

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

August 10, 2022
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Board of Zoning Appeals members present:

Ivan Valentic, Chairman
Skip Sweeney, Vice Chairman
Chris Jarrell, Member
Todd Golling, Member
Davey Rowan, Alternate Member

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning
Inspector
Michael Lucas, Esq., Legal Counsel

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

7:07 p.m.

1
2 CHAIRMAN VALENTIC: Good evening. The Concord
3 Township Board of Zoning Appeals meeting for August 2022 is
4 now in session. I would like to introduce the Board: To my
5 far left is Skip Sweeney and Davey Rowan; I am Ivan Valentic;
6 to my right is Chris Jarrell and Todd Golling; to our far
7 right is Heather Freeman, our Zoning Inspector.

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

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

12 CHAIRMAN VALENTIC: Thank you. Please be seated.
13 When presenting your case or commenting, please be sure to
14 come up to the microphone and state your name and your address
15 and please confirm that you've been sworn in. Okay?

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

18 MS. FREEMAN: Yes, they were.

19 CHAIRMAN VALENTIC: All right. Tonight we have two,
20 two variances that are Old Business and we have five new
21 appeals that are as well. A three-vote majority is required
22 to either approve or deny your appeal. If your request is
23 denied, you can follow up with Heather and she can tell you
24 the next steps.

25 So first on the agenda will be our Old Business,
26 which is Variance Application 2022-103, Robert C. Spinello is
27 requesting a variance to allow for the construction of a
28 6 foot high fence in the front yard in lieu of the maximum
29 4 foot high permitted in Section 34.04(A)(1) for the property
30 located at 10351 Hoose Road, known as current parcel number

1 08-A-03-0-0-00-001-0.

2 Mr. Spinello, if you can come up.

3 MR. SPINELLO: My name is Robert Spinello. I reside
4 at 10351 Hoose Road in Concord, and I've been sworn in.

5 CHAIRMAN VALENTIC: Okay.

6 MR. SPINELLO: I, first, I had a variance request
7 last meeting and we moved to return to this, to review it
8 again this meeting. I can give a summary of the original
9 variance request.

10 CHAIRMAN VALENTIC: Yeah.

11 MR. SPINELLO: We, I have requested a 6 foot tall
12 fence in front of the property line, the house line, in lieu
13 of a 4 foot maximum limit. It's a pasture fence. It would be
14 tran -- It wouldn't be a privacy fence. It would be see-
15 through, very nonvisible. And it's because there is, we have
16 chicken coops, which we have permits for, and this would be to
17 keep the chickens on the property and also predators out.

18 The original request was for a 6 foot fence, an
19 interior fence and then also along the property line. Since
20 then, we have revised the variance request to just the
21 interior fence around the chicken coops would remain 6 foot
22 and then the fence around the property line we're requesting
23 now just 4 foot based on concerns raised during the last
24 meeting.

25 CHAIRMAN VALENTIC: So if you would be okay, I just
26 want to make sure it's clear. So this section here?

27 MR. SPINELLO: Right, that would be the 6 foot.

28 CHAIRMAN VALENTIC: And that's what you are
29 requesting the 6 foot, for that area only?

30 MR. SPINELLO: Right, yes.

1 CHAIRMAN VALENTIC: Sir, do you know how -- And you
2 want, again, you still want 6 feet in your front yard. Do you
3 know what that length is? It's a little hard to see how long
4 of a section you would need in that front yard.

5 MR. GOLLING: It says 74.

6 MR. SPINELLO: Yeah, it's about 78 by, I think, it's
7 109 by 137 by 78.

8 CHAIRMAN VALENTIC: Okay.

9 MR. SPINELLO: And that is surrounded by greenery,
10 trees and shrubs, so it is very well hidden.

11 CHAIRMAN VALENTIC: So you previously requested that
12 the entire front.

13 MR. SPINELLO: That's correct. We -- A 4 foot
14 fence, I believe, would be sufficient for the rest. It's just
15 the, to protect, I guess, the neighbor side. We have a
16 neighbor and then the roadside and then the Concord Hills Park
17 is on the other side. So I believe a 4 foot fence would be
18 sufficient.

19 MR. GOLLING: So I want to check my understanding
20 because my recollection from the last meeting was that the
21 chickens were getting out and over to the neighbor's because
22 the fence along y'all's property line was to be 6 feet and the
23 chickens can get over the 4 foot pretty easy, right? Weren't
24 we going to do 6 feet all the way around the property?

25 MR. SPINELLO: Yeah, we discussed that. I think my
26 neighbor had a concern with the 6 foot fence, which I
27 understand. Our solution would be, I guess, we could clip the
28 wings of the chickens so they can't fly over the fence. So,
29 that, I believe would be --

30 MR. GOLLING: Is this something you agreed with him?

1 MR. SPINELLO: No.

2 MR. GOLLING: The wing clipping?

3 MR. SPINELLO: No. That is the first time I brought
4 it up.

5 MS. JARRELL: So are you going to do that?

6 MR. SPINELLO: Yes.

7 CHAIRMAN VALENTIC: But he still needs a 6 foot
8 fence, just not as much of it.

9 MR. GOLLING: So when you drive by his house on
10 Hoose, there is some pine trees up front. You've got to
11 strain to see the chicken coops back there. So the 4 and 6 on
12 a welded wire fence is going to be virtually invisible, at
13 least, from the street, just my opinion. But the thing was,
14 with the complaint with the last time, was that when the
15 chickens, they come out of there, the little house part,
16 right?

17 MR. SPINELLO: Right.

18 MR. GOLLING: And they roam around and eat bugs and
19 stuff.

20 MR. SPINELLO: Yeah.

21 MR. GOLLING: And the rest of it. So the concern
22 was that they can hop up and they wander through the woods and
23 higher, the neighbor up a little bit, and we were trying to
24 keep them in there. So if the wing clipping is all he needs,
25 then the 6 foot on the front would keep the chickens -- Go
26 ahead, David.

27 MR. ROWAN: I was going to say so, originally, it
28 was going to be along the front property line.

29 MR. GOLLING: The whole thing was going to be 6.

30 MR. ROWAN: Now it's back, it looks like, which is

1 back --

2 MR. SPINELLO: Yeah, 50 feet from the road.

3 MR. ROWAN: Which is what we had talked about.

4 MR. GOLLING: Right.

5 MR. SPINELLO: It would be along the tree line.

6 MR. ROWAN: But it's 4, you are saying, 4 foot all
7 the way around, 6 foot on the interior.

8 MR. SPINELLO: That's correct.

9 MR. GOLLING: Right.

10 MR. ROWAN: Okay.

11 MR. GOLLING: So we're on the same page with that.

12 MR. ROWAN: So the variance then is for the 4 foot
13 in the front and the 6 foot --

14 CHAIRMAN VALENTIC: No, I don't think there is a
15 variance. I think 4 foot is allowed, correct?

16 MR. LUCAS: It is.

17 MR. GOLLING: Yeah, 4 foot is allowed.

18 MR. ROWAN: Oh, 4 foot in the front is allowed.

19 MR. LUCAS: There is no variance necessary for that,
20 just the 6 foot.

21 MR. GOLLING: It's the 6 foot on the interior
22 chicken house fence -- sorry -- chicken coop fence where he's
23 got 6 feet on the three sides and then 4 foot on the front
24 because it faces the front, but he wants to have it 6 feet all
25 the way around.

26 MR. ROWAN: Gotcha.

27 MR. GOLLING: To keep the chickens in the house and
28 the foxes out of the chicken house.

29 MR. SPINELLO: The deer, also, they can jump over a
30 4 foot fence very easy.

1 MR. GOLLING: Do deer eat chickens?

2 MR. SPINELLO: No, but they eat the feed.

3 MR. GOLLING: Oh, that would be something.

4 MR. SPINELLO: Yeah.

5 MR. SWEENEY: I thought -- I mean, I don't have any
6 idea what chicken behavior is, but I thought chickens stayed
7 really close.

8 MR. SPINELLO: They really tend to --

9 MR. SWEENEY: And like don't stray.

10 MR. SPINELLO: There were a few that strayed and it
11 presented a problem, so this is our attempt to contain them.

12 MR. GOLLING: So, Skip, we had the neighbor last
13 month and he's already testified. He doesn't have to come and
14 testify again. But so that an issue, the chickens would
15 wander through the stream over to his house and they were not
16 welcome there. But since then, he has acquired property in
17 Ashtabula and has closed on it.

18 MR. SPINELLO: Today.

19 MR. GOLLING: Today, he closed on that property, to
20 move the majority of chickens and other livestock he has there
21 out to that property. So that would alleviate a lot of the --
22 I mean, his complaints were issues with farm noise, I guess,
23 for lack of a better term, but the majority of that is going
24 to be going away, save for the egg laying chickens that he's
25 keeping at his house that he will clip the wings so they don't
26 go to the neighbor and make the neighbor mad, ergo 4 foot
27 fence around, 6 foot fence around the chicken house enclosure.

28 MR. SWEENEY: Doesn't the rooster make a lot of
29 noise in the morning?

30 MR. SPINELLO: We don't have any right now.

1 MR. SWEENEY: Oh, okay.

2 MR. GOLLING: Yeah, that was a big thing.

3 MR. SPINELLO: Right, yeah. We don't have any
4 roosters.

5 MS. JARRELL: What are you going to do over the
6 stream? How are you going to handle that?

7 MR. SPINELLO: I believe -- That's a good question
8 because we can't go through the stream, but I don't believe
9 that they will cross the stream.

10 MR. GOLLING: Can chickens swim?

11 MS. JARRELL: Didn't we say that's how they got
12 there?

13 MR. SPINELLO: I think they went through the woods
14 before.

15 MR. GOLLING: Yeah, I was kind of wondering because
16 there was, there is no fence there now, right?

17 MR. SPINELLO: No.

18 MR. GOLLING: So the chickens would just kind of hop
19 over and wander through to the neighbor's house.

20 MR. SWEENEY: Did the neighbor have any problem with
21 the 6 foot revision with this new presentation?

22 MR. GOLLING: On the front, you mean?

23 MR. SPINELLO: On his side, I believe, he did not
24 like that it was close to his property.

25 MR. SWEENEY: Even the 4 foot?

26 MR. SPINELLO: But I think he said the 6 foot would
27 be -- I don't want to paraphrase. I am just recollecting from
28 memory.

