

The Board of Zoning & Appeals met in a Work Session at Bedford City Hall on Tuesday, January 10, 2024, at 6:30 P.M. Present: Kristis Glaiser, Byron Hood, Laura Hulett, and John Trzeciak. Absent: Lynette Speights. Also in attendance: Building Commissioner Michael Greer, Law Director John Montello, and Secretary Tracy Simons.

DEOSOLA LLC AND LAM FOODSERVICE CONSULTING, INC., 115 NORTHFIELD RD., BEDFORD, OH 44146: Mrs. Glaiser inquired as to why this is in from the BZA this evening, it is commercially zoned.

Mrs. Glaiser: If the variance goes through, what will the square footage be, and how many units will there be?

Mr. Polly: It is our understanding that it has been residential and that our agreement is for a variance. We don't want to get bogged down with the grandfather clause to grant the variance. There is capacity for five to six parking spots in the back and three to four parking spots in the front.

Mrs. Glaiser: The property owner has multiple properties in other communities.

Mr. Montello: How many units are in the building?

Mr. Polly: There are two units on the lower level and two units with two to three bedrooms on the upper level.

Mrs. Glaiser: What about the landscaping?

Mr. Polly: There is enough room for barrier landscaping.

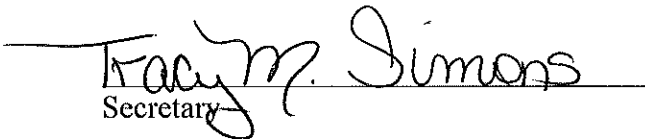
Mr. Hood: They did some work without any permits.

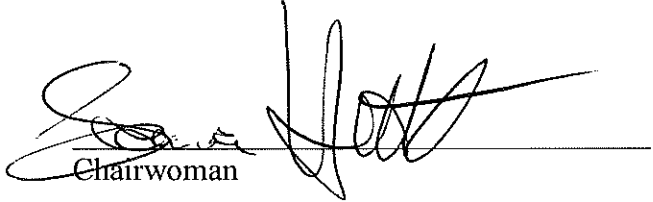
Mr. Greer: This is for an R-2 District.

Mrs. Hulett: The two units upstairs will have either two or three bedrooms.

Mrs. Glaiser: This information was not discussed at the prior meeting.

Work Session adjourned at 6:59 P.M.


Secretary


Chairwoman

Date: May 28, 2024



REGULAR MEETING
MINUTES

BOARD OF ZONING APPEALS
STATE OF OHIO
COUNTY OF CUYAHOGA

DATE: JANUARY 10, 2024
TIME: 7:00 PM

WORKSESSION – 6:30 P.M.

1. CALL TO ORDER
2. ROLL CALL

MOTION:	Motion made by Trzeciak and seconded by Laura Hulett excuse Lynette Speights for this evening's meeting.
MOVER:	John Trzeciak
SECONDER:	Laura Hewlett
RESULT:	[4 TO 0]
YEAS:	Glaiser, Hood, Hulett, Treciak

3. APPROVAL OF MINUTES

- a Approval of Minutes of the Work Session of November 28, 2023

MOTION:	Motion made by Glasier and seconded by John Trzeciak to approve the minutes of the Work Session of November 28, 2023.
MOVER:	Kristi Glasier
SECONDER:	John Trzeciak
RESULT:	Pass [4 TO 0]
YEAS:	Glasier, Hood, Hulett, Trzeciak

- b Approval of Minutes of the Regular Meeting of November 28, 2023

MOTION:	Motion made by Glasier and seconded by John Trzeciak to approve the minutes of the Regular Meeting of November 28, 2023.
MOVER:	Kristi Glasier
SECONDER:	John Trzeciak
RESULT:	Pass [4 TO 0]
YEAS:	Glasier, Hood, Hulett, Trzeciak

4. NEW BUSINESS

- a DEOSOLA LLC AND LAM FOODSERVICE CONSULTING, INC., 115 NORTHFIELD RD., BEDFORD, OH 44146

MOTION:	Motion made by Glasier and seconded by John Trzeciak to approve a conditional approval of the variance for two-bedroom units with
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	the supply plan for construction for the planning review of all work to be permitted..
MOVER:	Kristi Glasier
SECONDER:	John Trzeciak
RESULT:	Pass [4 TO 0]
YEAS:	Glasier, Hood, Hulett, Trzeciak

Mrs. Hewlett: According to a ruling made by the Law Department, anyone wishing to speak at a public meeting must rise. Of course, this is on Zoom, so raise your right hand and take an oath. Do you solemnly swear and affirm that the statements you are about to make are the truth? And then give your name and address for the record, please?

