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<div>2</div> <div>1</div> <div>2</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> <div>11</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div> <div> <p>MR. GAREAU: I will call to order the March 19th meeting of the Olmsted Building and Zoning Board of Appeals. It is 6:01. Again, March 19th. Can we please all stand for the Pledge of Allegiance.</p> <p>- - - -</p> <p>(Thereupon, the Pledge of Allegiance was recited by all in attendance.)</p> <p>- - - -</p> <p>MR. GAREAU: Thank you. All right. I will call roll.</p> <p>Mary Vedda?</p> <p>MS. VEDDA: Here.</p> <p>MR. GAREAU: John Phillips?</p> <p>Cindy Kelly?</p> <p>MS. KELLY: Here.</p> <p>MR. GAREAU: Roberto Perez?</p> <p>MR. PEREZ: Here.</p> <p>MR. GAREAU: So let me give you kind of a brief overview of what happened. All business before the Board, there are three matters on the agenda tonight. The Board members are familiar with your particular applications and I will call you with the order that you appear on the</p> </div>	<div>4</div> <div>1</div> <div>2</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> <div>11</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div> <div> <p>MR. PEREZ: Second.</p> <p>MS. VEDDA: Second.</p> <p>MR. GAREAU: Okay. I'll call roll. Sorry. I got to keep up with my own paperwork.</p> <p>All right. Mary Vedda?</p> <p>MS. VEDDA: Yes.</p> <p>MR. GAREAU: Cindy Kelly?</p> <p>MS. KELLY: Yes.</p> <p>MR. GAREAU: Roberto Perez?</p> <p>MR. PEREZ: Yes.</p> <p>MR. GAREAU: David Gareau? Yes.</p> <p>All right. The next matter on the agenda is old business. There is no old business this evening.</p> <p>So the next matter is then move onto new business. The first matter before the Board is Application 25OLMT-VAR001, submitted by Mark Bostelman -- hope I pronounced that correctly -- for the property located at 7430 Bronson Road, Permanent Parcel 264-05-008.</p> <p>Is there somebody here to speak on that application?</p> <p>UNIDENTIFIED VOICE: Excuse me.</p> </div>

<p style="text-align: right;">5</p> <p>1 I'm the neighbor, may I say something?</p> <p>2 MR. GAREAU: Well, we're not going</p> <p>3 to -- we're not even going to call it for</p> <p>4 consideration if there's nobody here to</p> <p>5 present the application.</p> <p>6 UNIDENTIFIED VOICE: Okay. Thank</p> <p>7 you.</p> <p>8 MR. GAREAU: So. All right. I</p> <p>9 will make the motion that we table that</p> <p>10 application, allow for the possibility that</p> <p>11 this person has had to reason why they</p> <p>12 can't be here tonight.</p> <p>13 So what I will do is I'll make a</p> <p>14 motion that we table this -- that we</p> <p>15 continue it, I should say, it's a continued</p> <p>16 matter until the next regularly-scheduled</p> <p>17 meeting of the BZA, which will be on you --</p> <p>18 MS. VEDDA: April 16th.</p> <p>19 MR. GAREAU: Okay. April 16th at</p> <p>20 6:00 at this same location.</p> <p>21 Okay. The next matter before the</p> <p>22 Board is application 25 --</p> <p>23 MR. REED: Mr. Chair?</p> <p>24 MR. GAREAU: Yes.</p> <p>25 MR. REED: Do you need to call roll</p>	<p style="text-align: right;">7</p> <p>1 MR. BEADNELL: Yes.</p> <p>2 MR. GAREAU: Okay. If you could</p> <p>3 please come forward. If you could raise</p> <p>4 your right hand for me. Do you swear to</p> <p>5 tell the truth, the whole truth, and</p> <p>6 nothing but the truth?</p> <p>7 MR. BEADNELL: Yes.</p> <p>8 MR. GAREAU: All right. If you</p> <p>9 could kindly state and spell your full name</p> <p>10 and provide your address.</p> <p>11 MR. BEADNELL: First name is Zach,</p> <p>12 Z-A-C-H, last name Beadnell, B as in boy,</p> <p>13 E-A-D-N-E-L-L. Address of 7145 Vandemark</p> <p>14 Road, Lodi, Ohio.</p> <p>15 MR. GAREAU: Thank you. You may</p> <p>16 proceed.</p> <p>17 MR. BEADNELL: I'm Zach Beadnell.</p> <p>18 I am here for Steve and Amanda Rice as</p> <p>19 their general contractor. They're wanting</p> <p>20 to build a new garage. So we're asking for</p> <p>21 a variance for part 210.08(b)(1) maximum</p> <p>22 square footage of 875 square feet. We're</p> <p>23 asking for 680 square feet. 344 square</p> <p>24 feet of that'll be enclosed, which would be</p> <p>25 a 32x48 pole barn, and 336 square feet of</p>
