

Bainbridge Township, Ohio  
Board of Zoning Appeals  
November 20, 2025

Pursuant to notice by publication and ordinary mail, the public hearing was called to order at 7:00 P.M. by Mr. Michael Lamanna, Chair at the Bainbridge Township Service Department, 17800 Haskins Road. Members present were Mr. Ted DeWater; Ms. Devon Gamble, Alternate; Mr. Joseph Gutoskey; Mr. Todd Lewis and Mr. Emeil Soryal. Mr. Steven Averill, Zoning Inspector, was present.

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.

Mr. Lamanna announced that the board was going to hold a brief executive session to discuss some legal matters before the start of the hearing tonight.

EXECUTIVE SESSION

The Board of Zoning Appeals recessed its meeting and entered into executive session at 7:01 P.M. to discuss BZA application 2025-16 for South Franklin Circle.

The Board of Zoning Appeals returned from executive session and reconvened their regular meeting at 7:15 P.M.

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

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

Mr. Lamanna stated that the board will go immediately into the business portion of the meeting regarding BZA 2025-16.

Motion BZA 2025 – 16 – 16575 Franklin Street (South Franklin Circle)

Mr. Lamanna moved to grant the applicant a renewal of their existing conditional use and a modification of that use as has been reflected in the agreement of the 29<sup>th</sup> of August, 2005 modifying the plan as it was approved there with respect to the future expansion of the property to reflect the application that has been made by the applicant with respect to those modifications.

1. The new proposal will be 145 independent, 56 assisted, 18 cottage independent and 48 memory so those are the final numbers for the proposed buildout. The details for that proposed buildout are as set forth in the application.
2. All of the other provisions that existed in the original development agreement with respect to the facility will remain in effect noting that a number of them have already been fulfilled but with respect to those that would certainly relate to the conditional use and the operation of the facility will remain in effect.
3. The board also notes that except as specifically they have been modified, the general provisions of the township with respect to conditional uses will apply to this as well.
4. The board, as noted, will grant the renewal of this facility which will commence for a period of five (5) years from the date the minutes of this meeting become final.

Based on the following findings of fact.

1. The reason for granting this is that the proposed changes by the applicant are very consistent with the originally approved plan, in fact it actually reduces the overall number of units and the overall impact of the facility and it better conforms to the market needs.
2. The applicant has also been providing these services and operating this facility for a substantial period of time and the operations have not created any significant issues with respect to the terms of the conditions of the “Agreement for Development of a Residential Care Facility” and therefor it is reasonable and appropriate to grant this new modification to the conditional use.

Mr. Lewis seconded the motion.

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

Mr. Lamanna swore in Mr. Steven Averill, Zoning Inspector, and he let the record reflect that Mr. Averill was duly sworn.

Application 2025-20 by Fellowship Bible Church for property at 16391 Chillicothe Road

The applicant is requesting a review and renewal of an existing conditional use permit. The property is located in a R-5A District.

Ms. Valerie Aiken of Fellowship Bible Church was present to represent this application.

Mr. Lamanna swore in Ms. Valerie Aiken and he let the record reflect that Ms. Aiken was duly sworn.

Mr. Lamanna asked Mr. Steven Averill, Zoning Inspector if there are any issues.

Mr. Steven Averill testified by saying no.

Mr. Lamanna asked Ms. Aiken if there are any changes or plans or going forward or anything she needs to talk about.

Ms. Valerie Aiken testified by saying no.

Mr. Lewis said he has many years of familiarity with the church and their activities there and over the years we believe at one point the Y Camp, YMCA, were they renting.

Mr. Lamanna said that was the Federated Church.

Mr. Lewis said he was just curious about that. He said so you are not doing any non-congregational rentals.

Ms. Aiken said no.

Mr. Lamanna said that is a little bit of a touchy subject just for future reference, if that comes up as something you want to do.

Ms. Aiken said they have actually been told not to rent to for profit organizations.

