

CONCORD TOWNSHIP BOARD OF ZONING APPEALS  
LAKE COUNTY, OHIO  
REGULAR MEETING

Concord Town Hall  
7229 Ravenna Road  
Concord, Ohio 44077

August 10, 2016  
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Board of Zoning Appeals members present:

Chris Jarrell, Vice Chairwoman  
Francis Sweeney, Jr.  
Blair Hamilton  
Brandon Dynes  
James Rowe, Alternate

Also Present:

Heather Freeman, Planner

**Melton Reporting**  
11668 Girdled Road  
Concord, Ohio 44077  
(440) 946-1350

1 7:01 p.m.

2 VICE CHAIR JARRELL: Good evening, everybody. Today  
3 is Wednesday, August 10th, and the Concord Township Board of  
4 Zoning Appeals meeting is now in session. At this time, I  
5 would like to introduce the members of the BZA. To my far left  
6 is Skip Sweeney. We have Brandon Dynes. I am Chris Jarrell.  
7 To my right is Jim Rowe, Blair Hamilton, and Heather Freeman,  
8 our assistant zoning inspector.

9 Under the advice of counsel, we ask that anyone  
10 speaking tonight must be sworn in. And if you plan on  
11 speaking, please stand, raise your right hand and respond to  
12 the following oath by answering "I do."

13 (Whereupon, the speakers were sworn en masse.)

14 VICE CHAIR JARRELL: Thank you so much. Please be  
15 seated.

16 A little bit more instruction for you speakers  
17 tonight. When presenting your case or making any comments or  
18 answering any questions, please come to the microphone and,  
19 before speaking, we ask that you state three items: your name,  
20 your address and please let us know that you have been sworn  
21 in.

22 Heather, were the legal notices published in a timely  
23 manner?

24 MS. FREEMAN: Yes, they were.

25 VICE CHAIR JARRELL: Thank you for that.

26 We have one appeal tonight. And a three-vote  
27 majority, or quorum, is required to either approve or deny an  
28 appeal. If a request is denied, you have the right to file an  
29 appeal, and Heather can help you with that effort.

30 The first case this evening involves Appeal

1 Number 0716-1076, Mr. Ronald --

2 MR. ZIESKE: Zi 'ski.

3 VICE CHAIR JARRELL: Thank you so much.

4 MR. ZIESKE: It rhymes with whiskey.

5 VICE CHAIR JARRELL: I will never forgot it now.

6 Mr. Ronald Zieske is requesting a variance for the  
7 property located at 7335 Arbor Glen Place and being Permanent  
8 Parcel Number 10-A-028-W-00-003-0, to locate a dwelling with a  
9 47 feet and 8 inch front building setback, in lieu of the  
10 minimum 50 feet, as set forth in Section 15.04(B), Table  
11 15.04-1 of the Concord Township Zoning Resolution.

12 Who will be presenting the case this evening?

13 MR. BLACK: Hi. My name is Bryan Black. My company  
14 is B. Legrand Design Build. Our address is 4065 Erie Street,  
15 Willoughby. And, yes, I was sworn in.

16 VICE CHAIR JARRELL: Thank you.

17 MR. BLACK: We're presenting here tonight based on  
18 the letter that we provided you. The addition that we are  
19 requesting has a variance issue regarding the front back -- or  
20 front yard setback of 50 feet. Due to the unusual shape of the  
21 lot, of the property, the cul-de-sac has basically caused a  
22 slight issue of where we are maintaining our required setback  
23 for, pretty much, 70 percent of the, of the frontage. But when  
24 you look at it, we are incurring that 150 -- I am sorry -- the  
25 50 foot setback by 2.32 feet, which is very minor in regards to  
26 what we're looking to do.

27 So part of the way we looked at it is, again, if the  
28 development had an 80-foot setback from the road, you know, at  
29 the cul-de-sac we were exceeding that. We're at 110. So,  
30 again, at that portion, we're really requesting a very small

1 setback change, that 2.32 feet. So, I mean, in regards to the  
2 required setback of 50 foot, we're really only asking for under  
3 5 percent variance change. So --

4 And the reason we're doing this addition is the  
5 homeowner is looking to expand his dining room. It has, you  
6 know -- The family has gotten larger, they come for holidays,  
7 and the room is small. So in order to do that, we have decided  
8 to bump into the existing garage. And then in doing so, that 4  
9 foot for the family room addition required the garage to bump  
10 out an additional 4 feet.

