

Bainbridge Township, Ohio
Board of Zoning Appeals
April 20, 2023

Pursuant to notice by publication and ordinary mail, the public hearing was called to order at 7:03 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Ted DeWater; Mr. Joseph Gutoskey; Ms. Lori O'Neill, Alternate and Mr. Emeil Soryal. Mr. Todd Lewis was absent. Mr. Steven Averill, 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.

Ms. Lori O'Neill, Alternate joined the board for consideration of the following applications in Mr. Lewis' absence.

Mr. Lamanna swore in Mr. Steven Averill, Zoning Inspector.

Application 2023-5 by Dan Johnson for property at 8835 Taylor May Road

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

Mr. Dan Johnson was present to represent this application.

Mr. Lamanna swore in Mr. Dan Johnson and he let the record reflect that Mr. Johnson was duly sworn.

Mr. Dan Johnson testified that he wants to build a 24' wide two-car garage where the trailers are, adjacent to his house there and the reason for the variance is he only has 17' now to where he is allowed so he is asking for the extra so he can get a two-car garage. He said he wants to get one of the trailers and basically clean up the side of the house and make it look better. He said he has four kids and they are already starting to get into where they are going to be driving so he thought it would be nice to have the cars in the garage, his other garage he can only put one vehicle in there, it is an older home and the garage was built in the fifties.

Mr. DeWater asked what he has the trailers there for.

Mr. Johnson said they are for his business, they are construction trailers.

Mr. DeWater asked his business.

Mr. Johnson said one of them is for toys, off-road vehicles and the other one is for his work tools.

Mr. DeWater said so you run your business out of your house.

Mr. Johnson said he just lives there, there is no business at his house, nobody comes to his house for business and he wants to eliminate one of those trailers.

Mr. Lamanna asked what is the other thing, is that a dumpster or is that something else.

Mr. Johnson said no that is a trailer.

Mr. Lamanna asked if that is another trailer.

Mr. Johnson said yes it is.

Mr. Soryal asked how tall the fence is.

Mr. Johnson said it is an 8' tall fence.

Mr. Gutoskey asked how high is the existing garage. He said the garage there now just looking at your sketch it looks like it is a two-car garage now, right.

Mr. Johnson said it does.

Mr. Gutoskey asked if that is 16'.

Mr. Johnson said yes but there is no way with modern vehicles, his wife's SUV fills up the whole thing, there is no way to get two cars in there.

Mr. Soryal said you can get the rest of the trailers in there.

Mr. Johnson said not really.

Mr. Soryal asked if there is a shed on the property also.

Mr. Johnson said there is, it is further back, it is right there.

Mr. Gutoskey asked how big the shed is.

Mr. Soryal said about 16-1/2 x 24-1/2 maybe.

Mr. Gutoskey said it is about 400 sq. ft.

Mr. Lamanna asked what the lot width is.

Mr. Gutoskey said it is 151.9' is what this says.

Mr. Soryal asked Mr. Johnson if he recently put an addition on this house a couple of years ago, a second floor or something.

Mr. Lamanna said he has a 150' wide lot here and we can't maintain a 20' side yard setback. He said he struggles to see where the practical difficulty is other than if you want to put a four-car garage on or whatever.

Mr. Gutoskey said he agrees with the chairman as far as the 20' with the 150' wide lot.

Mr. Lamanna said one of the problems here is we made an adjustment down to the side yard setbacks already to cover these kinds of situations from 50' to 20' so now when you go below 20' on a 150' lot it is hard to say what basis is there for granting a variance, there is no reason when you've got a 150' wide lot that you can't get your house in a space with 20' on each side because a lot of people have a lot smaller lots than that and they have their houses built 20' from each side. He said this gives us a difficult situation because if somebody had a 50' setback and they need to be 35' off they could say that is probably okay, it is not going to really adversely affect but when you now get all the way over to being 12' off the sideline you are impacting your neighbor's house, you are changing, the houses aren't that close generally in the neighborhood, they are spread apart farther than that so you are now creating a situation that is changing what is already there, that is one of the things we have to look at. He said when we go to grant this there is a series of factors that we look at, a lot of them don't apply to each individual case so we have to look at the ones that are applicable and in this case you start off with the question of practical difficulty. He said in the first place the lot is flat, there is nothing unusual about it, you just want to move way over, it is not particularly narrow so that you could say if you had a 100' wide lot now it may force you to have a wider setback, assumed if the 50' still applied then you could only have a house that is 50' wide, nobody builds 50' wide houses, it is not typically what is being built here but what you have done is you got yourself over now to the point where you are crowding onto the edge of your neighbor's property. He said when you go below 20' we just generally wouldn't do that where the lots are wide, there has got to be a reason for it, there has got to be some nature of the property that causes that to happen.