Mr. Lamanna said for profit organizations are really a question, the not for profits we tend to be a little more lenient and flexible about it because you are not deviating, depending on what the non-profit is, if it is welfare or a kids organization or that kind of stuff, the kind of things the church would be doing anyway then that is certainly something that is probably looked upon more favorably but if it is a question the easiest thing is to check with the zoning office and if need be you can come here and we can talk about it as well.

Mr. Ty Haines indicated that he would like to speak.

Mr. Lamanna swore in Mr. Ty Haines of 8572 Lake in the Woods Trail and he let the record reflect that Mr. Haines was duly sworn.

Mr. Ty Haines testified that his name is Ty Haines and his wife is Karen here and they are the closest neighbor to the church, the first house in on Lake in the Woods Trail and they have lived there for over 30 years and living next to that expanding parking lot is like having a commercial parking lot in their backyard. He said they are not concerned about noise from the landscaper or maintenance but they do get the high traffic noise from car doors slamming, car alarms going off, the loud talking, this happens for services and a great many events. He said with the church doors closed you can hear the thump thump of the bass and drums standing in our driveway. He said three times in the past year the church has chosen outdoor services, once on Mother's Day, we hear them set up and we hear them take it down and most of all when they start playing it is extremely loud. He said the police were called by us twice and we he had heard that the Wembley homes had also called the police on the noise. He said they like to sleep in on Sunday mornings, that is the day they don't do a lot of work, the preparation for outdoor services start at about 7:30 A.M., it wakes us up and the service with a band and vocals start about 8:00 A.M. and our neighborhood tends not to run mowers or chainsaws before 10:00 A.M. on weekends. He said the sound level this last time peaked at about 70 dbA, decibels, in our family room.

Mr. Lamanna asked where they set up for the outside services.

Ms. Aiken said they set up towards the church and they face the church building where the white drive is, she referred to the displayed aerial photo. She said the congregation sits on the grass and faces the parking lot and the band and the stage face the church.

Mr. Soryal asked how often they do that.

Ms. Aiken said they do one once a year now in August, they have an outdoor baptism and worship service,

Mr. Soryal asked what time it starts.

Ms. Aiken said it starts at 10:00 A.M.

Mr. Soryal asked how long it takes to set up.

Ms. Aiken said they start around 7:30 A.M. to start setting up.

Mr. Soryal asked what the process is for setting up, what exactly happens in the setup, do you put out chairs or tools and equipment.

Ms. Aiken said they put out the sound equipment for the worship services, and they put out chairs and tables.

Mr. Lamanna said we tread on really dangerous ground, we really cannot regulate how they do their service, that is a constitutional issue, that we can't control, now how loud they are is a slightly different question.

Mr. Haines said the question he has is that if the General Standards 117.13.b.2 that noise is mentioned in a conditional use permit he thinks and it says specially no loud speakers, these things aren't just loud they are really loud, it is a full scale band going full blast and it is loud inside their house so their point is he doesn't think they are living up to the conditional use permit. He said the other point is, if there is a way to put into this conditional permit about the wintertime. He said the landscapers use construction equipment to move the snow, they have backup alarms that are really, really loud and they run all through the night, that is not a construction site, they are removing snow. He said he went over and talked to the contractor and asked him to please unplug that thing because it goes all night long, one o'clock, two o'clock, three o'clock and you know how we get a few snow storms here and he said absolutely, he hates that thing so if there is any way to put a caveat in there.

Mr. Lamanna said that it is illegal to do that, that is a no no, that is an OSHA requirement, if they unplugged it and somebody backed up over somebody they could go to jail for that. He said you could literally go to jail for that.

Ms. Aiken said they have asked them to try to back up as little as possible because of the noise, they knew this was an issue and they tried to ask them to go forward as much as they can but obviously they are snowplow people and they do what they do.

Mr. Lewis said so this lot needs to be plowed and they are going to have the backup beeping going on on their machines.

Mr. Lamanna said unfortunately we have had to stop the garbage trucks too and the best we tried to do there is see if the people could try to get the schedule so they didn't come at seven o'clock in the morning.

Mr. Haines said a garbage truck is once, this is all night long.

Mr. Lewis said he was asking about the hours of operation with services being performed outdoors at the site and he was going to approach it on that because we do not have a noise ordinance in Bainbridge, we have nothing in our zoning on that.

