

**PAINESVILLE TOWNSHIP
BOARD OF ZONING APPEALS
MEETINGMINUTES
September 10, 2019**

Present: Tom Hill, Dave Lindrose, Ken Sullivan and Dale Lewis
Absent: Lorrie Schuck, Dave Enzerra and Randy VanBuren
Zoning Inspector: Rich Constantine
Legal Counsel: Matt Lallo

The Chairman, Tom Hill, called the meeting to order at 6:30 p.m. The Pledge of Allegiance was recited. A quorum was present. The Chairman requested that Legal Advisor Matt Lallo swear in the persons who were present to speak and intended to testify during the public hearings. All but one took the oath.

PUBLIC HEARINGS

Case 19-BZA-29

Applicant Kenneth Mika submitted an Application for a Variance for property located at 73 Doan Ave (PPN 11A015B00030). The Variance request is to allow a sunroom addition to the main dwelling changing the current twenty one (21) foot clearance between the main dwelling and detached garage to then (10) feet in violation of Section 14.02(C)(5) which requires a minimum clearance of twenty (20) feet between the main dwelling an accessory buildings.

Chairman found no error of the Zoning Inspector for requesting a variance.

The applicant, Kenneth Mika, stated that they would like a sunroom.

Dave Enzerra made the motion to approve Case 19-BZA-29 as submitted.

Dave Lindose seconded.

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

Motion carries.

Dave Lindrose made a motion to journalize **Case 19-BZA-29**.

Ken Sullivan seconded.

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

Motion carries.

Regular meeting:

The Chairman called for attention to the minutes of the August 11, 2019 hearings and meetings and if anyone had any comments or corrections. Hearing none, the Chairman declared the minutes approved.

Old Business

1. Continued from August 11, 2019 Meeting

Dollar General, 1535 Madison Ave, CUP renewal, 08/14/18-08/13/23

Request is for renewal of Conditional Use Permit 13-BZA-08 effective 8/14/18 for a period of 5 years to expire on 8/13/23.

Chairman stated no one is in attendance from Dollar General. The Zoning Inspector stated that the Zoning Secretary did not notify Dollar General that their presence was requested by the Board. The Zoning Inspector did inform them, however, he stated he doesn't feel that it gave them very much notice. Either way, no one from Dollar General made an appearance or contacted the Zoning Department. Matt Lallo stated that this CUP was going to be continued for the October meeting; that the Board wasn't going to meet in September. However, the Variance application changed that. Rich Constantine stated that he will make sure they are aware of the hearing for next month and they are requested to attend. They will have two choices; renew with conditions, refuse to renew it with a public hearing.

Chairman asked if they know what the board is upset about and how it would benefit them if they rectify those issues prior to next month's meeting.

Ken Sullivan made a motion to continue CUP Renewal Case 13-BZA-08 till October 8, 2019 meeting.

Dave Lindrose seconded it.

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

Motion carries.

New Business

1. Marc's, 1585 Mentor Ave, CUP renewal 13-BZA-04, 05/14/18-05/13/23

Matt Lallo stated that there are different owners and he believed that the new owner should have been notified. Mark Glassman Inc the legal description of the owner is different, Matt stated that was okay then. Rich Constantine stated that he has not had any issue there.

Chairman stated that he is looking to renew this for 5 years, and is not certain what conditions were imposed originally. The Zoning Inspector stated the original conditions as followed:

1. Outdoor storage is allowed in front of the building on concrete not on gravel
2. Bagged mulch may be stored on the side of building on pallets

Ken Sullivan made a motion to approve CUP renewal Case 13-BZA-04 with the original conditions for a period of 5 years. Dave Lindrose seconded.

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

Motion carries.

There being no further New Business, the Chairman adjourned the meeting 6:47PM. Next meeting will be Tuesday, October 8, 2019.

Respectfully submitted,



Tom Hill, Chairman



Lorrie Schuck, Secretary