Mr. Gutoskey said there has to be some practical difficulty because you already do have a garage, if you came in and said you don't have a garage and need a garage but you do have a garage and we have to look at the practical difficulty and the character of the neighborhood.

Mr. Lamanna said for example if you had no garage and there was no possible way to put it on the other side of the house because you couldn't get a driveway back there because there were wetlands in front of it then we would say okay you've got a situation where you at least meet the threshold, we still have to look at the question of the nature of the variance, how much it is and how it affects the neighboring property and is it consistent with the way things are in the neighborhood. He said if everybody was close to the sidelines then it is easier to do it but in this case everybody is not close to the sidelines, you are already down to 20' here which is pushing it, if you had a three acre lot it would be 50'.

Mr. Lamanna continued by saying what has happened was to try to get something to conform under the old zoning, we ended up going down to 20' here so when you get to 20' it is like, if you have 50' you have some room to play with but if you get to 20', in this area you really don't have that much room to play with because once you go below 20' then you are really impacting your neighbors, this is not like Cedar Street and those places where all of the houses are cheek by jowl.

Mr. Gutoskey said they are 50' wide lots.

Mr. Lamanna said right, 50' wide lots with 5' setbacks and things like that but that is the character of that neighborhood, that is not the character of this neighborhood. He asked if that is the only thing, the side yard setback.

Mr. Gutoskey said that is it, yes.

Mr. Lamanna said he really thinks we need to go back and rethink how you might do this, modify the existing garage or come up with a different arrangement, maybe a deeper garage, some combination because he thinks you can really get within that 20', yes it is not maybe as convenient but we are here to look at the zoning and decide whether or not a change should be made so we will just table this for the moment and you will have a chance to go back and figure it out. He said if you come back and say you need 1' and you tried some different arrangements but if you do this you can get everything you need with a tiny bit of encroachment you might want to think about that rather than toss the application, we will just leave it open so you won't have to restart the whole thing or you may come back with a design that says now you've got a height variance or some other variance then you won't have to start a whole new application so we will just leave the application open.

Mr. Johnson said he is not going to figure he is sure something between 7' to get it closer. He said you ask for as much as you need.

Mr. Lamanna said we would like you at 20', like he said, if you came back with a good reason in order to get a 16' garage door you need 6" or 1', alright, then we would have something as a basis for doing it, we wouldn't make somebody get a custom garage door.

Mr. Johnson said it can't be a two-car garage with 22' feet wide, it doesn't work properly.

Mr. Soryal said your existing one though might be closer, maybe you add a couple of more feet.

Mr. Johnson said he may tear the other garage down and then build all brand new, he doesn't know, he started here first.

Mr. Gutoskey said you could double stack like someone suggested.

Mr. Johnson said right.

Mr. Lamanna told Mr. Johnson to keep in touch with the Zoning Inspector if he had any questions.

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

Motion BZA 2023-5 – 8835 Taylor May Road

Mr. Lamanna moved to table this application to the next regularly scheduled meeting to be held May 18, 2023.

Mr. Gutoskey second the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Ms. O’Neill, aye; Mr. Soryal, aye.

Application 2023-6 by Jeff Lewandowski for property at 18320 Geauga Lake Road

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

Mr. Jeff Lewandowski was present to represent this application.

Mr. Lamanna swore in Mr. Jeff Lewandowski and he let the record reflect that Mr. Lewandowski was duly sworn.