Mr. Lamanna said there is no way to regulate that.

Mr. Lewis said as Mr. Lamanna stated you can't start disconnecting safety features on equipment, you need your lot plowed, he doesn't know that you need it plowed at two o'clock in the morning if your first service is going to be at 10:00 A.M. so there may be a compromise that has got to be pursued here with the hours of operation of that kind of service. He said if it is going to be dormant from 9:00 P.M. till 7:00 A.M. or whatever that you could still run your business of having services and supporting your congregation and we have an adjacent neighbor that isn't enduring this type of activity all night long. He said as far as the once a year goes with the outdoor band, once again there is no noise ordinance, we could suggest again hours of operation that it shuts down by, it's in August, 9:00 at night.

Mr. Lamanna said he thinks they do it early on, services.

Mr. Lewis said he is just kind of thinking out loud on how you can come up with some kind of conversation on it.

Mr. Gutoskey said there is another thing too, back in 2002 when the church expansion was approved with the parking expansion there was supposed to be some berming and trees installed and do you know if that happened.

Mr. Haines said they put a berm partially on their property and they signed paperwork with the church to allow it so the water can divert from this section, this is all downhill (he referred to the displayed aerial photo) and the berm, that is the berm, and water goes on our property to a pond out front.

Mr. Gutoskey said so the berming was put in and the trees.

Mr. Haines said yes.

Mr. Lamanna said you can hear that beep, beep miles away sometimes if the conditions are right.

Mr. Haines asked if those rules apply.

Mr. Lamanna said yes, they do apply, they are not supposed to be using amplified sound as a conditional use.

Mr. Soryal said but the fact they are going to set up for that church at 7:00 A.M. or 8:00 A.M. or 9:00 A.M. is not going to change anything, that is just what they have to do.

Mr. Lamanna said right.

Mr. Soryal said if that is the complaint, that is not going to go away.

Mr. Gutoskey said what about the band by itself.

Mr. Soryal asked if it is amplified sound he assumes.

Ms. Aiken said they have no speakers.

Mr. Gutoskey said in that section for conditional uses, it is not permitted.

Mr. Haines said they could find another location to do it.

Ms. Aiken said but if they don't have amplified sound it is okay.

Mr. Lamanna said we are not going to say you can't have a service outside.

Mr. Lewis said that is not just music, it is verbalization.

Mr. Lamanna said people want to sing and that sort of thing then we've got piano playing, and they have a guitar.

Ms. Aiken referred to the displayed aerial photo and said that is the Family Life Center and that is the funeral home there.

Mr. Gutoskey asked if there is any way to move it to the other side of the property.

Ms. Aiken said they could, she knows when they did the Easter service she actually thinks it might have been louder for you guys because we were on the north end of the property but the stage was there and we went this way so the noise would have gone directly to them so that is why they tried to do it the other way so that it wasn't directed at Lake in the Woods so they can certainly do other things but even if they do that they still shouldn't have any amplification.

Mr. Lamanna said no, it shouldn't have amplification. He said nothing should be louder or if somebody is using something it should be no louder unamplified, if somebody wants to play an electric guitar and at a certain level an electric guitar is the same as an acoustic guitar but you have to have some kind of amplifier to actually play that instrument so if it was at a level of an unamplified instrument then he thinks no harm, no foul or something like that but not somebody coming out there and cranking up the volume on their Fender base so it is 10 times louder than an acoustic guitar but like he said if somebody is playing an electric guitar at a level similar to what an unamplified instrument would be he thinks that would be okay but generally no amplification.

Mr. Lewis said so for one event per year the banging and clanging of setting up folding tables and chairs at 7:30 or 8:00 in the morning, one morning out of the year doesn't seem to be overwhelming.

Mr. Lamanna said it is kind of de minimis, there is a little bit of a de minimis rule that we sort of apply, we can't regulate every minute what people do so in this case, one case once a year and we couldn't say you can't have a service outside, he thinks we would be subject to somebody suing us for civil rights violations if we did that, it is a very touchy area.

