

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

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

July 10, 2019
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Board of Zoning Appeals members present:

Ivan Valentic, Chairman
Francis Sweeney, Vice Chairman
Chris Jarrell, Member
Blair Hamilton, Member
Francis Sweeney, Member

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning
Inspector
Marty Pitkin, Assistant Zoning Inspector

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

1 7:00 p.m.

2 CHAIRMAN VALENTIC: The Concord Township Board of
3 Zoning Appeals for July 10, 2019, is now in session. I would
4 like to introduce my Board. To my far left is Skip Sweeney
5 and Brandon Dynes. I am Ivan Valentic. To my right is Chris
6 Jarrell and Blair Hamilton, and to our far right is Heather
7 Freeman, our Zoning Inspector.

8 Under the advice of our legal counsel, we ask that
9 anyone speaking tonight must be sworn in. So if you plan on
10 speaking, please stand and raise your right hand. So if you
11 plan on coming up and presenting at all tonight, please stand
12 and raise your right hand.

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

14 CHAIRMAN VALENTIC: Okay, great. Thank you. Please
15 be seated.

16 This evening when presenting your case or
17 commenting, you have to come up to the microphone and state
18 your name, address, and please confirm that you've been sworn
19 in for the record.

20 Heather, were the legal notices published in a
21 timely manner?

22 MS. FREEMAN: Yes.

23 CHAIRMAN VALENTIC: Okay, great.

24 We have one Old Business thing that I'm going to
25 just breeze through and one variance tonight. A three-vote
26 majority is required to either approve or deny a variance.

27 First on Old Business, Appeal Number 2018-41 has
28 been -- has requested to be tabled again and we will table
29 that to the following month. Okay?

30 Then on to New Business, we have Variance Number

1 2019-47, Mr. Michael DeBlasio --

2 MR. DeBLASIO: DeBlasio.

3 CHAIRMAN VALENTIC: Thank you, sir. -- is
4 requesting a variance from Section 15.03(A), Table 15.03-1, to
5 allow for the construction of a second accessory building, in
6 lieu of the maximum one permitted, for the property located at
7 10215 Brian Avenue. A second variance is requested from
8 Section 15.03(A), Table 15.03-1, to allow an accessory
9 building to be 1,350 square feet in lieu of the maximum 1,024
10 square feet permitted.

11 And just so everybody knows going forward for
12 tonight, we have to vote separately on both of these
13 variances, but you can present both variances at the same time
14 if you would like.

15 Please come up and present your case.

16 MS. DeBLASIO: Me, too?

17 CHAIRMAN VALENTIC: Yeah, whoever wants to go first.
18 You guys can take turns.

19 MS. DeBLASIO: My name is Roseann DeBlasio. I am
20 Michael DeBlasio's wife.

21 CHAIRMAN VALENTIC: And your name, sir?

22 MR. DeBLASIO: Mike DeBlasio.

23 CHAIRMAN VALENTIC: And your address?

24 MR. DeBLASIO: 10215 Brian Drive.

25 CHAIRMAN VALENTIC: And you've both been sworn in,
26 correct?

27 MS. DeBLASIO: Yes.

28 MR. DeBLASIO: Yes.

29 CHAIRMAN VALENTIC: Thank you. Go ahead.

30 MR. DeBLASIO: We purchased a new house on Brian

1 Drive in April, and then I purchased this land beside the
2 house because I need it for my old cars to store in. And I
3 need that size of building to get four cars in, plus my
4 equipment, my tractor, two tractors. And so I need a building
5 that size.

6 And the people I am purchasing it from, it comes in
7 30 by 30 or 30 by 45. So that's where I'm at.

8 CHAIRMAN VALENTIC: Okay. Is there anything else?
9 Yes?

10 MS. DeBLASIO: We came from Willoughby Hills. We
11 had a beautiful barn. Everything was stored in there, old
12 cars, old cars -- we did sell a few but we still have two --
13 our vehicles that we use. We do have maybe more than normal
14 people but they're all nice and we always contain our cars and
15 all the yard equipment, everything in the barn because we like
16 it neat and we don't like to keep things out looking messy and
17 sloppy.

18 So at our other home, we had a double car garage, so
19 two cars were in the front. And then in the back, I don't
20 even know the measurement of the barn but it was full. We had
21 our cars, we had everything, my husband's work bench, anything
22 and everything. We had a pool before, so -- that was at our
23 other home. So everything, this barn contained everything and
24 it was nice because it was safe and no one knew what was going
25 on outside of the barn or in our yard and we just like to keep
26 it -- how would I say -- just nice and neat.

27 Now that we live on Brian Drive, we love our home.
28 We love everything about it. And it's -- We appreciate living
29 where we live. It's really nice. And we, we have our cars in
30 the front of the garage now because there is nothing -- I

1 mean, the garage is full from us -- we are not even done
2 moving our stuff out of the barn yet.

3 So we do need what we need so we can be happy and
4 contain everything and be neat because, you know, when you
5 drive in a neighborhood and you see stuff all over or out of
6 the garages or whatever, we don't live like that. We like to
7 live nice and respectful.

8 CHAIRMAN VALENTIC: Okay. I guess the first
9 question I might have is just starting with the keeping the
10 shed. You know, you're building a garage but you still want
11 to keep the shed. Can we talk through that because we only
12 allow one accessory building.