Mr. Lewandowski testified that he would like to build a detached storage building. He said he has a derelict on-site shed that is 15 x 18 which holds the gardening stuff but since he moved in it is kind of falling down. He said he has four kids so he has six bikes and he has a lot of stuff going on so he is proposing to build an out-building and then tear down the existing shed. He said he was looking into a 30’ wide and 40’ deep building, it would be 15’ tall and he is looking into metal sides and a metal roof, black roof, gray sides. He said there is going to be a driveway up to it which he would just extend his gravel driveway a little bit and there is proposed shrubbery between himself and his neighbor so you can see the driveway comes up a little bit and then you can see there are two cars parked off to the north side, the driveway would just extend past the house a little bit and that is where the workshop would go, the storage place. He said his variance would be in size, it is over 300 sq. ft. allowable, his only variance would be the size and it wouldn’t be for any business or anything, he is not going do a shop or something out of this.

Mr. Soryal asked if he is going to run water or electric.

Mr. Lewandowski said no, just storage like bikes and sleds and he is involved with the scouts and sometimes stuff needs to be put someplace.

Mr. Soryal said that is a big place to put a lot of things.

Mr. Lewandowski said everything is going to be consolidated in one place.

Mr. Gutoskey asked if height and lot coverage are okay on this.

Mr. Lamanna said so your house is a little cockeyed on the lot.

Mr. Lewandowski said yes.

Mr. Lamanna asked a lot.

Mr. Lewandowski said like 3'.

Mr. Gutoskey asked how high the building is.

Mr. Lewandowski said 15' with a 4/12 pitch.

Mr. Lamanna said he was trying to see if we took the side of the house and extrapolated that back.

Mr. Gutoskey said he is okay with the setback.

Mr. Lamanna said yes but it is quite a large building. He asked how many feet that would get. He said if you look down the sideline of your house you would see the point.

Mr. Gutoskey said he has 62-1/2 in the front but there is no dimension in the back. He asked if there is a dimension back here, he referred to the site plan.

Mr. Lewandowski said there would be a 2' difference in that one.

Mr. Gutoskey said 60-1/2.

Mr. Lewandowski said yes, it is really close. He said from the front of the house to the side it is 60-1/2.

Mr. Gutoskey said why don't we just say 30' because it pushes it more on the footprint of the old shed. He said what we are trying to do is try to line it up with back end of the house.

Mr. Lewandowski said alright.

Mr. Lamanna said so this is at 50 right here and if you ran it to the line of the house back it is going to be at about 58 or something.

Mr. Gutoskey said center it at 30 and it should put it pretty much even with the back of the house.

Mr. Lamanna said yes, he thinks that would work.

Mr. Gutoskey said it looks like there is a pool next door.

Mr. Lewandowski said the pool has been taken down. He said he was talking to his neighbor yesterday and he and his wife are both retired and, the pool doesn't exist anymore and he doesn't care.

Mr. Gutoskey asked if it would be even with the side of the house.

Mr. Lewandowski said it would be about even actually. He referred to the aerial and said it would be pretty close. He said his thought was, you drive up the driveway and you would go straight into it, if you are doing a brake job on a car it would be harder to pull straight in.

Mr. Soryal asked what the size is of the existing shed.

Ms. O'Neill said it is 270 sq. ft., it is 15' x 18'.

Mr. Lewandowski said yes, it is like 20 something years old, it is not in great shape and his thought was to take it down, put everything from there, garden stuff and the tractor and put it in there.

Mr. Soryal said his question is do you need four times as much storage.

Mr. Lewandowski said no.

Mr. Soryal said you are asking to go from 300 sq. ft. to 1,200 sq. ft., how much of that is really needed.

Mr. Lewandowski said he was hoping to be putting some of the stuff that was outside inside and neaten it up a little bit maybe and then have tidy access to everything. He said if he can do this then that will go away.

Mr. Lamanna asked how we are on the size.

Mr. Gutoskey said he is okay on the size, it is a 1-1/2 acre lot.

Mr. Lamanna said it is not that tall.

Mr. Gutoskey said he said he was going to put in some landscaping.

Mr. Lewandowski said no windows, no lights facing that way.

Mr. Gutoskey said what is it, black with gray sides.

Mr. Lewandowski said gray sides, black roof.

Mr. Gutoskey said put in there no living and no business.

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

Motion BZA 2023-6 – 18320 Geauga Lake Road

Mr. Lamanna moved to grant the applicant the following variance for the purposes of constructing an accessory building on a non-conforming lot of record.