<p style="text-align: right;">6</p> <p>1 on doing that?</p> <p>2 MR. GAREAU: Oh, you're right.</p> <p>3 I'll make a motion that we go ahead and --</p> <p>4 MS. KELLY: Second.</p> <p>5 MR. GAREAU: -- and continue it.</p> <p>6 All right. Mr. Perez?</p> <p>7 MR. PEREZ: Yes.</p> <p>8 MR. GAREAU: Ms. Vedda?</p> <p>9 MS. VEDDA: Yes.</p> <p>10 MR. GAREAU: Ms. Kelly?</p> <p>11 MS. KELLY: Yes.</p> <p>12 MR. GAREAU: Mr. Gareau? Yes.</p> <p>13 That matter is continued until the</p> <p>14 next meeting on April 16th at the same</p> <p>15 location at 6:00.</p> <p>16 The next matter before the Board</p> <p>17 is 25 OLMT-ZBA001, submitted by Steve and</p> <p>18 Amanda Rice for the property located at</p> <p>19 7778 Fitch Road, Permanent Parcel No.</p> <p>20 262-27-001, and this is an application</p> <p>21 requesting a variance from Section</p> <p>22 210.08(b)(1) concerning maximum accessory</p> <p>23 garage area.</p> <p>24 Is there somebody here to present</p> <p>25 on that application?</p>	<p style="text-align: right;">8</p> <p>1 that would be an 8 foot x 42 foot shed roof</p> <p>2 coming off the side of the building.</p> <p>3 So our plan would be to demo the</p> <p>4 existing garage they have. It's</p> <p>5 uninsurable right now and dilapidated, so</p> <p>6 they would like to get rid of that and</p> <p>7 build a newer, better-looking garage.</p> <p>8 If you go to page one of the</p> <p>9 drawings, it shows a street view of what</p> <p>10 the barn would look like. They chose black</p> <p>11 and blue color with some white doors and</p> <p>12 windows -- let's see -- so they plan to use</p> <p>13 the garage for -- you know, a garage for</p> <p>14 cars and then storage for a building -- or</p> <p>15 storage building for lawn maintenance</p> <p>16 items, like lawnmowers, trailers, stuff</p> <p>17 like that.</p> <p>18 They would like to build a garage</p> <p>19 but kind of build it bigger so they don't</p> <p>20 have to do a garage and an outbuilding or</p> <p>21 an accessory building in the future.</p> <p>22 That's kind of the reason why</p> <p>23 we're asking for the bigger square footage.</p> <p>24 Page 5 of the drawing set shows you what</p> <p>25 they plan on putting in there and how</p>

<p style="text-align: right;">9</p> <p>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.</p> <p>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.</p> <p>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?</p> <p>15 MR. BEADNELL: Yeah. So --</p> <p>16 MR. GAREAU: Is that existing or 17 is that to be installed?</p> <p>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.</p> <p>25 MR. GAREAU: Would there be a</p>	<p style="text-align: right;">11</p> <p>1 between the eaves and the ridge for hip and 2 gable roofs.</p> <p>3 This is a gable roof, so it's the 4 mean height between the ridge and the 5 eaves.</p> <p>6 MS. KELLY: Gotcha. Thank you. 7 Can you tell me again what the square 8 footage was on the unenclosed portion?</p> <p>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 --</p> <p>17 MS. KELLY: Right.</p> <p>18 MR. BEADNELL: -- but that is 336 19 square feet.</p> <p>20 MS. VEDDA: I have a question. Is 21 that part of the 1,680 square feet?</p> <p>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.</p>
