

Bainbridge Township, OH
Board of Zoning Appeals
February 20, 2026

Pursuant to notice by publication, the public hearing was called to order at 7:02 P.M. by Mr. Michael Lamanna, Chair. Members present were Mr. Brent Barr, Alternate; Mr. Ted DeWater; and Mr. Emeil Soryal. Mr. Joe Gutoskey and Mr. Todd Lewis were absent. Mr. Steven Averill, Zoning Inspector, was present.

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

Application 2026-1 by James Eric Turner for property at 7085 Cedar Street

The applicant is requesting area variances for the purpose of constructing a covered front porch addition.

Mr. Averill began by explaining that since the application was first submitted in December and the January meeting was canceled due to weather, a zoning amendment was adopted on February 4, 2026. He stated that the amendment would affect the front yard setback. Mr. Averill had previously handed the Board the revised letter and stated that number 5 of the notes section was new due to the variance.

Amendment Z2025-4 allows for multiple structures to project 12-feet into the minimum front yard setback (75 feet) meaning the minimum setback can be 63-feet. Mr. Averill then referred to the measurements and variances that have been requested by Mr. Turner, adding Mr. Turner can explain the reasons.

Mr. Turner introduced himself and explained the location of his home and why he needs a variance for the covered front porch addition to a legal non-conforming single-family home on a legal non-conforming lot. The addition needs both front yard and side yard variances, which are large, but due to the age of the home and its location on the lot, they are necessary. The addition will not be enclosed therefore it will not add any square footage to the home. The covered porch addition will also add to the streetscape and encourage engagement with neighbors consistent with the character of the community.

Mr. Averill added that the legal non-conforming front yard setback for Church and Walker Subdivisions is 30 feet. The home is not in the Church or Walker Subdivisions, and he referred to the screen to show where the subdivisions are located, as well as Mr. Turner's house. Because Mr. Turner's home is not located in either subdivision, he is required to the 75-foot setback. This prompted the amendment.

Mr. Lamanna asked if the area had never been plated or set as a subdivision.

Mr. Averill replied that it had been plated but not labeled as a part of the Church or Walker subdivisions. It is unknown as to which subdivision it does belong.

Mr. Lamanna asked if someone may have overlooked it.

Mr. Averill responded that even Mr. Dave Dietrich cannot figure it out and agreed that it is not part of Church or Walker Subdivisions. He went on to explain how the amendment does cover several properties in the area and he showed the affected areas on the map.

Mr. Lamanna asked if that can be corrected, can this home be treated the same as those in the Church and Walker subdivisions.

Mr. Averill replied that Mr. Dietrich said it is not something they would do.

Mr. Averill stated that if you look at the property information it is not a subplot (in a subdivision). He clicked on other properties and stated that they are a subplot of Walker. They were not plated.

Mr. Lamanna asked if they all have legal descriptions.

Mr. Averill said they were never plated.

Mr. Lamanna confirmed the statement by Mr. Averill.

Mr. Lamanna says there is little difference between the two subdivisions, from the standpoint of the lot size.

Mr. Soryal asked where the home is currently sitting from the front.

Mr. Turner answered it is 22.5 feet.

Mr. Soryal confirmed that it is moving forward 7 feet more. He also asked if the current sidewalk leading to the front door would remain the same or be moved forward.

Mr. Turner replied that he would like to move it as well. He showed where it sits on the survey and where they would like to move it. He asked everyone to look at the survey since it shows where it sits better than the other document. It is a brick walk way, and it already sits 7.5-8 feet from the house. They would also like to push that as well.

Mr. Lamanna stated it will wrap around and go back to the doors making an "L" shape.

Mr. Turner stated it will be "C" shaped when done.

Mr. DeWater asked if the gutters will attach to the existing gutter system.

Mr. Turner stated correct.

Mr. Averill stated that Chapter 161.11 (of the Resolution) was amended and doesn't directly affect the side yard setback because it is not a sidewalk. Reading from the Resolution "Sidewalks may project a maximum of three feet into the required minimum side yard setback, such structures shall be considered parts of the building to which it is attached." He continued that in that area a lot of properties have sidewalks, due to the narrow properties that are next to the house and go to the back yard. These properties are allowed to go an additional 3 feet into the 10-foot side yard setback.

Mr. Lamanna reaffirmed that as it is acceptable as long as it is a sidewalk next to the house.

Mr. Barr stated that Mr. Turner will be removing the current walk.

Mr. Averill went on to explain that he is requesting two side yard variances. One is for a patio that is 3.3 feet from the property line. He went on to explain where the patio is located on the survey and that it breaches the setback. He stated that they were already at 8.7 feet and there is a poured concrete patio.

Mr. Averill went on to explain how the new porch addition will not go any further into the side yard. The patio is the reason for the variance request. 3.3 feet from the side yard.

Mr. Soryal asked if the lot coverage is still in compliance.

Mr. Averill replied that it is and Mr. Gutoskey did the survey.

Mr. Lamanna asked if the first side yard setback is for the addition.

Mr. Averill replied the larger variance is for the addition, but the patio would negate the 8.7-foot variance, and the final variance would be the 3.3-foot variance.

Mr. Soryal asked if the front yard sidewalk was limited as far as how close to the street it goes.

Mr. Turner said the steps will protrude.

Mr. Averill said no and steps are okay.

Mr. Lamanna asked if there were any other questions.

Motion BZA 2026-1-7085 Cedar Street

Mr. Lamanna moved to grant the following variances with respect to the applicant's plans to construct a covered front porch in accordance with the plans submitted.

1. For the purpose of constructing a covered front porch on an existing dwelling. The front yard setback requirement is 75-feet but it is at 22.6- feet due to existing non-conforming setback. The new setback will be 15.1-feet for a variance of 47.9-feet. It will bring the front porch an additional 7.5-feet closer to the road.
2. On the east side, the applicant is requesting a 6.2-foot setback with a variance of 3.8-feet for the side of the new addition.
3. The existing patio is 3.3-feet from the side yard with a variance of 6.7-feet.

Based on the following findings of fact.

1. The existing home does not have a porch, and the feature is common for this area of the township.
2. The house was built before zoning regulations were in place and the homes are close to the street, which is common for the area. The porch is of reasonable size given the structure and will not adversely affect the neighborhood or its character.
3. The front and side variances are also consistent with other structures in the neighborhood and will not adversely affect the neighboring properties.
4. Patio is a simple concrete patio and due to lot size, everything is very close in this area of the township. The patio will not adversely affect the neighbors or nearby property owners.
5. The other aspects of the property are being met including lot coverage requirements.

Mr. Barr seconded the motion.

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

Mr. Lamanna explained to Mr. Turner that the decision is not official until the approval of the minutes next month and going forward is doing so at property owner's own risk until he receives his zoning certificate. He signed the acknowledgment that he understood these conditions.

Respectfully submitted,

Brent Barr

Brent Barr, Alternate, Member, Board of Zoning Appeals

Ted DeWater

Ted DeWater, Member, Board of Zoning Appeals

Joe Gutoskey

Joe Gutoskey, Member, Board of Zoning Appeals

Todd Lewis

Todd Lewis, Vice-Chair, Board of Zoning Appeals

Michael Lamanna, Chairman, Board of Zoning Appeals

Emeil Soryal

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Attested to by: Allana Hennette

Allana Hennette, Secretary
Board of Zoning Appeals

Date: Approved April 16, 2026

AUDIO RECORDING ON FILE