

1  
2 OLMSTED TOWNSHIP BOARD OF ZONING APPEALS  
3  
4  
5 - - - -  
67 ON WEDNESDAY, JUNE 4, 2025,  
8 COMMENCING AT 6:00 P.M.  
9  
10 - - - -  
1112 BOARD MEMBERS: DAVID GAREAU  
13 ROBERTO PEREZ  
14 MARY VEDDA  
15 CINDY KELLY  
16 JOHN PHILLIPS  
17 BRUCE OSELAND - ALTERNATE18 ALSO PRESENT: JUSTIN REED -  
19 BUILDING COMMISSIONER  
20  
21 - - - -  
22 COURT REPORTER: MARK WILLIAMS  
23 JK REPORTING  
24 (216) 664-0541  
25 WWW.JARKUB.COM1 make motion to approve all those minutes.  
2 MS. VEDDA: Second.  
3 MR. GAREAU: For all those who  
4 were at that meeting you may vote on this  
5 matter.  
6 Ms. Vedda?  
7 MS. VEDDA: Yes.  
8 MR. GAREAU: Mr. Phillips?  
9 MR. PHILLIPS: Not present at that  
10 meeting.  
11 MR. GAREAU: Ms. Kelly?  
12 MS. KELLY: Yes.  
13 MR. GAREAU: Mr. Gareau? That's  
14 me. Yes.  
15 Roberto Perez?  
16 MR. PEREZ: Yes.  
17 MR. GAREAU: All right. We have  
18 two matters that are considered old  
19 business. Before we get to those just a  
20 couple of comments for those who have  
21 business before the Board. Each board  
22 member up here is familiar with the  
23 property involved as reviewed the  
24 application. Each case that comes before  
25 us, it's judged on its own merits. So

2

1 MR. GAREAU: Okay, we'll call to  
2 order the June 4, 2025 Special Meeting of  
3 the Olmsted Township Building and Zoning  
4 Board of Appeals. It is 6:02.5 Can we please all stand for the  
6 Pledge of Allegiance.  
7 - - - -8 (Thereupon, the Pledge of Allegiance was  
9 recited.)10 - - - -  
11 MR. GAREAU: Thank you. I'll call  
12 roll.

13 Mr. Perez?

14 MR. PEREZ: Here.

15 MR. GAREAU: Mr. Gareau. That's  
16 me. I'm here.

17 Ms. Kelly?

18 MS. KELLY: Here.

19 MR. GAREAU: Mr. Phillips?

20 MR. PHILLIPS: Here.

21 MR. GAREAU: Okay. Ms. Vedda?

22 MS. VEDDA: Here.

23 MR. GAREAU: Okay. Next order of  
24 business is the approval of the Minutes of  
25 the meeting dated March 19th, 2025. I will1 sometimes people say, hey, the guy down the  
2 street got this, I want you all to know  
3 that any decision by this Board is not  
4 necessarily precedent for any other  
5 property. Any other decision we've made  
6 stands on its own with respect to the  
7 application that was submitted.8 Three votes are required for  
9 approval. We have a full house today. So  
10 sometimes when there's not a full house, I  
11 offer the chance to resubmit at later date,  
12 but that's not necessary today.13 Cases that we call are in the  
14 order they appear on the Agenda. When your  
15 case is called and you're presenting for  
16 your case, please come to the podium. Make  
17 sure before you leave that -- you don't  
18 have to do it while you're standing up  
19 there, but make sure that you put your name  
20 and address on the paper that's up there to  
21 sign in. It was over there, but if you're  
22 going to speak, we'd like that to be on the  
23 document signing in.24 You'll be asked to swear to tell  
25 the truth and you'll give your name and

1 your address so that the reporter can take  
 2 down that information. Please speak loud  
 3 enough so that the reporter can, in fact,  
 4 hear you and that we can hear you over  
 5 here. You're not that far away, but I've  
 6 been told by my wife that I can't hear, so  
 7 I want to make sure I can hear you.  
 8 All right?

