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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>MR. GAREAU: Okay, we'll call to</div> <div>order the June 4, 2025 Special Meeting of</div> <div>the Olmsted Township Building and Zoning</div> <div>Board of Appeals. It is 6:02.</div> <div>Can we please all stand for the</div> <div>Pledge of Allegiance.</div> <div>- - - -</div> <div>(Thereupon, the Pledge of Allegiance was</div> <div>recited.)</div> <div>- - - -</div> <div>MR. GAREAU: Thank you. I'll call</div> <div>roll.</div> <div>Mr. Perez?</div> <div>MR. PEREZ: Here.</div> <div>MR. GAREAU: Mr. Gareau. That's</div> <div>me. I'm here.</div> <div>Ms. Kelly?</div> <div>MS. KELLY: Here.</div> <div>MR. GAREAU: Mr. Phillips?</div> <div>MR. PHILLIPS: Here.</div> <div>MR. GAREAU: Okay. Ms. Vedda?</div> <div>MS. VEDDA: Here.</div> <div>MR. GAREAU: Okay. Next order of</div> <div>business is the approval of the Minutes of</div> <div>the meeting dated March 19th, 2025. I will</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>sometimes people say, hey, the guy down the</div> <div>street got this, I want you all to know</div> <div>that any decision by this Board is not</div> <div>necessarily precedent for any other</div> <div>property. Any other decision we've made</div> <div>stands on its own with respect to the</div> <div>application that was submitted.</div> <div>Three votes are required for</div> <div>approval. We have a full house today. So</div> <div>sometimes when there's not a full house, I</div> <div>offer the chance to resubmit at later date,</div> <div>but that's not necessary today.</div> <div>Cases that we call are in the</div> <div>order they appear on the Agenda. When your</div> <div>case is called and you're presenting for</div> <div>your case, please come to the podium. Make</div> <div>sure before you leave that -- you don't</div> <div>have to do it while you're standing up</div> <div>there, but make sure that you put your name</div> <div>and address on the paper that's up there to</div> <div>sign in. It was over there, but if you're</div> <div>going to speak, we'd like that to be on the</div> <div>document signing in.</div> <div>You'll be asked to swear to tell</div> <div>the truth and you'll give your name and</div> |

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| <div>5</div> <div>1 your address so that the reporter can take</div> <div>2 down that information. Please speak loud</div> <div>3 enough so that the reporter can, in fact,</div> <div>4 hear you and that we can hear you over</div> <div>5 here. You're not that far away, but I've</div> <div>6 been told by my wife that I can't hear, so</div> <div>7 I want to make sure I can hear you.</div> <div>8 All right?</div> <div>9 Okay. So in the matter of -- in</div> <div>10 the order appearing on the Agenda this</div> <div>11 evening, old business we have</div> <div>12 25OLMT-VAR001, which is by Mark Bostelman.</div> <div>13 Did I pronounce that correctly?</div> <div>14 FEMALE SPEAKER: No, not again.</div> <div>15 MR. GAREAU: All right.</div> <div>16 UNIDENTIFIED MALE SPEAKER: We've</div> <div>17 notified.</div> <div>18 MS. KELLY: Can we deny a variance</div> <div>19 just for the fact that they didn't show up?</div> <div>20 MR. REED: From my understanding,</div> <div>21 you have an option to vote on the variance</div> <div>22 or table it. So those are your options.</div> <div>23 You can choose to vote or you -- or sorry,</div> <div>24 you can choose to vote or you can choose to</div> <div>25 table the variance and we would have to</div> | <div>7</div> <div>1 MR. GAREAU: Okay. Did he give</div> <div>2 you any indication that he would not be</div> <div>3 present to present his case tonight?</div> <div>4 MR. REED: No.</div> <div>5 MR. GAREAU: Okay. And did he ask</div> <div>6 you for a continuance, that the matter be</div> <div>7 tabled?</div> <div>8 MR. REED: No.</div> <div>9 MR. GAREAU: Thank you. I'm going</div> <div>10 to make a motion that we can -- we're going</div> <div>11 to consider the application that's pending</div> <div>12 and I'll make a motion to approve</div> <div>13 Application 25OLMT-VAR001.</div> <div>14 MR. KLING: Can I comment on --</div> <div>15 MR. GAREAU: We certainly can hear</div> <div>16 comments from the audience for sure.</div> <div>17 MR. REED: You might want to have</div> <div>18 him come to the podium and ask who he is.</div> <div>19 MR. GAREAU: Yes, absolutely.</div> <div>20 Come up to the podium.</div> <div>21 MR. KLING: My name is Raymond</div> <div>22 Kling --</div> <div>23 MR. GAREAU: Hang on one second.</div> <div>24 Hang on. Do you swear to tell the truth,</div> <div>25 the whole truth, and nothing but the truth?</div> |
| <div>6</div> <div>1 make a motion.</div> <div>2 MS. KELLY: Is he communicating</div> <div>3 with you?</div> <div>4 MR. REED: We had spoke with the</div> <div>5 owner and he was aware of the meeting --</div> <div>6 MS. KELLY: But here, this is the</div> <div>7 second meeting he has missed, so --</div> <div>8 MR. REED: -- stated that he</div> <div>9 [unintelligible] be able to make it, so.</div> <div>10 MR. GAREAU: You have spoken to</div> <div>11 him about this particular meeting?</div> <div>12 MR. REED: Correct.</div> <div>13 MR. GAREAU: Okay. I'm going to</div> <div>14 ask to swear you in if you don't mind.</div> <div>15 - - - -</div> <div>16 (Thereupon, JUSTIN REED was sworn in.)</div> <div>17 - - - -</div> <div>18 MR. GAREAU: Okay. Mr. Reed, you</div> <div>19 had communication with the Applicant, Mark</div> <div>20 Bostelman, about this meeting, correct?</div> <div>21 MR. REED: That is correct.</div> <div>22 MR. GAREAU: Okay. Did you inform</div> <div>23 Mr. Bostelman that, in fact, they will be</div> <div>24 proceeding today on his application?</div> <div>25 MR. REED: Yes.</div> | <div>8</div> <div>1 MR. KLING: I do.</div> <div>2 MR. GAREAU: Okay. So now state</div> <div>3 your full name, spell it, and provide your</div> <div>4 address.</div> <div>5 MR. KLING: Mr. Raymond F. Kling,</div> <div>6 K-L-I-N-G.</div> <div>7 MR. GAREAU: Okay.</div> <div>8 MR. KLING: 27365 Cook Road,</div> <div>9 Olmsted Township. So I'm across the street</div> <div>10 from the subject property. I just want to</div> <div>11 make a comment, I know the immediate</div> <div>12 neighbors to the south, Chester and Lindsay</div> <div>13 [unintelligible] are at prior -- weren't</div> <div>14 able to make it today. My mother is also a</div> <div>15 neighbor, 27389 Cook Road, Barbara Kling,</div> <div>16 was also not able to make it, she's out of</div> <div>17 the country today, but we all are in</div> <div>18 support of granting the variance. We feel</div> <div>19 like that sidewalk on that particular</div> <div>20 property would be detrimental to both the</div> <div>21 aesthetic and the function of the</div> <div>22 neighborhood. So I just wanted to put that</div> <div>23 on the record before you make your</div> <div>24 decision.</div> <div>25 MR. GAREAU: Okay. Thank you very</div> |

