is on a non-conforming lot, two 300 sq. ft. buildings.
 - Ms. Endres said two 300 sq. ft. buildings because it is non-conforming.
- Mr. Lamanna asked Mr. Boehnlein if there is anything to prevent him from moving this thing closer to his house away from the rear property line.
- Mr. Boehnlein said actually Mark and Bev Hoersten are here. He referred to the displayed aerial and said this area is rather damp, this is dry so this he saw as more ideal in that it is drier land, he didn't like this coming through here because the natural flow of his property comes around this way and goes back to this back corner of the property. He said right here seemed a lot drier so that is really the whole reason he wants it there somewhere that it is a little bit more suitable for building a building.

- Mr. Boehnlein continued by saying he had considered putting it further over to what is the west side of the property but he was concerned because the area has been designated as a secondary septic on the drawing so he was concerned that if he put it in that area it would not go.
- Mr. Gutoskey said another thing is too you could keep the 50' below that so where you have this proposed it is probably a drip or a mound, typically the health department wants the 50' downstream of it because as the sewage flows through it it needs to flow through undisturbed soils.
- Mr. Lamanna asked the neighbors in attendance if they have anything they want to say or add.
 - Mr. Mark Hoersten of 8326 Summit Drive said they are just trying to learn.
- Mr. Lamanna swore in Mr. Mark Hoersten and Mrs. Beverly Hoersten and he let the record reflect that Mr. and Mrs. Hoersten were duly sworn.
 - Mr. Mark Hoersten testified that they are behind this property but to the east.
 - Mrs. Beverly Hoersten asked if this is going to be having a garage on this or smaller doors.
 - Ms. Endres displayed the accessory building on the large screen.
 - Mrs. Hoersten asked if the doors will be facing his house.
- Mr. Boehnlein said that will be facing his house the way you see it here and then there is one that is the west side of the property also, to the west side of the building.
 - Mr. Lamanna asked if that is a hidden door, the post overhead door.
- Mr. Boehnlein said this is a proposal and asked is that the intent of this meeting as well for the review of the design of the building as far as that goes.
 - Mr. Gutoskey said not really.
 - Mr. Lamanna said not the design but certainly the impact of the building.
 - Mr. Gutoskey said he would say size and height.
 - Mr. Lamanna said size and height.
 - Mr. Lewis said and location.
- Mr. Lamanna asked if there are any other large out buildings or houses that have metal roofs.

- Mr. Boehnlein said his front porch and his back porch have metal roofs, as far as the rest of his development he is not certain.
- Mr. Lewis said he realizes that because of the old code it can set this really, really close to your rear property line.
 - Mr. Lamanna said you can set a conforming building close to your property line.
- Mr. Lewis said you are absolutely correct, this is a substantial size building beyond what our code permits and one of the reasons that our chair asked can you move it forward because it lessens the impact based on its size on the adjacent property owners so he appreciates your hobby, it is a big structure for a hobby but that's your hobby and he understands that. He is saying it is awful big for where it is.
 - Mr. Lamanna said it is big for the lot size.
 - Mr. Lewis said yes.
 - Mr. Lamanna said if it were a single building it is four times the permitted amount.
 - Mr. Lewis said that is a 400% variance.
- Mr. Lamanna said dimensioned out we are maybe twice the size proportionately of what would be permitted on a conforming lot.
 - Mr. Boehnlein said so there is a proposal for what you are asking me to change to.
- Mr. Lamanna said the board would feel more comfortable with a smaller building and then again if we make it smaller you shrink it away from the property line and again if you were looking at a conforming lot you would be 50' off the back property line so obviously the impact on the neighboring property is substantial the closer you get.
 - Mr. Boehnlein said understood.
- Mr. Lamanna said you've got a building that is very large for an accessory structure, the operable word here is accessory, it is accessory to the main use of the property so he thinks what we would like to see is if we scale the size of the building down.
 - Mr. Boehnlein said okay.
- Mr. Lamanna said if you are going to use it as a workshop it is not like there is some limiting factor that you have to get something so big into it or whatever.