9 Okay. So in the matter of -- in  
 10 the order appearing on the Agenda this  
 11 evening, old business we have  
 12 25OLMT-VAR001, which is by Mark Bostelman.

13 Did I pronounce that correctly?

14 FEMALE SPEAKER: No, not again.

15 MR. GAREAU: All right.

16 UNIDENTIFIED MALE SPEAKER: We've  
 17 notified.

18 MS. KELLY: Can we deny a variance  
 19 just for the fact that they didn't show up?

20 MR. REED: From my understanding,  
 21 you have an option to vote on the variance  
 22 or table it. So those are your options.  
 23 You can choose to vote or you -- or sorry,  
 24 you can choose to vote or you can choose to  
 25 table the variance and we would have to

1 MR. GAREAU: Okay. Did he give  
 2 you any indication that he would not be  
 3 present to present his case tonight?  
 4 MR. REED: No.  
 5 MR. GAREAU: Okay. And did he ask  
 6 you for a continuance, that the matter be  
 7 tabled?

8 MR. REED: No.

9 MR. GAREAU: Thank you. I'm going  
 10 to make a motion that we can -- we're going  
 11 to consider the application that's pending  
 12 and I'll make a motion to approve  
 13 Application 25OLMT-VAR001.

14 MR. KLING: Can I comment on --

15 MR. GAREAU: We certainly can hear  
 16 comments from the audience for sure.

17 MR. REED: You might want to have  
 18 him come to the podium and ask who he is.

19 MR. GAREAU: Yes, absolutely.

20 Come up to the podium.

21 MR. KLING: My name is Raymond  
 22 Kling --

23 MR. GAREAU: Hang on one second.  
 24 Hang on. Do you swear to tell the truth,  
 25 the whole truth, and nothing but the truth?

1 make a motion.

2 MS. KELLY: Is he communicating  
 3 with you?

4 MR. REED: We had spoke with the  
 5 owner and he was aware of the meeting --

6 MS. KELLY: But here, this is the  
 7 second meeting he has missed, so --

8 MR. REED: -- stated that he  
 9 [unintelligible] be able to make it, so.

10 MR. GAREAU: You have spoken to  
 11 him about this particular meeting?

12 MR. REED: Correct.

13 MR. GAREAU: Okay. I'm going to  
 14 ask to swear you in if you don't mind.

15 - - - -

16 (Thereupon, JUSTIN REED was sworn in.)

17 - - - -

18 MR. GAREAU: Okay. Mr. Reed, you  
 19 had communication with the Applicant, Mark  
 20 Bostelman, about this meeting, correct?

21 MR. REED: That is correct.

22 MR. GAREAU: Okay. Did you inform  
 23 Mr. Bostelman that, in fact, they will be  
 24 proceeding today on his application?

25 MR. REED: Yes.

1 MR. KLING: I do.

2 MR. GAREAU: Okay. So now state  
 3 your full name, spell it, and provide your  
 4 address.

5 MR. KLING: Mr. Raymond F. Kling,  
 6 K-L-I-N-G.

7 MR. GAREAU: Okay.

8 MR. KLING: 27365 Cook Road,  
 9 Olmsted Township. So I'm across the street  
 10 from the subject property. I just want to  
 11 make a comment, I know the immediate  
 12 neighbors to the south, Chester and Lindsay

13 [unintelligible] are at prior -- weren't  
 14 able to make it today. My mother is also a  
 15 neighbor, 27389 Cook Road, Barbara Kling,  
 16 was also not able to make it, she's out of  
 17 the country today, but we all are in

18 support of granting the variance. We feel  
 19 like that sidewalk on that particular

20 property would be detrimental to both the  
 21 aesthetic and the function of the  
 22 neighborhood. So I just wanted to put that  
 23 on the record before you make your  
 24 decision.

