

1
2 OLMSTED TOWNSHIP BOARD OF ZONING APPEALS
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7 ON WEDNESDAY, MARCH 19, 2025,
8 COMMENCING AT 6:00 P.M.
9
10 - - - -

11 BOARD MEMBERS: DAVID GAREAU
12 ROBERTO PEREZ
13 MARY VEDDA
14 CINDY KELLY

15 ALSO PRESENT: JUSTIN REED -
16 BUILDING COMMISSIONER

17 COURT REPORTER: MARK WILLIAMS
18 - - - -
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1 agenda for this evening's meeting.

2 When we will call, each person
3 that comes forward to speak will be asked
4 to raise their hand and take an oath to
5 swear to tell the truth. All matters
6 before us that person can come up and
7 present their application, and there may be
8 questions from the Board or questions from
9 the audience.

10 Three votes are required for any
11 one matter to pass. We do not have the
12 full Board tonight; we are one short. If
13 anybody with a matter before the Board
14 would prefer to wait until there is a full
15 Board of five people, please let me know
16 when you come up to the podium and we will
17 continue your matter for the next scheduled
18 meeting so that you can have a full Board
19 of five people, but we do have a forum, so
20 we are entitled to proceed even though we
21 don't have all five members of the Board
22 here tonight.

23 All right. I will place before
24 the Board the minutes of the meeting of
25 February 19th, 2025 for approval.

1 MR. GAREAU: I will call to order
2 the March 19th meeting of the Olmsted
3 Building and Zoning Board of Appeals. It
4 is 6:01. Again, March 19th. Can we please
5 all stand for the Pledge of Allegiance.
6 - - - -

7 (Thereupon, the Pledge of Allegiance was recited
8 by all in attendance.)
9 - - - -

10 MR. GAREAU: Thank you. All
11 right. I will call roll.

12 Mary Vedda?

13 MS. VEDDA: Here.

14 MR. GAREAU: John Phillips?

15 Cindy Kelly?

16 MS. KELLY: Here.

17 MR. GAREAU: Roberto Perez?

18 MR. PEREZ: Here.

19 MR. GAREAU: So let me give you
20 kind of a brief overview of what happened.
21 All business before the Board, there are
22 three matters on the agenda tonight. The
23 Board members are familiar with your
24 particular applications and I will call you
25 with the order that you appear on the

1 MR. PEREZ: Second.
2 MS. VEDDA: Second.
3 MR. GAREAU: Okay. I'll call
4 roll. Sorry. I got to keep up with my own
5 paperwork.

6 All right. Mary Vedda?
7 MS. VEDDA: Yes.
8 MR. GAREAU: Cindy Kelly?
9 MS. KELLY: Yes.
10 MR. GAREAU: Roberto Perez?
11 MR. PEREZ: Yes.
12 MR. GAREAU: David Gareau? Yes.
13 All right. The next matter on the
14 agenda is old business. There is no old
15 business this evening.

16 So the next matter is then move
17 onto new business. The first matter before
18 the Board is Application 25OLMT-VAR001,
19 submitted by Mark Bostelman -- hope I
20 pronounced that correctly -- for the
21 property located at 7430 Bronson Road,
22 Permanent Parcel 264-05-008.

23 Is there somebody here to speak on
24 that application?

UNIDENTIFIED VOICE: Excuse me.

1 I'm the neighbor, may I say something?
 2 MR. GAREAU: Well, we're not going
 3 to -- we're not even going to call it for
 4 consideration if there's nobody here to
 5 present the application.

6 UNIDENTIFIED VOICE: Okay. Thank
 7 you.

8 MR. GAREAU: So. All right. I
 9 will make the motion that we table that
 10 application, allow for the possibility that
 11 this person has had to reason why they
 12 can't be here tonight.

