

Bainbridge Township, Ohio
Board of Zoning Appeals
September 18, 2025

Pursuant to notice by publication and ordinary mail, the public hearing was called to order at 7:04 P.M. by Mr. Michael Lamanna, Chair at the Bainbridge Township Service Department, 17800 Haskins Road. Members present were Mr. Ted DeWater; Mr. Joseph Gutoskey; Mr. Todd Lewis and Mr. Emeil Soryal. Mr. Steven Averill, Zoning Inspector, was absent.

Mr. Lamanna welcomed everyone to the regular meeting of the Bainbridge Township Board of Zoning Appeals and explained the public hearing process and stated that individuals will be sworn in when the application is started. He noted that the board will be hearing application 2025-15 first because the applicant has a prior commitment this evening.

Application 2025-15 by Michael J. Strano for property at 7970 Bainbridge Road

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

Mr. Michael Strano was present to represent this application.

Mr. Lamanna swore in Mr. Michael Strano and he let the record reflect that Mr. Strano was duly sworn.

Mr. Michael Strano testified that he is looking to put a master bedroom addition onto the front of his house, it is 20 x 20 and is requesting a variance because he thinks that he needs about 18' in front of the current location of where he is allowed to build to. He said he would like to put it on the front of his house because he has a patio in the back, he has trees in the back and his septic is in the back and those are all things that he doesn't want to disturb. He said the layout of the house makes it nicer and more livable to have a bedroom off the front than it would be to try to attach one onto the back where the current two bedrooms are so for architectural purposes it is very hard, he would have to remove a bathroom or something and put a hallway into one of the bedrooms and that would decrease the size of the bedroom and he doesn't even think it would be considered a bedroom. He said they only have 800 sq. ft. so it is a very small house and along Bainbridge Road where he lives there are currently very many houses that must have gotten a variance because there are a ton of houses that are out way past where his is including his neighbor's, he thinks she might be like 20' from the road, he doesn't have any pictures or anything like that but she is very close.

Mr. Gutoskey said what we have here doesn't show the neighbor.

Mr. Strano said he would still be like 30' behind where the front of her house is and it does still leave 57'.

Mr. Lewis said he wanted to walk through the eight accessory structures that you already have and he wants to take them one at a time to confirm the specific use of each one.

Mr. Strano said okay.

Mr. Lewis said we could start with #1 which is the 18' x 20'.

Mr. Strano said they use that for trailer storage, hay storage and chicken processing.

Mr. Lewis asked about building #2, the 8' x 14'.

Mr. Strano said that is yardwork storage, agricultural storage.

Mr. Lewis said yardwork so that is.

Mr. Strano said his lawn mower, yard equipment.

Mr. Lewis said we will see if your lawn mower is part of agriculture or if it would be something that anybody would have in their outdoor shed to store tools, lawn mowers etc.

Mr. Strano said okay.

Mr. Gutoskey said you are allowed two outbuildings.

Mr. Strano said most of these are chicken coops.

Mr. Lewis asked about building #3.

Mr. Strano said #3 is basic barn storage, he just has equipment for the chickens and the pigs.

Mr. Lewis asked about building #4, it is kind of a long one, 9' x 40'.

Mr. Strano said those are tools and building materials.

Mr. Lewis asked building materials.

Mr. Strano said yes, wood or extra wood for when he needs to build stuff and all of his tools basically, all of his building tools.

Mr. Lewis asked about building #5.

Mr. Strano said pigs and chickens. He said buildings #6, #7 and #8 are all chickens.

Mr. Lewis said you have a food truck, where does your food truck reside when it is not in use.

Mr. Strano said it is in the middle right there, he referred to the site plan.

Mr. Lewis asked if it is in the middle of the open lawn.

Mr. Strano said yes, kind of and right next to building #2.

Mr. Lewis asked but it is outdoor storage.

Mr. Strano said yes.

Mr. Lewis asked Mr. Strano if he is running a business for that out of the house.

Mr. Strano said no.

Mr. Lewis asked Mr. Strano where he runs the business for his food truck, your bookings etc. and where to show up.