13 MR. DeBLASIO: Go ahead.

14 MS. DeBLASIO: I've got to tell you, I will be
15 honest with you. That shed complements the house and the
16 house complements the shed. Right now, it's full because we
17 have no place to put anything that we would put in the barn or
18 the garages. And I cannot see the sense of taking something
19 so beautifully made, built according to an extension of the
20 home. And I will be honest with you. When I saw that, I
21 thought that would be my nice she shed. So -- And I am
22 insured by State Farm, too. But, anyway, if you know that
23 advertisement, yeah, we are.

24 So I love that she shed and I just think it's the
25 cutest thing and it's going to be mine. I mean, right now, my
26 husband is renting it from me. But I love that she shed and I
27 cannot see -- I know rules. I know regulations. But what is
28 it hurting? It's behind the home. We have taken rides around
29 Concord. We've seen some junk in yards and this and that.
30 No, I think it complements the house and it makes everything

1 nicey-nice and it's cute.

2 CHAIRMAN VALENTIC: You don't have any pictures of
3 the shed or what the garage is going to look like in the
4 packet.

5 MR. DeBLASIO: No.

6 MS. DeBLASIO: But if we come to another meeting, I
7 will bring you a picture of the shed. But you know what? It
8 should be, if you go onto our address, 10215, it shows the
9 shed in the back yard.

10 CHAIRMAN VALENTIC: Yeah, I can see it on the --

11 MS. DeBLASIO: Yeah.

12 MR. DeBLASIO: It's --

13 MS. DeBLASIO: It's not his, it's mine.

14 MR. DeBLASIO: The owner told me he had over like
15 \$3,000 in the shed, you know. It's built on like
16 four-by-fours because of the creek behind there, sometimes it
17 overflows.

18 MS. DeBLASIO: Yeah.

19 MR. DeBLASIO: And it's a well built shed. I never
20 seen something like that.

21 MS. DeBLASIO: It's just like the house, built very
22 nice.

23 CHAIRMAN VALENTIC: So the garage that looks like
24 it's shown in here, the square.

25 MR. DeBLASIO: Yeah.

26 CHAIRMAN VALENTIC: The variance, is the variance
27 for the 30 by 30 or the 30 by 45? You mentioned two sizes.

28 MR. DeBLASIO: The 30 by 45.

29 CHAIRMAN VALENTIC: That's what I was calculating.
30 Okay. So if you went to the 30 by 30, you would still need a

1 variance but not as much of a variance.

2 MR. DeBLASIO: Yeah. But, see, I can't get four
3 cars in a 30 by 30, plus all my benches and cabinets.

4 CHAIRMAN VALENTIC: Okay.

5 MR. DeBLASIO: And the buildings are -- I am
6 thinking about going with metal, steel buildings, and they're
7 fantastic looking. You can get them any color you want, roof
8 any color you want. And --

9 CHAIRMAN VALENTIC: Does anyone else have any
10 questions from the Board?

11 MR. DYNES: You don't have a picture of what you
12 intend to build right now?

13 MR. DeBLASIO: No. I think Heather told me to go
14 out there and I called them. He says, "Well, see if you can
15 get your permit or something to get going on this and give me
16 a call."

17 MR. DYNES: Do you intend to have a driveway to the
18 --

19 MR. DeBLASIO: Yes. I'm going to have concrete in
20 front of the garage doors.

21 MR. DYNES: How many garage doors will it have?

22 MR. DeBLASIO: Approximate, three.

23 MR. DYNES: Where will they face?

24 MR. DeBLASIO: Two garage doors will face the side
25 of the house and one will face the back of the house.

26 MR. DYNES: And is there anything between where you
27 intend to put the building and the drive here? Are there
28 trees here or any kind of buffer?

29 MR. DeBLASIO: No, the trees are gone. Most of the
30 trees are down. Just the two along the drive, the long

1 driveway there, that's my neighbor's and it's going to be
2 like -- what would you say -- 30 feet, 30, 40 feet.

3 MR. DYNES: Have you talked to any of your neighbors
4 about this?

5 MR. DeBLASIO: Yeah. Ken was supposed to come to
6 tonight but he was --

7 MS. DeBLASIO: He was working.

8 MR. DeBLASIO: He was working.

9 MR. DYNES: Has anyone provided you with a letter or
10 indication they approve or disapprove of it, one way or the
11 other?

12 MR. DeBLASIO: No, no.

13 CHAIRMAN VALENTIC: Where does Ken live?

14 MS. DeBLASIO: Our neighbors like us.

15 MR. DYNES: I'm not suggesting they don't.

16 MS. DeBLASIO: No. I'm being funny here.

17 CHAIRMAN VALENTIC: Where does the neighbor live
18 that was going to come to the meeting? Is he across the
19 street here or is he behind you?

