

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

Held via Webex Teleconference
and YouTube Live Streaming

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

January 13, 2021
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Board of Zoning Appeals members present:

Ivan Valentic, Chairman
Blair Hamilton, Member
Francis Sweeney, Member
Brandon Dynes, Member
Todd Golling, Alternate Member

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning
Inspector
Abigail Bell, Esq., Legal Counsel (via Webex)

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

7:03 p.m.

1
2 CHAIRMAN VALENTIC: Good evening. The Concord
3 Township Board of Zoning Appeals meeting for January 13, 2020
4 (sic), is now in session. I would like to introduce my board.
5 To my far left is Skip Sweeney and Brandon Dynes. I am Ivan
6 Valentich. To my right is Todd Golling and Blair Hamilton, and
7 to our far right is Heather Freeman, our township Zoning
8 Inspector.

9 Under the advice of counsel, we ask that anyone
10 speaking tonight must be sworn in. If you plan on speaking,
11 please stand and raise your right hand. I'd ask that anybody
12 that's on the phone, I am going to swear you in at this time,
13 also, so please raise your right hand and be prepared to be
14 sworn in. Can you hear me okay on the phone?

15 MR. MYERS: Yes.

16 MS. BELL: Yes.

17 CHAIRMAN VALENTIC: Great.

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

19 CHAIRMAN VALENTIC: Okay. This evening, since there
20 is nobody here, but when you present your case, state your
21 name and your address for the record and confirm that you've
22 been sworn in.

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

25 MS. FREEMAN: Yes.

26 CHAIRMAN VALENTIC: Great. We have two items for
27 Old Business and one item for New Business. A three-vote
28 majority is required to either approve or deny the appeal. If
29 your request is denied, you have the right to file an appeal.

30 So first in Old Business is Appeal Number 2018-41,

1 Randy Viviani, of 7757 Concord LLC. This appeal has been
2 tabled for a long time and it is going to continue to be
3 tabled, per their request.

4 The next item is Variance 2020-72, James and Marian
5 Mantel. This actually was recessed last time in our last
6 meeting, so we actually need a motion and a second and a vote
7 to recess it again until next month. They requested that. So
8 I was hoping to get a motion from somebody to recess this
9 appeal.

10 MR. SWEENEY: So moved.

11 CHAIRMAN VALENTIC: Second?

12 MR. HAMILTON: Second.

13 CHAIRMAN VALENTIC: All right. Heather, do you want
14 to call the vote?

15 MS. FREEMAN: Sure. Mr. Hamilton?

16 MR. HAMILTON: Yes.

17 MS. FREEMAN: Mr. Golling?

18 MR. GOLLING: I wasn't here. Abstain.

19 MS. FREEMAN: We're just --

20 MR. GOLLING: Oh, yes. Sorry.

21 MS. FREEMAN: Mr. Dynes?

22 MR. DYNES: Yes.

23 MS. FREEMAN: And Mr. Sweeney?

24 MR. SWEENEY: Yes.

25 MS. FREEMAN: And Mr. Valentic?

26 CHAIRMAN VALENTIC: Yes.

27 Okay. That will be recessed until our next meeting.

28 Then our New Business is Variance Number 2020-73,
29 ProBuilt Homes, on behalf of the property owner, Concord
30 Preserve LLC, is requesting a variance from Section

1 34.04(A)(1) to allow the construction of an eight foot high
2 fence in lieu of the maximum four foot high fence to be
3 located along the side property line that extends into the
4 front yard for the property located at 11474 Concord Hambden
5 Road, current parcel number 08-A-013-0-00-065-0.

6 My understanding is somebody will be presenting from
7 the phone. So whoever is going to be presenting the case,
8 again, please state your name, your address, and confirm that
9 you've been sworn in. You can go ahead and present.

10 MR. MYERS: Oh, I am first? Okay. All right. Hi,
11 this is Robert Myers, with ProBuilt Homes. Our physical
12 address, 9124 Tyler Boulevard in Mentor, Ohio.

13 As you can see in the packet that I sent you --

14 CHAIRMAN VALENTIC: And you've been sworn in, sir?

15 MR. MYERS: Pardon? And I did get sworn in, yes. I
16 did raise my hand and say "I do."

17 CHAIRMAN VALENTIC: Okay. Sorry. Thank you.

18 MR. MYERS: You are welcome. Sorry. So we built
19 these duplexes over there on Concord Hambden, right in your
20 guys' back yard, practically. And as you can see, we put in a
21 fence. But that landscaping company there along the property
22 line has a bunch of hills and things, and so we're trying to
23 keep and put the trees to try to create some space but we'd
24 like to go ahead and continue the white fence up to the
25 property line, obviously, not hitting that, not going into any
26 of the easement part but just kind of finishing it off so
27 that, for safety reasons but also for aesthetics. We're more
28 concerned about those machines there. If there is any young
29 children that rent those properties, you know, or actually
30 live in this property, we don't want them crawling over there

1 and playing on those machines or anything.

