

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

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4
5 Concord Town Hall
 7229 Ravenna Road
6 Concord, Ohio 44077

7
8 December 13, 2023
 7:00 p.m.

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10 TRANSCRIPT OF PROCEEDINGS

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13 Zoning Appeals Board members present:

14 Ivan Valentic, Chairman

 TR Hach, Member

15 Todd Goling, Member

 Ashley Garcar, Member

16 Davey Rowan, Member

17
18
19 Also Present:

20 Heather Freeman, Planning & Zoning Director/Zoning
 Inspector

21 Keith Petersen, Esq., Legal Counsel

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23
24
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PROCEEDINGS

THE CHAIRMAN: Good evening. The Concord Township Board of Zoning Appeals meeting for December 2023 is now in session.

I would like to introduce my Board. To my far left, is TR.

MS. GARCAR: Ashley.

THE CHAIRMAN: Ashley, sorry. I am Ivan Valentic, Davey Rowan, and Todd Goling. To our far right is Heather Freeman, our Zoning Inspector.

Under advice of counsel, we ask that anyone speaking tonight must be sworn in. If you plan on speaking, please stand and raise your right hand.

(All speakers sworn)

THE CHAIRMAN: Thank you. Please be seated.

When presenting your case or commenting, please come to the microphone, state your name and address, and confirm that you've been sworn in.

Heather, were the legal notices posted in a timely manner?

MS. FREEMAN: Yes, they were.

MR. WINFIELD: Hi, my name is Jeff Winfield. Mary and I both live at 11306 Alexa Drive, in Concord here, and I have been sworn in.

THE CHAIRMAN: Thank you, sir. If you want to kind of walk us through your case, what you are looking to do.

MR. WINFIELD: Sure. Mary and I would like to build a deck. Due to the siting and the way the house is positioned on our lot, one of the corners of our house, actually the corner that we would like to build the deck off of, is right on the setback line.

In order to build a deck straight out from the back of the house, a triangular portion, approximately 12 by 2 feet is going to be outside the allowed area for us to have. Approximately 8 foot from the setback.

We spoke to our neighbors about it. They were fine, didn't see a problem with it. We hope that you will approve this request. Seems to be in alignment with the neighborhood and I guess that's about it.

MS. WINFIELD: It's just actually for the very back portion of the deck, because

THE CHAIRMAN: Great. Tonight we have one old business. We have four cases of new business. And we will talk about the last two a little bit, and our change of plans. So if a request is denied, you can see Heather and talk about an appeal process.

First is old business. You we Appeal 2018-41, Mr. Randy Viviani of 7757 Concord, LLC. This will remain as old business, correct, Heather?

MS. FREEMAN: Yes, tabled.

THE CHAIRMAN: Next is new business. Variance Application 2023-141. Mary Winfield is requesting a variance from Section 16.25(D) to allow for the construction of a deck with an 8 foot side yard clearance in lieu of the minimum 10 foot required. This is on the property located at 11306 Alexa Drive, Parcel Number 08-A-012-L-00-026-0. Please come up and present your case.

MS. WINFIELD: I'm Mary. My husband is going to be speaking.

THE CHAIRMAN: Have you both been sworn in?

MS. WINFIELD: Yes.

the property line angles. We're fine until like the last couple of feet back there. Just that little tiny piece back there that we want to keep it nice and straight, not having to do some kind of weird angles in the back.

MR. HACH: Do we have any correspondence from your neighbor confirming?

MR. WINFIELD: No, we don't. We didn't realize that that we would helpful.

MR. HACH: Sometimes it's nice in the file. Okay.

MS. WINFIELD: And the property is fenced in, so it's within the fence lines as well.

THE CHAIRMAN: Any other questions? Ashley?

MS. GARCAR: No.

MR. GOLING: No.

MR. ROWAN: Ms. Freeman, question about was there ever -- when this house was built, would they have needed any kind of variance or anything for the side lines, or is that corner of the house within the 10 feet?

MS. WINFIELD: It is.