1. A variance from the maximum building size of 300 sq. ft. to 1,200 sq. ft. for a variance of 900 sq. ft.
2. The board notes that the applicant has agreed that the existing 15' x 18' accessory building will be removed after this one is completed.
3. The side yard setback will be 30' recognizing the size of the building and the fact that if it was only 20' away it would essentially have adverse impacts upon the adjacent property.
4. The applicant also has agreed to add some buffer landscaping on the north side and there will also be no ingress/egress or lighting on the north side of the building.

Based on the following findings of fact.

1. It is a 1.63 acre lot.
2. This is a reasonable size building.
3. The height of the building is also only 15' so it will not be as visible because of the existing vegetation and it is also more consistent with the type of the existing house on the property.
4. The board notes that the applicant has also agreed that there will be no living space in this building nor will it be used for any business except as otherwise permitted without obtaining a home occupancy use permit to the extent that that would be allowed.

Mr. DeWater seconded the motion.

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

Application 2023-7 by Lawrence Musarra for property at 7061 Pine Street

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

Mr. Lawrence Musarra and Mr. Donald Tarantino were present to represent this application.

Mr. Lamanna swore in Mr. Lawrence Musarra and Mr. Donald Tarantino and he let the record reflect that Mr. Musarra and Mr. Tarantino were duly sworn.

Mr. Donald Tarantino testified that they are on a 50' wide lot.

Mr. Gutoskey said we know that development very well.

Mr. Lamanna said yes, very well.

Mr. Tarantino said when you see the size of his house, it is under 1,500 sq. ft. so it is a pretty tiny house and he has a minimal living room, a dining room and a pretty tiny kitchen so it is pretty tight. He said he has currently a deck on the back of his house and he wants to take that deck off and put a family room addition on and move the kitchen a little bit further out so it is larger and have it look into that family room. He said the problem is the garage is only about 3' smaller than the house as a footprint and sits almost on the one property line so he needs to always now drive around the house to get into that so one thing that we did was slide the addition over, we've got a bunch of furniture plans so we came up with this dimension. He said when you walk in the front entry to walk into the living room, you come in through the side door you are on a 3' landing that either goes down into the basement and up the stairs into the kitchen so we are sliding it over and adding a mudroom and in doing so it pushed it 4' closer to the property line than the house is now and it is currently 11-1/2' away.

Mr. Gutoskey said 11.1' in the front and 11-1/2' in the back.

Mr. Tarantino said right, the line is not actually parallel to the house.

Mr. Gutoskey said the variance they are asking for on that side is really from the landing and pad you are putting in there, is there going to be some kind of overhang, the door on the west side here, you are putting a canopy over it and that is what you look at for setbacks.

Mr. Tarantino said it should be in line with the addition.

Mr. Gutoskey said okay but going with the 4'-4" for the post, it is actually a little closer but your house is off 11-1/2' in the back so we just looked at the 11.1' in the front and then the other thing is that and this is one of the strange ones in there is that there is a driveway on either side of the property line, usually you have a driveway and then the house but this is driveway, actually a neighbor driveway, his driveway and then another driveway on the other side, that is two driveways.

Mr. Lawrence Musarra testified that he has a shared driveway on the east side, he rented for six years.

The board discussed the setbacks.

Mr. Gutoskey said on the west side he has 6.8'.

Mr. Musarra said there are no windows on that side as well, she (neighbor) was great with it and then the shared driveway side on the east side, she came over and looked at it and said fine, great, love what you are doing.

Mr. Tarantino explained the circulation.

Mr. Soryal asked why the distance between the garage and the house has to be a minimum of 10'.

Mr. Gutoskey said that is what our code says.

Mr. Soryal asked if that is for fire.

Mr. Gutoskey said we don't know.

Mr. Lamanna said his guess is that is probably where it came from.

Mr. Steven Averill, Zoning Inspector testified that it is not in the fire code but he does know that the fire department does like the separation for obvious reasons but it is not in the code.

Mr. Lamanna asked if the garage is finished inside with drywall.

Mr. Musarra said no, it takes up more space.

Mr. Gutoskey said he is just wondering because you know how the fire code is if you are 5' or less you have to have fire rated walls.

Mr. Musarra said if there is a fire rating he understands that sort of stuff.

