

**PAINESVILLE TOWNSHIP
BOARD OF ZONING APPEALS
MEETING MINUTES**

Tuesday, February 13, 2024

Painesville Township Office 55 Nye Rd. Painesville Twp., OH, 44077

Present: DaveENZERRA, Ken Sullivan, Randy VanBuren, Dave Lindrose, Dale Lewis
Absent: Tom Hill
Zoning Inspector: Harley DeLeon
Legal Counsel: Mandy Gwartz

Chairman DaveENZERRA called the meeting to order at 6:30 P.M. The Pledge of Allegiance was recited. A roll call revealed that a quorum was present.

Legal Advisor Mandy Gwartz swore in with each case, persons who were present to speak, and intended to testify during the Public Hearing.

Public Hearing:

- **Case 2024-0001-BZA:**

Applicant Mohammad Qatrawi submitted a Conditional Use Application for property located at 1435 Mentor Ave. (PPN 11-A-011-0-00-004-0) The request is for a drive thru and outdoor storage of propane, ice, and U Haul rental vehicles.

The applicant was not present to speak for the request. He asked that the case be continued to the March 12, 2024 Meeting.

Chairman entertained a motion.

Ken Sullivan made a motion to continue **Case 2024-0001-BZA**.

Randy VanBuren seconded.

Roll Call: VanBuren; Aye, Sullivan; Aye, Lindrose; Aye, Lewis; Aye, Chairman; Aye.
Motion carried.

- **Case 2024-0002-BZA:**

Applicant Nestor Yolonda P submitted a Conditional Use Application for property located at 1611 Jackson St. (PPN 11-A-016-A-01-002-0) The request is to allow the animal husbandry of 6 Bantam hens.

Chairman saw no error in the Zoning Inspector requiring a Conditional Use.

Jessica Nestor spoke for the request. The request to have a small chicken coop on the property containing 6 Bantam Hens. No roosters will be included. The applicant has experience raising chickens.

The applicant discussed the prebuilt chicken coop that will be on the property.

The chickens will be kept in the coop at all times.

A discussion was held regarding the screen covering for the coop that will also double as a privacy screen.

A discussion was held with Legal regarding the screening doubling as a privacy screen to follow the Zoning Resolution.

A discussion was held regarding disposal of the waste from the chickens.

There was no one else present to speak for the request.

There was no one present to speak against the request.

Chairman entertained a motion.

Dave Lindrose made a motion to approve **Case 2024-0002-BZA** with the condition(s) as follows:

1. Five (5) year term

Randy VanBuren seconded.

Roll Call: Lindrose; Aye, VanBuren; Aye, Lewis; Aye, Sullivan; Aye, Chairman; Aye.

Motion carried.

- **Case 2024-0003-BZA:**

Applicant T & J Pike Services LLC submitted a Variance Application for property located at 410 Temple Ave. (PPN 11-B-066-0-00-029-0). The request is to permit two existing unpermitted accessory structures to maintain a setback of approximately on (1) foot from the side property line. In violation of section 25.08(A) and 25.08(B) which requires that no structure shall be any closer than 25 feet to a side yard property line and that no structure shall exist within 75' of a residential property.

Chairman saw no error in the Zoning Inspector requiring a Variance.

Tony Pike spoke for the request. The request is to allow two (2) existing structures to stay one (1) foot from a property line. Neighbors have given their okay for the structures.

A discussion was held pertaining to the existing structures not having permits.

A discussion was held regarding an existing fence on the property.

A discussion was held regarding if the buildings had been inspected.

A discussion was held pertaining to construction of the buildings, how they had been built.

A discussion was held with Staff regarding the applicant also needing a Site Plan Review with the Zoning Commission.

A discussion was held with Staff regarding hardships on the property owner.

A discussion was held with Staff on how the decision from the Board will affect the Site Plan Review with the Zoning Commission.

A discussion was held with Staff pertaining to what the next step would be for the applicant for already existing structures that do not have permits regarding the Building Department.

A discussion was held regarding moving the structures and the enforcement of the Zoning Resolution.

A discussion was held regarding the Board working with the applicant to allow the existing structures on the property.

A discussion was held regarding moving the smaller building to abut the larger structure that is closer to Temple Avenue.

A discussion was held about how close the buildings can be to one another.

A discussion was held regarding acquiring a building permit if the variance is allowed.

A discussion with Legal and Staff was held regarding if attaching both structures would be allowed, and if that would be too large as one structure on the property.

Chairman entertained a motion.

Dave Lindrose made a motion to approve **Case 2024-0003-BZA** with the condition(s) as follows:

1. Relocate the smaller building and attach to the larger building.
2. Building must be moved by August 2024.
3. All building permits must be obtained.

Randy VanBuren seconded.

Roll Call: Sullivan; Aye, Lindrose; Aye, VanBuren; Aye, Lewis; Aye, Chairman; Aye.
Motion carried.

Closing of Public Meeting:

Randy VanBuren made a motion to close the Public Hearing. Dave Lindrose seconded.

Roll Call: Sullivan; Aye, Lindrose; Aye, VanBuren; Aye, Lewis; Aye, Chairman; Aye.
Motion carried.

Regular Meeting:

The **December 12, 2023 Meeting Minutes** were approved as submitted.

Old Business: None

New Business:

- **Election of Officers**

Vice-Chairman let the Board know that Tom Hill had agreed to be Chairman if re-elected.

Randy VanBuren made a motion to re-elect Tom Hill as Chairman. Dave Lindrose seconded.

Roll Call: VanBuren; Aye, Lindrose; Aye, Lewis; Aye, Sullivan; Aye, Vice-Chairman; Aye.
Motion carried.

Randy VanBuren made a motion to re-elect Dave Enzerra as Vice-Chairman. Dave Lindrose seconded.

Roll Call: Lindrose; Aye, Lewis; Aye, Sullivan; Aye, VanBuren; Aye, Vice-Chairman; Aye.
Motion carried.

Meeting Adjournment:

Ken Sullivan made a motion to adjourn the meeting at 7:09 P.M. Randy VanBuren seconded.

Roll Call: Lindrose; Aye, VanBuren; Aye, Sullivan; Aye, Lewis; Aye, Chairman; Aye.
Motion carried.

Next official meeting date is Tuesday, March 12, 2024.

Respectfully submitted,



Dave Enzerra, Vice-Chairman



Rachel Muro, Secretary