13 So what I will do is I'll make a
 14 motion that we table this -- that we
 15 continue it, I should say, it's a continued
 16 matter until the next regularly-scheduled
 17 meeting of the BZA, which will be on you --

18 MS. VEDDA: April 16th.

19 MR. GAREAU: Okay. April 16th at
 20 6:00 at this same location.

21 Okay. The next matter before the
 22 Board is application 25 --

23 MR. REED: Mr. Chair?

24 MR. GAREAU: Yes.

25 MR. REED: Do you need to call roll

1 MR. BEADNELL: Yes.
 2 MR. GAREAU: Okay. If you could
 3 please come forward. If you could raise
 4 your right hand for me. Do you swear to
 5 tell the truth, the whole truth, and
 6 nothing but the truth?

7 MR. BEADNELL: Yes.

8 MR. GAREAU: All right. If you
 9 could kindly state and spell your full name
 10 and provide your address.

11 MR. BEADNELL: First name is Zach,
 12 Z-A-C-H, last name Beadnell, B as in boy,
 13 E-A-D-N-E-L-L. Address of 7145 Vandemark
 14 Road, Lodi, Ohio.

15 MR. GAREAU: Thank you. You may
 16 proceed.

17 MR. BEADNELL: I'm Zach Beadnell.
 18 I am here for Steve and Amanda Rice as
 19 their general contractor. They're wanting
 20 to build a new garage. So we're asking for
 21 a variance for part 210.08(b)(1) maximum
 22 square footage of 875 square feet. We're
 23 asking for 680 square feet. 344 square
 24 feet of that'll be enclosed, which would be
 25 a 32x48 pole barn, and 336 square feet of

1 on doing that?

2 MR. GAREAU: Oh, you're right.
 3 I'll make a motion that we go ahead and --

4 MS. KELLY: Second.

5 MR. GAREAU: -- and continue it.
 6 All right. Mr. Perez?

7 MR. PEREZ: Yes.

8 MR. GAREAU: Ms. Vedda?

9 MS. VEDDA: Yes.

10 MR. GAREAU: Ms. Kelly?

11 MS. KELLY: Yes.

12 MR. GAREAU: Mr. Gareau? Yes.

13 That matter is continued until the
 14 next meeting on April 16th at the same
 15 location at 6:00.

16 The next matter before the Board
 17 is 25 OLMT-ZBA001, submitted by Steve and
 18 Amanda Rice for the property located at
 19 7778 Fitch Road, Permanent Parcel No.
 20 262-27-001, and this is an application
 21 requesting a variance from Section
 22 210.08(b)(1) concerning maximum accessory
 23 garage area.

24 Is there somebody here to present
 25 on that application?

1 that would be an 8 foot x 42 foot shed roof
 2 coming off the side of the building.

3 So our plan would be to demo the
 4 existing garage they have. It's
 5 uninsurable right now and dilapidated, so
 6 they would like to get rid of that and
 7 build a newer, better-looking garage.

8 If you go to page one of the
 9 drawings, it shows a street view of what
 10 the barn would look like. They chose black
 11 and blue color with some white doors and
 12 windows -- let's see -- so they plan to use
 13 the garage for -- you know, a garage for
 14 cars and then storage for a building -- or
 15 storage building for lawn maintenance
 16 items, like lawnmowers, trailers, stuff
 17 like that.

18 They would like to build a garage
 19 but kind of build it bigger so they don't
 20 have to do a garage and an outbuilding or
 21 an accessory building in the future.

22 That's kind of the reason why
 23 we're asking for the bigger square footage.
 24 Page 5 of the drawing set shows you what
 25 they plan on putting in there and how

1 they'll use that space. So they're not
 2 just building it bigger than what they
 3 need, they're building it big enough so
 4 that they can put everything in there that
 5 they need.

6 We believe the larger size of the
 7 building would not only add value to their
 8 property, but it would also add value to
 9 the properties around. That's what we're
 10 asking for.

11 MR. GAREAU: As I look at the
 12 drawing, this is already existing or I
 13 don't know, looks like your -- it's a sewer
 14 and water line?

15 MR. BEADNELL: Yeah. So --

16 MR. GAREAU: Is that existing or
 17 is that to be installed?

18 MR. BEADNELL: So that would be
 19 installed. We're going to tie into the
 20 house for the sewer and water to take that
 21 to the garage for a sink. And then they
 22 also want to get 100 amp service out there,
 23 so we would have to bring that from the
 24 house.