25 MR. GAREAU: Okay. Thank you very

1 much. I probably should've asked before I  
 2 decided to vote on it or make a motion to  
 3 approve it.

4 Anybody else wish to be heard on  
 5 that application?

6 All right. Thank you, sir.

7 Okay. So I've made a motion to  
 8 approve the pending application.

9 MS. VEDDA: Second.

10 MR. GAREAU: Seconded by Ms.  
 11 Vedda.

12 Okay. I'll call roll. Ms. Vedda?

13 MS. VEDDA: Yes.

14 MR. GAREAU: Mr. Phillips?

15 MR. PHILLIPS: Yes.

16 MR. GAREAU: Ms. Kelly?

17 MS. KELLY: Yes.

18 MR. GAREAU: Mr. Perez?

19 MR. PEREZ: Yes.

20 MR. GAREAU: Mr. Gareau? No.

21 Okay. The matter is carried. The  
 22 application is approved.

23 MR. REED: Mr. Gareau?

24 MR. GAREAU: Yes.

25 MR. REED: Before you move on to

1 that the matter be tabled until -- that it  
 2 be taken up at the June 18th, 2025 meeting  
 3 of the BZA which will take place at this  
 4 same location.

5 MR. PEREZ: Second.

6 MR. GAREAU: Okay. On the motion  
 7 to table until the June 18th, 2025 meeting  
 8 of the BZA, Ms. Vedda?

9 MS. VEDDA: Yes.

10 MR. GAREAU: Mr. Phillips?

11 MR. PHILLIPS: Yes.

12 MR. GAREAU: Ms. Kelly?

13 MS. KELLY: Yes.

14 MR. GAREAU: Mr. Perez.

15 MR. PEREZ: Yes.

16 MR. GAREAU: And myself? Yes.

17 All right. The matter will be taken up and  
 18 placed on the Agenda for the meeting of the  
 19 June 18th meeting of the BZA, regular  
 20 meeting of BZA.

21 Okay. All right. Application No.  
 22 25OLMT-ZBA001 submitted by Granger  
 23 Property Development LLC has been  
 24 withdrawn. There is no further action  
 25 required on that matter.

1 the next item of old business, did you want  
 2 to do the swearing in or do you want to do  
 3 that at the end?

4 MR. GAREAU: It's not normally on  
 5 the Agenda, so I looked right beyond it, so  
 6 --

7 MR. REED: That's all right. We  
 8 can do it at the end or we can do it --

9 MR. GAREAU: Only if somebody  
 10 reminds me to do it at the end.

11 MR. REED: I can remind you.

12 MR. GAREAU: Please do. Please  
 13 do. All right. In matters of new business  
 14 we have a request to withdraw that was made  
 15 on Application No. 25OLMT [unintelligible]  
 16 from Mr. Henzey -- continuing old business  
 17 Application No. 25OLMT-ZBA002 submitted by  
 18 Mr. Sean Henzey, Studio Mind LLC concerning  
 19 property located at 8750 Stearns Road,  
 20 Permanent Parcel No. 26509018.

21 It's my understanding that Mr.  
 22 Henzey has requested that the matter be  
 23 tabled until the next regular meeting of  
 24 the BZA. I will make a motion that -- bear  
 25 with me one second -- I will make a motion

1 Next on the Agenda is Application  
 2 No. 25OLMT-ZBA002 submitted by Mr. Jeffrey  
 3 Kukich for the property located at 6538  
 4 Crestwood Lane, Permanent Parcel  
 5 262-03-028.

6 And are you Mr. Kukich?

7 MR. KUKICH: Yes.

8 MR. GAREAU: Okay. You can please  
 9 approach and state your case. We will  
 10 swear each in first. How's that? Both  
 11 raise your hands, please.

12 - - - -

13 (Thereupon, witnesses were sworn in.)