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| <p style="text-align: right;">9</p> <p>1 much. I probably should've asked before I</p> <p>2 decided to vote on it or make a motion to</p> <p>3 approve it.</p> <p>4 Anybody else wish to be heard on</p> <p>5 that application?</p> <p>6 All right. Thank you, sir.</p> <p>7 Okay. So I've made a motion to</p> <p>8 approve the pending application.</p> <p>9 MS. VEDDA: Second.</p> <p>10 MR. GAREAU: Seconded by Ms.</p> <p>11 Vedda.</p> <p>12 Okay. I'll call roll. Ms. Vedda?</p> <p>13 MS. VEDDA: Yes.</p> <p>14 MR. GAREAU: Mr. Phillips?</p> <p>15 MR. PHILLIPS: Yes.</p> <p>16 MR. GAREAU: Ms. Kelly?</p> <p>17 MS. KELLY: Yes.</p> <p>18 MR. GAREAU: Mr. Perez?</p> <p>19 MR. PEREZ: Yes.</p> <p>20 MR. GAREAU: Mr. Gareau? No.</p> <p>21 Okay. The matter is carried. The</p> <p>22 application is approved.</p> <p>23 MR. REED: Mr. Gareau?</p> <p>24 MR. GAREAU: Yes.</p> <p>25 MR. REED: Before you move on to</p> | <p style="text-align: right;">11</p> <p>1 that the matter be tabled until -- that it</p> <p>2 be taken up at the June 18th, 2025 meeting</p> <p>3 of the BZA which will take place at this</p> <p>4 same location.</p> <p>5 MR. PEREZ: Second.</p> <p>6 MR. GAREAU: Okay. On the motion</p> <p>7 to table until the June 18th, 2025 meeting</p> <p>8 of the BZA, Ms. Vedda?</p> <p>9 MS. VEDDA: Yes.</p> <p>10 MR. GAREAU: Mr. Phillips?</p> <p>11 MR. PHILLIPS: Yes.</p> <p>12 MR. GAREAU: Ms. Kelly?</p> <p>13 MS. KELLY: Yes.</p> <p>14 MR. GAREAU: Mr. Perez.</p> <p>15 MR. PEREZ: Yes.</p> <p>16 MR. GAREAU: And myself? Yes.</p> <p>17 All right. The matter will be taken up and</p> <p>18 placed on the Agenda for the meeting of the</p> <p>19 June 18th meeting of the BZA, regular</p> <p>20 meeting of BZA.</p> <p>21 Okay. All right. Application No.</p> <p>22 25OLMT-ZBA0001 submitted by Granger</p> <p>23 Property Development LLC has been</p> <p>24 withdrawn. There is no further action</p> <p>25 required on that matter.</p> |
| <p style="text-align: right;">10</p> <p>1 the next item of old business, did you want</p> <p>2 to do the swearing in or do you want to do</p> <p>3 that at the end?</p> <p>4 MR. GAREAU: It's not normally on</p> <p>5 the Agenda, so I looked right beyond it, so</p> <p>6 --</p> <p>7 MR. REED: That's all right. We</p> <p>8 can do it at the end or we can do it --</p> <p>9 MR. GAREAU: Only if somebody</p> <p>10 reminds me to do it at the end.</p> <p>11 MR. REED: I can remind you.</p> <p>12 MR. GAREAU: Please do. Please</p> <p>13 do. All right. In matters of new business</p> <p>14 we have a request to withdraw that was made</p> <p>15 on Application No. 25OLMT [unintelligible]</p> <p>16 from Mr. Henzey -- continuing old business</p> <p>17 Application No. 25OLMT-ZBA002 submitted by</p> <p>18 Mr. Sean Henzey, Studio Mind LLC concerning</p> <p>19 property located at 8750 Stearns Road,</p> <p>20 Permanent Parcel No. 26509018.</p> <p>21 It's my understanding that Mr.</p> <p>22 Henzey has requested that the matter be</p> <p>23 tabled until the next regular meeting of</p> <p>24 the BZA. I will make a motion that -- bear</p> <p>25 with me one second -- I will make a motion</p> | <p style="text-align: right;">12</p> <p>1 Next on the Agenda is Application</p> <p>2 No. 25OLMT-ZBA002 submitted by Mr. Jeffrey</p> <p>3 Kukich for the property located at 6538</p> <p>4 Crestwood Lane, Permanent Parcel</p> <p>5 262-03-028.</p> <p>6 And are you Mr. Kukich?</p> <p>7 MR. KUKICH: Yes.</p> <p>8 MR. GAREAU: Okay. You can please</p> <p>9 approach and state your case. We will</p> <p>10 swear each in first. How's that? Both</p> <p>11 raise your hands, please.</p> <p>12 - - - -</p> <p>13 (Thereupon, witnesses were sworn in.)</p> <p>14 - - - -</p> <p>15 MR. GAREAU: Okay. And then for</p> <p>16 the record, when you begin to speak, state</p> <p>17 your full name spell it and provide your</p> <p>18 address and whenever you're -- when the two</p> <p>19 of you are going to talk, who's going</p> <p>20 first?</p> <p>21 MR. KUKICH: I do.</p> <p>22 MR. GAREAU: All right.</p> <p>23 MR. KUKICH: Jeffrey Kukich, 6538</p> <p>24 Crestwood Lane. Just was wanting a</p> <p>25 variance to have the driveway removed for</p> |

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| <p style="text-align: right;">13</p> <p>1 the section that we wanted to put our cars 2 onto.</p> <p>3 MR. GAREAU: So I guess explain 4 for us in particular detail what you seek 5 to do and also for the other members of the 6 audience who are here listening, what are 7 you looking to do?</p> <p>8 MR. KUKICH: We had a driveway 9 installed, a new driveway put in, and the 10 guy that we had doing it was not followed 11 on what he should have done. He told us 12 that he was going to get the permit and get 13 the -- talk to the Township about getting 14 the permit, and then when we get the second 15 section of the driveway, we told him and he 16 said he would take care of it and talking 17 to the Township about the -- making sure 18 that the other section was approved, that 19 we wouldn't have any problems. And when he 20 was halfway through the second portion of 21 it, he had to stop because his machine 22 broke and then that's when the -- that 23 Justin and Eric notified us that he did not 24 get the permit for the first job and that 25 he was -- didn't do what he normally should</p> | <p style="text-align: right;">15</p> <p>1 the Board?</p> <p>2 MS. KELLY: The variance for the 3 side setback, I thought the side setback 4 would be five inches or something like 5 that.</p> <p>6 MR. REED: So I can speak to that 7 for that. Justin Reed, Olmsted Township 8 Building Commissioner. So the Zoning Code 9 requires a five-foot setback on a property 10 line for a driveway. So this extension 11 would go to within 15 inches from the 12 property line, so a little less than a foot 13 and a half. The requirement is five foot 14 and that's why they would need a variance.</p> <p>15 MS. KELLY: Have you already put 16 concrete there?</p> <p>17 MR. KUKICH: Yes, it's already 18 done because we were going by what the 19 contractor said that he was up at the 20 Township taking care of it, you know, but 21 he wasn't really doing none of that.</p> <p>22 We're -- you know, have an 23 attorney because we're going after him for 24 the price of the new driveway, and, you 25 know, like, the Township is going after him</p> |
| <p style="text-align: right;">14</p> <p>1 have done for the second portion of the 2 driveway addition.</p> <p>3 So then I was working with Justin 4 and Eric to have him get a permit and make 5 him follow what he did. And now that we 6 have to have the driveway redone because of 7 the -- its popping up and peeling and 8 cracking, we have to get the variance to -- 9 because we're holding the line, we're over 10 the line about 15 inches from the five-foot 11 line or property line.</p> <p>12 MR. GAREAU: And just for the 13 record, this is to replace the existing 14 driveway that was put in and that driveway 15 is currently in violation of the Code?</p> <p>16 MR. KUKICH: Yes.</p> <p>17 MR. GAREAU: And you're going to 18 be tearing that out completely and 19 replacing it?</p> <p>20 MR. KUKICH: Yes. All the way 21 from the garage to the sidewalk of this is 22 starting to pop up and peel, and it's 23 cracking a couple of spots because it 24 wasn't done properly.</p> <p>25 MR. GAREAU: Any questions from</p> | <p style="text-align: right;">16</p> <p>1 because he wasn't registered but anything 2 to the --</p> <p>3 MS. KELLY: Okay.</p> <p>4 MS. KUKICH: If I can speak, my 5 name is Cynthia Kukich. 6538 Crestwood 6 Lane. Not to correct my husband, but we 7 weren't even aware that he wasn't following 8 the rules. I got a phone call where I work 9 at Fairview Hospital, and like my heart 10 stopped, I had no idea. They just said -- 11 you know, Justin had said, I'm in your 12 driveway, I see machines, but I don't have 13 a permit. The guy that sent -- I did the 14 hiring, Concrete Ohio, he told us he did 15 everything he was supposed to do. So this 16 was all new to us. So now we're having to 17 pay again another 20,000 to get another 18 driveway because it's cracking, it's 19 crumbling, and it's -- we're not even a 20 year into this driveway.</p> <p>21 MR. GAREAU: You have an existing 22 driveway and this piece was added to the 23 side of your existing driveway?</p> <p>24 MR. KUKICH: Yes.</p> <p>25 MR. GAREAU: There's a bump-out</p> |

1 that -- the bump-out, it sits 15 inches
2 from the property line?

3 MS. KUKICH: The driveway is like
4 this [indicating], it's not even even.

5 MR. GAREAU: Well, I mean,
6 assuming that when -- if you are, in fact,
7 going to tear it out and replace it, it
8 will be --

9 MS. KUKICH: Correct.

10 MR. GAREAU: -- I'm guessing, but
11 you're 15 inches from the property line
12 because you have that bump-out --

13 MR. KUKICH: Yes.

14 MR. GAREAU: -- that you've
15 installed on there.

16 What's the reason for the
17 bump-out?

18 MR. KUKICH: Well, she --
19 sometimes she works evenings, so she gets
20 called into work in the middle of the night
21 sometimes, so it's kind of easier to pull
22 the car off to the side because she gets
23 called in so we don't have to switch cars
24 in the evening time or middle of the winter
25 or something. And sometimes our daughter

1 who's in the Army comes and visit us, so
2 she would be able to park her car off the
3 side. So basically so we can still get
4 three cars in front of the garage instead
5 of having to shuffle cars at, you know,
6 5:00 or 6:00 in the morning all the time.

7 MR. GAREAU: You could, if you
8 just reduce that bump-out from nine feet
9 down to approximately four feet, you could
10 comply with the Zoning Code, correct?

11 MR. KUKICH: Well, it would be
12 tight --

13 MR. GAREAU: Uh-huh.

14 MR. KUKICH: -- but we use that so
15 we can just have -- when my daughter's
16 here, we have three cars --

17 MR. GAREAU: Uh-huh.

18 MR. KUKICH: -- you know, right
19 next to each other instead of having to get
20 one out of bed at night, move cars around.
21 We had a long cemented driveway too so she
22 we could pull -- you know, she does have
23 this bigger car and here we can pull along
24 side the garage and it's out of our way.
25 We've got some jet skis to that we pull off

1 to the side.

2 MR. GAREAU: Currently, any
3 questions from anybody on the Board? No.

4 MR. PHILLIPS: In other words, you
5 don't want to go just with the four and
6 half feet and stay within the guidelines of
7 the Township?

8 MR. KUKICH: Well, I'm asking to
9 see if [unintelligible] because I was told
10 by the contractor that, you know, he did
11 come up here and talk to the Building
12 Department and it was in compliance, but
13 then we found out, you know, when Justin
14 and Eric was talking to us that, you know,
15 he didn't do none of the things that he
16 said he did.

17 And when I originally started, I
18 had talked to my neighbor on the driveway
19 side, and she was -- she didn't have no
20 problem or anything, question about the
21 added section that I wanted to do.

22 MR. GAREAU: Anything further?

23 MR. PHILLIPS: No.

24 MR. GAREAU: Any comments or
25 questions from anybody in the audience on

1 this matter?