<p style="text-align: right;">10</p> <p>1 toilet installed in there as well --</p> <p>2 MR. BEADNELL: No.</p> <p>3 MR. GAREAU: -- is that in the 4 plans?</p> <p>5 MR. BEADNELL: No, just a sink.</p> <p>6 MR. GAREAU: How tall is the 7 building?</p> <p>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.</p> <p>15 MS. KELLY: Can our building 16 commissioner confirm that?</p> <p>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</p>	<p style="text-align: right;">12</p> <p>1 MS. KELLY: And do you know how 2 that portion is going to be used since it's 3 not enclosed?</p> <p>4 MR. BEADNELL: It'll be like a 5 patio area, somewhere they can put some 6 chairs --</p> <p>7 MS. KELLY: So like storage?</p> <p>8 MR. BEADNELL: -- maybe a grill -- 9 no, no storage.</p> <p>10 MR. PEREZ: Any type of business 11 operation being --</p> <p>12 MR. BEADNELL: No. Nope.</p> <p>13 MR. GAREAU: There's a mention of 14 trailer storage. What kind of trailer are 15 you referring to?</p> <p>16 MR. BEADNELL: Just a small --</p> <p>17 MR. GAREAU: Like a camper or a --</p> <p>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.</p> <p>24 MR. GAREAU: How long have those 25 owners owned the property, do you know?</p>

<p style="text-align: right;">13</p> <p>1 MR. BEADNELL: Five years. March</p> <p>2 of 2018.</p> <p>3 MR. GAREAU: Was it 2018?</p> <p>4 MR. BEADNELL: Yes.</p> <p>5 MR. REED: Mr. Chair, could I</p> <p>6 provide some context?</p> <p>7 MR. GAREAU: Certainly.</p> <p>8 MR. REED: All right.</p> <p>9 MR. GAREAU: The Chair recognizes</p> <p>10 Mr. Reed.</p> <p>11 MR. REED: Yes. I'm not here to</p> <p>12 speak for or against the project, my job is</p> <p>13 just to provide information with regards to</p> <p>14 what the Code is, and just to give a little</p> <p>15 context.</p> <p>16 The way the Code is written, they</p> <p>17 put a specific number of 875 square feet,</p> <p>18 that does not take into account the size of</p> <p>19 the properties.</p> <p>20 So in some cases you might be</p> <p>21 looking at a one-acre property, in this</p> <p>22 case, I believe it's close to a four-acre</p> <p>23 property. In some cases you could be</p> <p>24 looking at a 20-acre property. That is</p> <p>25 something that maybe in the future we'll be</p>	<p style="text-align: right;">15</p> <p>1 kind of do a garage and an outbuilding or</p> <p>2 an accessory building all in one, that way</p> <p>3 in the future we don't need to put another</p> <p>4 accessory building up and have another</p> <p>5 building on the property, can we just do a</p> <p>6 "one and done" type deal.</p> <p>7 MR. REED: To give some clarity to</p> <p>8 that as well, with the 1% lot coverage, you</p> <p>9 know, they would be permitted to put up</p> <p>10 four or five detached accessory structures</p> <p>11 as long as they stayed under the 1%. So</p> <p>12 just to give some context to that</p> <p>13 statement.</p> <p>14 MR. GAREAU: Any questions or</p> <p>15 comments from the Board as of now?</p> <p>16 Would anybody in the audience wish</p> <p>17 to be heard on the application? Anybody</p> <p>18 have any questions?</p> <p>19 I will make the motion that we go</p> <p>20 into private deliberations.</p> <p>21 MS. KELLY: Second.</p> <p>22 MR. GAREAU: On the motion to go</p> <p>23 into private deliberations. Ms. Vedda?</p> <p>24 MS. VEDDA: Yes.</p> <p>25 MR. GAREAU: Ms. Kelly?</p>