14 - - - -

15 MR. GAREAU: Okay. And then for  
 16 the record, when you begin to speak, state  
 17 your full name spell it and provide your  
 18 address and whenever you're -- when the two  
 19 of you are going to talk, who's going  
 20 first?

21 MR. KUKICH: I do.

22 MR. GAREAU: All right.

23 MR. KUKICH: Jeffrey Kukich, 6538  
 24 Crestwood Lane. Just was wanting a  
 25 variance to have the driveway removed for

1 the section that we wanted to put our cars  
 2 onto.  
 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?

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

1 have done for the second portion of the  
 2 driveway addition.

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.

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?

16 MR. KUKICH: Yes.

17 MR. GAREAU: And you're going to  
 18 be tearing that out completely and  
 19 replacing it?

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.

25 MR. GAREAU: Any questions from

1 the Board?

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.

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.

15 MS. KELLY: Have you already put  
 16 concrete there?

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.

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

1 because he wasn't registered but anything  
 2 to the --

3 MS. KELLY: Okay.

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.

21 MR. GAREAU: You have an existing  
 22 driveway and this piece was added to the  
 23 side of your existing driveway?

24 MR. KUKICH: Yes.

25 MR. GAREAU: There's a bump-out

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

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.

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?

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          - - - - -

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

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.

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?

19         MR. KUKICH: Uh-huh.

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

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.

6         MR. KUKICH: Uh-huh.

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.

14         MR. KUKICH: Okay.

15         MS. KUKICH: Let's vote on it.

16         MR. KUKICH: We can just vote on  
 17 it the way it is.

18         MR. GAREAU: Okay. I will make a  
 19 motion to approve Application 25OLMT-ZBA002  
 20 by Mr. Kukich. Any seconds?

21         MS. KELLY: Second.

22         MR. GAREAU: Ms. Kelly seconded.  
 23         On the motion to approve, Ms.

24 Vedda?

25         MS. VEDDA: No.

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.

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.

17         MR. CLARK: Thank you.

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?

22         MR. CLARK: Yes, sir.

23         MR. GAREAU: All right. State  
 24 your full name, spell it, and your address,  
 25 please.

1         MR. CLARK: Andrew Clark,  
 2 A-N-D-R-E-W, C-L-A-R-K, 24457 Barrett Road,  
 3 Olmsted Township.

4         MR. GAREAU: You may proceed.

5         MR. CLARK: Thank you. Do you  
 6 mind if I finish sign-in real quick?

7         MR. GAREAU: Sure, go ahead.

8         MR. CLARK: Thank you. Okay.  
 9 Thank you.

10         MR. GAREAU: Sure.

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

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

1 same thing.

2 I'm not a hunter, although I do  
3 have a lot of deer on my property, and I'm  
4 not opposed to hunting, deer actually hang  
5 out at my property and I can see them. I  
6 don't feed them anymore, but I think this  
7 would be a good addition to the  
8 neighborhood.

9 The fact that you can't see it and  
10 it's a new barn, brand new, it's going to  
11 be a lot nicer than everything else in the  
12 whole neighborhood. I think it'd be a  
13 plus. And I can't wait until it goes up.

14 MR. GAREAU: Thank you very much.  
15 Any other questions or comments from  
16 members of the audience?

17 And based upon what was just said,  
18 anything else from the Applicant?

19 All right. And any other  
20 questions from any of us?

21 MR. PEREZ: Nope.

22 MR. PHILLIPS: No.

23 MR. GAREAU: Mr. Reed has -- I'm  
24 sorry, Mr. Reed, yes?

25 MR. REED: All right. I'm Justin

1 Reed, Olmsted Township Building  
2 Commissioner. I just wanted to give a  
3 little bit of explanation to the variance  
4 request.

