

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

Held via YouTube Live Streaming

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

July 13, 2022
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Board of Zoning Appeals members present:

Chris Jarrell, Chair Pro Tempore
Todd Golling, Member
Davey Rowan, Alternate Member
James Rowe, Alternate Member

Also Present:

Marty Pitkin, Assistant Zoning Inspector
Michael Lucas, Esq., Legal Counsel

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

1 CHAIR PRO TEMPORE JARRELL: Good evening, everyone.
2 Today is July 13, 2022, and the Concord Township Board of
3 Zoning Appeals meeting is now in session. At this time, I
4 would like to introduce the members of the Concord BZA.
5 First, I would, on my far, far left here, this is Mike Lucas,
6 legal counsel for the township; to my far left is James Rowe;
7 and right here on my immediate left is Davey Rowan; to my
8 immediate right is Todd Golling; and to my far right is Marty
9 Pitkin, who is the Assistant Zoning Inspector. I am Chris
10 Jarrell and I am your chair for this evening.

11 MR. LUCAS: Well, I think, I think we want to put
12 that on the record.

13 CHAIR PRO TEMPORE JARRELL: Oh, right, we have to
14 take a vote, right?

15 MR. LUCAS: Well, you also should have somebody make
16 a motion to nominate you.

17 MR. ROWE: You have to campaign.

18 CHAIR PRO TEMPORE JARRELL: Oh.

19 MR. GOLLING: So I would like to make a motion to
20 make Chris Jarrell our president pro tempore for this session.

21 MR. ROWAN: Second.

22 MR. ROWE: Third.

23 CHAIR PRO TEMPORE JARRELL: Third.

24 MR. LUCAS: Vote.

25 CHAIR PRO TEMPORE JARRELL: And all in favor?

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

27 CHAIR PRO TEMPORE JARRELL: Thank you very much. I
28 will do the best that I can.

29 MR. ROWE: It was a tough battle.

30 CHAIR PRO TEMPORE JARRELL: Under the advice of

1 counsel, we ask that anyone speaking tonight must be sworn in.
2 So if you plan on speaking, please stand and raise your right
3 hand and respond to the following oath by answering "I do."

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

5 CHAIR PRO TEMPORE JARRELL: Thank you very much.

6 And a little bit more instruction for you speakers
7 this evening. When presenting your case, please come to the
8 podium, state your name and address, and please reiterate that
9 you have indeed been sworn in.

10 Marty, were the legal notices published in a timely
11 manner?

12 MR. PITKIN: Yes, they have.

13 CHAIR PRO TEMPORE JARRELL: Thank you very much.

14 This evening, we have four variance requests and a
15 couple of those are dual variance requests. And tonight
16 there's only four of us. Still need a three-vote, three votes
17 to pass or deny your variance request. And I suspect
18 everybody is cool with having only four of us tonight? Has
19 that been communicated, Marty?

20 MR. PITKIN: Yes, it has.

21 CHAIR PRO TEMPORE JARRELL: Okay, excellent.

22 Okay. The first case this evening involves public
23 hearing for appeal, Variance Application 2022-102, Classic
24 Clean Auto Wash LLC is requesting the following variances to
25 allow for the construction of a car wash facility for the
26 property owned by Route 44 LLC on Gold Court, known as current
27 parcel number 08-A-020-B-00-005-0.

28 So the first variance is a variance from Section
29 22.04 to allow for approximately, well, 27.19 foot front
30 building setback from the Gold Court right-of-way in lieu of

1 the 50 feet required.

2 And then the second variance from Section 38.04(A),
3 to eliminate the required 5 foot planting area between the
4 proposed south building walls and paved area.

5 Welcome.

6 MR. FISHER: Thank you, thank you. May it please
7 the Board, my name is Kenneth Fisher, business address:
8 50 Public Square, Suite 2100, Cleveland, Ohio. I am an
9 attorney here this evening representing the applicant, Classic
10 Clean Auto Wash LLC, in regard to the two proposed area
11 variances for the vacant parcel located on Gold Court.

12 CHAIR PRO TEMPORE JARRELL: And you have been --
13 excuse me. You have been sworn in, right?

14 MR. FISHER: I was sworn in. But I think Mr. Lucas
15 will tell you, as a lawyer, I don't have to take an oath, but
16 I did, but I did.

17 CHAIR PRO TEMPORE JARRELL: Oh, thank you.

18 MR. LUCAS: That's true, he does not. He is an
19 officer of the court.

20 MR. FISHER: But I did take an oath.

21 CHAIR PRO TEMPORE JARRELL: Okay, thank you.

22 MR. LUCAS: In the spirit of cooperation.

23 MR. FISHER: For the purpose of full disclosure,
24 yes, I am sworn.

25 CHAIR PRO TEMPORE JARRELL: Thank you.

26 MR. FISHER: And this is in regard to the 1.32 acre
27 parcel, again, on Gold Court located in the BX Business
28 Interchange District. Also in attendance tonight, attorney
29 James Hackenberg, who is the general counsel for the Classic
30 organization; attorney Dennis Nevar, who I work with; and

1 representatives of Tally CM, Kurt Hanson and --

2 MR. URBANICK: John Urbanick.

3 MR. FISHER: Yeah, thanks, thank you.

4 In terms of a little bit of the procedural history
5 -- and I'll be brief -- on April 13th of this year, this BZA
6 granted a conditional use permit for a car wash in Case Number
7 2022-22, which was affirmed by the BZA, this BZA, at its last
8 meeting on June 8th upon a motion to consider --
9 reconsideration. The previous objection to the conditional
10 use permit by Dr. John Nekic was formally withdrawn, per his
11 correspondence dated June 6, 2022, prior to the hearing.

12 There were no objections to the conditional use
13 permit, including from the neighboring hotel owner, who would
14 not agree to a shared driveway, which was one of the requests,
15 but made it clear that he did have no objection to the
16 conditional use permit itself, just he wasn't willing to agree
17 to a shared driveway.

18 On June 7th, subsequent to the June 6th meeting, we
19 were here the next evening and the Zoning Commission of the
20 township did approve the site plan and design review for the
21 proposed use, subject to the following area variances which
22 are on the agenda this evening, canopy setback from Gold
23 Court, 50-foot requirement, we're requesting a 22.81 foot
24 variance to allow for the canopy. And I would like to stress
25 that is an open structure. It does have a roof but it's an
26 open structure, the canopy, in regard to the first variance
27 request.

28 And the second area request is the elimination of
29 the Township Zoning Resolution required 5 foot landscape
30 buffer to the, well, it would be to the south of the building.

1 And, again, there is a detailed landscape plan that's been
2 submitted that shows extensive landscaping albeit not the 5
3 foot buffer. But, again, in consideration of the overall
4 landscape plan, which, again, is extensive and is included in
5 the application and also in front of you this evening, we ask
6 that you look at that.

7 On June 13th, this area application was filed for
8 these two variances with the township addressing the seven
9 practical difficulty standards as detailed in the, well,
10 leading Ohio Supreme Court case of *Duncan versus Middlefield*.
11 And, again, this is pursuant to the Township Zoning Resolution
12 Section 9.03(D)(4), which specifically references Duncan. The
13 application that was filed on June 13th does address the seven
14 practical difficulty standards as follows:

15 Number 1. *Will the property yield a reasonable*
16 *return or can there be a beneficial use of the property*
17 *without the variance?* And, again, the standard, the legal
18 standard here for an area variance is practical difficulty.
19 Approval of the requested -- In response to whether a
20 reasonable return can be yielded, approval of the requested
21 area variances will ensure proper development of the property
22 and consistent with the approved study, traffic study,
23 previously submitted to the BZA, maximize off-street stacking
24 of vehicles, provide sufficient on-site parking, and allow for
25 proper on-site traffic circulation while complying with other
26 Township Zoning Resolution requirements.

27 So, again, in terms of the overall plan, it's
28 important that these variances be included to allow for
29 extensive landscaping and also for the not enclosed canopy.

30 *Is the variance substantial?* None of the requested,

1 the two variances, are substantial. Where the canopy variance
2 relates to the setback from Gold Court, a cul-de-sac street
3 with very limited vehicular traffic, and there is also, as
4 just mentioned, extensive on-site landscaping, this satisfies
5 the spirit and intent of the Zoning Resolution and supports
6 the request for, again, no 5-foot rear buffer to the south,
7 landscape buffer.

8 Thirdly, under *Duncan versus Middlefield*, Will the
9 essential character of the neighborhood be substantially
10 altered or will adjoining property, properties -- excuse me --
11 suffer a substantial detriment if the variance is granted?
12 Approval of the requested variances will not substantially
13 alter the essential character of the neighborhood or result in
14 substantial detriment. In fact, the proposed car wash use, to
15 which there have been no objections, is consistent with other
16 uses in the BX Business Interchange District, including
17 without limitation the existing car wash at a nearby Shell
18 station and the conditional use permit for a car wash granted
19 on April 13, 2022, to the IN 9 Group for property located on
20 Crile Road at Old Crile Road.

21 Four, Will the variance adversely affect the
22 delivery of governmental services? Neither of the two
23 requests, setback variance for the canopy and the buffer
24 landscape variance, will have any adverse effect whatsoever on
25 delivery of governmental services by the township, for that
26 matter, the county.

27 Did the property owner purchase the property with
28 knowledge of the existing zoning restrictions? Well, as I
29 believe everybody is aware, my client has the property under
30 contract. The owner is here tonight with both, with two

1 realtors and, again, totally supports the proposal. And,
2 again, approval of the requested area variances will ensure
3 not only that the property will be acquired by my client
4 pursuant to the existing purchase agreement but ensure proper
5 development consistent with the approved traffic study,
6 maximize off-street stacking of vehicles, provide for
7 sufficient on-site parking, and allow for proper on-site
8 traffic circulation while complying with all other provisions
9 of the Township Zoning Resolution.

10 *Can the problem, canopy, landscape buffer, be*
11 *resolved by some manner other than the granting of the*
12 *variances? The answer is, no, there is no way really. The*
13 *canopy is necessary because of, obviously, you know, weather*
14 *conditions, very uncertain weather conditions, as we all know,*
15 *in this climate. And, again, the landscape buffer is also*
16 *necessary as part of an overall plan that is very, very*
17 *substantial and can be spoken about and described in greater*
18 *detail by, well, by Kurt Hanson, from Tally CM.*

19 *And the seventh criteria under *Duncan versus**
20 *Middlefield, Will the variance preserve the spirit and intent*
21 *of the Zoning Resolution and will substantial justice be done*
22 *by granting the variance? Well, approval of the variance does*
23 *preserve the spirit and intent as it relates to the BX*
24 *Business District and will promote substantial justice by*
25 *allowing the development of the subject property in a manner*
26 *consistent with the approved traffic study as approved,*
27 *maximizes off-street stacking of vehicles, provides for*
28 *sufficient on-site parking, and allows for proper on-site*
29 *traffic circulation while, again, maintaining compliance --*
30 *and this is important -- with all other provisions of your*

1 Township Zoning Resolution.

2 Accordingly, a request is made. And I am going to
3 defer to Kurt if there's any questions specifically about
4 either the landscape buffer and the landscape plan
5 specifically or the rendering that shows the, you know, open
6 canopy. We're requesting two variances and they're separate
7 applications, although I discussed them together under the
8 Middlefield criteria, a canopy setback from Gold Court from
9 50 feet to 27.19 feet, which would a 22.81 foot variance, and
10 elimination of the 5 foot landscape buffer on the south side
11 of the building.

12 And Kurt is hear, right to my left, if there is any
13 specific questions per se about the, either the canopy or the
14 landscape buffer requests.

15 CHAIR PRO TEMPORE JARRELL: So this canopy wasn't
16 proposed initially?

17 MR. HANSON: Kurt Hanson, 4780 South Pine Lane,
18 Perry, Ohio. Yes, I've been sworn in.

19 The canopy has been part of the design since the
20 beginning of the project. When it came for the conditional
21 use permit and all the way through site plan, design review,
22 it's always been there.

23 CHAIR PRO TEMPORE JARRELL: So did we -- We didn't
24 know this before?

25 MR. HANSON: It was always known that it was going
26 to need a variance throughout the project.

27 CHAIR PRO TEMPORE JARRELL: Okay.

28 MR. HANSON: So, but it was always, through working
29 with the township zoning, it was going to be, basically, once
30 we got through the conditional use permit and then our site

1 plan/design review, then we would come back to get our
2 variances.

3 MR. ROWAN: And so the variance isn't -- So the
4 setback for the canopy, it's 50 feet back from Crile?

5 MR. GOLLING: Gold.

6 MR. ROWAN: But it's Gold Court that we're looking
7 at a variance.

8 MR. HANSON: Gold Court, correct.

9 MR. ROWAN: We're good on Crile. It's Gold Court.

10 MR. HANSON: Gold Court, yes.

11 MR. ROWAN: Gotcha.

12 MR. HANSON: Based upon it being on a corner lot
13 that we have to, at that point, what the front setbacks apply
14 on the, on Gold as well.