25 MR. GAREAU: Would there be a

1 toilet installed in there as well --

2 MR. BEADNELL: No.

3 MR. GAREAU: -- is that in the
 4 plans?

5 MR. BEADNELL: No, just a sink.

6 MR. GAREAU: How tall is the
 7 building?

8 MR. BEADNELL: So it has 12-foot
 9 walls with a 4/12 pitch which I think takes
 10 us to like 16ish feet. But from what I
 11 understand, the maximum height is not to
 12 the peak of the building. It's to like the
 13 midpoint of your truss. That's what I
 14 understand.

15 MS. KELLY: Can our building
 16 commissioner confirm that?

17 MR. REED: Yes. That's what I'm
 18 pulling to give you the specific language,
 19 but that is correct, building height per
 20 definition in the zoning code is the
 21 vertical distance measured from the average
 22 elevation of the proposed finished grade at
 23 the front of the building to the highest
 24 point for flat roofs to the deck line for
 25 mansard roofs, and to the mean height

1 between the eaves and the ridge for hip and
 2 gable roofs.

3 This is a gable roof, so it's the
 4 mean height between the ridge and the
 5 eaves.

6 MS. KELLY: Gotcha. Thank you.

7 Can you tell me again what the square
 8 footage was on the unenclosed portion?

9 MR. BEADNELL: So the unclosed
 10 portion is going to be 8 foot wide, 42 feet
 11 long, so 8 foot protruding from the
 12 building to the total length of the
 13 building of 42, and that'll have a ceiling
 14 height of 10 feet roughly to like 9 feet
 15 roughly. It'll just be like a covered
 16 porch --

17 MS. KELLY: Right.

18 MR. BEADNELL: -- but that is 336
 19 square feet.

20 MS. VEDDA: I have a question. Is
 21 that part of the 1,680 square feet?

22 MR. BEADNELL: Yeah, when I
 23 applied for this, I was told to include not
 24 only the enclosed part, but also the porch
 25 part that they're wanting to do.

1 MS. KELLY: And do you know how
 2 that portion is going to be used since it's
 3 not enclosed?

4 MR. BEADNELL: It'll be like a
 5 patio area, somewhere they can put some
 6 chairs --

7 MS. KELLY: So like storage?

8 MR. BEADNELL: -- maybe a grill --
 9 no, no storage.

10 MR. PEREZ: Any type of business
 11 operation being --

12 MR. BEADNELL: No. Nope.

13 MR. GAREAU: There's a mention of
 14 trailer storage. What kind of trailer are
 15 you referring to?

16 MR. BEADNELL: Just a small --

17 MR. GAREAU: Like a camper or a --

18 MR. BEADNELL: No, like a small
 19 utility trailer to move a lawnmower or
 20 stuff like that. Instead of having to sit
 21 out in the weather and elements or the
 22 yard, you know, kind of put it in the
 23 building and keep it out of sight.

24 MR. GAREAU: How long have those
 25 owners owned the property, do you know?

1 MR. BEADNELL: Five years. March
2 of 2018.
3 MR. GAREAU: Was it 2018?
4 MR. BEADNELL: Yes.
5 MR. REED: Mr. Chair, could I
6 provide some context?
7 MR. GAREAU: Certainly.
8 MR. REED: All right.
9 MR. GAREAU: The Chair recognizes
10 Mr. Reed.
11 MR. REED: Yes. I'm not here to
12 speak for or against the project, my job is
13 just to provide information with regards to
14 what the Code is, and just to give a little
15 context.
16 The way the Code is written, they
17 put a specific number of 875 square feet,
18 that does not take into account the size of
19 the properties.
20 So in some cases you might be
21 looking at a one-acre property, in this
22 case, I believe it's close to a four-acre
23 property. In some cases you could be
24 looking at a 20-acre property. That is
25 something that maybe in the future we'll be