- Mr. Boehnlein said it is the equipment and the size of the materials to process it. He said he understands it is large, he does understand that and being able to store the wood that he has that has come off of his property and he has kiln dried it so he has larger boards so this is to house that as well.
- Mr. Gutoskey said even if you proportionately say you need maybe a 900 sq. ft. on this lot this building may end up being 600 sq. ft., the height is going to come down too.
 - Mr. Lamanna said yes to scale.

The board discussed the size of the building and the lot size.

- Mr. Lamanna said a 25' x 35' and that would lower the height by 20' and bring down the building to 875 sq. ft.
 - Mr. Lewis said yes and it drops the roof height to 20'.
- Mr. Lamanna said it gives you 5' so you just have to move it 10' closer to the house and it would be 50' away.
 - Mr. Boehnlein said so he is clear, you are proposing 25 x 35 with a 20' height.
 - Mr. Lamanna said that same pitch should work out to be about 20' high.
 - Mr. Boehnlein said and you are also proposing moving it so it is to the north by an amount.
- Mr. Lamanna said by 10' on the side closest to your house, it would move 10' because the other side since the building is shrinking you get 5'.
 - Mr. Gutoskey said so you would be 50' off the rear line.
 - Ms. Endres said so the front of the building would still be the same location.
 - Mr. Lamanna said no, it would be moved 10'.
 - Mr. Lewis said move it 10' closer to the house.
 - Mr. Lamanna said that would give it 50' total because the building is 5' narrower.
 - Mr. Lewis said you would pick up 5' off the back side.
 - Ms. Endres said okay.

- Mr. Gutoskey said he would say too, just when you look at it take the 5' off of the right side so that it would put it behind the shoulders of the house.
- Mr. Lamanna said he thinks it would work out but we would like it to be behind the shoulder of the house. He said we are probably talking about a foot or two maybe here.
 - Mr. Lewis said it is real little.
 - Mr. Boehnlein said this is all wooded, all of this.
- Mr. Lewis said if you go that way a little bit one of the other parts is because the building is still pretty substantial, if you tuck it behind the house, it gets you to 50' off the rear setback, he thinks we are being fair with the adjacent property owners on both sides and behind you.
 - Mr. Hoersten asked about moving it, he didn't understand.
 - Mr. Lamanna said just slightly.
 - Mr. Hoersten asked by how much.
 - Mr. Gutoskey said maybe a foot.
- Mr. Lamanna said the building size is shrinking by 5' so after you take that 5' the additional amount to move it to get it behind his existing house is one or two feet.
- Mr. Gutoskey said it is going to shift from the property line another 15' so it will be 50' off the property line.
 - Mr. Hoersten said he didn't understand what you just said.
- Mr. Gutoskey said basically what we asked him to do is if you project the sideline of the house out the building will be totally behind it but when you move the 5' you probably will have to move it about a foot this way and then it is going to move another 15' so it will be 50' off the back property line.
 - Mr. Lamanna said it will be farther away from you.
 - Ms. Endres said it will have a 50' rear setback and like a 99' setback.
- Mr. Lewis said yes which is really good and the whole rascal sits within the shoulders of the house.
 - Mr. Hoersten asked what will the square footage be now.

- Mr. Lewis said 875 sq. ft.
- Mr. Hoersten said it is 1,200 sq. ft. now.
- Mr. Lewis said the proposed is 1,200 sq. ft.
- Mr. Lamanna said the height will drop by 4 ft.
- Mr. Hoersten said so about 25% square footage.
- Mr. Lamanna said yes.
- Mr. Lewis said everything drops proportionately on it and he has no issues on it, that's it.
- Mr. Lamanna asked Mr. Boehnlein if it works for him.
- Mr. Boehnlein said he wants to see where it ends up on, where it looks like from his back porch, he wants to see how close it is and if he is in an area that is damp right, he wants to see that but.
 - Mr. Lewis said he thinks the BZA is in a position to move forward on this tonight.
 - Mr. Boehnlein said it sounds like the board feels comfortable with this.
 - Mr. Lamanna said yes.
- Mr. Boehnlein said his proposal would obviously be to put it back a little bit further but if the board has already decided it feels like a waste of time for him to say it is not going to work.
- Mr. Lamanna said he thinks you would have to present some pretty persuasive evidence to show that this is wet enough that it really makes construction very, very difficult. He said it doesn't look like that is the case.
- Mr. Lewis said he was looking at the grades and it is about a 1' drop every 20' and he realizes that is the swale of the property. He said fortunately the drops are not radical, they are pretty gentle.
- Mr. Gutoskey said you are about 2-1/2% here but still you are going to have to build up the one side anyway, you are going to have to build up the east side to level it out anyway so when you do that you can swale it.
 - Mr. Boehnlein said given that, he would accept that proposal.
 - Since there was no further testimony, this application was concluded.