<p style="text-align: right;">14</p> <p>1 looking to adjust, but as of right now,</p> <p>2 that's the way it's written, but it does</p> <p>3 not take into account the size of the</p> <p>4 property and the percent of lot coverage.</p> <p>5 So I just wanted to make that</p> <p>6 clear that the way it's written it really</p> <p>7 doesn't factor in the size of the property,</p> <p>8 so...</p> <p>9 MR. BEADNELL: And to add onto</p> <p>10 what he just said, based off their acreage</p> <p>11 square footage, we're still under 1% of</p> <p>12 total lot coverage with the 1,680 square</p> <p>13 feet.</p> <p>14 MR. GAREAU: This will be the only</p> <p>15 garage on the property, correct? There's</p> <p>16 not a garage attached to the home?</p> <p>17 MR. BEADNELL: No, no. And that's</p> <p>18 --</p> <p>19 MR. GAREAU: I'm sorry, I'm</p> <p>20 correct that, there's not one attached?</p> <p>21 MR. BEADNELL: Correct, there is</p> <p>22 not one attached. There's an existing one</p> <p>23 that needs to be demolished, but that's --</p> <p>24 you know, we understand 875 is what you're</p> <p>25 allowed, but can we go a little bigger to</p>	<p style="text-align: right;">16</p> <p>1 MS. KELLY: Yes.</p> <p>2 MR. GAREAU: Mr. Perez?</p> <p>3 MR. PEREZ: Yes.</p> <p>4 MR. GAREAU: Mr. Gareau? Yes.</p> <p>5 All right. We'll take your matter into</p> <p>6 private deliberations, we'll be out in a</p> <p>7 few minutes, okay?</p> <p>8 MR. BEADNELL: Thank you guys for</p> <p>9 your time.</p> <p>10 - - - -</p> <p>11 (Off the record.)</p> <p>12 - - - -</p> <p>13 MR. GAREAU: Back from private</p> <p>14 deliberations at 6:35. I will make a</p> <p>15 motion to approve the application</p> <p>16 conditioned upon the following: That it be</p> <p>17 built -- that the structure be built in</p> <p>18 conformity with the plans and evidence and</p> <p>19 testimony presented at this meeting. As</p> <p>20 well as you may not -- the Applicant may</p> <p>21 not park or store motor vehicles or</p> <p>22 personal property under the overhang. I'm</p> <p>23 not referring to tables and chairs, I'm</p> <p>24 referring to larger grass cutting</p> <p>25 equipment, those sorts of things, boats,</p>

<p style="text-align: right;">17</p> <p>1 whatever.</p> <p>2 All right. Subject to those two</p> <p>3 conditions I will make a motion -- and I'm</p> <p>4 assuming, by the way, I'll ask the</p> <p>5 Applicant, are those conditions something</p> <p>6 that the Applicant will be in agreement</p> <p>7 with?</p> <p>8 MR. RICE: Yes.</p> <p>9 MR. GAREAU: Okay. The record</p> <p>10 reflect that the Applicant has indicated --</p> <p>11 one said yes, one put his thumb up.</p> <p>12 Okay. So I will make the motion</p> <p>13 to approve the application with those</p> <p>14 conditions.</p> <p>15 MR. PEREZ: Second.</p> <p>16 MR. GAREAU: Ms. Vedda?</p> <p>17 MS. VEDDA: Yes.</p> <p>18 MR. GAREAU: Ms. Kelly?</p> <p>19 MS. KELLY: Yes.</p> <p>20 MR. GAREAU: Mr. Perez?</p> <p>21 MR. PEREZ: Yes.</p> <p>22 MR. GAREAU: Mr. Gareau? Yes.</p> <p>23 Okay. The application has been</p> <p>24 approved, subject to the conditions stated.</p> <p>25 Thank you very much.</p>	<p style="text-align: right;">19</p> <p>1 H-E-N-Z-E-Y.</p> <p>2 MR. GAREAU: And your address,</p> <p>3 please.</p> <p>4 MR. HENZEY: 8750 Stearns Road.</p> <p>5 MR. GAREAU: Okay. You may go</p> <p>6 ahead and present.</p> <p>7 MR. HENZEY: As you know, I'm the</p> <p>8 owner of Studio Mind. We are an audio and</p> <p>9 video production company that has been in</p> <p>10 business since 2018. We have worked on</p> <p>11 many local businesses, projects, marketing</p> <p>12 videos, informative videos, commercials,</p> <p>13 podcasts. We even did the Township video</p> <p>14 last year. And we're not just simply a</p> <p>15 recording studio, like audio recording is</p> <p>16 just a small portion of what we do. We do</p> <p>17 a lot of video work, sound system work, and</p> <p>18 that type of thing.</p> <p>19 So I'm here requesting the</p> <p>20 variance to allow us to operate our</p> <p>21 business at that location. Our business</p> <p>22 will have no greater impact to the area as</p> <p>23 the previous business that operated in this</p> <p>24 location, Zwick Associates. Just --</p> <p>25 MR. GAREAU: What was the name of</p>