Mr. Strano said well then yes, but they don't do any work there.

Mr. Lewis said okay, just the administrative functions of running a business out of the house.

Mr. Lamanna asked if any food preparation is done on the premises.

Mr. Strano said no they don't do prep they do most things on-site.

Mr. Lamanna said on-site and in the truck, at the location.

Mr. Strano said yes.

Mr. Gutoskey asked if that is his main business, a food truck.

Mr. Strano said yes.

Mr. Gutoskey asked if he was running any other business out of his home.

Mr. Strano said no.

Mr. Soryal asked Mr. Strano if all of these storage buildings were existing or did he build any of them.

Mr. Strano said he built #1 and then #2 and #3 are not in-ground, they are just delivered, no foundation.

Mr. Lamanna said it doesn't really matter.

Mr. Strano said actually the only one that has a foundation back there is #5.

Mr. Lamanna said if it is a structure it doesn't have to have a foundation.

Mr. Soryal said the big one.

Mr. Strano said the big one does not, the small one does.

Mr. Gutoskey asked if he has a garage he uses for the house.

Mr. Strano said no, he would like to have one one day but he does not have a garage.

Mr. Lewis said so getting into your part of your variance request, the side yard setback on the existing house is 21'.

Mr. Strano said it is 21'.

Mr. Lewis asked how far is the existing house off the right side yard.

Mr. Strano said 21'.

Mr. Gutoskey said so what he is saying is his addition is going to line up with the existing house.

Mr. Lewis said he wanted to see if they were going to be staggered.

Mr. Strano said no, directly in line.

Mr. Lamanna said you have got to be careful with that because sometimes the original house may not have been set square with the property line, it looks like it is a rectangular lot but when a survey is done people find that a house like this could cause a problem. He asked if the house had been location surveyed or not.

Mr. Strano said no.

Mr. Gutoskey asked if the board can see the aerials to see the neighbors.

Mr. Lamanna said you are really close, the side yard is 20' so you are within 1' and if your house is turned slightly what will happen is if you come out the dimension of your house and you get to the front you might be closer than 20'.

Mr. Strano said he understands.

The board discussed the existing side yard setback.

Mr. Lamanna said if he can find a point on the road, it is pretty straight there, he can at least measure and see if the corner of the house is a substantial distance from the road. He said really the safe thing to do is to have somebody actually survey it and make sure that you have got to be within the side setback. He said you are taking a risk going ahead and doing that.

Mr. Strano said he went over this with Mr. Averill and he seemed to think that it would be totally fine, he talked to him multiple times, he talked to him last year about this and he met with him twice this year.

Mr. Lamanna said he is just saying is you can get approval here and we give you approval based on the house is 21' away and then if it turns out that it is not 21' away then you are going to be out of compliance.

Mr. Strano said okay.

Mr. Gutoskey said the same with the front setback off the right-of-way.

Mr. Lewis said that also gets tricky.

Mr. Lamanna said we don't want people to be in a situation where they've got a property that is not compliant because someday at some point in time you may go to sell the property and somebody comes in and says they want a location survey on this property and do a location survey and they find out that you are encroaching on the zoning line and then now you try to come running back to us.

Mr. Strano said if you approve it and he gets it checked and if it was he would adjust his numbers to 19' instead of 20', he said his addition would be 19' which would give him 22', he could make that adjustment.

Mr. Lamanna said if you find out there is a problem and if you just move the addition over a foot.

Mr. Strano said that is what he is saying.

Mr. Lamanna said yes, you could do that.

Mr. Strano said he would do anything the board would want him to do.

Mr. Lamanna said we are trying to make sure you don't have a problem in the future, we are just trying to point out some pitfalls because we have been at this a long time and have seen a lot of situations where people come in and they think the house is straight on the lot and somebody put an addition on it and now you find out you are not in compliance anymore, you are 1-1/2' over the side yard setback because somebody didn't check carefully and their house was a little skewed on the lot so this is for your benefit to make sure you don't have a future problem because you didn't notice or anticipate something, we are just trying to give you the benefit of our experience in dealing with these kinds of things. He said it is kind of a hodgepodge because obviously there are some older houses along there that are closer to the road, new houses are farther back.

