

1 STATE OF OHIO
2 COUNTY OF TRUMBULL
3 LORDSTOWN VILLAGE PLANNING COMMISSION MEETING
4 Monday, November 10, 2025, AT 6:30 P.M.

5
6 IN RE:

7 1. Proposed Replat on Pleasant Valley involving
8 Dirando parcels at 2860 Pleasant Valley and Parcel
9 45-903847.

10 APPEARANCES:

11 Lordstown Village Planning Commission
12 Jackie Woodward, Mayor
13 Richard Rook, Chairperson
14 Bob Shaffer, Commission Member
15 Robert Bond, Commission Member
16 Rose Saborse, Vice Chairperson
17 Matthew Ries, Solicitor
18 Kellie Bordner, Planning & Zoning Administrator
19 Dustin Hajnosz, Assistant Planning & Zoning
20 Administrator

21 ALSO PRESENT:

22 Laurie & Tom Czoka
23 Morgan Barnes
24 Georgeann & Michael Dirando
25 Jiryes Rafidi
Andrew Kish
Cindy Wilk
Mark McGrail
Windi Kresic

26 PLACE: Lordstown Administration Building
27 1455 Salt Springs Rd.
28 Lordstown, Ohio 44481

29 REPORTER: CHASTITY FEEZLE, RPR, CRR

1 PROCEEDINGS OF THE LORDSTOWN VILLAGE PLANNING
2 COMMISSION MEETING:

3
4 (WHEREAS, the meeting before the Lordstown Village
5 Planning Commission commenced on Monday, November 10,
6 2025, at 6:30 p.m. and proceedings were as follows:)

7
8 MR. ROOK: Welcome to the Lordstown
9 Planning Commission meeting for this evening. Would you
10 join me in the pledge of allegiance.

11 (Pledge of Allegiance)

12 MR. ROOK: Dustin, would you do a roll
13 call, please?

14 MR. HAJNOSZ: Yes, sir. Mr. Bond?

15 MR. BOND: Here.

16 MR. HAJNOSZ: Ms. Bordner?

17 MS. BORDNER: Present.

18 MR. HAJNOSZ: Ms. Saborse?

19 MS. SABORSE: Here.

20 MR. HAJNOSZ: Mayor Woodward?

21 MAYOR WOODWARD: Here.

22 MR. HAJNOSZ: Mr. Shaffer?

23 MR. SHAFFER: Here.

24 MR. HAJNOSZ: Solicitor Ries?

25 MR. RIES: Here.

1 MR. HAJNOSZ: Dustin Hajnosz, present.

2 And Mr. Rook?

3 MR. ROOK: Here.

4 Okay. Can I have a motion for approval of
5 tonight's agenda?

6 MS. SABORSE: I'll make a motion.

7 MR. BOND: So moved.

8 MR. ROOK: Motion by Ms. Saborse and
9 Mr. Bond second. All in favor?

10 THE COMMISSION: Aye.

11 MR. ROOK: Opposed?

12 (NO RESPONSE FROM THE COMMISSION.)

13 (VOICE VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

14 MR. ROOK: Okay. That passes. We have
15 approval for two minutes tonight. So a motion for the
16 September 8th, 2025 regular meeting?

17 MR. SHAFFER: I'll make the motion.

18 MR. ROOK: Motion by Mr. Shaffer. Second?

19 MAYOR WOODWARD: I'll second.

20 MR. ROOK: Second by the Mayor. All in
21 favor?

22 THE COMMISSION: Aye.

23 MR. ROOK: Opposed?

24 MR. BOND: Abstain. I was not present at
25 that meeting.

1 (VOICE VOTE: 4, AYE; 0, NAY; 1, ABSTAINED.)

2 MR. ROOK: Okay. So that passes also.

3 Also now a motion for the September 16th special
4 meeting.

5 MR. SHAFFER: I'll make the motion.

6 MR. ROOK: Mr. Shaffer, motion. Second?

7 MAYOR WOODWARD: I'll second.

8 MR. ROOK: All in favor?

9 THE COMMISSION: Aye.

10 MR. ROOK: Opposed?

11 (NO RESPONSE FROM THE COMMISSION.)

12 (VOICE VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

13 MR. ROOK: That passes also. Okay.

14 Moving on. Planning and Zoning Administrator's report.

15 MS. BORDNER: No report, Mr. Chairman.

16 MR. ROOK: Do we have a solicitor's
17 report?

18 MR. RIES: No report, Mr. Chairman.

19 MR. ROOK: Correspondence, Dustin?

20 MR. HAJNOSZ: Yes, I do. I have a letter
21 from the Dirandos which was made a part of your packets
22 and reads as follows; this was on October 6th, 2025:

23 To whom it may concern. We, Mr. and Mrs. Michael
24 Dirando, are asking for a replat of our land for more
25 yard space so in the future to possibly build a pole

1 barn for storage. Thank you, Mr. and Mrs. Dirando.
2 330-978-6160. 2860 Pleasant Valley Drive Southwest,
3 Warren, Ohio 44481.

4 The planning and zoning office has also received
5 two telephone calls from the following residents: On
6 October 16, 2025, Gilbert Garcia of 2841 Silver Fox
7 called to say that he purchased in 2024, was aware of
8 plat restrictions, and he believes that they should be
9 followed.

10 And then we received another phone call on
11 October 17th, 2025 from Andrew Kish, and when it's time,
12 Mr. Kish is going to speak on that.

13 MR. ROOK: Okay.

14 MR. HAJNOSZ: That's all I have for you,
15 Mr. Rook.

16 MR. ROOK: Okay. Old business,
17 Mr. Dustin?

18 MR. HAJNOSZ: None.

19 MR. ROOK: All right. Moving on to the
20 new business for this evening. A proposed replat on
21 Pleasant Valley involving the Dirandos' parcel at 2860
22 Pleasant Valley and parcel 45-903847.

23 Mr. Solicitor Ries?

24 MR. RIES: Thank you. At the October 11,
25 2022 planning commission meeting, Mike and Georgeann

1 Dirando presented for a proposed replat involving their
2 residence at 2860 Pleasant Valley Drive, Parcel No.
3 45-903042 which has a 4,000 square foot single-family
4 dwelling, and an adjacent vacant Parcel No. 45-903847
5 which is Lot 8A in this platted subdivision for Pleasant
6 Valley Estates. Because both parcels are pie shaped,
7 offering limited rear yard usage space, the Dirandos
8 determined that it would be better to combine and replat
9 their two parcels and build a detached garage/pole barn
10 on the vacant Lot 8A. There was a question posed as to
11 the impact of any plat restrictions on Lot 8A.

12 Reading from an agreement to modify plat
13 restrictions for Lordstown Pleasant Valley Estates IV
14 which were recorded with the county on August 31st,
15 2009, there is a paragraph that states, "The agreement
16 to terminate plat restrictions does not apply to
17 unsigned Lot 10A of this petition and unsold Lots 8A,
18 11, and 12. The restrictions and amendments continue to
19 apply to Lots 8A, 10A, 11 and 12."

20 This agreement applies to plat restrictions for
21 Pleasant Valley Estates IV dated November 28th, 1979 and
22 recorded November 30th, 1979 which states, in part, that
23 the, "main dwelling must be constructed before the
24 erection of any secondary building, and no structure of
25 a temporary character, trailer, basement, tent, shack,

1 garage, barn, or other outbuildings shall be used on any
2 lot at any time as a residence, either temporarily or
3 permanently."

4 At the time, it was determined that these
5 restrictions remained in place and were not waived for
6 Lot 8A as set forth in the agreement to modify plat
7 restrictions from August 31st, 2009. Therefore, Mr. and
8 Mrs. Dirando needed to secure signatures from 60 percent
9 of the owners of the lots in this platted subdivision to
10 waive these requirements as set forth in paragraph 15 of
11 the plat restrictions for Pleasant Valley Estates IV.

12 However, after careful review of additional
13 documentation, it was determined that the agreement to
14 modify plat restrictions from August 2009 contained
15 several errors, as the plat restrictions it was
16 modifying did not apply to Lot 8A in the first place and
17 Lot 8A should not have been referenced in this
18 agreement.