MS. FREEMAN: Where they are

1 extending the deck from appears to be like a
 2 morning room or a sun room. That back corner
 3 is right at the minimum 10 foot setback.
 4 MR. ROWAN: That would have been
 5 within --
 6 MS. FREEMAN: The house itself
 7 complies.
 8 MR. ROWAN: Perfect. It's
 9 definitely like angled there, so, I was
 10 curious about that.
 11 How tall is the fence? Is it 6 foot?
 12 MR. WINFIELD: It's a 5 foot fence.
 13 MR. ROWAN: I think you said the
 14 deck is 30 inches off the ground?
 15 MR. WINFIELD: I believe so.
 16 THE CHAIRMAN: Anybody have any
 17 questions? Thank you. Please be seated.
 18 Is there anyone else here this evening
 19 that's speaking for this appeal that would
 20 like to come up? Anyone here this evening
 21 that would like to speak against this appeal?
 22 If there is no further questions, the
 23 public hearing for Variance Number 2023-141 is
 24 now closed to the public.
 25 Can I get a motion to approve Variance

1 don't think you can build -- because the deck
 2 gets kind of small, it's only 12 feet.
 3 MR. GOLING: I think they would
 4 lose maybe 6 square feet, maybe 8 square feet.
 5 THE CHAIRMAN: We talked about the
 6 variance being substantial.
 7 Would the essential characteristics of
 8 the neighborhood be substantially altered or
 9 would adjoining property suffer a substantial
 10 detriment.
 11 MR. GOLING: No.
 12 MR. HACH: Doesn't appear so.
 13 THE CHAIRMAN: Will the variance
 14 adversely affect the delivery of government
 15 services?
 16 MR. GOLING: No.
 17 THE CHAIRMAN: Did the property
 18 owner purchase the property with knowledge of
 19 the zoning restrictions?
 20 MR. GOLING: Yes.
 21 THE CHAIRMAN: Can the problem be
 22 resolved in some other manner than obtaining a
 23 granting of the variance.
 24 MR. GOLING: I don't think it's
 25 needed.

1 2023-141?
 2 MR. HACH: So moved.
 3 MR. GOLING: Second.
 4 THE CHAIRMAN: Any discussion from
 5 the Board?
 6 MR. GOLING: It seems like it's
 7 for 2 feet to do a little engineering to angle
 8 it off to being in compliance I think would
 9 just be not necessary here just for 2 feet. I
 10 don't think it's what they are asking is
 11 wildly out of range, and it seems to just my
 12 OCD wouldn't like it either. It has to be
 13 square.
 14 THE CHAIRMAN: Yeah. I mean one of
 15 the Duncan factors is they are very
 16 substantial. I think this one clearly is not
 17 substantial.
 18 MR. GOLING: We should probably
 19 read through those, right?
 20 THE CHAIRMAN: Yeah. Is there any
 21 other comments?
 22 The other Duncan factor will the
 23 property yield a reasonable return or can it
 24 be a beneficial use of the property without
 25 the variance. I don't think so still but I

1 MR. ROWAN: Yeah, but it's again,
 2 the esthetic I think would be lost. Would the
 3 cost, be any additional cost. Maybe it would
 4 be the same, but I think it would be a lot
 5 more effort than it's worth.
 6 THE CHAIRMAN: Yeah. Kind of an
 7 odd space.
 8 Will the variance preserve the spirit
 9 and intent of the zoning resolution and will a
 10 substantial justice be done by granting the
 11 variance.
 12 MR. GOLING: Yes.
 13 MR. HACH: Yes.
 14 THE CHAIRMAN: Any other, anything
 15 else anyone wants to bring up?
 16 The question is on the approval of
 17 Application Variance 2023-141. I guess a yes
 18 approves the variance, a not vote denies the
 19 variance.
 20 Heather, please call the roll.
 21 MS. FREEMAN: Mr. Hach.
 22 MR. HACH: Yes.
 23 MS. FREEMAN: Ms. Garcar.
 24 MS. GARCAR: Yes.
 25 MS. FREEMAN: Mr. Rowan.