Mr. Lewis said okay, so the front yard setback variance request is from 75' to 57', 18'.

The board discussed the setbacks.

Mr. Lamanna said we have a septic back there, it really makes it difficult to add onto the back and he can't add onto the side and adding onto the other side, you are in the middle of the driveway there.

Mr. Lewis said somewhere in this area he stores his food truck.

Mr. Strano said he would park it the other way if he could.

Mr. Lamanna asked what the landscaping is in the front yard now such as trees, bushes.

Mr. Strano said mostly bushes and a Magnolia tree.

Mr. Lamanna asked Mr. Strano when he puts this in if it is going to be screened from the road.

Mr. Strano said yes.

Mr. Lamanna said so there is existing vegetation.

Mr. Strano said it is the most private one on Bainbridge Road. He said you can't see his house from the road at all.

Mr. Lewis said it is heavily wooded.

Mr. Strano said yes and that will sit forever as long as he owns the house.

Mr. DeWater asked if a side line survey is going to be done because in this case it might be warranted just to make sure everything is where it is supposed to be.

Mr. Lewis said it is a reasonable request and it helps the contractor, it helps the property owner and it allows the BZA to confirm a variance. He said the whole lot does not need to be surveyed, just the side line.

Mr. Lamanna said just the side line for existing location and then where the new front corner will be on that side line so basically back, front and where that new corner will be on that side line, that will be all that we need to have.

Mr. Lewis asked do we want that on file before he starts construction.

Mr. Gutoskey said he would need to have it done first.

Mr. Lewis asked about water runoff and drainage, are gutters and downspouts being used.

Mr. Strano said yes.

Mr. Lewis asked which way the water is going to be directed, towards the backyard or the side.

Mr. Strano said both side yard and driveway.

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

Motion BZA 2025 – 2025-15 – 7970 Bainbridge Road

Mr. Lamanna moved to grant the applicant the following variance for the purpose of constructing an addition to the front of the existing dwelling in nature and kind as set forth in the application.

1. A variance from 75' to 57' for a variance of 18'.
2. The board notes that the existing house is 21' from the side line and possibly 77' from the front property line and because of that the applicant has agreed to provide a side line survey of the location of the existing house and where the front of the addition will end up and the applicant will provide that before the actual construction of the addition starts.

Motion BZA 2025 – 2025-15 – 7970 Bainbridge Road - Continued

Based on the following finds of fact.

1. There is a practical difficulty with the existing lot.
2. This is an existing house, it is a very small house especially for the area so this addition will make it more similar to houses in the area.
3. Behind the house is the septic system and to the one side is a driveway and the other side is too close to the side line so it is geographically limited in where the expansion could take place.
4. In addition, the lot is heavily vegetated so there is limited street visibility of where this addition will be.
5. The board also notes that there are other houses in the area that are also closer than 75' to the front property line but in this case this addition should not alter the character of the neighborhood nor adversely affect any of the adjoining property owners.

Mr. DeWater seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Soryal, aye.

Application 2025-13 by Jim Kusa for Andrew and Michele Sand for property at 7050 Country Lane

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

Mr. Gutoskey is recusing himself from this application.

Mr. Jim Kusa was present to represent this application.

Mr. Lamanna swore in Mr. Jim Kusa and he let the record reflect that Mr. Kusa was duly sworn.

Mr. Jim Kusa testified that he is from Auburn Home Builders and they are a general contractor in the area and represent their clients Andrew and Michelle Sand and unfortunately they had prior arrangements and could not be here. He said they are looking for a side yard setback variance, it is a very small variance in regards to the new proposed addition that they are putting on the back of their house and somewhat on the side of their house.

Mr. Lewis said eight tenths of a foot.