Mrs. Hewlett: Solar LLC and Lam Food Services Consulting, incorporated. 115 Northfield Road, Bedford, Ohio. 44146.

Brandon Polly, 1701 Curtis Road, Upper Arlington, Ohio (on behalf of the applicant): The nature of the application we filed relates to 115 Northfield Rd. We are trying to address two different issues, one being grandfather status and the second being an application for a variance so that we could utilize the property as a multifamily residential, even though right now it is zoned as a B-2 General Commercial. I'll walk through some of the points of our application; the property was built in 1920, and the structure, to our knowledge, has been maintained since its construction as a residential property. Currently, it is divided into four units; on the lower level, there are two one-bedroom units, and on the second level, there are two three-bedroom units on the property. There is the capacity for what we believe 8 to 10 parking spaces, which there are, I believe spaces for, 3 to 4 spaces in front of the building on the North Seal Road side. And then the capacity for, 6 to 7 spaces behind facing the alley. The present zoning is the B2 district. That's the general business district. Some of the permitted use is their hotel motel. Some of the conditional uses include daycare. Part of the reason I bring that up is because our application seeking to utilize the property is residential, even though it is not named as a permitted use under the B-2 code or as a conditional use under the B2 code. It is not totally off the wall as it relates to, you know, individuals inhabiting a structure in that Northfield Road corridor. We are directly adjacent to the heart of the district, which abuts our property on the rear across that alley. I believe, a block or so away from a multifamily residential district. So we are not trying to fit what we believe. A square peg in a round hole. I am asking for you to spot-zone something. This is the residential nature of this property as it existed. Plus, our request to utilize this property in the future is residential. It fits with the nature of the surrounding neighborhood. So what I wanted to do here is just this is a current zoning map, the highlighted area here. This is where our property is located. As you can see, it abuts the residential part of the district in the rear. It is currently situated in the B2 district. The prime argument that we are raising is these conversations started with the city, which was that this was the continuation of a non-conforming use permitted under the code. It's our belief that the

continuation of a nonconforming use has to be voluntary abandonment of that use. I can't speak to the exact history and timing of when this property was, abated for residential use. By whom? And for how long? What I am comfortable, affirming for this board is that there was never an intervening use other than residential. While some conditions of the property had to be addressed by my client to bring it up to a place that he'd be comfortable with renting to tenants, then also to the city for it to be comfortable with under residential use. There was never an attempt to change from residential to commercial. There was never intervening utilization other than residential. So, while it may have been uninhabited for a time, it never changed as it relates to the nature of it being a residential property. And I just highlighted a couple of items in the Ohio revised code. As it relates to nonconforming uses. It does indicate that something has to be voluntary. As far as the discontinuance of a nonconforming use. As part of that, the courts in Ohio have you voluntary to mean there has to be the intention behind it in an intended abandonment of the use. I don't believe my client ever intended to abandon the residential use, and we don't believe that the prior owners ever had any such intention to abandon the use as residential.

Mr. Trzeciak: Is your client an LLC? It's a partnered LLC with LAM service. So these two businesses bought business property. They didn't buy residential property. They bought business property. A business bought business property.

Mr. Polley: Well, so I represent a lot of landlords throughout the state of Ohio. As a landlord, I always advise my clients to buy multifamily residential properties in the name of an entity just because it is an organized business in the state of Ohio that enjoys some protections, such as corporate sales. And some. Yeah, just speaking business. That's why some tax benefits, just because it is an incorporated business does not mean it has to operate a business. Many, like I know, people who have single-family homes now put their homes in an LLC. So, respectfully, I would say that's not totally; that's not uncommon for purchasing multifamily residential properties.

Mr. Trzeciak: Two LLC's combined to buy commercial property, and it changes.