20 MR. DeBLASIO: No. Who, the one I bought the
21 property from?

22 CHAIRMAN VALENTIC: No. Who was going to attend the
23 meeting, Ken.

24 MR. DeBLASIO: Ken, on that side of the driveway way
25 back in the corner.

26 MS. DeBLASIO: Yeah, to the right.

27 MR. HAMILTON: When you purchased this property,
28 were you aware of the zoning --

29 MR. DeBLASIO: No, I wasn't.

30 MR. HAMILTON: -- restrictions?

1 MR. DeBLASIO: No.

2 MR. HAMILTON: You didn't look into that before
3 purchasing the home?

4 MR. DeBLASIO: Well, you know --

5 MS. DeBLASIO: It was a rough situation.

6 MR. DeBLASIO: It was, it started off by contingent,
7 if I got the property, I'd buy the house. And I almost lost
8 the house because Ken, his wife's got issues, he had issues
9 and we put it off for like two or three months. I didn't
10 check and see. I didn't -- I know the creek was there but I
11 didn't know you had to be 25 feet away from that creek, but I
12 still think I got enough room.

13 MR. DYNES: I think our biggest issue as a Board is
14 not necessarily even the riparian setback but more so the
15 second building and purchasing the home and not aware of that.
16 You indicated you had this in Willoughby Hills and now coming
17 here.

18 MR. DeBLASIO: Right.

19 MR. DYNES: So it's hard for us. You understand, we
20 have to be somewhat consistent in these things on behalf of
21 the community and enforce the code. And there's a lot of
22 people that would like to build a lot of different buildings.
23 So I think, to his point, was that something -- You clearly
24 had these cars and intended to build another structure.

25 MR. DeBLASIO: Right.

26 MS. DeBLASIO: We never knew about rules. We just
27 saw land. We thought, wow, this will work. We saw the house.
28 But we couldn't do either/or, we had to do together. And --

29 MR. DeBLASIO: Well, really maybe by the house on
30 the cul-de-sac and where we lived on Eddy Road, it was a 25

1 mile zone, people flying by 40, 50 miles an hour. And, plus,
2 we had a house with steps and we had to get off the steps. So
3 that's what put us in this direction.

4 MS. DeBLASIO: And I liked it.

5 MS. JARRELL: Have you spoken with your neighbors?

6 MR. DeBLASIO: Yeah.

7 MS. JARRELL: Everybody on the cul-de-sac?

8 MR. DeBLASIO: Oh, the one, Ken's, got that --

9 MS. DeBLASIO: Huge barn.

10 MR. DeBLASIO: -- a huge barn. My neighbor next
11 door's got a huge barn.

12 MS. DeBLASIO: And then the one across the street
13 has got a real high one. That's -- What's his name?

14 MR. DeBLASIO: Tom.

15 MS. DeBLASIO: Tom. It's real high.

16 MR. DeBLASIO: And the one behind me, he says, "I
17 gotta see this." He's got old cars, too.

18 MS. DeBLASIO: Oh, yeah.

19 MR. DeBLASIO: Tim, I can't remember the last name.

20 CHAIRMAN VALENTIC: That's a tough one for us. At
21 least, for me, it feels --

22 MS. DeBLASIO: I have a question. I know you looked
23 at drawings but do you ever come out to really look at the
24 real thing?

25 CHAIRMAN VALENTIC: Yeah, sometimes, yeah, we go out
26 sometimes.

27 MS. DeBLASIO: You know, to visualize.

28 CHAIRMAN VALENTIC: Yeah, sometimes we go out and
29 we, you know -- It's up to each individual. They to go out
30 and take a look or look on the, you know, you can look from a

1 map view, too.

2 Skip, do you have any questions of them?

3 MR. DYNES: I have something, if you don't mind.

4 MR. SWEENEY: No.

5 CHAIRMAN VALENTIC: No, okay.

6 MR. DYNES: You know, it would be helpful. You
7 mentioned coming back. I guess it would be helpful for me to
8 understand what exactly it is you want to put up. I am
9 looking at a map of nothing but a black square.

10 MR. DeBLASIO: Okay.

11 MR. DYNES: There is no architectural drawing.
12 There is no other indication of where the driveway is going to
13 be, what the garages are, what the barn is going to look like.
14 It may be completely irrelevant but I think, for me
15 personally, it would be helpful to make a decision to know
16 exactly where it's going to be placed.

17 Have you retained anyone who builds this building to
18 give you a specific and direct notation as far as where it's
19 going to be?

20 MR. DeBLASIO: Well, I got it marked where it's
21 going to be.

22 MR. DYNES: Okay. And that's --

23 MR. DeBLASIO: That's all I got.

24 MR. DYNES: That's certain then. You marked it?

25 MR. DeBLASIO: Yeah.

26 MR. DYNES: Okay.

27 MS. DeBLASIO: You want a picture of what we choose
28 to have built?

29 MR. DYNES: Well, again, maybe it's irrelevant to
30 everybody else but it would help me. Right now, I am looking

1 at an overhead view with a black rectangular box.

2 MR. DeBLASIO: Right.

3 MR. DYNES: And I understand you are telling me a 30
4 by 45 and that's in there as a notation, the riparian setback
5 and so on. But it's a little bit hard anyway for -- I am not
6 very bright, so for me to try to visualize this, it's not the
7 best.

8 MR. DeBLASIO: Okay.

9 MS. JARRELL: I don't think there's anything in the
10 Resolution that specifically talks about aesthetics. I can
11 imagine that these folks are probably going to erect something
12 nice. And it is nice to have pictures but I don't think it's
13 all that important.