Mr. Kusa said eight tenths of a foot. He explained that they talked very thoroughly in regards to moving the addition in closer to the center of the lot but if you look at the diagram in regards to the existing house which is a fairly new house, on the back that dinette is part of the house obviously and the existing deck is the one that comes into play in regards to trying to move their addition to the side yard. He said right now they are going to cut that deck in order to get that addition into as close as they can to the center of the property but they want to manage that deck to have some body to the deck without shrinking the addition which they could but it makes it very, very narrow because they want to use it, technically, they work from home, they want the area instead of going up and down stairs where their offices are at, they want to use it as a proposed office area but technically it is going to turn into one day a master suite, so they don't want that addition, master suite to become so narrow that it is not going to be useful for them so we are requesting, he believes about 9" on the back corner.

Mr. Lamanna said because the house is a little skewed.

Mr. Kusa said exactly.

Mr. Lewis said it is a perfect example.

Mr. Lamanna said at .80 this certainly falls into the de minimis category and it is not going to adversely affect anybody or anything. He asked if a survey had been done.

Mr. Kusa said a survey has been done.

Mr. Gutoskey said he did the original lot split and the house.

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

Motion BZA 2025-13 – 7050 Country Lane

Mr. Lamanna moved to grant the applicant the following variance for the purpose of constructing an addition.

1. A variance to the side yard setback requirement of 50' to 49.20' for a variance of .80'.

Based on the following findings of fact.

1. A practical difficulty exists because this is an addition to an existing house but this variance is also de minimis and would have no adverse effect on the character of the neighborhood or any of the neighboring properties therefore it should be granted.
2. The applicant also had the property surveyed so the dimensions are verified of being accurate.

Mr. DeWater seconded the motion.

Vote: Mr. DeWater, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Soryal, aye.

Mr. Gutoskey returned to the meeting.

Application 2025-14 by Simon Dobos for property at 8740 Washington Street

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

Mr. Brad Comoso of Premier Custom Builders was present to represent this application.

Mr. Lamanna swore in Mr. Brad Comoso and he let the record reflect that Mr. Comoso was duly sworn.

Mr. Comoso testified that there is an old house on this property, his client purchased the property and they started working on zoning. He said they are going to tear down the house, you can see in the front there and then construct a new home in the back. He said when they went for the zoning permit is when they found out that no structure shall be located in the front of the dwelling and in addition to that the side yard variance. He said his understanding is that it was permitted before that accessory building rule came into place so that is why he is here today. He said the client plans on renovating that structure, or hopes to renovate that structure.

Mr. Gutoskey asked what is it now, was it a garage originally.

Mr. Comoso said it is a garage, it is a two-car garage, the foundation is in perfect shape but they are tearing off the roof if this goes well.

Mr. Gutoskey said it looks like it is full of moss.

Mr. Comoso said yes, the whole roof is coming off and then we are going to replace the man-door and the garage door.

Mr. Gutoskey asked if the existing house has a garage or was this the garage for the house.

Mr. Composo said he thinks that was the garage for the house, he is 99.9% sure that was the garage for the house.

Mr. Gutoskey said so there was no garage on the house, if it was they turned it into living space.

Mr. Composo said he doesn't believe so.

Mr. Gutoskey said apparently this was permitted in 1980 but then you look at this section of the code he thinks the code was enacted after this was built because he doesn't think they would have been given a permit at the time to do it because the code is 1987 and there were changes to that section.

Mr. Composo said he thinks it got permitted in 1986.

Mr. Gutoskey said probably it was permitted at the time that they built it, he wouldn't think the zoning inspector would have given them a permit if it wasn't so then our code changed after so when it was built it was probably legal conforming.

Mr. Lamanna said it is also well back of the setback.

Mr. Gutoskey said we don't have that part of the code.

Mr. Lamanna said it is hard to know.

Mr. Gutoskey said our code is missing when the original sections were.

Mr. Lamanna said you would have to be digging back through old copies of it. He said he the other issue is he thinks what happens is when the building itself is setback so far people forget about that requirement that you can't be putting accessory structures in front of the main structure.

Mr. Gutoskey said it is getting a new septic obviously.

Mr. Composo said yes.

Mr. Gutoskey asked where the new septic is going.

Mr. Composo said the new septic is actually going, if you look at the site plan where it straightens out in the back here, it is going right back here, that has been permitted.