Mr. Polley: There is a single owner, and the name of it is DeSola LLC and LAM Services Incorporated. It's not a tenant and common situation where there are 50% owners. It is one entity that is on the auditor's website and on the recorder's website. I understand how it can be confusing to look at the name. But it is. It is a single LLC, or it is a single corporate entity. I see a business buying business property. That's how I see it. I don't I don't see a residential person buying this property. It's not just one person. It's a combined LLC in partnership with another LLC buying commercial property.

Mr. Montello: Please correct that most people own rental properties, that they are in an LLC, and that it's pretty common. It's not indicative of what type we usually want to use for the property; it's just a legal protection to avoid any liability. There are more LLC's that own property than individuals nowadays.

Mr. Polley: I would say that the purchase of this property was at all times intended to use it in a landlord capacity to rent it out for residential. The grandfathered use I would be happy to discuss this as we move on. The other aspect of our application is seeking a use variance. And as I read for zoning code, this panel is empowered to review and use variances. And as part of the language from the Bedford Code, I wanted to hit some highlights as to, what should be reviewed as it relates to granting a use variance. First, granting will not be contrary to the public interest. We believe there are housing needs across the city of Cleveland and across the suburbs surrounding Cleveland. Having a multi-family, residential structure would meet some of those housing needs and provide more housing available to the public as it relates to where it's located. I touched on the adjacency to residential districts, and we don't believe that this is asking for you to fit something where it shouldn't be. The nature of this property, since its construction again, has been residential. The surrounding neighborhood is predominantly residential. The second point is that literal enforcement of the provisions of this code will result in practical difficulty. This building was built for residential use. It's continuously been used for residential purposes. If you go up and down Northfield Road, a number of the properties on Northfield Road are utilized, either as strictly residential or as some mixed-use, combining commercial and residential. The practical difficulty, effectively, is if this property cannot be utilized for residential, it would likely either have to sit vacant or be totally knocked down, which would result in a total economic loss. And that brings me to the last point where: not granting either the grandfathered status or the use variance would result in unnecessary hardship. It would require a total reconfiguration and redevelopment of the lot and the current structure as it's situated. It's built for residential. That's really the only economic use of the building, at this time, without major, overhaul and major renovations. And to touch on the surrounding area. We believe the following addresses are on Northfield Road. Which are in proximity to 115 Northfield and are utilized for residential use. In some circumstances, like 89 Northfield and 195 Northfield, there is some mixed use. 117 and 119 Northfield Road, 74 and 78 Northfield Road. As recent as this month, we told in apartments.com rental finder showing 74 Northfield Road and then 117 1997 Northfield Road we believe are utilized strictly residential. Now, I'll acknowledge this may not be totally apples to apples. In the event that the city has deemed some of these structures to be a nonconforming use that has been grandfathered in, again, we believe we should have that same status at 115 Northfield, but it also goes to show that the surrounding property, that the surrounding properties, are, you know, if not predominantly, there is a large residential presence on Northfield Road. And to go back to. The properties so you could see and have a visualization of it. Here's a picture of the property, which, again, you know, not speaks for itself. It is built as a residence for residential tenants. So with that, I know we had quite a bit of discussion at our last work session. As I mentioned in the work session, the owner is here to be a good neighbor. The owner owns residential properties throughout Cleveland's suburbs. This would be his first residential property in the city of Bedford. He is a business owner and developer. He has a new commercial facility to support his food-related services business. That's going in the city of Cleveland. He's made an investment in Northeast Ohio. He wants

to continue that investment in northeast Ohio as part of his business presence. He has a name and reputation to uphold. With that, he wants to make his properties. What? Nice to be comfortably inhabitable by his tenants and to have a good relationship with his tenants. Ultimately, as we've already alluded to, we'd be willing to work with the city on the site planning, whether that be a landscaping plan, location of parking, or number of units. Really, what we're hoping to get out of tonight is an affirmation that the city is comfortable with this moving forward as a residential utilization of the property. Then, we would hopefully start to work with the building and planning to get the units up to code and start planning for the site plan, marking parking, marking the landscaping plan, and moving forward cooperatively. [00:22:43][421.3]

Mrs. Glaiser: Mr. Trzeciak Could you speak to the square footage?