14 MS. DeBLASIO: We have to have it looking nice
15 because the house and yard is nice.

16 MR. DYNES: I understand, no question. I guess more
17 so than seeing complete pictures of the color and everything
18 else you want to do, I am interested in the exact location.
19 And maybe if that's it and we're -- this is what it is, that's
20 fine. I just felt like maybe you weren't completely certain
21 as to where you were going to put it or what it was going to
22 be or where the doors were going to be and so on.

23 MR. DeBLASIO: Yeah. At first when I was talking to
24 Heather, I had to be 30 feet away from the creek. Well, that
25 last, well, in June, I had like a pond over there. And so now
26 I've got to go with a foundation, get it up off the, off the
27 ground and go up with blocks so many and then the other part
28 sits on top of that. So -- But I'll get a picture of what I'm
29 having built.

30 MS. JARRELL: Do you know how much this is going to

1 cost, approximately?

2 MR. DeBLASIO: Not too much. I figure around 25, 30
3 thousand just on the building, not counting the concrete or
4 nothing like that.

5 MS. JARRELL: Uh-huh.

6 MR. DeBLASIO: So I would like to go closer to the
7 creek. I don't know if I am allowed to do that. It gives me
8 more room in the front where I can pull out of the garage
9 because, right now, it's only going to be 18 feet.

10 CHAIRMAN VALENTIC: Yeah, we have a riparian buffer.
11 You've got to stay so far from the creek.

12 MS. JARRELL: Right.

13 MR. DeBLASIO: Okay.

14 CHAIRMAN VALENTIC: It just pushes you into another
15 variance.

16 MS. DeBLASIO: I've got to ask you a question. That
17 creek, where does it come from?

18 CHAIRMAN VALENTIC: We can ask that question at a
19 separate time.

20 MS. DeBLASIO: Oh, okay.

21 CHAIRMAN VALENTIC: That's probably a separate
22 meeting.

23 MR. DeBLASIO: They've got to consult with --

24 MR. DYNES: Have you considered an addition to a
25 home as far as a garage or anything attached to the home? Has
26 that been anything --

27 MS. DeBLASIO: You know, we did with Joe but it
28 would take the whole appearance of the house and, no, it would
29 be terrible.

30 MR. DeBLASIO: I'd hate to butt into the house.

1 MS. DeBLASIO: And you'd lose your windows and
2 everything, em-em.

3 MR. DeBLASIO: The bedroom, your bedroom windows and
4 the bathroom windows all on that side.

5 CHAIRMAN VALENTIC: Okay. That was a good thought.

6 MR. HAMILTON: What was your contingency if you
7 weren't able to achieve this variance? What would you do as a
8 backup?

9 MR. DeBLASIO: I don't know. Right now, I am going
10 to rent a garage --

11 MS. DeBLASIO: Yeah.

12 MR. DeBLASIO: -- out in Madison for the winter
13 because I don't want the cars and the truck, the truck that's
14 never been out in the winter. But, you know, that's costing
15 me like \$200 a month. It's kind of expensive when you can do
16 it right on your own property. I don't know. I hope to God I
17 can get something like that. I don't want to --

18 MS. DeBLASIO: I think it's a need. I mean, if we
19 didn't have what we have, then we wouldn't even be standing
20 here. But where would we put everything? I mean, it's like
21 we moved from one city to this city and purchasing that land
22 was like an answer, really, from above so we could stretch
23 everything out and house all our things we have.

24 CHAIRMAN VALENTIC: If you came in and said, "We're
25 building a garage that's 1,024 square feet, I mean, you
26 wouldn't have to be here.

27 MS. DeBLASIO: I know that.

28 CHAIRMAN VALENTIC: And you could just build it and
29 be done with that. You'd need a variance for having two
30 structures.

1 MR. DeBLASIO: But let me ask a question. If I
2 didn't have that shed behind the house, how big of a building
3 could I go? What is that, about a acre and a half total?

4 CHAIRMAN VALENTIC: The shed doesn't count into the
5 square footage, does it?

6 MS. FREEMAN: The Resolution states, if you have
7 less than two acres, you can have one accessory building as
8 large as 1,024 square feet.

9 CHAIRMAN VALENTIC: Yeah. So not only --

10 MS. DeBLASIO: So we went for the variance.

11 CHAIRMAN VALENTIC: So this is our dilemma. We have
12 to approve you to have two structures. One is bigger than
13 what you're allowed to have. Then you combined that square
14 footage storage, you're like blowing it out of the water --

15 MR. DeBLASIO: Okay.

16 CHAIRMAN VALENTIC: -- n what our code allows you to
17 have.

18 MS. DeBLASIO: I know rules --

19 CHAIRMAN VALENTIC: We're looking for answers from
20 you to help us make a decision here, too. So that's our, kind
21 of, our difficulty. I mean, if you went to, I guess --
22 I mean, I'm not speaking for the Board but if it was a 30 by
23 30, I know it's a smaller shed but it gets you closer to it
24 and it's still a standard size, you know. If you tell me,
25 "Well, they don't have a standard size that's 1,024 but they
26 have one that's the closest one," okay, I can kind of
27 understand where you are coming from there.

28 MR. DeBLASIO: What if I could -- they could make me
29 one 30 by 40? Would that help me out any?

30 CHAIRMAN VALENTIC: I don't know. We would want you

1 to be as close to the 1,024 or under if we could be.

