

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

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

September 11, 2019
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Board of Zoning Appeals members present:

Francis Sweeney, Vice Chairman
Blair Hamilton, Member
Brandon Dynes, Member
James Rowe, Alternate Member
Todd Golling, Alternate 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 7:04 p.m.

2 VICE CHAIRMAN SWEENEY: Good evening. My name is
3 Francis Sweeney. I am the substitute chair for the Concord
4 Board of Zoning Appeals, and this is the meeting for
5 September 11, 2019. Again, I am the substitute chair for Ivan
6 Valentic and to my right is Blair Hamilton, Jim Rowe, Brandon
7 Dynes, and Todd Golling, sitting in for --

8 MR. GOLLING: Ivan.

9 VICE CHAIRMAN SWEENEY: -- sitting in for Ivan. All
10 right.

11 Under advice of counsel, all those who will be
12 testifying this evening must be sworn in. If you plan on
13 speaking, please stand and raise your right hand.

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

15 VICE CHAIRMAN SWEENEY: Heather, were all the legal
16 notices published in a timely manner?

17 MS. FREEMAN: Yes.

18 VICE CHAIRMAN SWEENEY: Tonight we have two matters,
19 one is old business. This is Appeal Number 2018-41, Mr. Randy
20 Viviani. We received notice from Mr. Lucas, our counsel, that
21 Mr. Viviani requested a continuation of that hearing, so that
22 hearing will be tabled yet again.

23 And the only other, the only other matter we have is
24 a matter of new business and this is Variance Number 209-50
25 (sic.), Mr. Richard B. (Mike) Warner is requesting a variance
26 from Section 15.03(A), Table 15.03-1, to allow an accessory
27 building to be 1,344 square feet in lieu of the maximum 1,024
28 square feet permitted for the property located at 6901 Ravenna
29 Road.

30 Mr. Warner, if you approach, you may approach and

1 present your variance request.

2 MR. WARNER: The last time I was here was helping
3 you guys but now I need just a little bit of help. I think
4 we've filed everything accordingly. What I need is I'm trying
5 to get everything under one --

6 VICE CHAIRMAN SWEENEY: Oh, please -- I am sorry --
7 please state your name and address for the record.

8 MR. WARNER: Richard Mike Warner, 6901 Ravenna Road,
9 Concord Township.

10 VICE CHAIRMAN SWEENEY: Thank you.

11 MR. ROWE: And you were sworn in?

12 VICE CHAIRMAN SWEENEY: Yes.

13 MR. ROWE: I mean, you have to confirm that you were
14 sworn in.

15 VICE CHAIRMAN SWEENEY: And you have been sworn in?

16 MR. WARNER: Oh, yes. Thank you.

17 MR. ROWE: Thank you.

18 MR. WARNER: No, no problem. I remember watching
19 all you guys. I am glad I was over on this side helping you
20 instead of sitting over there, especially when you get things
21 like that coming in that give you a hard time.

22 MR. ROWE: It's pretty rare.

23 MR. WARNER: You've just got to do your job and
24 that's all you guys are doing.

25 So, anyway, what I am trying to do is put everything
26 under one roof. I have an antique car that's being painted
27 right now and I'd like to keep it inside and I don't like
28 keeping vehicles outside, and this looked like the best option
29 I had where I can put that out and I'll open it up into the
30 other shop and then I'll park -- I told Heather I wanted it

1 agriculture because I'm going to put four horses in there,
2 four iron horse. My motorcycles will go up in there and the
3 car will go where the motorcycles are at.

4 VICE CHAIRMAN SWEENEY: All right.

5 MR. DYNES: One of the questions I have --

6 MR. WARNER: Yes.

7 MR. DYNES: If you don't mind, I think maybe it's
8 something I missed. I think, in your application the request
9 is, in fact, 1,344 square feet. But when I looked at the
10 notes from our folks at Concord and I did the math, that
11 provided 1,324, so 20 feet less. But I am going to presume,
12 Mr. Warner, that your application is, in fact, the correct
13 number.

14 MR. WARNER: Yes.

15 MR. DYNES: So it is 1,344?

16 MR. WARNER: Correct.

17 MR. DYNES: Thank you.

18 VICE CHAIRMAN SWEENEY: So are we talking about an
19 additional accessory building?

20 MR. WARNER: No, just add onto the one I have.

21 VICE CHAIRMAN SWEENEY: Right, added onto the
22 existing one.

23 MR. WARNER: Yes, yes.

24 VICE CHAIRMAN SWEENEY: And that is shown in --

25 MR. WARNER: A couple of these drawings.

26 MR. ROWE: A couple of the drawings.

27 VICE CHAIRMAN SWEENEY: Yeah, one of the pictures
28 shows --

29 MR. WARNER: You should see some --

30 VICE CHAIRMAN SWEENEY: -- the area it will take up

1 approximately?