Mrs. Karen Haines asked if they only do Easter and in August.

Ms. Aiken said no, they only did the Easter service outdoors during COVID, they did Easter and Mother's Day outdoors.

Mr. Lamanna said all bets are off when you've got something like COVID going on, it is like the whole world had to make accommodations at that point but he thinks we would ask you to, you understand what the neighbor's complaints are and you understand that this is a use that is allowed in a residential district but you've got big parking lots so he thinks you have to talk to the people doing your plowing and say you understand, this is not somebody's office building parking lot in the middle of a commercial district or commercial shopping center, you are in the middle of a residential district, you have got to figure out a way to do this like before midnight or before 11:00 P.M. or after 7:00 A.M. because we can't be disturbing our neighbors we have to be good neighbors to these people and we don't really want to try to get into regulating this type of thing but generally what we do is we make a note of it and we ask the operators to try to do whatever they can and obviously sometimes there will be a surprise snowfall but he does understand what the things are and he assumes you will try to take some steps to the best you can minimize snowplowing from midnight to 6:00 A.M. to avoid the noise it causes. He said backup alerts are terrible.

Mr. Haines said these would help with what you are talking about.

Mr. Lamanna said talk to the people and he always encourages, most of the time, especially the churches, they are happy to talk to the people if they have some issues and generally he has found that they try to work them out as best they can, sometimes you don't have control, you sign a contract with a snowplow person and you hope and pray they actually do show up so you never quite know when they are going to do it so sometimes there are things that all of us can't control. He thanked Mr. and Mrs. Haines for bringing their concerns to the board.

Mr. Haines said they are not just his, their neighbors, the Bells were not able to be here tonight.

Mr. Lamanna said we try to take care of that, and he thinks we got a positive response here.

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

Motion BZA 2025-20 – 16391 Chillicothe Road (Fellowship Bible Church)

Mr. Lamanna moved to grant the applicant a renewal of this Conditional Use for a period of five (5) years from the date the minutes for this application become final.

Based on the following findings of fact.

1. Generally, the applicant has been following all of the conditions.
2. The board does note that they have been reminded of the limitations and general conditions with respect to loudspeakers and they will deal with that.
3. They will also have taken note of some potential issues with snowplowing and backup noise, and they will attempt to address that to reduce incidents of it by working with their contractor.
4. All previous conditions will remain in effect as do the general conditions except as specifically modified for this property.

Mr. Gutoskey seconded the motion.

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

Application 2025-21 by Brian and Lisa Benoit for property at 16361 S. Franklin Street

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

Ms. Rebecca Pantuso was present to represent this application.

Mr. Lamanna swore in Ms. Rebecca Pantuso and he let the record reflect that Ms. Pantuso was duly sworn.

Mr. Gutoskey noted that there is a notarized letter of authorization in the packet for Ms. Pantuso to represent this property.

Ms. Rebecca Pantuso testified that this is one of those bordering lots on Franklin Street and it is an R-3A but it is not the size of R-3A so she believes with Mr. Averill's help there is myriad of variances we are asking for, most of them are existing conditions, unchanged, the garage should be 15' from the property line but it is there, they are not asking to expand it or do anything to change that location and because it is R-3A she thinks their front yard setback might be more towards the back of the house. She said their rear yard setback is probably closer to the front of the house.

Mr. Gutoskey said you are in the 1977 zoning so your front is 75' but the rear is only 30'.

Ms. Pantuso said the rear is good but the front is not good.

Mr. Gutoskey said it is consistent with the neighborhood.

Ms. Pantuso said yes and overall she thinks what has brought them here is they are tearing down a bunch of deck and pergola structure and asking to put a building in its place and they are asking for a little bit more to get out of that building so to take a couple of steps down onto a patio and then three more steps to get to grade. She said as a result they are exceeding the, she believes it is 25% lot coverage.

Mr. Gutoskey said it is 4,000 sq. ft. He asked how many square feet the house is now.

Ms. Pantuso said she knows that they are 4,972 sq. ft. with the addition.

Mr. Soryal said he thinks it is about 4,000 sq. ft. and with the addition it is about 900 sq. ft.