2 MS. DeBLASIO: You know, I understand rules and
3 regulations. We're old enough to know that. But who does it
4 hurt that we're going to have a beautiful, maybe bigger,
5 garages that are nice looking, put money into it and we're
6 investing? We're investing our retirement and everything to
7 live there and to enjoy life the best we can.

8 CHAIRMAN VALENTIC: Yeah.

9 MR. HAMILTON: Well, our job is to try and provide
10 an equitable resolution to the zoning requirements.

11 MS. DeBLASIO: I know, rules.

12 CHAIRMAN VALENTIC: All right. You guys have any
13 other questions on that side?

14 MS. JARRELL: No questions.

15 MR. HAMILTON: Nothing.

16 CHAIRMAN VALENTIC: No? Okay. You got anything
17 else?

18 MR. DeBLASIO: No.

19 CHAIRMAN VALENTIC: No, okay. Please be seated.
20 Thank you.

21 Is there anyone else here speaking for or against
22 this appeal that would like to come up?

23 Okay. If there's no further questions, the public
24 hearing for Variance Number 2019-47 is now closed to the
25 public. I would like to entertain a motion to approve
26 Variance Number 2019-47.

27 MR. DYNES: So moved.

28 MR. HAMILTON: Second.

29 CHAIRMAN VALENTIC: All right. Open for discussion
30 on the Board. Who would want to start, anyone?

1 MS. JARRELL: Well, it's a big lot and it seems like
2 it can easily absorb that size. I mean, I know that it's a
3 bigger variance than we like but shame on all of us for not
4 going out and looking at their lovely property, which I am
5 presuming is lovely. And I mean --

6 MR. DYNES: I drove out there.

7 MS. JARRELL: I am sorry?

8 MR. DYNES: I drove out there.

9 MS. JARRELL: You did. So is it lovely?

10 MR. DYNES: It's beautiful, yeah. It's nicer than
11 the others.

12 MS. JARRELL: None of the neighbors have -- None of
13 the neighbors have any issues with it. If anybody had a big
14 issue, they'd be here.

15 CHAIRMAN VALENTIC: But I think, Heather, it's 1.137
16 acres.

17 MS. FREEMAN: Correct.

18 CHAIRMAN VALENTIC: Where that jumps is to 2. I
19 mean, it is a bigger lot for Concord but it's not anywhere
20 near the 2 acres either. I looked at that, too. I was trying
21 to, you know, trying to find a fit there. I am sorry. Keep
22 going.

23 MS. JARRELL: That 2 acre thing, is that like a
24 recent change in the last few years?

25 MS. FREEMAN: Not to my knowledge. I can see. I am
26 not sure when the township adopted that.

27 CHAIRMAN VALENTIC: Well, so we have two variances.
28 How do you feel about the first one, having the two
29 structures?

30 MS. JARRELL: I don't have a problem with that at

1 all.

2 CHAIRMAN VALENTIC: Okay. Anyone else have any
3 comments about the, just the first variance with the two
4 structures? Because we're going to have to vote on these
5 separately.

6 MR. SWEENEY: No. Here is -- And, you know, I am
7 with Blair. You know, we have a job to do and there are
8 constraints that we have to adhere to. Now, it is true that
9 we vary from those constraints from time to time when people
10 come in and ask us, but when that happens and when we do allow
11 it, they have usually met certain criteria and they have
12 usually shown that there is some difficulty in complying with
13 the current code, some difficulty.

14 You people are very nice and I think this would be
15 very nice, very nice. I don't doubt that at all. But I don't
16 -- There hasn't been an argument made by you that it's
17 difficult to comply with the current requirements, no
18 difficulty whatsoever. You just said, I want a 30 by 45. I
19 want to keep my she shed.

20 There is a lot of, I think, alternatives to solving
21 this problem and maybe not even having to come before us. So
22 we take all these things into account and -- I am. And I
23 just, I don't see a practical difficulty. I see a lot of
24 other solutions to this problem that haven't even been looked
25 at.

26 MS. JARRELL: Maybe you can offer one or two of
27 those. And do you have a problem with the two buildings?

28 MR. SWEENEY: Now, having said that, okay, I don't
29 have a problem with what's being requested. So this is the
30 concern. What results on a larger scale is that you begin to

1 get this creep and somebody requests an exception and they get
2 it. Next person comes in and requests an exception and they
3 get it. And what happens is more people come in with smaller
4 lots and bigger buildings and more buildings and they say,
5 "Well, So and So did it and I have the hearing transcript from
6 that and this is where you granted it."

7 So what's going to happen over time, it may not seem
8 like a big deal -- and, to me, it actually doesn't -- but
9 we're charged with not only enforcing the code but
10 interpreting why it was made that way. And I think one of the
11 reasons why it was made is that this creep, if it gets going,
12 in 10 years or 20 years from now, there could be a huge
13 problem.

14 So that's my other concern over and above the fact
15 that you're very nice and I like this. So I think we're torn.
16 I'm torn. I am very torn.

17 MS. JARRELL: We're always considering things
18 mutually exclusively on this Board. You know, there could
19 have been a creep, your creep back from years ago, but we're
20 always considering things individually. This is a bigger lot.

