

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

February 10, 2021  
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Board of Zoning Appeals members present:

Ivan Valentic, Chair  
Chris Jarrell, Member  
Todd Golling, Alternate Member  
James Rowe, Alternate Member

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning  
Inspector  
Marty Pitkin, Assistant Zoning Inspector  
Stephanie Landgraf, Esq., Legal Counsel

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

1 7:00 p.m.

2 CHAIRMAN VALENTIC: Good evening. The Concord  
3 Township Board of Zoning Appeals meeting for February 10,  
4 2021, is now in session. I would like to introduce my board.  
5 To my far left is Jim Rowe and Todd Golling. I am Ivan  
6 Valentich. To my right is Chris Jarrell, and to our far right  
7 is Heather Freeman, our Zoning Inspector.

8 Under the advice of counsel, we ask that anyone  
9 speaking tonight must be sworn in. If you plan on speaking,  
10 please stand and raise your right hand so I can swear you in.

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

12 CHAIRMAN VALENTIC: Thank you. Please be seated.  
13 This evening just remember when you're presenting to come to  
14 the microphone and state your name and address for the record.

15 Heather, were the legal notices published in a  
16 timely manner?

17 MS. FREEMAN: Yes.

18 CHAIRMAN VALENTIC: We have two items on Old  
19 Business and two items for New Business. So first on Old  
20 Business, Appeal Number 2018-41, Randy Viviani, of  
21 7757 Concord LLC. That is continued to be tabled, correct?

22 Next is Variance 2020-72, James and Marian Mantel.  
23 This one is continued to be recessed.

24 MS. FREEMAN: Yes.

25 CHAIRMAN VALENTIC: Okay. We will hopefully get to  
26 revisit both of those sometime soon.

27 Next is New Business. We have Variance Number  
28 2021-74, Jon Lassiter is requesting a variance from  
29 Section 15.03(A)(6) to allow for the construction of an  
30 accessory building to be 2,560 square feet in lieu of the

1 maximum 1,532 square feet permitted for the property located  
2 at 12364 Concord-Hambden Road, current parcel number  
3 08-A-002-0-00-039-0.

4 Mr. Lassiter, please come on up.

5 MR. LASSITER: Jon Lassiter, 12364 Concord-Hambden  
6 Road.

7 CHAIRMAN VALENTIC: You've been sworn in?

8 MR. LASSITER: Yes.

9 CHAIRMAN VALENTIC: Thank you. Do you want to go  
10 ahead and just present your case and we will ask you  
11 questions.

12 MR. LASSITER: So, basically, what I am looking to  
13 do is construct one building the size of 2,560 square feet in  
14 lieu of having to build two buildings to suit my needs. One  
15 of the main reasons I'd like to do that is mainly for looks.  
16 I feel that, you know, trying to preserve the nature of our  
17 community in putting up multiple buildings in a row, I don't  
18 feel would suit the neighborhood very well. Beyond that, it  
19 would require me cutting down a lot more trees and things of  
20 that nature.

21 Along with this, I would be able to use my existing  
22 driveway that I already had going to the back. I'm planning  
23 on, you know, facing the building the narrow side towards the  
24 street so it would be minimal frontage. I also have this  
25 building situated all the way to the back of the property  
26 where it's not really going to be very visible from the road.

27 CHAIRMAN VALENTIC: So are you tearing down a  
28 building to put this one up in its place?

29 MR. LASSITER: No, sir.

30 CHAIRMAN VALENTIC: So that existing shed is going

1 to stay?

2 MR. LASSITER: Correct.

3 CHAIRMAN VALENTIC: And then just for the record,  
4 the square footage or the acreage for the property there is,  
5 that's 2.7370 acres. That includes out to the road?

6 MR. LASSITER: No, that includes beyond the setback,  
7 I believe. Am I correct in saying that, Heather?

8 MS. FREEMAN: That includes the right-of-way.

9 CHAIRMAN VALENTIC: That includes the right-of-way?

10 MS. FREEMAN: Yeah. So the .1972 per the plan by  
11 Barrington excludes the right-of-way.

12 CHAIRMAN VALENTIC: Okay. That excludes the right-  
13 of-way?

14 MS. FREEMAN: Correct.

15 CHAIRMAN VALENTIC: Okay. What are you going to do  
16 with the building?

17 MR. LASSITER: So I have a classic car collection  
18 and I also have a boat, ATVs, things of that nature. So,  
19 currently, I have my stuff kind of scattered around. I am  
20 borrowing some space from the neighbor and, you know, I just  
21 don't have enough space for everything that I have.