Mr. Gutoskey said he was asking about the living part of the house, how big is the house now and how big is it going to be.

Ms. Pantuso said she should know the answer to that but she doesn't have that off the top of her head, but she would guess it is 2,800 sq. ft. or something.

Mr. Gutoskey said that is a two-story too right.

Ms. Pantuso said yes.

Mr. Gutoskey asked if that is a crawl.

Ms. Pantuso said they are suggesting a crawl space just to properly heat a sunroom. She said she doesn't know if you can see underneath, the shaded area that we are saying is the crawl space but that is all existing deck now.

Mr. Lamanna said this thing has a mega driveway.

Mr. Gutoskey said that is part of the problem with the lot coverage because the garage is on the property line, if it had an attached garage it would probably be at 4,000 sq. ft.

Ms. Pantuso said right and if she had the lot size of a typical R-3A.

Mr. Gutoskey said if you had a three acre lot you wouldn't even be here.

Mr. Lamanna said the house does not appear to be extraordinarily large.

Mr. Gutoskey said that is why he was asking about the square footage.

Ms. Pantuso said it is smaller than usual.

Mr. Lamanna said it is one thing if you came in and said you wanted to build a big 4,000 sq. ft. house on this little tiny lot, maybe that is not the right house for the lot but it looks to him like it is all driven by this driveway.

Mr. Gutoskey said but look at how deep the house is on either side.

Mr. Lamanna said they are also back.

Mr. Gutoskey said they are back as far as this is and this one is forward of it.

Ms. Pantuso said she never tries to come here to your meetings with, "well they did it".

Mr. Lamanna said it is relevant from the standpoint of what is the character of the neighborhood.

Ms. Pantuso said yes.

Mr. Lamanna said so if the character of the neighborhood, if everybody is at a certain line, if you are near that line that is okay, but the problem comes when somebody says well everybody is back 50' so they want to be back 20'.

Ms. Pantuso said she doesn't think that is the case.

Mr. Lamanna said if the setback is 75' and everybody is already at 50'.

Ms. Pantuso said it is not a new house, they kind of have everything working against them.

Mr. Gutoskey said to Mr. Lamanna that he was just curious from the last time, we were at 4,013 and somehow it ended up being 4,600 or something like that. He said it was a previous owner because this is a new owner of the house so they built way more than they told us they were going to build, the previous owner when they were here the last time ten years ago. He said he thinks they made the house bigger because it was supposed to be 10' off and now it is only about 8' 3" or 8.3' and then they must have made the patio bigger he assumes.

Ms. Pantuso said in 2015.

Mr. Gutoskey said they were 4,013 sq. ft. and now it is going to be 4,972 sq. ft.

Ms. Pantuso said but right now we are at 4,582 because right now we are already over.

Mr. Gutoskey said that is what he was saying, the board only approved 4,013 sq. ft.

Ms. Pantuso said she has 4,582 calculated.

Mr. Gutoskey said they are increasing 959 over what we approved.

Mr. Lewis said and we approved 4,000 and change.

Mr. Gutoskey said 4,013 originally based on the previous survey, based on the Schade survey.

Ms. Pantuso said so one mistake or mishap is our surveyor was not including the right-of-way in the lot coverage and we have come to understand that that is considered in the lot coverage.

Mr. Gutoskey said it is the opposite, we don't consider that, because whatever lot coverage in the right-of-way, even if the lot goes to centerline, so the question is in your calculation are you including the Franklin pavement and the sidewalk.

Ms. Pantuso said no, they took it out and made the corrections.

Mr. Gutoskey said it would have been way more, it would have been 12 by the width of the lot, 12 x 66 that is your square feet plus the sidewalk.

Ms. Pantuso said it was definitely more favorable if she includes that but she understands.

Mr. Gutoskey said you don't want to include it so your lot coverage is based on what is out of the right-of-way so the 66' x 164, it doesn't matter, it is still 4,000.

Mr. Averill said yes.

Mr. Gutoskey said your lot coverage is based on behind the right-of-way.

Ms. Pantuso said yes.