Mr. Tarantino said sometimes they had to apply a fire rated drywall on the garage within the 10' in some communities, fire department, but he couldn't find it in your code so he thought it was no big deal, they could always put up sheets of fire rated drywall.

Mr. Gutoskey said that would be a building department thing when you have your plans reviewed by the building department.

Mr. Tarantino said that would be Geauga County.

Mr. Gutoskey said yes and if it is less than 5' it has to be fire rated and then openings when you get down even 3', only 25% openings etc., you know the code.

Mr. Lamanna asked what the exterior siding is on this.

Mr. Musarra said they will match what is on the house, aluminum siding, actually vinyl on the house, the garage is still aluminum sided.

Mr. Gutoskey asked if anybody has any questions on this or wants to comment on this.

Mr. DeWater said it is a challenging area.

Mr. Gutoskey said it is.

Mr. Tarantino said but it is just a few feet from downtown and these houses are old.

Mr. Soryal said 1924 he thought he read.

Mr. Lamanna said the original has got to go back quite aways.

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

Motion BZA 2023-7 – 7061 Pine Street

Mr. Lamanna moved to grant the applicant the following variances for the purposes of constructing an addition in accordance with the plans that have been submitted by the applicant.

1. A variance to the minimum side yard on the east side to 8.4' from the required 10' and this is based upon the existing structure of the building which has been there for a long period of time.
2. On the west side, the addition that is being added will be at 6.8' for a variance of 3.2' on that side.
3. With respect to the required minimum distance between buildings of 10' the board will grant a variance to 5.6' which is a variance of 4.4'.
4. Finally with respect to the existing garage it is 4.2' off the sideline so the board will grant a variance for that of 5.8'.

Based on the following findings of fact.

1. The existing structure will have variances that are consistent with what has long been existing at the site.
2. With respect to the minimum distance between buildings the board does not feel that this is out of the character of the neighborhood.
3. It is a very small house.
4. This is a very reasonable addition to that house.
5. It is certainly consistent with the character of the neighborhood and given the small size of the lot there and the very narrow width of the lot these variances are reasonable and do not adversely affect the neighboring properties.

Mr. Gutoskey seconded the motion.

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

Application 2023-8 by Kurt Princic for property at 7502 Samuel Lord Drive

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

Mr. Kurt Princic was present to represent this application.

Mr. Lamanna swore in Mr. Kurt Princic and he let the record reflect that Mr. Princic was duly sworn.

Mr. Kurt Princic testified that he would like to build an accessory building, he meets all the setbacks but he is looking for a variance for the size of the building and for the height of the building. He said the size of the building would be 20' x 28' but that includes a 6' overhang so the effective size of the building is 20' x 28' with a 6' overhang.

Mr. Gutoskey said the building itself is 20' x 28'.

Mr. Lamanna asked if it is a cantilevered overhang.

Mr. Princic said no it is going to have posts.

Mr. Lamanna said okay but that is building square footage. He said to him if you've got a roof and you are using the space under it then that is part of the building, if it just stuck out and there were shrubs under it or something like that but if it is going to have a paved surface or concrete, you are going to use it.

Mr. Princic said it is going to be used. He said the entire building will be 26' x 28'.

Mr. Lamanna said and we are okay on the setbacks.

Mr. Gutoskey said it is a 10/12 roof pitch.

Mr. Soryal said the drawing doesn't show your driveway.

Mr. Princic said he is not really planning to extend it, it might be gravel, he has also considered those pavers that are kind of triangular that you can grow the grass in them, to keep the grass, it is just something like that, he is just using it for a workshop and storage, they have a slab ranch, they have no basement and they have no attic and they don't have anymore space and they are not hoarders, he swears.

Mr. Gutoskey asked Mr. Averill to display the aerial for this property. He asked if that piece of property is Chagrin Falls behind there.

Mr. Princic said it is Chagrin Falls behind him and Frohring Meadows is directly kind of that back piece.

Mr. Gutoskey asked if that piece of property Chagrin Falls has is the old well field.

Mr. Princic said it is the old well field, correct.

Mr. Lamanna asked what the height is of the existing building.

Mr. Princic said 14'6".

Mr. Lamanna said it is not much different, it is not going to stick up.

Mr. DeWater asked if this development has an HOA.

Mr. Princic said no, it is an old one, it is defunct, they did back in the day but it doesn't exist anymore.