22 MS. JARRELL: What's in the building that's there?

23 MR. LASSITER: So, right now, I have two of my  
24 classic cars and some ATVs. My plan was to use this building,  
25 the building I am proposing, as storage and use the building I  
26 have for workspace to actually work on these cars. It's a  
27 hobby of mine.

28 MR. ROWE: Jon, what's the size of the existing?

29 MR. LASSITER: The existing building is 32 by 32,  
30 which was the maximum I was allowed to build before I acquired

1 the properties next to mine.

2 MR. ROWE: Okay. Thanks.

3 MR. LASSITER: Yeah.

4 MS. JARRELL: Do you have an RV as well?

5 MR. LASSITER: Yeah.

6 MS. JARRELL: That's going to go into the big  
7 building?

8 MR. LASSITER: Yeah.

9 MS. JARRELL: Where is that, just sitting out right  
10 now?

11 MR. LASSITER: Yeah.

12 MS. JARRELL: You've got a lot of stuff.

13 MR. LASSITER: I do, I do. Fortunately, this year,  
14 with everything that was going on, you know, having the ATVs  
15 and that other stuff made it, I mean, we used it more than we  
16 ever did but --

17 MS. JARRELL: Yeah, that's cool.

18 MR. GOLLING: Jon, are you right on the county line?

19 MR. LASSITER: I don't believe so.

20 MR. GOLLING: How close are you to Geauga? I was  
21 just trying to map your --

22 MR. LASSITER: Not too far. I believe Geauga starts  
23 on the other side of the hill by Big Creek there.

24 MR. GOLLING: Okay. Just trying to get my bearings.

25 MR. LASSITER: Yeah. Along with that, I know that  
26 plan that you guys had, you know, that was kind of a generic  
27 that I pulled up from the internet. I do plan to roof and  
28 side this to match my home and the existing garage. You know,  
29 we want to look at something nice.

30 MS. JARRELL: So the existing building already

1 matches your house?

2 MR. LASSITER: Correct.

3 CHAIRMAN VALENTIC: And you understand it's a pretty  
4 big variance request, too.

5 MR. LASSITER: I do. However, at the same time,  
6 it's actually less square footage than building two 1,532  
7 square foot buildings. I am just trying to kind of find a  
8 compromise and do the right thing here as far as, you know,  
9 what's going to look best for the area. And, you know,  
10 neighbors have to look at it as well. So --

11 CHAIRMAN VALENTIC: Yeah, I am sure they appreciate  
12 you pushing it all the way to the back. And we did get two  
13 letters came in supporting the request as well from the  
14 neighbors, did support it.

15 Jim or Todd, do you have any other questions?

16 MR. GOLLING: I read the letters. They're  
17 supportive.

18 MR. ROWE: No.

19 CHAIRMAN VALENTIC: You good?

20 MR. ROWE: Good, yeah.

21 CHAIRMAN VALENTIC: You got anything else?

22 MS. JARRELL: No. I am good.

23 CHAIRMAN VALENTIC: Okay. You can be seated.

24 MS. LANDGRAF: Mr. Chairman, you might want to  
25 explain the procedure that there is a five-member board and  
26 only four here.

27 CHAIRMAN VALENTIC: Oh, thank you. I apologize.  
28 Just so you know, we usually have five. We have four this  
29 evening. It still requires a majority to pass. You could  
30 table this and wait till next month when we have a majority or

1 you can continue with the vote this evening.

2 MR. LASSITER: You know what? Let's continue.

3 CHAIRMAN VALENTIC: Let's continue?

4 MR. LASSITER: Yeah.

5 CHAIRMAN VALENTIC: Okay.

6 MS. LANDGRAF: By "continue," you mean go forward  
7 tonight, right?

8 MR. LASSITER: Correct.

9 CHAIRMAN VALENTIC: Okay. Thank you. We will go  
10 forward tonight.

11 Thank you for reminding me, Stephanie. Sorry.

12 Is there anybody else here that is speaking for this  
13 appeal that would like to come up?

14 MR. HEMPHILL: John Hemphill, 12367 Concord-Hambden  
15 Road. My house is across the street from Mr. Lassiter's.

16 CHAIRMAN VALENTIC: Sir, you've been sworn in?

17 MR. HEMPHILL: Yes, I was.

18 CHAIRMAN VALENTIC: Thank you.

19 MR. HEMPHILL: And every morning when I drive out of  
20 my driveway, I would rather see two buildings instead of three  
21 buildings on the property. And to the house to the south of  
22 Mr. Lassiter, Mr. Chaffee has a large structure there at the  
23 present time which is larger than his buildings together. So  
24 I don't see where there would be a problem of giving him the  
25 variance for one larger building than two smaller buildings.