2 Mr. Reed?

3 MR. REED: So I just have a quick
4 comment. Obviously I'm not speaking for or
5 against, I'm just giving the facts. And
6 typically if you look at standards for, you
7 know, parking spaces and drive spaces for
8 our requirements for retail and areas like
9 that, you don't see anything under, let's
10 say eight feet in width. So I do believe
11 that, you know, if you do ten plus four
12 foot, I mean you're still under where you
13 could really get two cars there, so I just
14 wanted to clarify that I believe that's
15 what they're stating when they're saying
16 that they want the extra space there was --
17 I think they're stating that they're trying
18 to side stack cars, and I just wanted to
19 point out the typical requirements for a
20 parking or drive area would be an eight
21 foot wide space. So I just wanted to kind
22 of point that out to help clarify what
23 they're trying to explain.

24 MR. GAREAU: What they currently
25 have, although apparently defectively

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| <p style="text-align: right;">21</p> <p>1 installed and in violation of the Code, 2 they currently have 19 feet? 3 MR. KUKICH: Correct. 4 MR. REED: I believe if you were 5 to take off the four or so feet, it would 6 be less than an eight foot and eight foot, 7 but obviously those are things to consider, 8 but I wanted to point out what the Code 9 says for parking aisles and drive spaces so 10 that you're aware. 11 Now that does not apply to 12 residential properties, but if you're 13 looking at a commercial lot and you're 14 trying to pull into a parking space, the 15 space that he would need to open doors and 16 whatnot, that's why they design it that 17 way. 18 MR. GAREAU: Where do you park the 19 jet skis? Where are they situated usually? 20 MR. KUKICH: Right now it's off to 21 the side where the added section is. They 22 would still get our two cars alongside that 23 without having to rearrange the cars in the 24 morning the whole time or in the 25 wintertime.</p> | <p style="text-align: right;">23</p> <p>1 (Off the record.) 2 - - - - 3 MR. GAREAU: We're back from 4 private deliberations at 6:40. Back on the 5 record. I believe some members of the 6 Panel may have had additional questions for 7 the Applicant. If you could come forward 8 again. Thank you. 9 MS. KELLY: Oh, I think we were 10 wondering it looks like you've got some 11 area closer to the house. Why you didn't 12 expand the driveway on that side. 13 MR. KUKICH: That we're looking at 14 on the front door side? Well, we were 15 trying to get it to where if we had the 16 exception on the opposite side by the 17 garage there, then we'd be able to put a 18 car back in there and have three cars right 19 on the side there instead of trying to go 20 into the front yard, the other direction. 21 Like where our light pole is and 22 everything, we didn't want to do it on that 23 side. 24 MS. KELLY: So there was some 25 things in the way on that side?</p> |
| <p style="text-align: right;">22</p> <p>1 MR. GAREAU: Since I asked another 2 question, anybody else now have any 3 questions or comments on this matter? 4 Anything further from the Applicant? 5 MR. KUKICH: No. 6 MR. GAREAU: Any other questions 7 from the Board? I'm going to make a motion 8 that we go into private deliberations. 9 MR. PEREZ: Second. 10 MR. REED: Do we have a second? 11 MR. GAREAU: Well, I have the 12 first -- Yeah, I made motion and it was 13 seconded. 14 Ms. Vedda? 15 MS. VEDDA: Yes. 16 MR. GAREAU: Mr. Phillips? 17 MR. PHILLIPS: Yes. 18 MR. GAREAU: Ms. Kelly? 19 MS. KELLY: Yes. 20 MR. GAREAU: Gareau? Yes. 21 Mr. Perez? 22 MR. PEREZ: Yes. 23 MR. GAREAU: All right. Now we 24 can go into the private deliberations. 25 - - - -</p> | <p style="text-align: right;">24</p> <p>1 MR. KUKICH: Well, there's the 2 light pole and the -- 3 MS. VEDDA: The flower beds. 4 Okay. 5 MR. KUKICH: Yeah. So we were 6 thinking the other side where we could just 7 pull our car and pull right up to the 8 right-hand side there and -- 9 MS. VEDDA: Okay. 10 MR. GAREAU: Any other questions? 11 Okay. 12 So you're asking for a pretty 13 considerable variance from the five feet 14 from the property line. That's a -- to 15 make it 15 inches, you're really putting it 16 close to the property line, at least in our 17 experience. We look at a whole host of 18 things -- and I don't speak for the whole 19 board, I'm kind of giving you the history 20 here because I'm going to make a suggestion 21 for you -- it's awfully close to the 22 property line, okay? 23 So we have that five foot so we 24 have uniformly throughout the Township. I 25 understand that you have a situation where</p> |

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| <p style="text-align: right;">25</p> <p>1 that your guy that you hired didn't pull a 2 permit, didn't check the Code. I think 3 were you to agree to keeping it 4 two-and-a-half feet from the property line 5 which would mean approximately a 6 seven-and-a-foot pad instead of nine, that 7 would probably be better received by the 8 Board.</p> <p>9 Because what you're asking for is 10 not something -- and again, we haven't 11 voted on this, we don't go back there and 12 vote, we talk about it, deliberate, but 13 you're asking for a big variance and I 14 don't know how the Board's going to vote, 15 but in the past we're not really -- we're 16 not inclined to grant substantial variances 17 from the requirements. Does that make 18 sense?</p> <p>19 MR. KUKICH: Uh-huh.</p> <p>20 MR. GAREAU: We can vote on it 21 as-is, and again I don't know how it's 22 going to work out, knowing what I just told 23 you however, or we can try to work with you 24 to make it less of a variance request as 25 far as the dimensions, the distance from</p> | <p style="text-align: right;">27</p> <p>1 MR. GAREAU: Mr. Phillips? 2 MR. PHILLIPS: No. 3 MR. GAREAU: Ms. Kelly? 4 MS. KELLY: No. 5 MR. GAREAU: Mr. Perez? 6 MR. PEREZ: No. 7 MR. GAREAU: Mr. Gareau? No. 8 Sorry, your application was 9 denied.</p> <p>10 Next on the Agenda is Application 11 No. 25OLMT-ZBA0003 submitted by Andrew 12 Clark concerning property at 24457 Barrett 13 Road, Permanent Parcel No. 261-05-027. Is 14 there anybody here to speak on that 15 application? Very good. Please step 16 forward.</p> <p>17 MR. CLARK: Thank you.</p> <p>18 MR. GAREAU: And you raise your 19 hand for me. Do you swear to tell the 20 truth, the whole truth, and nothing but the 21 truth?</p> <p>22 MR. CLARK: Yes, sir.</p> <p>23 MR. GAREAU: All right. State 24 your full name, spell it, and your address, 25 please.</p> |
| <p style="text-align: right;">26</p> <p>1 the property line. I think you're -- if 2 you're closer to two-and-a-half feet, 3 you're asking for a 50% variance on the 4 setback requirements, that may be better 5 received than doing 15 inches.</p> <p>6 MR. KUKICH: Uh-huh.</p> <p>7 MR. GAREAU: If that's something 8 you would be open to doing, we can put that 9 condition or change your variance request 10 and then vote on it that way, or we can 11 vote on it the way that you've submitted 12 it, but you're bound either way by the 13 vote.</p> <p>14 MR. KUKICH: Okay.</p> <p>15 MS. KUKICH: Let's vote on it.</p> <p>16 MR. KUKICH: We can just vote on 17 it the way it is.</p> <p>18 MR. GAREAU: Okay. I will make a 19 motion to approve Application 25OLMT-ZBA002 20 by Mr. Kukich. Any seconds?</p> <p>21 MS. KELLY: Second.</p> <p>22 MR. GAREAU: Ms. Kelly seconded. 23 On the motion to approve, Ms. 24 Vedda? 25 MS. VEDDA: No.</p> | <p style="text-align: right;">28</p> <p>1 MR. CLARK: Andrew Clark, 2 A-N-D-R-E-W, C-L-A-R-K, 24457 Barrett Road, 3 Olmsted Township.</p> <p>4 MR. GAREAU: You may proceed.</p> <p>5 MR. CLARK: Thank you. Do you 6 mind if I finish sign-in real quick?</p> <p>7 MR. GAREAU: Sure, go ahead.</p> <p>8 MR. CLARK: Thank you. Okay. 9 Thank you.</p> <p>10 MR. GAREAU: Sure.</p> <p>11 MR. CLARK: So you have an 12 application in front of you -- thank you 13 for your consideration -- site plan 14 drawings for a barn. My understanding is 15 that the -- in it's an area variance 16 request, so this isn't the structure, and 17 my understanding -- and Justin and I had 18 some dialogue, he's had some feedback for 19 me, which I appreciate was the Code. So 20 the Code uses the word "garage", which I 21 completely understand. To me, this is a 22 barn, this is an outbuilding, it's behind 23 the house. It's actually on the same 24 footprint where an existing barn -- well, 25 it's no longer existing, but a barn was</p> |

1 there.

2 I'm improving -- I consider this
3 an investment in improvement in the
4 property. And as you can see, it's very
5 nice looking, which is intentional. I
6 just -- I believe in that it could just be
7 a rectangle outbuilding, but I think that
8 looks very nice. Although you can't really
9 see -- you can't see it from the road. I
10 gave you some overhead shots so you could
11 appreciate where it would be -- and there's
12 actually two overhead shots that I tried to
13 use the satellite so you could see that it
14 is -- it's basically between the back of
15 the house and then where the woods, which
16 is still my property starts, which goes all
17 the way back in [unintelligible].