19 Rather, Lot 8A is governed by the plat restrictions
20 for Pleasant Valley Estates III dated August 15, 1979
21 and recorded August 16th, 1979. According to an
22 agreement determining plat restrictions for Pleasant
23 Valley Estates III filed November 8, 2004, the property
24 owners agreed to terminate those plat restrictions.
25 Assuming this agreement was validly executed by a

1 majority of property owners in Pleasant Valley Estates
2 III and the plat restrictions were recognized as
3 terminated, those restrictions no longer existed for Lot
4 8A as of November 8, 2004. The 2009 modification
5 agreement modifies a different set of plat restrictions
6 that never applied to Lot 8A in the first place and
7 could not therefore have any legal effect on the plat
8 restrictions or termination thereof for Lot 8A.

9 This is based on my review. I'm aware of the
10 planning and zoning office disagrees with me on this.
11 I'm also aware that my predecessor, Paul Dutton,
12 disagreed with me on this. But I don't believe that all
13 of the documents included in the 2004 termination were
14 considered. And frankly, this is the result of just
15 some poor drafting over the years of all of these -- all
16 of these terminations and restrictions.

17 There are wrong dates mentioned throughout the
18 agreements, references to lots in the restrictions that
19 don't actually apply. So this was not an easy thing to
20 recreate and put back together. But that is my opinion
21 as I sit here today.

22 MR. ROOK: Okay.

23 MR. RIES: I will say there is another
24 restriction that applies to both of -- both Pleasant
25 Valley Estates III and IV from 1988, and that pertains

1 to garages as well in terms of the aesthetics and how
2 they must appear. But it doesn't contain those original
3 restrictions that upheld this proposal for the replat.
4 I haven't seen anywhere where those 1988 restrictions
5 have been terminated, so this would still apply for the
6 construction of the garage.

7 MR. ROOK: Okay. Member comments?

8 MR. SHAFFER: So, Solicitor, in your
9 opinion, the restrictions for III and IV just got
10 confused and mixed up?

11 MR. RIES: I believe, yeah. There's --

12 MR. SHAFFER: So it was released from the
13 restrictions for Pleasant Valley Estates III?

14 MR. RIES: Yes. Yes. And again, Lot 8A
15 is part of Pleasant Valley Estates. And the property
16 owners for Lot 8A signed off on the termination. It was
17 never part of the second for part IV. It wasn't --
18 those restrictions are two completely separate
19 restrictions that I believe are getting confused.

20 MAYOR WOODWARD: Okay. So it was
21 incorrectly included in the restrictions for IV, but it
22 shouldn't have been; am I reading that right?

23 MR. RIES: Right.

24 MAYOR WOODWARD: Okay.

25 MR. ROOK: But it does specifically

1 mention 8A in those restrictions.

2 MR. RIES: In the 2009 agreement to modify
3 the restrictions, yes, it specifically mentions Lot 8A.
4 But the problem is Lot 8A was never subject to those
5 restrictions.

6 MR. ROOK: The other question that I had,
7 down in the bottom part of your statement in regard to
8 the termination of the restrictions of plat III, you
9 said "assuming the agreement was validly executed." Is
10 there any way to be able to tell whether that's true or
11 not?

12 MR. RIES: No. I reviewed the
13 termination. I mean, there are -- a majority of the
14 people did sign it, and they're notarized signatures.
15 So, I mean, you know, that's more of a hypothetical if
16 somebody were to go back and challenge that that was not
17 a valid termination. But I don't have any reason to
18 believe that they weren't valid signatures.

19 MR. ROOK: So you have the best proof
20 available that it's valid?

21 MR. RIES: Yes.

22 MR. ROOK: Any other comments, questions?
23 How about Mr. and Mrs. Dirando, do you want to make any
24 comments?

25 MRS. DIRANDO: No.

1 MR. ROOK: No? Okay. Then at this point
2 I guess we're at public comments. Nobody from the
3 public wants to say anything either? Okay.

4 Oh, I'm sorry. Go ahead. Please state your name
5 and address.

6 MS. WILK: Cindy Wilk, 2861 Silver Fox. I
7 just wanted to provide some clarification on the
8 restrictions. So I purchased my lot in 2008, and at
9 that time the deed restrictions were attached to the
10 title search. I had to build my house according to
11 2008 -- or the document you mentioned, the amendment
12 that you said does still pertain to 8A, I had to build
13 according to those restrictions.

14 In 2008, I initiated the termination of the
15 restrictions because we realized -- if you notice, all
16 of the same residents signed in 2004 and 2008 except for
17 myself, because I was the latest person to build. We at
18 that time realized that the undeveloped lots, such as
19 the Kishes' lot and 8A, were not mentioned in there.
20 And we wanted to ensure that those undeveloped lots had
21 to build according to those restrictions. So that is
22 why we did the amendment.

23 And you can see a lot of the same people are on
24 both. So that is what the intention was, to get rid of
25 the original 1978 document but keep the new addendum

1 that said the building of any new structures had to
2 follow that, including any outbuildings need to match in
3 structure and material to the existing house. So that
4 is what we want to maintain.

5 MR. ROOK: Okay. Thank you. Anyone else?

6 MR. SHAFFER: I have a question real
7 quick.

8 MR. ROOK: Okay.

9 MR. SHAFFER: She mentioned deed
10 restrictions. Well, deed restrictions are completely
11 different than plat restrictions, aren't they?

12 MR. RIES: They are. She may have been, I
13 don't know, interchanging the two. But, yeah, these are
14 plat restrictions for the whole -- you know, for the
15 whole subdivision.

16 MS. WILK: They were attached to my title,
17 if that means anything.

18 MR. ROOK: Probably have both attached.

19 MR. RIES: Yeah.

20 MR. ROOK: Go ahead.

21 MRS. DIRANDO: Georgeann Dirando, 2860
22 Pleasant Valley Drive.

23 In retrospect, I know that we purchased the house,
24 that -- no restrictions came with us when we actually
25 purchased the house, deed restrictions came. They came

1 later after we had previously asked for a replat. Then
2 that's when I went and got my own attorney, and then we
3 had a little break, and here we are today.

4 However, with the addendum in 1988 where it says
5 you have to have your pole barn match your home, if you
6 go through all of Pleasant Valley, not every pole barn
7 in Pleasant Valley matches their home. So therefore,
8 that would be another issue that would have to be
9 brought forward, because I'm being told all of Pleasant
10 Valley and Silver Fox, that whole area just has to go by
11 zoning's rules and regulations. Because it is all out
12 of whack.

13 So with that being said, there is not even anything
14 that we need to follow when it comes to construction of
15 the pole barn or however about matching the home. Are
16 we going to match our house? Absolutely, probably the
17 front facade, something like Mrs. Wilk had. But for
18 sake of argument, nobody who has pole barns back there
19 actually besides Ms. Wilk matches their home. You're
20 more than welcome to drive through and take a look.

21 MS. WILK: Actually, anything built after
22 1988 does match. If you look at Bukovina's, it matches.
23 I think we're the only two that -- and Kish's matches.
24 So anything built after '88, you're talking about
25 Pleasant Valley before it got to where the deed

1 restrictions actually started.

2 MRS. DIRANDO: Needless to say, there are
3 no deed restrictions. So we need to stop saying deed
4 restrictions, because there are none.

5 MR. ROOK: The deed restrictions didn't
6 come with the lot when you bought it?

7 MS. BORDNER: There are no deed
8 restrictions. Mrs. Dirando's absolutely correct. There
9 are no deed restrictions that apply to any of these
10 parcels in this subdivision. They are plat
11 restrictions, and that is very different.

12 The planning and zoning office does not enforce any
13 deed restrictions. That's something totally separate
14 from anything that we do. However, we have been advised
15 by the solicitor that if it's a plat restriction, that
16 we do have to count that in. If it's something that
17 applies to when a resident wants to build a structure or
18 whatever, if there's a particular plat restriction that
19 applies to the building of that structure, then we have
20 to consider that in amongst our other zoning
21 requirements, not that the planning and zoning office
22 establishes those requirements. Let's be very clear
23 again about that.

24 We have a set of Lordstown Codified Ordinances that
25 we have to follow, and that is what we do. So those

1 would be, for example, if someone wanted to build an
2 accessory structure, that accessory structure cannot be
3 any closer to the street than the front line of the
4 single-family dwelling. They have to be 10 feet off the
5 side property lines, 10 feet off the back property line.
6 It has to be, again, back far enough off the front
7 property line so that it is not equal with the front of
8 the house but behind that front line of the house.

