

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

Tuesday, April 11, 2023

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

Present: Dave Enzerra, Dale Lewis, Randy VanBuren
Absent: Ken Sullivan, Tom Hill, Dave Lindrose
Zoning Inspector: Harley DeLeon
Legal Counsel: Jeremy Iosue

Vice-Chairman Dave Enzerra 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 Jeremy Iosue swore in persons who were present to speak, and intended to testify during the Public Hearing.

Public Hearing:

- **Case 2023-0005-BZA:**

Applicant 1522 Mentor LLC submitted a Conditional Use Application for property located at 1518 Mentor Ave. (PPN 11-A-016-E-00-058-0). The request is for drive-thru facilities for a Charley's Philly Steaks restaurant.

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

Michael Allen, Construction Project Manager for Charley's Corporate, spoke for the request. Mr. Allen explained that a drive-thru window has been installed, and around thirty (30) cars will be able to be stacked in the drive-thru with a five (5) minute time between customers. Bollards will be installed to follow the line of the building, with directional signs and the drive-thru lane identified.

Vice-Chairman asked regarding how many drive-thru windows will be in operation. Mr. Allen replied one window in operation.

Vice-Chairman asked regarding the bollards.

Mr. Allen replied they were already in place on the property. To help direct traffic.

Vice-Chairman explained the Zoning Resolution regarding requirements for drive-thrus. Ten (10) car spaces needed for every window in operation. The Board needed verification that there were those spaces available.

Mr. Allen responded that he could look into and let the Staff know. He believed there were twenty (20) or more spaces available on the property.

Vice-Chairman needed clarification regarding customers for O'Reilly's Auto Parts having possible issues leaving during busy peak hours for the restaurant.

Mr. Allen did not see any issues with the length of the shopping center and cars going around. Mr. Allen included other Charley's stores as examples, those stores did not have too many traffic issues.

Jay Romer, owner of the shopping center, speaking for the request; explained with the help of street photos provided of the shopping center, why the restaurant would be a good fit at the property in question. Mr. Romer did not think there would be a traffic issue with the restaurant.

Vice-Chairman asked regarding lighting.

Mr. Allen replied that exterior lighting will be installed on the drive-thru.

Jay Romer, what lighting had been newly installed for the property.

Dale Lewis asked regarding inside dining.

Mr. Allen responded that there will be inside dining as well, seating set up.

Dale Lewis asked regarding parking.

Mr. Allen responded across from the restaurant.

Dale Lewis asked regarding signage being installed.

Mr. Allen replied that signage will be applied for permit wise. He would like to put signs on the building, front and side with the drive-thru. Mr. Romer, the shopping center owner, was thinking of installing a sign including all the tenants of the center. Mr. Allen showed the Board where he would also like to install directional signs for the drive-thru.

Vice-Chairman explained what conditions were, and how they were added to Conditional Use Permits.

Vice-Chairman asked regarding hours of operation.

Mr. Allen responded 10 A.M. to 10 P.M. Monday through Sunday.

Mr. Allen gave a history of the Charley's Philly Steak Company.

There was no one present to speak against the request.

Vice-Chairman entertained a motion.

Randy VanBuren asked if hours of operation were needed as a condition, and explained once the condition was set with the hours, the hours could not be changed.

Mr. Allen did not see an issue with the hours he had given to the Board.

A discussion was held with Zoning Inspector Harley DeLeon regarding what conditions that would be good to be added to the permit.

1. Ten (10) stacking spaces to the rear of the structure.
2. Directional signage to the Northeast of the property.

Harley DeLeon let the Board know that hours of operation were not required if the Board chose.

Randy VanBuren asked regarding how long the applicants would like the term to be for the Conditional Use.

A discussion was held explaining the term added.

Randy VanBuren made a motion to approve **Case 2023-0005-BZA** with the condition(s) as follows:

1. Hours of Operation Monday through Sunday 10 A.M to 10 P.M.
2. Ten (10) stacking spaces to the rear of the structure.
3. Directional Signage to the Northeast of the property.
4. Five (5) year term.

Dale Lewis seconded.

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

Vice-Chairmen explained what journalization was and asked if the applicants would like Case 2023-0005-BZA journalized. A discussion was held. The applicants did not need the case journalized.

Regular Meeting:

Vice-Chairman asked the Board if there were any comments or edits to the **March 14, 2023 Meeting Minutes**. Hearing none.

The **March 14, 2023 Meeting Minutes** were approved as submitted.

Old Business: None

New Business: None

Vice-Chairman entertained a motion to adjourn the meeting.
Randy VanBuren made a motion to adjourn the meeting. Dale Lewis seconded.

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

Vice-Chairman adjourned the meeting at 6:59 P.M.

Next official meeting date is Tuesday, May 9, 2023.

Respectfully submitted,



Dave Enzerra, Vice-Chairman



Rachel Muro, Secretary



DATE: 4/11/23

BZA

Name	Email Address
Michael Allen	mallen@charley.com
J. Romer	jay@greatlakesresources.com