<p style="text-align: right;">18</p> <p>1 MR. RICE: Thank you very much.</p> <p>2 MR. BEADNELL: Thank you.</p> <p>3 MR. GAREAU: All right, next up is</p> <p>4 Application 25OLMT-ZBA002 submitted by Sean</p> <p>5 Henzey. And it concerns Studio Mind, LLC.</p> <p>6 It's for a property located at 8750 Stearns</p> <p>7 Road, Permanent Parcel No. 265-09-018 and</p> <p>8 is zoned RMF-T.</p> <p>9 The Applicant is requesting</p> <p>10 variances from Sections 210.09(a),</p> <p>11 210.09(b), and (d), to allow a recording</p> <p>12 studio as a home occupation in a detached</p> <p>13 building.</p> <p>14 There is somebody here to present</p> <p>15 on that application?</p> <p>16 MR. HENZEY: Yes.</p> <p>17 MR. GAREAU: All right, raise your</p> <p>18 hand for me. Do you swear to tell the</p> <p>19 truth, the whole truth, and nothing but the</p> <p>20 truth?</p> <p>21 MR. HENZEY: Yes.</p> <p>22 MR. GAREAU: Okay. Could you</p> <p>23 please state and spell your full name for</p> <p>24 the record.</p> <p>25 MR. HENZEY: Sean Henzey. S-E-A-N</p>	<p style="text-align: right;">20</p> <p>1 the business?</p> <p>2 MR. HENZEY: Zwick Associates.</p> <p>3 MR. GAREAU: Okay. Just for the</p> <p>4 record. Thank you.</p> <p>5 MR. HENZEY: Yeah, yeah, for sure.</p> <p>6 MR. GAREAU: I'm sure you got it.</p> <p>7 MR. HENZEY: And I respectfully</p> <p>8 ask for your approval. Thank you.</p> <p>9 MS. KELLY: So you're not the</p> <p>10 owner of the property?</p> <p>11 MR. HENZEY: No, I'm not. I'm</p> <p>12 renting.</p> <p>13 MS. KELLY: Okay. And do you have</p> <p>14 a contract to buy it condition upon this?</p> <p>15 MR. HENZEY: It's more like a</p> <p>16 lease -- a lease to own contract.</p> <p>17 MS. KELLY: Okay.</p> <p>18 MS. VEDDA: So are you currently</p> <p>19 living there? Is there a house there?</p> <p>20 MR. HENZEY: Yeah, there's a house</p> <p>21 right behind it.</p> <p>22 MS. VEDDA: Okay.</p> <p>23 MR. GAREAU: Do you reside in the</p> <p>24 house? Who resides in the house?</p> <p>25 MR. HENZEY: Yeah, me and my</p>

<p style="text-align: right;">21</p> <p>1 girlfriend, and I have a roommate.</p> <p>2 MR. GAREAU: Do you have a lease</p> <p>3 that covers the whole --</p> <p>4 MR. HENZEY: Yes, yes.</p> <p>5 MR. GAREAU: Is that a written</p> <p>6 lease or is this like somebody, you know?</p> <p>7 MR. HENZEY: We do have a copy of</p> <p>8 a written lease. Yeah.</p> <p>9 MS. VEDDA: So are you -- Zwick</p> <p>10 Associates has a building existing there?</p> <p>11 MR. HENZEY: Yeah, it's been there</p> <p>12 for years.</p> <p>13 MS. VEDDA: And you're tearing</p> <p>14 that down to do this?</p> <p>15 MR. HENZEY: No, no. They, Zwick</p> <p>16 Associates, was not the previous owner, but</p> <p>17 the owner before us and they ran -- it was</p> <p>18 almost like an architect firm out of there</p> <p>19 for many years.</p> <p>20 MS. VEDDA: Uh-huh.</p> <p>21 MR. HENZEY: So I'm just referring</p> <p>22 to them as for that building purpose.</p> <p>23 MS. KELLY: So how many employees</p> <p>24 do you have?</p> <p>25 MR. HENZEY: I have three guys</p>	<p style="text-align: right;">23</p> <p>1 digging on the history and the proponent is</p> <p>2 correct, at one point in time, the property</p> <p>3 had a house in the back and the front was</p> <p>4 used for an engineering/architecture type</p> <p>5 firm. At some point that firm ceased to</p> <p>6 exist, they stopped using that. The</p> <p>7 property is not zoned, you know,</p> <p>8 commercial, it's zoned multifamily. So at</p> <p>9 some point between then and now, I believe</p> <p>10 there was also a variance request for a</p> <p>11 pizza shop to go into that location. That</p> <p>12 request was denied. I don't know the</p> <p>13 details of the denial, but I know that it</p> <p>14 was denied. I would assume that it would</p> <p>15 be, you know, an excessive amount of</p> <p>16 traffic for a pizza shop potentially in</p> <p>17 that location, but the use ceased for two</p> <p>18 years and once that use stops for two</p> <p>19 years, it loses its nonconformity.</p> <p>20 So at this point in time we have a</p> <p>21 multifamily-zoned property with a home on</p> <p>22 it, the building in the front unfortunately</p> <p>23 is not really usable or set up for a</p> <p>24 residential home, it's not really set up or</p> <p>25 usable as a garage, so I believe that's why</p>