15 MR. ROWAN: I just want to make sure I was clear so
16 I understood that correctly.

17 MR. GOLLING: So one thing I didn't see about the,
18 like, the landscape here, we're talking about here on the
19 south side, right?

20 MR. HANSON: Yes.

21 MR. GOLLING: Why do you want to get rid of it?

22 MR. HANSON: We don't -- Per the thing we're looking
23 for is on the south side of the building itself.

24 MR. GOLLING: Oh, the building.

25 MR. HANSON: The building, yes.

26 MR. GOLLING: Got it.

27 MR. HANSON: Per the code, it says the 5 foot.
28 Instead of putting that, basically, instead of pushing
29 everything 5 foot, we're losing more of the existing green
30 space around on the south property line to basically gain

1 that. So basically we're proposing to get the variance to not
2 have that 5 foot right against the building and to keep the
3 existing along the south property line. Obviously, as you see
4 per the plan, we've obviously added even more trees throughout
5 there to keep that. Also, too, when we looked at the
6 calculations is the amount of green space you lose if you had
7 to put the 5 foot buffer on the building.

8 MR. GOLLING: Yeah.

9 MR. HANSON: That amount of green space --

10 MR. GOLLING: You basically put on the south
11 property line.

12 MR. HANSON: Basically, what you would take back,
13 that would be less green space than what we would have on the
14 south property line.

15 MR. GOLLING: Makes sense.

16 And regarding the canopy, this is -- forgive my own
17 ignorance here -- there's three pay stations there?

18 MR. HANSON: That's correct.

19 MR. GOLLING: I mean, worst case scenario -- I'm
20 just spitballing here -- could you squish it down to two pay
21 stations or is this because of the stacking thing?

22 MR. HANSON: It's, yeah, basically based on
23 stacking. The other thing, too, is even if we go down to two
24 pay stations, even that second north pay station would still
25 be, that would not be -- it would still be over that setback
26 line. And then, yes, obviously, we have the three pay
27 stations there to get the, to meet the stacking requirements
28 that we need per the, obviously, which we exceed it, per the
29 township code.

30 MR. GOLLING: Okay, thank you.

1 CHAIR PRO TEMPORE JARRELL: Did you guys change the
2 color of the building?

3 MR. HANSON: Yes. Through the, basically, site
4 plan/design review, the entire, the materials of the building
5 were all changed. Basically, they're working with the
6 township zoning, basically, to meet the thing. Obviously, now
7 the new look that was, obviously, approved by the design board
8 meeting, we went into that. Basically, now it kind of blends
9 in with Verizon, the Holiday Inn Express and the shopping
10 center as well.

11 CHAIR PRO TEMPORE JARRELL: That makes me happy.
12 Anybody else?

13 MR. GOLLING: So it will, pretty much, just look,
14 pretty much, like this thing, just a, just a steel structure
15 with a curved roof.

16 MR. HANSON: That's correct, yes.

17 MR. GOLLING: So there is no wall on this side?

18 MR. HANSON: No, no, it is completely open on all
19 four sides and, obviously, the top will, obviously, have the
20 curved canopy on it and you've got steel columns coming down.

21 MR. GOLLING: Is this manned or is it just like the
22 ATM?

23 MR. HANSON: There is, basically, there is actually
24 three point of sale systems. But also, too, as soon as a
25 customer pulls up, that there is the attendant of the car
26 wash, they will come out to basically help them through.
27 Then, obviously, too, if there are a, obviously, if there is a
28 subscription customer, obviously, they'll go, obviously, pull
29 right up. The RFID reader senses it. Obviously, the gate
30 will go up, they'll go. But for anybody else, for a standard

1 paying customer, once they pull up, they'll, obviously,
2 they'll come out and ask them if they need assistance. Then,
3 obviously, too, if they wanted to get the subscription
4 package --

5 MR. GOLLING: Got it, okay.

6 CHAIR PRO TEMPORE JARRELL: There are going to be
7 people there spraying the cars before they go in?

8 MR. HANSON: Yes. Before the car goes into the car
9 wash, basically, the worker that will get the cars lined up,
10 centered on the conveyor, once they get them centered before
11 they enter into the tunnel, if the car has excessive bugs on
12 the front, they, basically, there is some bug spray. They
13 will do that. They also have a pressure washer right there as
14 well to be able to spray the front of the car.

15 CHAIR PRO TEMPORE JARRELL: I strongly suggest they
16 do a good job getting underneath the spoiler, very important.

17 Anybody else?

18 (No response.)

19 Okay. I think we're, I think we're good. And I
20 would just ask, is there anyone here speaking against the
21 request?

22 (No response.)

23 Okay. So I guess, if there's no further
24 questions --

25 MR. LUCAS: Madam Chair, you want to ask if anyone's
26 here to speak in favor of the request as well.

27 CHAIR PRO TEMPORE JARRELL: Oh, I figured these guys
28 were in favor. Anybody else in favor?

29 (No response.)

30 Okay. So I am closing the public hearing for

1 variance, for both variances 2022-102, and I guess we will,
2 you know, unless there is some -- Is there some discussion?

3 MR. GOLLING: Discussion.

4 MR. ROWAN: I think it's --

5 CHAIR PRO TEMPORE JARRELL: Nobody, okay.

6 MR. GOLLING: Yeah, I am good.

7 CHAIR PRO TEMPORE JARRELL: Okay. Then I will, we
8 will address the first variance request for the 22.04, to
9 allow for a 27.19 foot front building setback from Gold Court
10 right-of-way in lieu of the 50 foot. May I have a motion?

11 MR. GOLLING: So moved.

12 MR. ROWAN: Second.

13 CHAIR PRO TEMPORE JARRELL: Okay. And, Marty, will
14 you call the roll.

15 MR. PITKIN: Will do. Mr. Rowe?

16 MR. ROWE: Yes.

17 MR. PITKIN: Mr. Rowan?

18 MR. ROWAN: Yes.

19 MR. PITKIN: Mr. Golling?

20 MR. GOLLING: Yes.

21 MR. PITKIN: Ms. Jarrell?

22 CHAIR PRO TEMPORE JARRELL: Yes.

23 And that variance request has been granted.

24 We will move on to the second one, variance from
25 Section 38.04(A) to eliminate the required 5 foot planting
26 area between the proposed south building walls and paved area.
27 Do we have a motion?

28 MR. GOLLING: So moved.

29 MR. ROWAN: Second.

30 MR. ROWE: Second.

1 CHAIR PRO TEMPORE JARRELL: Marty, please call.

2 MR. PITKIN: Mr. Rowan?

3 MR. ROWAN: Yes.

4 MR. PITKIN: Mr. Golling?

5 MR. GOLLING: Yes.

6 MR. PITKIN: Mr. Rowe?

7 MR. ROWE: Yes.

8 MR. PITKIN: Ms. Jarrell.

9 CHAIR PRO TEMPORE JARRELL: Yes.

10 And that has also been granted. Congratulations.

11 MR. FISHER: Thank you very much.

12 CHAIR PRO TEMPORE JARRELL: Okay. We are on to our
13 second variance application, 2022-103. Mr. Robert C. Spinello
14 is requesting a variance to allow for the construction of a
15 6 foot high fence in the front yard, in lieu of the maximum 4
16 foot high permitted in Section 34.04(A)(1), for the property
17 located at 10351 Hoose Road, known as current parcel number
18 08-A-030-0-00-001-0.

19 MR. SPINELLO: I am Robert Spinello. I live at
20 10351 Hoose Road, Concord, and I have been sworn in.

21 CHAIR PRO TEMPORE JARRELL: Thank you.

22 MR. SPINELLO: I would like to request a variance
23 for a 6 foot tall welded wire pasture fence with posts in the
24 front of the house line. That would be in the front yard,
25 basically, in front of the house line of the property. I am
26 requesting also for the east and the west sides of the
27 property. This is a residential property. One side is next
28 to the Concord Hills Park, and the other side, there is a
29 neighboring residential property.

30 The purpose of the taller fence is to contain

1 chickens. We raise poultry, which we do have permits for the
2 coops we applied for last month. And chickens can fly over a
3 4 foot tall fence, so we're requesting a 6 foot tall fence
4 just to keep them enclosed in the property. We raise them for
5 eggs, for selling eggs. This will prevent the chickens from
6 entering the neighboring property, as well as the Concord
7 Hills Park. And, also, this will also help prevent deer and
8 predators from entering into the yard.

9 The fence is wire only, it's not solid, so it's
10 see-through. It's not really visible. It's not a privacy
11 fence. It's just --

12 MR. GOLLING: Yeah.

13 MR. SPINELLO: It's not easy to see from the road,
14 really. Barely discernible to the neighbors and drivers on
15 the road. And the front facing the road will only be a 4 foot
16 fence, so I am not requesting 6 foot on the road side or a
17 gate for the driveway.

18 It will not adversely affect the delivery of
19 government services as the driveway will be accessible and the
20 house will not be blocked.

21 It was not our original intent when we moved into
22 the property in 2014 to raise poultry. This was developed
23 later.

24 And if approved, the variance should benefit the
25 owner, us, as well as the patrons of the park next door and
26 our neighbors. And I enclosed some pictures also of the fence
27 in there and a map, also.

28 CHAIR PRO TEMPORE JARRELL: How many chickens do you
29 have?

30 MR. SPINELLO: About 20 or 30.

1 CHAIR PRO TEMPORE JARRELL: Oh, wow.

2 MR. SPINELLO: Yeah. We've got a lot of eggs.

3 CHAIR PRO TEMPORE JARRELL: Do you sell the eggs?

4 MR. SPINELLO: Yeah, we sell the eggs, yes.

5 MR. GOLLING: Real quick, I just pulled it up on
6 Google Map. You're across from Kitty City, right, down --

7 MR. SPINELLO: Yeah, yeah, Caroline's Kids, it was
8 over there. They moved out.

9 MR. GOLLING: Is that your, your driveway right
10 there?

11 MR. SPINELLO: Yeah, that's it there.

12 MR. GOLLING: Okay, yeah, I know where you are then.

13 CHAIR PRO TEMPORE JARRELL: Have you had, you know,
14 coyotes or the chickens are escaping? Like, how --

15 MR. SPINELLO: Occasionally, they will fly over the
16 4 foot fence. They can fly on top of the fence and then fly
17 out. They, but they avoid the roadside. It's a natural
18 deterrent. I think the cars, so they stay away from that.
19 But to the sides, they would escape. And the deer can
20 actually hop over a 4 foot fence very easy, we've noticed.
21 Raccoons are the main predator, and hawks, but a fence isn't
22 going to keep --

23 CHAIR PRO TEMPORE JARRELL: They're going to climb
24 over it, yeah.

25 MR. SPINELLO: That's not going to keep them out.
26 But no coyotes that we've seen.

27 CHAIR PRO TEMPORE JARRELL: Okay.

28 MR. ROWE: When you drive by, I had to back up just
29 to spot the situation. I mean, it's not --

30 MR. GOLLING: Yeah, it's not rural per se but it's

1 not developed, like HOA developed. So it sits back a little
2 ways and, yeah, it's --

3 MR. ROWE: Adding a fence, I don't see --

4 MR. GOLLING: Yeah, you wouldn't see it from 10 feet
5 away, I don't imagine.

6 MR. ROWE: I doubt it, yeah.

7 CHAIR PRO TEMPORE JARRELL: Anybody else?

8 MR. SPINELLO: There is not a lot of frontage on the
9 road and it's, most of it would be in the back and it's
10 covered with bushes and trees. It's pretty, a lot of green
11 area.

12 MR. GOLLING: So how many eggs, just curiosity?

13 MR. SPINELLO: Probably about a dozen a day.

14 MR. GOLLING: Wow.

15 MR. SPINELLO: Yeah.

16 CHAIR PRO TEMPORE JARRELL: Did you bring any to --

17 MR. SPINELLO: No. I should have. Next time, I
18 will.

19 CHAIR PRO TEMPORE JARRELL: Because they're like
20 butter.

21 MR. SPINELLO: Yeah, they're really good. I am
22 never going back to store-bought.

23 CHAIR PRO TEMPORE JARRELL: That's great. Well,
24 thank you. I don't know if anybody else has questions.

25 MR. ROWAN: I just have a question. So what, why is
26 the coop and the pasture in the front yard as opposed to the
27 back yard?

28 MR. SPINELLO: The back yard, there is yard grass
29 but beyond that it's heavily wooded and sort of a wet area, so
30 there wasn't a good area in the back. I believe it would be

1 considered wetland, so it would be muddy and there's a
2 riparian setback back there.

3 MR. ROWAN: And then for purposes of -- Maybe this
4 is a question for Marty. The front yard, is it defined
5 basically from the front of the house forward?