2 So that's what we're asking for. We think it's
3 pretty, you know, self-explanatory, but if you have any
4 questions, I am happy to speak to it.

5 CHAIRMAN VALENTIC: So I do have one quick question
6 then. So that house has not, or that property has not been
7 sold?

8 MR. MYERS: It has not been sold, no.

9 CHAIRMAN VALENTIC: Okay. Anyone else have any
10 questions from the board? Skip.

11 MR. SWEENEY: I just want to clarify your question.
12 You were asking which property has not been sold?

13 CHAIRMAN VALENTIC: Yeah, the property in question
14 here.

15 MR. SWEENEY: Okay. I don't think it will be sold.

16 MR. MYERS: No.

17 MR. SWEENEY: Because they're being, they're rental
18 units.

19 CHAIRMAN VALENTIC: Okay.

20 MR. MYERS: Correct.

21 MR. SWEENEY: Is that what I gather, these are going
22 to be rental units?

23 MR. MYERS: Yeah, that is correct.

24 MR. SWEENEY: Okay.

25 CHAIRMAN VALENTIC: Okay. Anyone else have any
26 further questions? Okay. Thank you.

27 I am not sure if there is anybody else on the phone
28 that would like to speak for or against this appeal.

29 MS. FREEMAN: I do not see anyone else.

30 CHAIRMAN VALENTIC: Okay. We don't see anybody

1 else, okay. Everyone on the board is good then?

2 All right. Thank you for --

3 MR. MYERS: You're welcome.

4 CHAIRMAN VALENTIC: -- your presentation and
5 clarifying that. If there is no one else speaking for or
6 against this appeal, the public hearing for Variance Number
7 2020-73 is now closed to the public. Can I get a motion to
8 approve Variance 2020-73?

9 MR. DYNES: So moved.

10 MR. SWEENEY: Second.

11 CHAIRMAN VALENTIC: All right. Thank you, Skip.
12 Discussion for the board? Anyone got anything?

13 Okay. So the question is on the approval of
14 Variance 2020-73. A yes vote approves the variance, a no vote
15 denies it. Heather, please call the vote.

16 MS. FREEMAN: Mr. Sweeney?

17 MR. SWEENEY: Yes.

18 MS. FREEMAN: Mr. Dynes?

19 MR. DYNES: Yes.

20 MS. FREEMAN: Mr. Golling?

21 MR. GOLLING: Yes.

22 MS. FREEMAN: Mr. Hamilton?

23 MR. HAMILTON: Yes.

24 MS. FREEMAN: Mr. Valentic?

25 CHAIRMAN VALENTIC: Yes.

26 Your variance has been approved. Thank you.

27 MR. MYERS: Thank you.

28 CHAIRMAN VALENTIC: So next on the agenda is
29 approval of the minutes from December 9th meeting. I was
30 here, Blair, and Skip, we were here. So we can go ahead and

1 kind of go through that. Can I get a motion to approve the
2 minutes from 12/9/2020?

3 MR. HAMILTON: So moved.

4 MR. SWEENEY: I'll second.

5 CHAIRMAN VALENTIC: Is there any modifications or
6 changes to the minutes?

7 MR. HAMILTON: No.

8 CHAIRMAN VALENTIC: Okay. Then can I get a vote to
9 approve the minutes as written from 12/9/2020? A yes vote
10 approves the minutes, a no vote does not. All in favor say
11 "aye."

12 MR. DYNES: Abstain.

13 MR. GOLLING: Abstain.

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

15 CHAIRMAN VALENTIC: Thank you. All right. So the
16 minutes from December 9, 2020, have been approved.

17 Our next meeting will be in February -- I don't have
18 the date -- oh, February 10, 2021. Thank you. And the
19 Concord Township Board of Zoning Appeals meeting is now
20 closed.

21 (Whereupon, the meeting was adjourned at 7:08 p.m.)

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STATE OF OHIO)
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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 proceeding extension 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 extension 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 28th day of January 2021.

Melinda A. Melton
Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2023