9 You have to have -- and depending on if you're
10 going to do -- how much land you have, if you have a
11 16-and-a-half-foot peak on an accessory structure, then
12 you have to be 10 feet off the property line, so I do
13 want to clarify that. If it is above 16 and a half
14 feet, you have to be 25 feet off that property line.
15 So, I mean, those are some of the rules and regulations
16 that we have to follow.

17 It's not as though we try to be difficult with
18 residents. We have to explain to them that these are
19 the zoning regulations and codes that we have to follow.

20 MR. ROOK: Yes, sir?

21 MR. KISH: Andy Kish. I live at 2830
22 Silver Fox Drive. Reiterating what Kelly Bordner just
23 said: When we built our house in 2016, we combined both
24 of our lots, and both lots still have the plat
25 restrictions on them. When we built later, we put a

1 pole barn -- or a shed up, whatever, in the back, and it
2 matches the siding, the shingles, everything, the trim
3 around the front windows on that building, everything
4 matches. It sits behind the house, and it sits 35 feet
5 off property lines. Everything abides by these plat
6 restrictions.

7 MR. ROOK: So the pole building that you
8 built is not on the additional lot that you purchased?

9 MS. BORDNER: He combined them.

10 MR. KISH: We combined the lots, but it
11 stayed on the single -- the second lot that we combined
12 with has nothing on it but trees.

13 MR. ROOK: So that's what we're doing here
14 is combining lots, right?

15 MS. BORDNER: It's not. Mr. Kish had to
16 go through a replat as well. But he had plat
17 restrictions that applied.

18 MR. KISH: And I still have them. Both
19 lots had plat restrictions when I put them together, so
20 it didn't change nothing with anything that had to do
21 with that. Where theirs, one lot does, one lot doesn't.
22 It's going to affect how it's --

23 MS. BORDNER: Let me be very clear about
24 Mr. Kish. Mr. Kish followed all of the zoning code
25 rules and regulations, as well as the plat restrictions.

1 MAYOR WOODWARD: Is his property subject
2 to IV or III? Do we know?

3 MR. KISH: I don't know which one.

4 MR. RIES: Do you know what your lot
5 numbers are?

6 MR. KISH: It's 13 or something, I think.
7 Is that what it is? 12 or 13.

8 MS. BORDNER: It was originally -- it's in
9 the 2009 -- his parcels were identified in the 2009
10 document that is being indicated does not apply, or no
11 longer applies. It's one of -- his was I believe --
12 Andy, help me. I believe it was 11 and 12.

13 MR. KISH: Yeah, I was gonna say, I think
14 12 was one of them.

15 MR. RIES: So 11 and 12 are part of the
16 November 1979 restrictions for Pleasant Valley Estates
17 IV. Just as Mrs. Wilk's, it looks like her lot is 23,
18 that's also part of the Pleasant Valley Estates IV. So
19 that makes sense. Those were never terminated. Those
20 weren't part of the 2004 termination where their lots
21 were terminated. They're part of the second set of
22 restrictions that were modified, not terminated.

23 MAYOR WOODWARD: Now, are the restrictions
24 just -- like, are we just saying they can't combine the
25 parcels unless they have signatures? That's the only

1 restriction? That's the restriction in question?

2 MRS. DIRANDO: No, that's under a deed
3 restriction, that, and that doesn't apply.

4 MAYOR WOODWARD: So is the restriction
5 that they can't build anything -- I guess what I'm
6 trying to ask is, like, we keep saying that there's
7 restrictions, but I don't know what the -- what
8 restriction are we talking about exactly that is
9 preventing them from combining? I mean, does it
10 literally say in there --

11 MRS. DIRANDO: There isn't any. We're
12 doing a replat. That's all we're simply doing is a
13 replat, just like previous. There is no restrictions
14 for a replat, and there's no deed restrictions.

15 MAYOR WOODWARD: The restriction is that
16 they're not allowed to replat?

17 MR. RIES: No. The restriction -- and
18 Kellie, correct me if I'm wrong -- the restriction as I
19 understand it is that the main dwelling must be
20 constructed first before the garage. And what they're
21 proposing is they want to do a replat in order to put a
22 garage on Lot 8A. And that came down to, well, wait a
23 minute, you would have to build a house on Lot 8A first
24 and then do the garage under this restriction if they
25 apply.

1 MAYOR WOODWARD: Okay.

2 MR. ROOK: But since it doesn't apply now,
3 they can go ahead and build the garage on that lot,
4 correct?

5 MRS. DIRANDO: Correct. Right.

6 MR. ROOK: That's what's already been
7 done.

8 MRS. DIRANDO: Correct.

9 MS. BORDNER: And are you saying,
10 Solicitor Ries, that those restrictions still apply? I
11 need to know that for my office. So if they go to build
12 a pole barn, which is what they've indicated they want
13 to do -- obviously they understand, they know that they
14 have to follow the zoning regulations.

15 MRS. DIRANDO: Absolutely.

16 MS. BORDNER: They don't have a problem
17 with doing that. But my question is, for the purposes
18 of our office, are you then saying that there are plat
19 restrictions or not plat restrictions that apply to the
20 building of that accessory structure? And if you're
21 saying there are, then I need to know what they are,
22 because when they come in, I don't want it to be an
23 argument between my office and them.

24 I'm not trying to restrict them to do anything.
25 That's what this board is for. And you guys need to be

1 very clear about whether there are or are not
2 restrictions relative to that accessory structure.

3 MR. RIES: So there was subsequent
4 restrictions from 1988 that apply to both III and IV
5 before anything was terminated. And it specifically
6 addresses garages, and it says, "Any unattached garages
7 shall not exceed the height of the dwelling house, and
8 minimum size of said unattached garage will be 12 by 24
9 and must conform in appearance to the main dwelling in
10 style and building material." I have not seen anywhere
11 where these 1988 restrictions were terminated.

12 MS. BORDNER: So then they would have to
13 prove to the zoning office that they can meet those
14 restrictions.

15 MR. RIES: Yes.

16 MS. BORDNER: Thank you.

17 MRS. DIRANDO: May I rebuttal that? In
18 the restrictions it also does state after 25 years,
19 those are null and void for plat restrictions because of
20 time lapse and people not keeping up with it. Those are
21 null and void per my attorney. So we have to revisit
22 that as well.

23 But regardless, for sake of argument, we're going
24 to replat, but we are going to have our pole barn, the
25 facade, match the house, and we are not right now going

1 to be putting anything on the lot. It's just gonna be a
2 lot.

3 MR. RIES: Okay. I don't see that
4 language in the 1988 restrictions, but --

5 MS. BORDNER: Well, and I guess my
6 question would be, would those restrictions -- please,
7 no offense, Mr. and Mrs. Dirando. I'm just trying to
8 understand as well. I just want to make sure. So would
9 it be okay if they just made their facade, which is
10 that -- I mean, meaning the front of it, then, if I'm
11 understanding correctly what facade means, according to
12 what you're saying, would be the front of it matching
13 the materials that their house was built with, you know,
14 to match the appearance and materials from the original
15 single-family dwelling on their parcel? If this is
16 replatted and combined, then is it okay if they just
17 have their facade match that, or does it have to be the
18 entire structure?

19 MR. RIES: I mean, it's subjective. It
20 says, "must conform in appearance." So, you know, that
21 would be up to this group to look at pictures and decide
22 if that's going to conform in appearance.

23 MS. BORDNER: So would they have to come
24 back then if they want to build a pole barn? Are we
25 suggesting that they need to come back to the planning

1 commission?

2 MAYOR WOODWARD: Yeah. Who governs what
3 that looks like in the end?

4 MR. RIES: I mean, it would be us,
5 because, I mean, these are the -- these are the
6 restrictions. So we would want to make sure that we're
7 enforcing these restrictions.

8 MR. ROOK: They have to do it to plat
9 restrictions when they build the barn. That's as simple
10 as it gets.

11 MR. RIES: The 1988 restrictions, yes, but
12 not the 19- -- not the August 1979 ones. Those were
13 terminated.

14 MR. ROOK: Okay. Any other public
15 comments?

16 MS. WILK: I was just going to comment in
17 response to Mrs. Dirando saying 25 years. Well, our 20-
18 -- or 2008 document said that the -- they still apply to
19 that lot. So that's kind of been updated more recently
20 in 2008.