21 You know, shame on you for not looking into the
22 restrictions. And we get this all the time and that's, that's
23 unfortunate. So that's why, one of the big reasons why we're
24 struggling, and with the size of the variance as well. I
25 don't know if there's any way you can consider doing something
26 smaller.

27 Skip, what, did you have another solution that you
28 could offer?

29 MR. SWEENEY: Well, I don't know that it's my job to
30 provide another solution.

1 CHAIRMAN VALENTIC: Okay.

2 MS. JARRELL: Okay.

3 MR. SWEENEY: I mean, I could, I might, but I don't
4 know that it's appropriate for me to even do that, sitting on
5 this Board.

6 CHAIRMAN VALENTIC: Okay. Fair enough.

7 MS. JARRELL: Fair enough.

8 MR. SWEENEY: I am just looking at the standards
9 that we have to look at, the criteria, the Duncan Factors,
10 which we have to follow and I just don't think they've been
11 met.

12 CHAIRMAN VALENTIC: Well, I mean, I think I am over
13 the two, two sheds. I think I can get over that and vote for
14 that. My struggle is with the size of the shed and the
15 percentage.

16 Blair, we usually count on you doing the math and
17 telling us what percent variance.

18 MR. HAMILTON: As Chris said, this is a very
19 large --

20 CHAIRMAN VALENTIC: Very large.

21 MR. HAMILTON: Yeah, for the size.

22 MS. JARRELL: Maybe it would be a good idea to table
23 it and have you come back with an alternative solution. I
24 hate to not do that and then have you pay again to come back.

25 CHAIRMAN VALENTIC: I look at it, if the sheds come
26 in standard sizes, you know, that could be something that's a
27 difficulty, right? But there is a standard size that gets it
28 pretty close to the 1,024 square feet. But the difficulty on
29 their end is that it does not fit four, up to four vehicles
30 and some storage. You know, is that really a true difficulty?

1 I'm not sure.

2 But I would be -- I don't know. I have a hard time.
3 I can't see myself approving the 30 by 45 structure but I
4 could be convinced if someone has an argument.

5 MR. DYNES: I would say we approve two structures on
6 certain occasions, depending on circumstances.

7 CHAIRMAN VALENTIC: And I think this one, for me,
8 could work. Two structures could work here.

9 MR. DYNES: I don't necessarily have a problem with
10 that. I think that Skip's point is very well taken. The
11 Duncan Factors and the application of the Duncan Factors don't
12 rise to the level of allowing this variance, quite simply and
13 quite frankly.

14 Your suggestion or Chris' that, perhaps, it is
15 tabled and we come back with something that's a little more
16 definitive -- And that was my question before. There is a lot
17 of shed builders out there. There's a lot of sizes and a lot
18 of configurations. I was not referencing color or design or
19 style or architecture or along those but something a little
20 bit more definitive as to what exactly it is you're going to
21 build. Maybe have that specification brought to us as part of
22 the packet to show this is the exact size. Whether we approve
23 or disapprove, it's still helpful to know that and, perhaps,
24 it's easier then to overcome the burden that you have to
25 overcome.

26 The suggestion that perhaps it's tabled might allow
27 you a little more opportunity and time to build your case.
28 And that's not to say that you didn't do a nice job tonight.
29 But I think given more time and the benefit of time and
30 investigation and, perhaps, consultation with neighbors or

1 others, it only helps us. We're in a, I think, in a terribly
2 difficult situation here, a bit of a conundrum, because, as
3 everyone has indicated, we're the Board. Whether we want to
4 be or not, here we are. This is the Resolution we have to
5 abide by and then there is legal precedent we have to abide by
6 as well.

7 So my fear is that there are a couple people here,
8 perhaps myself included, who are not going to approve this.
9 And I am speaking to them and speaking to the Board. This is
10 an awkward time here. But it's a tough spot to be in. And
11 you didn't mean to put us in a tough spot. I get it. You
12 move to Concord. We welcome you here and we're glad to have
13 you here. It is not anything suggesting otherwise.

14 But I tend to agree with you that the size is still,
15 essentially, a one acre lot. It looks like a large lot. It
16 is a large lot. It's, what, 1.1?

17 CHAIRMAN VALENTIC: Yeah, 1.1.

18 MR. DYNES: So it's .9 acres away, it's almost a
19 whole acre away from the 2 and that's a pretty darn big
20 building.

21 MS. JARRELL: It looks like there is two big
22 buildings on this adjacent lot.

23 MR. DYNES: I believe that's a pad.

24 MS. JARRELL: Oh, it's a pad?

25 CHAIRMAN VALENTIC: A helipad.

26 MS. JARRELL: A heli -- (Laughter).

27 MS. FREEMAN: Mr. Chairman.

28 CHAIRMAN VALENTIC: Yes?

29 MS. FREEMAN: I do believe that you did close the
30 hearing already.

1 CHAIRMAN VALENTIC: We did close the hearing.

2 MS. FREEMAN: So I don't know that we can table it.

3 We have to vote on it now.

4 MR. DYNES: I am not the legal counsel. I am just a

5 Board member.

6 MR. SWEENEY: Where is our legal counsel?

7 MS. FREEMAN: I don't know where he is.

8 CHAIRMAN VALENTIC: And we can't open it back up,

9 right?