Mr. Gutoskey said this is a 210' wide lot.

Mr. Lamanna said it makes it even better, it is not going to affect anybody.

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

Motion BZA 2023-8 – 7502 Samuel Lord Drive

Mr. Lamanna moved to grant the applicant the following variances with respect to the construction of a detached accessory building according to the plans submitted by the applicant and the board's decision is based upon a review of those plans.

1. With respect to non-conforming structures on non-conforming lots of record the applicant is granted a variance from the maximum building size of 300 sq. ft. to 728 sq. ft. for a variance of 428 sq. ft.
2. A variance from the maximum building height of 15' to 17'.

Based on the following findings of fact.

1. The applicant has a 1.67 acre lot so a 728 sq. ft. accessory building is reasonable given the size of the lot.
2. It is also not inconsistent with the character of the neighborhood.
3. The applicant is locating it well within the setbacks for a full three acre lot so this will be a substantial distance from any of the neighboring properties so it will not adversely affect those neighboring properties.
4. The 17' height is consistent with the height of the existing ranch house on the property so it will again be consistent with the character of the property and the neighborhood.

Mr. DeWater seconded the motion.

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

Application 2023-9 by Mike and Linda Kerchenski for property at 8610 S. Spring Valley Park Drive

The applicants are requesting area variance(s) for the purpose of constructing an attached garage addition. The property is located in a R-3A District.

Mr. Mike Kerchenski and Mr. Dennis England were present to represent this application.

Mr. Lamanna swore in Mr. Mike Kerchenski and Mr. Dennis England and noted for the record that Mr. Kerchenski and Mr. England were duly sworn.

Mr. Mike Kerchenski testified that on his garage the foundation is completely destroyed and the garage is caving in so instead of repairing the foundation which would be expensive they are going to tear the garage off of the house and rebuild it but in doing that they are going to move closer to the street line, it will be larger than the existing garage, a 30' x 40' garage versus the one that is there.

Mr. Lamanna asked if these are both attached or detached.

Mr. Kerchenski said it is attached.

Mr. Lamanna said so the original was also attached.

Mr. Gutoskey asked Mr. Averill to display the aerial view of this property.

Mr. Lamanna asked what is pushing this forward here, the house or.

Mr. Gutoskey said it is because the way the house is oriented. He explained per the site plan, here is the house and here is the garage but it is kind of rotated weird on the lot like this so this is the front of the house and this is the back of the house and the garage is here.

Mr. Lamanna said the garage was a side entrance and not a front entrance.

Mr. Kerchenski said it will still be a side entrance.

Mr. Lamanna said the only way to expand the garage is you can only come forward because of the garage orientation.

Mr. Gutoskey said the only problem he sees is when you push it forward you are going to have a heck of a time getting into the garage just because of the angle, he doesn't know if you consider rotating it so it is parallel to the property line because the way it is now, he doesn't know how much room you have to get to the property line to try and get a driveway in there.

Mr. Dennis England testified that there is enough room.

Mr. Gutoskey said you usually want 28' as a minimum, 30' works good.

Mr. England said the turnaround that is there now, it is 12' wide and plenty of space to get a car in.

Mr. Gutoskey said he has a Suburban and he would never make it in and out of there.

Mr. Lamanna asked if they are going to have two 16' doors.

Mr. England said one 16' door and one man-door and a window.

Mr. Gutoskey referred to the house on the right on the aerial photo of this property.

The board discussed the adjacent properties.

Mr. Lamanna asked if they are trying to add an addition onto the house too.

Mr. Kerchenski said no, one of the problems is Spring Valley homes are about 1,200 sq. ft. and there is no storage and on a slab.

Mr. Gutoskey said we know and the roof pitches are real flat.

Mr. England said we are also tearing the roof off the house and putting a 7/12 pitch on the house to match the pitch on the garage, so everything matches, right now it has a 3/12 pitch, it leaks in the winter so it needs attention.

Mr. Lamanna said you have a small house to start with, you are just adding a little extra space. He asked if it is storage space.

Mr. Kerchenski said mostly storage.

Mr. Lamanna said not really living space.

Mr. Kerchenski said no.

Mr. Lamanna said it is going to be all slab, right.

Mr. Kerchenski said yes, all slab.