18 It's a significant -- it's
19 probably a couple of acres just in grass,
20 what I would call "a field". So behind
21 that proposed barn is what was a pasture
22 which is now -- it's still there,
23 obviously, but it's not being mowed as
24 grass. It's ultimately going to be -- I'm
25 going to continue to maintain it. So

1 there's the power lines, it's underneath
2 the power lines because there's an easement
3 and then the woods start. So I'm going to
4 continue to maintain that. The goal -- the
5 ultimate goal is with this barn, I can move
6 because, you know, there's a house with an
7 existing garage. I have a Kubota tractor,
8 I have the -- all the attachments. So
9 there's a front-end bucket and then there's
10 a three-point hitch on the back so you can
11 -- I can maintain my property, which is
12 something I just love to do.

13 But the house is -- or the garage
14 and the house is really a single-car
15 garage. It'll be for a car and then
16 everything goes into the barn that I use to
17 maintain the property. So that's what the
18 purpose of the barn is.

19 I have it staked out currently. I
20 had it staked out and I just stare at it,
21 and where it's positioned, so there is a
22 drop there, I would call it "compressed
23 gravel", meaning it probably was nicely
24 graveled, and it's been driven over over
25 the years, but it went back to the -- again

1 where the old barn was. That will stay
2 intact. And this proposed barn is just
3 shifted east a little bit, really just to
4 kind of get it away from my trees. The
5 square footage is 30x50. I know the
6 variance is 1,900. There is side court,
7 that side court faces my wooden lawn, so I
8 have two lots, about nine acres, 350,000
9 square feet of property, so this is .4% of
10 that.

11 So it's shifted slightly. I've
12 had some of the trees pruned. It's just I
13 want it away from -- I'm going to put
14 something nice up like that, I want it away
15 from significant falling trees -- oh, I
16 have a dual-axle trailer that's sitting
17 between where that barn would be and the
18 house that would obviously need to go in.
19 It's a really nice trailer. It's a car
20 trailer, so it's 16 feet, it takes tractor
21 and then there's room in the front of it,
22 so you could put the attachments with it
23 and then go do wherever I need to go with
24 it.

25 So unless there's questions, I'm

1 sure there are. I do hunt the property, I
2 guess I'll add, I do hunt, I bow hunt. I
3 don't need that much property to do what I
4 do. And so that equipment, which is, you
5 know, kind of in the house and in the
6 attached garage would also go into the barn
7 as well because I basically just could go
8 -- and I would go from the old barn and
9 just walk out back to the woods.

10 The barn, the old barn that was
11 there, I always used it. It was a
12 four-stall horse barn with a shed that was
13 bumped out, so like I said, it was about
14 the same size. I don't have horses, I
15 didn't plan to have horses, so it really
16 wasn't practical, but the stalls were
17 really nice. I did some research, I ended
18 up donating the stalls because there's a
19 lot of where I live is what I call a "high
20 equine area". Matter of fact, my neighbor
21 three doors down, has a miniature and one
22 of the stall doors was cut down, so I
23 pulled it off and gave it to her, and she
24 got -- she took the paddock fences too.

25 So, you know, just stuff I wasn't

1 going to use, but the folks in the
2 neighborhood certainly would use, you know,
3 just trying to make the best use of what
4 was there.

5 So interior of that barn was okay,
6 but it was falling down, so it had to come
7 down no matter what. So I'm looking to do
8 something much, much better.

9 MR. GAREAU: The property that you
10 intend to store in this garage, or this
11 barn we'll call it, just for personal use,
12 it's not business-related?

13 MR. CLARK: No, I'm an accountant.

14 MR. GAREAU: Okay. You don't use
15 tractors in your accounting practice?

16 MR. CLARK: No, no.

17 MR. PEREZ: To clarify, this will
18 not be visible from the road?

19 MR. CLARK: So you can kind of see
20 from the overhead where -- so Barrett rides
21 the park, so to the south -- I mean there's
22 no house to the north, that's the park, and
23 then so my house is obviously to the south,
24 but it's -- if you're driving there this
25 way [indicating], the house kind sits at an

1 angle and it kind of runs -- so the
2 property lines go back kind of at an angle,
3 not quite north/south, but close.

4 So the driveway that goes from
5 Barrett to the existing garage is exactly
6 how you can picture it in your head. Then
7 it breaks off and it goes this way
8 [indicating] basically behind the house,
9 then it kind of S curves back straight to
10 where this is. So it's not visible.

11 And this time of the year when you
12 start to get the foliage growing, you can't
13 see it. My immediate neighbor probably
14 wouldn't be able to see the structure.

15 MR. GAREAU: It is on the same lot
16 as your house? You're proposing to put it
17 on the same Permanent Parcel No. as your
18 house?

19 MR. CLARK: Yes, it's on the same
20 parcel number, correct.

21 MR. GAREAU: Okay. You understand
22 you cannot -- just because you own two
23 lots, you can't straddle the line or build
24 it over on the other lot, unless that also
25 has a main structure like a house on the

1 lot next door. Is there a house next door
2 as well?

3 MR. CLARK: There's nothing there.

4 MR. GAREAU: Yeah. So you'd have
5 to keep -- this has to be completely on the
6 lot that has your house.

7 MR. CLARK: Yes, sir. And it's
8 even, like I said, I'm moving it probably
9 12 feet east.

10 MR. GAREAU: Okay.

11 MR. CLARK: And by the way, the
12 gentleman made a nice point -- Roberto made
13 a nice point -- so the way -- you can't
14 see -- you wouldn't be able to see the barn
15 from the road, but once you get past the
16 house and start to walk towards it, the
17 side porch, to me this looks again, looks
18 really nice, but it also faces my wooded
19 lot. The sight lines are really important,
20 so once you start getting straight, you
21 start heading right at it, you can see
22 right through the porch. So you can see
23 the woods in the back, which is key. And
24 anything that's going on back there, that's
25 probably more of my issue.

1 MR. GAREAU: You know, is there
2 going to be a second floor? Is there a
3 loft? What's going to go up on top?

4 MR. CLARK: It's a partial loft.
5 So head height is important for me, as you
6 might imagine, and the doors, there's no --
7 like, it's not a garage door. That never
8 didn't make sense to me. So when you would
9 come into the front there was -- that's
10 like a kit, it's a barn kit, there was a
11 garage door, I'm like, well, what -- I
12 don't want the track. So if you have an
13 open front, to me the tracks block all
14 that, so what's the point? And I didn't
15 want a garage door anyways, I wanted the
16 barn doors, those are french -- so there's
17 two doors that would slide over like this
18 [indicating]. There's going to be a roller
19 door on the interior, but that's just for
20 security, so just, like, pull the chain
21 down and then lock it -- I'm sorry, so your
22 question was the loft. So the loft starts
23 about halfway and it goes back and there's
24 stairs that go up. Honestly, that's just
25 for storage. If you saw the back of my RAM

1 1500 right now, you would see a raised
2 pitching mound, pitching machine, bags of
3 balls and buckets, all kinds of stuff. So
4 my wife and I are very active with -- we
5 call it we call them like not charity
6 runs, but like, you know, fitness-type
7 things. Mostly for the leukemia,
8 leukemia/lymphoma society, we do a lot
9 that, so there's just a bunch of gear all
10 time. So I envision that at least this
11 phase of our life, kind of housing that,
12 because you need access to it. And then as
13 we continue to, you know, grow as a family,
14 change, it would just be used primarily for
15 storage.

16 MR. GAREAU: You understand that
17 you wouldn't be able to turn that into
18 living space or anything of that sort,
19 right?

20 MR. CLARK: Understood, yeah. And
21 ultimately you don't want to, because
22 again, because of the roof, there's
23 probably only eight-feet wide that you
24 would have reasonable head height and then
25 you start pitching down on either side,

1 which for someone like me is, it's good
2 because you could put stuff on the ground,
3 but, you know...

4 MR. GAREAU: Understood. Any
5 plans for any type of indoor plumbing?

6 MR. CLARK: So again, in phases,
7 this -- I need the structure to go up
8 first. I don't know about -- I haven't
9 decided. There is water out there, it's a
10 raised spigot. It was obviously for the
11 horses. So there is plumbing out there. I
12 don't know how I'm going to use it like
13 over time. Right now I would just, as part
14 of the build, I would cap the water line
15 knowing it's there and then make a decision
16 on the next step.

17 MR. PHILLIPS: Is there a sewage
18 line out there too for septic or --

19 MR. CLARK: Septic and I also have
20 there -- I think the site plan has it.
21 There's a drain in the middle of the
22 backyard, so between the house and the
23 proposed barn, there is a, I think it's a
24 10-inch that sits there and it goes all the
25 way out to the storm on there because I

1 just had it scoped because I wanted to
2 know. So you tie into that and it goes
3 out. So that's really nice because it's
4 right there, it's probably 30 feet, like 30
5 feet from the corner of this build to that
6 drain, you know, to run everything.

7 MR. GAREAU: Any other questions
8 at this time?

9 Anybody in the audience wish to be
10 heard?

11 Sir, you may step up. Go ahead
12 and have a seat.

13 MR. HLAVATY: My name is Thomas
14 Hlavaty, that's H-l-a-v-a-t-y.

15 MR. GAREAU: Raise your hand. Do
16 you swear to tell the truth, the whole
17 truth, and nothing but the truth.

18 MR. HLAVATY: Yes, I do.

19 MR. GAREAU: Okay.

20 MR. HLAVATY: I live at 24453
21 Barrett. I'm two doors down. I was
22 looking at his site plans -- first of all,
23 I also have nine acres, and up until now I
24 had the nicest barn. The one thing, I
25 don't have a horse anymore and I have a

1 10-foot slider in the front, he wanted two
2 doors, I decided against that. He has
3 windows, I have three Dutch doors, so we're
4 competing. And I had the colors that would
5 match the neighborhood and blend in. And
6 he's also doing that in terms of the
7 colors. And we're rural. I mean, we're on
8 Barrett. This is horse country. I don't
9 have a horse now because of my age. I'm
10 afraid of injury. It's not a matter of if
11 you give bucked off, you will, and I just
12 can't afford that anymore.