5 So the reason for this request is  
6 wholly and solely because he's putting a  
7 car in the garage and the storage of some  
8 personal items. If it wasn't for that, he  
9 would not be here for a variance. He's  
10 under the 1% maximum lot coverage for  
11 accessory structure and accessory building,  
12 but the Code doesn't differen -- or the  
13 Code differentiates between accessory  
14 building and garage. Because there's a car  
15 there that's why he's here for the variance  
16 because it's classified under a garage, but  
17 if he were to not park a car in this  
18 structure, it would be considered a  
19 straight accessory building, and at that  
20 point in time it would be under the 1% lot  
21 coverage and he would not be asking for a  
22 variance.

23 So I just wanted to clarify why  
24 he's asking for a variance. And if it was  
25 all agricultural, once again, that'd be

1 another situation where he would not be  
2 here for a variance, but it's simply due to  
3 the vehicle and that's why it's classified  
4 as a garage. So I just wanted to make it  
5 clear why the variance is being requested,  
6 why it was classified.

7 MR. GAREAU: And just for  
8 clarification, the second part of the  
9 variance is a height variance as well?

10 MR. REED: Correct, there is a  
11 height variance.

12 MR. GAREAU: Okay.

13 MS. VEDDA: Now I have a question  
14 because you said that. What vehicle is  
15 going to be parked there?

16 MR. CLARK: Yeah, [unintelligible]  
17 a trailer.

18 MS. VEDDA: I believe --

19 MR. REED: I believe the Applicant  
20 mentioned that you were going to park a  
21 personal vehicle in there at some point?

22 MS. VEDDA: No, he was talking  
23 tractor and --

24 MR. CLARK: No --

25 MS. VEDDA: -- tractor and

1 trailer.

2 MR. CLARK: -- I was talking about  
3 the trailer. It's a dual-axle trailer,  
4 maybe that's --

5 MS. VEDDA: No, I didn't --

6 MR. CLARK: Yeah, I don't have any  
7 intention of ever parking a car in there.

8 MR. REED: Okay. But you're  
9 storing personal item -- household items  
10 and things in there. Items --

11 MR. CLARK: Well, my Kubota, what  
12 you consider a tractor --

13 MR. REED: No, that'd be --

14 MR. CLARK: Okay.

15 MR. REED: -- in our discussions  
16 previously you had indicated that you were  
17 going to park a vehicle in this. So you're  
18 not parking a vehicle in this?

19 MR. CLARK: No.

20 MR. REED: Well, I mean, you guys  
21 can move forward and vote if you want. I  
22 mean, the Applicant can come back and give  
23 a written notarized statement or a written  
24 statement to the Building Department  
25 stating that he's not using this structure

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

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

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.

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.

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?

1 Anything from Building  
 2 Commissioner Reed?  
 3 Anything else from the Applicant?  
 4 MR. KANIS: No.  
 5 MR. GAREAU: All right. Is there  
 6 a motion to approve?  
 7 MS. VEDDA: I so move.  
 8 MR. PEREZ: I second.  
 9 MR. GAREAU: Motion by Ms. Vedda.  
 10 Mr. Perez seconds.  
 11 On a motion to approve the  
 12 application -- by the way in the past when  
 13 these requests have been made, we have made  
 14 it clear with the Applicant that should  
 15 this be granted and you be excused from  
 16 installing a sidewalk now, that when the  
 17 time comes, if the Township requires the  
 18 installation of a sidewalk for the whole  
 19 street, for example --  
 20 MR. KANIS: Yes, that I  
 21 understand. Yes.  
 22 MR. GAREAU: So you understand  
 23 that this is conditioned -- if it's  
 24 approved, it's conditioned upon the  
 25 installation of a sidewalk if sidewalks are