<p style="text-align: right;">22</p> <p>1 that work with me.</p> <p>2 MS. KELLY: Uh-huh. What kind of</p> <p>3 traffic does your business see?</p> <p>4 MR. HENZEY: Nothing more than</p> <p>5 like a regular office. The thing about us</p> <p>6 is we're like a private studio, so we don't</p> <p>7 have, like, open hours. We only do by</p> <p>8 appointment only, so like it's barely any</p> <p>9 traffic at all.</p> <p>10 MS. KELLY: Uh-huh.</p> <p>11 What's the square footage of that</p> <p>12 building?</p> <p>13 MR. HENZEY: I think it's 3,000</p> <p>14 square feet.</p> <p>15 MS. KELLY: Okay. Is that both</p> <p>16 stories?</p> <p>17 MR. HENZEY: Yeah, the second</p> <p>18 story is really just an attic.</p> <p>19 MS. KELLY: I see.</p> <p>20 MR. HENZEY: Yeah.</p> <p>21 MR. REED: Mr. Chair, I can also</p> <p>22 provide some context if you --</p> <p>23 MR. GAREAU: Sure, Mr. Reed.</p> <p>24 MR. REED: All right. So with</p> <p>25 this property, I've done a little bit of</p>	<p style="text-align: right;">24</p> <p>1 the proponent is in front of you. I</p> <p>2 believe they're trying to find a use for</p> <p>3 that building.</p> <p>4 MR. GAREAU: The Applicant</p> <p>5 indicates on the application that this is</p> <p>6 zoned office building.</p> <p>7 MR. HENZEY: That's what the</p> <p>8 County says it is.</p> <p>9 MR. REED: Yes, so that is</p> <p>10 incorrect. It's zoned RMF-T, which is a</p> <p>11 multifamily semi district. And that is why</p> <p>12 in a multifamily district or a single</p> <p>13 family district you are permitted to apply</p> <p>14 for a home occupation. You have to live on</p> <p>15 the property for that home occupation, but</p> <p>16 there are specific requirements in 210.09</p> <p>17 for those types of activities.</p> <p>18 So the proponent's asking for some</p> <p>19 variances because unfortunately the way the</p> <p>20 setup is, as a home occupation it would</p> <p>21 certainly require some variances.</p> <p>22 MR. PEREZ: Mr. Chairman, I'd like</p> <p>23 to make a motion to go into private</p> <p>24 deliberation if there are no further</p> <p>25 questions.</p>

<p style="text-align: right;">25</p> <p>1 MR. GAREAU: I want to first ask,</p> <p>2 does anybody in the audience wish to be</p> <p>3 recognized on the application? Do you have</p> <p>4 anything further you'd like to add?</p> <p>5 MR. HENZEY: No.</p> <p>6 MR. GAREAU: Any other questions</p> <p>7 or comments on the Board?</p> <p>8 MR. PEREZ: I make a motion to go</p> <p>9 into deliberations.</p> <p>10 MR. GAREAU: I will go ahead and</p> <p>11 second that motion. I'll call the roll</p> <p>12 Okay. A motion for private deliberations</p> <p>13 was made by Perez, seconded by -- did I</p> <p>14 second it?</p> <p>15 MS. KELLY: Yes, you did.</p> <p>16 MR. GAREAU: All right. Okay.</p> <p>17 Ms. Vedda?</p> <p>18 MS. VEDDA: Yes.</p> <p>19 MR. GAREAU: Ms. Kelly?</p> <p>20 MS. KELLY: Yes.</p> <p>21 MR. GAREAU: Mr. Perez?</p> <p>22 MR. PEREZ: Yes.</p> <p>23 MR. GAREAU: Mr. Gareau? Yes.</p> <p>24 We will enter private</p> <p>25 deliberations.</p>	<p style="text-align: right;">27</p> <p>1 MR. HENZEY: Yes.</p> <p>2 MR. GAREAU: All right. Okay. So</p> <p>3 you're asking for a variance under the home</p> <p>4 occupation provisions of our code.</p> <p>5 MR. HENZEY: Yes.