11 So looking at it as a cost standpoint as far as  
12 construction, it was much easier to bump out the garage in that  
13 direction as opposed to expanding the dining room towards the  
14 front of the house, which would then involve a lot more  
15 shoring, you know, a porch foundation that we would have not  
16 been able to do it as easily with not a frost-proof potential  
17 there. And, also, it just starts to aesthetic -- affect the  
18 main aesthetic of the home. The balance symmetry of the house  
19 right now, if we were to continue to do that bump-out to the  
20 front, it would, I think, have a larger impact on the  
21 appearance of the home. Whereas, this has a very small impact.

22 And then, again, looking at the property, as we  
23 stated in the letter, again, we're really feeling we're staying  
24 in line with the front of the house. We're not changing the  
25 established development, you know, home sitting towards the  
26 street and impacting that. I mean, if anything, we're really  
27 impacting the side yard more than we are the front yard. And  
28 when you look at the side yard, we're well with exceeding the  
29 setback there of 15 foot, where even with the addition, we're  
30 30 plus feet.

1           And then due to the landscaping, the lot is heavily  
2 landscaped on that north side of the property all along, you  
3 know, the neighboring side, again, which we're -- the direction  
4 we're going towards. Again, we're shielded there and we're  
5 also shielded to the front. They have permanent beds that have  
6 been put in, you know, landscape walls and then areas where  
7 trees have been established from the beginning of the  
8 development. They built -- They're original builders, you  
9 know, Ron and Laurie did 30 years ago. The trees are full.  
10 There is no intention of taking these trees down. Again,  
11 everything that we're doing is going to be so minimal and even  
12 be seen by anybody else in the development. So it's really a  
13 small impact that we're making by this 2.32 feet. And we're  
14 not doing it as a luxury, we're doing it as a necessity in  
15 order to make the house function and work for them better.

16           VICE CHAIR JARRELL: Any questions for Mr. Black?

17           MR. HAMILTON: It's pretty clear.

18           MR. ROWE: Thank you.

19           VICE CHAIR JARRELL: Thank you.

20           MR. SWEENEY: Thanks.

21           MR. BLACK: And I would gladly, again, if there was  
22 any questions, you know, on the property, again, we brought the  
23 photos if there is anything you would like to talk about or  
24 question or ask, again.

25           MR. ROWE: No. It's really, really a great  
26 presentation.

27           MR. SWEENEY: Yes.

28           MR. ROWE: I mean, well laid out even, you know, as  
29 far as size.

30           MR. DYNES: We would like you to be here for all of

1     our presentations.

2             MR. BLACK:   I can give a class.

3             VICE CHAIR JARRELL:   Based on the format of your  
4     letter --

5             MR. BLACK:   Well, again, I was trying to make it  
6     clear and concise.   Again, we weren't asking for a lot here but  
7     I wanted to be clear why we were just even asking for what  
8     little we were.

9             MR. ROWE:    No.   That's good.

10            MR. SWEENEY:   Right.

11            MR. ROWE:    Good job.

12            MR. SWEENEY:   Nice job.

13            MR. BLACK:   Thank you.

14            VICE CHAIR JARRELL:   Will anyone else be speaking for  
15     or against the appeal?

16            MR. ZIESKE:   I am, obviously, the homeowner, so I am  
17     for it, but -- So, again, my name is Ron Zieske.   I am the  
18     homeowner at 7335 Arbor Glen and I have been sworn in.

19            VICE CHAIR JARRELL:   Thank you.

20            MR. ZIESKE:   So really, again, I hired Bryan here,  
21     obviously, to redo the house and to make it more functional for  
22     us.   And so, as he had indicated, you know, the family has  
23     grown.   We need to put more chairs in the dining room at  
24     holiday time, so this is the solution we came up with.

25            So I feel the house, again, will continue to blend in  
26     with the neighborhood.   We want to make sure it looks like it  
27     hasn't been added to and it was like that originally.   So,  
28     obviously, my wife and I would like to have it done.

29            MR. SWEENEY:   Great.

30            VICE CHAIR JARRELL:   Thank you.

1 MR. BLACK: Also, I mean, since our packet wasn't  
2 there, there is the elevations of, again, what we're building  
3 on the side lot. If you look at the original architecture,  
4 again -- sorry -- that side elevation was there now. So when  
5 we add the second, we're just literally moving this space out.  
6 So when that is accomplished, you can see, again, the facade is  
7 really not changed all that much other than the new garage  
8 form. So --

9 VICE CHAIR JARRELL: Terrific. Thank you, Mr. Black.

10 MR. BLACK: Sure.

11 VICE CHAIR JARRELL: Skip, unless your son is going  
12 to speak against this --

13 MR. SWEENEY: He better not.

14 VICE CHAIR JARRELL: Okay. If there are no further  
15 questions or presentations, the public hearing for Variance  
16 Appeal Number 0716-1076 is now closed and I will now entertain  
17 a motion for the approval of this variance appeal.