1 MR. ROWAN: Yes.
 2 MS. FREEMAN: Mr. Goling.
 3 MR. GOLING: Yes.
 4 MS. FREEMAN: Mr. Valentic.
 5 THE CHAIRMAN: Yes.
 6 The variance has been approved. Thank
 7 you.
 8 MR. WINFIELD: Thank you so much.
 9 THE CHAIRMAN: The next item is
 10 actually a conditional use permit application.
 11 Conditional use application, Permit
 12 Application 2023-26 Crossroads Health is
 13 requesting approval for a conditional use
 14 permit in accordance with Section 13.05 and
 15 13.16 to operate an adult group home. This is
 16 for the property located at 7480 Auburn Road,
 17 Parcel Number 08-8-019-0-00-013-0. Please
 18 come up.
 19 State your name.
 20 MS. JACKSON: Shayna Jackson.
 21 THE CHAIRMAN: Your address,
 22 please.
 23 MS. JACKSON: Do you want my home
 24 address or my work address?
 25 THE CHAIRMAN: Work address is fine.

1 They are there, we have at least one to two,
 2 usually two to three staff members per shift.
 3 If there are any issues, our services
 4 come on site. We provide any type of crisis
 5 services that would potentially be needed and
 6 private ambulance services should somebody
 7 need to go to the emergency room, or anything
 8 as such due to medical issues, or any other
 9 types of issues.
 10 MR. GOLING: Like dining included,
 11 I mean you feed, everything is housed there,
 12 they don't have to leave?
 13 MS. JACKSON: Correct. They leave
 14 for appointments out into the community, to
 15 get reconnected out into services. So we
 16 provide their housing, their food, treatment
 17 services.
 18 Then because obviously we want, it's
 19 transitional in nature, so we're really
 20 providing them services, making sure they are
 21 ready to live independently. Then as they are
 22 ready with those skills, we then help them
 23 locate either return back to where they were
 24 living previously, or help them locate
 25 independent living.

1 MS. JACKSON: 8445 Munson Road,
 2 Mentor, Ohio.
 3 THE CHAIRMAN: You've been sworn in?
 4 MS. JACKSON: I have.
 5 THE CHAIRMAN: Thank you.
 6 MS. JACKSON: Wonderful.
 7 Crossroads Health has submitted a
 8 letter of intent to purchase the property
 9 currently owned by Forbes House. You
 10 previously granted a variance use request for
 11 that particular piece of property. We would
 12 like to purchase that property, continue in
 13 the spirit in which you had originally
 14 approved the variance for.
 15 It would be a group home. Honestly
 16 transitional living, 30 to 90 days for
 17 individuals in the community who are -- who
 18 are struggling with some behavioral health
 19 issues.
 20 What it does allow is 24-hour
 21 supervision, transportation to and from
 22 appointments. Then we assist them then with
 23 locating independent living and getting them
 24 rehoused out into our communities.
 25 We provide all of their basic needs.

1 MR. GOLING: Got it.
 2 MS. JACKSON: It is a 16-bed
 3 facility for adults.
 4 MS. GARCAR: Is this just mental
 5 health or alcohol and drugs as well?
 6 MS. JACKSON: It is primarily mental
 7 health. Every individual who is there has to
 8 have a mental health diagnosis.
 9 THE CHAIRMAN: Is there anything
 10 that any property improvements you need to do,
 11 or changes that you are going to be making?
 12 MS. JACKSON: So likely once we got
 13 through this process, we would be engaging an
 14 architect. Then obviously working very
 15 closely with you all to design the property,
 16 to make sure that it fit with the
 17 architecture. Right now it's a pretty -- we
 18 would need to renovate the space because
 19 currently it's been kind of taken down to the
 20 studs internally. So doing renovation work,
 21 some of those pieces, so that obviously it's
 22 presentable to the community, and liveable.
 23 THE CHAIRMAN: Heather, does that
 24 go in front of the Zoning, Planning and Zoning
 25 Commission?