Mr. Trzeciak: So the the lot size is 8,047 square feet, 8,047 square feet correct Mr. Greer?

Mr. Greer: Yes.

Mr. Trzeciak: The multi-family codes here support a four-family home of 12,000 square feet, and a three-family home of 11,000 square feet.

Mr. Polley: I thought that was the square footage of the structure.

Mr. Trzeciak: No, it's the square footage of the lot.

Mr. Polley: That's the lot?

Mr. Trzeciak: Yeah, that's on the Cuyahoga County website. Right now, a four-family dwelling needs 12,000 square feet, a 12,000 square-foot lot, to support four families. For three families, it's 11,500 square feet; for two families, it's 10,000 square feet; and for one family, it's 8,400 square feet. So, unfortunately, this property falls short of everything residential.

Mr. Polley: I would look at it as this is continuously being utilized as residential. I think it's within the power of this board to look at the property and deem that a variance on the lot size is appropriate and would benefit the community rather than just having a vacant building or a vacant lot sitting on Northfield Road.

Mr. Montello: I would like to add that even if it were the commercial use, it would still have been proper square footage, you know? I mean, they would need more square footage for commercial uses as well. Including parking issues and that you would have the same issues no matter what you use. If it were commercial, there would be the same issues. The lot size is unique in that it would prohibit even a commercial use if you, so the board would have to grant a variance for even a commercial use that would exist if I'm not mistaken.

Mr. Trzeciak: It's out of the scope of what they're talking about today.

Mr. Montello: But unless it were one business partially, it would still be the square footage issue. So, I mean, the way you look at it, the use of the property is going to raise the same issue. So, to their original use, you want to put their commercial use or no use basically, and you would have to grant variances for two out of the three there.

Mr. Greer: Parking requirements would be regulated and monitored by the usage of the occupant load of the business that's going in. If a bar were to go in, that would be one occupant load that would require certain parking criteria. Should it go to another mercantile, that very well may be a separate. So it's not a one-and-done answer to that.

Mr. Montello: *Just so* we're looking at the same issues easily where you go. That is my point. It's up to the board here whether they have a residential or commercial use, but I don't know if they even find a commercial in there indicating to me that there are a lot of vacancies. I'm not advocating for them. I don't want to see another vacant building or a building that is not usable. We would have the same issues if they were there for commercial use or residential use.

Mrs. Glaiser: Mr. Greer, if we were to grant this variance, would the Planning Commission then discuss that there's going to be four apartments in there? On the bottom, there is one bedroom, and on the top, there are two one-bedroom apartments. On the top floor, there are two two- or three-bedroom apartments. That seems; the Planning Commission would regulate it.

Mr. Greer: I don't know.

Mr. Trzeciak: For planning. How so?

Mrs. Glaiser: How do we know?

Mr. Greer: It looks like there are two on the first floor and two on the second floor.

Mrs. Hewlett: Each unit on the first floor is a one-bedroom, and they're talking about putting a two- or three-unit, two-individual, two- or three-unit apartment on the second floor with two or three bedrooms.

Mr. Greer: And what was the question again?

Mr. Glaiser: Who will regulate that if we say the codified number is 12,000 square feet and they're at 8047 square feet?

Mr. Greer: We're applying a different district's rules to the districts proposed. So I can't answer that.

Mr. Trzeciak: Mr. Polley, what concerns me is you said your client. This is his first

residential purchase for renting.

Mrs. Hewlett: No.

Mr. Polley: He is a landlord, a residential landlord, throughout Northeast Ohio. To clarify what I said, this is his first purchase in the city of Bedford. As it relates to the entity that was purchased, this entity was formed solely for the purchase of this building to utilize as a residential use.

Mr. Trzeciak: What concerns me is he bought it sight unseen. Can you speak on that?

Mr. Polley: As part of my practice, representing landlords, especially when you have properties that are part of foreclosure in multi-unit properties that are part of foreclosure. It is not totally out of the ordinary for, landlords to be purchasing such properties without walking through because they work at the location and the size of the property more so than anything else. You saw a nicely located residential property that had the potential to have four units. And then, knowing how she approaches projects and the resources that he has, he was confident that he'd be able to come in and address any state of disrepair the building might have been in to get it tenant-ready to make it attractive for potential tenants. Two weeks from him.