26 CHAIRMAN VALENTIC: Okay.

27 MR. HEMPHILL: Thank you.

28 CHAIRMAN VALENTIC: Thank you. Is there anyone else  
29 speaking for this appeal? (No response.) Is there anyone  
30 that would like to come up that is speaking, that would like

1 to speak against the appeal? (No response.)

2 If there is no further questions, the public hearing  
3 for Variance Number 2021-74 is now closed to the public. Can  
4 I get a motion to approve the variance?

5 MS. JARRELL: So moved.

6 MR. ROWE: So moved.

7 MR. GOLLING: Second.

8 CHAIRMAN VALENTIC: You can figure out who got that  
9 first one. All right. Any discussion? Anyone have anything  
10 they would like to add, open discussion on the board?

11 MR. GOLLING: Yeah. I am on kind of the same page  
12 that he could build four 1,500 square foot buildings on his  
13 property. He doesn't have a limit. And the compromise here,  
14 although it's a pretty big variance, it's still, in my eyes,  
15 just makes sense that, you know, why make him build two when  
16 one would suffice. And I realize we have rules specifically  
17 for this purpose but it just -- He's not limited by how many  
18 buildings he can build. Therefore, it just would make more  
19 sense for one.

20 CHAIRMAN VALENTIC: Okay. Anyone? Jim?

21 MS. JARRELL: Well said.

22 CHAIRMAN VALENTIC: Do you have anything to add,  
23 Jim?

24 MR. ROWE: No.

25 CHAIRMAN VALENTIC: No, okay. Sounds good. I don't  
26 have anything else.

27 Heather, I guess the question is the approval of  
28 Variance Number 2021-74. A yes vote approves the variance, a  
29 no vote denies it. Heather, please call the vote.

30 MS. FREEMAN: Mr. Golling?

1 MR. GOLLING: Yes.

2 MS. FREEMAN: Mr. Rowe?

3 MR. ROWE: Yes.

4 MS. FREEMAN: Ms. Jarrell?

5 MS. JARRELL: Yes.

6 MS. FREEMAN: And Mr. Valentic?

7 CHAIRMAN VALENTIC: Yes.

8 Your variance has been approved.

9 MR. LASSITER: Thank you.

10 CHAIRMAN VALENTIC: Thank you. Thank you for coming  
11 out and supporting your neighbor.

12 MR. HEMPHILL: Thank you.

13 MR. LASSITER: Appreciate it.

14 CHAIRMAN VALENTIC: All right. Next is Conditional  
15 Use Permit 2021-14, Brandon Dynes, of IN9 Group, LLC, is  
16 requesting four conditional use permits for the property  
17 located on Gold Court known as current parcel number  
18 08-A-020-B-00-002-0, as follows: To operate a drive-thru  
19 facility in accordance with Section 13.17; to operate a  
20 counter service restaurant in accordance with Section 13.20;  
21 Number 3, to operate an outdoor dining area in accordance with  
22 Section 13.33; and Number 4, to operate a car wash in  
23 accordance with Section 13.26.

24 Good evening.

25 MR. DYNES: Thank you, Mr. Chairman. May it please  
26 the board, my name is Brandon Dynes, address is 100 7th  
27 Avenue, Suite 150, Chardon Ohio 44024. And, yes, I have been  
28 sworn in.

29 Thank you, first, for your time here this evening.  
30 I appreciate the hard work that each of you do as a member of

1 this board and the time you spend away from your families in  
2 the evening to hear these appeals. Certainly, each of them  
3 have their own merits and characteristics, which we all find  
4 important. And I think that you will find, Mr. Chairman,  
5 after reading the four conditional use permits that I am here  
6 to seek approval for tonight, that each of these also bear the  
7 same merits and stand on their own to be something that the  
8 Concord community township would welcome, embrace and find to  
9 be of great benefit and use to all of them, whether it be for  
10 additional monies for taxes, for the services offered to the  
11 citizens and even those traveling through the community that  
12 would benefit from the services being suggested to you.

13 As you note, I won't belabor the points but, of  
14 course, there are four conditional use permits. I don't know  
15 if you would like me to address each of them individually or  
16 if you would like me to address them all together, whatever  
17 you prefer.

18 CHAIRMAN VALENTIC: I would say we're going to have  
19 to vote on them all separately, and I am going to change the  
20 order on how we vote on them. You can address them all  
21 together if you like.

22 But, again, like we asked the previous applicant,  
23 are you okay with moving forward this evening with your  
24 appeal?

25 MR. DYNES: Yes. Thank you, Mr. Chairman, I am  
26 comfortable moving forward with only four members of the five-  
27 member panel. Thank you.

