

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

Tuesday, December 12, 2023

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

Present: Dave Enzerra, Ken Sullivan, Randy VanBuren, Dave Lindrose, Tom Hill
Absent:
Zoning Inspector: Harley DeLeon
Legal Counsel: Mandy Gwirtz

Chairman Tom Hill 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 Gwirtz swore in with each case, persons who were present to speak, and intended to testify during the Public Hearing.

Public Hearing:

- **Case 2023-0019-BZA:**

Applicant Horrigan Gayle submitted a Variance Application for property located at 871 Arden Ave. (PPN 11-B-041-G-03-046-0). The request is to allow construction of an 18' by 8' cover for the front deck which proposes a minimum setback from the road right-of-way of 24' and 9" in violation of Section 15.03 which requires that the minimum distance between the main dwelling and road right of way shall be 50'.

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

Laura Mastandrea spoke for the request.

The request for a cover for a porch. Footers will need to be installed against the distance requirements in the Zoning Resolution.

A discussion was held pertaining to the reason for the proposed porch cover and how it will be built.

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.

Ken Sullivan made a motion to approve **Case 2023-0019-BZA**.

Dave Lindrose seconded.

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

Chairman entertained a motion.

Randy VanBuren made a motion to journalize **Case 2023-0019-BZA**. Dave Enzerra seconded.

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

Motion carried.

- **Case 2023-0020-BZA:**

Applicant Fred Schwendler submitted a Conditional Use Application for property located at 65 Normandy Dr. (PPN 11-A-011-0-00-022-0) The request is for operation of an indoor climate controlled storage facility which has been declared a similar use to those uses listed in the B-3 zoning district by Trustee Resolution.

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

Fred Schwendler spoke for the request.

The request is for a climate controlled indoor storage facility. The applicant is also working with the Storm Water Department to alleviate flooding on or near the property in question. Operating hours for the facility was discussed. Fencing will be installed to separate the facility and the residential properties. There will be about fifty (50) storage units proposed to be built.

A discussion was held regarding if large trucks will possibly be driven behind the building.

A discussion was held pertaining to motion sensor lights inside the building and units.

A discussion was held pertaining to access by entry code for security.

A discussion was held regarding employees on the premises.

A discussion was held regarding possible electric vehicle charging ports installed for the facility in the future.

A discussion was held clarifying the Hours of Operation.

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 2023-0020-BZA** with the condition(s) as follows:

1. To be operated as submitted in the applicant's petition for similar use.
2. Operating Hours, Office Monday through Friday, 9:00 A.M to 6:00 P.M., by appointment Saturday and Sunday, Storage Unit Access 5:00 A.M. to 9:00 P.M. Monday through Sunday
3. Five (5) year term

Randy VanBuren seconded.

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

Motion carried.

- **Case 2023-0023-BZA:**

Applicant Angelo Geraci submitted a Conditional Use Application for property located at 1600 Mentor Ave. (PPN 11-A-016-H-00-024-0). The request is the continuation of a legal non-conforming use of used car sales in conjunction with a legal non-conforming use of automotive repair. Both of which, at the time they were permitted conditionally. The standard conditions for both uses can be found in Section 12 of the Painesville Township Zoning Resolution.

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

Angelo Geraci spoke for the request.

The request is for a used car dealership and service work for the vehicles are sold.

A discussion was held regarding the Zoning Resolution, Section 12(J)(a-f)

A discussion was held regarding removal of tires on the applicant's property.

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

There was no one present to speak against the request.

A discussion with Staff was held regarding Section 12(J)(a-f) of the Zoning Resolution. What is applicable to the Case from this Section.

A discussion was held regarding Operating Hours.

Staff shared concerns regarding the Case.

Staff read Section 12(J)(a)-(f) of the Zoning Resolution to the applicant.

A discussion was held regarding Section 12(J)(f) not pertaining to the Conditional Use.

Chairman entertained a motion.

DaveENZerra made a motion to approve **Case 2023-0023-BZA** with the condition(s) as follows:

1. Operating Hours for Service and Sales, Monday through Friday 8:00 A.M. to 6:30 P.M., 10:00 A.M. to 4:00 P.M. Saturday and 10:00 A.M. to 2:00 P.M. Sunday
2. Section 12.05(J)(a)-(e)
3. Manage inventory and customer parking in a way as to not impede traffic flow on Route 20.
4. Removal of existing tires in thirty (30) days
5. Five (5) year term

Randy VanBuren seconded.

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

Motion carried.

Chairman entertained a motion.

Ken Sullivan made a motion to journalize **Case 2023-0023-BZA**. DaveENZerra seconded.

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

Motion carried.

- **Case 2023-0024-BZA:**

Applicant American Property Ownership LLC submitted a Variance Application for property located at 1300 Mentor Ave. (PPN 11-A-016-C-01-007-0). The request is to allow the expansion of a pre-existing commercial structure to a total size of 11,972 sq ft while providing 25 parking spaces in violation of Section 29.04 which requires that there shall be 1 parking space provided for every 25 sq ft of the main building which would be a total of 48 parking spaces after completion of all additions.

Chairman saw no error in the Zoning Inspector requiring a Variance.
Chairman would like to have noted this request is for every 250 sq ft of the main building.

Chris Bedrick spoke for the request.

The request is for an expansion for storage or warehousing of stock for the applicant's business of fireplaces, grills, ect while providing the proper amount of parking spaces. The applicant gave information regarding the other building for his business located next to the property in question.

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

There was no one present to speak against the request.

A discussion was held regarding the increase of square footage for the applicant.

Chairman entertained a motion.

Dave Lindrose made a motion to approve **Case 2023-0024-BZA**. Randy VanBuren seconded.

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

Randy VanBuren made a motion to journalize **Case 2023-0024-BZA**. Ken Sullivan seconded.

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

Closing of Public Meeting:

Ken Sullivan made a motion to close the Public Hearing. Dave Enzerra seconded.

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

Regular Meeting:

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

Old Business: None

New Business: None

Meeting Adjournment:

Dave Enzerra made a motion to adjourn the meeting at 7:33 P.M. Dave Lindrose seconded.

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

Motion carried.

Next official meeting date is Tuesday, January 9, 2024.

Respectfully submitted,



Tom Hill, Chairman



Rachel Muro, Secretary