Mr. Montello: And the question to answer the question before, I mean, if you are push, say granite, but they got to do this, that the other thing, you could do that as well, you know, I mean, it's that sense that that condition. I am sorry again for the phone call, that was the intention I did cause I took all my talk last week, but you could read it on the condition that it's subject to the approval of building and engineering and planning; you are limited to three units rather than four or, you know, you can do whatever you want to. There's at the boss. So, or tonight, whatever you like to do. I'm not saying one way or the other, but you do have control, or you don't have to rely on planning to have your vision. You can say, great, right now, this is what we want to see with this property. So, you know, if you, if you if you were to grant, we only want four units, three units, five years, ten years, whatever. But, then, the parking has to be acceptable subject to an acceptable parking plan by the building. And the engineer is, using what I say in this case subject to approval by fire. The engineer, the building. So if they don't approve it for Planning, and for that matter, they would have to they have to go to the Planning Commission correct, Mr. Greer? One of the plans is to address these issues. Correct. Sometimes you can do it without planning approval if the engineer and the building department and the fire department all agree that that's what they're doing. But it's, but we did say seven to do by planning as well. But what, you know, I suggest whatever you that's what you guys on the bus. So whatever you want to say, it, do. It's up to you.

Mr. Greer: We are limited in what we can do. We can't do anything, not even anything.

Mr. Montello: You can say whatever conditions you want on the property. You can

say granted subject to this, that, or the other; believe it or not, you guys do have that power.

Mr. Polley: Mr. Montello, the only thing I would add, and that's my only suggestion, just because I've worked with municipalities too, in similar language before, is an approval up to a certain number of units subject to review and approval by planning. I understand Mr. Mallis's job is keeping people safe, and looking at this structure; we would be wholly comfortable giving him the final word to ensure that, The utilization of this property, when we get down into the nuts and bolts and walk through the property, look at parking, which may be two units is better than four, maybe three units is better than four. However, at this level, we would cap it up to four and then make it only, subject to Planning Commission review and approval. That's reasonable, and it's up to you guys.

Mr. Montello: You want to do that? I'm not saying do it or not do it; it's not my call, and it sounds like they are willing to be reasonable. You guys could discuss it.

Mr. Greer: We're trying to determine whether we can rezone. Is that within BZA's powers?

Mr. Montello: Yes. they're basically granting a variance, not rezoning it. They are requesting a variance from BZA.

Mrs. Glaiser: As you said it would be one less empty building.

Mrs. Hewlett: I'd rather see an empty building than four apartments in that space; it's my neighborhood, and I know that area very well.

Mrs. Glaiser: What kind of apartments would they be?

Mrs. Hewlett: What kind of apartments would they be? I have no doubt that the applicant is a very nice man. I really enjoyed meeting him, and I have no doubt that he would do a nice job. But that's a real tight quarters for four units, and it makes me wonder who is going to be living there in my neighborhood in that cramped space. I mean, it would be one thing if it was downtown New York City. It's across from a scrap yard.

Mr. Trzeciak: We have good standards in Bedford for living.

Mrs. Hewlett: And I don't want that slipping.

Mr. Greer: *Section 1919 .04* power of the Board Reviewing Variances. Powers. Generally, the board shall have jurisdiction that matters and shall have the specific and general powers provided in this code. Special exceptions and interpretation of the map. The board shall have the power to hear and decide, in accordance with the provisions of this code, requests or applications for special exceptions or for

interpretation of the zoning code or for decisions of other special questions upon which the board is authorized to pass. Special exceptions in addition to permitting the special exceptions hereto specified in this code, the board shall have the authority to permit the following. Nonconforming uses: A nonconforming uses the substitution for a nonconforming use for another nonconforming use with no structural alterations except those required by law.

Mr. Trzeciak: If we grant a variance, it is still a non-conforming building. It cannot support what the client wants to do with it.

Mr. Greer: We're specifically talking about a four-unit building, I understand.

Mrs. Hewlett: Well, does anybody have feelings about saying up to a three-unit building instead of the four?