6 MR. PITKIN: Yes, yes.

7 MR. ROWAN: So that would be --

8 MR. PITKIN: Yes, front face of the house forward.

9 MR. ROWAN: Four feet in the front yard.

10 MR. PITKIN: Yes.

11 MR. ROWAN: Up to 8 feet in the back yard.

12 MR. PITKIN: That's correct.

13 MR. ROWAN: Gotcha, okay.

14 MR. SPINELLO: And the house is approximately 300
15 feet from the driveway -- or I mean from the road.

16 CHAIR PRO TEMPORE JARRELL: Anybody else?

17 MR. ROWAN: It looks like the front pasture area or,
18 I guess, where you're fencing in the coop, how far is that? I
19 am trying to see how far that is from the 6 foot fence to the
20 front property line.

21 MR. SPINELLO: Estimate it at about a hundred feet.

22 MR. ROWAN: Okay. So 4 foot fence in the front,
23 then a hundred feet back you'll have --

24 MR. SPINELLO: Right. That's not the exact
25 measurement but it's approximate.

26 MR. ROWAN: Roughly, gotcha.

27 MR. GOLLING: Dave, I don't know if you can see
28 that.

29 MR. ROWAN: Yeah. I've driven past before but,
30 yeah, okay.

1 MR. GOLLING: Yeah, it's --

2 MR. ROWAN: Just trying to get a feel for like, you
3 know, if we're talking, okay, we're 5 feet from the front
4 property line versus 50 or more.

5 MR. SPINELLO: Right.

6 CHAIR PRO TEMPORE JARRELL: Thank you, Mr. Spinello.

7 MR. SPINELLO: Thank you.

8 CHAIR PRO TEMPORE JARRELL: Is there anyone else
9 here tonight speaking for or against this variance request?

10 MR. SIVAK: Yes.

11 CHAIR PRO TEMPORE JARRELL: Please come on up.

12 MR. SIVAK: Good afternoon. Jim Sivak. I live over
13 in Ellison Creek. I've been a resident of Concord Township
14 for 30 years plus, worked here for a number of years and still
15 do as well.

16 CHAIR PRO TEMPORE JARRELL: Have you been sworn in,
17 sir?

18 MR. SIVAK: Yes, I have.

19 CHAIR PRO TEMPORE JARRELL: Thank you.

20 MR. SIVAK: I am also personal friends with a
21 gentleman back there who lives next door to where this
22 property is, and where he is is right on the corner of Hoose
23 and Morley. And the way the property is set up, his property,
24 my friend's property is elevated and you can see clearly in
25 there. And over the last 12-month period, I'd say, there is
26 something new there every day. He mentioned 10 to 20
27 chickens, whatever. There is -- I don't even know what they
28 are. There are giant geese and some other animals that are
29 around there.

30 And I recognize and respect somebody's right to use

1 their property per the zoning, you know, with the acreage that
2 he has and having the animals there. But one of the -- two of
3 the concerns with it is the containment of the animals, the
4 chickens primarily. I am at my friend's house quite a bit,
5 had a grad party there, little kids there. And it's cute to
6 see chickens running around but it's also a health hazard --
7 and you can Google it anywhere -- for to pick up chickens and
8 they're just everywhere. They're out in the road. My
9 background is law enforcement. You come around that corner
10 there and I have seen some close calls with cars hitting them.

11 And so one of the items he mentioned is that he's
12 asking for the variance to put the fence on the side. If you
13 can do anything with the variance, it's on the front to keep
14 them away from the road. I don't know chickenology that much
15 that I can -- it's far enough away from the road that the cars
16 aren't going to deter the birds from going up over the fence
17 there.

18 And I guess the last point I have in it is, when is
19 enough is enough? Is that, how much can you continue to add?
20 You know, you gentlemen said you drive down the road and you
21 go, "Wait, what's that?" and you stop and look. But you see
22 it's not a highly developed area. It's not a subdivision.
23 But, you know, he and family had homes all along the road
24 here. He's the last one left for, you know, 20 years.

25 And, you know, there is other things that occur
26 other than hatching chicken eggs there, you know, in the yard,
27 which is different, I guess, from this variance. And I don't
28 want to get too far off that topic but my point is, as a
29 Concord Township resident, how much of this can this continue
30 to expand and grow? Now you're putting a higher fence and,

1 oh, now I can contain them, I can add more.

2 So I, again, respect the gentleman's right to have
3 his property. And if we are going to approve the variance,
4 then it should be 6 foot all the way around. But, personally,
5 I would rather see it not because I would rather see the
6 growth slow down instead of speed up, which is what I think
7 this would do, to speed up the growth.

8 CHAIR PRO TEMPORE JARRELL: So you're against -- Put
9 it in a nutshell for us. You're against the variance.

10 MR. SIVAK: I am against the variance because my
11 concern is the operation will now continue to expand. I don't
12 know what the limitations are. You know, I've read through
13 the zoning a little bit. You can have this, have that, but I
14 don't know how many ducks, chickens, whatever you can have,
15 you know. And that, if you add this containment area now,
16 it's like, well, I can just have a whole bunch more and then
17 there is buildings that get added and, you know.

18 CHAIR PRO TEMPORE JARRELL: Has the containment area
19 grown? Do we --

20 MR. GOLLING: What do you mean? Define "grown."

21 CHAIR PRO TEMPORE JARRELL: Yeah.

22 MR. GOLLING: Like the number of chickens?

23 MR. SIVAK: Yeah. So there is buildings that are
24 added, like little chicken huts or whatever.

25 MR. GOLLING: Right.

26 MR. SIVAK: And then there seems there is more than
27 chickens there. I don't know what the whole inventory is
28 there but I know there is big, giant geese looking things, you
29 know, that are there, too, that, you know, it just, you know.

30 CHAIR PRO TEMPORE JARRELL: So --

1 MR. SIVAK: How large --

2 MR. GOLLING: If buildings were added, they would --

3 MR. SIVAK: Without going off topic of zoning -- if
4 this does, tell me -- but how big of a farm can you have on
5 that many acres? Is there a limit to how many animals?

6 MR. GOLLING: Two acres is the -- So if you have 2
7 acres, you can have your house and one separate storage
8 building, it's up to 1,024 square feet. Over 2 acres, the way
9 it reads, you can have as many as you want. You can stack
10 them wall to wall if you wanted to.

11 MR. SIVAK: And this is over 2 acres.

12 MR. GOLLING: Over 2 acres. You have 3 --

13 CHAIR PRO TEMPORE JARRELL: 3.08.

14 MR. ROWE: 3.08.

15 MR. GOLLING: Is that --

16 MR. SIVAK: So can he --

17 MR. GOLLING: I am sorry. Go ahead.

18 MR. SIVAK: You can keep adding buildings is what
19 you're telling me?

20 MR. GOLLING: In theory, yes.

21 MR. SIVAK: And then keep adding animals until when?

22 MR. GOLLING: Well, I suppose that would be a
23 question for the county as far as when it comes to like a
24 health hazard. Is that what you're, like, chicken --

25 MR. SIVAK: Well, again, I am looking at this as a
26 30-year Concord Township resident. I've seen the township
27 change immensely over these years. I live in a -- Some days I
28 hate it that I have to pay an assessment in my neighborhood
29 but certain things aren't allowed to happen, you know.

30 MR. GOLLING: Right, right.

1 MR. SIVAK: I don't know. I think I have stated my
2 case. I appreciate your time and I am not trying to become
3 argumentative or anything.

4 CHAIR PRO TEMPORE JARRELL: No.

5 MR. GOLLING: I think it's, I think it's a fair
6 question that, like, you know, he had mentioned that he's
7 doing 6 all the way around but just that little 4 in the
8 front. Is there a problem with bringing it to 6 in the front?
9 I mean, one, we don't want to be hitting chickens. Truth be
10 told, I hit a duck there about two years ago, bounced right
11 off my windshield. I am not sure if it came from his or the
12 pond across the street.

13 MR. SIVAK: Right, right.

14 MR. GOLLING: But if, if the answer is that we don't
15 want chickens going into the neighbor's yard, which is fair --
16 I don't want chickens running through my yard, right -- so do
17 we bring the front up to 6 feet all the way around? But then
18 the secondary, I guess, tertiary concern there is then are we
19 growing into Noah's Ark there? Is that kind of where we're
20 going?

21 MR. SIVAK: I have, pretty much, pled my case pretty
22 good and you understand. Thank you.

23 MR. GOLLING: Yeah.

24 MR. SIVAK: Thank you.

25 CHAIR PRO TEMPORE JARRELL: So, Mr. Spinello, would
26 you please come back?

27 MR. GOLLING: Because that's kind of what we have to
28 discuss because he's for, specifically, just that variance,
29 and the, the number of poultry, I don't think we --

30 CHAIR PRO TEMPORE JARRELL: Do we, are there

1 limitations on --

2 MR. PITKIN: No, no.

3 CHAIR PRO TEMPORE JARRELL: Okay.

4 MR. LUCAS: Madam Chair, the Ohio Revised Code
5 specifically prohibits townships from regulating agricultural
6 activities and raising chickens is an agricultural activity.
7 So we have no regulatory power in terms of limiting the
8 number, the operation of the facility itself and that. We can
9 regulate the buildings and the fences and that but the use
10 itself --

11 MR. SIVAK: What about -- Excuse me. I'm sorry.
12 What about other animals? I mean, you said chickens
13 specifically.

14 MR. GOLLING: Define "other animal."

15 MR. SIVAK: Whatever that big, giant goose looking
16 thing is.

17 MR. LUCAS: The goose --

18 MR. SPINELLO: There is seven geese and about ten
19 ducks and then the chickens.

20 CHAIR PRO TEMPORE JARRELL: How long has the 6 foot
21 fence been up there?

22 MR. SPINELLO: The enclosure has been there, I would
23 say, since last fall.

24 CHAIR PRO TEMPORE JARRELL: So that hasn't reduced
25 the chicken escapism rate over there at all?

26 MR. SPINELLO: They sometimes are able to go under,
27 which we are in the process of blocking that. But, yeah, that
28 second layer, I believe, would help.

29 MR. GOLLING: What about the 4 foot, so if you
30 increase that 4 foot in the front to 6?

1 MR. SPINELLO: I would like to request it at 6. I
2 was trying to be conscious of the, you know, the road and the
3 view but I believe that it could be well --

4 MR. GOLLING: But it's like 300 feet off the road,
5 right?

6 CHAIR PRO TEMPORE JARRELL: Yeah, I don't --

7 MR. SPINELLO: Well, in the front it would be closer
8 to the road. It would be probably about --

9 MR. GOLLING: Well, let me ask this. Forgive my
10 complete and total ignorance here. Can't the big geese fly,
11 too?

12 MR. SPINELLO: No. They're domesticated. They're
13 domesticated geese, so they can't fly.

14 CHAIR PRO TEMPORE JARRELL: They're domesticated?

15 MR. ROWAN: I actually have a question about, even
16 if you did a 4 foot or a 6 foot fence in the front --

17 MR. GOLLING: Right.

18 MR. ROWAN: -- there is no gate. So --

19 MR. GOLLING: Yeah, how do you get in?

20 MR. SPINELLO: There is a gate by the driveway but
21 that's a man gate. It's not --

22 CHAIR PRO TEMPORE JARRELL: Would that make a big
23 difference?

24 MR. GOLLING: The gate or the 6 foot?

25 CHAIR PRO TEMPORE JARRELL: The 6 feet in the front,
26 would it make a big difference? Would it make a big
27 difference?

28 MR. SPINELLO: It would certainly help, I think,
29 with the road situation.

30 MR. GOLLING: Well, I'm also, the road is -- My

1 concern is the neighbor.

2 CHAIR PRO TEMPORE JARRELL: Yeah.

3 MR. GOLLING: And my concern is that, obviously, we
4 don't want to upset our neighbors.

5 MR. SPINELLO: Yeah, I don't, we don't either.

6 MR. GOLLING: And it takes a while to grow chickens.

7 MR. SPINELLO: Yeah.

8 MR. GOLLING: And if they're laying eggs, you don't
9 want them smooshed or kicked by your neighbor.

10 MR. SPINELLO: Right.

11 MR. GOLLING: So we have to come to some sort of
12 agreement to keep the chickens in the yard.

13 MR. SPINELLO: Certainly.

14 MR. ROWAN: Have you heard from the neighbor?

15 MR. SPINELLO: Not yet.

16 MR. ROWAN: Because you're not the neighbor but we
17 haven't heard from the neighbor.

18 MR. GOLLING: Yeah, right. So we can -- So that's,
19 I suppose, if we were looking at 6 all the way around, he's
20 far enough off. It would, hopefully, keep all the waterfowl
21 in, or foul, not waterfowl, whatever, in that little caged
22 area, I guess. And I, my knowledge of bird flying is just, I
23 didn't know they couldn't, but --

24 CHAIR PRO TEMPORE JARRELL: Are these waterfowl just
25 walking around the yard or --

26 MR. SPINELLO: They're in the enclosure right now,
27 yeah.

28 MR. GOLLING: What do they do?

29 MR. SPINELLO: They free range. They're just
30 grazing. They eat bugs and grass and, I mean, we feed them

1 but, I mean, they supplement their diet free range.