28 CHAIRMAN VALENTIC: Okay.

29 MR. DYNES: Well, to begin with, let's start with  
30 the ice cream store, which will include counter service and

1 outdoor dining, as well as a drive-thru. The proposal there,  
2 and I think you have the plan in front you -- And I should  
3 state that Mr. Dusty Keeney, from Polaris Engineering, is here  
4 to answer any questions relative to the site plan. Most  
5 importantly though, however, our main questions before the  
6 board tonight are for the conditional uses that we're seeking,  
7 understanding that the site plan, of course, may change with  
8 respect to what this board or any other board of the township  
9 or, of course, Ms. Freeman, what she finds to be noteworthy  
10 and/or determined by her studies to be furthered as far as the  
11 development of the structures, the drive-thru, the other  
12 factors that go along with it.

13           You will see on there the ice cream store does have  
14 outdoor dining. It is expected to be counter service and it  
15 will have a drive-thru as well. We think that Mr. Keeney has  
16 done a remarkable job showing on the form the stack for the  
17 drive-thru and providing what we believe to be very adequate,  
18 safe and secure access throughout the ice cream store, be it  
19 for the drive-thru or for patrons coming to and from it, as  
20 well as the outdoor seating area. We think that, by the  
21 landscaping and some of the other characteristics that you see  
22 there on the site plan, that it does create the appropriate  
23 safety measures and flow accordingly.

24           Of course, in taking all these things at one and all  
25 in on the same parcel, if you will, you will see the car wash  
26 in the back, which is separate from the ice cream store and  
27 will have its own designated driveway which will take people,  
28 of course, in through the tunnel and out in a safe manner.

29           One thing I would suggest to you -- and, of course,  
30 we are here primarily to consider the conditional use -- but

1 we are investigating whether or not a separate drive to exit  
2 beyond the property from the back side, which would exit to  
3 where Pizza Roto and that particular drive is, is a viable  
4 option but, at this point in time, that's not been studied  
5 further. There is some retention basin or some stormwater  
6 issues back there we have to overcome, that we believe anyway.

7           So I think, in considering the conditional uses, you  
8 know, I think the use of the ice cream store and the car wash  
9 certainly are not out of realm of the ordinary. We understand  
10 they're conditional but they don't in anyway present or  
11 provide any kind of hazardous disturbances. There is no  
12 noise. There is no glare. I think it's very important to  
13 note the car wash will not include any vacuums. I think we  
14 all find those to be rather unsightly, neighboring people in  
15 and out of there all kinds of hours and trash goes all over  
16 the place. So that's not going to be part and parcel of this  
17 particular car wash.

18           The aesthetics of it will be the highest  
19 professional grade to suit the community, to look appropriate.  
20 And probably, to be quite honest with you, I think the outside  
21 structure of the car wash will be not what you expect of a car  
22 wash. The intention there will be some nice decor,  
23 aesthetically pleasing to the eye. It doesn't look like  
24 something with a bunch of neon or anything of the sort.  
25 That's not the intention whatsoever.

26           The same thing goes with the ice cream store. The  
27 ice cream store will be -- the idea is to have kind of a  
28 higher end ice cream, mom and pop shop with some gelato and  
29 service such as that, not going to be a quick-service Dairy  
30 Queen type of facility but something, hopefully, the community

1 embraces. People we have talked to in the community,  
2 including some of the -- I am trying to think what the word is  
3 I want to use for them -- some of the administrators, some of  
4 the people find that to be very pleasing and welcome it coming  
5 to the community. So I share that with you to be something  
6 that's buoyed our sense of this and, certainly, has us excited  
7 for the whole opportunity.

8 I am probably talking way too much. If you have  
9 questions, I am happy to entertain them.

10 CHAIRMAN VALENTIC: The ice cream shop, is that  
11 going to be seasonal or is that going to --

12 MR. DYNES: All year.

13 CHAIRMAN VALENTIC: All year?

14 MR. DYNES: Yeah.

15 CHAIRMAN VALENTIC: Okay. And the outdoor setting  
16 will just stay out there all year, too?

17 MR. DYNES: Well, no, that will only be limited to  
18 summertime.

19 CHAIRMAN VALENTIC: Summertime?

20 MR. DYNES: Yeah. The good news is, if you want to  
21 sit outside with your ice cream, it would stay, hopefully,  
22 frozen in the wintertime, right?

23 CHAIRMAN VALENTIC: Frozen, right.

24 MR. DYNES: That would not be our intention.

25 CHAIRMAN VALENTIC: I didn't know if it was just  
26 going to be mounted or --

27 MR. ROWE: Guaranteed no drippage.

28 MR. DYNES: That's right.

29 MS. JARRELL: So will there be somebody guiding  
30 people into the car wash? I see you have these little

1 machines that you will pay at when you come in.