13 But right now my barn is for
14 influence and I think I have more than Andy
15 does, and I wish I had built bigger.
16 Mine's 32 by -- it's 40x32 and I wish I had
17 gone bigger. Like I said, you've got to
18 have a barn where we live. I mean my
19 tractor and the bucket and the grapple,
20 you've got the brush hog and other
21 attachments, it takes a lot of space. And
22 now I need an ATV because I -- it's too far
23 to walk back to the property line. My
24 property is 1,800 square -- 1,800 feet
25 deep. That's a lot. So I basically do the

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| <p style="text-align: right;">41</p> <p>1 same thing.</p> <p>2 I'm not a hunter, although I do</p> <p>3 have a lot of deer on my property, and I'm</p> <p>4 not opposed to hunting, deer actually hang</p> <p>5 out at my property and I can see them. I</p> <p>6 don't feed them anymore, but I think this</p> <p>7 would be a good addition to the</p> <p>8 neighborhood.</p> <p>9 The fact that you can't see it and</p> <p>10 it's a new barn, brand new, it's going to</p> <p>11 be a lot nicer than everything else in the</p> <p>12 whole neighborhood. I think it'd be a</p> <p>13 plus. And I can't wait until it goes up.</p> <p>14 MR. GAREAU: Thank you very much.</p> <p>15 Any other questions or comments from</p> <p>16 members of the audience?</p> <p>17 And based upon what was just said,</p> <p>18 anything else from the Applicant?</p> <p>19 All right. And any other</p> <p>20 questions from any of us?</p> <p>21 MR. PEREZ: Nope.</p> <p>22 MR. PHILLIPS: No.</p> <p>23 MR. GAREAU: Mr. Reed has -- I'm</p> <p>24 sorry, Mr. Reed, yes?</p> <p>25 MR. REED: All right. I'm Justin</p> | <p style="text-align: right;">43</p> <p>1 another situation where he would not be</p> <p>2 here for a variance, but it's simply due to</p> <p>3 the vehicle and that's why it's classified</p> <p>4 as a garage. So I just wanted to make it</p> <p>5 clear why the variance is being requested,</p> <p>6 why it was classified.</p> <p>7 MR. GAREAU: And just for</p> <p>8 clarification, the second part of the</p> <p>9 variance is a height variance as well?</p> <p>10 MR. REED: Correct, there is a</p> <p>11 height variance.</p> <p>12 MR. GAREAU: Okay.</p> <p>13 MS. VEDDA: Now I have a question</p> <p>14 because you said that. What vehicle is</p> <p>15 going to be parked there?</p> <p>16 MR. CLARK: Yeah, [unintelligible]</p> <p>17 a trailer.</p> <p>18 MS. VEDDA: I believe --</p> <p>19 MR. REED: I believe the Applicant</p> <p>20 mentioned that you were going to park a</p> <p>21 personal vehicle in there at some point?</p> <p>22 MS. VEDDA: No, he was talking</p> <p>23 tractor and --</p> <p>24 MR. CLARK: No --</p> <p>25 MS. VEDDA: -- tractor and</p> |
| <p style="text-align: right;">42</p> <p>1 Reed, Olmsted Township Building</p> <p>2 Commissioner. I just wanted to give a</p> <p>3 little bit of explanation to the variance</p> <p>4 request.</p> <p>5 So the reason for this request is</p> <p>6 wholly and solely because he's putting a</p> <p>7 car in the garage and the storage of some</p> <p>8 personal items. If it wasn't for that, he</p> <p>9 would not be here for a variance. He's</p> <p>10 under the 1% maximum lot coverage for</p> <p>11 accessory structure and accessory building,</p> <p>12 but the Code doesn't differen -- or the</p> <p>13 Code differentiates between accessory</p> <p>14 building and garage. Because there's a car</p> <p>15 there that's why he's here for the variance</p> <p>16 because it's classified under a garage, but</p> <p>17 if he were to not park a car in this</p> <p>18 structure, it would be considered a</p> <p>19 straight accessory building, and at that</p> <p>20 point in time it would be under the 1% lot</p> <p>21 coverage and he would not be asking for a</p> <p>22 variance.</p> <p>23 So I just wanted to clarify why</p> <p>24 he's asking for a variance. And if it was</p> <p>25 all agricultural, once again, that'd be</p> | <p style="text-align: right;">44</p> <p>1 trailer.</p> <p>2 MR. CLARK: -- I was talking about</p> <p>3 the trailer. It's a dual-axle trailer,</p> <p>4 maybe that's --</p> <p>5 MS. VEDDA: No, I didn't --</p> <p>6 MR. CLARK: Yeah, I don't have any</p> <p>7 intention of ever parking a car in there.</p> <p>8 MR. REED: Okay. But you're</p> <p>9 storing personal item -- household items</p> <p>10 and things in there. Items --</p> <p>11 MR. CLARK: Well, my Kubota, what</p> <p>12 you consider a tractor --</p> <p>13 MR. REED: No, that'd be --</p> <p>14 MR. CLARK: Okay.</p> <p>15 MR. REED: -- in our discussions</p> <p>16 previously you had indicated that you were</p> <p>17 going to park a vehicle in this. So you're</p> <p>18 not parking a vehicle in this?</p> <p>19 MR. CLARK: No.</p> <p>20 MR. REED: Well, I mean, you guys</p> <p>21 can move forward and vote if you want. I</p> <p>22 mean, the Applicant can come back and give</p> <p>23 a written notarized statement or a written</p> <p>24 statement to the Building Department</p> <p>25 stating that he's not using this structure</p> |

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| <p style="text-align: right;">45</p> <p>1 for any storage of personal household items 2 or vehicles -- well, vehicles from the 3 household. You can store agricultural 4 vehicles in the structure, but in our 5 discussion, when you had applied, in fact, 6 that's why on the plans that were submitted 7 it states "garage" directly on the thing. 8 MR. CLARK: Yeah, I understand 9 that. 10 MR. REED: On Sheet A3, if you 11 look at the plan Sheet A3, it specifically 12 calls it a "garage" and was the discussion, 13 I believe, we had. Now, if he's saying 14 that he's not going to use it as a garage, 15 he's not storing household items in this 16 building, or not putting a vehicle in the 17 building, and you provide a written 18 statement to that fact and remove "garage" 19 from the plans, well then it's going to be 20 reviewed under a different criteria. 21 MS. KELLY: Well, is he going to 22 get his money back though? I mean, why 23 don't we just -- 24 MR. REED: Well, I mean, this -- 25 MS. KELLY: -- vote on it the way</p> | <p style="text-align: right;">47</p> <p>1 could submit new plans to state that it's 2 not a garage. He could make a statement in 3 those -- in that submittal that the 4 structure is not going to be used for any 5 parking of any vehicles that are personal 6 vehicles or used for household storage, 7 then you can do that. 8 Now, the Applicant had stated that 9 he doesn't know what he's going to use the 10 structure for in the future. If in the 11 future you start to use that structure for 12 parking of a vehicle or household storage 13 or anything of that nature besides just an 14 accessory building for accessory items to 15 maintain property, well then at that point 16 you would be in violation of your 17 certificate of occupancy in the zoning. 18 So if you were to move forward and 19 obtain a variance at this point, well then 20 you would be okay to use that structure to 21 park cars in it. 22 MR. CLARK: Okay. 23 MR. REED: So it's up to you if 24 you want to move forward. 25 MR. GAREAU: Yeah. And if I can.</p> |
| <p style="text-align: right;">46</p> <p>1 it's written? 2 MR. REED: So the thing is though, 3 when an application is submitted to us, we 4 review it based upon the information that's 5 supplied. 6 MS. KELLY: Understood. 7 MR. REED: The information that's 8 supplied states that the structure is a 9 garage on Sheet A3. So when we do a review 10 and in discussions, it was my 11 understanding, you were going to park a 12 vehicle in this structure. It has a garage 13 door; he was going to park a vehicle in the 14 structure. So when we do our review, 15 that's the interpretation that we review, 16 too. Because we're reliant upon the 17 information supplied to tell us what this 18 structure is being used for. 19 So, you know, I was making the 20 statement to kind of explain the reasoning 21 behind the fact that it would meet the 1%. 22 The only reason he's here is for this, 23 but now if the Applicant's stating that 24 he's not going to use it for a garage 25 purpose, he could modify his plans, he</p> | <p style="text-align: right;">48</p> <p>1 So if we were to proceed and your variance 2 were granted, then you would be able to 3 park a vehicle inside of this building. 4 MR. CLARK: Uh-huh. 5 MR. GAREAU: If your variance 6 request was denied, sounds like you'd be in 7 the same position as if you are now where 8 you said, I'm not going to park a vehicle 9 in there. 10 MR. CLARK: Uh-huh. 11 MS. KELLY: And then you just get 12 a permit. 13 MR. REED: So you would reapply 14 with the -- stating that he's not going to 15 use it for that. 16 MS. KELLY: Right. 17 MR. GAREAU: Yeah, there's nothing 18 to -- 19 MS. KELLY: Nothing to gain 20 from -- 21 MS. VEDDA: I think it's 22 semantics. 23 MS. KELLY: Yeah. 24 MR. GAREAU: Yeah. Nothing to 25 lose.</p> |

1 MR. REED: That's up to the
2 Applicant.
3 MR. CLARK: I'll like to proceed.
4 MR. GAREAU: Yeah, I don't know
5 that you're in any worse position one way
6 or the other if we proceed --
7 MS. KELLY: Right.
8 MR. GAREAU: -- so... Okay. I
9 will make a motion to approve Application
10 25OLMT-ZBA0003.
11 MS. KELLY: Second.
12 MR. GAREAU: Seconded by Ms.
13 Kelly.
14 On the motion to approve the
15 variance request as submitted. Ms. Vedda?
16 MS. VEDDA: Yes.
17 MR. GAREAU: Mr. Phillips?
18 MR. PHILLIPS: 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 Okay. Variance request is
25 approved.