21 MRS. DIRANDO: But those were under deed
22 restrictions. There's no deed restrictions back there
23 in that whole development. These are replats, and
24 they're talking about plat restrictions. There's a
25 difference. And when looking at that now, now today,

1 you have to take the whole Pleasant Valley I, II, and
2 III, even the top end where Mr. Rafidi lives at, or even
3 signatures, and take all that into account now. One,
4 because it's been so long, 39, 37-plus years. In those
5 deed restrictions, it says they're all null and void
6 after 25, if you wanted to go by your deed restrictions,
7 even though there is none. But, I mean, that's where we
8 are now. But your pole barn, we love. We want ours to
9 look like your pole barn.

10 MS. WILK: That's what I want, too.
11 That's all I'm asking. I think that's all we care about
12 is they look like the --

13 (Simultaneous crosstalk)

14 MAYOR WOODWARD: Wait. Wait. Only one
15 person can talk at a time. She's trying to record.

16 MR. DIRANDO: Whatever the building will
17 be will look like the facade of our home.

18 MRS. DIRANDO: The front. Because I think
19 we are brick on the front and vinyl on the side.

20 MS. WILK: But you can't see it from the
21 road. That's the problem with the location of their lot
22 is you're going to see the side of the building.

23 MRS. DIRANDO: We're putting it behind our
24 house.

25 MS. WILK: Behind your house?

1 MRS. DIRANDO: Yeah. We don't want it on
2 the side. It's too far back to walk.

3 MR. ROOK: You're really confusing me.

4 MR. DIRANDO: The whole reason we're
5 making this here a lot more land is to give us the
6 percentage of land we need in order to put the building
7 behind our home. The lot, we plan on staying clear. I
8 wasn't sure if you guys understood that.

9 (Simultaneous crosstalk)

10 MR. ROOK: Don't talk to each other.
11 Address the board up here.

12 MR. DIRANDO: Yeah. It's going behind our
13 home. That's where we want it. But we don't have
14 enough land percentage-wise in order to do it. That's
15 why we want to get all this land as one to up our
16 percentage.

17 MS. BORDNER: Let me explain. So another
18 rule -- and, again, not the planning and zoning office's
19 rule, it's in the Lordstown Codified Ordinances. So one
20 of the zoning requirements is that you may only use
21 10 percent of your rear yard.

22 MR. DIRANDO: Right.

23 MS. BORDNER: So because their lot is pie
24 shaped, it's very difficult. They actually had a survey
25 done, which made it much easier for my office to be able

1 to understand exactly how much year yard that they do
2 have available. And they have a pool, and then I think
3 a small shed back there?

4 MRS. DIRANDO: A dog kennel, yes.

5 MS. BORDNER: And so there are some
6 structures that exist on there. And those square
7 footages count when it comes to how much do you have in
8 your rear yard usage allowance. And you can't go over
9 that 10 percent. So that was the problem that they were
10 encountering was that they did not have enough rear yard
11 usage allowance to be able to build anything back there.

12 MR. ROOK: So that's the only problem, not
13 having enough -- if they build it behind the house
14 and --

15 MS. BORDNER: If they build it behind the
16 house, that was --

17 MR. ROOK: And it looks like the front of
18 the house, they're good.

19 MR. DIRANDO: The front of the building
20 will look like the front of our house. And then we have
21 all that land on the side of us to take up the
22 percentage that we need.

23 MRS. DIRANDO: To put it in the back.

24 MR. DIRANDO: So we're switching
25 basically.

1 MR. ROOK: The only question I would have
2 is if we approve this, can they change their mind and
3 put the building over on the new lot that they have?

4 MR. RIES: Yeah, it's not a -- there's not
5 a restriction that prevents that.

6 MS. BORDNER: There is not.

7 MR. RIES: Because that was our original
8 understanding is they were going to put that only on Lot
9 8A, and I was saying I don't see that restriction in
10 place anymore.

11 MR. HAJNOSZ: The only thing about putting
12 it in the back is just abiding by those setback
13 requirements. With that being pie shaped, it's more of
14 a difficult job. But I'm sure they can figure it out.
15 They would just bring it to our office at that point.

16 MS. BORDNER: It would be the setback
17 requirements plus the 10 percent rear usage allowance.

18 MR. HAJNOSZ: Correct.

19 MR. ROOK: If they put the second lot into
20 it then all that goes away and you're not looking at any
21 variances at that point, right?

22 MS. BORDNER: Well, it wouldn't be a
23 variance.

24 MR. ROOK: Well, if you were putting it
25 too close to the property line, would you need a

1 variance? So this -- adding this lot prevents it from
2 becoming a problem, needing a variance.

3 MS. BORDNER: I can't answer that for you.
4 Without seeing where they're putting it, that would be
5 pure speculation on the part of the planning and zoning
6 office.

7 MR. DIRANDO: We understand that it needs
8 to be a certain distance from our neighbors and from our
9 property lines. We understand that. But in order to
10 put the building that we want, we don't have enough
11 room. So that's the reason --

12 MRS. DIRANDO: To combine both.

13 MR. SHAFFER: -- we're combining it, to
14 give us a more total percentage of property. That's all
15 it is. Really simple.

16 MS. SABORSE: All right. So I have two
17 questions. So the first one is, if we do create -- or
18 replat them into one parcel, then that eliminates the
19 first question of does the primary residence or the
20 primary home need to be built first. So then they would
21 be able to build the pole barn. So that eliminates one
22 if we vote to -- for this restriction.

23 The second part is, do we have to vote today, or
24 whenever they come back to build the pole barn to decide
25 if they will follow the restrictions of appearance,

1 distance, and those things? Because exactly what
2 Mr. Rook said, what if 10 years down the road, 8 years
3 down the road they decide to build it within the sight
4 lines but still within the distance of their neighbors?
5 Do we have the set that precedent now?

6 MR. DIRANDO: Well, we have to come back
7 anyways to get a building permit.

8 MS. SABORSE: Okay.

9 MS. BORDNER: Well, the answer to your
10 first question is, yes, it would eliminate the situation
11 because the single-family dwelling would now become part
12 of the combined parcels. And that already exists. So
13 that's the answer to your first question.

14 MS. SABORSE: Yes.

15 MS. BORDNER: The answer to your second
16 question is also yes, because they can't put these two
17 parcels together without a replat approval. That not
18 only comes through my office after whatever you guys
19 decide, if you say yes, then we have to have these
20 documents signed. They'll have to pick them up, and
21 then they take them to the county and file them. And
22 the county restructures the parcels for the auditor's
23 office, the recorder's office and so on. So they would
24 need that in place before they could do anything else.
25 So yes, the answer is yes to both of your questions.

1 MR. ROOK: Anything else on that?

2 The other question that we -- okay. Yes, sir.

3 MR. KISH: I have another question. Is
4 there -- they said they want to build it behind their
5 house. And I don't know what size building or anything.
6 But I know there's a waterway that goes next to their
7 house and goes back. Who governs that for not being
8 obstructed or --

9 MR. ROOK: Well, that's the next part of
10 this discussion that I was gonna bring up.

11 MR. KISH: Okay.

12 MR. ROOK: In the first meeting we had
13 with you in '22 or whatever it was there was a lot of
14 discussion about the creek or whatever you want to call
15 it.

16 MRS. DIRANDO: It's a ditch.

17 MR. ROOK: And there was talk about
18 getting permission from the Army Corps of Engineers and
19 Trumbull County Water and Soil Conservation. Has any of
20 that been done?

21 MR. DIRANDO: We dredged it. It's clean.

22 MRS. DIRANDO: It's clean and it's clear
23 now, because the water was backing up. Lordstown -- we
24 were told that we're supposed to maintain it, so we are
25 maintaining it. And we cleared it all out because the

1 water was starting to back up, and then it gets too
2 high. And my son's autistic, and I don't need him
3 falling in that four-foot -- so it's about four feet
4 down, so we dredged it out, we cleaned it out.

5 We don't know what the plan is. We had Soil, we
6 had all that come in and it's not a wetland. It's just
7 a ditch. So we're going to maintain it and get it
8 looking the way that it should be looking. Unless
9 Lordstown wants to step in and take care of it, we're
10 all for it.

11 MS. BORDNER: I think Mr. Rook was
12 referring to -- and correct if I'm wrong -- I think he
13 was talking about at one time you guys had talked about
14 putting in drainage pipe and then covering over it.

15 MR. DIRANDO: A culvert.

16 MRS. DIRANDO: A culvert next spring.

17 MR. DIRANDO: Which we did some homework
18 on that as well and it says if we did that every hundred
19 feet you would need a catch basin, which it actually is
20 allowed. If I understand it, it has to go through
21 approval. But at this time, we're not really worrying
22 about that right now.