1 installed on the street pursuant to the  
 2 Township request?  
 3 MR. KANIS: No, that I understand,  
 4 yes.  
 5 MR. GAREAU: Okay. So the fact  
 6 that you were granted a variance if it's  
 7 granted tonight doesn't mean there'll never  
 8 be a sidewalk on this?  
 9 MR. KANIS: No, I do understand  
 10 that, yes.  
 11 MR. GAREAU: All right. And that  
 12 as far as having to pay for it, there could  
 13 be -- the owner may have to contribute to  
 14 the payment some day.  
 15 MR. KANIS: Yes, that too.  
 16 MR. GAREAU: Okay. And you're  
 17 okay with that?  
 18 MR. KANIS: Yes.  
 19 MR. GAREAU: All right. Okay.  
 20 With the condition that was just placed on  
 21 the record, do we make another motion to  
 22 approve the application with the condition?  
 23 MS. VEDDA: So moved.  
 24 MR. GAREAU: All right. Ms. Vedda  
 25 and --

1 MR. PHILLIPS: Second.  
 2 MR. GAREAU: -- a second. Okay.  
 3 To approve the application with the  
 4 condition attached, Ms. Vedda?  
 5 MS. VEDDA: Yes.  
 6 MR. GAREAU: Mr. Phillips?  
 7 MR. PHILLIPS: Yes.  
 8 MR. GAREAU: Ms. Kelly?  
 9 MS. KELLY: Yes.  
 10 MR. GAREAU: Mr. Perez.  
 11 MR. PEREZ: Yes.  
 12 MR. GAREAU: Mr. Gareau? No.  
 13 Okay. The matter has passed. The  
 14 variance is granted.  
 15 MR. KANIS: Thank you.  
 16 MR. GAREAU: Next up is  
 17 Application No. 25OLMT-ZBA00005 submitted  
 18 by Mr. Theodore Kanis for property located  
 19 at 26933 Schady Road, Permanent Parcel No.  
 20 263-15-003. Also seeking the same relief  
 21 in the form of a variance from the sidewalk  
 22 installation requirement.  
 23 MR. THEODORE KANIS: Hello? How  
 24 are you?  
 25 MR. GAREAU: Good. How are you?

1 MR. THEODORE KANIS: Good.  
 2 MR. GAREAU: Good. And you're all  
 3 set to swear you in. All right. Do you  
 4 swear to tell the truth, the whole, and  
 5 nothing but the truth?  
 6 MR. THEODORE KANIS: Yes, I do.  
 7 MR. GAREAU: All right. Can you  
 8 please state and spell your full name,  
 9 provide your present address.  
 10 MR. THEODORE KANIS: Theodore  
 11 Kanis, K-A-N-I-S.  
 12 MR. GAREAU: And your address?  
 13 MR. THEODORE KANIS: 26933 Schady  
 14 Road.  
 15 FEMALE SPEAKER: Okay.  
 16 MR. GAREAU: All right. You may  
 17 proceed.  
 18 MR. THEODORE KANIS: I'm building  
 19 a new home there and nobody on Schady Road  
 20 has a sidewalk --  
 21 MR. GAREAU: Uh-huh.  
 22 MR. THEODORE KANIS: -- and I  
 23 would not like to put a sidewalk, the same  
 24 reasons it could be -- somebody could trip  
 25 over it and get hurt, cost-wise, and then

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.

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.

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

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 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.

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%

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.

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.

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

1 role.

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.

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.

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%

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

1 that part of [unintelligible].  
 2 Any questions from that?  
 3 MS. VEDDA: Did you say this could  
 4 be removed?  
 5 MR. CALLAHAN: Yeah, this is a  
 6 light -- this is an aluminum product.  
 7 MS. VEDDA: You could just pick it  
 8 up and move it?  
 9 MR. CALLAHAN: Yeah, yeah. This  
 10 is --  
 11 MS. VEDDA: It's not attached.  
 12 MS. KELLY: Yeah. It's not  
 13 attached to the patio at all?  
 14 MR. CALLAHAN: No, no -- oh, it'll  
 15 be attached to the patio, but it will be --  
 16 MS. KELLY: Okay.  
 17 MR. CALLAHAN: -- bolted to the  
 18 patio. Yeah.  
 19 MS. KELLY: Oh, bolted. Okay.  
 20 MR. CALLAHAN: Yeah.  
 21 MS. KELLY: That's my question.  
 22 MS. VEDDA: Yeah, that was my  
 23 question.  
 24 MR. CALLAHAN: Yeah, it's  
 25 lightweight.