2 MR. WARNER: Yes.

3 VICE CHAIRMAN SWEENEY: Okay. And you have a
4 16-foot section there?

5 MR. WARNER: Yes.

6 VICE CHAIRMAN SWEENEY: And then that's where it
7 will come off of the existing building?

8 MR. WARNER: Correct.

9 VICE CHAIRMAN SWEENEY: Will it be -- Will the wall
10 be torn down and they, and they be conjoined or --

11 MR. WARNER: Yes. I'll put a garage door up -- I
12 don't think I'll put a garage door. I'll just leave it open
13 so that the furnace heats both sides so I don't have to put an
14 additional furnace in there.

15 MR. HAMILTON: That was one of my questions. The
16 egress and ingress, it's all going to be contained from the --

17 MR. WARNER: It's more for a security thing than me
18 trying to get out of the place. Yeah, I -- There is no
19 windows in that section that's there now and it's all because
20 when -- Originally, I wanted to put that garage parallel to
21 Fay with the garage door facing us so that I had better access
22 and a view of it. But because I didn't want to do a variance
23 while I was still working here, it was easier to put it that
24 way. And I said no windows because, that way, you don't have
25 to worry about security.

26 And being next to the bike path and the highway like
27 that, we haven't had any issues for a long time, not since the
28 first, when the first bike path -- When the bike path first
29 opened up, we had some stuff stolen out of a car because my
30 wife forgot to lock it up. So did the neighbors. So they

1 caught those guys and stuff was returned. But other than
2 that, there's really not been any issues except for the
3 Greenway shooting that we had up the street. But I like to
4 keep it secure. That's why.

5 VICE CHAIRMAN SWEENEY: I assume it will incorporate
6 the same sort of architecture.

7 MR. WARNER: It will look -- I don't want it to not
8 look the same. I want to blend right in with the vinyl
9 siding. The only thing I'm going to do is I'm probably going
10 to put tubing in the concrete when I pour it in case I decide
11 to go with hot water heat in that side of the building because
12 I have water, oil -- or water, gas and electric down into that
13 shop.

14 VICE CHAIRMAN SWEENEY: It looks good to me. Does
15 anybody have any questions?

16 MR. DYNES: I don't have any questions.

17 VICE CHAIRMAN SWEENEY: Did you run this past your
18 -- It looks like you only have one neighbor that abuts you.

19 MR. WARNER: Yes, the bike path down there.

20 VICE CHAIRMAN SWEENEY: Well, no, to your --

21 MR. WARNER: To the south?

22 VICE CHAIRMAN SWEENEY: To your south.

23 MR. WARNER: Nagys.

24 VICE CHAIRMAN SWEENEY: Are they okay with it?

25 MR. WARNER: They never said a word about it.

26 VICE CHAIRMAN SWEENEY: All right.

27 MR. WARNER: And they got a letter, too, just like
28 everybody did.

29 VICE CHAIRMAN SWEENEY: Right, they were served.
30 Okay. And then you have Fay to your north, bike path to your

1 east, and Ravenna to your west.

2 MR. WARNER: Yes.

3 VICE CHAIRMAN SWEENEY: Okay.

4 MR. WARNER: It's a good lot to be on other than the
5 hill. Just got to get used to the hill. When I first started
6 in Concord, I had a Crown Vic when I first moved in there.
7 And I pulled out of the garage and it was a little icy and,
8 fortunately, nobody was coming. I ended up in the middle of
9 Ravenna. So I use a lot of salt. That's why that's asphalt
10 and then the garage down there is concrete. So I don't put
11 any salt down there but I do pour a lot of salt on that hill.

12 MR. ROWE: Sliding into traffic is not very
13 comforting.

14 MR. WARNER: Well, I was very -- Especially, I was
15 in Concord's car. That was even worse.

16 MR. ROWE: Could have damaged your own.

17 VICE CHAIRMAN SWEENEY: Any other questions?

18 MR. HAMILTON: I do not.

19 VICE CHAIRMAN SWEENEY: Todd?

20 MR. GOLLING: No.

21 VICE CHAIRMAN SWEENEY: All right. No one else is
22 here but if there is anyone else who would like to speak,
23 please approach now.

24 All right. I guess we can close.

25 MR. DYNES: I would move to --

26 VICE CHAIRMAN SWEENEY: Oh, I'll entertain a motion
27 to close the public hearing on this variance.

28 MR. DYNES: So moved.

29 MR. ROWE: Second.

30 VICE CHAIRMAN SWEENEY: Okay. Discussion?

1 MR. GOLLING: I think it will blend right in. It's
2 not going to look too crowded out there and, yeah --

3 VICE CHAIRMAN SWEENEY: I don't see a problem with
4 it.

5 MR. HAMILTON: Not at all. It fits in with the, you
6 know, the surrounding area. It's about a 25 percent variance,
7 so it's not too outlandish.

8 MR. DYNES: The key is it's all open into one
9 another, whereas, it's not two separate buildings and it's not
10 certainly -- it becomes one building.