2 MR. GOLLING: All right.

3 MR. SPINELLO: And to speak to the neighbors, also,
4 we are not planning on upsizing anymore. We are actually in
5 the process of purchasing this property in Ashtabula County.
6 It's 30 acres. We are planning on moving the majority of the
7 animals over there. So we're not planning on --

8 MR. GOLLING: Wait. Moving just the animals? Are
9 you --

10 MR. SPINELLO: Not all of them but the majority of
11 them.

12 MR. GOLLING: Yeah.

13 MR. SPINELLO: So we're not planning on adding or
14 making a larger operation. We respect the neighbors,
15 certainly. We don't -- We want to live in harmony.

16 MR. GOLLING: Yeah.

17 MR. SPINELLO: So if that helps. I mean, we're
18 planning to do the majority of it there.

19 CHAIR PRO TEMPORE JARRELL: Well, the notices were
20 filed.

21 MR. GOLLING: He's here. So --

22 CHAIR PRO TEMPORE JARRELL: So we, we have to have a
23 neighbor come up and express agreement.

24 MR. GOLLING: One more question. Do the geese,
25 again, dumb question, do they lay eggs, too?

26 MR. SPINELLO: They do, yeah, yes.

27 MR. GOLLING: Like eating eggs?

28 MR. SPINELLO: Yeah, you can eat. We have two,
29 actually, goslings that hatched.

30 MR. GOLLING: Gotcha, okay.

1 MR. SPINELLO: They did escape one time and did
2 chase the neighbor, which I apologize and I felt really bad,
3 and that's part why we put the fence around just because we
4 don't want --

5 MR. GOLLING: Because we don't want videos about
6 that.

7 MR. SPINELLO: What? Yeah, we don't want -- That's
8 not our intent. I mean, we're not trying to anger anybody.

9 MR. GOLLING: Okay. Just so -- I want to recap
10 before he speaks here.

11 MR. SPINELLO: Okay.

12 MR. GOLLING: How many geese?

13 MR. SPINELLO: There is seven geese and two
14 goslings.

15 MR. GOLLING: And how big are these things?

16 MR. SPINELLO: They're 20 pounds but they're tall.

17 MR. GOLLING: Okay. So, okay. And then chickens,
18 total chickens?

19 MR. SPINELLO: I would say 30. I don't know. I
20 haven't counted them.

21 MR. GOLLING: So we're at 37 critters right now.

22 MR. SPINELLO: Yeah.

23 MR. GOLLING: Then do we have anything else?

24 MR. SPINELLO: And then ducks, there is about 10
25 ducks and I think about five or six gos -- or ducklings.

26 CHAIR PRO TEMPORE JARRELL: Are they noisy?

27 MR. SPINELLO: There is a rooster which, in the
28 morning, and then the ducks, quiet. And the geese, I mean,
29 they make noise, I know. So we're planning on moving the loud
30 animals away.

1 MR. GOLLING: All right. So define for me a loud
2 animal.

3 CHAIR PRO TEMPORE JARRELL: A rooster.

4 MR. SPINELLO: A rooster, cock-a-doodle-do. A goose
5 is very loud and the ducks quack. So, those, we're planning
6 on moving to, we're trying to --

7 MR. GOLLING: What will you keep, after you get
8 Ashtabula, what will you keep at the house?

9 MR. SPINELLO: Just a few chickens for eggs.

10 MR. GOLLING: Great, okay.

11 CHAIR PRO TEMPORE JARRELL: When is that going to
12 happen?

13 MR. SPINELLO: We're working on closing with the
14 bank. It's supposed to close on August 15th. They did an
15 appraisal yesterday.

16 MR. GOLLING: Okay.

17 CHAIR PRO TEMPORE JARRELL: Okay.

18 MR. GOLLING: All right, I am straight. No more
19 questions about chickens.

20 CHAIR PRO TEMPORE JARRELL: Okay.

21 MR. SPINELLO: Yep.

22 CHAIR PRO TEMPORE JARRELL: Thanks again.

23 MR. TEKNIPP: Hello. Mike Teknipp, 10375 Hoose
24 Road, and, yes, I've been sworn in.

25 I guess my big question, and I know you guys were
26 talking about it, is a 4 foot fence, 6 foot fence, sounds like
27 the livestock, for lack of a better term, is going to be
28 minimal now moving forward to August 15th or whenever. But I
29 guess my question is, for the front property, how far off, if
30 6 foot is agreed upon? I am just thinking of, you know, the

1 regular heights of fences. If this is 6 foot, this is a
2 privacy fence, close to it, board on board.

3 MR. GOLLING: No, you see, it's a wire fence.

4 MR. TEKNIPP: It's a wire fence.

5 CHAIR PRO TEMPORE JARRELL: Yeah.

6 MR. GOLLING: Yes.

7 MR. TEKNIPP: And how far back, I guess, from the
8 street?

9 MR. GOLLING: Something like that.

10 MR. TEKNIPP: Okay, I've seen those.

11 CHAIR PRO TEMPORE JARRELL: It's already there,
12 correct?

13 MR. SPINELLO: Not around the perimeter, just the
14 enclosure.

15 CHAIR PRO TEMPORE JARRELL: Okay.

16 MR. TEKNIPP: How close to the street? Because as a
17 neighbor, I don't want, my request -- I don't know if that's a
18 proper term or not -- is not to have a make-shift looking
19 fence, wired fence going across the front.

20 MR. GOLLING: Right.

21 MR. TEKNIPP: Six foot, four foot, whatever. The
22 property, I mean, it's a pretty property, was a pretty
23 property with all the grass and the trees --

24 MR. GOLLING: Right.

25 MR. TEKNIPP: -- that have been taken down. It is
26 now not that. So now if you're going to add on a fence that,
27 ultimately, is going to contain a handful of chickens versus
28 what they have now, and I am thank -- Thank you for stating
29 that. That's good to know. I appreciate that. But I guess
30 my concern is the cosmetic look. I mean, this is Concord

1 Township 2022 -- this isn't 1922 -- where we do have
2 beautified looking yards and properties and that. Even over
3 in that area, even though it's not a division or a subdivision
4 or whatever, it's still, there is beautiful homes over there.

5 So I guess that's my concern is how close to the
6 street this is going to, cosmetically, what it's going to look
7 like? And if it's 6 foot, 4 feet, these do have -- I know
8 chickens don't fly but, trust me, we have a picture of one of
9 the chickens, initially when they started this, that they were
10 on our privacy pool wall up on top, which is a 6 foot wall.
11 So they can jump and they can jump over it. So 4 foot, 6
12 foot, it's not going to make a difference probably for that.

13 MR. GOLLING: Well, I guess the question for Marty.

14 MR. PITKIN: Yes?

15 MR. GOLLING: I know we talked about this wire fence
16 thing. What, on a 3 acre there, he can have, he can have the
17 wire fence there even in the front; is that right?

18 MR. PITKIN: Correct, yes.

19 MR. GOLLING: So there is no restriction as to wood
20 picket, plastic privacy, chain-link?

21 MR. PITKIN: No.

22 MR. GOLLING: So he has that, he can have a fence
23 there.

24 MR. PITKIN: Yes, he can, yes.

25 MR. TEKNIPP: And it's how far from the, from the
26 road is that?

27 MR. PITKIN: It would be approximately 18 feet.

28 MR. TEKNIPP: Eighteen feet.

29 MR. PITKIN: From the edge of pavement.

30 MR. GOLLING: So then I guess my next question is,

1 how far would it, would you want it to be?

2 MR. SPINELLO: There is a wooded, there is some
3 trees that we left intact, the purpose to help prevent some of
4 the cosmetic, and planting more trees. So it would be on that
5 tree line.

6 MR. GOLLING: Right. So would it be in front of
7 this tree line or behind this tree line?

8 MR. SPINELLO: I believe it would be behind so, to
9 make it less visible.

10 MR. TEKNIPP: And I guess just looking at that
11 picture, Todd.

12 MR. GOLLING: Yeah.

13 MR. TEKNIPP: There is a stream that runs to your
14 right of that picture. And I am just curious, what is that
15 going to look like as far as the fence? Is it going over the
16 stream, creek that's right there or does it run parallel to
17 it?

18 MR. GOLLING: The stream is over here on the right?

19 MR. TEKNIPP: Yeah.

20 MR. GOLLING: Okay.

21 CHAIR PRO TEMPORE JARRELL: Can I see?

22 MR. GOLLING: Yeah. So what he's talking about is
23 the stream.

24 MR. TEKNIPP: I am just looking --

25 MR. GOLLING: There is a pond over here on the other
26 side by Kitty City and the water goes underneath and the
27 stream goes through, cuts through the two properties. So the
28 question is, how do you fence off the, like, how do you put it
29 over a stream, I guess? Is that right?

30 MR. TEKNIPP: Yeah. I mean, if you've got ducks, I

1 mean, aren't they swimming, potentially? I, again, I am not
2 trying to split hairs height wise. I know that's the variance
3 that we're talking about. Again, this may be off topic.

4 MR. GOLLING: How do you keep a duck on the property
5 if they can swim underneath?

6 MR. TEKNIPP: Yeah. I mean, just, again, they have
7 fences. They've been good as far as installing quick things,
8 quick fixes from a previous time when some of the livestock
9 came over, but even just yesterday there was four chickens in
10 my front yard coming through the woods. So --

11 CHAIR PRO TEMPORE JARRELL: And the 6 foot fence is
12 up right now, right?

13 MR. GOLLING: Except for the front.

14 CHAIR PRO TEMPORE JARRELL: Except for the front.

15 MR. SPINELLO: Well, not along the property line.

16 CHAIR PRO TEMPORE JARRELL: Is that really going to
17 stop the chickens?

18 MR. ROWAN: So this --

19 CHAIR PRO TEMPORE JARRELL: And is this all not moot
20 if you're moving most of the critters except for some
21 chickens?

22 MR. ROWAN: Just to clarify, the outer perimeter,
23 that fence is not built.

24 MR. SPINELLO: That fence is not built. It's just
25 the enclosure, correct.

26 MR. ROWAN: The inner, the inner pen where the coop
27 is, that exists. It's all the outside perimeter of the
28 property that doesn't exist yet. That's what we're looking
29 at. So right now there is no fence, correct?

30 MR. SPINELLO: No.

1 MR. GOLLING: And there is nothing on the perimeter
2 of the property line right now?

3 MR. SPINELLO: No, no. We just had it surveyed so
4 we can find the lines.

5 MR. GOLLING: So the -- I don't know how much fences
6 are to put up a wire fence but it's probably not super cheap.
7 But, so you're going to, you want to put up this fence for a
8 month or two to keep the -- The long-term goal is to keep some
9 egg chickens in. The majority of the critters are going to go
10 to Ashtabula.

11 MR. SPINELLO: Yes.

12 CHAIR PRO TEMPORE JARRELL: Mr. Teknipp, do you
13 think that the 6 foot fence is going to help?

14 MR. TEKNIPP: In the front, no, probably, to be
15 honest with you. Again, I think that's what the variance
16 request was on the sides. It's probably not going to make a
17 difference. As Mr. Sivak just stated before, I am elevated.
18 So, regardless, I can see everything that's going along the
19 perimeter of where the properties lines are. So if they're,
20 it's -- I don't know. I know it's for containment but I guess
21 my big request is, cosmetically, is it going to downgrade
22 things even more, you know, from --

23 CHAIR PRO TEMPORE JARRELL: Unfortunately, there's
24 no parameters set forth in the Resolution.

25 MR. TEKNIPP: Right. I mean, because the township
26 variance, you know, are, they're old and we're a populated
27 community now and we're growing, I think, or at least status
28 quo for a while. But some of these zoning variances and
29 requests are old stuff. I mean --

30 MR. ROWAN: I think that's, I mean, I think you can

1 actually propose --

2 MR. TEKNIPP: I've talked to Heather.

3 MR. ROWAN: -- changes to the Zoning Commission and
4 they can make those changes. We can't.

5 MR. TEKNIPP: I know. I have reached out to
6 Heather. I have talked to her, too, just about, you know,
7 what limitations are and stuff like that.

8 MR. ROWAN: But I think you can actually make a
9 proposed resolution or --

10 MR. TEKNIPP: Okay. Is that county driven or is it
11 township driven?

12 MR. ROWAN: At the township level, I think you can
13 actually propose stuff that the Zoning Commission can then
14 take up.