Mr. Soryal said so you are going to build a new house and then tear out the existing house.

Mr. Composo said they plan on demoing the house probably first, when the excavator shows up to put the drive in.

Mr. Soryal said but soon after you will start construction of the new house.

Mr. Comoso said yes, immediately, this is all in conjunction, in fact we would have to start digging. He said they are going to tear that roof off so when framers show up the framers will frame the house and then we will shingle it before winter, that is their goal.

Mr. Lamanna said it is a single project of tearing the old house down and building a new house.

Mr. Lewis said it is nice, you will have the equipment and trades you can sequence simultaneously.

Mr. Comoso said that is it, they look to tear it down and rebuild.

Mr. Lamanna asked if this structure is screened from the road.

Mr. Comoso said the lot is heavily wooded, he thinks it is in the eye of the beholder, he thinks in the summertime he knows if you can see it, he can't from the road and they plan on leaving that whole front wooded.

Mr. Gutoskey asked if there are any neighbors here that want to talk.

Mr. Gideon Weaver, neighbor at 8774 Washington Street, stated that he would like to speak.

Mr. Lamanna swore in Mr. Gideon Weaver and let the record reflect that Mr. Weaver was duly sworn.

Mr. Weaver testified that he is concerned about the creek and the runoff from the new building.

Mr. Lamanna asked if there is a riparian going through there.

Mr. Gutoskey said yes.

Mr. Lamanna said they meet the setback requirements and they have soil and water plans so they have gone to the county.

Mr. Comoso said he is happy to let you know that they are not going to be anywhere near the creek or any of that, they did go to Geauga Soil and Water.

Mr. Lamanna said you have to put up the silt fences.

Mr. Comoso said yes.

Mr. Weaver asked if the building will be near the creek.

Mr. Lamanna said no, the building is outside the riparian.

Mr. Comoso said right it is outside the riparian.

Mr. Lamanna asked where they are sending the house stormwater.

Mr. Comoso said they are going to get gravity flow out that back right side.

Mr. Lamanna said put it on the surface and let it flow to the creek from the gutters.

Mr. Comoso said yes, we are going to tie them all in and then run them out.

Mr. Lamanna said but you are discharging to the creek.

Mr. Comoso said yes, that is where the water is going to go.

Mr. Lamanna said that is where the water would be going anyway if the house wasn't there.

Mr. Gutoskey said looking at the topo yes, that is where the water is going.

Mr. Weaver said a lot of water comes through there and then the surface water from the new building and driveways and all of that.

Mr. Lamanna said this is a very big lot and a very small amount of hard surface footprint. He said the amount of additional water it is going to add to that creek.

Mr. Gutoskey said another thing too, if they were disturbing over an acre they would need to get a permit from the EPA and as part of that they would have to do stormwater management but since they are under that one acre disturbed area requirement they are not required to do that by either Soil and Water, EPA or the township.

Mr. Lamanna said they basically decided if you've covered, and that is a lot, this is well less than an acre, but if it is less than that size it is just not going to have an impact, it is not going to have enough of an impact to be noticeable.

Mr. Weaver said it is a large drainage area and he was just concerned because when he walks through his yard he is up to his knees in water when there is a heavy rain.

Mr. Lamanna said but the thing is, if you get a heavy rain you are going to get that whether a house is there or not, this is not going to contribute enough that you are ever going to be able to even notice what is going on there. He said if they were putting in a bunch of condos with 40% lot coverage of hard surface, that would be a different story, here we are talking 5% or even less than that is his guess with the size of this lot.

Mr. Weaver said so it is just going to be a single family home.

Mr. Lamanna said single family home, yes.

Mr. Composo said it is about 3,300 sq. ft.

Mr. Lamanna said the good thing here is we have a natural feature that picks up the water. He said when there are problems is where the only place the water has to go is right on the neighbor's property, right towards the neighbor's house, that is where we have the issues, here we have a nice drainage spot that is going to pick it all up so it is not going to be going onto somebody else's property, that is what usually causes problems in these types of cases where the water is going to be flowing right across to somebody else's property because it is going wherever gravity is taking it but it is going right through the neighbor's backyard.