1 kind of do a garage and an outbuilding or
2 an accessory building all in one, that way
3 in the future we don't need to put another
4 accessory building up and have another
5 building on the property, can we just do a
6 "one and done" type deal.
7 MR. REED: To give some clarity to
8 that as well, with the 1% lot coverage, you
9 know, they would be permitted to put up
10 four or five detached accessory structures
11 as long as they stayed under the 1%. So
12 just to give some context to that
13 statement.
14 MR. GAREAU: Any questions or
15 comments from the Board as of now?
16 Would anybody in the audience wish
17 to be heard on the application? Anybody
18 have any questions?
19 I will make the motion that we go
20 into private deliberations.
21 MS. KELLY: Second.
22 MR. GAREAU: On the motion to go
23 into private deliberations. Ms. Vedda?
24 MS. VEDDA: Yes.
25 MR. GAREAU: Ms. Kelly?

1 looking to adjust, but as of right now,
2 that's the way it's written, but it does
3 not take into account the size of the
4 property and the percent of lot coverage.
5 So I just wanted to make that
6 clear that the way it's written it really
7 doesn't factor in the size of the property,
8 so...
9 MR. BEADNELL: And to add onto
10 what he just said, based off their acreage
11 square footage, we're still under 1% of
12 total lot coverage with the 1,680 square
13 feet.
14 MR. GAREAU: This will be the only
15 garage on the property, correct? There's
16 not a garage attached to the home?
17 MR. BEADNELL: No, no. And that's
18 --
19 MR. GAREAU: I'm sorry, I'm
20 correct that, there's not one attached?
21 MR. BEADNELL: Correct, there is
22 not one attached. There's an existing one
23 that needs to be demolished, but that's --
24 you know, we understand 875 is what you're
25 allowed, but can we go a little bigger to

1 MS. KELLY: Yes.
2 MR. GAREAU: Mr. Perez?
3 MR. PEREZ: Yes.
4 MR. GAREAU: Mr. Gareau? Yes.
5 All right. We'll take your matter into
6 private deliberations, we'll be out in a
7 few minutes, okay?
8 MR. BEADNELL: Thank you guys for
9 your time.
10 - - - -
11 (Off the record.)
12 - - - -
13 MR. GAREAU: Back from private
14 deliberations at 6:35. I will make a
15 motion to approve the application
16 conditioned upon the following: That it be
17 built -- that the structure be built in
18 conformity with the plans and evidence and
19 testimony presented at this meeting. As
20 well as you may not -- the Applicant may
21 not park or store motor vehicles or
22 personal property under the overhang. I'm
23 not referring to tables and chairs, I'm
24 referring to larger grass cutting
25 equipment, those sorts of things, boats,

1 whatever.
 2 All right. Subject to those two
 3 conditions I will make a motion -- and I'm
 4 assuming, by the way, I'll ask the
 5 Applicant, are those conditions something
 6 that the Applicant will be in agreement
 7 with?

8 MR. RICE: Yes.

9 MR. GAREAU: Okay. The record
 10 reflect that the Applicant has indicated --
 11 one said yes, one put his thumb up.

12 Okay. So I will make the motion
 13 to approve the application with those
 14 conditions.

15 MR. PEREZ: Second.

16 MR. GAREAU: Ms. Vedda?

17 MS. VEDDA: Yes.

18 MR. GAREAU: Ms. Kelly?

19 MS. KELLY: Yes.

20 MR. GAREAU: Mr. Perez?

21 MR. PEREZ: Yes.

22 MR. GAREAU: Mr. Gareau? Yes.

23 Okay. The application has been
 24 approved, subject to the conditions stated.
 25 Thank you very much.

1 H-E-N-Z-E-Y.
 2 MR. GAREAU: And your address,
 3 please.
 4 MR. HENZEY: 8750 Stearns Road.
 5 MR. GAREAU: Okay. You may go
 6 ahead and present.
 7 MR. HENZEY: As you know, I'm the
 8 owner of Studio Mind. We are an audio and
 9 video production company that has been in
 10 business since 2018. We have worked on
 11 many local businesses, projects, marketing
 12 videos, informative videos, commercials,
 13 podcasts. We even did the Township video
 14 last year. And we're not just simply a
 15 recording studio, like audio recording is
 16 just a small portion of what we do. We do
 17 a lot of video work, sound system work, and
 18 that type of thing.