15 MR. TEKNIPP: Okay.

16 MR. ROWAN: And they would work with it, it would go
17 to the trustees. I don't know the exact process.

18 MR. TEKNIPP: Sure.

19 MR. ROWAN: But you should be able, there is a
20 process, I believe.

21 CHAIR PRO TEMPORE JARRELL: So is your, is the
22 bottom line of your grievance the fence or the animals?

23 MR. TEKNIPP: Yes.

24 CHAIR PRO TEMPORE JARRELL: Which?

25 MR. TEKNIPP: Again, I mean, a 6 foot fence across
26 the front, if it's 18 feet back, if it's along where the trees
27 are, it's going to be kind of hidden. Again, I just -- I am
28 trying to keep the corner beautified as much as possible. If
29 it's 6 foot, 4 foot, again, I don't know if that's going to
30 make a difference in the long run. If he's removing some of

1 the livestock, moving them to Ashtabula, thank you very much
2 for that. But at the same time, I don't know if 6 foot, 4
3 foot, maybe 8 foot would be best.

4 CHAIR PRO TEMPORE JARRELL: Did we determine this is
5 going to be behind the bushes?

6 MR. SPINELLO: Yeah, we're going to place it behind
7 the bushes.

8 MR. TEKNIPP: Okay.

9 CHAIR PRO TEMPORE JARRELL: So the fence will be
10 behind the bushes.

11 MR. TEKNIPP: Okay.

12 MR. ROWAN: I mean, it seems to me like the fence
13 would be better than nothing at all.

14 MR. TEKNIPP: Yes, no, I agree. I agree with that.

15 MR. ROWAN: Obviously, we're talking about
16 aesthetics.

17 MR. TEKNIPP: Yeah.

18 MR. ROWAN: But really, for your purposes, even if
19 you had a privacy fence up, you would still see in because
20 you're elevated.

21 MR. TEKNIPP: Yeah, of course.

22 MR. ROWAN: So it doesn't really matter for that.

23 MR. TEKNIPP: Right.

24 MR. ROWAN: But we're talking along the road.

25 MR. TEKNIPP: Yes.

26 MR. GOLLING: How far set back is the current wire
27 pasture fence, which is that one right there? How far from
28 Hoose is it? Like, obviously, it's beyond the trees because I
29 can't really see it from the Google Streets, but I am just
30 trying to --

1 MR. TEKNIPP: I think you have that backwards, don't
2 you?

3 MR. GOLLING: That says "Hoose Road" right here.

4 MR. TEKNIPP: Oh.

5 MR. GOLLING: My eyes are --

6 MR. TEKNIPP: Oh, you're right, I see.

7 MR. PITKIN: That's approximately 70 feet back from
8 the right-of-way of Hoose.

9 MR. GOLLING: Okay. So we know it's at least 70
10 feet. Then would there be an issue, Mr. Teknipp, about if the
11 fence were back here, back beyond there, of course, not up
12 here right on Hoose Road.

13 MR. TEKNIPP: That would be fine.

14 MR. GOLLING: That would be good?

15 MR. TEKNIPP: Yeah.

16 MR. GOLLING: So we can set conditions. If we were
17 going to do the 6 all the way around, keep the chickens where
18 chickens should be, he's going to get rid of the --

19 MR. ROWE: Noisy one.

20 CHAIR PRO TEMPORE JARRELL: The big one.

21 MR. GOLLING: The noisy one, the noisy one.

22 CHAIR PRO TEMPORE JARRELL: The big ones.

23 MR. TEKNIPP: Thank you for that, too.

24 MR. GOLLING: And just for, like, say, I know you
25 said you close sometime in August. When would the moving of
26 the critters be?

27 MR. SPINELLO: I believe it to be within a month.

28 MR. GOLLING: Of the closing?

29 MR. SPINELLO: Yeah.

30 MR. GOLLING: Okay.

1 CHAIR PRO TEMPORE JARRELL: You're probably keeping
2 the rooster there.

3 MR. SPINELLO: Yes, yes, that's --

4 CHAIR PRO TEMPORE JARRELL: That's a bummer. So are
5 we going to propose a condition that it be, you know, whatever
6 the lineal --

7 MR. GOLLING: Like, see that line right there?

8 CHAIR PRO TEMPORE JARRELL: Yes.

9 MR. GOLLING: Where it is, that's the setback line
10 anyway, right?

11 CHAIR PRO TEMPORE JARRELL: Yes.

12 MR. GOLLING: So if he follows that setback line,
13 follows that where the front of the current pasture fence is,
14 that would be behind the trees.

15 CHAIR PRO TEMPORE JARRELL: And then go all the way
16 across.

17 MR. GOLLING: And then go all the way, go all the
18 way across. You've got 6 feet. Hopefully, chickens won't fly
19 and they'll stay off his property. We get rid of the goose,
20 geeses, goose, geese.

21 CHAIR PRO TEMPORE JARRELL: Geese.

22 MR. GOLLING: Thank you. We get rid of the geese
23 and the ducks are going to go and maybe this is --

24 MR. ROWAN: So this is the line you're talking about
25 moving the fence right here.

26 CHAIR PRO TEMPORE JARRELL: Yes.

27 MR. GOLLING: I am coming over there, Buddy.

28 CHAIR PRO TEMPORE JARRELL: Yes.

29 MR. ROWAN: Just run it along that.

30 MR. GOLLING: Yeah, right. See this, that's the

1 setback line. So if he follows --

2 MR. ROWAN: He has the existing fence here.

3 MR. GOLLING: Right. And he goes 6 all the way
4 back. So I think those trees -- oh, wait. So here's Hoose.
5 Here's, yeah, the tree's going to be right here. So he stays
6 all the way back, he's way beyond on their back. So I don't
7 believe you can see that from, from Hoose. If you would --

8 CHAIR PRO TEMPORE JARRELL: Would that be the case?

9 MR. TEKNIPP: If that's a resolution, then that's
10 fine.

11 MR. ROWAN: We'd have to make it a -- We'd have to
12 amend it, wouldn't we?

13 CHAIR PRO TEMPORE JARRELL: Yes.

14 MR. ROWAN: And they would have to, the rest of them
15 would have to be --

16 CHAIR PRO TEMPORE JARRELL: Mr. Spinello, is this
17 setback line past the bushes?

18 MR. SPINELLO: I am not a hundred percent sure but
19 we could certainly make it --

20 MR. ROWAN: Essentially, where your fence is for the
21 coop.

22 MR. SPINELLO: Right.

23 MR. ROWAN: Just run it along that.

24 MR. SPINELLO: I believe it would be within a couple
25 feet.

26 MR. LUCAS: Mr. Spinello, you want to go up to
27 microphone, if you would, please. Thank you.

28 MR. SPINELLO: I believe it would be within a couple
29 feet of the, of the tree line. So we could certainly push it
30 back to what, you know, it needs to be.

1 CHAIR PRO TEMPORE JARRELL: Okay.

2 MR. GOLLING: But, also, should we discuss making
3 this conditional to be the 25 feet setback from the property
4 line because, according to this drawing, I think all those
5 little X's there is where the proposed fence is; is that
6 correct?

7 MR. SPINELLO: Yes, yeah.

8 MR. GOLLING: So right on the property line.

9 MR. SPINELLO: Right. It does not have to be right
10 on the property line. That's just the way it was drawn.

11 MR. GOLLING: So, one, I guess if we keep it 25 feet
12 back, I don't know how that's going to affect the chickens but
13 that's 25 feet further away from his house.

14 MR. SPINELLO: Yeah, right.

15 MR. GOLLING: Right?

16 MR. SPINELLO: Certainly, yeah, we can certainly do
17 that.

18 MR. GOLLING: So we can scooch, we can mandate that
19 we have it set 25 feet back around and the front of the fence
20 follows the wide, the current coop fence thing that's up right
21 there. Do you see what I am saying?

22 CHAIR PRO TEMPORE JARRELL: Uh-huh.

23 MR. GOLLING: And then we also forego the 4 inches
24 on -- 4 inches -- 4 feet on the front, 6 feet all the way
25 around in an effort to keep chickens where chickens should be,
26 which is inside the fence.

27 MR. TEKNIPP: Can I state something about my
28 property though?

29 MR. GOLLING: Yes.

30 MR. TEKNIPP: Along that --

1 MR. ROWAN: Step to the mic. Step to the mic.

2 MR. TEKNIPP: Along the line next to my property,
3 there is a creek that runs through there, too. So, I mean,
4 you're -- it's wetland. Again, I don't know how you're going
5 to really establish even driving in whatever kind of
6 reinforcement along that area. I mean, for construction
7 purposes, even if it's, you know, whatever they're driving,
8 it's going to be in wetland. So I don't know how sturdy
9 that's going to be and everything. So I guess 25 feet,
10 fantastic, it's off the property line.

11 MR. GOLLING: Right.

12 MR. TEKNIPP: However, I mean, that's, literally,
13 that whole area between our two properties, which is, probably
14 spans about -- I couldn't tell you for sure -- probably maybe
15 a third of an acre between our properties, is all wetland.
16 And so, again, if you're fencing in --

17 CHAIR PRO TEMPORE JARRELL: Do the chickens go
18 through the muck, too?

19 MR. TEKNIPP: Yeah, yeah. They've been in the back
20 of my, back of my woods, too, back of my property. So,
21 anyways, I don't, I don't have a true resolution on that side
22 of it. I just know when you're trying to purchase into the
23 land with some kind of reinforcement, you would want to make
24 sure you're driving into, you know, ground that's going to
25 actually hold it however that, those posts are going to be.
26 Again, we might be completely off topic here but -- when
27 you're talking about the property lines and everything.

28 MR. GOLLING: Yeah, I think that, I mean, the
29 construction of it, we don't have any --

30 MR. TEKNIPP: Yeah.

1 MR. GOLLING: He's got to figure out how to get it
2 through the wetlands. But I'm just trying to see, to your
3 point about the -- I'm trying to get my satellite view.

4 MR. TEKNIPP: And it's hilly over there, too. So,
5 again, I don't, I don't know. Maybe that's why it's a wire
6 fence would be what you would want to do versus a wood fence.

7 MR. GOLLING: Okay. So that's where that little
8 pond thing is across the street.

9 CHAIR PRO TEMPORE JARRELL: Yeah.

10 MR. GOLLING: And then that's what he's talking
11 about, the stream going through. But, I mean, we --

12 CHAIR PRO TEMPORE JARRELL: Well, Mr. Spinello, are
13 you willing to deal with -- Could you come back up for a
14 second?

15 MR. SPINELLO: Yeah.

16 CHAIR PRO TEMPORE JARRELL: Are you willing to deal
17 with these conditions?

18 MR. SPINELLO: Yes, certainly.

19 CHAIR PRO TEMPORE JARRELL: So 6 foot across the
20 front at the 25 foot setback line behind the bushes.

21 MR. SPINELLO: In the front.

22 CHAIR PRO TEMPORE JARRELL: Yeah.

23 MR. SPINELLO: Yes, yeah.

24 CHAIR PRO TEMPORE JARRELL: And you're going to have
25 to do a good job.

26 MR. SPINELLO: Okay, I can do that.

27 CHAIR PRO TEMPORE JARRELL: Okay?

28 MR. ROWAN: So are we --

29 CHAIR PRO TEMPORE JARRELL: We're going to have to
30 modify.

1 MR. ROWAN: Are we doing just the front then or are
2 we doing all the way around?

3 MR. GOLLING: We're doing, we're doing 6 on the
4 setback line, no further.

5 MR. ROWAN: In the front.

6 MR. GOLLING: So he's got to be 25 feet setback from
7 the property all the way around, save for the 70-some feet in
8 the front, Marty said.

9 MR. PITKIN: Correct.

10 MR. GOLLING: To the, where the current welded
11 pasture line thing is. I mean, the goal here, I just, we have
12 to agree that, we've got to come to some kind of agreement
13 that we don't want his chickens going all over the place and
14 getting mushed. He doesn't want his chickens going over there
15 and pooping in his yard and the geese running around and stuff
16 like that, so we've got to contain them.

17 MR. ROWAN: The only other thing I am questioning is
18 we're really only talking about the front yard because that's
19 what the variance is for.

20 MR. GOLLING: Right.

21 MR. ROWAN: Everything from the front of the house
22 back could be to the property line.

23 MR. GOLLING: It could, but we also have a neighbor
24 here that really is, we're trying to solve two problems.

25 MR. ROWAN: Right, I understand. But we have a
26 variance from the front yard, not for the back yard. So --

27 MR. GOLLING: So what do you think, Chris?

28 MR. ROWAN: I don't know legally if we can even
29 dictate --

30 CHAIR PRO TEMPORE JARRELL: How do we modify, Mike?

1 MR. LUCAS: You're going to have to, you're going to
2 need a little more detail because we're, I realize we are just
3 generally discussing this, but you're going to have to lay out
4 with some specificity so that, if somebody looks at this
5 later, they know exactly what's been agreed to.