10 MR. SWEENEY: Why not?

11 MS. JARRELL: Why not?

12 MR. DYNES: Yeah.

13 MR. SWEENEY: Why can't we do it? Make a motion.

14 CHAIRMAN VALENTIC: Yeah, we can, or yeah, we can't?

15 MR. DYNES: Don't look at me.

16 CHAIRMAN VALENTIC: Oh, I don't know. I thought you

17 said --

18 MS. JARRELL: We have two attorneys on here. Let's

19 go.

20 MR. SWEENEY: I don't see any reason why we cannot

21 reopen it. I could be wrong.

22 MS. JARRELL: I hate to have them pay again.

23 MR. HAMILTON: You have no opinion on this?

24 MS. FREEMAN: Hmm?

25 MR. HAMILTON: No opinion on this?

26 MS. FREEMAN: I'm not sure.

27 MR. SWEENEY: Well, let's just put it this way. If

28 we reopen it and we can save -- and they save some money, we

29 resolve the problem, it's really not, administratively,

30 procedurally, it's not going to be an issue. Who would bring

1 it up? Who has a standing to bring it up?

2 CHAIRMAN VALENTIC: Okay. Would the rest of the
3 Board like to reopen the hearing?

4 MR. SWEENEY: Brandon says we can reopen.

5 CHAIRMAN VALENTIC: No, Brandon, didn't say that. I
6 am saying, I'm talking to the Board. Everyone is open to
7 reopening the meeting?

8 MR. SWEENEY: Yes.

9 MS. JARRELL: Yes.

10 CHAIRMAN VALENTIC: Okay. All right. I am going to
11 entertain a motion to reopen the public hearing for the Board
12 of Zoning Appeals.

13 MS. JARRELL: So moved.

14 MR. SWEENEY: Second.

15 CHAIRMAN VALENTIC: Second, okay.

16 MR. HAMILTON: All in favor?

17 CHAIRMAN VALENTIC: All in favor?

18 (Five aye votes, no nay votes.)

19 CHAIRMAN VALENTIC: Okay. The public meeting has
20 been, I guess, we reopened it. Could you please come up?

21 Okay. Now that it's open to a public meeting again,
22 we can have a little more dialogue with you. So what we want,
23 I guess, what -- You've heard the discussion here. We
24 would -- You would have to make a statement that you would be
25 -- you'd want to table your variance appeal to the next month
26 and come back for another vote, but what we're saying, what
27 you are hearing us say is that maybe with some more
28 information, some letters of support, some of that stuff to
29 help.

30 MS. DeBLASIO: We'll have someone make that, a plan,

1 a drawing and everything.

2 MR. HAMILTON: Yeah, right. And keep in mind the
3 discussion that we've had regarding the square footage and
4 what is allowed and what is not allowed, what we're likely to
5 consider in our decision regarding square footage and the
6 location of the building.

7 MS. DeBLASIO: So when you go to the builder,
8 whoever he is, the Amish man or whoever --

9 MR. DeBLASIO: I've got to go with a smaller
10 building. Is that what you're saying?

11 MR. HAMILTON: That's your decision.

12 MR. DeBLASIO: That's my decision.

13 MR. HAMILTON: But I think you've heard our
14 discussion.

15 MR. DYNES: I think what you are hearing from us is
16 this is a Board that doesn't like to tell people no if we
17 don't have to. We will try to be as friendly to the Concord
18 residents as we can. We appreciate you're here. The more
19 information you can give to us to help us make a decision that
20 might benefit you, the better.

21 MR. DeBLASIO: Okay.

22 MS. DeBLASIO: Do I have this right in my head
23 that --

24 MS. JARRELL: Do you have a septic?

25 MR. DeBLASIO: No.

26 MS. JARRELL: It's public.

27 MS. DeBLASIO: What you want to go with the --

28 MR. DeBLASIO: The size of the building and the
29 structure that's going to be looking like and where it's going
30 to be on the property.

1 MS. DeBLASIO: With the variance, I mean, with what
2 we are requesting, not wanting but requesting, or what you
3 are --

4 MR. DeBLASIO: Recommending.

5 CHAIRMAN VALENTIC: It's whatever you want to
6 request.

7 MS. DeBLASIO: Okay, okay.

8 MS. JARRELL: You've heard our discussion.

9 CHAIRMAN VALENTIC: You've heard our discussion, so
10 you know what we're looking for.

11 MS. DeBLASIO: Right.

12 CHAIRMAN VALENTIC: You came in today, probably hit
13 some of the hot button items that we're looking to get
14 addressed. So we're giving you a chance to come back in, if
15 you would like to do so --

16 MS. DeBLASIO: Yes.

17 CHAIRMAN VALENTIC: -- and try to address it maybe a
18 little bit more thoroughly to give you a better opportunity to
19 pass the variance. As of right now, we can go ahead and take
20 the vote if you want on both variances but that's, you know, I
21 am not sure how the vote would go but that's up to you.