1 MS. FREEMAN: That would be in
2 front of the Zoning Commission.
3 MR. GOLING: I have a question for
4 you, Heather.
5 MS. FREEMAN: Yes
6 MR. GOLING: I was here when we
7 granted the variance, when it was going to be
8 the temporary group home, violence abuse
9 shelter.
10 MS. FREEMAN: Yes.
11 MR. GOLING: Is this any
12 different than that, what they are asking for?
13 MS. FREEMAN: Well, with the
14 Forbes House they were granted a use variance.
15 It did not fit our definition of adult group
16 home because they were going to have minor
17 children.
18 MR. GOLING: Right.
19 MS. FREEMAN: So it's different,
20 completely. It's different in that respect.
21 MR. GOLING: This is going to just
22 be all adults?
23 MS. JACKSON: Correct, yes.
24 MR. ROWAN: Heather, was that
25 previous one a conditional use or a variance?

1 MS. FREEMAN: That was a use
2 variance that was approved for the current
3 owner.
4 MR. ROWAN: Correct me if I'm
5 wrong, variances would -- because it's not a
6 variance, it's a conditional use, whatever --
7 because Forbes House was different, it
8 wouldn't -- those don't transfer. So because
9 it's a new organization, new use, it's a new
10 conditional use, correct?
11 MS. FREEMAN: Right. This is not
12 the same use that was granted for the
13 previous.
14 MR. GOLING: So the sale negates
15 the previous. Got it. Okay.
16 MS. FREEMAN: Yes.
17 THE CHAIRMAN: Are you familiar with
18 all the conditional use permit requirements,
19 the adult group home requirements in our
20 zoning, are you prepared to meet all those?
21 MR. HACH: Can we get your name.
22 MS. IDEN: Oh, I'm sorry, Alice
23 Iden.
24 THE CHAIRMAN: You've been sworn in?
25 MS. IDEN: Yes.

1 THE CHAIRMAN: State your address
2 for the record, please.
3 MS. IDEN: 8445 Munson Road.
4 So in our application we address our
5 compliance with Section 13.05 and 13.16, is
6 that what you are referencing?
7 THE CHAIRMAN: Correct.
8 MS. IDEN: Yes, so we are
9 familiar with those, yes.
10 THE CHAIRMAN: Okay.
11 MR. HACH: Is it two people per
12 bedroom or is it one person?
13 MS. JACKSON: It will be single.
14 MR. HACH: So 16 is your number?
15 MS. JACKSON: Yeah, it never goes
16 above that.
17 MR. HACH: And then you have
18 staff on site over night?
19 MS. JACKSON: Yes.
20 MR. HACH: So it could be 24
21 people there? Are there 16 patient rooms?
22 MS. JACKSON: Correct. Then two
23 to three staff members. So up to 19 people.
24 MR. HACH: Okay.
25 MS. JACKSON: Most of the

1 individuals that we house don't have vehicles,
2 so parking is not something that is going to
3 be where we will have multiple vehicles, or
4 any of those pieces. Any transportation that
5 individuals need, we would have a van to be
6 able to transport those individuals where they
7 need to go.
8 MR. HACH: Okay. Outside, are
9 they outside hanging out smoking, or playing
10 music?
11 MS. JACKSON: Not really. They
12 may go outside. If they go outside to smoke,
13 they would go outside behind the building,
14 where it wouldn't be up towards the street or
15 anything like that. For the most part they
16 are in treatment most of the day, as they are
17 going through their days.
18 MS. IDEN: I just want to add
19 that this is a state project, so we are
20 required to have a smoke-free, drug-free
21 environment. So, not allowed to smoke.
22 MS. JACKSON: Inside the building.
23 MS. GARCAR: Are they allowed to
24 smoke outside the building?
25 MS. IDEN: Off the property.