Additional testimony:

- Mr. Hoersten said the board mentioned and just said that it is for the use of a woodworking hobby and that type of thing, not commercial.
 - Mr. Lamanna said right.
- Mr. Hoersten said but at some point they may move, do all of these restrictions carry over to the new owner.
 - Mr. Lamanna said the restrictions run with the land.
- Mr. Hoersten asked how are you going to enforce that, let's say somebody buys it and they want to put a mill working foundry plant in there.
- Mr. Lamanna said that would be a violation of the zoning so basically what we are doing is making sure that people understand that whatever we are saying here today, you can't operate a commercial business out of this and you can't occupy this for any kind of a residential purpose so nobody can come back later and say oh, I thought I could do X.
 - Mr. Hoersten said let's say somebody buys it and they want to put a car repair shop in.
- Mr. Lamanna said if they have a hobby and they like to fix up cars and they do that as a hobby they could do that.
 - Mr. Gutoskey said like the gentleman on Snyder Road.
- Mr. Lamanna said that is a permitted use of an accessory structure, we want to make sure nobody is conducting a commercial operation out of there unless it has been permitted as a home occupation and then we may or may not allow somebody to use an accessory building for a home occupation.
 - Ms. Endres stated that home occupations are no longer permitted in accessory buildings.
- Mrs. Hoersten said you had mentioned when you were saying dust collection and also she is interested in controlling the noise, that is what she is a little more worried about.
 - Mr. Gutoskey said there is a problem with the noise because there are no regulations.
 - Mr. Lamanna said there are no regulations in the township.
 - Mr. Lewis said his neighbor cuts grass at 7:00 AM on Sunday morning.

- Mr. Lamanna said it would be a very unusual situation and whether we have authority as to what extent we can regulate noise and the second problem is, it is a practical problem, regulating noise is massively difficult technically, it is a difficult technical problem in the best of circumstances.
 - Mr. Hoersten said he can measure noise levels at the drop of a hat.
- Mr. Lamanna said but the problem is what people find out is that the average noise level is not always really the issue, the issue is things that are really low and things that are really at the upper level of what people can hear and so you get into things that it can be this loud and people come back and say but they can't stand that giant subwoofer going out there so technically it starts to become a really difficult problem for us, we are not legislators here.
- Mr. Gutoskey said we can't legislate that but if he says he is going to do something, hopefully he is going to be a good neighbor.
- Mr. Hoersten said he has just one more question. He said the building with this 25% reduction is still a pretty good size.
- Mr. Gutoskey said it isn't much bigger than the building directly next door to his house though, that building is almost 800 sq. ft.
 - Mrs. Hoersten said he never got approval to build that either.
 - Mr. Lamanna said there are some other ones in the neighborhood too.
 - Mr. Gutoskey said he is sure they are close to that.
- Mr. Lamanna said he thinks that all things considered and given the size of everything else there.
- Mr. Gutoskey said it isn't really much bigger than the building that is really behind your house.
 - Mr. Hoersten said so having two will be nice.

Motion BZA 2023-1 – 8325 Tulip Lane

Mr. Lamanna moved to grant the applicant the following variances.

- 1. A variance to construct a 25' x 35' x 20' high accessory structure in the style as shown in the application paperwork/rendering.
- 2. The structure will be located so that it is behind the west shoulder of the existing house and will be at least 50' from the south lot line.
- 3. It will also be located inside the east shoulder of the house as well but within that range.
- 4. With respect to the uses of this structure, the applicant is going to be doing woodworking and has agreed that he will have a dust collection system to deal with the principal quantity of the dust produced there.
- 5. The applicant has also represented that this is a personal hobby and that this is not going to be used for a business and understands that it is not a permissible use of the building, either as a business or any kind of residential purposes.