Mr. Gutoskey said based on the 4,000 sq. ft. allowed so the 4,972 that you have doesn't include the right-of-way, it just is on the lot, behind the right-of-way.

Ms. Pantuso said correct, if they could pick their garage up and move it 40' forward so that could be the difference. She said she doesn't know if it matters but they have done a bunch of storm drainage work.

Mr. DeWater asked where they took all of the drainage to, out to Franklin.

Ms. Pantuso said yes.

Mr. Lamanna said the only trouble with the lot coverage is you made the adjustment but there has already been an adjustment to the code to accommodate the smaller lots.

Mr. Gutoskey said so previously we would only have to give them 13 sq. ft. but now we are going to have to give them if everybody is okay it is a 959 variance but it is still within kind of that magic reasonable 25% over lot coverage and it is probably consistent with the neighborhood.

Mr. Lamanna said but the fact that the drive goes all the way to the very back.

Mr. Gutoskey said because if the garage had been set at the minimum setback their driveway would have been shorter.

Mr. Lamanna said 150' of driveway.

Mr. Lewis said it is eating up a lot of coverage.

Mr. Gutoskey said the other thing too is, Mr. Lewis always says it, the main thing is to make sure your downspouts are tied in and you handle your drainage so you are not putting drainage onto neighbors.

Ms. Pantuso said they have as much interest as anybody to put the water out properly.

Mr. Lamanna said he is not sure there is much we can do, he thinks the biggest factor here is the location of the garage.

Mr. Lewis said they are burning up a ton of lot coverage to get to the garage, it is all driveway, it is not the house.

Ms. Pantuso said her understanding is the cover is whether it is pavers, dry laid or wet laid.

Mr. Lamanna said it may matter from the standpoint that it is not a building which would be different because of the impact on the neighbors but the house doesn't look unreasonable size wise.

Mr. Gutoskey said there are no neighbors here complaining.

Mr. Lewis said we granted 4,013 sq. ft., the as-built is at 4,582 and we are going to 4,972.

Mr. Gutoskey said because they are putting part of the building over some of the existing lot coverage and then adding some.

Mr. Lamanna said with respect to the garage we will grant what is existing with the understanding that you can't expand this garage.

Mr. Gutoskey said what he thinks too is they are probably pretty much maxed out on lot coverage.

Mr. Lamanna said if they came in to expand the garage it would be no, you have to make it conforming but as it is now the board will grant the setbacks but it is still a non-conforming building, you can't enlarge it.

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

Motion BZA 2025-21 – 16361 S. Franklin Street

Mr. Lamanna moved to grant the applicant the following variances for the purpose of modifications to the facility to be performed in accordance with the plans that have been submitted.

1. A variance to lot coverage from 4,000 sq. ft. to 4,972 sq. ft. for a variance 959 sq. ft.
2. A variance from the minimum side yard setback on the north side from 10' to 8.2' for a variance of 1.8'.
3. A variance from the minimum front yard setback of 75' to 49.4' for a variance of 25.6'.

Based on the following findings of fact.

1. A practical difficulty exists due to the small size of this lot.
2. The house appears to be reasonable.
3. The side yard and front yard variances are consistent with those that exist in the neighborhood and would not adversely affect the neighboring properties or change the character of the neighborhood.
4. The lot coverage is not inconsistent with the neighborhood.
5. This house also has a significantly longer driveway than most and that makes the lot coverage a little higher than might otherwise be expected so the board granted an accommodation for this fact, in fact the driveway does not adversely affect the neighboring properties.
6. In addition the board notes that there is an existing garage and that will be granted a variance for maintaining that garage in its current condition and size from the side yard setback to 1' and rear yard setback to .2' with the understanding that this is still a non-conforming building and cannot be enlarged or replaced without getting a further variance or complying with the code requirements.
7. The applicant is also interested in collecting, with downspouts and gutters, the drainage so it can be appropriately directed because this is a sensitive area for water flow and it needs to be collected and controlled and diverted to an appropriate discharge point.

Mr. DeWater seconded the motion.

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

Mr. Lamanna departed the meeting at 8:07 P.M.