Mr. Trzeciak: It's not on the application.

Mr. Greer: Yeah, but what Mr. Montello was saying is that we could put that sort of a condition. Granted, with the condition, that's the limitation.

Mr. Polley: I'll add from the applicant's perspective, if it were to be approved, up to three.

Mr. Hood: Up to this point ahead, and go through the proper channels in terms of making what upgrades and repairs thus far. So how are we going to ensure or monitor, what modifications they're going to make to make it, what? Reduce it from three to 4 to 2. And then are they going to come? Are they going to submit a plan in front of a planning commission or come back to us to say, okay, this is what we're now presenting to make it more palatable to us than acceptable? So like you said, there's not an overcrowding situation in terms of, you know, I agree with what you're saying. I don't want people in tight quarters. Just because they can do it, but mean people should it like that. So that's kind of where I am. I want to make sure it is going to be done. There's some oversight of whether we plan or not to do whatever it is, and we have to be held accountable for that.

Mr. Trzeciak: Right now they have a nonconforming lot that they want us to return to residential. It's a nonconforming building.

Mr. Montello: Your decision is an order that they have to follow.

Mr. Trzeciak: Mr. Greer, they have a nonconforming lot that's currently zoned for commercial, but they want it to be residential.

Mr. Greer: They have an existing lot that's not non-conforming.

Mr. Trzeciak: It's nonconforming for what they want to do with it.

Mrs. Hewlett: It's inconsistent what they want to do with it.

Mr. Trzeciak: But if it does get rezoned residential now, the building is nonconforming to what they want to do with it.

Mr. Greer: Correct.

Mr. Hood: The square footage doesn't meet the requirements for a four-family.

Mr. Trzeciak: Or a 3 or a 2 or 1.

Mr. Greer: That's correct.

Mrs. Glaiser: Question about the square footage, and I don't want to have an empty building either, but whenever we ask about the square footage for things, I mean, that's a significant difference. If in a residential area, we want, you know, a four or a family to be 12,000, and this is only 8,047. How do we determine the limitations? I understand that this is a unique case, but I don't know how we determine what those considerations are.

Mr. Greer: It's our judgment as the board. You're getting some guidance from the R-4 code.

Mr. Montello: Is square footage the size of the lot, or is it the size of the units? Are the units big enough to house, or is it the size of the lot?

Mrs. Glaiser: The lot is 8,047.

Mr. Montello: But the units themselves can house a certain number of people?

Mr. Trzeciak: The square footage of each floor of the building is 16 something, that's less than seventeen hundred.

Mr. Montello: Could it support four units if the lot was big enough?

Mr. Trzeciak: Possibly, I don't have the dimensions of the actual units themselves.

Mr. Montello: If they comply with a unit size other than a lot size, how many units were in support without having to ask for a variance? Would it support four units?

Mrs. Glaiser: Do you divide it by two; then it'd be 800 square feet? Would the apartments be 800 square feet?

Mr. Montello: I don't really know, to be honest with you.

Mr. Polley: I believe 1,600 square feet of livable space on each floor.

Mr. Trzeciak: So it would be 800 square feet for each apartment.

Mrs. Glaiser: I believe there is an equal size four equal-sized units, but then the bedrooms on the second floor are smaller.

Mr. Trzeciak: Are you saying the second floor or the third floor?

Mr. Polley: It's only two floors. There's the first floor of the second floor.

Mr. Trzeciak: I'm looking at a set of windows on your peak for a third floor.

Mr. Polley: I think that's like an attic space.

Mr. Trzeciak: So in 800 square feet, you could get three bedrooms. No, not even two bedrooms.

Mr. Hood: Because we're talking about bedrooms, but where people go to the bathroom, what is their kitchen space? What's the means of ingress and egress? I need to see this type of thing. Because what if there's a fire? I need to know how it reaches the proportions. And this way, the people in this tight area. How are people going to maneuver in this area, in this structure? These are the things that I need to see graphically. And I don't have that except for the picture of the dwelling itself.

Mr. Trzeciak: So I put that as a stipulation.

Mr. Hood: So then that directly acquired, if we're going to do it with stipulations that I would like to see that as part.

Mr. Greer: I can do that.