11 MR. ROWE: Somewhat oversized but, with everything
12 else, fine and dandy.

13 VICE CHAIRMAN SWEENEY: All right. If there's no
14 further --

15 MR. ROWE: Almost sounds like it's going to pass
16 but --

17 VICE CHAIRMAN SWEENEY: If there's no further
18 discussion, we'll find out if it's going to pass.

19 Heather, take a roll.

20 MS. FREEMAN: You need a motion.

21 MR. DYNES: I'll move --

22 VICE CHAIRMAN SWEENEY: I will entertain a motion.

23 MR. DYNES: I will move to approve Variance Number
24 2019-50.

25 MR. ROWE: I'll second.

26 MS. FREEMAN: Mr. Dynes?

27 MR. DYNES: Yes.

28 MS. FREEMAN: Mr. Rowe?

29 MR. ROWE: Yes.

30 MS. FREEMAN: Mr. Golling?

1 MR. GOLLING: Yes.

2 MS. FREEMAN: Mr. Sweeney?

3 VICE CHAIRMAN SWEENEY: Yes.

4 MS. FREEMAN: And Mr. Hamilton?

5 MR. HAMILTON: Yes.

6 VICE CHAIRMAN SWEENEY: All right.

7 MS. FREEMAN: It's approved.

8 VICE CHAIRMAN SWEENEY: All right. Your variance
9 has been approved, Mr. Warner. Congratulations.

10 MR. WARNER: Thank you very much.

11 VICE CHAIRMAN SWEENEY: It's good to see you.

12 MR. WARNER: Thank you. It's good to see all of you
13 again. Thank you for your time and allowing me to get this
14 taken care of. I've put it off for a couple years.

15 VICE CHAIRMAN SWEENEY: It's good. It's exciting.
16 All right. If there is no other business, I would
17 like to move to approve the minutes of the August 14th
18 meeting. Has everyone read the minutes? I haven't but --

19 MR. HAMILTON: Yes. No comments.

20 MR. ROWE: I found two cheesy ones. Page 27.

21 Unfortunately, I didn't mark the line down. There's a
22 reference to the gross vehicle weight being 2,400 pounds and
23 it should be 24,000. Somewhere on -- I'm pretty sure it was
24 on page 27.

25 Page 33, line 3, I'm sure what was said was "three
26 vehicles" aren't there, not "three weeks."

27 VICE CHAIRMAN SWEENEY: Oh, good eye.

28 MR. GOLLING: Like Rainman.

29 VICE CHAIRMAN SWEENEY: Is that it?

30 MR. ROWE: That's it.

1 VICE CHAIRMAN SWEENEY: Okay.

2 MR. ROWE: There you have it.

3 VICE CHAIRMAN SWEENEY: So a motion to approve the
4 minutes of the meeting of August 14th.

5 MR. HAMILTON: So moved.

6 MR. DYNES: Subject to the revisions by Mr. Rowe.

7 VICE CHAIRMAN SWEENEY: Subject to the revisions.

8 MR. HAMILTON: So moved.

9 MR. ROWE: By acclamation?

10 VICE CHAIRMAN SWEENEY: All in favor say "aye."

11 MR. DYNES: You need a second. I've got to abstain.
12 I was waiting for the second but I'll abstain. I wasn't here.

13 MR. GOLLING: I'll second.

14 VICE CHAIRMAN SWEENEY: All in favor say "aye."
15 All in opposition?

16 MS. FREEMAN: I didn't catch who voted.

17 MR. HAMILTON: Me.

18 VICE CHAIRMAN SWEENEY: Us three.

19 MS. FREEMAN: Oh, you three?

20 VICE CHAIRMAN SWEENEY: Two abstentions.

21 MS. FREEMAN: Okay.

22 MR. DYNES: No, no. Todd voted.

23 VICE CHAIRMAN SWEENEY: He did?

24 MR. DYNES: Uh-huh.

25 THE REPORTER: Were you there?

26 MR. GOLLING: Yes.

27 MR. ROWE: He was there.

28 THE REPORTER: So Todd seconded.
29 Brandon, were you the only one to abstain?

30 MR. DYNES: Abstain, correct.

1 VICE CHAIRMAN SWEENEY: Actually, technically, I
2 have to abstain because I was not present at that meeting
3 either because, if you were there, I wasn't.

4 MR. ROWE: And he was.

5 VICE CHAIRMAN SWEENEY: Right.

6 MR. ROWE: So you weren't.

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

8 VICE CHAIRMAN SWEENEY: Thank you. All right.
9 If there's no further matters, this will conclude the
10 September 11th meeting of the Concord Township Board of Zoning
11 Appeals. Thank you.

12 (Whereupon, the meeting was adjourned at 7:17 p.m.)

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

STATE OF OHIO)
COUNTY OF CUYAHOGA)

CERTIFICATE

I, Melinda A. Melton, Registered Professional Reporter, a notary public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that, to the best of my ability, the foregoing proceedings were 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.

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.

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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 19th day of September 2019.

Melinda A. Melton

Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2023