22 MS. DeBLASIO: I have to ask. You are all --
23 You're invited to come out to look at the land if you choose
24 to.

25 CHAIRMAN VALENTIC: Okay.

26 MS. JARRELL: We definitely will.

27 MS. DeBLASIO: Yeah.

28 CHAIRMAN VALENTIC: So --

29 MR. DeBLASIO: All right. Let me get -- I am going
30 to go back out to the builder and tell him to draw me up a

1 sketch of the building and --

2 CHAIRMAN VALENTIC: Just think about the size and
3 what you want to present to the Board.

4 MR. DeBLASIO: Okay.

5 CHAIRMAN VALENTIC: And really come prepared to
6 state your case.

7 MR. DeBLASIO: Okay.

8 CHAIRMAN VALENTIC: Okay?

9 MS. JARRELL: Typically, what's presented is a site
10 plan, you know, a builder's site plan and some kind of
11 rendering as to what it will look like on the property.

12 MR. DeBLASIO: Okay.

13 CHAIRMAN VALENTIC: Where the drive will be.

14 MS. JARRELL: Right.

15 CHAIRMAN VALENTIC: You know, maybe show how the
16 cars lay out, whatever you feel like is going to help you.

17 MS. JARRELL: Whatever it's going to be, as much
18 information --

19 CHAIRMAN VALENTIC: The more we have, maybe it will
20 be a little bit easier for us to make a decision.

21 MR. DeBLASIO: Okay.

22 CHAIRMAN VALENTIC: So, for the record, can you
23 state that you're requesting to table your variance appeals
24 tonight?

25 MS. DeBLASIO: How do we say that? We're requesting
26 what?

27 CHAIRMAN VALENTIC: To table your variance appeals.

28 MS. DeBLASIO: To table the variance.

29 CHAIRMAN VALENTIC: Okay.

30 MR. DeBLASIO: Yeah.

1 MS. DeBLASIO: Meaning --

2 MR. DYNES: Both of them.

3 MS. JARRELL: Both variance requests.

4 MS. DeBLASIO: Both, yeah.

5 MS. FREEMAN: That would be until the August

6 meeting.

7 MS. DeBLASIO: Is that in August?

8 CHAIRMAN VALENTIC: Yes.

9 MS. DeBLASIO: Yeah, we are in July already.

10 MS. FREEMAN: It would be August 14th.

11 MS. DeBLASIO: August 14th. So we've got to work

12 hard to get that done before the 14th. Is that the next

13 meeting here?

14 MR. DeBLASIO: Meeting, yeah.

15 CHAIRMAN VALENTIC: Yes.

16 MS. DeBLASIO: The 14th?

17 CHAIRMAN VALENTIC: The 14th.

18 MS. DeBLASIO: Well, then you'll talk to --

19 CHAIRMAN VALENTIC: Okay.

20 MS. DeBLASIO: Okay. Thank you very much.

21 MR. HAMILTON: Thank you.

22 CHAIRMAN VALENTIC: Okay. So there is no -- You can

23 be seated. Okay. The public hearing for --

24 MS. FREEMAN: Mr. Chairman, were you going to make a

25 motion to table it then?

26 CHAIRMAN VALENTIC: Yes.

27 MS. FREEMAN: Okay.

28 CHAIRMAN VALENTIC: But -- Go ahead.

29 MS. FREEMAN: Go ahead. I was just making sure you

30 weren't moving on.

1 CHAIRMAN VALENTIC: But I have to close the public
2 meeting first.

3 MS. FREEMAN: No.

4 CHAIRMAN VALENTIC: I don't have to close the public
5 meeting?

6 MR. DYNES: Not right now.

7 CHAIRMAN VALENTIC: Okay. So I would like to have a
8 motion to table Variance Number 2019-47.

9 MR. HAMILTON: So moved.

10 MR. DYNES: Second.

11 CHAIRMAN VALENTIC: Okay. All in favor?

12 (Five aye votes, no nay votes.)

13 CHAIRMAN VALENTIC: Okay. It's been tabled and we
14 will see you next month.

15 Okay. Next is the approval of minutes. I don't
16 know who was here at the last meeting.

17 MS. JARRELL: I am abstaining. I was not here.

18 MR. SWEENEY: I was.

19 MR. DYNES: I was not.

20 CHAIRMAN VALENTIC: You are abstaining as well?

21 MR. SWEENEY: Blair and I were.

22 MR. HAMILTON: We were here.

23 CHAIRMAN VALENTIC: Okay.

24 MR. HAMILTON: The three of us.

25 CHAIRMAN VALENTIC: All right. So the approval of
26 the minutes from June 12, 2019, can I have a motion to approve
27 the minutes?

28 MR. HAMILTON: So moved.

29 CHAIRMAN VALENTIC: Second?

30 MR. SWEENEY: Second.

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CHAIRMAN VALENTIC: All right. Any discussion or deletions to the minutes?

MR. HAMILTON: No.

CHAIRMAN VALENTIC: Okay. I'm looking for approval of the minutes for June 12, 2019, as written. All in favor?

(Three aye votes, no nay votes, two abstentions.)

CHAIRMAN VALENTIC: All right. The minutes have been approved.

The Concord Township meeting for July 10, 2019, is now closed.

(Whereupon, the meeting was adjourned at 7:39 p.m.)

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 proceedings were
7 reduced by me to stenotype shorthand, subsequently
8 transcribed into typewritten manuscript; and that the
9 foregoing is a true and accurate transcript of said
10 proceedings so taken as aforesaid.

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

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

17 IN WITNESS WHEREOF, I have hereunto set my hand
18 and affixed my seal of office this 25th day of July 2019.

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Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2023