

Bainbridge Township, OH
Board of Zoning Appeals Public Hearing
April 16, 2026

Pursuant to notice by publication, the public hearing was called to order at 7:15 P.M. by Mr. Todd Lewis, Vice-Chair. Members present were Mr. Brent Barr, Alternate; Mr. Ted DeWater; Mr. Joe Gutoskey, and Mr. Emeil Soryal. Mr. Mike Lamanna was absent. Mr. Steven Averill, Zoning Inspector, was present.

Mr. Gutoskey recused himself from the public hearing.

Mr. Lewis 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.

Application 18729, BZA Case # 2026-2 for Mr. Mike Miller at 8336 Summit Drive

The applicant is requesting an area variance for the purposes of constructing an addition to his home. The property is located in a R-3A District in Lake Lucerne.

Mr. John Giles, 8331 Summit Drive, was present to represent the applicant, Mr. Mike Miller. Mr. Lewis swore in Mr. Giles and let the record reflect that he was duly sworn.

Mr. Giles began by saying Mr. Miller wants to build an addition onto his house. According to the denial of the zoning permit, he is 70.2 square feet over the allowed area [of lot coverage]. He is also under the 10-foot side yard [setback]. The existing house is 8.7 feet instead of 10 feet from the side yard, applicant is requesting an additional 2 feet which will leave a 7.5-foot side yard setback.

Mr. Giles presented a letter to the Board stating that the neighbors, the Hurstmans, give approval for the addition to Mr. Miller's home. In addition, he presented a standard letter from the Lake Lucerne Homeowner's Association allowing the addition and variance.

All members reviewed the variance information given to them.

Mr. Giles went to the screen which was showing an aerial view of the home and property. He explained he already has this patio [pointing to the screen] and he continued to identify the air conditioner and chimney in the side yard. He explained where the new addition would be using the map stating the addition would go 2 feet this way and 16 feet. Mr. Miller has an existing deck and the reason he needs the additional 2 feet to keep a 6-foot walkway between the new addition and the existing deck.

Mr. Soryal asked if it was attached to the deck.

Mr. Giles explained that the deck is separate and is raised approximately 3.5 feet from the home by steps.

Mr. Soryal asked if the existing deck steps measured to 6 feet or he would like it to be 6 feet.

Mr. Giles replied that it would be inside the 6 feet measurement and that is why he is staying 6 feet away from the actual deck.

Mr. Soryal asked if the 6 feet could become 4 feet and there would be no need for a variance.

Mr. Giles explained that Mr. Miller has had an ongoing issue with water. He continued to explain how Mr. Miller has done extensive amounts of drainage and piping and catch basins to make sure to always get water to come down this way [pointing at map]. The concern was if they only had the 4-foot wide that there would be a better chance of water accumulating, so if they made it 6 feet wide, put a series of trench drains in here and connect to the piping that leads to the culvert piping that was put in last summer.

Mr. Soryal questioned if he was removing the patio.

Mr. Giles stated that the addition would be over the patio.

Mr. Soryal inquired what the addition will serve as, what is it going to be?

Mr. Giles explained that Mr. Miller has a very large family and is very Italian. He always, for any holiday, had a lot of people over. The furniture going in there needs that 2 feet. The new space would be additional living area for his family as well as for the large gatherings.

Mr. Lewis inquired if he was using gutters and downspouts.

Mr. Giles replied affirmatively that gutter and downspouts would be used, and they would be tied to the storm system that Mr. Miller installed last summer. He continued to explain that Mr. Miller had installed an 18-inch pipe all the way out to here [showed location on the map] that drains into the ditch. He has a couple of yard drains in there now. What we want to do when he builds this is in this area here [indicates on map], have a series of trench drains that will go in and lead to existing storm sewer there.

Mr. Giles asked if the Board would like to see the plans and brought them to the table to show where the existing and new drainage would be.

[The Board and Mr. Giles discussed the drainage, gutters, and downspouts using the map and plans.]

Mr. Giles said here is the existing deck [indicates on plan].

Mr. Soryal asked if these [indicates on plan] are the two drains.

Mr. Giles replied these are the two drains and we will put another drain here [indicates on plan].

Mr. Barr added this is where the big culvert is.

Mr. Giles replied that it comes down over here [indicates on plan]. So, we are going 2 feet.

Mr. Soryal said I don't know, I'm thinking you're getting closer to where all the water is, but you must've done your homework.

Mr. Giles replied he's got soil built in here, he's got catch basins, he's got a 24-inch pipe which will never get filled.