29 MR. SWEENEY: Is he okay with how you revised it?

30 MR. SPINELLO: I don't know that.

1 MR. SWEENEY: Does he know about it?

2 MR. SPINELLO: I don't believe so.

3 MR. SWEENEY: What did he say last time?

4 MR. GOLLING: I am just trying to recall. I don't
5 know for a hundred percent sure. I can't remember. But he
6 was, his main complaint was not necessarily fence but was the
7 chickens, didn't want the chickens coming in the yard. So he
8 seemed to be okay with the 6 foot fence. But as long as
9 chickens stay in the yard, I don't think he cares. So
10 clipping the wings, whatever that entails, might be the
11 solution. And his getting rid of the majority out to
12 Ashtabula was the other part of the solution. So I think we
13 might have a happy neighbor or else he would be here.

14 MR. SWEENEY: Okay.

15 MR. SPINELLO: Yeah, I haven't communicated any of
16 this to him.

17 MR. GOLLING: Okay. Skip, if you're familiar with
18 this area of Hoose Road right by Morley.

19 MR. SWEENEY: Yeah.

20 MR. GOLLING: It's where Kitty City was across the
21 street. So you've already got a bunch of ducks that would fly
22 over to that, those ponds.

23 MR. SWEENEY: Oh, those ducks.

24 MR. GOLLING: I hit one, yeah.

25 MR. SWEENEY: They've been there for years.

26 MR. GOLLING: Yeah. Are they yours?

27 MR. SPINELLO: No. They used to feed them, I
28 believe. Once they moved out, there has been a lot less
29 wildlife on that, their pond.

30 MR. GOLLING: But you have ducks, though, or had.

1 MR. SPINELLO: We do have a few ducks, yes.

2 MR. GOLLING: Yeah, so --

3 MR. SWEENEY: And you have the park. You've got the
4 park right next to you.

5 MR. SPINELLO: Right.

6 MR. GOLLING: And the goal is to keep the chickens
7 out of the park, right, okay. I think I am clear.

8 MR. SWEENEY: Okay.

9 MS. JARRELL: But you don't know how you're going to
10 handle the stream?

11 MR. SPINELLO: I believe the inside enclosure will
12 help and then with having an extra layer, I mean, we can go in
13 front of the stream if we have to.

14 MR. GOLLING: I mean, you could, and I think the
15 term is chicken wire, which is actually what it is, fencing,
16 that you could probably put a little on the bottom side if it
17 goes over the stream. So like if the stream goes under, put a
18 little chicken wire down there and keep them out.

19 MR. SPINELLO: Right. I believe going over the
20 stream is not an issue but going into the stream, you are not
21 allowed to obstruct it. But we can set an extra barrier in
22 that area.

23 MR. ROWAN: So I guess --

24 CHAIRMAN VALENTIC: But the 6 foot is going to
25 really contain the chickens?

26 MR. GOLLING: Yeah.

27 MR. SPINELLO: It's the main line of defense, yeah.

28 MR. GOLLING: At night, but during the day they're
29 going to go out and wander around the yard.

30 MR. ROWAN: So the 4 foot, though, isn't part of

1 this variance.

2 MR. GOLLING: Because he is allowed to have a
3 4 foot.

4 MR. ROWAN: He is allowed to have a 4 foot.

5 MR. GOLLING: Right.

6 MR. ROWAN: So we're only talking about the 6 foot.

7 MR. GOLLING: The 6 foot on the front.

8 MR. ROWAN: Which has nothing to do with the stream.

9 MR. GOLLING: Right, I don't think.

10 CHAIRMAN VALENTIC: Yeah, it's not going over.

11 MR. GOLLING: Yeah, it's not going over. It's right
12 on the edge of the stream. So that's where the stream ends,
13 right here, the corner of the 6 foot chicken fence.

14 CHAIRMAN VALENTIC: So the only, I guess, the
15 question I have for the Board, should we limit the length of
16 the 6 foot front yard fencing or just approve the variance as
17 noted, you know, as written? It just says we're allowing a 6
18 foot fence in the front yard. Should we reference this plan
19 that was submitted?

20 MR. GOLLING: Well, the 6 foot fence was only for
21 the 78 feet along the front, right?

22 CHAIRMAN VALENTIC: Now it is. Previously, he was
23 asking for all of it.

24 MR. GOLLING: Right.

25 CHAIRMAN VALENTIC: So I feel like maybe we want to
26 limit it to the 78 feet.

27 MR. GOLLING: And that's what I thought the approval
28 was, that we were going to put 6 foot along the perimeter, at
29 least within the perimeter after the easement. But if that's
30 not the case, then we're just concerned about the chicken coop

1 enclosure thing.

2 MR. ROWAN: So then would we just approve the
3 variance, approve the variance for 78 foot by 109 foot by 74
4 foot by 37 foot section?

5 CHAIRMAN VALENTIC: Is it 78 or 74 up front?

6 MR. SPINELLO: I believe it's 78.

7 CHAIRMAN VALENTIC: Seventy-eight.

8 MR. ROWAN: All right. I guess I'm looking at it,
9 well --

10 MS. FREEMAN: Mr. Chairman, according to the
11 original plan, it was 74.

12 MR. SPINELLO: Oh, okay. I was looking at the top
13 part.

14 MR. GOLLING: Yeah, it looks like it could be a 4.

15 CHAIRMAN VALENTIC: Oh, okay, sorry. Would you be,
16 would that be okay with you if we have the stipulation for
17 this variance approval that it meets the dimensions in the --

18 MR. SPINELLO: Yes, yep, that's fine.

19 CHAIRMAN VALENTIC: Okay. Anything else from the
20 Board? Chris?

21 MS. JARRELL: No.

22 CHAIRMAN VALENTIC: No. Okay, thank you. You can
23 be seated.

24 MR. SPINELLO: Okay. Thank you.

25 CHAIRMAN VALENTIC: Is there anyone else here
26 speaking for this appeal that would like to come up?

27 (No response.)

28 Is there anyone here that's speaking against this
29 appeal?

30 (No response.)

1 If there's no further questions, the public hearing
2 for Appeal Number 2022-103 is now closed to the public. Can I
3 get a motion to approve Variance 2022-103?

4 MR. SWEENEY: So moved.

5 MR. GOLLING: Second.

6 CHAIRMAN VALENTIC: All right. Discussion?
7 Anything else to add?

8 MR. ROWAN: No. I think --

9 CHAIRMAN VALENTIC: No.

10 MR. ROWAN: Okay. I think we just have to make that
11 an amendment.

12 CHAIRMAN VALENTIC: Okay. So if there is nothing
13 else, then the question is for the approval of Variance Number
14 2022-103 by Robert Spinello, who is requesting a variance to
15 allow for 6 foot high fence in the front yard in lieu of the
16 maximum 4 foot high fence permitted in Section 34.04(A)(1) for
17 the property located at 10351 Hoose Road with a, I guess, with
18 an additional condition by the Board that the 6 foot high
19 fence would meet the dimensions as shown on the exhibit
20 submitted with the variance of 78 feet, 109 feet, 74 and 137
21 feet.

22 MR. ROWAN: It's 37.

23 CHAIRMAN VALENTIC: Oh, 37?

24 MR. ROWAN: Or is that 137? A hundred thirty-seven,
25 you're correct.

26 CHAIRMAN VALENTIC: Yeah, 137 feet in length. Can I
27 please, Heather, can we please get a vote?

28 MR. LUCAS: Mr. --

29 CHAIRMAN VALENTIC: Oh, I'm sorry. You're right. I
30 got it. Can I get a motion?

1 MR. GOLLING: So moved.

2 MR. ROWAN: Second.

3 CHAIRMAN VALENTIC: Thank you. Now, Heather, can we
4 get a vote? It's been a while.

5 MS. JARRELL: Yeah.

6 MS. FREEMAN: Mr. Sweeney?

7 MR. SWEENEY: Yes.

8 MS. FREEMAN: Mr. Golling?

9 MR. GOLLING: Yes.

10 MS. FREEMAN: Ms. Jarrell?

11 MS. JARRELL: Yes.

12 MS. FREEMAN: Mr. Rowan?

13 MR. ROWAN: Yes.

14 MS. FREEMAN: And Mr. Valentice?

15 CHAIRMAN VALENTIC: Yes.

16 Your variance has been approved. Thank you.

17 MR. SPINELLO: Thank you very much.

18 CHAIRMAN VALENTIC: Okay. Next is, we have another
19 item of Old Business, Variance Application 2022-106, Mark
20 Green, of Marous Brothers Construction, is requesting a
21 variance on behalf of the property owner, IN9 Group LLC, to
22 allow for the construction of a parking area in the front yard
23 on a corner lot, which is not permitted in Section
24 22.10(H)(4), for the property located on Crile Road known as
25 current parcel number 08-A-020-0-00-048-0.

26 Mr. Green, please come up.

27 MR. GREEN: Good evening. Mark Green, from Marous
28 Brothers Construction, representing IN9. I have been sworn
29 in.

30 CHAIRMAN VALENTIC: Could you state your address for

1 the record?

2 MR. GREEN: Sure. The address is 36933 Vine Street,
3 Willoughby, Ohio 44094.

4 CHAIRMAN VALENTIC: Thank you.

5 MR. GREEN: We are here for a variance for front
6 yard parking on a corner lot at the intersection of Crile and
7 Old Crile. I believe you all have plans, architectural site
8 plans of that corner lot. It shows two buildings on it.
9 We've been working really hard to get these two buildings,
10 which have somewhat constrictive setbacks on that corner that
11 are pushing the buildings in toward the center and all the
12 circulation, so we are trying to preserve a lot of the center
13 of that site for some future development plans that our client
14 might have.