2 MR. DYNES: Correct. As far as an individual out  
3 there guiding them, hopefully, not. I think that the kiosk  
4 machines, if you will, and the pattern of traffic as it's  
5 displayed onto the pavement will be sufficient enough to get  
6 everybody in to know exactly where they're going. There will  
7 be some directional signs as well.

8 MS. JARRELL: I love that you have two lanes going  
9 in. You know, especially this time of year, the car washes  
10 are packed. I would venture to guess that, during those  
11 times, high traffic times, that you may need to have somebody  
12 there just guiding them in because people get pretty crazy.

13 MR. DYNES: Yeah, absolutely.

14 MS. JARRELL: But I love that there is two lanes  
15 there.

16 MR. DYNES: I think the other thing, reason this  
17 spot seemed to be enticing to us, in fact, is because it's on  
18 a cul-de-sac. We're not on Crile Road. We don't expect there  
19 is going to be a traffic backup, such as with Zappy's on  
20 Mentor Avenue, where somebody has to be out there sending  
21 people away. We don't want that, by any stretch. That  
22 doesn't do anybody any good. So our hope is not to do that.

23 We also don't want to back up traffic on the cul-de-  
24 sac either but I think, right now as it stands, certainly,  
25 some of that is vacant and I don't think it's a problem, but  
26 we can't expect it's always going to be vacant either. So if  
27 we have to take some other action on that, we're certainly  
28 going to do so.

29 CHAIRMAN VALENTIC: On the ice cream shop, the area  
30 to the, I guess, I am going to call it to the right, which

1 would be, I guess, east is outdoor eating, dining, the large  
2 concrete pad shown on the other side, what's the intent there?  
3 Is that additional outdoor dining or is that -- or that might  
4 change and that's not set in stone?

5 MR. DYNES: So, Mr. Chairman, are you looking to the  
6 left of the ice cream shop?

7 CHAIRMAN VALENTIC: Yeah.

8 MR. DYNES: It might be best, with your permission,  
9 if I had Mr. Keeney come up and approach.

10 CHAIRMAN VALENTIC: Okay.

11 MR. KEENEY: And I apologize. You're speaking of  
12 the area to --

13 CHAIRMAN VALENTIC: Really quick, your name for  
14 record.

15 MR. KEENEY: Dustin Keeney, with Polaris Engineering  
16 and Surveying, 34600 Chardon Road, Willoughby Hills, Ohio  
17 44094.

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

19 MR. KEENEY: Yes, sir.

20 CHAIRMAN VALENTIC: Thank you.

21 MR. KEENEY: You're talking to the west, right?

22 CHAIRMAN VALENTIC: Yeah, to the west.

23 MR. KEENEY: That's basically just, it's not  
24 intended to be an extension of the outdoor patio. It's just,  
25 you know, was some extra space there for concrete, you know,  
26 for the sake of the ADA accessibility and providing access to  
27 the front door, just a wider entrance. You know, as we  
28 developed further, you know, I suppose we could probably break  
29 that up a little bit with some landscaping or something, you  
30 know, along the building to provide a little planter or

1 something. It was just --

2 CHAIRMAN VALENTIC: Yeah, that would make sense if  
3 you could break that up. And then do you know yet, is the  
4 stormwater management taken care of regionally for this area  
5 or are you going to have to do something separately?

6 MR. KEENEY: It is taken care of regionally to a  
7 certain percentage of coverage. So if we -- And I don't  
8 remember the exact. I believe it's 70 percent. If we exceed  
9 that percentage, we will have to do additional, you know,  
10 on-site detention, whether that's in an underground system or  
11 figure out a way to do like a bioretention area or something  
12 like that.

13 CHAIRMAN VALENTIC: Okay. I am good. Thank you.

14 Brandon, my last question, I mean, there is some  
15 additional, 13.05 and 13.17, that are applied to the  
16 conditional use permits. You're good with all that and you  
17 planned on meeting that?

18 MR. DYNES: Yeah. Thank you, Mr. Chairman. I  
19 didn't want to belabor some of those points. I know this is a  
20 learned board that is well-versed in these provisions and  
21 certainly tried to spell out a little of that in the  
22 recitation, so I didn't want to get into a position where I  
23 was telling you things you already know. We certainly  
24 understand and respect all those provisions and intend to work  
25 within those.

26 MR. ROWE: Brandon, on the traffic pattern, there  
27 are two entrances? I mean, on my right side is the wide area  
28 where you're going to come onto the two aisles or two lanes  
29 heading back to the car wash and then on the left one that  
30 heads toward the ice cream or restaurant?