Mrs. Hewlett: It's a difficult call.

Mrs. Glaiser: I'm thinking about the quality of life in Bedford. Like, I don't want to have to live as I did in the dorms and in the little apartments that I lived in as well.

Mr. Greer: I have a history of a listing on Redfin; this was listed as a four-unit building. I have another listing here that shows it as a single-family. These were all passed in the years past, so the gentleman's purchase of the site was listed as a four-unit building.

Mrs. Glaiser: But he's done repairs, so now he has four units in it, correct? It's like there are four actual units in it.

Mr. Polley: There has been no alteration of the walls of the structure. To date, what he

has done, again, in communication with the city at all steps, was to address the mechanicals of the building. So, to get water lines and electrical, he stopped work once this issue arose, the issue being the use. So if there is a potential for this lot not being utilized ever, being a vacant home that eventually has to get torn down for who knows what. If there is a conditional granting or granting with conditions that are no more than three units, say, and then kick into planning so that Mr. Mallis's team can do their job to ensure that the safety of the residents meets the criteria that the city has for that. We would be totally happy and work with the city in lockstep, to to make that happen. But if the alternative is that the vote, there's just no way that there's any use ever that's going to be agreeable to this lot. That's that's a tough pill to swallow. I mean, because the talk about the lot size, it doesn't right now, as I understand it, we couldn't even, utilize this building for a commercial use without running into the same exact questions. And so, as it stands, if we were able to get approval with conditions to at least let us go through the planning process to say, you know what this is suited for one bedroom on all four floors as opposed to two bedrooms on the second floor. We would be happy to do so. The only reason I said 2 to 3-bedroom units is because that's how it was configured when we purchased the property. We have no interest in cramming a bunch of tenants into having an unhappy living experience. As I said, our client has a reputation in Northeast Ohio. He's not a slumlord. He puts his name, as you see, with his presence at the last planning session. He speaks passionately about his commitment to the area, to northeast Ohio. He has long-term investments in progress, and the concept of doing something cooperatively to make the city proud and happy at what sits at 115 Northfield, I think, is important to him. And just from my experience in dealing with similar situations and difficult discussions with boards, there is a mechanism to approve this with conditions and let the process play out from a planning perspective as well.

Mrs. Glaiser: What conditions would you need?

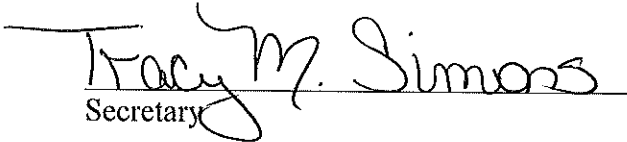
Mr. Montello: Mr. Polley, why don't you tell us your bottom line so they can maybe accept it or not?

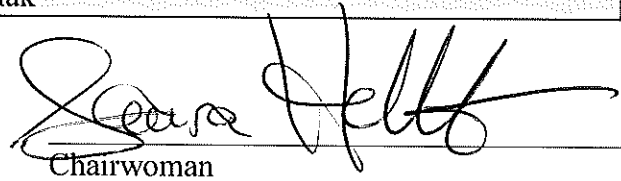
Mr. Polley: If we were to approve it with up to three units, then our team would start working with Mr. Mallis's team as it relates to the design because there is going to have to be some construction work that goes on. If the city thinks about whether it's safety, whether it's parking, or whatever the situation may be, we can then work within the parameters that you all set up three units and then build out the units so that the city planning can put a certificate of occupancy on each of the units. Maybe at the end of the day, it ends up that we do two units, one for each side of the building. But I think doing up to three would alleviate some of your concerns that we would be cramming a bunch of individuals in four units in this space. It would leave some flexibility for the design concepts, and then it would also empower Mr. Mallis to determine safety issues and occupancy issues.

5. MISCELLANEOUS

6. ADJOURNMENT

MOTION:	Motion made by Glasier and seconded by John Trzeciak to adjourn the meeting at 7:59 P.M..
MOVER:	Kristi Glasier
SECONDER:	John Trzeciak
RESULT:	Pass [4 TO 0]
YEAS:	Glasier, Hood, Hulett, Trzeciak


Secretary


Chairwoman

Date: May 28, 2024