15 And we also had concerns of, at the ice cream parlor
16 here, with pushing the building out towards the road, being
17 this is kind of a meandering little curve here. We had some
18 safety issues that we really felt comfortable pulling the
19 building off the street a little and having a parking zone up
20 front as a buffer because this is an ice cream place, there's
21 a lot of kids, there's outdoor seating areas here and main
22 entrances that are on the Crile side of the building. We just
23 felt that this was really the best spot to have our parking
24 was on the front there. It's not a large lot but we were just
25 hoping to achieve the variance here to allow us to do that.

26 CHAIRMAN VALENTIC: I am struggling with the site
27 plan a little bit. So I am not really seeing, I guess, I am
28 struggling with why we have to put the parking there. You
29 said it's a safety concern.

30 MR. GREEN: It would be nice to have the buildings

1 as far back as possible, vehicle traffic along Crile and have
2 that parking area as a buffer in case anything skips the curb
3 or the ditch instead of having the building right out there.
4 I know there is a setback and all that stuff there but the
5 further back, we thought, was better. We also wanted to
6 preserve the integrity of some of the interior property in
7 case there was some future development plans.

8 CHAIRMAN VALENTIC: Did you review the Capital
9 Parkway Business District and why they kind of were pushing to
10 have that building up front?

11 MR. GREEN: We've been working with Heather to kind
12 of, there is a bunch of other issues that we're trying to get
13 them in compliance with the setbacks for the car wash down
14 along Old Crile, getting everything pulled back in the
15 building, understanding what the zoning codes were in
16 reference to there is some grandfathering on Old Crile that
17 creates some nuances there. So I think we have gotten to
18 where we resolved everything but we were really, myself, our
19 clients, we all really like the idea of having that parking up
20 front. We think it's a good idea for this specific site and
21 this project, so that's why we are coming to you so we can get
22 a variance.

23 CHAIRMAN VALENTIC: Yeah, I mean, I don't know. I
24 will be frank. I don't really care for the site plan very
25 much but we're not here to review the site plan. That goes to
26 Zoning. This is whether we're going to allow parking on the
27 front yard.

28 MR. GOLLING: Well, that's my next question. There
29 is three front yards. Which one is the front yard? Is it
30 facing the old Red Cross building, is it facing old Crile and

1 44 or is it facing Crile?

2 MR. ROWAN: I think it's anything that's facing a
3 road.

4 CHAIRMAN VALENTIC: So Crile and Old Crile.

5 MR. GOLLING: So two front yards.

6 CHAIRMAN VALENTIC: Yeah.

7 MS. JARRELL: I think that the, just the lot itself
8 is extraordinary, you know, to a certain degree. So, I mean,
9 it makes sense to me.

10 MR. GOLLING: Well, I -- Are we at the discussion
11 phase right now?

12 CHAIRMAN VALENTIC: Well, yeah, it's any questions
13 you have for Mark. I don't know. Do you guys have any other,
14 I mean, questions, concerns? I think Chris's point is valid.
15 I think that's the challenge. The bigger challenge -- I don't
16 think safety is really a challenge. I am not really buying
17 that. But I think the shape of the lot and trying to fit all
18 that stuff on these two roads is more of a challenge than
19 anything.

20 MR. ROWAN: I am trying to understand how this is
21 different than like Gristmill or where Drug Mart is because
22 all of that parking is in front of buildings.

23 MR. GOLLING: Yeah.

24 CHAIRMAN VALENTIC: Right.

25 MR. GOLLING: Well, as far as safety goes, and this
26 is just from -- I was coming home from Drug Mart, going north
27 on Crile, and going past you me, hit about Mach 7, was a
28 beautiful Mustang GT.

29 CHAIRMAN VALENTIC: How fast were you going, for the
30 record?

1 MR. GOLLING: Not Mach 7. And just for a second
2 there I was like, the guy is driving like a jerk. And I
3 didn't think about kids, ice cream stores and outdoor seating
4 until I saw it on the paper. And then I am thinking, well,
5 the guy breaks traction, jumps the curb, and plows into an ice
6 cream store with outdoor seating, which is, if we forced it to
7 go right next to Crile Road then, potentially -- I would
8 rather have it mow down a bunch of cars than mow down outdoor
9 seating. And I am just being - waxing poetic here, but I just
10 don't see, it's not a super huge issue. It's an odd shaped
11 lot with two front yards, I guess, and we just flipped it
12 around. I think, what was it the other way first? Was it
13 flipped over or was it always like this?

14 MR. GREEN: It's always been like this. We've
15 tweaked it a little bit here and there but the arrangement is,
16 pretty much, the same.

17 MR. GOLLING: Got it.

18 CHAIRMAN VALENTIC: So what was discussed last
19 month? Is this from last month?

20 MS. JARRELL: No.

21 MR. ROWAN: It was tabled.

22 MR. GOLLING: We didn't have anything last month.

23 CHAIRMAN VALENTIC: Okay.

24 MR. ROWAN: Or not tabled but carried over. We
25 didn't --

26 MS. JARRELL: No, this is new.

27 MR. ROWAN: This wasn't, we didn't discuss this at
28 all last time.

29 MR. LUCAS: No. It was requested to be tabled.

30 MS. FREEMAN: Right. We had already done the legal

1 notices and sent out the notice and then they requested to
2 table, so we did not --

3 MR. LUCAS: So it wasn't open for discussion.

4 CHAIRMAN VALENTIC: Okay. Any other questions from
5 the Board?

6 MR. GOLLING: Nope.

7 CHAIRMAN VALENTIC: Okay. You can be seated, Mark.
8 Thank you.

9 MR. GREEN: Thank you.

10 CHAIRMAN VALENTIC: Is there anyone else here that's
11 speaking for the appeal that would like to come up?

12 (No response.)

13 Is there anyone here speaking against that appeal
14 that would like to come up?

15 (No response.)

16 Okay. If there's no further questions, then the
17 public hearing for Variance Number 2022-106 is now closed to
18 the public. Can I get a motion to approve Variance 2022-106?

19 MS. JARRELL: So moved.

20 MR. GOLLING: Second.

21 CHAIRMAN VALENTIC: Thank you. Any discussion from
22 the Board?

23 MR. ROWAN: I mean, I guess, for me it makes sense.
24 I don't really -- The alternative is like rearranging the
25 whole site, rearranging the car wash. To me, it doesn't
26 detract from that stretch, that business district, so I am for
27 it.

28 MR. GOLLING: It's good for Drug Mart.

29 CHAIRMAN VALENTIC: Okay.

30 Chris, you got anything to add?

1 MS. JARRELL: No, thank you.

2 CHAIRMAN VALENTIC: All right. Thanks, everyone.
3 So the question is on the approval of Appeal Number 2022-106.
4 A yes vote is for the approval of the variance, a no vote
5 denies it. But before that, can I get a motion? Wait, no.
6 Yeah, can I get a motion?

7 MR. GOLLING: So moved.

8 CHAIRMAN VALENTIC: Second. Sorry.

9 MR. ROWAN: Second.

10 CHAIRMAN VALENTIC: All right. Now, Heather, please
11 call the vote.

12 MS. FREEMAN: Okay. Mr. Golling?

13 MR. GOLLING: Yes.

14 MS. FREEMAN: Ms. Jarrell?

15 MS. JARRELL: Yes.

16 MS. FREEMAN: Mr. Sweeney?

17 MR. SWEENEY: Yes.

18 MS. FREEMAN: Mr. Rowan?

19 MR. ROWAN: Yes.

20 MS. FREEMAN: Mr. Valentic?

21 CHAIRMAN VALENTIC: Yes.

22 It is approved. Thank you.

23 Okay. Next is we're getting into New Business. We
24 have Variance Application 2022-107, Robert A. Meraglio is
25 requesting a variance to allow for the construction of an
26 accessory building with a 20 foot setback from Hermitage Road
27 right-of-way in lieu of the minimum 50 foot required as set
28 forth in Section 15.04(A)(2)(e) and Table 15.04-1 for the
29 property located at 7245 Northpointe Court, known as current
30 parcel number 08-A-030-F-00-015-0.

1 Come on up, sir. Were you sworn in?

2 MR. MERAGLIO: Yes, I was.

3 CHAIRMAN VALENTIC: Okay. I don't remember seeing
4 you back there.

5 MR. MERAGLIO: My name is Robert Meraglio,
6 7245 Northpointe, and I have been sworn.

7 CHAIRMAN VALENTIC: All right. Go ahead, present
8 your case, sir.

9 MR. MERAGLIO: Pretty much, we're just trying to put
10 a small shed, 10 by 10, 11 by 11. Me and Heather went through
11 this. Because we're actually having a carpenter do it, the
12 dimensions are a little bit different because the way they cut
13 wood. It's not a prefab small shed. It makes up a very small
14 footprint. I've added pictures of what my neighbors would see
15 from the back, the front, the sides. Nobody sees any of it.
16 We have plenty of hedges, trees. It's just such a small
17 footprint that we're trying to get the variance because it's
18 not 50 feet from the road. I think it's approximately 20, 22
19 feet and even that, it's close.

20 Everything that we, me and Heather, went through is
21 at least a foot, foot and a half variable. But it will be on
22 cement, no critters underneath, construction built, you know.
23 It won't be a prefab. It's going to exactly look just like my
24 house, shingled, sided, well constructed.

25 And even the photos show that, from any which way in
26 my back yard, my neighbors aren't going to see it. I also
27 have all three of my neighbors have signed an approval for
28 this. So I talked to all of them. None of them have an issue
29 with this at all. It's not going to be any taller than 8
30 feet, so we're not trying to build some monstrosity back

1 there. It is not going to hold lawn mowers or anything. It's
2 just a small shed that we're just trying to have some
3 structure back there to put -- I have a little putt-putt
4 course next to it, so we are going to put in golf clubs and
5 things like that in there, and a table.

6 The only difference in what we have talked about is
7 when I talked to -- This just came up the other day with my
8 carpenter. There might be a 1 foot overhang soffit. So if
9 the building was 10 by 10, there would actually be another
10 foot in front so that the rain doesn't actually hit and run
11 into the building. That's the only difference than what we
12 had applied for today.

13 I have given you every photo. I've tried to do
14 everything the best I could to show you. Even the hedges that
15 have, I have a picture, 7, even the hedge, those hedges are
16 going to grow 8 to 9 feet tall from Hermitage, so no one will
17 even see this. And I guess the neighbor behind me and both
18 neighbors to the side and right of me, they've all signed
19 acceptance to it.