1 But not on the property.
 2 MR. ROWAN: I think I read that
 3 you guys are subject to JCAHO, Joint
 4 Commission?
 5 MS. JACKSON: Yes.
 6 MR. ROWAN: They would come in
 7 and potentially inspect make sure you meet
 8 their requirements?
 9 MS. JACKSON: And the state would
 10 come in and inspect. They issue the license.
 11 We would have Joint Commission accreditation,
 12 so for safety, quality, compliance of
 13 facilities.
 14 Also on top of that the Ohio Department
 15 of Mental Health and Addiction Services also
 16 comes out, makes sure that they inspect as
 17 well. Those happen at least every three
 18 years.
 19 MR. ROWAN: I'm familiar with
 20 JCAHO. You don't mess around.
 21 MR. JACKSON: Oh, no.
 22 MR. ROWAN: Would this be a
 23 secured facility? They can't come and go as
 24 they please?
 25 MS. JACKSON: It is not a locked

1 facility, no. They do sign in and out. They
 2 would sign in and out, but it's not a locked
 3 facility, where they are at risk to themselves
 4 or any other individuals.
 5 THE CHAIRMAN: Is there somebody on
 6 site at all times?
 7 MS. JACKSON: Yes.
 8 MS. GARCAR: Is there a
 9 requirement with going through Crossroads to
 10 get into this facility in the sense of how
 11 long, if you are in the recovery process, how
 12 long do you need to be clean to go in? In
 13 terms of detoxing or are they only a week
 14 clean?
 15 MS. JACKSON: None of our
 16 individuals would be detoxing.
 17 MS. GARCAR: Okay.
 18 MS. JACKSON: We would not be -- all
 19 of the individuals that we have, that are in
 20 our programming for this type of service,
 21 would not be medically -- they cannot be
 22 medically compromised. They cannot be
 23 medically unstable.
 24 So, as a result, and because most of
 25 the folks that are coming into the facility,

1 they would be medically cleared before they
 2 ever come in to see us, as part of that
 3 process. So a physician actually evaluates
 4 them, signs off on their appropriateness for
 5 the facility itself.
 6 MS. GARCAR: So this is aimed
 7 significantly really more towards mental
 8 health, less of the alcohol and drug
 9 addiction?
 10 MS. JACKSON: Correct.
 11 MR. ROWAN: Ms. Freeman, I have
 12 a question for you if that's all right.
 13 MS. FREEMAN: Yes.
 14 MR. ROWAN: Is this location
 15 part of the JEDD?
 16 MS. FREEMAN: It is in the JEDD
 17 area but it is not a participating member.
 18 MR. ROWAN: Is that something
 19 that your organization has discussed, or has
 20 it been brought up? Is that something -- I
 21 don't even know if we can discuss it. I don't
 22 know if that's --
 23 THE CHAIRMAN: I don't know if
 24 that's relevant. Does it matter?
 25 MS. FREEMAN: I don't know that it

1 would about relevant to the conditional use.
 2 I'm not sure if it was brought up to them or
 3 not.
 4 MR. ROWAN: Just asking the
 5 question. I appreciate that.
 6 MS. FREEMAN: I'm not sure if the
 7 JEDD has reached out to them or not.
 8 THE CHAIRMAN: Any other questions
 9 for them? You can all be seated.
 10 MS. JACKSON: Thank you.
 11 THE CHAIRMAN: Thank you.
 12 MS. JACKSON: Appreciate your time.
 13 THE CHAIRMAN: Thank you. Is there
 14 anyone else here this evening that is speaking
 15 for this appeal that would like to come up?
 16 Is there anyone else that is speaking
 17 against this appeal that would like to come
 18 up?
 19 MR. PENGAL: My name is Charles
 20 Pengal. I'm the owner of the building next
 21 door, the professional building at 74 -- I
 22 have been sworn in.
 23 THE ARBITRATOR: Okay, thank you.
 24 MR. PENGAL: The building right
 25 next door, 7470 Auburn Road. I'm not saying

1 I'm here to speak against it, but I have some
2 questions.

3 One of them is, this is an initial
4 meeting just to kind of get it to the next
5 step I take it? There will be some other
6 approvals if improvements are done to the
7 building, that kind of thing?