Mr. Lewis, Vice Chair assumed the duties of Chair for the remainder of the meeting.

Application 2025-22 by Randall Greene for property at 17570 Snyder Road

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

Mr. Gutoskey recused himself from this application.

Ms. Devon Gamble, Alternate, joined the board for consideration of this application in Mr. Gutoskey's absence.

Mr. Randall Greene was present to represent this application.

Mr. Lewis swore in Mr. Randall Greene and he let the record reflect that Mr. Greene was duly sworn.

Mr. Randall Greene testified that the parcel that the house is on he thinks is 5.79 acres and the landlocked parcel that is contiguous to it is five acres. He said his driveway is about a quarter mile long and they want to combine the parcels, the board wants him to combine the parcels. He said his purpose, because he wants to put in an in-ground pool and he thinks the problem has always been their business in there. He said now the business, they are in the process of moving it, Mr. Averill was there a couple of weeks ago and it is pretty much done, the hoop house, the coverall system was actually moved today. He said he has a second smaller one he will probably move later this year or the spring. He said the trucks have been there during freezing weather because it is heated there but they are in the process of fixing the office, the construction is all done it is just all of the accessory things that have to be done. He said they will be in there in the early spring of next year.

Mr. Lewis said that is good news so that satisfies a big element which is moving the business off that five acre parcel which is zoned residential, moving your business into an area kind of made that whole problem go away.

Mr. Greene said right.

Mr. Lewis said so you have a lot of buildings still or are those gone or down to one big one.

Mr. Greene said no the big one is gone, the other ones are sheds that are on skids, they are portable, movable. He said he is going to be putting up more fences for animals, he has had sheep and pigs and cows and turkeys in the past, he has chickens now and is going to probably get more animals in the future, his garden is pretty huge and it is going to get bigger.

Mr. Soryal asked if parts of this is agriculture, parts of your property.

Mr. Greene said yes, one of the buildings that you saw on there is for turkeys, the lean-to there was for a cow and he has had 3 or 4 sheep, he doesn't have any mammals now, he has about 25 - 30 chickens. He said the chickens are actually, he made a chicken coop on a hay wagon because he leaves in the winter for three months and so he pulls the hay wagon to his kids house, he has three kids that live in Bainbridge, his mobile chickens.

Mr. DeWater said so the highlighted building, he referred to the site plan, is the one that is staying right.

Mr. Greene said that one is staying there and this one is gone, he referred to the site plan, this is the other one that is going to be gone and that fence is coming down. He explained what the other buildings are used for on the property and the garden area.

Mr. DeWater said we cannot see this building from the road, right.

Mr. Greene said it is all wooded here and his neighbor is here.

Mr. Lewis said so that building is the one you want to stay.

Mr. Greene said yes.

Mr. Lewis said all of the other stuff is either moved out or are portables. He said that is the one that is 2,848 sq. ft. and our limit is 2,500 sq. ft. so that is what they want the variance for.

Mr. Greene said correct and this is all building here too, they use it for animals.

Mr. Steve Averill, Zoning Inspector testified that he was on site in Auburn and he is moving everything.

Mr. Lewis said excellent.

Mr. Greene said these are gas wells up here and this is all gone too.

Mr. Lewis said when you lot join these if he remembers right you were in here a while back about a pool.

Mr. Greene said yes, that is the next step and once this happens he is going to come to zoning with a plan to put in a pool, it is an in-ground concrete pool.

Mr. Lewis said and now because it will all be one lot we don't have these internal setbacks to deal with between the two lots and the lot line separating them so we have a wonderful clean up in aisle three.

Mr. Greene said right.

Mr. Lewis said and both lots are one so we have one driveway that services the both lots combined, not two separate things.

Mr. Greene said right.

Ms. Gamble asked what the building will be used for.

Mr. Greene said he has a very large boat that he usually stores out in Huron, he may bring that in there but there are other things that he has been considering, have you ever heard of a fodder system, you use a seed and you sprout it and it is grown hydroponically, it takes seven days to go from seed to what it would look like a piece of sod and it is extremely nutritious for animals, all of the animals like it, all of his kids have cows and pigs.