20 CHAIRMAN VALENTIC: Now, you provided the pictures.
21 You laid out anything pretty well. I don't have any other
22 questions.

23 MR. ROWAN: I have a question. So it looks like,
24 you said, 20 feet from Hermitage.

25 MR. MERAGLIO: Correct.

26 MR. ROWAN: Why did you choose that location versus
27 coming in further? Is there something that's preventing it
28 from coming in? So you have that, the green square.

29 MR. MERAGLIO: Right.

30 MR. ROWAN: It looks like you're closer to the

1 roadside.

2 MR. MERAGLIO: Correct.

3 MR. ROWAN: If you were to come back, what's
4 preventing that?

5 MR. MERAGLIO: I have nothing but fruit trees all
6 there.

7 MR. ROWAN: Gotcha.

8 MR. MERAGLIO: So I've got 14, I've got apricots,
9 nectarines, plums, pears, figs.

10 MR. ROWAN: Okay.

11 MR. MERAGLIO: That's the only reason why I couldn't
12 move it forward. I couldn't put it to the left because then
13 my neighborhood would definitely see it and it would be, I
14 think, within 10 feet of his yard.

15 MR. ROWAN: Right.

16 MR. MERAGLIO: And if I put it to the right, my
17 neighbor would really, really see it. Or, actually, if I put
18 it to the right, my neighbors both ways, if I put it each way
19 and it came within the variance, it would be in the middle of
20 trees and my neighbors would be like, it's right there. This,
21 where I've got it right now, it's so far set back but,
22 unfortunately, close to the road, that they won't see it at
23 all.

24 MR. ROWAN: So this is another two front yards kind
25 of situation, isn't it?

26 CHAIRMAN VALENTIC: Yeah. Skip, any questions?

27 MR. SWEENEY: No.

28 CHAIRMAN VALENTIC: All right. Thank you.

29 MR. MERAGLIO: Thank you.

30 CHAIRMAN VALENTIC: Please be seated.

1 Is there anyone else speaking against this appeal or
2 for this appeal that would like to come up?

3 (No response.)

4 If there is no further questions, the public hearing
5 for Variance Number 2022-107 is now closed to the public. Can
6 I get a motion to approve Variance 2022-107?

7 MR. SWEENEY: So moved.

8 MR. ROWAN: So moved.

9 CHAIRMAN VALENTIC: Somebody want to second?

10 MR. ROWAN: Second.

11 MR. SWEENEY: Second.

12 CHAIRMAN VALENTIC: You figure that one out. All
13 right, Skip seconded. All right. Any comments from the
14 Board?

15 MR. GOLLING: I have driven by his house twice a
16 week down Hermitage. I go down there quite a bit. And I also
17 wondered who the guy was that has the putting green in the
18 back yard.

19 MR. MERAGLIO: Palm trees, yeah.

20 MR. GOLLING: Palm trees. Now I know. But to that
21 end, he is not a guy that doesn't care about his back yard.
22 If he holds true to making this fit in with the house and the
23 design of the back yard, I don't think it's going to be an
24 issue at all.

25 CHAIRMAN VALENTIC: Yeah, it seems like he's put in
26 the effort, trying to do the right thing. Kind of a tough
27 parcel.

28 MS. JARRELL: Yes.

29 CHAIRMAN VALENTIC: Okay. So the question is on
30 approval of Variance Number 2022-107. A yes vote is for the

1 approval of the variance. A no vote denies it.

2 Heather, please call the vote.

3 MS. FREEMAN: Mr. Rowan?

4 MR. ROWAN: Yes.

5 MS. FREEMAN: Ms. Jarrell?

6 MS. JARRELL: Yes.

7 MS. FREEMAN: Mr. Sweeney?

8 MR. SWEENEY: Yes.

9 MS. FREEMAN: Mr. Golling?

10 MR. GOLLING: Yes.

11 MS. FREEMAN: Mr. Valentich?

12 CHAIRMAN VALENTIC: Yes.

13 Your variance has been approved. Thank you.

14 MR. MERAGLIO: Stop by and play some golf. Thank
15 you.

16 MR. GOLLING: I am horrible and I swear a lot.

17 MR. MERAGLIO: Thank you, Heather.

18 CHAIRMAN VALENTIC: Next is Variance Application
19 2022-108, Dario Petkovic and Julie Marous are requesting a
20 variance from Section 15.03(A)(6), Table 15.03-1, to allow for
21 a second accessory building on lot less than two acres in size
22 in lieu of the maximum one permitted for lots less than two
23 acres for the property located at 11466 Viceroy Street, known
24 as current parcel number 08-A-012-J-00-067-0.

25 Hello.

26 MS. MAROUS: Hello. Julie Marous, representing
27 myself and Dario Petkovic. Our address is 11466 Viceroy and I
28 have been sworn in.

29 So, basically, what we're asking to do is we're
30 putting in an in-ground pool in the back yard. We have an

1 existing small shed back there to house tractors, snow
2 blowers, things like that. With the new -- Actually,
3 initially, we weren't thinking of a structure back there but,
4 with the new Quail development -- And I do have support from
5 Todd Victor and I had like a personal conversation and things
6 like that because it does butt up to his new development back
7 there -- just to offer some shade to us and the kids because
8 it's full blown, full on sun back there now, just losing all
9 the trees that we lost. And it's just a very simple, stylish
10 20 by 20 structure that we're putting back there and just want
11 to keep our existing storage shed along with it.

12 MR. SWEENEY: Must have been a shock when those
13 trees came down, huh?

14 MS. MAROUS: It was. And they're still down, yes.
15 Very sunny.

16 CHAIRMAN VALENTIC: So it looks like the shed and
17 the pool house would keep you under the maximum square footage
18 of 1,024 square feet, but we only allow one structure. Did
19 you look at maybe combining it into one structure?

20 MS. MAROUS: We did. But that, in going back and
21 forth with Heather, where we had the structure initially, I
22 think we were, what, like within like 4 feet of where we
23 needed to be. So we actually now had to, when they just
24 excavated for the pool, they had to move it 4 feet closer to
25 the house, because we did try to add storage on the back of
26 the new structure to, if we did have to get rid of the shed.
27 But it just won't, it won't fit with us not being, you know,
28 butting up too close to that property line there.

29 CHAIRMAN VALENTIC: What about adding it to the side
30 of the new structure and making it wider?

1 MS. MAROUS: It would still be because the pool goes
2 this way. We'd be, we'd be off.

3 MS. JARRELL: As far as the side yard setbacks go?

4 MS. MAROUS: Yes.

5 MR. GOLLING: Can you show me? I just can't figure
6 out where the existing shed is and where the pool shed is
7 going to go. Can you show me?

8 MS. MAROUS: I have a picture on my phone if you
9 want to see, if that helps or not.

10 MR. GOLLING: Is it going to be like behind here?

11 MS. MAROUS: An aerial, I don't think it's an
12 aerial. It will be, yes, so that aerial was taken before we
13 had to set the pool even 4 foot closer to our patio.

14 MR. GOLLING: Right.

15 MS. MAROUS: So we've had to readjust all the
16 fencing plans and the pool itself, which is now excavated
17 already, to allow for the structure back there 4 foot closer.
18 And the shed just sits, it would sit almost adjacent to the
19 structure and have the pool equipment, you know, gated in kind
20 of behind it on a pad.

21 MR. GOLLING: So the pool house is going to be back
22 here?

23 MS. MAROUS: Correct.

24 MR. GOLLING: Towards the back property line, and
25 then the current shed is somewhere over here?

26 MS. MAROUS: Yes, on the grassy part.

27 MR. GOLLING: How big is the current shed?

28 MS. MAROUS: The current shed is, it's fairly small.
29 It's like 10 by 10. It should be in one of the plans here.
30 It might not have the dimensions in there but it's fairly

1 small.

2 MS. JARRELL: Two hundred.

3 CHAIRMAN VALENTIC: It's not very big. That's why I
4 was thinking it seemed like it wouldn't take much to bump out
5 one side of that building.

6 MR. GOLLING: Right.

7 CHAIRMAN VALENTIC: And have one nice building and
8 get rid of one there for a little bit of storage, if that's
9 all you need.

10 MS. JARRELL: I don't understand how it would
11 infringe on any other setbacks if you did that.

12 MS. MAROUS: I believe he drew it one way.

13 MR. ROWAN: That's what I am trying to understand,
14 too, like how, if you were to attach that, you're actually
15 moving it in.

16 MR. GOLLING: Closer.

17 MR. ROWAN: In the side.

18 MR. GOLLING: So it would be on the neighbor's
19 setback to the south.

20 MS. JARRELL: Do you understand what we're saying?

21 MS. MAROUS: I do understand what you are saying.
22 It's just, I think the architect drew it this way for a
23 reason. I am trying to look back here to see if we have that,
24 if I have that with me.

25 MR. ROWAN: Because if you went bigger or if you
26 attached it, you wouldn't need a variance if it was within the
27 guidelines.

28 MR. GOLLING: Right, right.

29 MS. MAROUS: And, believe me, that's something we
30 definitely discussed and talked about. But with the way that

1 the pool is going, to do it that way wouldn't work because we
2 have our tractor in there and snow blower and things like
3 that. So we need like a way to drive those things into it.

4 MR. GOLLING: Is this elevated or is there some sort
5 of grading on here? Is your back yard flat?

6 MS. MAROUS: Yes, super flat.

7 MR. GOLLING: So it's all flat, so -- And I am just
8 spitballing here. So if I am looking at this drawing here, if
9 this is the existing shed, it's going to be just south of the
10 pool house. I mean, if I were to slide that sucker right up
11 there and if you just bump that, made that pool house another
12 10 by 10 or whatever it is, I mean, wouldn't that be kind of
13 cool, too? So you wouldn't have two things. You wouldn't
14 have to worry about it. Everything is all under one shed.
15 And I just don't know if you're in love with this shed here,
16 like, or is this like, would it drastically alter the design
17 of the pool house?