18 MR. ROWE: So moved.

19 MR. HAMILTON: Second.

20 VICE CHAIR JARRELL: Excellent. And any questions or  
21 discussion from the Board?

22 MR. SWEENEY: Nice presentation.

23 MR. BLACK: Thank you.

24 MR. ZIESKE: Thank you.

25 MR. SWEENEY: Good job.

26 VICE CHAIR JARRELL: Very nice. Okay. At this time,  
27 the question is on the approval of the Variance Appeal  
28 0716-1076. A yes vote is for the approval of the variance and  
29 a no vote denies the variance. Heather, please call for a  
30 vote.

1 MS. FREEMAN: Mr. Hamilton?

2 MR. HAMILTON: Yes.

3 MS. FREEMAN: Mr. Sweeney?

4 MR. SWEENEY: Yes.

5 MS. FREEMAN: Mr. Dynes?

6 MR. DYNES: Yes.

7 MS. FREEMAN: Mr. Rowe?

8 MR. ROWE: Yes.

9 MS. FREEMAN: And Ms. Jarrell?

10 VICE CHAIR JARRELL: Yes. And you are approved.

11 Concord Township BZA quorum indicates an approval. Thank you

12 so much. Good luck.

13 Next on the agenda is the approval of the minutes,

14 the approval of the minutes. May I please call for a motion

15 for the approval for the minutes from July 13, 2016?

16 MR. ROWE: So moved.

17 VICE CHAIR JARRELL: Any discussion? additions?

18 deletions?

19 MR. ROWE: I've got a couple. Mindy, on page 20,

20 line 4, there is a number, it's 25.5. I am sure, from my

21 memory, that it should be 25,000 pounds. And then page 33,

22 line 12, there is a word in there, "have," h-a-v-e, and it

23 should be h-a-l-f, half. That's all.

24 VICE CHAIR JARRELL: I have one, too. I am so sorry.

25 On page 49, line 3, it says "jibing." It should be jiving, V

26 as in victory, jiving. And the same word, also on page 49,

27 line 28, it should be "jive" instead of "jibe." And,

28 apparently, I like that word because those are my words.

29 MR. DYNES: Let the record reflect that word is

30 overused by Ms. Jarrell.



1 MR. SWEENEY: Second.

2 VICE CHAIR JARRELL: Thank you, gentlemen, the  
3 attorneys on the Board.

4 Okay. We have a first and a second. The question  
5 is -- at hand is for the approval of the minutes for July 13,  
6 2016. A yes vote approves, a no vote certainly invalidates the  
7 minutes. All in favor of the minutes, please say "aye."

8 MR. DYNES: Abstain.

9 (Four aye votes, no nay votes, one abstention.)

10 VICE CHAIR JARRELL: Thank you. Brandon was not  
11 here. The ayes have it and the minutes for July 13, 2016, are  
12 approved. And the meeting for today, August 10th -- quickest  
13 meeting in history -- is over. Thank you.

14 (Whereupon, the meeting was adjourned at 7:13 p.m.)  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

1 STATE OF OHIO )  
2 COUNTY OF CUYAHOGA )

CERTIFICATE

3 I, Melinda A. Melton, Registered Professional  
4 Reporter, a notary public within and for the State of Ohio,  
5 duly commissioned and qualified, do hereby certify that, to  
6 the best of my ability, the foregoing proceeding was reduced  
by me to stenotype shorthand, subsequently transcribed into  
typewritten manuscript; and that the foregoing is a true and  
accurate transcript of said proceedings so taken as  
aforesaid.

7  
8 I do further certify that this proceeding took  
place at the time and place as specified in the foregoing  
caption and was completed without adjournment.

9  
10 I do further certify that I am not a friend,  
relative, or counsel for any party or otherwise interested  
in the outcome of these proceedings.

11  
12 IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed my seal of office this 29th day of August 2016.

13  
14  
15 Melinda A. Melton  
Registered Professional Reporter

16 Notary Public within and for the  
17 State of Ohio

18 My Commission Expires:  
February 4, 2018  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30