23 MRS. DIRANDO: We're just gonna keep it
24 clean right now because it's backing up.

25 MR. DIRANDO: It's nice and clean now, so

1 none of the neighbors' yards back up or anything like
2 that. The whole neighborhood drains there.

3 MRS. DIRANDO: The guy across the street,
4 he has that lake back there, and that needs to flow
5 somewhere, and where it's flowing is into our property.
6 So we need to take care of all of it. Like, we're open
7 to listen to Lordstown maintenance, because it is a
8 pretty penny. But until then, come springtime, we're
9 covering it up. So we're going to culvert it, gravel
10 it, and put grass over it so that they can have constant
11 flow from that uphill Silver Fox coming down, which has
12 been a problem before we even moved there. So either we
13 could all address it or I'm gonna fix it.

14 MR. ROOK: So if you put the culverts and
15 all of that in, you're going to have to follow procedure
16 with the Army Corps and all the rest of it.

17 MRS. DIRANDO: Correct. We already did
18 all that. We don't have to come back to planning.
19 We've already had them out.

20 MR. ROOK: It's all resolved. The Army
21 Corps' happy with what the plan was?

22 MS. BORDNER: They are correct. The
23 Village of Lordstown and this planning commission has
24 nothing to do with that. The US Army Corps of Engineers
25 is solely responsible for permitting, reviewing whatever

1 their plans are, overseeing, agreeing to, disagreeing
2 with, whatever, that particular plan. They were back in
3 2022, and they remain so today.

4 MR. DIRANDO: They're just adamant that
5 catch basins are put strictly where they want them.

6 MRS. DIRANDO: And to catch that flow.

7 MR. ROOK: Okay. So in order to do it you
8 have to follow everything they say?

9 MR. DIRANDO: Correct.

10 MR. ROOK: All right. Any other
11 discussion?

12 MS. WILK: Yes. I just wanted one
13 clarification. If this lot is replatted, then the 1988
14 amendment with -- saying that the structure has to match
15 the house, is that going to be a permanent thing in
16 zoning? For instance, if they sell and somebody else
17 wants to come in and then build a structure on that side
18 lot, are they going to have to be held to those -- that
19 amendment?

20 MR. RIES: The deed restrictions I believe
21 still apply to Lot 8A, so if somebody else comes in,
22 they would have to conform.

23 MS. WILK: But if it's all merged it's no
24 longer going to be called 8A.

25 MR. RIES: Well, I'd have to think about

1 that, because they still should apply. But I'm hesitant
2 to say 100 percent without having to look into that a
3 little more. But I'm not aware of this 1988 arrange- --
4 you know, restrictions being terminated for Lot 8A. But
5 I understand your concern if they're merged.

6 Let me look here. Yeah, if they're merged and we
7 only have one -- and Lot 8A does not exist anymore, they
8 may not apply, because the amendments were only
9 preserved for Lot 8A, 10A, 11 and 12. So, yeah,
10 arguably they could potentially terminate under that
11 scenario.

12 MS. BORDNER: If they sold the property;
13 is that what you're saying?

14 MR. RIES: Yeah, she's asking if
15 somebody -- if we combine the lots would the 1988 --
16 would those restrictions apply because Lot 8A no longer
17 exists anymore?

18 MR. DIRANDO: Actually, if I can -- if
19 that were to happen and we already had that building in
20 the backyard up, there wouldn't be any room
21 percentage-wise again for somebody to build over there.
22 All the lot -- all the land is being utilized already.

23 MRS. DIRANDO: That's a zoning question.

24 MR. DIRANDO: That's why we have to do
25 what we're doing. They would have to tear down that

1 building and say we're going to move to it the lot next
2 door.

3 MRS. DIRANDO: Kellie, that's a question
4 for you. Would a 40 by 40 pole barn --

5 MR. DIRANDO: Thirty --

6 MRS. DIRANDO: -- with that amount of
7 square footage, I don't know if that would leave them
8 enough on that lot to build something else.

9 MR. DIRANDO: We have no intentions on
10 moving. This is our -- our kids are going to take over
11 when we're dead.

12 MS. BORDNER: If we replat this, it
13 clearly states that it's going to now be known as 8C,
14 just pointing that out. I mean, I believe that that was
15 part of the issue before.

16 MR. ROOK: We have nothing -- it wouldn't
17 make any difference whether they sold it or anything
18 else. They can still come back and do whatever they
19 want to do at that point also, right? If they put the
20 two lots together, they can do what they want with it as
21 long as it meets our --

22 MRS. DIRANDO: As long as it meets your
23 zoning rules, correct.

24 MS. BORDNER: I understand that. They
25 haven't had any issue or concern with meeting zoning

1 code requirements. The issue is whether or not that
2 they have to build an accessory structure, which is
3 allegedly the pole barn, in the exact same style and
4 aesthetic as the single-family dwelling.

5 MR. DIRANDO: Which we would.

6 MS. BORDNER: That remains the question.

7 MR. DIRANDO: We want it aesthetically to
8 look nice and pleasing to ourselves and our neighbors.
9 I mean, we didn't pay a bunch of property tax just to
10 throw some box up. That ain't -- that's never gonna
11 happen.

12 MRS. DIRANDO: I think, Mrs. Wilk, if I'm
13 understanding, you're asking could somebody else put
14 something else on that lot --

15 MR. DIRANDO: Like, we -- like, my
16 daughter could come over there and build a house there.

17 MS. WILK: Once you merge them, then they
18 could -- once it's one big lot, that's my question,
19 could somebody build another structure?

20 MS. BORDNER: They can build an accessory
21 structure. So it wouldn't matter whether it's the
22 Dirandos or if they sold the property to whoever they
23 sold it to, or just transferred it to one of their
24 children. It wouldn't matter because once you have
25 combined those lots, they would presumedly have enough

1 room now as a result of adding that additional lot to
2 their total parcel, have enough room to be able to put
3 an accessory structure as long as it is behind the front
4 line of the house.

5 So it could be in any location behind the front
6 line of the house. It could be five feet behind that
7 front line. It could still be placed there. It could
8 be behind the house as they're now suggesting, if they
9 have enough rear yard usage allowance, because your rear
10 yard usage starts with the back line of your house, and
11 then goes to the back point of your rear property line.
12 So as long as they can meet those requirements, then
13 yes, they can put up an accessory structure, be it a
14 pole barn, a detached garage, a shed, whatever you --
15 whatever they want to call it, whatever that structure
16 is. It all falls under the umbrella of an accessory
17 structure, and that would be permissible.

18 My only question for the zoning office is, are
19 there any plat restrictions? I am unaware of any deed
20 restrictions period here. And we never talked about
21 deed restrictions in 2022 at all, so those shouldn't be
22 confused with anything here. These are literally plat
23 restrictions.

24 And my question is, what plat restrictions remain
25 and apply to any accessory structure that they are going

1 to potentially build on their new -- you know, assuming
2 that you -- that the council agree -- or that the
3 commission now agrees to approve the replat, what
4 remains with regards to this newly-created parcel; what
5 plat restrictions remain on an accessory structure?
6 That's the question.

7 MAYOR WOODWARD: Because now -- are we
8 asking this question because now it's going to be known
9 as 8C?

10 MS. BORDNER: Correct.

11 MAYOR WOODWARD: Okay.

12 MR. RIES: Because the 1988 plat
13 restrictions were terminated for 8B but not 8A. Because
14 nobody was contemplating this when they drafted these
15 terminations.

16 MS. BORDNER: Correct.

17 MR. RIES: And if you're looking at the
18 spirit behind this, the 1988 should still extend to what
19 was Lot 8A. But if we're changing it to Lot 8C, now
20 we're talking about lots that didn't exist when any of
21 these --

22 MRS. DIRANDO: Wouldn't it just be known
23 as 8B?

24 MS. BORDNER: No, ma'am.

25 MRS. DIRANDO: What the house is known as

1 now?

2 MS. BORDNER: No, ma'am. The county
3 requires that when you combine parcels and lots,
4 particularly in a subdivision -- you have two parcels
5 right now. One is 8A; one is Lot 8B. And when you
6 combine those two, they now make them a new --

7 MRS. DIRANDO: Oh, I see.

8 MS. BORDNER: -- letter. So it becomes
9 8C.

10 MS. WILK: This is probably a stupid
11 question, but is there a way that you approve the replat
12 to put on there that this 1988 amendment applies to the
13 new 8C, somehow put it into that document of the replat?