19 So I'm here requesting the
 20 variance to allow us to operate our
 21 business at that location. Our business
 22 will have no greater impact to the area as
 23 the previous business that operated in this
 24 location, Zwick Associates. Just --

25 MR. GAREAU: What was the name of

1 MR. RICE: Thank you very much.
 2 MR. BEADNELL: Thank you.
 3 MR. GAREAU: All right, next up is
 4 Application 25OLMT-ZBA002 submitted by Sean
 5 Henzey. And it concerns Studio Mind, LLC.
 6 It's for a property located at 8750 Stearns
 7 Road, Permanent Parcel No. 265-09-018 and
 8 is zoned RMF-T.

9 The Applicant is requesting
 10 variances from Sections 210.09(a),
 11 210.09(b), and (d), to allow a recording
 12 studio as a home occupation in a detached
 13 building.

14 There is somebody here to present
 15 on that application?

16 MR. HENZEY: Yes.

17 MR. GAREAU: All right, raise your
 18 hand for me. Do you swear to tell the
 19 truth, the whole truth, and nothing but the
 20 truth?

21 MR. HENZEY: Yes.

22 MR. GAREAU: Okay. Could you
 23 please state and spell your full name for
 24 the record.

25 MR. HENZEY: Sean Henzey. S-E-A-N

1 the business?

2 MR. HENZEY: Zwick Associates.

3 MR. GAREAU: Okay. Just for the
 4 record. Thank you.

5 MR. HENZEY: Yeah, yeah, for sure.

6 MR. GAREAU: I'm sure you got it.

7 MR. HENZEY: And I respectfully
 8 ask for your approval. Thank you.

9 MS. KELLY: So you're not the
 10 owner of the property?

11 MR. HENZEY: No, I'm not. I'm
 12 renting.

13 MS. KELLY: Okay. And do you have
 14 a contract to buy it condition upon this?

15 MR. HENZEY: It's more like a
 16 lease -- a lease to own contract.

17 MS. KELLY: Okay.

18 MS. VEDDA: So are you currently
 19 living there? Is there a house there?

20 MR. HENZEY: Yeah, there's a house
 21 right behind it.

22 MS. VEDDA: Okay.

23 MR. GAREAU: Do you reside in the
 24 house? Who resides in the house?

25 MR. HENZEY: Yeah, me and my

1 girlfriend, and I have a roommate.
 2 MR. GAREAU: Do you have a lease
 3 that covers the whole --
 4 MR. HENZEY: Yes, yes.
 5 MR. GAREAU: Is that a written
 6 lease or is this like somebody, you know?
 7 MR. HENZEY: We do have a copy of
 8 a written lease. Yeah.
 9 MS. VEDDA: So are you -- Zwick
 10 Associates has a building existing there?
 11 MR. HENZEY: Yeah, it's been there
 12 for years.
 13 MS. VEDDA: And you're tearing
 14 that down to do this?
 15 MR. HENZEY: No, no. They, Zwick
 16 Associates, was not the previous owner, but
 17 the owner before us and they ran -- it was
 18 almost like an architect firm out of there
 19 for many years.
 20 MS. VEDDA: Uh-huh.
 21 MR. HENZEY: So I'm just referring
 22 to them as for that building purpose.
 23 MS. KELLY: So how many employees
 24 do you have?
 25 MR. HENZEY: I have three guys

1 that work with me.
 2 MS. KELLY: Uh-huh. What kind of
 3 traffic does your business see?
 4 MR. HENZEY: Nothing more than
 5 like a regular office. The thing about us
 6 is we're like a private studio, so we don't
 7 have, like, open hours. We only do by
 8 appointment only, so like it's barely any
 9 traffic at all.
 10 MS. KELLY: Uh-huh.
 11 What's the square footage of that
 12 building?
 13 MR. HENZEY: I think it's 3,000
 14 square feet.
 15 MS. KELLY: Okay. Is that both
 16 stories?
 17 MR. HENZEY: Yeah, the second
 18 story is really just an attic.
 19 MS. KELLY: I see.
 20 MR. HENZEY: Yeah.
 21 MR. REED: Mr. Chair, I can also
 22 provide some context if you --
 23 MR. GAREAU: Sure, Mr. Reed.
 24 MR. REED: All right. So with
 25 this property, I've done a little bit of