Mr. Gutoskey said the house is just weird on the lot.

Mr. Lamanna said yes, very weird on the lot. He said why didn't they move it to the right.

Mr. Gutoskey said he thinks they did it because of the way the topography was because it was a slab.

Mr. England said it is a very odd shaped lot.

Mr. Gutoskey asked if they had a surveyor verify the front setback, did you get a drawing or anything.

Mr. England said Mr. Kerchenski submitted for a variance for a shed quite a few years ago, there was a survey done then and it was deemed to be 75' off, there are some drawings that show it to be 100', it is not 100' it is 75' to the road right-of-way to the existing garage that is there so we are asking for another 18' so it is 57'.

Mr. Gutoskey said he was just looking for documentation on that versus a hearsay.

Mr. England said they measured it, it is on Access Geauga as 75'.

Mr. Gutoskey said we don't trust that.

Mr. England said if it is a foot one way or another, he doesn't think it is critical but they measured every which way but loose.

Mr. Lamanna asked if the requirement is 75'.

Mr. Gutoskey said yes, 75'.

Mr. Lamanna asked if anyone has any issues here. He said when you look at it it is not that big, there is no option here the way they set the house on the lot.

Mr. Kerchenski said his house faces the neighbor's house.

Mr. Gutoskey said but the problem is the part that kind of faces the street is the back of the house and the front of the house faces the back. He said it is a slab and it makes sense.

Mr. Lamanna said the way your house is set and the way the street bends and the existing wooded area.

Mr. Gutoskey said the house next to it and the one across the street are going to be less than what this is.

Mr. Lamanna said it is not going to be the odd ball house.

Mr. Kerchenski said they will make a better curb appeal so it looks better from the road.

Mr. Gutoskey said plus they are going to re-do the roof so it will improve the look.

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

Motion BZA 2023-9 – 8610 S. Spring Valley Park Drive

Mr. Lamanna moved to grant the applicant the following variance for the purposes of constructing a replacement to the existing garage that was on the front of the house and the addition of some additional storage area.

1. A variance from the minimum front yard setback requirements from 75' to 57' for a variance of 18'.

Based on the following findings of fact.

1. A practical difficult exists.
2. This house was built a very strange way with the garage in the front with a side entry so the only way that the garage can be made larger is to go forward.
3. The house is very small and needs some additional space and where this is located because of the curvature of the road and the location of the houses around it, it is not going to be extremely noticeable and some of the other houses that are adjacent to it already have less than the required 75' so this will not adversely affect the character of the neighborhood or probably won't even be noticeable to the existing property owners.
4. Also, the small increase in the size of the house certainly is reasonable and again will not affect the character of the neighborhood, it will probably improve this and make it a little more consistent with the size of some of the other houses.
5. The distance from the other existing houses are such that this will barely be noticeable especially with the vegetation along the front of the property as well.

Mr. Gutoskey seconded the motion.

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

Since there was no further testimony, the public hearing was closed at 7:42 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: May 18, 2023

AUDIO RECORDING ON FILE

Bainbridge Township, Ohio
Board of Zoning Appeals
April 20, 2023

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 7:42 P.M. by Mr. Michael Lamanna, Chairman. Members present were Mr. Ted DeWater; Mr. Joseph Gutoskey; Ms. Lori O'Neill, Alternate and Mr. Emeil Soryal. Mr. Todd Lewis was absent. Mr. Steven Averill, Zoning Inspector was present.

MINUTES

Mr. Gutoskey moved to adopt the minutes of the March 16, 2023 meeting as written.

Mr. Soryal seconded the motion.

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

APPLICATIONS FOR NEXT MONTH

Application 2023-5 by Dan Johnson for property at 8835 Taylor May Road- Continuance

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

Application 2023-10 by Carolyn and Scott Rolf for property at 17339 Long Meadow Trail

The applicants are requesting area variance(s) for the purpose of constructing a front porch addition. The property is located in a R-3A District.

Application 2023-11 by Randall and Amy Greene for property at 17570 Snyder Road

The applicants are requesting area variance(s) for the purpose of installing an in-ground swimming pool. The property is located in a R-5A District.

The Bainbridge Township Board of Zoning Appeals set a public hearing on the above applications for May 18, 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 8:35 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: May 18, 2023