6 MR. GOLLING: Exactly what we talked about.

7 CHAIR PRO TEMPORE JARRELL: Okay.

8 MR. LUCAS: Number one.

9 CHAIR PRO TEMPORE JARRELL: So --

10 MR. LUCAS: Wait, wait, I'm not done.

11 CHAIR PRO TEMPORE JARRELL: I'm sorry.

12 MR. LUCAS: That's all right. That's all right,
13 Chris.

14 And, number two, the applicant, because, as you
15 noted, there is only a certain variance request here, the
16 applicant would have to agree to amend the variance request to
17 reflect the changes that are being discussed as acceptable for
18 consideration by the Board.

19 CHAIR PRO TEMPORE JARRELL: Perhaps it might be best
20 if you would consider tabling this so you don't have to pay
21 another fee and to come back with the revisions that we've
22 discussed.

23 MR. SPINELLO: On August 13th?

24 CHAIR PRO TEMPORE JARRELL: Yes.

25 MR. SPINELLO: Okay.

26 CHAIR PRO TEMPORE JARRELL: So that we're not, you
27 know, you know -- We need to be clear.

28 MR. SPINELLO: Yeah, we can certainly do that.

29 MR. GOLLING: But I would say, in the meantime,
30 probably do his best to mediate chickens escaping on the

1 current fence.

2 CHAIR PRO TEMPORE JARRELL: I concur.

3 MR. GOLLING: Yeah, and keeping, making sure
4 Mr. Teknipp is not --

5 MR. SPINELLO: We found some places where they go
6 under. We're working on sealing that up, also.

7 CHAIR PRO TEMPORE JARRELL: Would you like to
8 come --

9 MR. SIVAK: I just have one brief point before you
10 close.

11 CHAIR PRO TEMPORE JARRELL: Please, come back.

12 MR. ROWE: What the heck, yeah.

13 CHAIR PRO TEMPORE JARRELL: Come on down.

14 MR. SIVAK: Just because, you know, you're exactly
15 talking about the ensuring the compliance with the
16 construction.

17 MR. GOLLING: Right, yeah.

18 MR. SIVAK: To help ensure that, should that not
19 occur, not that anybody wants to go this way --

20 MR. GOLLING: Right.

21 MR. SIVAK: The chickens continue to go in the yard,
22 I'm assuming this is some form of violation that's enforceable
23 that --

24 CHAIR PRO TEMPORE JARRELL: Not in our purview.

25 MR. SIVAK: I am sorry?

26 CHAIR PRO TEMPORE JARRELL: This is not our purview,
27 addressing that.

28 MR. GOLLING: It would have to go, it would have to
29 go to the sheriff at that point.

30 MR. SIVAK: Would legal know anything?

1 MR. LUCAS: Yeah, I would.

2 MR. SIVAK: I am sorry. I didn't mean it that way.

3 MR. LUCAS: Yeah. Not surprisingly, as I said
4 earlier, you can't regulate agricultural uses, the township
5 can't. So there wouldn't be a vehicle for the township to
6 file a prosecution for some zoning violation. A neighbor, in
7 a civil action, could do something.

8 MR. SIVAK: So it would be civil.

9 MR. LUCAS: Right.

10 MR. SIVAK: Okay.

11 MR. LUCAS: Okay?

12 MR. SIVAK: Okay, thank you.

13 CHAIR PRO TEMPORE JARRELL: So the applicant needs
14 to request that it be tabled or --

15 MR. LUCAS: Well, I think what you want to do, Madam
16 Chair, is just simply indicate that the public hearing is in
17 recess to enable the applicant to consider the feedback
18 provided by the Board of Zoning Appeals. That's all you need
19 to do.

20 CHAIR PRO TEMPORE JARRELL: Okay.

21 MR. LUCAS: To be continued to the next meeting
22 then. So, that way, the public hearing remains open.

23 CHAIR PRO TEMPORE JARRELL: Okay, okay. So in
24 regards to the Variance Application 2022-103 brought forth by
25 Mr. Robert Spinello, we are requesting that we table this and
26 the public portion of this hearing will now be recessed and,
27 if that -- at this time I would like to ask for a motion to
28 table this discussion.

29 MR. ROWE: I move that.

30 CHAIR PRO TEMPORE JARRELL: All in favor?

1 MR. LUCAS: You need a second.

2 MR. ROWAN: Second.

3 CHAIR PRO TEMPORE JARRELL: Oh, we need --

4 MR. GOLLING: Davey seconded, yes.

5 CHAIR PRO TEMPORE JARRELL: Okay. All in favor?

6 (Four aye votes, no nay votes.)

7 CHAIR PRO TEMPORE JARRELL: Okay. It is recessed.

8 Good luck. Okay.

9 MR. SIVAK: I meant no disrespect. I'm sorry.

10 MR. LUCAS: No, no, don't be silly.

11 MR. SIVAK: Have a good day.

12 CHAIR PRO TEMPORE JARRELL: All right. So we are on
13 to Item Number 3, Variance Application 2022-104, Joseph Olexa
14 III is requesting a variance to allow for the construction of
15 a covered porch that is set back 48 feet from the front line,
16 in lieu of the minimum 50 feet required in Section
17 15.04(A)(2)(b)(iv) and Section 15.04(B), Table 15.04-1 for the
18 property located at 9960 Stone Hollow Road, known as current
19 parcel number 10-A-022-D-00-037-0.

20 MR. GOLLING: Do you have chickens?

21 MR. OLEXA: It's not --

22 CHAIR PRO TEMPORE JARRELL: We don't want to deal
23 with chickens.

24 MR. OLEXA: It's not a car wash and it's no
25 chickens.

26 MR. GOLLING: I learned more about chickens and
27 nonflying waterfowl today.

28 MR. ROWE: He wanted to inquire about a large
29 alligator, actually.

30 MR. GOLLING: There is not -- I thought that could

1 fly.

2 MR. OLEXA: And there is no noisy --

3 CHAIR PRO TEMPORE JARRELL: All right, good.

4 MR. GOLLING: Okay.

5 MR. OLEXA: Joe Olexa, original owner, current
6 resident of the property at 9960 Stone Hollow Road in Concord.
7 We built the house in 1994.

8 CHAIR PRO TEMPORE JARRELL: And you've been sworn
9 in, sir?

10 MR. OLEXA: I have been sworn in. Sorry, Madam
11 Chair.

12 CHAIR PRO TEMPORE JARRELL: No, no, that's great.

13 MR. OLEXA: And we're in the process of doing some
14 exterior remodeling of the house. The first step or the first
15 portion was replace the front porch. It's starting to -- It's
16 made of brick with a concrete slab. We need to, the brick is
17 starting to chip out, so we want to replace that. We're
18 replacing the siding on the house. And, as a result, you
19 know, we said, hey, it would be nice -- Mr. Fisher earlier
20 stole my thunder and said, you know, northeast Ohio winters,
21 especially in this time of home deliveries, a lot of packages
22 go on the front porch, a lot of packages get wet and you end
23 up returning them directly.

24 So we would like to put, we called it an overhang.
25 I will use the terminology "covered porch." It's going to be
26 open on all sides except where it's attached to the house, two
27 columns supporting the front of the covered porch. It extends
28 inside the 50 foot variance that is set back from the road
29 where the house is. We do have a bay window that also extends
30 off the front of the house that, as we understand from the

1 section of code, doesn't count. Okay, good. So the columns
2 of the covered porch would be approximately where that end of
3 the bay window is.

4 And we, we don't have any elevated neighbors that
5 would look down on this and have their view distracted. We
6 believe, you know, a lot of our neighbors already either have
7 covered porches or overhangs, as we are talking about, and we
8 would just like to be able to remodel the front of our house
9 for more aesthetic reasons, some protection reasons.

10 We've replaced the front door multiple times due to
11 the weather beating down on it. We've stained the front door
12 that many more times as the same result. And we just feel
13 that this would protect the front of our house a little bit
14 and our investment, not affecting anybody on the street
15 whatsoever.

16 MR. ROWE: This is a very typical. We, years ago,
17 there was one on Barchester just chapter and verse like this,
18 a minor modification.

19 MR. GOLLING: So it would come out 2 feet more from
20 the house than --

21 CHAIR PRO TEMPORE JARRELL: Two feet, yeah, it would
22 be 48 feet from the street.

23 MR. ROWE: Yeah. See, that was a long time ago but
24 it's just a couple of feet there. Compared to a 6 foot fence,
25 this is nothing.

26 CHAIR PRO TEMPORE JARRELL: Any questions for
27 Mr. Olexa?

28 MR. GOLLING: You're not replacing the stoop?
29 You're just --

30 MR. OLEXA: We are replacing the stoop, yeah, but

1 it's going to be, what, 4 by 7, 5 by 7?

2 MRS. OLEXA: It would be 4 by 7.

3 MR. OLEXA: Okay. She is not sworn in, so she's not
4 allowed to talk.

5 MRS. OLEXA: I am sorry.

6 MR. OLEXA: Five by seven.

7 MR. GOLLING: He just told his wife to shut up.

8 MR. OLEXA: And I was allowed to.

9 MR. GOLLING: Oh, my God.

10 MR. OLEXA: I was allowed to, that's the good thing.
11 Maybe I have Mr. Lucas on my side in legal proceedings.

12 No, it would, we're going to expand it a little bit
13 to a 5 by 7 in front of the door.

14 MR. GOLLING: Got it.

15 MR. OLEXA: And then the overhang or the covered
16 porch would be over the top of that 5 by 7.

17 MR. GOLLING: Okay, understood.

18 CHAIR PRO TEMPORE JARRELL: Great, thank you.

19 MR. OLEXA: Thank you.

20 CHAIR PRO TEMPORE JARRELL: Any, okay, anybody else
21 here for or against this variance request?

22 MR. ROWE: No one would dare at this hour.

23 CHAIR PRO TEMPORE JARRELL: Okay. Then the public
24 hearing for Variance Application 2022-104 requesting a 2 foot
25 variance at parcel number 10-A-022-D-00-037-0, any discussion
26 here?

27 MR. ROWE: No.

28 CHAIR PRO TEMPORE JARRELL: I will entertain a
29 motion.

30 MR. GOLLING: So moved.

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MR. ROWE: Second.

MR. ROWAN: Second.

MR. ROWE: Oop, we did it again.

MR. ROWAN: You can have it.

MR. PITKIN: Mr. Rowan?

MR. ROWAN: Yes.

MR. PITKIN: Mr. Rowe?

MR. ROWE: Yes.

MR. PITKIN: Mr. Golling?

MR. GOLLING: Yes.

MR. PITKIN: Ms. Jarrell?

CHAIR PRO TEMPORE JARRELL: Yes.

Your variance request is approved. Thank you.

MR. OLEXA: Thank you very much.

Okay. On to --

MR. GOLLING: Have a good night.

MR. OLEXA: We'll have to come back. This is very entertaining.

CHAIR PRO TEMPORE JARRELL: Yes, it is. Yes, yes, it is.

Variance, the fourth item, Variance Application 2022-105, Brian Rodgers is requesting the following variances to allow for the construction of an accessory building on the property located at 7225 Northpointe Court, known as current parcel number 08-A-030-F-00-013-0.

The first variance is from Section 15.03(A)(6), Table 15.03-1, to allow a lot less than 2 acres in size to have a second accessory building, in lieu of the maximum one that is permitted.

And the second variance request is from Section

1 15.04(A)(2)(e) and Section 15.04(B) to allow an accessory
2 building to be located 20 feet from the Hermitage Road right-
3 of-way, in lieu of the minimum 50 feet required.

4 Come forth. Come on down.

5 MR. RODGERS: All right. Thank you, all, for your
6 time. I do -- My name is Brian Rodgers, 7225 Northpointe
7 Court and I have been sworn in.

8 CHAIR PRO TEMPORE JARRELL: Thank you.

9 MR. RODGERS: Okay. I do have extra photos. Can I
10 pass them out to you guys?

11 CHAIR PRO TEMPORE JARRELL: Please.

12 MR. RODGERS: I brought extra photos with me.

13 MR. ROWAN: Thank you.

14 CHAIR PRO TEMPORE JARRELL: Thank you.

15 MR. GOLLING: Thank you.

16 MR. RODGERS: Okay. So what I am requesting is to
17 have a second accessory structure put on the property. We
18 purchased the home in 2014 and, when we moved in there, the
19 current shed that is there now, we fixed, repainted, and a
20 couple years ago we had a metal roof put on our house because
21 it needed replaced. At the same time, I spent a decent amount
22 of money to put a metal roof on the shed that we currently
23 have there now so it matched the house. So everything matches
24 the house the way it is currently with the shed I have.