1           MR. KEENEY: Correct. And we wanted to -- And there  
2 is also the other entrance further to the west, it would  
3 actually be an in-and-out. So if people were going to the ice  
4 cream, they could come in that entrance and work their way  
5 into the ice cream parking lot. What we wanted to make sure  
6 is, if somebody by accident, you know, pulled into the wrong  
7 drive, that they didn't get stuck in the car wash, you know,  
8 that if they did pull in there, they would be able to veer off  
9 to the left and get into the, and get into the, you know, they  
10 would have to pull in and go all the way around the building  
11 to either get into the drive-thru or to get into some parking  
12 spaces but, at least, they wouldn't be kind of trapped in the,  
13 in the car wash lane.

14           MR. ROWE: Okay. One other thing, everything seems  
15 to be functioning nicely. So when I pick up the, on the  
16 drive-thru side of the ice cream store, I get my cone in hand,  
17 right now it looks like I am going to be pulling out looking  
18 right straight at an arrow pointing at me. Do you see the  
19 outer lane?

20           MR. KEENEY: Yeah. And we could look at, we could  
21 look at reconfiguring. We would be happy, any circulation-  
22 type ideas that you have from the board, we'd be happy to  
23 consider, you know, whether we shifted that driveway down and  
24 flipped the parking, you know. We're trying to keep the  
25 parking together because I didn't want to flip and put another  
26 couple parking spots up right next to the car wash and have  
27 those folks have to cross over. It's a balance of trying to  
28 make the circulation work and trying to think about the  
29 pedestrian. But we could look at --

30           MS. JARRELL: What if you just moved the island and

1 put in two more spaces and so you just have that one-way right  
2 there when you come out of the drive-thru?

3 CHAIRMAN VALENTIC: But then they're using this for  
4 that. See, that's why they've got to come in and they can  
5 come in and park.

6 MS. JARRELL: I am just talking about coming out of  
7 the drive-thru.

8 MR. DYNES: It's a point well taken because it's  
9 remarkably similar to the current configuration of Starbucks.

10 CHAIRMAN VALENTIC: Yeah, that's what I was  
11 thinking.

12 MR. DYNES: So that's something that, clearly, we  
13 need to work through a little bit further and we absolutely  
14 will.

15 CHAIRMAN VALENTIC: Okay.

16 MS. JARRELL: Good point, Jim.

17 CHAIRMAN VALENTIC: Yeah, you've got a point. Yeah,  
18 I think it doesn't -- I think just take a little bit of time  
19 after this. When you guys go into Zoning, I am sure Zoning  
20 will have some comments on the site plan.

21 MR. DYNES: Sure.

22 CHAIRMAN VALENTIC: Any other questions on the  
23 conditional uses for the ice cream shop or the car wash?

24 MR. GOLLING: Is it going to be a double-tunnel car  
25 wash or single?

26 MR. ROWE: Looks like --

27 MR. DYNES: As far as how many cars going through at  
28 one time?

29 MR. GOLLING: Yeah.

30 MR. DYNES: Meaning next to one another?

1 MR. GOLLING: Can two go through at the same time?  
2 Because you've got two arrows coming in at the pay station,  
3 two arrows going into the car wash, and two arrows coming out.  
4 I just don't know if you can put two in at a time.

5 MR. DYNES: Just one, no, just one.

6 MR. GOLLING: Okay.

7 MR. ROWE: I see your point. So you are going to  
8 have a little bit of merger area there.

9 MR. DYNES: Yeah.

10 CHAIRMAN VALENTIC: I think that's typical of car  
11 washes.

12 MR. DYNES: What happens is, keep in mind that, if  
13 you've been to some of the car washes in the area, the kiosk  
14 there where you stop will have a bar that will let each  
15 individual car go at a particular time, then they pull in and  
16 they can stack behind one another as necessary, so they won't  
17 be just racing through there in any fashion. I'm sorry I  
18 misunderstood your question but there will be more than one  
19 car that can be in the tunnel at a given time.

20 MR. ROWE: Well, yeah. But as they say, based on  
21 the drawing, I think the presumption is that we had like a  
22 double wide car wash is not part of the question.

23 MR. DYNES: I think we would like to but,  
24 realistically, that's not going to happen. Ideally, that  
25 would be fantastic.

26 MR. ROWE: You've got kind of a merger thing also  
27 with the people that are coming in on the entrance toward the  
28 cul-de-sac. If they're heading toward the ice cream, they're  
29 supposed to, you know -- I am thinking on a July afternoon  
30 when there is a lot of people there, either merge there and

1 also could there not be cars coming out of the parking areas?  
2 You're depicting a line of cars that are working their way  
3 around to the order place area.