8 THE CHAIRMAN: Correct.

9 MR. PENGAL: One of the things
10 I'm concerned with is security concerns. If I
11 have to worry about anybody wandering from
12 over there over to where I've got a salon.
13 I've got some high-end office buildings,
14 tenants over there, construction company. So,
15 I just wonder if there is any kind of fencing,
16 or any need for fencing, or a landscape screen
17 that might do the same thing.

18 I just don't want to, you know, I don't
19 want to be a bad neighbor if this happens. I
20 don't want to object. I like these types of
21 organizations. I do. But, I also have to
22 protect my tenants in the property nextdoor,
23 so.

24 THE CHAIRMAN: This evening, correct
25 me if I'm wrong somebody, we're to approve if

1 Zoning Commission.

2 MR. PENGAL: I know when I built
3 my building, there was a landscape plan I had
4 to submit. There was a dumpster location I
5 had to submit. Is there any type of fencing
6 requirement or anything for a facility like
7 that?

8 MS. FREEMAN: No. So, with any
9 commercial like additions, yes, they will have
10 to present probably a landscape plan. I
11 believe it is their intent to spruce up what
12 is there. They are intending on doing a
13 dumpster enclosure. Maybe I shouldn't speak
14 on behalf of them. If they want to come back
15 up and explain that, I would be happy for them
16 to come up and explain that. I don't want to
17 speak wrong or put words in your mouth. So
18 there will be some of those things.

19 THE CHAIRMAN: Yeah, that will all
20 come up.

21 MS. FREEMAN: I don't know about
22 security. I don't know exactly, I kind of get
23 a sense of what your concerns are, but I don't
24 think security concerns would be something
25 that the Zoning Commission would address.

1 the building can be used for this use only.
2 So the site plan review, the building
3 improvements, will all go in front of our
4 Planning Commission, which there will be
5 public meetings, submittals of what they are
6 proposing for that. I encourage you guys can
7 meet without the Board or in public, if you
8 guys want to, that's up to you. That's our
9 role here is providing that use permit
10 approval, correct?

11 MS. FREEMAN: Mr. Chairman, I'll
12 just clarify a couple things.

13 So from what I understand, the
14 applicants are thinking about doing an
15 addition off the back of the existing
16 building, and redoing some fencing in the
17 back. But as far as addressing security
18 concerns, I don't think that is anything that
19 the Zoning Commission is going to get into.

20 I'm not sure as far as additional
21 screening and landscaping, what might else be
22 required on the site just for putting an
23 addition on the back of the building. So, I
24 don't know for certain that those type of
25 issues would be necessarily addressed at the

1 MS. GARCAR: I'm not sure we're
2 allowed to speak on the security of putting
3 stipulations or regulations on an organization
4 like that. As it was brought up earlier, they
5 are going through JCAHO, and anything of that
6 sort would probably be requirements with them.

7 MR. ROWAN: Joint Commission.
8 It's geared more towards healthcare
9 facilities. I don't know if they would have
10 anything to do with security outside the
11 premise.

12 THE CHAIRMAN: I guess, Heather,
13 would it be appropriate to encourage you to
14 attend the future public meetings for the site
15 plan, if approved here, for the conditional
16 use permit, when the site plan reviews come up
17 in front of the Board, the Planning Commission
18 and attend those meetings, voice any concerns
19 you had.

20 MR. ROWAN: I was going to say,
21 as you stated, there is nothing stopping you
22 all from talking outside of this meeting as
23 well.

24 MS. JACKSON: That is exactly, I
25 want to give you my card, because we certainly

1 want to be good neighbors. Have you as part
 2 of that process, to make sure that that
 3 architecture meets your needs, meets our
 4 needs. So certainly we want to go ahead and
 5 have that done. We can do that outside of
 6 this meeting, so that we can have you bring
 7 your input to us, what kind of ideas, then
 8 obviously share any potential architecture so
 9 that you can take a look at them as well.
 10 Because we want to be -- we pride ourselves on
 11 being really good neighbors.
 12 THE CHAIRMAN: Do you have any other
 13 questions for this Board?
 14 MR. PENGAL: I don't. I just
 15 wanted you to know that I was here. I
 16 attended, I had some concerns. Definitely
 17 want to be kept abreast of what is going on
 18 over there.
 19 THE CHAIRMAN: Pay attention to the
 20 notices and check the website for the future
 21 meetings, okay?
 22 MR. PENGAL: Thank you.
 23 THE CHAIRMAN: Thank you.
 24 Is there anyone else this evening that
 25 would like to come up and speak for or against