Mr. Lewis added the structure has gutters and downspouts, so it is being directed.

Mr. Barr asked do these connect over here [indicating plans].

Mr. Giles answered no. These are underneath.

Mr. Lewis asked if the addition would be on top of the patio.

Mr. Giles said ripping out the patio.

Mr. Lewis said new foundation, drainage, the underground

Mr. Giles replied all the construction the way you're supposed to do it.

Mr. Lewis then asked then pour the floor?

Mr. Giles replied yes.

Mr. Soryal added it does help having the different depth when you're attaching to a house. It's hard to make it look good when you come in continuous. It's good to offset it and I understand the need for it to be out.

Mr. Lewis asked if the roof would be 6-12 pitch.

Mr. Giles stated that the new roof would be 4-12 to match the existing roof. On the west side where the Hurstons live, where we are going over the line, this is the back and this is the side [indicating on plans]. This is between the deck.

Mr. Barr asked what is the purpose of keeping this deck elevated? Do the doors come out of the house higher?

Mr. Giles replied no. They used to have a door right here [indicating on the plans], and the deck is here so their only access to the deck is going to be through here.

Mr., Gutoskey added to clarify, you step up from the living room to the deck.

Mr. Giles said this is about 3 feet high.

Mr. Soryal asked if the door would be directly across from the stairs.

Mr. Giles said yes.

Mr. Lewis asked if anyone else wanted to speak on this application. No one responded.

Mr. Lewis then closed the public hearing portion of the application and asked to hear from the Board.

Mr. DeWater stated that as long as the addition had gutters and downspouts and they were tied into the drain already in place that he had no issue with the application.

Mr. Barr stated he had no further questions as did Mr. Soryal.

Motion BZA 2026-2 – 8336 Summit Drive

Mr. Lewis made a motion to grant two variances for this application. The construction of a home addition on this property in accordance with the plans that have been submitted.

1. The first variance for the maximum lot coverage would increase the amount from 4818.8 square feet to 4885 square feet, a variance of 70.2 square feet over the allowed coverage.
2. The second variance for the side yard minimum set back would change from 10 feet to 7.3 feet, a variance of 2.7 feet.

Based on the following findings of fact:

1. The practical difficulties of the lots that are in Lake Lucerne. The majority of them are quite narrow although they are somewhat deep, which leaves little width to work with. In this particular case, it is a very minor impact with no true adverse effect on the adjacent property owner.
2. The reason for pushing the structure [the side yard variance] is there is existing deck access coming out and this variance will allow for a 6-foot gap that will give normal and overflow drainage and water from rain.
3. The new structure has a 4-12 roof pitch and is a ranch height consistent with the rest of the house.
4. The new structure will have gutters and downspouts which will be tied into underground existing piping to remove the water without impacting the neighbors' property.
5. Because of the two variances in this application, one putting the property over acceptable lot coverage and one coming closer to the adjacent property, no more structures will be allowed to be built on this property. The Board is granting relief based on the circumstances and practical difficulty.

Mr. Dewater seconded the motion.

Mr. Barr, aye; Mr. Lewis, aye; Mr. Dewater, aye, Mr. Soryal, aye

Mr. Giles asked if anything else needed to be done at this time.

Mr. Lewis explained that if the homeowner wanted to move forward on the project in the next thirty days, a waiver could be signed since the decision will not be made final until the meeting minutes are signed at the May meeting of the Board of Zoning Approval. He also explained that because no other audience member challenged or spoke at the hearing that no one party has standing to contest. Mr. Giles was informed that the project may proceed at their own risk.

Mr. Giles asked Mr. Averill if Mr. Miller had to do anything at this time. Mr. Averill advised Mr. Miller that the zoning certificate would be available for pick up in the office.

Since there was no further testimony, the public hearing was closed at 7:27 P.M.

Respectfully submitted,

Brent Barr

Brent Barr, Alternate, Member, Board of Zoning Appeals

Ted DeWater

Ted DeWater, Member, Board of Zoning Appeals

Joe Gutoskey, Member, Board of Zoning Appeals

Todd Lewis

Todd Lewis, Vice-Chair, Board of Zoning Appeals

Michael Lamana

Michael Lamanna, Chairman, Board of Zoning Appeals

Emeil Soryal

Emeil Soryal, Board of Zoning Appeals

Attested to by: **Allana Hennette**

Allana Hennette, Secretary
Board of Zoning Appeals

Date: April 16, 2026

AUDIO RECORDING ON FILE