Mr. Weaver said the creek crisscrosses the property line.

Mr. Lewis said with this topo this house has no impact on the natural water flow that exists, you are just putting a block in the middle of the yard but everything else is flowing exactly how it would and will continue so it just isn't going all over, you are directing it.

Mr. Composo said yes.

Mr. Lewis said and of course you've got Geauga Soil and Water looking over your shoulder and that is good.

Mr. Lamanna said that is actually the bigger thing to make sure when people are building that the runoff with silt and other stuff like that but the county people do a very good job inspecting it, they are on that very well.

The board reviewed the requested setbacks.

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

Motion BZA 2025-14 – 8740 Washington Street

Mr. Lamanna moved to grant the applicant the following variances with respect to an existing accessory structure on the property.

1. A variance for a building that exists now and will exist when a new house is built and the old house is taken down, in the front yard of the property, as set forth in Section 135.03(b)(9)(i)(4)(a).
2. With respect to the side yard setback the board will grant a variance to 47.8' for a variance of 2.2' variance that was previously approved by the township on March 6, 1980.

Based on the following findings of fact.

1. The building itself is actually 144' from the street so it is well set back and in this case although it is technically in the front yard, because of the peculiar situation here, when the building was built it was apparently legally permitted.
2. It was previously in the front yard.
3. This is an extremely heavily vegetated lot so this building will not be seen from the neighboring properties.
4. It is also set back apparently behind the actual principal dwellings on the adjacent lots so its position there will not change the character of the neighborhood or adversely affect the adjacent property owners.
5. Since this is an existing structure it apparently was built inadvertently within the side yard setback requirements.
6. Given the nature of the lot and the location of this building it is not going to adversely affect the character of the neighborhood or otherwise adversely affect the neighboring properties because of this location.

Mr. Lewis seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Soryal, aye.

Since there was no further testimony, the public hearing was closed at 7:54 P.M.

Respectfully submitted,

Brent Barr, Alternate
Ted DeWater
Devon Gamble, Alternate
Joseph Gutoskey
Michael Lamanna, Chair
Todd Lewis, Vice Chair
Emeil Soryal

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

Date: October 16, 2025

AUDIO RECORDING ON FILE

Bainbridge Township, Ohio
Board of Zoning Appeals
September 18, 2025

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 7:54 P.M. by Mr. Michael Lamanna, Chair at the Bainbridge Township Service Department, 17800 Haskins Road. Members present were Mr. Ted DeWater; Mr. Joseph Gutoskey; Mr. Todd Lewis and Mr. Emeil Soryal. Mr. Steven Averill, Zoning Inspector, was absent.

MINUTES

Mr. Lamanna moved to adopt the minutes of the August 21, 2025 meeting as written.

Mr. Gutoskey seconded the motion.

Vote: Mr. DeWater, aye; Mr. Gutoskey, aye; Mr. Lamanna, aye; Mr. Lewis, aye; Mr. Soryal, aye.

APPLICATIONS FOR NEXT MONTH

Application 2025-16 by South Franklin Circle for property at 16575 Franklin Street

The applicant is requesting a review, renewal and expansion of an existing conditional use permit. The property is located in a R-3A District.

Application 2025-17 by South Franklin Circle for property at 16575 Franklin Street

The applicant is requesting area variance(s) for the purpose of installing a generator facility. The property is located in a R-3A District.

Application 2025-18 by Kimberly Gibson for property at 8200 E. Washington Street

The applicant is requesting an expansion of an existing conditional use permit. The property is located in a CB District.

Application 2025-19 by Dave and Sara Baer for property at 7090 Country Lane

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

Since there was no further business, the meeting was adjourned at 7:55 P.M.

Respectfully submitted,

Brent Barr, Alternate
Ted DeWater
Devon Gamble, Alternate
Joseph Gutoskey
Michael Lamanna, Chair
Todd Lewis, Vice Chair
Emeil Soryal

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

Date: October 16, 2025