</p> <p>6 MR. GAREAU: Okay. And I'm sure</p> <p>7 you've read them --</p> <p>8 MR. HENZEY: Yeah.</p> <p>9 MR. GAREAU: -- you know why</p> <p>10 you're asking for a variance.</p> <p>11 MR. HENZEY: Yes.</p> <p>12 MR. GAREAU: The first issue we</p> <p>13 need you to address is the owner of the</p> <p>14 property --</p> <p>15 MR. HENZEY: Uh-huh.</p> <p>16 MR. GAREAU: -- has to somehow</p> <p>17 either make a co-application with you or</p> <p>18 sign-off on this or -- and understand that</p> <p>19 he or she or it, I think it's a he, right?</p> <p>20 MR. PEREZ: It's he.</p> <p>21 MR. GAREAU: It's he, Christopher</p> <p>22 Lapps --</p> <p>23 MR. HENZEY: Yeah.</p> <p>24 MR. GAREAU: -- he's bound by our</p> <p>25 decision, so we're varying the Code</p>
<p style="text-align: right;">26</p> <p>1 - - - -</p> <p>2 (Off the record.)</p> <p>3 - - - -</p> <p>4 MR. GAREAU: All right. We're</p> <p>5 back from deliberations at 7:01.</p> <p>6 Okay. Could you please come back</p> <p>7 up to the podium.</p> <p>8 MR. HENZEY: Yeah, definitely.</p> <p>9 MR. GAREAU: All right. So is the</p> <p>10 owner here?</p> <p>11 MR. HENZEY: No, no, no, the owner</p> <p>12 isn't here.</p> <p>13 MR. GAREAU: Okay. All right. So</p> <p>14 we've looked at and considered your</p> <p>15 application and we have a couple of issues</p> <p>16 that we need you to address, okay?</p> <p>17 MR. HENZEY: Okay.</p> <p>18 MR. GAREAU: And at the end of me</p> <p>19 talking, I'm going to make a motion that we</p> <p>20 continue this to next month so that you can</p> <p>21 address the issues that I'm about to raise</p> <p>22 with you, okay?</p> <p>23 MR. HENZEY: Okay.</p> <p>24 MR. GAREAU: All right. Do you've</p> <p>25 got a pen to write these down?</p>	<p style="text-align: right;">28</p> <p>1 basically for a property owner.</p> <p>2 MR. HENZEY: Uh-huh.</p> <p>3 MR. GAREAU: You're a tenant so</p> <p>4 you're impacted by it, but we've got to</p> <p>5 have the landowner buy in on this, okay?</p> <p>6 MR. HENZEY: Yeah, I can have him</p> <p>7 sign-off, no problem. Yeah.</p> <p>8 MR. GAREAU: That's fine.</p> <p>9 MR. HENZEY: Yeah.</p> <p>10 MR. GAREAU: That's the first</p> <p>11 thing. Second thing is you have to make an</p> <p>12 application in your own name. So Studio</p> <p>13 Mind, LLC is an entity, I get that, again,</p> <p>14 this is a home occupation, and the</p> <p>15 collective thoughts of everybody on the</p> <p>16 Board, limited liability companies and</p> <p>17 corporations generally don't run home</p> <p>18 occupations. And I'll tell you why that's</p> <p>19 important in a minute.</p> <p>20 So if you make the application in</p> <p>21 your own name, okay, any consideration by</p> <p>22 this Board -- I'm not prejudging your</p> <p>23 application, I'm just telling you the way</p> <p>24 things are moved, okay?</p> <p>25 MR. HENZEY: Okay.</p>

<p style="text-align: right;">29</p> <p>1 MR. GAREAU: Were the Board to</p> <p>2 grant your application, it's likely that</p> <p>3 the Board would condition the continued</p> <p>4 operation of your sound studio upon your</p> <p>5 continued living on the property, and then</p> <p>6 when you no longer live on the property for</p> <p>7 whatever reason, the home occupation would</p> <p>8 stop. Much the same way that if somebody</p> <p>9 wants to run a tax prep business or a</p> <p>10 realty business out of their house, when</p> <p>11 they move away, the business goes with</p> <p>12 them.</p> <p>13 MR. HENZEY: Yeah.</p> <p>14 MR. GAREAU: It would have that --</p> <p>15 it would have to be the same thing with</p> <p>16 you. When you're no longer living on the</p> <p>17 property, the business -- that either the</p> <p>18 business shuts down or if somebody else has</p> <p>19 come along and bought the business and</p> <p>20 wants to do the same thing, they have to</p> <p>21 make application to us as well, okay?