18 MS. MAROUS: It would. Also not be as cost
19 effective, to be honest, but, yeah.

20 CHAIRMAN VALENTIC: It looks like, if you look at
21 the architectural plans, you know, they have a door coming out
22 that way, if I'm looking at this right.

23 MS. MAROUS: There is a half bath in the back.

24 CHAIRMAN VALENTIC: Yeah. And that wouldn't, yeah.

25 MR. GOLLING: So you would have to figure out how to
26 get to the bathroom if you put the shed there.

27 MS. JARRELL: Out past the tractor.

28 MR. GOLLING: What about the other side? What's on
29 the other side?

30 MS. MAROUS: It's like a storage closet just for

1 like chairs, lounge chairs, things like that. I think that's
2 wherein lie the problem for us, kind of, making it all one big
3 thing with the half bath back there for the kids.

4 MS. JARRELL: How long have you lived in the house?

5 MS. MAROUS: He's had it for 12 years. I've been
6 there for five.

7 MS. JARRELL: Did you actually assess the cost
8 differential between the two scenarios?

9 MS. MAROUS: We did. That's why we're pushing for
10 this scenario.

11 MS. JARRELL: So really there is nothing odd about
12 the lot or anything.

13 MS. MAROUS: No.

14 MS. JARRELL: It really comes down to cost.

15 MS. MAROUS: Base cost, yes. And, actually, the
16 pergola which is in these plans that we were going to keep
17 came down. When we excavated, they realized like the footers
18 were rotted in there. So we did take the pergola down, too.
19 I know that doesn't count as an accessory building but that is
20 gone.

21 MR. GOLLING: This is Rainbow -- or Viceroy.

22 MS. MAROUS: Viceroy.

23 MR. GOLLING: Is there an HOA there?

24 MS. MAROUS: Minimal, like 125 a month.

25 MR. GOLLING: Do they have any sort of feelings one
26 way or the other?

27 MS. MAROUS: No. Both neighbors to either side are
28 supportive. The neighbors to the left are actually moving and
29 Dario's family bought the house next door. And like I said,
30 Todd Victor has the development behind us, who has discussed

1 it with us as well and doesn't have any opposition to it.

2 CHAIRMAN VALENTIC: Do you guys have any questions?

3 MR. SWEENEY: No.

4 MR. ROWAN: No other questions.

5 CHAIRMAN VALENTIC: Todd?

6 MR. GOLLING: No, I don't have any questions.

7 CHAIRMAN VALENTIC: All right, Julie. Please be
8 seated.

9 Is there anyone else speaking for this appeal that
10 would like to come up?

11 (No response.)

12 Is there anyone else speaking against this appeal
13 that would like to come up?

14 (No response.)

15 Okay. If there's no further questions, the public
16 hearing for Variance Number 2022-108 is now closed to the
17 public. Can I get a motion to approve Variance 2022-108?

18 MS. JARRELL: So moved.

19 MR. SWEENEY: Second.

20 CHAIRMAN VALENTIC: All right. Discussion? This
21 one is a little bit trickier, I think.

22 MR. GOLLING: So we have had issues in the past with
23 two sheds in the back.

24 CHAIRMAN VALENTIC: Yeah.

25 MR. GOLLING: And some of them were, to your point,
26 were, they were above the 1,024 square feet and that was kind
27 of like a hard no. I remember those. Other ones were, they
28 had a, just a small shed and they wanted to put a nicer one in
29 and we talked to them about combining them but it was on a lot
30 that, from one of the last ones, it was back in the middle of

1 nowhere. You couldn't have seen it from a helicopter. So
2 adding a second one really wasn't a huge issue. They were
3 still under. But, you know --

4 CHAIRMAN VALENTIC: The other time I remember stuff
5 like this has come up is that they want a second one but
6 they're like at 1.92 acres, which is --

7 MR. GOLLING: Right, very close.

8 CHAIRMAN VALENTIC: -- very close to two.

9 MR. GOLLING: But to that end, we're at half an acre
10 here. So another acre and a half, we'd be okay. But it would
11 seem that we're, I mean, obviously, the cost is a
12 consideration here. We already have a shed that we own that
13 we have our stuff in and the pool house isn't going to be
14 cheap. I know that for a fact. So --

15 MR. ROWAN: I think making changes to a plan isn't
16 going to decrease the cost. It's going to increase the cost.

17 MR. GOLLING: It's going to increase the cost for
18 sure. So, I mean, the opportunity is now to either find
19 something to do with the existing shed for the mower or, you
20 know, they do have a three-car garage at this house. I looked
21 at it on the Google Maps. So, you know, there is an option to
22 put stuff in the garage or the other option is attach it to
23 one of the ends that doesn't involved blocking the bathroom
24 that, yeah, but that's going to cost. I don't know. I am not
25 in construction but it's not going to be cheap. I would
26 reckon another five, ten grand. I don't know.

27 So that seems to be the stickler here is the shed
28 and not wanting to get rid of it. So it's on a, again, if we
29 were close to a two acre, it might not be so much of an issue.
30 I am just kind of spitballing here.

1 MS. JARRELL: Why don't we talk about the Duncan
2 Factors?

3 MR. ROWAN: That's what I was thinking.

4 MR. GOLLING: Okay.

5 CHAIRMAN VALENTIC: Does anyone have them handy?

6 MR. ROWAN: Yeah.

7 MR. GOLLING: Yeah.

8 MR. ROWAN: So --

9 CHAIRMAN VALENTIC: Go ahead.

10 MS. JARRELL: Please.

11 MR. ROWAN: *Will the property yield a reasonable*
12 *return or can there be a beneficial use of the property*
13 *without the variance?*

14 MS. JARRELL: Yeah.

15 CHAIRMAN VALENTIC: Yeah.

16 MR. GOLLING: Yeah.

17 MR. ROWAN: *Is the variance substantial?*

18 MR. GOLLING: That could be subjective on this
19 variance but, you know, you're going from two buildings, which
20 is a hard no on lots of less than 2 acres, but substantial
21 might be a combined over 1,024, which it isn't. So it is kind
22 of tiny.

23 MR. ROWAN: Right.

24 MS. JARRELL: But it's also kind of big.

25 MR. GOLLING: It's also kind of big, right. Tiny in
26 square footage but big in two buildings.

27 MS. JARRELL: Right.

28 MR. ROWAN: *Will the essential character of the*
29 *neighborhood be substantially altered or will the adjoining*
30 *property suffer a substantial detriment if the variance is*

1 granted? To me, that's a no.

2 MS. JARRELL: No.

3 MR. GOLLING: Yeah.

4 MR. ROWAN: *Will the variance adversely affect the*
5 *delivery of governmental service?*

6 MR. GOLLING: No.

7 MR. SWEENEY: No.

8 MR. ROWAN: *Did the property owner purchase the*
9 *property with knowledge of the zoning restrictions?*

10 MR. GOLLING: Yeah.

11 MS. JARRELL: It was 12 years ago. A pool, you
12 know, this may have not been on the radar back then.

13 MR. GOLLING: It wasn't on the radar, yeah.

14 MR. ROWAN: *Let's see. Can the problem be resolved*
15 *by some manner other than granting of the variance?*

16 CHAIRMAN VALENTIC: Yes.

17 MS. JARRELL: At substantial cost.

18 MR. GOLLING: Right.

19 MR. ROWAN: *Will the variance preserve the spirit*
20 *and intent of the Zoning Resolution and will the substantial*
21 *justice -- and will substantial justice be done by granting*
22 *the variance?*

23 MR. SWEENEY: Well, this has been, this has been the
24 sticking point for me on all these issues is, what is the
25 spirit and intent, spirit and intent of the zoning ordinance?

26 MS. JARRELL: The spirit and intent is the ordinance
27 itself.

28 MR. GOLLING: Trying not to muddy up the lot.

29 MS. JARRELL: Right.

30 MR. SWEENEY: Well, is it? Where does it state

1 that? See, this is what I am -- If it said something very
2 specific like "in furtherance of issues of safety," then I
3 would have something concrete to go on. But, you know, the
4 zoning, they're very, they're confusing because you wonder,
5 well, why did they make the rule, the zoning ordinance in the
6 first place? And then if I knew why, if I knew what the basis
7 was behind establishing these ordinances, that would help us a
8 lot in these sort of circumstances.

9 MS. JARRELL: Well, I mean, that's --

10 MR. SWEENEY: But when they don't give it to us, we
11 have to infer it.

12 MR. GOLLING: Right.

13 MR. SWEENEY: Okay? So that is extremely
14 subjective, and I would argue that it inures to the applicant
15 rather than the township. In other words, we give the
16 applicant the benefit of the doubt when we're not certain of
17 what that intent was or, let alone certain, have any idea. So
18 that's what always comes up and we have these a lot.

19 MS. JARRELL: Absolutely. And that's why we have a
20 board and we have to --

21 MR. SWEENEY: Case by case.

22 MS. JARRELL: Right.

23 MR. ROWAN: I could argue for and against, and I
24 will give you, kind of, my thoughts on those. The against is
25 obvious. It says you can only have one building. Okay,
26 that's pretty straightforward. The for in this case for me is
27 that it's a nice structure. We're not talking about, you
28 know, putting three outbuildings on there.

29 MR. GOLLING: Right.

30 MR. ROWAN: Or something that's going to be an

1 eyesore or something that's going to actually deter from the
2 neighborhood or lower property values or anything like that.
3 This is something that is an upgrade.

4 MR. GOLLING: Yeah, well, that's for sure.

5 MR. ROWAN: Right.

6 MR. GOLLING: But then the issue is, we don't want
7 to get rid of the shed. I don't know what the shed looks
8 like. But Step 6 there, can the problem --

9 MS. JARRELL: Do you have any of those?

10 MR. GOLLING: I'm sorry?

11 MS. JARRELL: I was asking.

12 MR. GOLLING: *Can the problem be resolved in some*
13 *manner other than granting the variance?* And I'm asking,
14 what's in the shed?