1 digging on the history and the proponent is
 2 correct, at one point in time, the property
 3 had a house in the back and the front was
 4 used for an engineering/architecture type
 5 firm. At some point that firm ceased to
 6 exist, they stopped using that. The
 7 property is not zoned, you know,
 8 commercial, it's zoned multifamily. So at
 9 some point between then and now, I believe
 10 there was also a variance request for a
 11 pizza shop to go into that location. That
 12 request was denied. I don't know the
 13 details of the denial, but I know that it
 14 was denied. I would assume that it would
 15 be, you know, an excessive amount of
 16 traffic for a pizza shop potentially in
 17 that location, but the use ceased for two
 18 years and once that use stops for two
 19 years, it loses its nonconformity.
 20 So at this point in time we have a
 21 multifamily-zoned property with a home on
 22 it, the building in the front unfortunately
 23 is not really usable or set up for a
 24 residential home, it's not really set up or
 25 usable as a garage, so I believe that's why

1 the proponent is in front of you. I
 2 believe they're trying to find a use for
 3 that building.
 4 MR. GAREAU: The Applicant
 5 indicates on the application that this is
 6 zoned office building.
 7 MR. HENZEY: That's what the
 8 County says it is.
 9 MR. REED: Yes, so that is
 10 incorrect. It's zoned RMF-T, which is a
 11 multifamily semi district. And that is why
 12 in a multifamily district or a single
 13 family district you are permitted to apply
 14 for a home occupation. You have to live on
 15 the property for that home occupation, but
 16 there are specific requirements in 210.09
 17 for those types of activities.
 18 So the proponent's asking for some
 19 variances because unfortunately the way the
 20 setup is, as a home occupation it would
 21 certainly require some variances.
 22 MR. PEREZ: Mr. Chairman, I'd like
 23 to make a motion to go into private
 24 deliberation if there are no further
 25 questions.

1 MR. GAREAU: I want to first ask,
 2 does anybody in the audience wish to be
 3 recognized on the application? Do you have
 4 anything further you'd like to add?

5 MR. HENZEY: No.

6 MR. GAREAU: Any other questions
 7 or comments on the Board?

8 MR. PEREZ: I make a motion to go
 9 into deliberations.

10 MR. GAREAU: I will go ahead and
 11 second that motion. I'll call the roll
 12 Okay. A motion for private deliberations
 13 was made by Perez, seconded by -- did I
 14 second it?

15 MS. KELLY: Yes, you did.

16 MR. GAREAU: All right. Okay.

17 Ms. Vedda?

18 MS. VEDDA: Yes.

19 MR. GAREAU: Ms. Kelly?

20 MS. KELLY: Yes.

21 MR. GAREAU: Mr. Perez?

22 MR. PEREZ: Yes.

23 MR. GAREAU: Mr. Gareau? Yes.

24 We will enter private

25 deliberations.

1 MR. HENZEY: Yes.
 2 MR. GAREAU: All right. Okay. So
 3 you're asking for a variance under the home
 4 occupation provisions of our code.

5 MR. HENZEY: Yes.

6 MR. GAREAU: Okay. And I'm sure
 7 you've read them --

8 MR. HENZEY: Yeah.

9 MR. GAREAU: -- you know why
 10 you're asking for a variance.

11 MR. HENZEY: Yes.

12 MR. GAREAU: The first issue we
 13 need you to address is the owner of the
 14 property --

15 MR. HENZEY: Uh-huh.

16 MR. GAREAU: -- has to somehow
 17 either make a co-application with you or
 18 sign-off on this or -- and understand that
 19 he or she or it, I think it's a he, right?