4 MR. KEENEY: Right, right. And that was, as far as  
5 the parking, that's why we thought it would be better to do,  
6 to angle the parking so that, you know, folks would be able to  
7 back out kind of already on the proper angle and then get back  
8 into the driveway and circle back out around the building.  
9 And you're right. With the merger, we'll have to, you know,  
10 whether with some signage or somehow, we will have to make  
11 sure that things are marked properly and --

12 MR. ROWE: Yeah, because I can see, you know, one  
13 guy who is, or whoever, is in a rush to get their order placed  
14 doesn't want --

15 MR. KEENEY: Oh, cutting in, right.

16 MR. ROWE: And somebody is coming out of the parking  
17 area, also, meeting the guy that's coming in, so it could be a  
18 little intriguing. But, anyways, we flailed that point.

19 CHAIRMAN VALENTIC: Okay. Are you good?

20 MR. GOLLING: Good.

21 CHAIRMAN VALENTIC: You good now?

22 MR. ROWE: Yep.

23 CHAIRMAN VALENTIC: Chris?

24 MS. JARRELL: Yes.

25 CHAIRMAN VALENTIC: All right, perfect. Thank you,  
26 gentlemen.

27 MR. KEENEY: Thank you.

28 CHAIRMAN VALENTIC: Is there anyone else here that's  
29 speaking for or against this appeal? (No response.) If there  
30 is no further questions, the public hearing for variance

1 Number 2021-14 is now closed to the public. Can I get a  
2 motion? So we're going to do all these separately, just so  
3 you know, and we are going to do them in a different order.  
4 So I'm going to tell you which one we're voting on first and  
5 which one we're going to motion on first. Okay? So I'll need  
6 --

7 MS. LANDGRAF: Mr. Chairman.

8 CHAIRMAN VALENTIC: Yes?

9 MS. LANDGRAF: Mr. Chairman, it is my understanding  
10 there is variances that may be required for these. Is that  
11 correct, Heather?

12 CHAIRMAN VALENTIC: For the conditional use permits?

13 MS. LANDGRAF: For the actual plan.

14 MS. FREEMAN: There is potential that -- There was  
15 potentially a variance required for one of the specific  
16 conditions.

17 CHAIRMAN VALENTIC: Does that impact us, Stephanie,  
18 if we're just voting --

19 MS. FREEMAN: I would recommend that, if any  
20 variances are determined to be needed, that the motion be that  
21 the CUP be approved conditioned that any variances would be  
22 secured and approved as well.

23 MR. ROWE: Well, they indicate a possible variance  
24 for the pay station on the drawing.

25 MS. LANDGRAF: It would just be a motion to approve  
26 subject to them securing any necessary variances.

27 CHAIRMAN VALENTIC: Okay.

28 MS. LANDGRAF: Brandon, any objection to that?

29 MR. DYNES: No, Ms. Landgraf, thank you. I find  
30 that well taken.

1 MR. ROWE: Heather.

2 CHAIRMAN VALENTIC: So which one would need a  
3 potential variance?

4 MS. FREEMAN: I am sorry.

5 MS. JARRELL: We can just speak generally.

6 CHAIRMAN VALENTIC: Yeah, generally.

7 MS. LANDGRAF: Do it on all of them.

8 CHAIRMAN VALENTIC: Do it on all of them, perfect.  
9 Okay. So please be patient with me. So I will entertain a  
10 motion to approve Variance Number 2021-14, the first being  
11 Number 1, to operate a car wash in accordance with Section  
12 13.26, and they will obtain any variance, if needed, for the  
13 final approval of their site plan. Can I get a motion?

14 MR. ROWE: So moved.

15 MR. GOLLING: Second.

16 CHAIRMAN VALENTIC: Okay. Any discussion? None?  
17 All right. So the question is on the approval of Variance  
18 Number 2021-14 to operate a car wash in accordance with  
19 Section 13.26. A yes vote approves the conditional use  
20 permit, a no vote denies it. Heather, please call the vote.

21 MS. FREEMAN: Mr. Golling?

22 MR. GOLLING: Yes.

23 MS. FREEMAN: Ms. Jarrell?

24 MS. JARRELL: Yes.

25 MS. FREEMAN: Mr. Rowe?

26 MR. ROWE: Yes.

27 MS. FREEMAN: Mr. Valentic?

28 CHAIRMAN VALENTIC: Yes.

29 Okay. That is approved.

30 All right. Next, I need a motion to approve

1 2021-14, to operate a counter service restaurant in accordance  
2 with Section 13.20. Can I get a motion?