14 MS. BORDNER: I mean, it appears to me
15 that the Dirandos are agreeing that they're okay with it
16 applying to any pole barn that they build that it will
17 meet the aesthetic -- and I don't know the exact words,
18 Solicitor Ries, but it will meet the aesthetic, that
19 it's built with the same materials and appearance -- I
20 think those were the words -- as the single-family
21 dwelling. It appears to me that they're saying, yes, we
22 agree to do that.

23 MRS. DIRANDO: Right.

24 MS. BORDNER: The question then was, does
25 it have to be the entirety of that structure or just the

1 front facade?

2 MR. ROOK: Yes, sir?

3 MR. KISH: Kind of working off what Cindy
4 just said. If they're agreeing with how to do this now,
5 is there a way to put that language on there just in
6 case when they do sell --

7 MS. BORDNER: You're going to have this
8 public record. This is a record.

9 MR. KISH: Is it going to be written in
10 there that they have to continue with that?

11 MS. BORDNER: If the board decides that
12 that's what they're going to do, then yes.

13 MR. KISH: Because that would be --

14 MR. DIRANDO: We're totally okay with you
15 putting, "Front facade must match home's exterior."
16 We're fine with that.

17 MS. BORDNER: But what the residents are
18 saying is that some of the side part will be seen from
19 the roadway if it's not back far enough.

20 MR. ROOK: Well, he's putting it behind
21 the house now, so that should prevent that, right?

22 MS. WILK: I think the way that we had it
23 was anything that faces the road.

24 MR. DIRANDO: Right.

25 MS. WILK: So if they're wanting to put it

1 behind their house, that would only apply to the front
2 of the building. If someone decides later down the road
3 to put something on that side, if it says anything
4 facing the road must match in conforming to the main
5 structure.

6 MR. DIRANDO: So if something else were to
7 be built on that lot next door after our building's up
8 in the back, that, too would have to have the same
9 facade as the house and as the building.

10 MS. WILK: Anything facing the street.

11 MR. DIRANDO: Anything that's facing the
12 front, correct. I totally agree with you.

13 MAYOR WOODWARD: I have a question for the
14 solicitor. Is it within our scope here as the
15 commission to enact restrictions for this property, plat
16 restrictions or any kind of restriction like that?
17 Because I don't want to put that in the motion if we --
18 if that's not within our scope.

19 MR. RIES: I mean, it's our job to enforce
20 them, so the planning commission could approve the
21 replat with the understanding that the former Lot 8A is
22 subject to the 1988 restrictions.

23 MAYOR WOODWARD: Okay. I just want to
24 make sure that that's within our jurisdiction to be able
25 to do that.

1 MR. RIES: That way we're not changing
2 anything, we're not modifying anything. We're simply
3 saying that that -- we're not undoing those plat
4 restrictions by creating a new lot that wasn't
5 contemplated at the time these restrictions went in
6 place.

7 MAYOR WOODWARD: Per 1988?

8 MR. RIES: Yeah. 1988 plat restrictions
9 dated March 12th, 1988 and recorded May 23rd of 2001.

10 MRS. DIRANDO: That was the other issue.

11 MR. RIES: Yeah.

12 MRS. DIRANDO: You would have to go back
13 around and ask everybody. I mean, there was too much
14 time lapse in between to keep, oh, okay, we're gonna put
15 plat restrictions on this lot, and now we're not going
16 to put them on this lot. Now we want these people --
17 it's like picking and choosing. You can't do that.
18 That's what I was informed.

19 All he said we need to do is follow zoning. There
20 is no restriction, whether it be deed or plat. I did my
21 due diligence. I hired my \$6,000 attorney, you know? I
22 can't get that back. So it's just an automatic replat.
23 That's all it is.

24 Are we going to, out of respect for everybody?
25 Yes, we are going to conform to the house that is

1 pre-existing. But what the next person does, I don't
2 know.

3 MR. RIES: Well, yeah, the 19- -- to
4 further make things confusing for everyone, the 1988
5 plat restrictions went into effect to modify both the
6 first set from August of 1979 and November of 1979. So
7 they applied to both -- you know, to Pleasant Valley
8 Estates III and to Pleasant Valley Estates IV. So while
9 there are separate plat restrictions, those amendments
10 went into effect for both of them and were not
11 terminated for Lot 8A.

12 Which is why I say if we approve the replat, it
13 would be subject to the portion of Lot 8A remaining
14 subject to those restrictions, that way we're not
15 undoing any, you know, private property owner's plat
16 restrictions that were put in place. Not altering them.

17 MR. ROOK: So we can go ahead and make a
18 motion to allow the replat with the caveat that the
19 owners would be required to meet the 1988 restrictions,
20 conform to them? Is that generally what we're looking
21 to do?

22 MS. BORDNER: And I think those should be
23 specifically stated what those are. I need clear and
24 specific instructions.

25 MAYOR WOODWARD: Okay. So I would make a

1 motion for approval of the proposed replat on Pleasant
2 Valley involving the Dirando parcels at 2860 Pleasant
3 Valley subject to the same plat restrictions for Lot 8A
4 created in 1988. Is that sufficient? Do you want me
5 to --

6 MR. RIES: I would say dated March 12th,
7 1988.

8 MAYOR WOODWARD: Okay.

9 MS. BORDNER: I need to understand what
10 those restrictions are, Mayor. I need to understand
11 whether it applies -- I need more specifics so that they
12 don't have -- there shouldn't be any argument, period.
13 They don't want it, and I don't want it.

14 MAYOR WOODWARD: To add to that motion
15 then, it would include a restriction for any unattached
16 garages to not exceed the height of the dwelling house,
17 and minimum size of said unattached garage will be 12 by
18 24, and must conform in appearance to the main dwelling
19 in style and building material. That would be the
20 motion.

21 MR. RIES: And that's for what is Lot 8A?

22 MAYOR WOODWARD: Lot 8A was the vacant --
23 is the vacant lot.

24 MR. RIES: Yes. We're just maintaining
25 those restrictions because those restrictions were

1 terminated for Lot 8B.

2 MAYOR WOODWARD: Correct. But we want to
3 keep those restrictions for the newly-created 8C.

4 MRS. DIRANDO: With that being said,
5 though, are you going to go through the rest of the
6 development who's built after 1988 and didn't follow
7 this plat? That's not -- that's not fair to everybody.
8 You know, you have to keep it all the same. It's back
9 to you do this for this one, this neighbor. It has to
10 be the same for everybody across the board back there:
11 Silver Fox, Pleasant Valley. Because they all have pole
12 barns, and they're all different.

13 MAYOR WOODWARD: We can't go retroactive.

14 MR. ROOK: Grandfather them in, and --

15 MRS. DIRANDO: But they built afterwards,
16 not knowing plat restrictions. It doesn't make any
17 sense.

18 MR. SHAFFER: I just have a question. If
19 those restrictions were dismissed, then how can you put
20 them back in in the motion?

21 MRS. DIRANDO: Correct.

22 MR. SHAFFER: They were already dismissed.
23 So I don't -- how can you read that back in that they
24 have to apply to something that was already dismissed?

25 MR. RIES: So the 1988 restrictions, plat

1 restrictions for Lot 8A were never terminated. They
2 were only terminated for Lot 8B. That's why it would
3 have to specify that it was for the portion of property
4 that was Lot 8A.

5 MR. DIRANDO: B or A?

6 MR. RIES: Lot 8A. They were never
7 terminated for Lot 8A, but Lot 8B they were terminated.

8 MRS. DIRANDO: That's where the house is.
9 So as people were moving in, because they had their own
10 little group back then, they were saying, okay, we want
11 these restrictions in these. You can't -- you know,
12 that's being -- that's profiling. You can't do that.
13 It has to be the same across the board for every
14 neighbor. This is not an HOA. This is just Pleasant
15 Valley Estates. That's all it is. It's not condos.
16 We're not looking at -- there's just nothing there. And
17 after -- in that '88, as it says in one of those, after
18 25 years, even though they did it -- they're on their
19 own, they terminated all that stuff.

20 MR. RIES: You're saying that they
21 terminated after 25 years in the 1988 restrictions?

22 MRS. DIRANDO: Correct.

23 MR. RIES: I mean, I don't see that.

24 MRS. DIRANDO: That was said by my
25 attorney. That's why he was like, why are you even

1 paying me? There's nothing here.