20 MR. PEREZ: It's he.

21 MR. GAREAU: It's he, Christopher
 22 Lapps --

23 MR. HENZEY: Yeah.

24 MR. GAREAU: -- he's bound by our
 25 decision, so we're varying the Code

1 - - - -

2 (Off the record.)

3 - - - -

4 MR. GAREAU: All right. We're
 5 back from deliberations at 7:01.

6 Okay. Could you please come back
 7 up to the podium.

8 MR. HENZEY: Yeah, definitely.

9 MR. GAREAU: All right. So is the
 10 owner here?

11 MR. HENZEY: No, no, no, the owner
 12 isn't here.

13 MR. GAREAU: Okay. All right. So
 14 we've looked at and considered your
 15 application and we have a couple of issues
 16 that we need you to address, okay?

17 MR. HENZEY: Okay.

18 MR. GAREAU: And at the end of me
 19 talking, I'm going to make a motion that we
 20 continue this to next month so that you can
 21 address the issues that I'm about to raise
 22 with you, okay?

23 MR. HENZEY: Okay.

24 MR. GAREAU: All right. Do you've
 25 got a pen to write these down?

1 basically for a property owner.

2 MR. HENZEY: Uh-huh.

3 MR. GAREAU: You're a tenant so
 4 you're impacted by it, but we've got to
 5 have the landowner buy in on this, okay?

6 MR. HENZEY: Yeah, I can have him
 7 sign-off, no problem. Yeah.

8 MR. GAREAU: That's fine.

9 MR. HENZEY: Yeah.

10 MR. GAREAU: That's the first
 11 thing. Second thing is you have to make an
 12 application in your own name. So Studio
 13 Mind, LLC is an entity, I get that, again,
 14 this is a home occupation, and the
 15 collective thoughts of everybody on the
 16 Board, limited liability companies and
 17 corporations generally don't run home
 18 occupations. And I'll tell you why that's
 19 important in a minute.

20 So if you make the application in
 21 your own name, okay, any consideration by
 22 this Board -- I'm not prejudging your
 23 application, I'm just telling you the way
 24 things are moved, okay?

25 MR. HENZEY: Okay.

1 MR. GAREAU: Were the Board to
 2 grant your application, it's likely that
 3 the Board would condition the continued
 4 operation of your sound studio upon your
 5 continued living on the property, and then
 6 when you no longer live on the property for
 7 whatever reason, the home occupation would
 8 stop. Much the same way that if somebody
 9 wants to run a tax prep business or a
 10 realty business out of their house, when
 11 they move away, the business goes with
 12 them.

13 MR. HENZEY: Yeah.

14 MR. GAREAU: It would have that --
 15 it would have to be the same thing with
 16 you. When you're no longer living on the
 17 property, the business -- that either the
 18 business shuts down or if somebody else has
 19 come along and bought the business and
 20 wants to do the same thing, they have to
 21 make application to us as well, okay?

22 MR. HENZEY: Okay.

23 MR. GAREAU: So those are the
 24 three things I need you to work on and
 25 understand and then come back.

1 corporations.

2 MR. HENZEY: Okay. Awesome.
 3 MR. REED: And just from our
 4 standpoint we should not have to re-notify
 5 because we actually did include Sean Henzez
 6 on the public notice and the Agenda. We
 7 used that because he had signed as the
 8 applicant at the bottom, but I do
 9 understand your reasoning on the LLC, so it
 10 would just be a revision to his
 11 application --

12 MR. GAREAU: Correct.

13 MR. REED: -- he would amend his
 14 application to take off "Studio Mind, LLC"
 15 and utilize his name. He's the one that
 16 signed the application anyway --

17 MR. GAREAU: He did sign it, yes.

18 MR. REED: -- so he's just
 19 amending his application. And just to
 20 clarify, the owner does -- you're not
 21 expecting the owner to arrive on site, but
 22 if he were to get a notarized statement or
 23 a statement from the owner stating that
 24 they understand --