3 MS. JARRELL: So moved.

4 MR. ROWE: So moved.

5 MR. GOLLING: Second.

6 CHAIRMAN VALENTIC: Any discussion for the board?  
7 Okay, none. Then the question then, again, is for the  
8 approval of Variance 2021-14, to operate a counter service  
9 restaurant in accordance with Section 13.20 and that they  
10 would meet, I guess, any variance requirements if they have  
11 any. A yes vote approves it, a no vote doesn't. Heather,  
12 please call the vote for that one.

13 MS. FREEMAN: Mr. Rowe?

14 MR. ROWE: Yes.

15 MS. FREEMAN: Mr. Golling?

16 MR. GOLLING: Yes.

17 MS. FREEMAN: Ms. Jarrell?

18 MS. JARRELL: Yes.

19 MS. FREEMAN: Mr. Valentic?

20 CHAIRMAN VALENTIC: Yes.

21 Okay. The next one is a motion for 2021-14, to  
22 operate a drive-thru facility in accordance with Section  
23 13.17. Can I get a motion?

24 MS. LANDGRAF: Subject to any variance that is  
25 required.

26 CHAIRMAN VALENTIC: Subject to any variance that is  
27 required. Thank you. That's why she's here.

28 MR. GOLLING: So moved.

29 CHAIRMAN VALENTIC: Second?

30 MS. JARRELL: Second.

1 CHAIRMAN VALENTIC: Any discussion? Heather, please  
2 call the vote to approve the conditional use permit for  
3 2021-14, to operate as a drive-thru facility in accordance  
4 with Section 13.17.

5 MS. FREEMAN: Ms. Jarrell?

6 MS. JARRELL: Yes.

7 MS. FREEMAN: Mr. Rowe?

8 MR. ROWE: Yes.

9 MS. FREEMAN: Mr. Golling?

10 MR. GOLLING: Yes.

11 MS. FREEMAN: Mr. Valentic?

12 CHAIRMAN VALENTIC: Yes.

13 Okay. The last one, I need a motion to approve  
14 Conditional Use Permit 2021-14, to operate an outdoor dining  
15 area in accordance with Section 13.33.

16 MS. JARRELL: So moved.

17 MS. LANDGRAF: Subject to any variance required.

18 CHAIRMAN VALENTIC: Subject to any variance. Can I  
19 get a motion?

20 MS. JARRELL: So moved.

21 CHAIRMAN VALENTIC: Second?

22 MR. GOLLING: Second.

23 MR. ROWE: Sec --

24 CHAIRMAN VALENTIC: Sorry, Jim, you're

25 MS. JARRELL: Slow on the draw.

26 CHAIRMAN VALENTIC: -- slow. Any discussion? None.  
27 Heather, can you please call a vote to approve Variance  
28 2021-14, to operate as an outdoor dining area in accordance  
29 with Section 13.33.

30 MS. FREEMAN: Mr. Valentic?

1 CHAIRMAN VALENTIC: Yes.

2 MS. FREEMAN: Ms. Jarrell?

3 MS. JARRELL: Yes.

4 MS. FREEMAN: Mr. Rowe?

5 MR. ROWE: Yes.

6 MS. FREEMAN: Mr. Golling?

7 MR. GOLLING: Yes.

8 CHAIRMAN VALENTIC: Okay. All the conditional use  
9 permits have been approved.

10 MS. JARRELL: And I would like to say that was one  
11 this most well-written letters that we've ever seen on this  
12 board.

13 MR. DYNES: Thank you.

14 CHAIRMAN VALENTIC: All right. Next on the agenda  
15 is approval of minutes from January 13, 2021. Can I get a  
16 motion to approve the minutes?

17 MR. GOLLING: So moved.

18 CHAIRMAN VALENTIC: Can I get a second?

19 MS. JARRELL: Second.

20 CHAIRMAN VALENTIC: Any discussion regarding the  
21 minutes? Todd?

22 MR. GOLLING: Negative.

23 CHAIRMAN VALENTIC: No? Okay. All in favor of  
24 approving the minutes as written with no modifications say  
25 aye. Jim, abstaining?

26 MR. ROWE: Abstain.

27 (Three aye votes, no nay votes, one abstention.)

28 CHAIRMAN VALENTIC: All right. The minutes from  
29 January 13, 2021, have been approved. The Concord Township  
30 Board of Zoning Appeals meeting for February 12 -- or

1 February 10 -- I'm sorry -- 2021 is now closed.

2 MR. ROWE: That was a long meeting.

3 CHAIRMAN VALENTIC: Bam, done.

4 (Whereupon, the meeting was adjourned at 7:35 p.m.)

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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 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 5th day of March 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