2 MR. RIES: I know there are restriction
3 time periods in the two sets of 1979 plat restrictions.
4 I do not see that in the 1988 restrictions. I don't see
5 that. But it's not before this -- it's not before
6 planning commission what other people have done with
7 respect to their pole barns, you know, years ago.
8 There's not -- that issue's not before us right now.

9 MRS. DIRANDO: No, but if you have them
10 not following plat restrictions, how can you put them on
11 me? That's my question.

12 MR. ROOK: Well, there was a work-around
13 in order to get you permission to go ahead and combine
14 the lots to protect the people that are there.

15 MR. DIRANDO: What they're saying, they
16 want us to follow the facade rules, which we're totally
17 fine with.

18 MRS. DIRANDO: That's fine. Yeah, I'm
19 fine.

20 MR. DIRANDO: Any future existing
21 building, wherever it may be built on that property,
22 let's just put it like that, must conform to what the
23 structure of the house currently is. Which in our case,
24 it's brick.

25 MRS. DIRANDO: Uh-huh.

1 MR. DIRANDO: So the front facade, any
2 building, will have to be brick.

3 MS. BORDNER: And he's saying front
4 facade, and that's not what you read. And that's why I
5 keep asking the question, because I don't want to have
6 an issue down the road in my office. I don't see where
7 it just says facing the street or front facade.

8 MR. RIES: It doesn't. It says "must
9 conform to the main building."

10 MS. BORDNER: Then that's the entirety of
11 an accessory structure.

12 MRS. DIRANDO: No, because Mrs. Wilk's
13 isn't. Everybody isn't. They're front facades.

14 MR. DIRANDO: And that's her concern, what
15 she said herself, was what the front was going to look
16 like.

17 MS. WILK: The side facing the street.

18 MR. DIRANDO: Which I agree. Anything
19 facing the front of the property which is wherever that
20 address is addressed to should be --

21 MS. WILK: Well, two things. First of
22 all, my building does match in exactly in the material.
23 Okay? Second point, there are very few pole buildings
24 on our street, and all of them conform to the
25 restrictions except for those maybe towards the end by

1 the Rafidis' property.

2 MRS. DIRANDO: Correct.

3 MS. WILK: But on Silver Fox, there are
4 all -- all of those had to conform. When I bought my
5 house, I had to conform. When I built the structure, I
6 had to conform. I had to show everything to Zimmerman.
7 He had to approve it. That was the process.

8 MRS. DIRANDO: That was back then, but
9 this is now. That was so many years ago. I feel bad
10 for you. I did my due diligence, though, with my own
11 attorney. So, I mean, this is where we're at. This is
12 just a simple replat. That's all it is, just like
13 everybody else's.

14 MR. DIRANDO: The end of the day, it's
15 going to look like our house, at least the front facade.

16 MRS. DIRANDO: It's all Pleasant Valley,
17 Silver Fox, back there, and you can drive through the
18 neighborhood yourself and see. It's all different,
19 especially that first half when you come in.

20 MR. DIRANDO: It's not like we're going to
21 paint this side pink and this side orange, nothing like
22 that. It's going to look beautiful.

23 MR. ROOK: So the question was, Mayor, can
24 we put in restrictions basically that will require them
25 to meet that requirement?

1 MAYOR WOODWARD: I guess the question is
2 now it should be.

3 MR. ROOK: I think the other ones that are
4 in there are grandfathered in and you won't be able to
5 do anything with that. They are what they are. So
6 coming back and saying, well, we need to change
7 everybody else's, that's not gonna happen.

8 MRS. DIRANDO: No. I'm just saying, that
9 opens you guys up for litigation, because that's not
10 correct. It's just not.

11 MR. ROOK: Mr. Rafidi.

12 MAYOR WOODWARD: State your name.

13 MR. ROOK: I'm sorry. State your name and
14 address.

15 MR. RAFIDI: Jiryes Rafidi, 2941 Pleasant
16 Valley Drive. What would happen to them if they just
17 did what they want and didn't ask you for permission?

18 MS. BORDNER: They couldn't because they
19 have to get a zoning permit from the planning and zoning
20 office. We have been made aware of plat restrictions
21 and that's why we're here today.

22 MR. RAFIDI: What would stop them from
23 building, though?

24 MS. BORDNER: They don't have a zoning
25 permit.

1 MR. KISH: If they don't get a zoning
2 permit and build a structure, that's \$150 a day.

3 MR. RAFIDI: Okay. Gotcha.

4 MS. BORDNER: And once they have a zoning
5 permit, they have to go to the county and get a building
6 permit.

7 MR. RAFIDI: Gotcha.

8 MR. DIRANDO: And that's what -- we're
9 trying to do everything by the book. We're trying. I
10 mean, this is costing us a lot of money to get just to
11 where we are right now.

12 MR. ROOK: So I'm confused on where that
13 leaves us.

14 MAYOR WOODWARD: I think that in my mind,
15 I see this as somebody was leaving 8A for another house
16 to be built, and the restrictions to go along with 8A.
17 But you're combining an empty lot in with a lot that is
18 already built on. So if -- I don't know. I mean, I
19 wouldn't -- it's a question of whether or not you want
20 to leave the restrictions now because, you know, the
21 restrictions on 8A, you know, are if another house was
22 to be built, you have to have the house built before the
23 auxiliary -- or it's the opposite?

24 MR. RIES: No, those are the terminated
25 restrictions.

1 MAYOR WOODWARD: So the restrictions only
2 remain on the lot with the house?

3 MR. RIES: No. They were terminated on
4 the lot with the house as well.

5 MAYOR WOODWARD: Okay.

6 MR. RIES: They were terminated for the
7 whole lot. The only question is not whether or not they
8 have to build the house before the garage but whether or
9 not the garage aesthetically has to conform with these
10 requirements under the 1988 plat restrictions. And so I
11 would say so we're not doing anything -- because they've
12 been terminated for Lot 8B but not Lot 8A. The 1988
13 restrictions. So I would say that if we're going to
14 pass a motion, it be subject to the 1988 restrictions
15 for the portion that is Lot 8A so that we're not undoing
16 any plat restrictions.

17 MR. BOND: That makes sense.

18 MAYOR WOODWARD: But once you combine
19 them, they become a new parcel. So with that, how do
20 you differentiate what's A and B when those no longer
21 exist?

22 MR. RIES: Well, we're being kind of
23 creative here to not upturn or change any of the plat
24 restrictions between private property owners. We're
25 just simply enforcing them. We'd still be able to go

1 back and reference what Lot 8A was. That portion would
2 still be subject to those plat restrictions in 1988.

3 MAYOR WOODWARD: Okay.

4 MR. SHAFFER: In your presentation, in
5 your last paragraph it says, "According to the agreement
6 to terminate plat restrictions for Pleasant Valley
7 Estates III," which is where they're at, "filed
8 November 8th, 2004, the property owners agreed to
9 terminate those plat restrictions, assuming this
10 agreement was validly executed by a majority of the
11 property owners in Pleasant Valley Estates III and the
12 plat restrictions were recognized as terminated, those
13 restrictions no longer existed for Lot 8A as of
14 November 8th, 2004."

15 So the way I'm reading that, there are no
16 restrictions for Lot 8A anymore, and they were already
17 terminated for Lot 8B.

18 MRS. DIRANDO: So why put them back in?
19 It doesn't make sense.

20 MR. SHAFFER: So I don't understand why we
21 want to put restrictions back in.

22 MR. RIES: There's three different sets of
23 plat restrictions. There's August 1979, there is
24 November 1979, and then there's March 1988. Two of
25 the -- the first one applied to Pleasant Valley Estates

1 III. The second one applied to Pleasant Valley Estates

2 IV. The third one from 1988 applied to both of them.

3 Now, we terminated -- in 2004 they terminated the
4 first ones from August 1979 which applied to their
5 property, which was the original reason that this
6 committee -- that the planning decided not to allow them
7 to move forward because they were applying those
8 restrictions. But they were actually terminated in
9 2004. The 1988 restrictions were terminated in part in
10 2009 for Lot 8B but were not terminated for Lot 8A.

11 It's a mess. There's -- I mean, and then on top of
12 that, there's drafting errors throughout these plat
13 restrictions on top of that. So --

14 MR. SHAFFER: Well, I just -- I'm in
15 agreement with the replatting. I don't have a problem
16 with that. I just want to make sure that when it does
17 get replatted, that they're able to build what they want
18 to build as long as they build it to zone.