1 this appeal?
 2 If there is no further questions, the
 3 public hearing for conditional use permit
 4 2023-26 is now closed to the public.
 5 Can I get a motion to approve the
 6 conditional use permit?
 7 MR. HACH: So moved.
 8 MR. GOLING: Second.
 9 THE CHAIRMAN: Thank you.
 10 Discussion?
 11 MR. HACH: I think there was a
 12 conditional use permit on the prior use, which
 13 is pretty similar.
 14 THE CHAIRMAN: Similar, but not
 15 exactly the same.
 16 MR. HACH: Very similar, I
 17 think it makes sense. It's a good
 18 organization for sure.
 19 THE CHAIRMAN: Ashley?
 20 MS. GARCAR: I have no comments
 21 or questions.
 22 MR. ROWAN: I think from a
 23 Duncan factors -- we don't use Duncan factors
 24 of this.
 25 THE CHAIRMAN: Do you want me to

1 read through them?
 2 MS. FREEMAN: Davey, these would
 3 be --
 4 MR. ROWAN: For a variance.
 5 MS. FREEMAN: These are the
 6 general criteria for the conditional use.
 7 MR. ROWAN: I think from a value
 8 to the community standpoint, I think that
 9 right now there is nothing going on with that
 10 property. I think in the last few years it
 11 hasn't looked great. Not bad, but not great.
 12 I think this is a benefit to the community.
 13 It's esthetically it would be better. So, I
 14 think for a lot of reasons I'm for this
 15 conditional use. That's all I have.
 16 THE CHAIRMAN: Todd, anything?
 17 MR. GOLING: I didn't know what
 18 JCAHO was before tonight. Now I do.
 19 THE CHAIRMAN: We all learned
 20 something tonight. With that, the question is
 21 on the approval of the conditional use permit.
 22 A yes vote approves the permit; a no vote
 23 denies the permit. Heather, please call the
 24 vote.
 25 MS. FREEMAN: Ms. Garcar.

1 MS. GARCAR: Yes.
 2 MS. FREEMAN: Mr. Rowan.
 3 MR. ROWAN: Yes.
 4 MS. FREEMAN: Mr. Goling.
 5 MR. GOLING: Yes.
 6 MS. FREEMAN: Mr. Hach.
 7 MR. HACH: Yes.
 8 MS. FREEMAN: Mr. Valentic.
 9 THE CHAIRMAN: Yes.
 10 Conditional use permit has been
 11 approved.
 12 Next on our agenda is we have
 13 conditional use permit 2023-27, Ralph Victor
 14 Construction, Inc. is requesting approval for
 15 a conditional use permit in accordance with
 16 Sections 13.05 to have a commercial center in
 17 the planned unit development as required in
 18 Section 16.07(E). This is the property
 19 located at the corner of Crile Road and
 20 Hunting Lake Drive, Parcel Number
 21 08-A-020-C-00-002-0.
 22 So, I want to be clear we received a
 23 letter today from Mr. Todd Victor requesting
 24 that they delay this item. This conditional
 25 use permit application for the next meeting.

1 So, can I get a vote or -- how do you want to
 2 do this all in favor, can I just do that?
 3 MR. ROWAN: Can we move to table?
 4 THE CHAIRMAN: To table this.
 5 MR. PETERSEN: I would just say a
 6 motion to move it to table until the January
 7 meeting and call a vote on it.
 8 MS. GARCAR: Can we do them both,
 9 or do we need to vote to table both variances?
 10 THE CHAIRMAN: I think we have to
 11 vote separately, no?
 12 MR. PETERSEN: It would keep it
 13 simpler if you did each individually.
 14 THE CHAIRMAN: Do we have to break
 15 up each variance separately, or can the one
 16 variance be voted once?
 17 MS. GARCAR: I apologize. I was
 18 referring to each application, not variance.
 19 MR. PETERSEN: Since one is a
 20 conditional use and one is a variance, I would
 21 say do them separately.
 22 THE CHAIRMAN: So --
 23 MR. ROWAN: I move to table
 24 conditional use permit Application 2023-27 to
 25 the January meeting.