1 MS. KELLY: It might blow into the  
 2 neighbor's house.  
 3 MR. CALLAHAN: Yeah, it's not  
 4 considered a permanent structure inasmuch  
 5 as this would be a couple of bolts and if  
 6 needed to be removed, you can remove it.  
 7 MS. KELLY: Gotcha.  
 8 MR. GAREAU: Any other questions?  
 9 Any questions or comments from  
 10 members of the audience?  
 11 Okay. All right. I will make a  
 12 motion to approve Application ZBA00006.  
 13 MR. PEREZ: So moved.  
 14 MR. PHILLIPS: Second.  
 15 MR. GAREAU: Second. All right.  
 16 On the motion to approve, Ms. Vedda?  
 17 MS. VEDDA: Yes.  
 18 MR. GAREAU: Mr. Phillips?  
 19 MR. PHILLIPS: Yes.  
 20 MR. GAREAU: Ms. Kelly?  
 21 MS. KELLY: Yes.  
 22 MR. GAREAU: Mr. Perez.  
 23 MR. PEREZ: Yes.  
 24 MR. GAREAU: Mr. Gareau? Yes.  
 25 Application for variance is

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 1 granted. Thank you very much for your  
 2 presentation.

3 MR. CALLAHAN: Thank you, guys.  
 4 MR. REED: Mr. Gareau,  
 5 [unintelligible].  
 6 MR. GAREAU: Oh, yeah, I actually  
 7 wrote that down right here. All right. So  
 8 that concludes the new business for people  
 9 requesting variances. The only other  
 10 matter on the Agenda is the swearing in of  
 11 a new alternate member of the BZA, as soon  
 12 as I find out what I did with your oath --  
 13 here we go.  
 14 All right. Please raise your  
 15 right hand and repeat after me. I, Bruce  
 16 Oseland --  
 17 MR. OSELAND: I Bruce Oseland --  
 18 MR. GAREAU: -- do solemnly swear  
 19 or affirm --  
 20 MR. OSELAND: Do solemnly swear or  
 21 affirm --  
 22 MR. GAREAU: -- that I will  
 23 support, protect, and defend --  
 24 MR. OSELAND: That I will support,  
 25 protect and defend --

1 MR. GAREAU: -- the Constitution  
 2 of the United States --  
 3 MR. OSELAND: -- the Constitution  
 4 of the United States --  
 5 MR. GAREAU: -- and the  
 6 Constitution of the State of Ohio.  
 7 MR. OSELAND: -- and the  
 8 Constitution of the State of Ohio.  
 9 MR. GAREAU: That I will discharge  
 10 the duties --  
 11 MR. OSELAND: And I will  
 12 discharge the duties --  
 13 MR. GAREAU: -- of my office of  
 14 member of the Olmstead Township Board of  
 15 Zoning Appeals --  
 16 MR. OSELAND: -- of my office of  
 17 member of the Olmsted Township Board of  
 18 Zoning Appeals --  
 19 MR. GAREAU: -- with fidelity --  
 20 MR. OSELAND: -- with fidelity --  
 21 MR. GAREAU: -- that I have not  
 22 paid or contributed --  
 23 MR. OSELAND: -- that I have not  
 24 paid or contributed --  
 25 MR. GAREAU: -- or promised to pay