25 MR. GAREAU: That would be

1 MR. HENZEY: So you want me to
 2 resubmit just under my name?

3 MR. GAREAU: Yes.

4 MR. HENZEY: Okay. Because like
 5 I'm just saying the reason I did it --

6 MR. GAREAU: We call it an
 7 "Amended Application", but that's --
 8 whatever they'll work with you on it --

9 MR. HENZEY: Okay.

10 MR. GAREAU: -- in the office,
 11 okay? And you were going to say something
 12 and I cut you off.

13 MR. HENZEY: Oh, no. Just, I was
 14 going to say that I thought -- like when I
 15 was reading up on it that I thought I had
 16 to do it with the business. Like that's
 17 why I did it that way, but that makes sense
 18 if you wanted to do it --

19 MR. GAREAU: Since it's a home
 20 occupation, I am -- I mean, I don't have
 21 access to all home application requests for
 22 variances ever made, but --

23 MR. HENZEY: For sure.

24 MR. GAREAU: -- I'm willing to
 25 wager that most of them are not

32 1 sufficient, that he understands, approves,
 2 and understands that the decision of the
 3 Board applies to him too.

4 MR. HENZEY: Yeah.

5 MR. REED: And also either you
 6 guys would put a condition on it or would
 7 you be looking for some form of a notarized
 8 statement or something where he's stating
 9 that he will live on the property if that
 10 home occupation is occurring, and if he
 11 were to move from that property, the home
 12 occupation would cease to exist.

13 MR. GAREAU: And we'll make that
 14 clear at the meeting --

15 MR. REED: Okay.

16 MR. GAREAU: -- ask him to
 17 stipulate to such, and then in our -- if
 18 that's where we're going to go, then the
 19 decision of the Board would be specifically
 20 conditioned upon that.

21 MR. HENZEY: Okay.

22 MR. GAREAU: Make sense?

23 MR. HENZEY: Yeah. Sweet.

24 MR. GAREAU: So I will make a
 25 motion that we continue this particular

1 application, No. 25OLMT-ZBA002 until the
 2 next regularly-scheduled meeting of the BZA
 3 on?

4 MS. KELLY: April 16th.

5 MR. GAREAU: April 16th at 6:00 at
 6 the same location.

7 MS. KELLY: Second.

8 MR. GAREAU: All right. Ms.
 9 Kelly?

10 MS. KELLY: Yes.

11 MR. GAREAU: Ms. Vedda?

12 MS. VEDDA: Yes.

13 MR. GAREAU: Mr. Perez?

14 MR. PEREZ: Yes.

15 MR. GAREAU: Mr. Gareau? Yes.

16 Okay. All right. So you got your
 17 homework, right?

18 MR. HENZEY: Yes.

19 MR. GAREAU: Okay. Very good.

20 MR. HENZEY: Thank you.

21 MR. GAREAU: That's it for your
 22 application. Thank you.

23 MR. HENZEY: Yep.

24 MR. GAREAU: There being no other
 25 matters before the Board, I make the motion

1 to adjourn at 7:11.

2 MR. PEREZ: So moved.

3 MR. GAREAU: Mr. Perez?

4 MR. PEREZ: No.

5 MR. GAREAU: You say "no"?

6 MR. PEREZ: No -- oh yes.

7 MR. GAREAU: Okay. All right.

8 Mr. Gareau? Yes.

9 Ms. Kelly?

10 MS. KELLY: Yes.

11 MR. GAREAU: Ms. Vedda?

12 MS. VEDDA: Yes.

13 MR. GAREAU: Okay. Very good.

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1
 2 C E R T I F I C A T E
 3

4 I, Mark Williams, a Notary Public within
 5 and for the State of Ohio, do hereby certify that
 6 I attended the foregoing hearing in its entirety,
 7 that I wrote the same in stenotypy, and that this
 8 is a true and correct transcript of my
 9 computer-aided notes.

10 IN WITNESS WHEREOF, I have hereunto set my
 11 hand and seal of office, at Cleveland, Ohio, this
 12 5 day of MAY A.D. 2025.

13

14

15

16 Mark Williams - e-signature

17

Mark Williams, Notary Public, State of Ohio

18 My commission expires May 21, 2027

19

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1	5	6	7	8	9	A	B	C			
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