

PAINESVILLE TOWNSHIP BOARD OF ZONING APPEALS
MEETING MINUTES
Tuesday, August 13, 2024
Painesville Township Office 55 Nye Rd. Painesville Twp., OH 44077

PUBLIC HEARING

Vice Chairman Dave Enzerra called the meeting to order at 6:30 P.M. The Pledge of Allegiance was recited.

Roll Call: Dave Enzerra, Dale Lewis, Dave Lindrose, Randy VanBuren

Absent: Tom Hill, Ken Sullivan

Staff Present: Zoning Inspector Sean Ischay, Legal Counsel Mandy Gwartz, Zoning Secretary Rachel Muro

The Legal Advisor swore in persons who were present to speak, and intended to testify during the Public Hearing.

A Legal Notice was published in The Gazette on July 29, 2024, and sent to all contiguous parties.

- **PURPOSE OF HEARING: 2024-0008-BZA (continued from July 9, 2024)**

Applicant Zeltner Brie B submitted a Variance Application for property located at 21 Overlook Rd. (PPN 11-A-020-C-00-030-0) The request is to allow construction of a 24' by 10' front porch which would maintain a setback of 39' and 8" from the road right-of-way in violation of Section 14.03(A)(1) which requires that no structure shall be located any closer to the road right-of-way than 50'.

Testimony from Interested Parties: Mike Scott spoke for the request, and would like to update his home by adding a front porch to add to his value to the property.

Testimony from Audience: None

Correspondence Received: None

Recommendation of Zoning Inspector: Zoning Inspector gave commentary regarding the process for the Variance and the reason for the 50' buffer from the road right-of-way.

Motion to Approve: Dave Lindrose made a motion to approve Case 2024-0008-BZA.

Randy VanBuren seconded.

Roll Call:	Lindrose- Aye	Vice-Chairman- Aye
	Lewis- Aye	
	VanBuren- Aye	

Motion carried. **Case 2024-0008-BZA approved**

Motion to Journalize: Randy VanBuren made a motion to journalize Case 2024-0008-BZA. Dave Lindrose seconded.

Roll Call:	VanBuren- Aye	Vice-Chairman- Aye
	Lindrose- Aye	
	Lewis- Aye	

Motion carried. **Case 2024-0008-BZA journalized**

- **PURPOSE OF HEARING: 2024-0012-BZA:**

Applicant Plum-Four Investments LLC submitted a Variance Application for property located at 1006 Robinhood Ave. (PPN 11-B-043-B-00-059-0) The request is the proposed construction of a new dwelling on a corner lot which is proposed to maintain a minimum setback from the road right-of-way of 13.21' from the road that the proposed dwelling fronts on and 7.75' from the side road does not conform to zoning requirements in the R-2 zoning district which includes the subject property in violation of Section 15.03(B) which requires that no structure shall be located any closer to the right-of-way line than 35' and no closer than 14' from the side road right-of-way. A permit is therefore denied.

Testimony from Interested Parties: David Slivka spoke for the request. Mr. Slivka commented that the property is a slightly different shape than the surrounding properties. He tried to pick a home that would be the best fit to build on the property.

Testimony from Audience: Zoning Inspector Sean Ischay presented an overview of the property and past photos taken.

The Applicant commented that he held discussions with the surrounding properties to buy the properties so as to not need a Variance, but those discussions have fallen through. Staff discussed current regulations needing to be met if properties had been merged.

The Board and Staff discussed the following; the surrounding undeveloped properties to the proposed home, zoning regulations regarding setback requirements in that area, setbacks measurements of other properties for examples for the proposed home, the proposed home would be an improvement to the area, the concern for traffic and service from the Road Department, possible visibility issues, location of the driveway

Correspondence Received: A letter was sent to the Board from past Staff regarding a home that had been previously on the property that was demolished.

A Neighbor came into Township Hall to review the Variance and to talk to Staff in regards to concerns.

Recommendation of Zoning Inspector: Discussions with the Board had been held, Staff did not have more to add.

Motion to Approve: Dale Lewis made a motion to approve Case 2024-0012-BZA.

Randy VanBuren seconded.

Roll Call: Lindrose- Aye Vice-Chairman- Aye
VanBuren- Aye
Lewis- Aye

Motion carried. **Case 2024-0012-BZA approved**

Motion to Journalize: Dave Lindrose made a motion to journalize Case 2024-0012-BZA.

Randy VanBuren seconded.

Roll Call: VanBuren- Aye Vice-Chairman- Aye
Lindrose- Aye
Lewis- Aye

Motion carried. **Case 2024-0012-BZA journalized**

August 13, 2024

Closing of Public Meeting: Randy VanBuren made a motion to close the Public Hearing at 6:58 P.M.
Dave Lindrose seconded.

Roll Call: Lindrose- Aye Vice-Chairman- Aye
VanBuren- Aye
Lewis- Aye

Motion Carried. **Public Meeting closed**

Regular Meeting:

- July 9, 2024 Meeting Minutes were approved and passed unanimously.

ADJOURNMENT: Dave Lindrose made a motion to adjourn; Randy VanBuren seconded.

Roll Call: Lewis- Aye Vice-Chairman- Aye
Lindrose- Aye
VanBuren- Aye

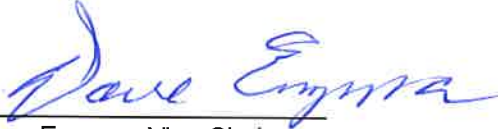
Motion Carried. **Meeting Adjourned**

Meeting adjourned at 7:00 P.M.

Next Meeting will be held Tuesday, September 10, 2024.

ADJOURNMENT

Respectfully submitted,



Dave Enzerra, Vice-Chairman



Rachel Muro, Zoning Secretary