1 MR. CLARK: What do I do now?
2 MS. KELLY: Talk to the Building
3 Department.
4 MR. CLARK: Okay.
5 MR. GAREAU: All right. Okay.
6 Next on the Agenda, Application NO.
7 25OLMT-ZBA0004 submitted by Mr. George
8 Kaniss -- Kanis.
9 MR. KANIS: Kanis.
10 MR. GAREAU: Kanis Thanks. For
11 the property located at 27120 Sprague Road,
12 Permanent Parcel No. 263-22-001. This is
13 requesting a variance from the sidewalk
14 installation requirement. Clearly there's
15 somebody here to speak on that application.
16 If you could, please.
17 MR. KANIS: Yes.
18 MR. GAREAU: Raise your right hand
19 for me. Do you swear to tell the truth,
20 whole truth, and nothing but the truth?
21 MR. KANIS: Do.
22 MR. GAREAU: All right. Please
23 state and spell your full name and provide
24 your address.
25 MR. KANIS: Full name, George

1 Kanis, K-A-N-I-S. Address 27120 Sprague
2 Road.
3 MR. GAREAU: Thank you. You may
4 proceed.
5 MR. KANIS: Asking for a variance
6 on the sidewalk install. This will be a
7 new residential construction. My argument
8 and this point is that there are no
9 sidewalks on the whole line from Brooks,
10 which is also -- falls about going west,
11 east on Sprague, at least until
12 [unintelligible] that's how far I went.
13 And that's my only argument right now.
14 MR. GAREAU: Is there any physical
15 reason, any impediment to installing a
16 sidewalk on the property? Is there a
17 culvert in the way? Is there any utility
18 poles, anything of that sort?
19 MR. KANIS: No, there's not.
20 There's not. I mean, it'll be the only
21 house on the street with a sidewalk.
22 MR. GAREAU: Uh-huh.
23 MR. KANIS: My concern is, I don't
24 know if there's a project for that street
25 down the future for sidewalks. If I do put

1 one in, will it comply with the designs?
2 Will I have to take it out and have it
3 connected to the new sidewalks? And then
4 there's a vacant lot on the west side of my
5 lot.
6 Another concern is if I do put a
7 sidewalk in and somebody goes to ride a
8 bike over it, walk over it and trips,
9 that's going to be a liability on me, I'm
10 assuming.
11 MR. GAREAU: Okay. Any questions?
12 MR. PHILLIPS: Any other
13 properties by you, do they have sidewalks
14 there.
15 MR. KANIS: No. In Olmsted
16 Township, no. As soon as you pass -- if
17 you go -- if you pass Brooks -- Brooksville
18 on the east, that development has sidewalks
19 on Sprague Road. If you go west from
20 Brooks -- if you go east on Brooks -- on
21 Sprague, and will -- up until Columbia Road
22 there are no sidewalks, so...
23 MR. GAREAU: Any other questions?
24 Any comments or questions from
25 members of the audience?

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| <p style="text-align: right;">53</p> <p>1 Anything from Building</p> <p>2 Commissioner Reed?</p> <p>3 Anything else from the Applicant?</p> <p>4 MR. KANIS: No.</p> <p>5 MR. GAREAU: All right. Is there</p> <p>6 a motion to approve?</p> <p>7 MS. VEDDA: I so move.</p> <p>8 MR. PEREZ: I second.</p> <p>9 MR. GAREAU: Motion by Ms. Vedda.</p> <p>10 Mr. Perez seconds.</p> <p>11 On a motion to approve the</p> <p>12 application -- by the way in the past when</p> <p>13 these requests have been made, we have made</p> <p>14 it clear with the Applicant that should</p> <p>15 this be granted and you be excused from</p> <p>16 installing a sidewalk now, that when the</p> <p>17 time comes, if the Township requires the</p> <p>18 installation of a sidewalk for the whole</p> <p>19 street, for example --</p> <p>20 MR. KANIS: Yes, that I</p> <p>21 understand. Yes.</p> <p>22 MR. GAREAU: So you understand</p> <p>23 that this is conditioned -- if it's</p> <p>24 approved, it's conditioned upon the</p> <p>25 installation of a sidewalk if sidewalks are</p> | <p style="text-align: right;">55</p> <p>1 MR. PHILLIPS: Second.</p> <p>2 MR. GAREAU: -- a second. Okay.</p> <p>3 To approve the application with the</p> <p>4 condition attached, Ms. Vedda?</p> <p>5 MS. VEDDA: Yes.</p> <p>6 MR. GAREAU: Mr. Phillips?</p> <p>7 MR. PHILLIPS: Yes.</p> <p>8 MR. GAREAU: Ms. Kelly?</p> <p>9 MS. KELLY: Yes.</p> <p>10 MR. GAREAU: Mr. Perez.</p> <p>11 MR. PEREZ: Yes.</p> <p>12 MR. GAREAU: Mr. Gareau? No.</p> <p>13 Okay. The matter has passed. The</p> <p>14 variance is granted.</p> <p>15 MR. KANIS: Thank you.</p> <p>16 MR. GAREAU: Next up is</p> <p>17 Application No. 25OLMT-ZBA00005 submitted</p> <p>18 by Mr. Theodore Kanis for property located</p> <p>19 at 26933 Schady Road, Permanent Parcel No.</p> <p>20 263-15-003. Also seeking the same relief</p> <p>21 in the form of a variance from the sidewalk</p> <p>22 installation requirement.</p> <p>23 MR. THEODORE KANIS: Hello? How</p> <p>24 are you?</p> <p>25 MR. GAREAU: Good. How are you?</p> |
| <p style="text-align: right;">54</p> <p>1 installed on the street pursuant to the</p> <p>2 Township request?</p> <p>3 MR. KANIS: No, that I understand,</p> <p>4 yes.</p> <p>5 MR. GAREAU: Okay. So the fact</p> <p>6 that you were granted a variance if it's</p> <p>7 granted tonight doesn't mean there'll never</p> <p>8 be a sidewalk on this?</p> <p>9 MR. KANIS: No, I do understand</p> <p>10 that, yes.</p> <p>11 MR. GAREAU: All right. And that</p> <p>12 as far as having to pay for it, there could</p> <p>13 be -- the owner may have to contribute to</p> <p>14 the payment some day.</p> <p>15 MR. KANIS: Yes, that too.</p> <p>16 MR. GAREAU: Okay. And you're</p> <p>17 okay with that?</p> <p>18 MR. KANIS: Yes.</p> <p>19 MR. GAREAU: All right. Okay.</p> <p>20 With the condition that was just placed on</p> <p>21 the record, do we make another motion to</p> <p>22 approve the application with the condition?</p> <p>23 MS. VEDDA: So moved.</p> <p>24 MR. GAREAU: All right. Ms. Vedda</p> <p>25 and --</p> | <p style="text-align: right;">56</p> <p>1 MR. THEODORE KANIS: Good.</p> <p>2 MR. GAREAU: Good. And you're all</p> <p>3 set to swear you in. All right. Do you</p> <p>4 swear to tell the truth, the whole, and</p> <p>5 nothing but the truth?</p> <p>6 MR. THEODORE KANIS: Yes, I do.</p> <p>7 MR. GAREAU: All right. Can you</p> <p>8 please state and spell your full name,</p> <p>9 provide your present address.</p> <p>10 MR. THEODORE KANIS: Theodore</p> <p>11 Kanis, K-A-N-I-S.</p> <p>12 MR. GAREAU: And your address?</p> <p>13 MR. THEODORE KANIS: 26933 Schady</p> <p>14 Road.</p> <p>15 FEMALE SPEAKER: Okay.</p> <p>16 MR. GAREAU: All right. You may</p> <p>17 proceed.</p> <p>18 MR. THEODORE KANIS: I'm building</p> <p>19 a new home there and nobody on Schady Road</p> <p>20 has a sidewalk --</p> <p>21 MR. GAREAU: Uh-huh.</p> <p>22 MR. THEODORE KANIS: -- and I</p> <p>23 would not like to put a sidewalk, the same</p> <p>24 reasons it could be -- somebody could trip</p> <p>25 over it and get hurt, cost-wise, and then</p> |

1 that's it.

2 MR. GAREAU: And this is directly
3 next door to the lot we just discussed or
4 down the street?

5 MR. THEODORE KANIS: No, this is
6 on Schady Road.

7 MR. GAREAU: Oh, I'm sorry.

8 MR. THEODORE KANIS: Yeah, that's
9 on Schady Road.

10 MR. GAREAU: All right. I'm
11 assuming that that was a relative of yours.

12 MR. THEODORE KANIS: That's my
13 brother, we're both moving here.

14 MR. GAREAU: Okay.

15 MR. THEODORE KANIS: Yeah.

16 MR. GAREAU: All right, he's on --
17 okay, I got it, on Sprague.

18 Describe for the Board the
19 location of any sidewalks, if any, on that
20 street.

21 MR. THEODORE KANIS: There's no
22 sidewalks.

23 MR. GAREAU: Any questions from
24 members of the Board?

25 MS. KELLY: No.

1 MR. GAREAU: Any questions from
2 members of the audience?

3 All right. Is there a motion to
4 approve?

5 MS. VEDDA: So moved with
6 conditions.

7 MR. GAREAU: Yes. Same -- we're
8 going to make the same conditions that we
9 just did --

10 MR. THEODORE KANIS: Yes.

11 MR. GAREAU: -- with your
12 brother's application. You understand that
13 at some point down the road if the Township
14 or the County requires the installation of
15 sidewalks on this down the street --

16 MR. THEODORE KANIS: Yes --

17 MR. GAREAU: -- as part of a
18 project --

19 MR. THEODORE KANIS: -- I do.

20 MR. GAREAU: -- you understand
21 that this variance will not excuse your
22 requirement to do that?

23 MR. THEODORE KANIS: I do.

24 MR. GAREAU: Okay. And that if
25 you own the land at that time and a

1 financial contribution is required of you
2 by way of an assessment, you'll be required
3 to pay it?