1 A variance from Section 16.09(D) to
 2 permit fifty three parking spaces in lieu of
 3 the minimum eighty required.
 4 Can I get a motion to table this?
 5 MR. ROWAN: So moved.
 6 MR. GOLING: Second.
 7 THE CHAIRMAN: All in favor say eye.
 8 MR. GOLING: Aye.
 9 MR. ROWAN: Aye.
 10 MS. GARCAR: Aye.
 11 MR. HACH: Aye.
 12 THE CHAIRMAN: Anyone opposed?
 13 Last but not least is approval of
 14 minutes from November 8, 2023. Can I get a
 15 motion to approve the minutes.
 16 MR. GOLING: So moved.
 17 MR. ROWAN: Second.
 18 THE CHAIRMAN: Any conditions,
 19 deletions, modifications to the minutes?
 20 MR. GOLING; No.
 21 THE CHAIRMAN: All in favor or
 22 approving the minutes from November 2023, say
 23 aye.
 24 MR. GOLING: Aye
 25 MR. ROWAN: Aye.

1 THE CHAIRMAN: All in favor say
 2 aye.
 3 MR. GOLING: Aye.
 4 MS. GARCAR: Aye.
 5 MR. HACH: Aye.
 6 THE CHAIRMAN: Next is Variance
 7 Application 2023-142: Ralph Victor
 8 Construction, Inc. is requesting the following
 9 variances for the property located at the
 10 corner of Crile Road and Hunting Lake Drive,
 11 Parcel Number 08-A-020-C-00-002-0. A variance
 12 from the minimum 25 foot requirement of
 13 natural vegetation to be left undisturbed
 14 pursuant to the perimeter treatment narrative
 15 included as part of the master development
 16 plan for the Quail Hollow property for Quail
 17 Hollow Development, Inc., and approved by the
 18 Concord Township Board of Trustees with an
 19 effective date of October 8, 1986, as part of
 20 the rezoning of 540 acres surrounding Quail
 21 Hollow Inc from R-1 residential to R-2 Planned
 22 Unit Development.
 23 A variance from Section 16.07(E)(2) to
 24 permit a counter service restaurant with a
 25 drive-thru, which is prohibited.

1 MR. HACH: I'm going to abstain
 2 because I wasn't here.
 3 MS. GARCAR: I will abstain. I
 4 was not here as well.
 5 THE CHAIRMAN: Thank you. The
 6 minutes have been approved as written.
 7 The Concord Township Board of Zoning
 8 Appeals for December 2023 is now closed.
 9 (Meeting adjourned at 7:31 p.m.)

1 State of Ohio,)
) SS: CERTIFICATE

2 County of Cuyahoga.)

3 I, Constance Versagi, Court Reporter and
4 Notary Public in and for the State of Ohio, duly
5 commissioned and qualified, do hereby certify that
6 the foregoing record was by me reduced to
7 stenotypy/computer, afterward transcribed, and that
8 the foregoing is a true and correct transcript of
9 the record so given as aforesaid.

10 I do further certify that this proceeding was
11 taken at the time and place in the foregoing caption
12 specified.

13 I do further certify that I am not otherwise
14 interested in the event of this action.

15 IN WITNESS WHEREOF, I have hereunto set my
16 hand and affixed my seal of office on this 2nd day
17 of January, 2024.

18 *Constance Versagi*



19 _____
20 _ Constance Versagi, Court Reporter and
21 Notary Public in and for the State of Ohio.
22 My Commission expires January 14, 2028
23
24
25

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