15 CHAIRMAN VALENTIC: We can have Julie come back up.

16 MR. GOLLING: Yeah, Julie, if you could.

17 MS. MAROUS: Sure.

18 MR. GOLLING: So what is actually in the shed? You
19 said a lawn mower?

20 MS. MAROUS: Our Scag, our snow blower, the kids'
21 bikes, you know, in the winter. It's just storage.

22 MR. GOLLING: Right.

23 MS. MAROUS: And it's nice. It's sided with a nice
24 roof and blue door that matches our house.

25 MR. GOLLING: Can I?

26 MS. MAROUS: It's kind of like cut off. Sorry.

27 MR. SWEENEY: This is the existing?

28 MS. MAROUS: The existing shed.

29 MR. GOLLING: This is it.

30 MS. JARRELL: This is the -- oh.

1 MS. MAROUS: It's very nice.

2 MS. JARRELL: Yeah.

3 MS. MAROUS: Dad built it, which is also a reason I
4 don't want to tear it down.

5 MR. SWEENEY: It's really nice.

6 MS. JARRELL: It's very nice.

7 MR. GOLLING: Got it.

8 MR. ROWAN: I think I mentioned this when we had
9 some other variance. Moving a shed or removing a shed is
10 minimum \$500 just to get somebody to show up on your property.

11 MR. SWEENEY: Easy.

12 MR. ROWAN: To move it somewhere else, to sell it --

13 MR. GOLLING: Demo.

14 MR. ROWAN: -- demo it. So that would be a hardship
15 then in that case. So, again, I can see both sides.

16 MR. GOLLING: And to the both sides, the goal here
17 is to improve the property. And I suppose that, you know,
18 looking at the shed, it's a nice shed, custom built, matches
19 the house.

20 MS. JARRELL: It's only 200 square feet.

21 MR. GOLLING: And it's kind of small. So, you know,
22 I think, to Skip's point, is that, when in doubt, punt.

23 MR. SWEENEY: Sure. How many times have we had
24 this?

25 MR. GOLLING: Yeah, more than once.

26 MS. JARRELL: I know, so many.

27 MR. SWEENEY: Very, very difficult for us because we
28 don't want to say no to anybody. You know, it's hard,
29 especially when it makes sense and it looks good and keeps the
30 homeowner from incurring more expense.

1 MR. GOLLING: So when I think of intent, you know,
2 when we infer -- again, it's totally subjective -- but we did
3 have a issue where there was a fellow that wanted to, he was
4 hoarding junk and he wouldn't, doesn't want to get rid of his
5 junk and he wanted that other shed.

6 MR. SWEENEY: I remember that one.

7 MR. GOLLING: You remember that one. And he wanted
8 another shed to put more of his junk in.

9 MR. SWEENEY: Right.

10 MR. GOLLING: And that, that didn't work out well in
11 his favor. But in this case here, this isn't a junk hoarder.
12 We're putting high five figures into the back yard easily for
13 pools.

14 MR. SWEENEY: Yeah.

15 MR. GOLLING: They're not cheap to get something in
16 your back yard.

17 So I think that we don't have anyone here saying
18 they don't like it. It looks like the back yard is going to
19 be party palace. It's going to be nice. The cost to add that
20 shed to the back of the pool house, to Davey's excellent
21 point, yeah, that's going to be prohibitive. So just I, it's
22 time to call the play, you know.

23 CHAIRMAN VALENTIC: All right.

24 MR. SWEENEY: All good points.

25 CHAIRMAN VALENTIC: Okay. With that, Heather, the
26 question is on the approval of the Variance Number 2022-108.
27 A yes vote will approve the variance. A no vote denies it.

28 Please call the vote.

29 MS. FREEMAN: Mr. Sweeney?

30 MR. SWEENEY: Yes.

1 MS. FREEMAN: Ms. Jarrell?

2 MS. JARRELL: Yes.

3 MS. FREEMAN: Mr. Rowan?

4 MR. ROWAN: Yes.

5 MS. FREEMAN: Mr. Golling?

6 MR. GOLLING: Yes.

7 MS. FREEMAN: Mr. Valentice?

8 CHAIRMAN VALENTICE: Yes.

9 Your variance is approved.

10 MS. MAROUS: Thank you.

11 CHAIRMAN VALENTICE: All right. Next is Conditional
12 Use Permit Application 2022-23. HSB Architects and Engineers,
13 on behalf of the property owner, Auburn Vocational School
14 District, is requesting a conditional use permit in accordance
15 with Section 13.10 to allow for an extension of a school for
16 the property located at 10985 Girdled Road, known as current
17 parcel number 08-A-021-0-00-007-0.

18 MR. SLAVKOVSKY: Jeff Slavkovsky, Auburn Career
19 Center, 8140 Auburn Road. I have been sworn.

20 MR. KHAWAM: Andre Khawam, HSB Architect.

21 CHAIRMAN VALENTICE: You've been sworn in?

22 MR. KHAWAM: I've been sworn in, yes.

23 MR. COURTNEY: Doug Courtney, C. W. Courtney
24 Company. I have been sworn in.

25 CHAIRMAN VALENTICE: Who is going to present first?

26 MR. SLAVKOVSKY: I guess I can start. We're asking
27 for a conditional use permit for the site plan that you have
28 in front of you in a section of our campus that is currently
29 used for the said activities that already take place there.
30 It is a part of our public safety programming. We do live fire

1 simulating back there. We're looking to expand the current
2 use of the property and that parcel to be able to conduct all
3 of the fire training requirements for an entire program rather
4 than doing those elsewhere and trying to lease space for
5 activities that we can do on our own property.

6 CHAIRMAN VALENTIC: So is this the fire training
7 that was going to go across the street then?

8 MR. SLAVKOVSKY: Yes.

9 CHAIRMAN VALENTIC: Now you're moving it back here?

10 MR. SLAVKOVSKY: Yes. The cost that it was mounting
11 up to with all of the additions that were being requested of
12 us made us realize that we can get an all self-contained
13 unit -- I know that was a concern of the tower, the stair
14 tower, that it could be accessed. This would be completely
15 enclosed. You should have a scaled model of what the facility
16 would look like. It's three units continuous, welded
17 together, and then the stair tower is off to the right, as you
18 can see on the side of this. It is also completely enclosed
19 with welded steel.

20 MS. JARRELL: Very good.

21 MR. SLAVKOVSKY: We would have done this from the
22 beginning if we would have known what it was going to cost us.

23 CHAIRMAN VALENTIC: So the tower is inside of the
24 building.

25 MR. SLAVKOVSKY: The tower is, yes, completely
26 enclosed. It's a three-story stair tower. You are looking at
27 the exterior drawing. Then there is a roof access on the top
28 which makes, the 4 foot barrier makes it 42 foot tall. But
29 that's the next one.

30 MR. SWEENEY: What's happening to that other site

1 now?

2 MR. SLAVKOVSKY: We still use it for what we've
3 always used it in the past. We are, still are able to do
4 general fire training over there.

5 MR. SWEENEY: So that one neighbor will be happy.

6 MR. GOLLING: He will be happy, yes.

7 MR. SLAVKOVSKY: He got a nice fence, too.

8 MR. GOLLING: He got a nice fence. His big
9 complaint was not seeing it, so problem solved.

10 MR. SWEENEY: He's not going to see it.

11 MR. SLAVKOVSKY: To me, this is just asking for more
12 of the same. We already do what we're doing in the back
13 there, just going to expand and add some other simulation type
14 activities.

15 CHAIRMAN VALENTIC: So on this site plan --

16 MR. SWEENEY: So -- Go ahead.

17 CHAIRMAN VALENTIC: I was going to say, what all,
18 what's proposed or new versus what's existing?

19 MR. SLAVKOVSKY: So what's existing right now is a
20 field behind our horticulture building at the address that you
21 see there. There is smaller sections that we do have what's
22 called a flash-over trailer. It's a fire simulator that -- I
23 don't know if you know fire terms, what the flashover is when
24 the big draft comes in and all that. We do have some car fire
25 simulators back there. We do live burns in the open in
26 training firemen to put them out. We also have back there a
27 large outdoor storage facility that we have our squad in and
28 fire truck in.

29 What will be added is some site preparation and we
30 need the concrete pad in order to put said fire, live fire

1 simulator on it. If you remember, there was a physical
2 agility training course that went along with the tower. That
3 will be an asphalt pad to the right of the stair tower. It
4 has to be adjacent to it. We are also adding gravel to the
5 southwest corner that would be used as a construction outdoor
6 learning space. We were before this commission about a
7 covered outdoor lab learning space with the pandemic hitting
8 and that was actually approved. And with the pandemic hitting
9 and prices going up so much, we had decided to downsize and
10 make it a little less spectacular, if you will, but it can be
11 combined with this. But that would be gravel.

12 So it would be a mix of gravel, asphalt, and
13 concrete with the large live fire simulator that you see in
14 the diagram, along with some other propane props, they're
15 called, that are also simulators for car fires, for propane
16 tank fires, for Christmas tree fires, and things of such.

17 CHAIRMAN VALENTIC: So a lot of those, the gravel
18 areas, then are just for the construction training?

19 MR. SLAVKOVSKY: For the most part. Some of those
20 messier, like, propane tank simulator, we'll probably put that
21 on the gravel as well but those are removeable. Those won't
22 be set down and need a crane to move.

23 CHAIRMAN VALENTIC: Anyone else have any questions?

24 MR. ROWAN: For the height, is there any, some kind
25 of -- So it's for fire training but are there any restrictions
26 because of the fire department doesn't have like a ladder
27 truck on the height? Maybe that's a question for later.

28 MS. JARRELL: You mean the variance?

29 MR. ROWAN: The variance for the --

30 MS. JARRELL: Yeah, so we're not there yet.

1 MR. ROWAN: Oh, okay.

2 MR. SLAVKOVSKY: Yeah, that's our next one.

3 MR. ROWAN: Gotcha.

4 CHAIRMAN VALENTIC: This is just a conditional use.

5 MR. GOLLING: And the neighbors right behind that
6 lot is Cometic, right?

7 MR. SLAVKOVSKY: Correct.

8 MR. SWEENEY: Who?

9 MR. GOLLING: Cometic Gasket.

10 MR. SLAVKOVSKY: Cometic Gasket.

11 MR. ROWAN: There is a neighbor out front.

12 MR. GOLLING: A neighbor in front, too. I don't
13 know who that is.

14 MR. ROWAN: Yeah. This is the facility right off
15 the intersection of Girdled and Auburn, so this is the Girdled
16 side. There is a house in front right next to the driveway
17 and Cometic is on the other side, the back side, I guess.