4 MR. THEODORE KANIS: Yes, I do.

5 MR. GAREAU: Okay. And knowing
6 that condition you would like us to proceed
7 on the application for a variance with that
8 condition?

9 MR. THEODORE KANIS: Yes, please.

10 MR. GAREAU: All right. Now,
11 having made that condition to the
12 application, can I have a motion to
13 approve?

14 MS. KELLY: So moved.

15 MR. GAREAU: And a second?

16 MR. PHILLIPS: Second.

17 MR. GAREAU: All right. On a
18 motion to approve the application with the
19 condition agreed to by the Applicant, Ms.
20 Vedda?

21 MS. VEDDA: Yes.

22 MR. GAREAU: Mr. Phillips?

23 MR. PHILLIPS: Yes.

24 MR. GAREAU: Ms. Kelly?

25 MS. KELLY: Yes.

1 MR. GAREAU: Mr. Perez.

2 MR. PEREZ: Yes.

3 MR. GAREAU: Mr. Gareau? No.
4 Okay. The application --

5 MR. THEODORE KANIS: Thank you.

6 MR. GAREAU: -- is approved.

7 MR. THEODORE KANIS: Thank you.

8 MR. GAREAU: All right. Next up
9 is Application 25OLMT-ZBA00006, submitted
10 by Mr. Joseph Callahan for property located
11 at 9065 Sweet Gum Trail, Permanent Parcel
12 265-16-117, and the Applicant is here to
13 present I see.

14 If you could please raise your
15 hand. Do you swear to tell the truth, the
16 whole truth, and nothing but the truth?

17 MR. CALLAHAN: I do.

18 MR. GAREAU: All right. And could
19 you be kind enough, please to state your
20 full name and spell it and provide your
21 address.

22 MR. CALLAHAN: Joseph Callahan.

23 J-O-S-E-P-H, C-A-L-L-A-H-A-N, 9065 Sweet
24 Gum Trail, Olmsted Township 44138.

25 MR. GAREAU: You may proceed.

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| <p style="text-align: right;">61</p> <p>1 MR. CALLAHAN: So I'm requesting 2 an area variance to construct a custom 3 pergola on top of an existing stamped 4 concrete patio. So the practical and the 5 request is for, due to the size of the 6 structure, which exceeds the 1% allowance 7 of the property. So the current practical 8 difficulty lies in two areas. The first is 9 the pad -- the stamped concrete patio is 10 currently in full sun, so it's difficult to 11 enjoy the patio during the day before about 12 3:30 PM because it's sun from 8:30 in the 13 morning until the sun goes past the house 14 in the afternoon.</p> <p>15 The second practical difficulty 16 goes to our original intent for the project 17 was to attach the structure to the house. 18 However, when we applied for the permit, we 19 were advised that the pergola would extend 20 out within the 25-foot range, and that we 21 would need a variance for that. However, 22 through discussions with Justin, who spoke 23 to the Township attorney, I was advised 24 that we couldn't even apply for that 25 variance because he said the Board would</p> | <p style="text-align: right;">63</p> <p>1 was I didn't want to construct something 2 that would also restrict light into the 3 house because there is two windows to the 4 back of the house that provide a lot of 5 light, and after going back and forth and 6 kind of considering all the options, but at 7 the same time not really able to sit out on 8 the patio because you're just baking, we 9 put a 8.5x8.5 half foot popup, you know, 10 umbrella that goes up, but it provides you 11 -- if you have more than three people on 12 there, you're constantly moving to try to 13 avoid the sun. If it rains, all bets are 14 off. This product the louvers close when 15 the rain comes. They have internal systems 16 that will catch any rain and funnel it to a 17 gutter system that will take it away. So 18 it will provide us with an extended outdoor 19 living space for the property, but also 20 it'll tie -- you know, custom built into 21 the -- next to the house here.</p> <p>22 So when we couldn't apply for the 23 attached, we applied for the detached, 24 which brings me here because now the 1% 25 applies and this is larger than the 1%</p> |
| <p style="text-align: right;">62</p> <p>1 not be permitted to authorize that variance 2 because the Schady Reserve Development was 3 created using a plat that was approved by 4 both the Township and the County. And the 5 attorney for the Township determined that 6 he didn't believe that the Zoning Appeals 7 Board would have the authority to authorize 8 that variance.</p> <p>9 Had I been able to attach the 10 building, the pergola to the house, there 11 is no size limit for that pergola. So I 12 wouldn't have to worry about what the size 13 was. So the pergola itself, you see 14 there's pictures located in the application 15 is a 16x16 foot custom built pergola from a 16 company called "Structure", that's being 17 implemented by called Kaufman Home and 18 Garden or Home and Lawn something company 19 here in the area, that's their local 20 representative.</p> <p>21 It is a lightweight product that 22 has louvers that electrically open and 23 close. So part of me is, throughout this 24 I've been thinking about this project for 25 about five years, and the challenge I had</p> | <p style="text-align: right;">64</p> <p>1 role.</p> <p>2 So for the application, I looked 3 at the Duncan Factors as listed on the 4 application, and the first, I think one of 5 the main ones was was there a financial 6 benefit to the property or a beneficial 7 use? Well, the beneficial use would be 8 able to use the property in a way that I'm 9 not currently able to use it by creating 10 and extending the outdoor living space, but 11 there's also a financial benefit to this 12 there from some research that I've attached 13 into the application, I'm told that the 14 research says that pergola would return 15 approximately 40 to 80% of the value of the 16 project.</p> <p>17 So, there's both a beneficial use 18 and a substantial increase in the property 19 value of the construction of the project 20 that you've received from the application. 21 This is a \$56,000 pergola.</p> <p>22 I consider the question is the 23 variance substantial. So the variance, 24 basically I'm requesting a 16x16 foot 25 pergola, that would be approximately 2.3%</p> |

1 of the property. The 1% of the property
2 would be 10x10, so this is 16x16, so that's
3 basically the size of the pergola in
4 relation to the property. In relation to
5 the house, it's about 9%.

6 Would the character of the
7 neighborhood be substantially altered or
8 adjoining properties suffer or be impacted?
9 I think the answer to that is no for
10 multiple reasons.

11 One, the HOA, as you guys are
12 aware of the HOAs, they've already approved
13 this and the HOA, their consideration for
14 the project is purely aesthetic. As the
15 former president of our HOA, I've
16 considered multiple projects and we're
17 looking at it really from aesthetic
18 viewpoint and then the Township's doing all
19 the technical parts of it.

20 So they've approved this, that the
21 quality of this is there. I think it's
22 also going to look very nice. I'm on a
23 corner lot, so I'm constantly concerned
24 about how the property's going to look to
25 the neighbors when they're coming through.

1 The second part of it is behind my
2 property, you'll see from the pictures, if
3 you look at Attachment B I think, the
4 picture that is in the lower left is the
5 picture from the house looking back. So it
6 would be about the middle of the pergola
7 looking back. There are large trees behind
8 there and there's a common area before you
9 get to the neighbor's house, so there's
10 common area and then there's a gate. So
11 the neighbor's house, I think is about 112
12 feet from where the pergola would end to
13 where the neighbors -- back where the
14 neighbor's house is.

15 I'm on a corner lot so there is
16 nothing to the right except the neighbor's
17 house, which you can see in the middle
18 picture all the way across the street. The
19 neighbor to my left, I have a sunroom and a
20 pergola would pop out a couple of feet past
21 the sunroom, but it's really just a
22 pergola. So it's just four wall, you know,
23 four posts. So they would see the two
24 posts on the outside.
25 Also my neighbor would have a minimal

1 restricted view because my house already
2 goes well past the back of their house. So
3 I think the pergola also will not only
4 offer an aesthetic enhancement to my house,
5 but also to our community and Schady
6 reserve, but it also enhances the property
7 values, which not only affect me, but as
8 you know, will affect our neighbors and
9 ultimately affect residents of the Olmsted
10 Township.

11 Does it affect the current delivery of
12 governmental services? It will not. It's
13 on an existing cement slab that is not
14 inside of -- it's outside of the -- there's
15 an area where the utilities go, but that's
16 further to the right of the house. In
17 addition to that pergola is detached and
18 its lightweight so the pergola actually
19 could be removed fairly quickly if needed.

20 Did the property owner buy the
21 house with the understanding of the zoning
22 requirement? I did not. I don't know that
23 anyone's ever read all the zoning
24 requirements when they build a house, but I
25 did not know this.

1 Can the problem be solved other
2 than granting the variance? I don't think
3 so because really we're looking to be able
4 to exit the house onto a covered patio when
5 it's raining or when the sun's out and have
6 enough space on there where you can have
7 table and chairs. You'll see from the
8 patio that there is a table there with some
9 chairs. And really where we're extending
10 it is just really where the table and
11 chairs are that would be in a comfortable
12 position. So there's not really -- you
13 know, I've already tried the umbrella, I
14 told you about that, it just doesn't
15 provide the coverage or the concealment or
16 coverage from the elements, particularly
17 rain, that this product will cover.