19 MRS. DIRANDO: Exactly.

20 MR. SHAFFER: If not they're just wasting
21 their time here.

22 MR. DIRANDO: Can I just -- I just want to
23 say one more thing in a nutshell. I'm going to -- I'm
24 going to say it like it's grade school. All we want to
25 do is take this empty grass and add it to the grass that

1 our house is on, okay, to make it one big grass, okay,
2 and then we can put any building -- really any building
3 wherever we want. But our plan is to put it on --
4 behind the house. And the plan is to make it look like
5 the house.

6 MRS. DIRANDO: Correct.

7 MR. DIRANDO: At least the front facade.

8 MRS. DIRANDO: That's it.

9 MR. DIRANDO: If we can afford to do
10 another side of it that's facing more towards -- because
11 it is a dead end -- that's facing more towards the
12 public's eye, then we don't have a problem doing that if
13 we can afford to do that. But definitely the front
14 facade. And that's what we're doing.

15 MRS. DIRANDO: And I'm not going to agree
16 to any plat restrictions. If I want to put my building
17 in the lot, then that's later on. But no, as of right
18 now, that's not the intent. It's going behind the
19 house.

20 MAYOR WOODWARD: But I think -- and that's
21 you saying that. But I think the question has been, if
22 you decide to sell the property, will the future owners
23 still feel the same way that you do?

24 MR. DIRANDO: But even if we don't sell
25 the property, we could, if we wanted to, technically, we

1 could still do that.

2 MAYOR WOODWARD: Correct.

3 MR. DIRANDO: But we have no plans on
4 doing that. If we die in a crash and our house goes to
5 auction and somebody buys it, I don't know what they're
6 going to do with it.

7 MS. BORDNER: The zoning office can't
8 restrict where they put it. As long as they meet the
9 zoning requirements, I can't control where they put it
10 on their parcel. We just went over all of those again,
11 side setbacks, rear setbacks, 10 percent rear yard
12 usage. As long as they meet all of those, I can't tell
13 them where to place it.

14 MR. HAJNOSZ: I just feel like all we
15 really need to know is like we've asked, with how we
16 said with the front facade, that's great. But for our
17 office, so we know when they come in, are we talking the
18 whole thing, or is the front -- are we good with that?
19 I just want to know so when they come to me for a zoning
20 permit, we can get them -- get them in, get them out,
21 that's all, you know?

22 MR. RIES: Well, let me answer it this
23 way: This was originally proposed as being -- at least
24 it was my understanding back in 2022, that this was
25 going on Lot 8A, not on Lot 8B.

1 MS. BORDNER: That's correct.

2 MR. RIES: The 1988 restrictions apply to
3 Lot 8A. They were terminated for Lot 8B. So if they're
4 putting it on Lot 8B, there are no plat restrictions for
5 that.

6 MS. BORDNER: Here's what I can tell you:
7 I don't think that if they're going to build a structure
8 that's at least 12 by 24, I believe you said was the
9 requirement --

10 MR. DIRANDO: That would be the minimum.

11 MS. BORDNER: -- they're not going to be
12 able to put it all on 8B. There's not enough room on
13 that parcel. Now that they're going to combine it, some
14 part of that structure is going to fall over onto 8A.
15 That's the whole purpose of why they want to combine
16 their property, so that they have more room.

17 MR. DIRANDO: Yes.

18 MS. BORDNER: So some part of it is going
19 to be on 8A and likely some part of it on 8B. You
20 literally have a split accessory structure.

21 MR. RIES: So the motion should be phrased
22 as, you know, a motion to approve -- you know, motion to
23 approve the approved replat. And then there should be a
24 caveat in there that the 1988 -- 1988 plat restrictions
25 are not being altered and should still apply to the --

1 you know, to the extent they're enforceable should still
2 apply to Lot 8A. But we're not doing anything but alter
3 these plat restrictions. We just need to make that
4 clear in the motion. The way they exist today is the
5 way that they will always exist.

6 MAYOR WOODWARD: Does my motion from
7 earlier need -- was that okay, or do we need to change
8 my motion?

9 MS. BORDNER: I think your motion from
10 earlier is exactly what it is.

11 MAYOR WOODWARD: Is what it needs to be.

12 MR. SHAFFER: Real quick. Once it's
13 replatted, there's no longer 8A, 8B; now it's 8C?

14 MS. BORDNER: Correct.

15 MR. SHAFFER: So, again, I don't see how
16 you can hold it to 8B's standards --

17 MRS. DIRANDO: Correct.

18 MR. SHAFFER: -- when you have an entire
19 new plat.

20 MR. RIES: Yeah, that's why we would want
21 to say in the motion we're not -- this motion does not
22 impact or affect the 1988 plat restrictions as it
23 pertains to, you know, what was Lot 8A, in that area.

24 MS. SABORSE: Kellie, can you read what
25 that proposed motion was from the Mayor one more time so

1 we understand?

2 MS. BORDNER: She has it, I don't.

3 MS. SABORSE: I'm sorry.

4 MAYOR WOODWARD: So we're going to -- I'm
5 going to make a motion to approve the proposed replat on
6 Pleasant Valley involving the Dirando parcels at 2860
7 Pleasant Valley, subject to the same plat restrictions
8 for Lot 8A created from 1988.

9 MR. RIES: March 12th, 1988.

10 MAYOR WOODWARD: From March 12th, 1988,
11 and adding that any unattached garages shall not exceed
12 the height of the dwelling house, and minimum size of
13 said unattached garage will be 12 by 24, and must
14 conform in appearance to the main dwelling in style and
15 building material. That is my motion.

16 MR. SHAFFER: I've got another question
17 before we move forward. If it's being replatted as one,
18 why are they being restricted to 12 by 24 if they could
19 build a bigger building within the zoning?

20 MAYOR WOODWARD: That's the minimum.

21 MR. SHAFFER: Okay. I'll second the
22 motion.

23 MR. ROOK: Okay. I guess we'll have a
24 vote. Mr. Dustin, voice vote? Do we want -- do we have
25 enough of that motion that everybody understands it at

1 this point? So we have the motion by the Mayor and then
2 seconded by Mr. Shaffer.

3 A voice vote, please?

4 MR. HAJNOSZ: Mr. Bond?

5 MR. BOND: Yes.

6 MR. HAJNOSZ: Mr. Shaffer?

7 MR. SHAFFER: Yes.

8 MR. HAJNOSZ: Mr. Rook?

9 MR. ROOK: Yes.

10 MR. HAJNOSZ: Ms. Saborse?

11 MS. SABORSE: Yes.

12 MR. HAJNOSZ: Mayor Woodward?

13 MAYOR WOODWARD: Yes.

14 MR. ROOK: So that obviously passes. Do
15 we have any other public comments this evening?

16 MS. CZOKA: I do. Laurie Czoka, 1211
17 Hallock Young Road. In the motion you didn't mention
18 facade only. You said the structure.

19 MR. RIES: She was just quoting what
20 the -- the plat restrictions are from 1988 that would
21 apply to Lot 8A, or at least that portion of what was
22 Lot 8A on the newly-created parcel. So she's just --
23 the idea is we're not changing or recreating any of the
24 plat restrictions here. We're just --

25 MAYOR WOODWARD: Reiterating what already

1 exists verbatim.

2 MR. ROOK: Okay. Any other questions?

3 Everybody good with that? Okay. Then can I have a --

4 MAYOR WOODWARD: Motion to adjourn?

5 MR. ROOK: Yes.

6 MAYOR WOODWARD: So moved.

7 MR. ROOK: Moved by the Mayor. Second?

8 MR. SHAFFER: Second.

9 MR. ROOK: Mr. Shaffer. All in favor?

10 THE COMMISSION: Aye.

11 MR. ROOK: Opposed?

12 (NO RESPONSE FROM THE COMMISSION.)

13 (VOICE VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

14 MR. ROOK: That carries. We're done.

15 Thanks, everybody.

16 (Meeting concluded.)

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REPORTER'S CERTIFICATE

I certify that this transcript, consisting of 61 pages, is a complete, true and correct transcript of the proceedings had in this case as shown by my stenotype notes taken at the time said meeting was held.

Chastity M. Feezle
Registered Professional Reporter
Certified Realtime Reporter