1 or contribute --  
 2 MR. OSELAND: -- or promised to  
 3 pay or contribute --  
 4 MR. GAREAU: -- either directly or  
 5 indirectly --  
 6 MR. OSELAND: -- either directly  
 7 or indirectly --  
 8 MR. GAREAU: -- any money or other  
 9 valuable thing --  
 10 MR. OSELAND: -- any money or  
 11 other valuable thing.  
 12 MR. GAREAU: -- to procure my  
 13 nomination for election --  
 14 MR. OSELAND: -- to procedure my  
 15 nomination for election --  
 16 MR. GAREAU: -- except for  
 17 necessary and proper expenses --  
 18 MR. OSELAND: -- except for  
 19 necessary and proper expenses --  
 20 MR. GAREAU: -- expressly  
 21 authorized by law.  
 22 MR. OSELAND: -- expressly  
 23 authorized by law.  
 24 MR. GAREAU: --and that I have not  
 25 knowingly violated any election law --

1 MR. OSELAND: That I have not  
 2 knowingly violated any election law --  
 3 MR. GAREAU: -- of the state --  
 4 MR. OSELAND: -- of this state --  
 5 MR. GAREAU: -- or procured it to  
 6 be done by others --  
 7 MR. OSELAND: -- or procured it to  
 8 be done by others --  
 9 MR. GAREAU: -- on my behalf.  
 10 MR. OSELAND: -- on my behalf.  
 11 MR. GAREAU: That I will not  
 12 knowingly receive --  
 13 MR. OSELAND: That I will not  
 14 knowingly receive --  
 15 MR. GAREAU: -- directly or  
 16 indirectly --  
 17 MR. OSELAND: -- directly or  
 18 indirectly --  
 19 MR. GAREAU: -- any money or other  
 20 valuable thing --  
 21 MR. OSELAND: -- any money or  
 22 other valuable thing --  
 23 MR. GAREAU: -- for the performance  
 24 or nonperformance of any act --  
 25 MR. OSELAND: -- for the

1 performance or nonperformance of any act --  
 2 MR. GAREAU: -- or duty pertaining  
 3 to my office --  
 4 MR. OSELAND: -- or duty  
 5 pertaining to my office --  
 6 MR. GAREAU: -- other than  
 7 compensation allowed by law --  
 8 MR. OSELAND: -- other than  
 9 compensation allowed by law --  
 10 MR. GAREAU: -- so help me God.  
 11 MR. OSELAND: -- so help me God.  
 12 MR. GAREAU: Okay. Thank you very  
 13 much. Congratulations.  
 14 You can go ahead and we will have  
 15 you sign that and then submit it to the  
 16 Trustees.  
 17 And with that, I make the motion  
 18 to -- oh, is there any matters before the  
 19 Board? Anybody wish to be heard on  
 20 anything? No?  
 21 All right. I'll make motion to  
 22 conclude, adjourn the meeting at 7:33.  
 23 MR. PHILLIPS: Second.  
 24 MR. GAREAU: Yes. So make me call  
 25 a roll on that. Ms. Vedda?

1 MS. VEDDA: Yes.  
 2 MR. GAREAU: Mr. Phillips?  
 3 MR. PHILLIPS: Yes.  
 4 MR. GAREAU: Ms. Kelly?  
 5 MS. KELLY: Yes.  
 6 MR. GAREAU: Mr. Perez?  
 7 MR. PEREZ: Yes.  
 8 MR. GAREAU: Mr. Gareau? Yes.  
 9 All right. Meeting adjourned at 7:34.  
 10  
 11  
 12  
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 14  
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 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

**C E R T I F I C A T E**

1  
2  
3        I, Mark Williams, a Notary Public within  
4 and for the State of Ohio, do hereby certify that  
5 I attended the foregoing hearing in its entirety,  
6 that I wrote the same in stenotypy, and that this  
7 is a true and correct transcript of my  
8 computer-aided notes.

9        IN WITNESS WHEREOF, I have hereunto set my  
10 hand and seal of office, at Cleveland, Ohio, this  
11 3 day of JULY A.D. 2025.

12  
13  
14  
15        Mark Williams - e-signature  
16 \_\_\_\_\_

17        Mark Williams, Notary Public, State of Ohio  
18        My commission expires May 21, 2027

19  
20  
21  
22  
23  
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