Mr. DeWater said additional agricultural.

Mr. Greene said additional agricultural, that is a consideration but nothing for business, the business will be completely moved.

Mr. Lewis asked if there are any living quarters in that building, no apartment or anything like that.

Mr. Greene said no. He said one of the objections with Mr. Averill was that is between him and Snyder Road so you call it in front of the house. He referred to the site plan and said he considers this in front of the house right here but because the driveway comes in here and comes up here but you would consider that the front of the house.

Mr. Averill said actually the regulation says that a building can't be closer to the road than the dwelling so that is technically, on ten acres it is so far back but it is still closer to the road than the dwelling.

Mr. Lewis asked if there is a measurement for that in the front yard to the street.

Mr. Gutoskey said he doesn't know, he has to take a look.

The board discussed the setbacks.

Mr. Averill suggested marking the site plan as Exhibit A to refer to it and keep it in the file.

Mr. Lewis said it is more of a housekeeping thing, when the motion is made he wants to clean that piece up simultaneously because it is in front of the house because it is closer to the road so he is just working on a way to clean that little element up which also will cover you when you go to sell the house down the road with titling and deeds etc. that there won't be anything holding it up. He asked if anybody had any questions or comments on this application.

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

Motion BZA 2025-22 – 17570 Snyder Road

Mr. Lewis moved to grant the following variances for the purpose to enable two lots to be joined and all commercial activities have been removed or will be completely done by the spring of 2026. As these two parcels share one driveway off Snyder Road the lots are required to have their own separate driveways but by consolidating these it conforms then to one single lot with one single driveway.

1. The variance that is being requested has to do with an accessory building that is located formally in front of the house meaning closer to the street. A variance is granted because the size limits are set at 2,500 sq. ft. for a structure, this structure is 2,840 sq. ft. so the variance request would be for 340 sq. ft.
2. Also with regards to the accessory structure being located in front of the house, closer to Snyder Road, which refers to Exhibit A from Gutoskey and Associates dated September 2025 of the survey of the site.
3. The board is going to make a general variance accommodation and note that we are permitting the accessory structure to be closer to the street than the house, so we are granting that variance, and can refer to the Exhibit for dimensions as needed.
4. Part of what will also need to happen on this is that lot consolidation documents, when those are done and completed they will need to be presented to our zoning department so that we can keep them in the file and in the record.
5. Also making note on this that this accessory structure is not permitted for running any business out of it nor is it permitted for any living accommodations, no side apartments or things of that nature.

Based on the following findings of fact.

1. A practical difficulty exists with this site. The board's intent has been to work with the property owner to create conformity with the use of the two lots and lot join them so that they are compliant with the standards that need to be with the county and zoning.

Mr. DeWater seconded the motion.

Vote: Mr. DeWater, aye; Ms. Gamble, aye; Mr. Lewis, aye; Mr. Soryal, aye.

Since there was no further testimony, the public hearing was closed at 8:23 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: December 18, 2025

AUDIO RECORDING ON FILE

Bainbridge Township, Ohio  
Board of Zoning Appeals  
November 20, 2025

The regular meeting of the Bainbridge Township Board of Zoning Appeals was called to order at 8:23 P.M. by Mr. Todd Lewis, Vice Chair at the Bainbridge Township Service Department, 17800 Haskins Road. Members present were Mr. Ted DeWater; Ms. Devon Gamble, Alternate; Mr. Joseph Gutoskey and Mr. Emeil Soryal. Mr. Michael Lamanna was absent. Mr. Steven Averill, Zoning Inspector, was present.

MINUTES

Mr. Lewis moved to adopt the minutes of the October 16, 2025 meeting as written.

Mr. DeWater seconded the motion.

Vote: Mr. DeWater, aye; Ms. Gamble, aye; Mr. Gutoskey, aye; Mr. Lewis, aye; Mr. Soryal, aye.

APPLICATIONS FOR NEXT MONTH

Secretary's note. There were no applications submitted for the December 18, 2025 meeting.

Since there was no further business, the meeting was adjourned at 8:28 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: December 15, 2025