18 MR. GOLLING: Got it.

19 MR. SLAVKOVSKY: Cometic won't see anything because
20 of the tree line. I don't think they care. The neighbor to
21 the south on Girdled Road is hundreds and hundreds of feet
22 away.

23 CHAIRMAN VALENTIC: Is there a clearing that you
24 need to do for this?

25 MR. SLAVKOVSKY: Yeah, there is site preparation
26 that we have to do, sure.

27 MR. COURTNEY: No tree clearing though.

28 CHAIRMAN VALENTIC: No, no tree clearing.

29 MR. COURTNEY: It's all open area.

30 CHAIRMAN VALENTIC: It's already cleared. It's an

1 open area, okay. Thank you.

2 Any other questions for anyone up there?

3 (No response.)

4 Okay. You can be seated for now. Thank you.

5 MS. JARRELL: Thank you.

6 CHAIRMAN VALENTIC: Is there anyone else speaking
7 for this appeal that would like to come up?

8 (No response.)

9 Excuse me. If anyone can be seated. Is there
10 anyone that's speaking against this appeal that would like to
11 come up?

12 MS. WHITELEY: I don't know whether I am so much
13 speaking against it. I just --

14 CHAIRMAN VALENTIC: Well, if you want to come up,
15 you have to come up to the microphone, unfortunately. Were
16 you sworn in earlier?

17 MS. WHITELEY: Yes, I was.

18 CHAIRMAN VALENTIC: Oh, perfect. State your name.
19 Go ahead.

20 MS. WHITELEY: Florence Whitely. This is my husband,
21 Bill Whitely. We live in the little yellow house adjacent to
22 the school.

23 CHAIRMAN VALENTIC: Okay. What's your address?

24 MS. WHITELEY: 10965 Girdled Road.

25 CHAIRMAN VALENTIC: Okay. Go for it.

26 MS. WHITELEY: What I want to know is, where is it
27 going to be built?

28 CHAIRMAN VALENTIC: Okay.

29 MR. ROWAN: So I think, because I was wondering the
30 same thing when I looked at this picture, but it looks like if

1 you were to go all the way to the back, they have an existing
2 building, and I believe it's behind that, from what I am
3 looking at on the drawing. So if you went down the drive,
4 there is the horticulture building. I think it's the
5 horticulture building.

6 MS. WHITELEY: Of the drive?

7 MR. ROWAN: Yeah. So you go down that drive and
8 there is the building there, and then behind that is where I
9 believe this fire training is going.

10 MS. WHITELEY: Oh, okay.

11 CHAIRMAN VALENTIC: Yeah. So here is that driveway.
12 There is the --

13 MS. WHITELEY: Excuse me. I can't see that.

14 CHAIRMAN VALENTIC: Oh, okay. There is the
15 driveway.

16 MR. ROWAN: This is your house there.

17 MS. WHITELEY: Yeah.

18 CHAIRMAN VALENTIC: Yep. There is the horticulture
19 building parking lot. Everything would be back behind there.

20 MS. WHITELEY: Okay, good, because the deers come.

21 CHAIRMAN VALENTIC: Yeah.

22 MS. WHITELEY: Thank you.

23 CHAIRMAN VALENTIC: Do you have any other questions?

24 MS. WHITELEY: No.

25 CHAIRMAN VALENTIC: Okay.

26 Is there anyone else that would like to come up?

27 (No response.)

28 Okay. If not, then the public hearing for Variance
29 Number 2022-23 is now closed to the public. Can I get a
30 motion, please?

1 MR. GOLLING: So moved.

2 MS. JARRELL: So moved. Second.

3 CHAIRMAN VALENTIC: Any further discussion from the
4 Board? No? Okay.

5 Heather, can we get a vote for Conditional Use
6 Permit Application 2022-23, HSB Architects and Engineers, on
7 behalf of the property owner, Auburn Vocational School
8 District?

9 MS. FREEMAN: Mr. Rowan?

10 MR. ROWAN: Yes.

11 MS. FREEMAN: Ms. Jarrell?

12 MS. JARRELL: Yes.

13 MS. FREEMAN: Mr. Sweeney?

14 MR. SWEENEY: Yes.

15 MS. FREEMAN: Mr. Golling?

16 MR. GOLLING: Yes.

17 MS. FREEMAN: Mr. Valentic?

18 CHAIRMAN VALENTIC: Yes.

19 Your conditional use permit is approved.

20 Next is a Variance Application 2022-109. HSB
21 Architects and Engineers is requesting a variance from
22 Section 15.04(B), Table 15.04-1, on behalf of the property
23 owner, Auburn Vocational School, to allow for the construction
24 of an accessory structure that is 34 feet in height in lieu of
25 the maximum 20 feet permitted for the property located at
26 10985 Girdled Road, known as current parcel number
27 08-A-021-0-00-007-0.

28 MR. SLAVKOVSKY: Jeff Slavkovsky, Auburn Career
29 Center, 8140 Auburn Road. I have been sworn in.

30 MR. KHAWAM: Andre Khawam, HSB Architects. I have

1 been sworn in.

2 MR. COURTNEY: Doug Courtney, I am with C.W.
3 Courtney Company. I've been sworn in.

4 MR. SLAVKOVSKY: As was talked about earlier, we do
5 want to have this enclosed stair tower as part of our Class A
6 live fire burn simulator. It is in excess of 30 feet. It's
7 30 feet and, with the railing on the top, adds another 42
8 inches, so we're just short of 34 feet.

9 CHAIRMAN VALENTIC: Again, this is in the very back?

10 MR. SLAVKOVSKY: It's to the very back.

11 CHAIRMAN VALENTIC: By the trees.

12 MR. SLAVKOVSKY: Yes.

13 MR. COURTNEY: Right.

14 MR. SLAVKOVSKY: This fire stair tower, to be
15 redundant from being in here previous times, would be very
16 helpful to our local safety forces. Right now, even as far as
17 Ashtabula County have to drive past Concord Township to go
18 into Cleveland to get the fire training credentials that are
19 required. With this physical agility training center we would
20 be building in Concord Township, it --

21 MR. GOLLING: Are there any in Lake County at all?

22 MR. SLAVKOVSKY: There are, no, there is not a stair
23 tower in Lake County.

24 MR. GOLLING: In Geauga?

25 MR. SLAVKOVSKY: Not a stair tower in Geauga.

26 MR. GOLLING: Wow. So we would be it.

27 MR. SLAVKOVSKY: Tri-C Parma, that is the closest
28 one.

29 CHAIRMAN VALENTIC: There was a lot of discussion
30 last time about safety and getting up the tower and all that.

1 Now that it's enclosed within the building, that's not an
2 issue.

3 MR. SLAVKOVSKY: Yeah. This would be a huge
4 benefit. I mean, we have letters from fire chiefs in total
5 support of it just because of the sheer distances that they
6 have to travel to get these credentials, you know, continuing
7 education that current firefighters need to get and hiring new
8 firefighters. Obviously, it would be a benefit to Auburn
9 Career Center. We don't have to have our students go to other
10 burn facilities to get this training done, or the physical
11 agility. Right now, there are other Class A fire simulators
12 in Lake County. There is one in Willoughby that's aging.
13 They got it on a grant, so they have to offer it out to other
14 training centers to use. There is others, not very widespread
15 but there are a couple that we utilize right now instead of
16 having it right on our campus. Students have to travel and
17 all that. It would be a benefit not only to the Career Center
18 but also to the region.

19 MR. GOLLING: Dumb question, total ignorance on my
20 part. The Fire Department would have to pay you guys to come
21 train there, right?

22 MR. SLAVKOVSKY: We charge tuition, yes.

23 MR. GOLLING: Okay.

24 CHAIRMAN VALENTIC: Any questions?

25 MR. SLAVKOVSKY: And for purposes of an actual fire
26 department -- I am sorry. I should -- I dumbed that down
27 really too much.

28 MR. GOLLING: I deserved that.

29 MR. SLAVKOVSKY: For students that would be taking
30 our courses to become firefighters or paramedics, we charge

1 tuition. For the purposes of this and fire departments using
2 it, yes, we would charge a fee for them to use it, which they
3 pay right now, currently. It probably would be less than
4 where they have to go.

5 MR. GOLLING: So this is something like --

6 MR. SLAVKOVSKY: There could be an in-kind kind of a
7 trade for using the services here and then maybe we borrow
8 some equipment from those fire departments, something like
9 that.

10 MR. GOLLING: I mean, is this like they come up for
11 the day? Is this like a week thing?

12 MR. SLAVKOVSKY: I mean, our fire program could last
13 nine months as far as becoming a firefighter. But when you're
14 doing physical agility for existing firefighters, yeah, it's a
15 day event.

16 MR. GOLLING: Okay, cool. Ignorant self.

17 MS. JARRELL: Really?

18 MR. GOLLING: No, not really.

19 MR. ROWAN: I have questions for discussion.

20 CHAIRMAN VALENTIC: Okay. Everyone is good?

21 MR. GOLLING: Yeah.

22 CHAIRMAN VALENTIC: You guys can be seated.

23 Is there anyone that's speaking for or against this
24 appeal that would like to come up?

25 (No response.)

26 If there's no further questions, then the public
27 hearing for 2022-109 is closed to the public. Can I get a
28 motion to approve Variance 2022-109?

29 MR. GOLLING: So moved.

30 MR. SWEENEY: Second.

1 CHAIRMAN VALENTIC: Discussion. Do you have
2 something?

3 MR. ROWAN: Yeah. So I see where, because this
4 isn't the principal building, it's limited to 20 feet as an
5 accessory building. The maximum height of a principal
6 building, 35, okay. Do we need to specify just this building,
7 this accessory building, or are we granting the variance that
8 then they can put other accessory buildings of 35 feet?