</p> <p>22 MR. HENZEY: Okay.</p> <p>23 MR. GAREAU: So those are the</p> <p>24 three things I need you to work on and</p> <p>25 understand and then come back.</p>	<p style="text-align: right;">31</p> <p>1 corporations.</p> <p>2 MR. HENZEY: Okay. Awesome.</p> <p>3 MR. REED: And just from our</p> <p>4 standpoint we should not have to re-notify</p> <p>5 because we actually did include Sean Henzey</p> <p>6 on the public notice and the Agenda. We</p> <p>7 used that because he had signed as the</p> <p>8 applicant at the bottom, but I do</p> <p>9 understand your reasoning on the LLC, so it</p> <p>10 would just be a revision to his</p> <p>11 application --</p> <p>12 MR. GAREAU: Correct.</p> <p>13 MR. REED: -- he would amend his</p> <p>14 application to take off "Studio Mind, LLC"</p> <p>15 and utilize his name. He's the one that</p> <p>16 signed the application anyway --</p> <p>17 MR. GAREAU: He did sign it, yes.</p> <p>18 MR. REED: -- so he's just</p> <p>19 amending his application. And just to</p> <p>20 clarify, the owner does -- you're not</p> <p>21 expecting the owner to arrive on site, but</p> <p>22 if he were to get a notarized statement or</p> <p>23 a statement from the owner stating that</p> <p>24 they understand --</p> <p>25 MR. GAREAU: That would be</p>
<p style="text-align: right;">30</p> <p>1 MR. HENZEY: So you want me to</p> <p>2 resubmit just under my name?</p> <p>3 MR. GAREAU: Yes.</p> <p>4 MR. HENZEY: Okay. Because like</p> <p>5 I'm just saying the reason I did it --</p> <p>6 MR. GAREAU: We call it an</p> <p>7 "Amended Application", but that's --</p> <p>8 whatever they'll work with you on it --</p> <p>9 MR. HENZEY: Okay.</p> <p>10 MR. GAREAU: -- in the office,</p> <p>11 okay? And you were going to say something</p> <p>12 and I cut you off.</p> <p>13 MR. HENZEY: Oh, no. Just, I was</p> <p>14 going to say that I thought -- like when I</p> <p>15 was reading up on it that I thought I had</p> <p>16 to do it with the business. Like that's</p> <p>17 why I did it that way, but that makes sense</p> <p>18 if you wanted to do it --</p> <p>19 MR. GAREAU: Since it's a home</p> <p>20 occupation, I am -- I mean, I don't have</p> <p>21 access to all home application requests for</p> <p>22 variances ever made, but --</p> <p>23 MR. HENZEY: For sure.</p> <p>24 MR. GAREAU: -- I'm willing to</p> <p>25 wager that most of them are not</p>	<p style="text-align: right;">32</p> <p>1 sufficient, that he understands, approves,</p> <p>2 and understands that the decision of the</p> <p>3 Board applies to him too.</p> <p>4 MR. HENZEY: Yeah.</p> <p>5 MR. REED: And also either you</p> <p>6 guys would put a condition on it or would</p> <p>7 you be looking for some form of a notarized</p> <p>8 statement or something where he's stating</p> <p>9 that he will live on the property if that</p> <p>10 home occupation is occurring, and if he</p> <p>11 were to move from that property, the home</p> <p>12 occupation would cease to exist.</p> <p>13 MR. GAREAU: And we'll make that</p> <p>14 clear at the meeting --</p> <p>15 MR. REED: Okay.</p> <p>16 MR. GAREAU: -- ask him to</p> <p>17 stipulate to such, and then in our -- if</p> <p>18 that's where we're going to go, then the</p> <p>19 decision of the Board would be specifically</p> <p>20 conditioned upon that.</p> <p>21 MR. HENZEY: Okay.</p> <p>22 MR. GAREAU: Make sense?</p> <p>23 MR. HENZEY: Yeah. Sweet.</p> <p>24 MR. GAREAU: So I will make a</p> <p>25 motion that we continue this particular</p>

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.

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
18 Mark Williams, Notary Public, State of Ohio
19 My commission expires May 21, 2027
20
21
22
23
24
25

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