25 CHAIR PRO TEMPORE JARRELL: How big is the current
26 shed?

27 MR. RODGERS: Twelve by sixteen.

28 CHAIR PRO TEMPORE JARRELL: Okay.

29 MR. RODGERS: So 12 by 16. So what I am requesting
30 for is for the second shed, which is going to be 12 by 24. As

1 you can see in the pictures that I provided, it will be at the
2 back corner of our property in the woods. It's pretty tucked
3 away where it's at where nobody can really see where it's at,
4 especially when everything grows in. So I do have it marked
5 out there, a picture of the current shed and the proposed
6 location. With the new shed, basically --

7 CHAIR PRO TEMPORE JARRELL: Where is that? Where is
8 that picture? Is this the current one?

9 MR. RODGERS: That's the current shed that I have
10 now.

11 CHAIR PRO TEMPORE JARRELL: Okay.

12 MR. RODGERS: Yes. And the other photos of the
13 woods is, if you're looking at that shed, to the right behind
14 it. So I don't know. Do you guys have a map in there of the
15 property where I marked it on where it would be, the proposed
16 location?

17 MR. GOLLING: Yeah.

18 MR. ROWE: I think so.

19 MR. GOLLING: I just can't see the current shed on
20 here, Brian.

21 MR. RODGERS: Okay. So the current shed that you're
22 looking at now is right there.

23 MR. GOLLING: Oh, okay, yeah, gotcha, gotcha.

24 MR. RODGERS: So it's way back there.

25 MR. ROWAN: Can you show me?

26 MR. RODGERS: Yeah.

27 MR. ROWAN: I am assuming it's this right here.

28 MR. RODGERS: So the current shed that I have now
29 is --

30 MR. ROWAN: That's it right there?

1 MR. RODGERS: Yeah, that's it right there. And then
2 the proposed shed is going to go back there, back there in the
3 woods.

4 MR. ROWAN: Gotcha.

5 MR. RODGERS: So, again, there is nothing wrong with
6 that current shed that is there now. Like I said, I spent
7 quite a bit of money to have a metal roof put on it to match
8 my house that I have now. My wife painted it so it matches
9 the house. There is just not enough space in it. The
10 pictures I provided, we increased the size of our deck last
11 year. We replaced our pool. We have a lot more equipment. I
12 have a gas heater that I would like to store away, the pump,
13 the pool reel. I just have a lot of pool equipment. We have
14 all new tables and chairs that I had, well, we purchased. I
15 have a grill. Right now, a lot of it takes up most of my
16 garage space because I have nowhere else to store it. Some of
17 the stuff, I have put tarps on over the wintertime, which our
18 winters does not work good and they just don't look good,
19 covering them with tarps but I have no other space for them.

20 So the new shed that I am asking for, requesting, is
21 so I can put all my pool equipment, all of my outdoor patio
22 stuff, my gas pool heater, my kids have bikes, just all my
23 outdoor stuff.

24 CHAIR PRO TEMPORE JARRELL: Why did you choose the
25 location that you have chosen?

26 MR. RODGERS: So the spot that I chose is, if you're
27 looking at the map right here, if I need to, on my side yard
28 here, I really don't have any space. My kids have a whole,
29 one of those playground play sets that's right there. That's
30 set in the spot there. And then this portion over here is

1 constantly wet. It's a low spot. It's constantly wet. I
2 have put so much dirt and grass. No matter what I do, it just
3 stays wet. And I am afraid, if I put the shed over here, it's
4 going to sink. So the proposed location that I am looking for
5 back here, it's hidden to the back of my property. I mean,
6 it's all tucked away in the woods in the back where nobody
7 really can see it once it grows in. So --

8 MR. GOLLING: They can't see it from Hermitage
9 either or --

10 MR. RODGERS: I mean, right now with all the trees,
11 you cannot see it. Once fall time comes --

12 MR. GOLLING: Right.

13 MR. RODGERS: You might be able to see it. But what
14 I was going to do is, the shed that we're going to buy -- and
15 I have, we didn't buy it yet because we didn't -- but it's
16 going to be one of these types of sheds. So it's going to
17 match the color of our house that it is currently and the shed
18 and we're also going to have a black metal roof.

19 CHAIR PRO TEMPORE JARRELL: Do you have photos of --
20 How many car garage do you have?

21 MR. RODGERS: Just a two-car garage.

22 CHAIR PRO TEMPORE JARRELL: Two-car garage.

23 MR. RODGERS: So the whole one side bay is just
24 taken up with bicycles, my gas pool heater, my pool pump and
25 stuff like that.

26 CHAIR PRO TEMPORE JARRELL: How long have you known
27 you needed more room?

28 MR. RODGERS: Last year, maybe the year before.

29 CHAIR PRO TEMPORE JARRELL: And then when did you
30 put the roof on the existing structure?

1 MR. RODGERS: Two years ago.

2 MR. GOLLING: Because he replaced the pool last
3 year, added the heater and bought new furniture.

4 MR. RODGERS: We have all new outdoor patio
5 furniture. I bought a new gas pool heater this year because
6 my other one rusted out because I couldn't store it.

7 CHAIR PRO TEMPORE JARRELL: Couldn't you bust out
8 the back wall of the existing structure and add on?

9 MR. RODGERS: No, because it's all concrete back
10 there. We have a whole concrete pad. You mean behind the
11 garage?

12 CHAIR PRO TEMPORE JARRELL: No, behind the existing
13 out building.

14 MR. GOLLING: The current shed.

15 MR. RODGERS: No, because I have a huge oak tree
16 that is right behind here, which I am not -- I don't want to
17 cut down. It is a huge oak tree.

18 CHAIR PRO TEMPORE JARRELL: It's right behind the
19 existing?

20 MR. RODGERS: Like if you go right behind the shed,
21 it's about 3 feet away and it's a really big oak tree. It's
22 been there for a long time. And I, it would be expensive to
23 cut down. And if I tried adding onto my existing shed, I
24 would have to take off the metal roof that they had just made
25 for the shed that I have. It would just cost, the cost would
26 be more.

27 MR. ROWE: Did you look into like wintertime
28 off-site storage? They've got storage buildings all over the
29 place.

30 MR. RODGERS: I have but I would just prefer just to

1 keep it all at home, you know, because my kids use it a lot.

2 MR. ROWE: I would add, "if I can" into the --

3 MR. RODGERS: Yeah, if I can, you know. I have
4 looked at the other storage place but, again, if I can, I
5 would like to just keep it all at home.

6 CHAIR PRO TEMPORE JARRELL: Are you talking about
7 this tree right here?

8 MR. RODGERS: Yeah.

9 CHAIR PRO TEMPORE JARRELL: Well, that's not right
10 behind it. This one?

11 MR. ROWE: It's close.

12 MR. RODGERS: Oh, yeah, it's about 5 feet from the
13 shed. So, again, if I were to take the existing shed I have
14 now, the roof off and add onto it, the expense, that metal
15 roof cost me \$2,000 to put on that shed when we did the metal
16 roof on our house, which --

17 MR. ROWE: Don't ask.

18 MR. RODGERS: The price all together was --

19 MR. ROWE: But it's going to last.

20 MR. RODGERS: But I thought about that, yeah. Well,
21 it's gonna last, they said, 50 years. But, again, there is
22 nothing wrong with that shed.

23 CHAIR PRO TEMPORE JARRELL: Well, what about this
24 way?

25 MR. RODGERS: It's all trees. That's why the spot
26 that I have marked out, there is no trees. It's all open back
27 there and there is no trees to cut down.

28 MR. GOLLING: So I am thinking about, you know,
29 devil's advocate, playing both sides, a couple of options is,
30 one, you sell this one and you get you a bigger monster shed.

1 But then, again, to his point, swallowing that pill of just
2 spending \$2,000 for that new roof up there, that's tough. But
3 then if you're going to extend or build off of that, to even
4 come out, let's say, to the end of that drive, that's
5 another -- what do you think, Davey -- another 10 feet to the
6 end of that drive all the way over there? Like if he were to
7 shoot it out and then -- I am just spitballing here.

8 MR. RODGERS: Yeah.

9 MR. GOLLING: You got, that's, that's a 12 by 16
10 shed?

11 MR. RODGERS: Correct.

12 MR. GOLLING: So 12 by 10, another 120 square feet.
13 I don't even think that would be enough to, to --

14 CHAIR PRO TEMPORE JARRELL: So your difficulty, what
15 is the difficulty here that you just, it's a financial thing,
16 only because you're going to need to come up with something
17 better than that.

18 MR. RODGERS: What do you mean, a financial, as far
19 as taking the shed apart?

20 CHAIR PRO TEMPORE JARRELL: I mean --

21 MR. RODGERS: Or adding onto it?

22 CHAIR PRO TEMPORE JARRELL: You don't want to take
23 trees down to add onto it.

24 MR. RODGERS: Correct, correct, because I love the
25 trees in the back yard.

26 MR. ROWE: Okay.

27 MR. RODGERS: And the shed I have now, that shed is
28 in beautiful shape. There is nothing wrong with it.

29 MR. ROWAN: So I think, for me, it sounds like,
30 obviously, cutting down trees, there is an expense.

1 MR. GOLLING: Yeah.

2 MR. ROWAN: You've already sunk an extra 2,000 into
3 the shed.

4 MR. RODGERS: Yeah.

5 MR. ROWAN: To add onto it, as we've said, doesn't
6 really make sense. I think the biggest difficulty or one of
7 the things that adds to this difficulty is the lot location
8 because you've got two frontages to deal with.

9 MR. RODGERS: Yeah.

10 MR. ROWAN: So it's like, how do you position this?
11 Even if you had a bigger shed and, you know, I am assuming
12 there is probably a variance that was for the original shed
13 for some sort of, with the location. Maybe I am mistaken on
14 that.

15 CHAIR PRO TEMPORE JARRELL: The shed was there when
16 he bought it.

17 MR. RODGERS: Yeah, I was going to say --

18 MR. ROWAN: Yeah, but it was --

19 MR. RODGERS: Yeah.

20 MR. ROWAN: There was already a variance.

21 MR. ROWE: Well, it's a big variance. I mean, the
22 township says 2 acres you can have, you know, a large
23 building. You've got like .66. I mean, that's a, when you
24 look at variances, that's huge, I mean.

25 MR. ROWAN: I think the other thing is that, so the
26 biggest things is that you can't have two structures.

27 MR. GOLLING: Under.

28 MR. ROWAN: On this lot size.

29 MR. GOLLING: Yeah, yeah.

30 MR. ROWE: Right.

1 MR. ROWAN: The square footage is under.

2 MR. GOLLING: Yes.

3 MR. ROWAN: So, I mean, I think that's a positive.

4 MR. GOLLING: It's 288 for the new one.

5 MR. RODGERS: The 12 by 24 would be 288 and then --

6 MR. GOLLING: 192 for the other, so it's 480 total.

7 MR. RODGERS: It's a total of 456 square feet
8 between both.

9 MR. ROWAN: You are less than half of the total that
10 he would be allowed. Is there a county limit on square --
11 There is a county limit.

12 MR. GOLLING: Ten twenty-four.

13 MR. ROWAN: So he's still under that as far as
14 square footage.

15 CHAIR PRO TEMPORE JARRELL: The issue is the two
16 buildings.

17 MR. ROWAN: I agree, I agree. I don't -- I am
18 trying to figure out how, you know, I am trying to think if
19 there is a creative way to make this work. But, yeah, I
20 agree, it's two, two buildings is the issue. Alternatively, I
21 mean, if somebody were to put a pod there for the winter, I
22 don't know if that would even be legal and then take it off
23 after six months.

24 MR. GOLLING: It would be --

25 MR. PITKIN: Yeah, I think it's 40 or 30 days, 30
26 days, and then you can get an extension for that.

27 MR. GOLLING: You could get like a, yeah, like a
28 storage shipping container. Yeah, that's not -- that's 30
29 days.

30 MR. ROWAN: Right.

1 MR. ROWE: Well, those things are normally --

2 MR. ROWAN: I am not saying that's what I would do.

3 MR. ROWE: -- set in the driveway.

4 MR. ROWAN: What would stop somebody from doing

5 that?

6 MR. PITKIN: It can't be in the back yard.

7 MR. GOLLING: Yeah.

8 MR. ROWAN: Yeah, so it would be in the front yard.

9 MR. PITKIN: Yeah, on the driveway.

10 MR. GOLLING: So I guess here he wants to put it

11 parallel with Hermitage; is that right?

12 MR. RODGERS: Yes.

13 MR. GOLLING: Parallel with Hermitage. There is no

14 neighbors in the back. I don't see anybody here for or

15 against.

16 CHAIR PRO TEMPORE JARRELL: Yeah, that's true.

17 MR. GOLLING: He's got the 12 by 16, which he's got

18 six pounds of crap in a three-pound bag. So trying to stuff

19 it all in here and still use his garage for the winter, the

20 solution is, you know, you get the second shed or you need to

21 demo this and build you a bigger one but, you know, then there

22 is -- or do you drop, spend 15 hundred dollars, drop the tree

23 that you love to build onto this one. So a lot of different

24 options or -- Wait, I am sorry. How big is the lot?