Based on the following findings of fact.

1. After looking at the other accessory structures, the house and the size of the lot and the location of the houses behind the real property line where there is a significant number of houses on smaller lots or closer to their rear property lines the board feels that this size structure is reasonable and compatible with the neighborhood and will not adversely affect the quality of the neighborhood nor will it adversely affect the adjacent property owners with those changes that the board has made.

Mr. Lewis seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Ms. O'Neill, aye.

Since there was no further testimony, the public hearing was closed at 7:47 P.M.

Respectfully submitted,

Brent Barr, Alternate Ted DeWater Joseph Gutoskey Michael Lamanna, Chairman Todd Lewis, Vice Chairman Lori O'Neill, Alternate Emeil Soryal

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

Date: February 16, 2023

AUDIO RECORDING ON FILE

Bainbridge Township, Ohio Board of Zoning Appeals January 19, 2023

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 7:47 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Ted DeWater; Mr. Joe Gutoskey; Mr. Todd Lewis and Ms. Lori O'Neill, Alternate. Mr. Emeil Soryal was absent. Ms. Karen Endres, Zoning Inspector was present.

MINUTES

Mr. Lamanna moved to adopt the minutes of the December 15, 2022 meeting with changes to the third paragraph on page nine, drop the word "limited" and after the word "condominium" the "does" will be changed to "has".

Mr. Gutoskey seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Ms. O'Neill, aye.

ORGANIZATIONAL SESSION

Election of Chairman

Mr. Lewis made a motion to appoint Mr. Michael Lamanna as Chairman.

Mr. Gutoskey seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Ms. O'Neill, aye.

Election of Vice Chairman

Mr. Gutoskey made a motion to appoint Mr. Todd Lewis as Vice Chairman.

Mr. DeWater seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Ms. O'Neill, aye.

Sunshine Law

Mr. Lamanna made a motion to adopt the Ohio Sunshine Law (ORC).

Mr. Gutoskey seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Ms. O'Neill, aye.

Meeting Schedule

Mr. DeWater made a motion to set the meeting night of the Board of Zoning Appeals on the third Thursday of each month at 7:00 P.M. at the Bainbridge Town Hall; which meetings may be continued from time to time, at the discretion of the board, to such other dates as set at the meeting; and also that the board may schedule additional meetings during the month upon its motion.

Ms. O'Neill seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Ms. O'Neill, aye.

Zoning Secretary

Mr. Lamanna made a motion to reappoint Linda Zimmerman as secretary to the Board of Zoning Appeals.

Mr. Gutoskey seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Ms. O'Neill, aye.

By-Laws

Mr. Gutoskey made a motion to adopt the Bainbridge Township Board of Zoning Appeals By-Laws and Procedures effective January 18, 2007 and amended on January 15, 2009.

Mr. DeWater seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Ms. O'Neill, aye.

Thank you from the Board of Zoning Appeals to Karen Endres, Zoning Inspector

Mr. Lamanna moved that the board thank Ms. Karen Endres for her many years of service to the township and also to her efforts to be here at most of our meetings and to provide able information and able testimony to our work here and we certainly appreciate everything that she has done and she has made our work a lot easier and more efficient and more effective for the township and for making sure the zoning works the way everybody hopes and intends it would.

Mr. Gutoskey seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Ms. O'Neill, aye.

<u>APPLICATION FOR NEXT MONTH</u>

Application 2023-2 by Gregory Raines for property at 18750 Chillicothe Road

The applicant is requesting area variance(s) for the purpose of constructing an accessory building. The property is located in a R-3A District.

The Bainbridge Township Board of Zoning Appeals set a public hearing on the above application for February 16, 2023 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 8:30 P.M.

Respectfully submitted,

Brent Barr, Alternate Ted DeWater Joseph Gutoskey Michael Lamanna, Chairman Todd Lewis, Vice Chairman Lori O'Neill, Alternate Emeil Soryal

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

Date: February 16, 2023