9 MR. LUCAS: Mr. Chairman, no, it's just this
10 particular building.

11 MR. ROWAN: Just this, okay.

12 CHAIRMAN VALENTIC: Good question.

13 MR. ROWAN: That was the only question I have.

14 MR. GOLLING: Very good, Davey. You made me think
15 tonight. Don't do it again.

16 MR. ROWAN: I'll try not to.

17 CHAIRMAN VALENTIC: Any other questions?

18 MR. GOLLING: I have none.

19 CHAIRMAN VALENTIC: No? Okay. I don't either.

20 So, Heather, please call a vote for the approval of
21 Variance Appeal Application Number 2022-109. HSB Architects
22 and Engineers is requesting a variance from Section 15.04(B),
23 Table 15.04, on behalf of the property owner, Auburn
24 Vocational School, for the construction of an accessory
25 structure that is 34 feet in height in lieu of the maximum 20
26 feet permitted.

27 MS. FREEMAN: Before we do that, did we offer any
28 public for or against?

29 MR. ROWAN: Yes.

30 MR. SWEENEY: Yes.

1 MS. FREEMAN: Oh, we did, okay. All right. Sorry
2 about that.

3 CHAIRMAN VALENTIC: No, you're good.

4 MS. FREEMAN: Mr. Golling?

5 MR. GOLLING: Yes.

6 MS. FREEMAN: Mr. Sweeney?

7 MR. SWEENEY: Yes.

8 MS. FREEMAN: Ms. Jarrell?

9 MS. JARRELL: Yes.

10 MS. FREEMAN: Mr. Rowan?

11 MR. ROWAN: Yes.

12 MS. FREEMAN: And Mr. Valentic?

13 CHAIRMAN VALENTIC: Yes.

14 Thank you. Your variance has been approved.

15 All right. The most patient person in the room is
16 up right now.

17 MR. GOLLING: Here she comes.

18 CHAIRMAN VALENTIC: Variance Application 2022-110,
19 Deborah Cendroski -- Is that correct?

20 MS. CENDROSKI: Yes.

21 CHAIRMAN VALENTIC: -- is requesting a variance to
22 allow for the construction of a deck with a 6 (sic) foot
23 riparian setback in lieu of the minimum 75 foot setback
24 required as set forth in Section 17.07(A) and 17.04(B)(2) for
25 the property located at 7223 Pinehill Road, known as current
26 parcel number 08-A-018-0-00-038-0.

27 MS. CENDROSKI: I am Deb Cendroski. I live at
28 7223 Pinehill Road in Concord, and I have been sworn in.

29 CHAIRMAN VALENTIC: Thank you.

30 MS. CENDROSKI: We are requesting permission to

1 extend our existing deck, which is elevated, and to put the
2 posts in to hold that deck.

3 CHAIRMAN VALENTIC: And you just, you're just
4 looking for a small addition?

5 MS. CENDROSKI: Yes, basically just enough to hold a
6 hot tub, a small hot tub.

7 CHAIRMAN VALENTIC: Oh, okay.

8 MR. GOLLING: We talked about that.

9 MS. CENDROSKI: We talked about that.

10 MR. GOLLING: Five is not small.

11 MS. CENDROSKI: Certainly.

12 CHAIRMAN VALENTIC: I don' know if you're aware. We
13 did receive a letter from Lake County Soil and Water.

14 MS. CENDROSKI: Yes.

15 CHAIRMAN VALENTIC: Did you get a copy of that?

16 MS. CENDROSKI: Yes, I did.

17 CHAIRMAN VALENTIC: Great. And the area already is
18 disturbed. It's not really an existing riparian.

19 MS. CENDROSKI: It's been the same for 30-some
20 years. I mean, we've lived there. We moved in in 1985, you
21 know. So everything has been, when they dug our basement --
22 Our house was supposed to be on a slab. They dug down 4 feet
23 and hit shale.

24 CHAIRMAN VALENTIC: Oh, okay.

25 MS. CENDROSKI: So they had to bring in 57 triaxial
26 loads of dirt and we were really highly elevated. So that
27 land has been exactly the same for, we've been, well, 1985, 37
28 years.

29 MR. SWEENEY: Wow.

30 MS. CENDROSKI: We love it. It's beautiful down

1 there.

2 MS. JARRELL: It's a beautiful street.

3 CHAIRMAN VALENTIC: Okay. Any questions from the
4 Board?

5 MR. ROWAN: I think the letter from Soil and Water
6 was telling.

7 MR. GOLLING: Chad's letter summed it up, said it's
8 cool.

9 MR. SWEENEY: Very helpful.

10 CHAIRMAN VALENTIC: Okay.

11 MS. JARRELL: It's not too often Chad is in favor of
12 things. So --

13 MR. SWEENEY: That's true.

14 MR. GOLLING: Yeah, caught Chad on a good day.

15 MS. CENDROSKI: Pardon?

16 MR. GOLLING: Caught Chad on a good day.

17 MS. JARRELL: Yes.

18 MR. SWEENEY: He was glowing in this letter.

19 MS. JARRELL: Yes, he was.

20 CHAIRMAN VALENTIC: All right. Well, thank you very
21 much. It doesn't sound like we have any other questions for
22 you.

23 MS. CENDROSKI: Thank you.

24 CHAIRMAN VALENTIC: Is there anyone else speaking
25 for or against this appeal?

26 (No response.)

27 All right. So if there's no further questions, the
28 public hearing for Variance Number 2022-110 is now closed to
29 the public. Can I get a motion?

30 MS. JARRELL: So moved.

1 MR. SWEENEY: Second.

2 CHAIRMAN VALENTIC: Who was second? Skip. Thank
3 you, Skip. Any further discussion? Everyone is good?

4 All right. Heather, then can we get a vote for the
5 variance appeal for Number 2022-110 for Deb Cendroski, who is
6 requesting a variance to allow for the construction of a deck
7 with a 64 foot riparian setback in lieu of the 75 foot
8 required setback.

9 MS. FREEMAN: Mr. Sweeney?

10 MR. SWEENEY: Yes.

11 MS. FREEMAN: Mr. Golling?

12 MR. GOLLING: Yes.

13 MS. FREEMAN: Ms. Jarrell?

14 MS. JARRELL: Yes.

15 MS. FREEMAN: Mr. Rowan?

16 MR. ROWAN: Yes.

17 MS. FREEMAN: Mr. Valentic?

18 CHAIRMAN VALENTIC: Yes.

19 Your variance is approved. Thank you.

20 MR. SWEENEY: Thank you.

21 CHAIRMAN VALENTIC: We have two sets of minutes to
22 approve.

23 MS. JARRELL: Yeah, because I screwed up last time.

24 CHAIRMAN VALENTIC: I don't know if I was at June.
25 So I think I have to abstain from both.

26 MR. SWEENEY: I have to abstain from at least one of
27 them.

28 MR. GOLLING: You were here. I was here. You were
29 here.

30 CHAIRMAN VALENTIC: Who can vote on June?

1 MR. GOLLING: Us three.

2 CHAIRMAN VALENTIC: Okay, perfect.

3 MR. SWEENEY: Yeah, I wasn't at June.

4 CHAIRMAN VALENTIC: Then you guys can vote on July.

5 You can't vote on either of them because it says you weren't

6 here on last month. Were you?

7 MR. SWEENEY: What was the date last month?

8 CHAIRMAN VALENTIC: July.

9 MR. SWEENEY: July what?

10 CHAIRMAN VALENTIC: 13th.

11 MR. SWEENEY: I wasn't here.

12 CHAIRMAN VALENTIC: That's what I just said.

13 MR. SWEENEY: Okay. I was just making sure.

14 CHAIRMAN VALENTIC: All right.

15 MR. SWEENEY: The June one, the June one --

16 MR. LUCAS: What are you trying to pull?

17 MR. SWEENEY: The June one, I can.

18 CHAIRMAN VALENTIC: Oh, okay. I thought you said

19 you weren't here for June. All right.

20 MR. SWEENEY: I want to say "aye."

21 MR. GOLLING: What's in your cup?

22 MR. SWEENEY: I don't know. Someone poured it.

23 CHAIRMAN VALENTIC: Can I get a motion to approve

24 the minutes from June 8, 2022?

25 MR. GOLLING: So moved.

26 MR. ROWAN: Second.

27 CHAIRMAN VALENTIC: Is there any additions or

28 deletions?

29 MR. GOLLING: No.

30 CHAIRMAN VALENTIC: No, okay. So can I get a vote

1 to approve --

2 MR. SWEENEY: Just all in favor?

3 CHAIRMAN VALENTIC: -- the June 8, 2022, meeting
4 minutes? A yes vote approves it. A no vote denies it. All
5 in favor?

6 I am abstaining.

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

8 CHAIRMAN VALENTIC: Okay. Next is a motion to
9 approve the minutes from July 13, 2022.

10 MR. ROWAN: So moved.

11 MR. GOLLING: Second.

12 CHAIRMAN VALENTIC: Any additions or deletions to
13 those minutes?

14 MR. GOLLING: They're good.

15 MS. JARRELL: Perfection.

16 CHAIRMAN VALENTIC: Perfection, okay. All in favor
17 of the minutes from July 13, 2022, say aye.

18 MR. SWEENEY: Abstaining.

19 CHAIRMAN VALENTIC: I'm abstaining.

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

21 CHAIRMAN VALENTIC: The minutes are approved as
22 written.

23 The next meeting is August whenever, sometime in
24 August.

25 MR. ROWAN: September.

26 CHAIRMAN VALENTIC: Hopefully, everyone is -- No.

27 MS. JARRELL: This is August.

28 CHAIRMAN VALENTIC: Oh, yeah, it is August. Sorry.
29 Yeah, I wrote down August. It's September. So the meeting
30 though is --

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MS. JARRELL: Maybe there is some Ketel One in the glasses.

CHAIRMAN VALENTIC: The meeting is adjourned tonight. Thank you, everyone.

(Whereupon, the meeting was adjourned at 8:24 p.m.)

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STATE OF OHIO)
)
COUNTY OF LAKE)

CERTIFICATE

I, Melinda A. Melton, Registered Professional Reporter, a notary public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that, to the best of my ability, the foregoing proceeding was reduced by me to stenotype shorthand, subsequently transcribed into typewritten manuscript; and that the foregoing is a true and accurate transcript of said proceedings so taken as aforesaid.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 6th day of September 2022.

Melinda A. Melton

Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2023