25 CHAIR PRO TEMPORE JARRELL: It's .66.

26 MR. PITKIN: It's .66.

27 MR. GOLLING: Yeah, that's kind of the, if he was

28 like 1.98, that might --

29 MR. ROWE: Yeah.

30 MR. ROWAN: I mean, so what would be the biggest,

1 what's the biggest shed you could put on, 10 by --

2 CHAIR PRO TEMPORE JARRELL: A thousand twenty-four.

3 MR. ROWAN: Right.

4 MR. GOLLING: Whatever that works out to, 20 by --

5 MR. PITKIN: Thirty-two by thirty-two.

6 MR. ROWAN: Thirty-two by thirty-two.

7 MR. GOLLING: Which is monster, right? So just say
8 if he were, if he were to bulldoze all those trees and put a
9 32 by 32 shed there, he would totally be allowed to do that
10 and still be twice as large as both of these put together.

11 But to Chris's point, two, he's allowed one.

12 MR. ROWAN: Right. Well, and then the alternative
13 would be, if you -- you could, theoretically, you could sell
14 that shed. I've had a shed moved. You're looking at, I think
15 it was 500 bucks just to move it from one end of the property
16 to the other. It's cheaper than buying a new one and demoing
17 it. I am not saying -- Again, I am just trying to, you know,
18 discuss options here. But, you know, to your point, 32 by 32
19 would be huge.

20 MR. GOLLING: That would be a monster.

21 CHAIR PRO TEMPORE JARRELL: There is no neighbors
22 here.

23 MR. GOLLING: Yeah.

24 MR. ROWAN: And if, and if the road weren't there,
25 again, we get back to two buildings is really the issue.

26 MR. GOLLING: Yeah.

27 MR. ROWAN: It's not --

28 MR. GOLLING: Then if you're driving down Hermitage
29 and you see the one -- Let's say the new shed goes in. Could
30 you even see the second shed from Hermitage? I contend

1 probably not due to the foliage and the 200-year-old trees
2 that are here. And, again, there is no neighbors here.

3 CHAIR PRO TEMPORE JARRELL: Well, you would be
4 surprised when there is no leaves there.

5 MR. ROWE: There are houses across Hermitage from
6 that.

7 MR. GOLLING: I am sorry?

8 MR. ROWE: There are houses on Hermitage.

9 MR. GOLLING: Yeah, yeah, across the street, right.

10 MR. ROWE: Across the street. But a lot of --

11 MR. RODGERS: But I will say the neighbors that are
12 across the street on Hermitage, they sit so far back and they
13 have such huge evergreens, I don't think I've ever seen them.
14 I never -- I am just, I am just stating that just for the
15 neighbor. That's the only neighbor that necessarily, I
16 guess --

17 CHAIR PRO TEMPORE JARRELL: Well, this one isn't
18 that far back.

19 MR. ROWAN: I think as far as hardship, it seems to
20 me it's mostly financial.

21 CHAIR PRO TEMPORE JARRELL: The difficulty.

22 MR. ROWAN: Yeah, the difficulty is a financial
23 difficulty. You've already put in some money into this
24 existing shed.

25 CHAIR PRO TEMPORE JARRELL: Well, and the difficulty
26 in the Resolution.

27 MR. ROWAN: Right.

28 MR. GOLLING: Right. So I guess we're at a point
29 now we've had our discussion.

30 CHAIR PRO TEMPORE JARRELL: Yeah.

1 MR. ROWAN: So we have to close.

2 MR. GOLLING: We have to close. Or we're looking
3 for, for and against and there is nobody here, so we have to
4 get that on the record, Mike, right?

5 CHAIR PRO TEMPORE JARRELL: Yeah.

6 MR. GOLLING: Yep. And then discuss, then vote.

7 CHAIR PRO TEMPORE JARRELL: Yep, okay. There is
8 nobody else here, so there is nobody else here for or against.
9 And so if there is no further questions for Mr. Rodgers, then
10 the public hearing for variance request Application 2022-105
11 requesting, well, the first one requesting a second accessory
12 building in a R-1 District that, under 2 acres, that only
13 allows for one. And then the -- So we will address that one
14 first. Any discussion? I mean, we've discussed.

15 MR. GOLLING: We've discussed.

16 CHAIR PRO TEMPORE JARRELL: Okay, all right. Then I
17 will entertain a motion for the approval of a variance for a,
18 for the second accessory building.

19 MR. GOLLING: So moved.

20 MR. ROWAN: Second.

21 MR. ROWE: You got it.

22 MR. GOLLING: He stomped you every time and now he
23 just ignores you.

24 CHAIR PRO TEMPORE JARRELL: Marty, will you call the
25 roll.

26 MR. PITKIN: Okay. Mr. Rowan?

27 MR. ROWAN: Yes.

28 MR. PITKIN: Mr. Golling?

29 MR. GOLLING: Yes.

30 MR. PITKIN: Mr. Rowe?

1 MR. ROWE: No.

2 MR. PITKIN: Ms. Jarrell?

3 CHAIR PRO TEMPORE JARRELL: Yes.

4 Okay. So you are allowed two structures.

5 Congratulations on that.

6 Now we will entertain a motion for the approval of
7 Variance 4(b) here, which is to allow an accessory building to
8 be located 20 feet from the Hermitage Road right-of-way in
9 lieu of the minimum 50 feet required.

10 MR. ROWAN: So moved.

11 MR. GOLLING: Second.

12 CHAIR PRO TEMPORE JARRELL: Marty.

13 MR. PITKIN: Mr. Golling?

14 MR. GOLLING: Yes.

15 MR. PITKIN: Mr. Rowe?

16 MR. ROWE: No.

17 MR. PITKIN: Mr. Rowan?

18 MR. ROWAN: Yes.

19 MR. PITKIN: Ms. Jarrell?

20 CHAIR PRO TEMPORE JARRELL: Yes.

21 Congratulations.

22 MR. RODGERS: Thank you.

23 CHAIR PRO TEMPORE JARRELL: Thank you.

24 MR. RODGERS: Thank you for your time.

25 CHAIR PRO TEMPORE JARRELL: Thank you for coming
26 here before you actually built the building. We appreciate
27 that.

28 MR. RODGERS: Yeah, I didn't want to -- My wife
29 already was on the road to buying it and I said we're not
30 buying nothing yet. So --

1 MR. ROWE: We get a few of those that --

2 MR. GOLLING: Yeah.

3 MR. RODGERS: Oh, I'm sure. That's why I wanted to
4 wait.

5 MR. GOLLING: Chris's favor question, "So how did
6 you get caught?"

7 CHAIR PRO TEMPORE JARRELL: Yeah, I really wanted to
8 ask that a couple times but I, but I refrained, as the acting
9 chair. All right. Thank you.

10 MR. RODGERS: Thank you. Now, will I get
11 notifications? If I go buy this shed, do I have to --

12 CHAIR PRO TEMPORE JARRELL: That's Marty.

13 MR. PITKIN: You will get notifications.

14 MR. RODGERS: I will get something mailed to me --

15 MR. PITKIN: Yes, you will.

16 MR. RODGERS: -- telling me it's okay to do it?

17 MR. PITKIN: Yes, you will.

18 MR. RODGERS: Okay, all right. Thank you, all, for
19 your time.

20 CHAIR PRO TEMPORE JARRELL: Thank you.

21 MR. ROWE: Thank you.

22 MR. RODGERS: Have a good evening, everybody.

23 CHAIR PRO TEMPORE JARRELL: So I guess we need to
24 put on the record Item Number 5, which is tabled at the
25 request of the applicant. It was for Variance Application
26 2022-106, Mark Green, of Marous Brothers Construction, is
27 requesting a variance on behalf of the property owner to allow
28 for the construction of a parking area in the front yard on a
29 corner lot, which is not permitted in Section 22.10(H)(4) for
30 the property located at Crile Road known as parcel number

1 08-A-02 followed by six zeros 48-0. That has been tabled
2 already.

3 MR. ROWE: There's a lot going through there to just
4 table it.

5 CHAIR PRO TEMPORE JARRELL: Trying to talk fast.

6 MR. ROWAN: I think it was five zeros. I don't know
7 if we need that on the record. Sorry.

8 CHAIR PRO TEMPORE JARRELL: Okay.

9 MR. ROWAN: I am not trying to be difficult but --

10 CHAIR PRO TEMPORE JARRELL: Okay, Davey, thank you.

11 MR. ROWE: A zero here, a zero there.

12 CHAIR PRO TEMPORE JARRELL: Okay. I guess that next
13 on the agenda is the approval of the minutes and that date was
14 June 8th. So may I please call for a motion to approve the
15 minutes for June 8, 2022.

16 MR. GOLLING: So moved.

17 MR. LUCAS: Madam Chair, it looks like, at least on
18 the agenda, there is three sets of minutes.

19 CHAIR PRO TEMPORE JARRELL: Oh, yes, yes, yes, you
20 are correct. Well, golly.

21 MR. ROWAN: Can we make that one or should we do
22 them individually?

23 MR. LUCAS: Separate.

24 CHAIR PRO TEMPORE JARRELL: Okay, all right. So we
25 have three sets of minutes to approve.

26 MR. ROWAN: So did we, did you --

27 MR. GOLLING: We don't have the minutes because I
28 don't know if she's stenographed them.

29 CHAIR PRO TEMPORE JARRELL: Yeah, we didn't get the
30 minutes for June.

1 MR. GOLLING: We can't approve them if we don't have
2 them, right? So --

3 CHAIR PRO TEMPORE JARRELL: We don't have June's.

4 MR. GOLLING: We don't have any of them.

5 MR. ROWAN: We don't have any of them in front of
6 us.

7 MR. GOLLING: In front of us.

8 CHAIR PRO TEMPORE JARRELL: Well, we should have
9 gotten the other ones in the prior month's packets.

10 MR. ROWE: Which we probably do.

11 CHAIR PRO TEMPORE JARRELL: Marty, do you know?

12 MR. GOLLING: That's true, all right, yeah, because
13 June they had -- She wasn't here. So May and April's, we can
14 approve.

15 CHAIR PRO TEMPORE JARRELL: Right. We can't do June
16 because we never got them.

17 MR. GOLLING: Gotcha.

18 CHAIR PRO TEMPORE JARRELL: So may I please call for
19 a motion to approve the minutes for BZA meeting April 13,
20 2022?

21 MR. ROWAN: I move to approve the minutes from the
22 April 13, 2022, BZA meeting.

23 MR. ROWE: I second. I think I was there.

24 MR. GOLLING: You were there.

25 CHAIR PRO TEMPORE JARRELL: Any discussion
26 regarding --

27 MR. ROWE: I think out of the --

28 CHAIR PRO TEMPORE JARRELL: Additions? Deletions?
29 Anything?

30 MR. ROWE: No, no.

1 CHAIR PRO TEMPORE JARRELL: Okay. Then the question
2 at hand is for the approval of the minutes from April 13,
3 2022. A yes vote approves, a no would certainly invalidate.
4 All in favor of approving the minutes as stated say "yes."

5 (Four aye votes, no nay votes.)

6 CHAIR PRO TEMPORE JARRELL: Okay. The ayes, yeses
7 have it for approving the minutes from April 13, 2022.

8 Now may I please call for a motion to approval the
9 minutes for the BZA meeting from May 11, 2022.

10 MR. GOLLING: So moved.

11 MR. ROWAN: Second.

12 CHAIR PRO TEMPORE JARRELL: Any discussion?
13 Additions? Deletions?

14 MR. ROWE: No.

15 MR. GOLLING: No.

16 CHAIR PRO TEMPORE JARRELL: Okay. Then the question
17 at hand is for the approval of the minutes from the BZA
18 meeting, date May 11, 2022. A yes vote approves, no
19 invalidates. All in favor?

20 (Four aye votes, no nay votes.)

21 CHAIR PRO TEMPORE JARRELL: Okay. It's unanimous.
22 The ayes and yeses have it and the meeting minutes from
23 May 11, 2022, BZA meeting are approved.

24 And I guess that would conclude our meeting for
25 July 13, 2022.

26 MR. ROWAN: Do we have to announce the next meeting
27 or --

28 CHAIR PRO TEMPORE JARRELL: Nope.

29 (Whereupon, the meeting was adjourned.)

30

1 STATE OF OHIO)
2 COUNTY OF CUYAHOGA)

CERTIFICATE

3 I, Melinda A. Melton, Registered Professional
4 Reporter, a notary public within and for the State of Ohio,
5 duly commissioned and qualified, do hereby certify that, to
6 the best of my ability, the foregoing proceeding was
7 reduced by me to stenotype shorthand from the video
8 recording, subsequently transcribed into typewritten
9 manuscript; and that the foregoing is a true and accurate
10 transcript of said 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 1st day of August 2022.

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Melinda A. Melton

Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2023