18 And the last one is the spirit and
19 intent of the building. I think that's
20 kind of for you guys more so than me, but I
21 would hope you guys would agree that this
22 is a pergola on an existing patio that's
23 meant to both enhance my beneficial use,
24 but also the community and the property
25 use, but I don't really have an impact on

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|---|--|
| <p style="text-align: right;">69</p> <p>1 that part of [unintelligible].</p> <p>2 Any questions from that?</p> <p>3 MS. VEDDA: Did you say this could</p> <p>4 be removed?</p> <p>5 MR. CALLAHAN: Yeah, this is a</p> <p>6 light -- this is an aluminum product.</p> <p>7 MS. VEDDA: You could just pick it</p> <p>8 up and move it?</p> <p>9 MR. CALLAHAN: Yeah, yeah. This</p> <p>10 is --</p> <p>11 MS. VEDDA: It's not attached.</p> <p>12 MS. KELLY: Yeah. It's not</p> <p>13 attached to the patio at all?</p> <p>14 MR. CALLAHAN: No, no -- oh, it'll</p> <p>15 be attached to the patio, but it will be --</p> <p>16 MS. KELLY: Okay.</p> <p>17 MR. CALLAHAN: -- bolted to the</p> <p>18 patio. Yeah.</p> <p>19 MS. KELLY: Oh, bolted. Okay.</p> <p>20 MR. CALLAHAN: Yeah.</p> <p>21 MS. KELLY: That's my question.</p> <p>22 MS. VEDDA: Yeah, that was my</p> <p>23 question.</p> <p>24 MR. CALLAHAN: Yeah, it's</p> <p>25 lightweight.</p> | <p style="text-align: right;">71</p> <p>1 granted. Thank you very much for your</p> <p>2 presentation.</p> <p>3 MR. CALLAHAN: Thank you, guys.</p> <p>4 MR. REED: Mr. Gareau,</p> <p>5 [unintelligible].</p> <p>6 MR. GAREAU: Oh, yeah, I actually</p> <p>7 wrote that down right here. All right. So</p> <p>8 that concludes the new business for people</p> <p>9 requesting variances. The only other</p> <p>10 matter on the Agenda is the swearing in of</p> <p>11 a new alternate member of the BZA, as soon</p> <p>12 as I find out what I did with your oath --</p> <p>13 here we go.</p> <p>14 All right. Please raise your</p> <p>15 right hand and repeat after me. I, Bruce</p> <p>16 Oseland --</p> <p>17 MR. OSELAND: I Bruce Oseland --</p> <p>18 MR. GAREAU: -- do solemnly swear</p> <p>19 or affirm --</p> <p>20 MR. OSELAND: Do solemnly swear or</p> <p>21 affirm --</p> <p>22 MR. GAREAU: -- that I will</p> <p>23 support, protect, and defend --</p> <p>24 MR. OSELAND: That I will support,</p> <p>25 protect and defend --</p> |
| <p style="text-align: right;">70</p> <p>1 MS. KELLY: It might blow into the</p> <p>2 neighbor's house.</p> <p>3 MR. CALLAHAN: Yeah, it's not</p> <p>4 considered a permanent structure inasmuch</p> <p>5 as this would be a couple of bolts and if</p> <p>6 needed to be removed, you can remove it.</p> <p>7 MS. KELLY: Gotcha.</p> <p>8 MR. GAREAU: Any other questions?</p> <p>9 Any questions or comments from</p> <p>10 members of the audience?</p> <p>11 Okay. All right. I will make a</p> <p>12 motion to approve Application ZBA00006.</p> <p>13 MR. PEREZ: So moved.</p> <p>14 MR. PHILLIPS: Second.</p> <p>15 MR. GAREAU: Second. All right.</p> <p>16 On the motion to approve, Ms. Vedda?</p> <p>17 MS. VEDDA: Yes.</p> <p>18 MR. GAREAU: Mr. Phillips?</p> <p>19 MR. PHILLIPS: Yes.</p> <p>20 MR. GAREAU: Ms. Kelly?</p> <p>21 MS. KELLY: Yes.</p> <p>22 MR. GAREAU: Mr. Perez.</p> <p>23 MR. PEREZ: Yes.</p> <p>24 MR. GAREAU: Mr. Gareau? Yes.</p> <p>25 Application for variance is</p> | <p style="text-align: right;">72</p> <p>1 MR. GAREAU: -- the Constitution</p> <p>2 of the United States --</p> <p>3 MR. OSELAND: -- the Constitution</p> <p>4 of the United States --</p> <p>5 MR. GAREAU: -- and the</p> <p>6 Constitution of the State of Ohio.</p> <p>7 MR. OSELAND: -- and the</p> <p>8 Constitution of the State of Ohio.</p> <p>9 MR. GAREAU: That I will discharge</p> <p>10 the duties --</p> <p>11 MR. OSELAND: And I will</p> <p>12 discharge the duties --</p> <p>13 MR. GAREAU: -- of my office of</p> <p>14 member of the Olmstead Township Board of</p> <p>15 Zoning Appeals --</p> <p>16 MR. OSELAND: -- of my office of</p> <p>17 member of the Olmsted Township Board of</p> <p>18 Zoning Appeals --</p> <p>19 MR. GAREAU: -- with fidelity --</p> <p>20 MR. OSELAND: -- with fidelity --</p> <p>21 MR. GAREAU: -- that I have not</p> <p>22 paid or contributed --</p> <p>23 MR. OSELAND: -- that I have not</p> <p>24 paid or contributed --</p> <p>25 MR. GAREAU: -- or promised to pay</p> |

| | |
|---|--|
| <p style="text-align: right;">73</p> <p>1 or contribute --</p> <p>2 MR. OSELAND: -- or promised to</p> <p>3 pay or contribute --</p> <p>4 MR. GAREAU: -- either directly or</p> <p>5 indirectly --</p> <p>6 MR. OSELAND: -- either directly</p> <p>7 or indirectly --</p> <p>8 MR. GAREAU: -- any money or other</p> <p>9 valuable thing --</p> <p>10 MR. OSELAND: -- any money or</p> <p>11 other valuable thing.</p> <p>12 MR. GAREAU: -- to procure my</p> <p>13 nomination for election --</p> <p>14 MR. OSELAND: -- to procedure my</p> <p>15 nomination for election --</p> <p>16 MR. GAREAU: -- except for</p> <p>17 necessary and proper expenses --</p> <p>18 MR. OSELAND: -- except for</p> <p>19 necessary and proper expenses --</p> <p>20 MR. GAREAU: -- expressly</p> <p>21 authorized by law.</p> <p>22 MR. OSELAND: -- expressly</p> <p>23 authorized by law.</p> <p>24 MR. GAREAU: --and that I have not</p> <p>25 knowingly violated any election law --</p> | <p style="text-align: right;">75</p> <p>1 performance or nonperformance of any act --</p> <p>2 MR. GAREAU: -- or duty pertaining</p> <p>3 to my office --</p> <p>4 MR. OSELAND: -- or duty</p> <p>5 pertaining to my office --</p> <p>6 MR. GAREAU: -- other than</p> <p>7 compensation allowed by law --</p> <p>8 MR. OSELAND: -- other than</p> <p>9 compensation allowed by law --</p> <p>10 MR. GAREAU: -- so help me God.</p> <p>11 MR. OSELAND: -- so help me God.</p> <p>12 MR. GAREAU: Okay. Thank you very</p> <p>13 much. Congratulations.</p> <p>14 You can go ahead and we will have</p> <p>15 you sign that and then submit it to the</p> <p>16 Trustees.</p> <p>17 And with that, I make the motion</p> <p>18 to -- oh, is there any matters before the</p> <p>19 Board? Anybody wish to be heard on</p> <p>20 anything? No?</p> <p>21 All right. I'll make motion to</p> <p>22 conclude, adjourn the meeting at 7:33.</p> <p>23 MR. PHILLIPS: Second.</p> <p>24 MR. GAREAU: Yes. So make me call</p> <p>25 a roll on that. Ms. Vedda?</p> |
| <p style="text-align: right;">74</p> <p>1 MR. OSELAND: That I have not</p> <p>2 knowingly violated any election law --</p> <p>3 MR. GAREAU: -- of the state --</p> <p>4 MR. OSELAND: -- of this state --</p> <p>5 MR. GAREAU: -- or procured it to</p> <p>6 be done by others --</p> <p>7 MR. OSELAND: -- or procured it to</p> <p>8 be done by others --</p> <p>9 MR. GAREAU: -- on my behalf.</p> <p>10 MR. OSELAND: -- on my behalf.</p> <p>11 MR. GAREAU: That I will not</p> <p>12 knowingly receive --</p> <p>13 MR. OSELAND: That I will not</p> <p>14 knowingly receive --</p> <p>15 MR. GAREAU: -- directly or</p> <p>16 indirectly --</p> <p>17 MR. OSELAND: -- directly or</p> <p>18 indirectly --</p> <p>19 MR. GAREAU: -- any money or other</p> <p>20 valuable thing --</p> <p>21 MR. OSELAND: -- any money or</p> <p>22 other valuable thing --</p> <p>23 MR. GAREAU: -- for the performance</p> <p>24 or nonperformance of any act --</p> <p>25 MR. OSELAND: -- for the</p> | <p style="text-align: right;">76</p> <p>1 MS. VEDDA: Yes.</p> <p>2 MR. GAREAU: Mr. Phillips?</p> <p>3 MR. PHILLIPS: Yes.</p> <p>4 MR. GAREAU: Ms. Kelly?</p> <p>5 MS. KELLY: Yes.</p> <p>6 MR. GAREAU: Mr. Perez?</p> <p>7 MR. PEREZ: Yes.</p> <p>8 MR. GAREAU: Mr. Gareau? Yes.</p> <p>9 All right. Meeting adjourned at 7:34.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> |

C E R T I F I C A T E

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

IN WITNESS WHEREOF, I have hereunto set my
hand and seal of office, at Cleveland, Ohio, this
3 day of JULY A.D. 2025.

Mark Williams - e-signature

Mark Williams, Notary Public, State of Ohio

My commission expires May 21, 2027

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