

**PAINESVILLE TOWNSHIP  
BOARD OF ZONING APPEALS  
MEETING MINUTES  
June 23, 2020**

**Present:** Tom Hill, Ken Sullivan, Dave Enzerra, Dave Lindrose and Randy VanBuren  
**Absent:** None  
**Zoning Inspector:** Harley DeLeon  
**Legal Counsel:** Jeremy Iosue

**This public hearing was held electronically due to responsible response to the coronavirus mandates in the State of Ohio.**

Chairman called the meeting to order at 6:30 p.m. The Pledge of Allegiance was not recited due to virtual hearing. A quorum was present. Legal counsel, Jeremy Iosue, swore in the persons who were present to speak and intended to testify during the public hearings. Chairman asked the board if anyone objects to opening Case 20-BZA-09 first; hearing none, the public hearing began.

**PUBLIC HEARING:**

**Case 20-BZA-09**

Applicant Chesapeake Cove Condo HO Assoc/Easement agent, Stevens Mgmt submitted a Variance application for property located at 1 Chesapeake Cove (PPN 11-A-014-G-00-0CL-0). The request is to allow an 8 foot tall white vinyl fence to be installed on this property and an easement area granted by Aldi Inc on PPN 11A0140000110 in violation of Section 6.13(B) which limits fence height in the R-4 and B-1 zoning districts to 6 feet.

Chairman saw no error of the Zoning Inspector asking for this variance. Chairman asked if someone would like to speak in favor of this request. Harley DeLeon interrupted, stating that the live stream isn't working and inquired with legal counsel if that is an issue. Jeremy Iosue, legal counsel, replied yes, it is required to be a live stream. Chris with IT corrected the issue. Chairman asked Zoning Secretary, Lorrie Schuc to re-read the case now that the live streaming is working.

Amy Caroline, management of Chesapeake cove stated that Aldi took down multiple trees for their expansion. The elevation on that side is lower. In order to block the area and give privacy they need the extra 2 feet of height for the fence. Chairman asked if anyone else would like to speak in favor or against; hearing none, he'd entertain a motion.

Ken Sullivan made the motion to approve **Case 20-BZA-09** as submitted.

Dave Lindrose seconded it.

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

Motion carries.

Ken Sullivan made a motion to journalize **Case 20-BZA-09**.

Dave Lindroes seconded the motion

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

Motion carries.

**Case 20-BZA-07**

Applicant Safstor Real Estate Co LLC submitted a Conditional Use Application for property located at 1980 Mentor Ave (PPN 11-A-014-0-00-001-0). The request is to be issued a conditional use permit,

renewable every five year period, to operate a 3-story climate controlled indoor self-storage facility in accordance with requirements as contained in Sections 22.02(E), 12.02(U), 12.05(U) and Trustee Resolution 2020-051 which declares the proposed use to be a Similar Use.

Chairman asked the Zoning Inspector, Rich Constantine, if Painesville Township includes climate control facilities in our resolution. Rich stated no and that's why the Trustee Resolution can declare the use to be Similar. Use. Chairman asked if anyone would like to speak in favor of this request?

Jon Williams, owner of Safstor, stated he has been in business for 3 years. He is requesting the height variance from the discussion at the last meeting, where the board suggested that he designs the building to match the Western Reserve style. Phillip and Truman are online as well. Truman is the architect.

Chairman asked Zoning Inspector, Rich Constantine, if the picture is what the rendering of the facility was. The Zoning Inspector stated yes. Rich stated that the office received comments. Rich stated that a homeowner is concerned about traffic and asked Trustees to place a fence around the facility

A couple who owns property on Chatham Dr. is concerned there will be outdoor storage. Trusses asked Safstor to add fencing to add security and abide that there will be no outdoor storage allowed. Philip Argo stated that those conditions are noted on the site plan. Chairman asked if anyone else would like to speak in favor or against; hearing none, he'd entertain a motion.

Ken Sullivan made a motion to approve **Case 20-BZA-07** with the following conditions:

1. Fence on northern property
2. No outdoor storage
3. Security cameras on non-street side of the building
4. Landscaping on the north side of building
5. 5 year term

Jon Williams asked why a 5 year term. Chairman stated that 5 years is the maximum term without a variance. Jon Williams stated that he may not be able to get a loan on the property with a 5 year term. A twenty (20) year term is the loan of the debt for a commercial loan. Rich stated that they are bound by what the zoning resolution states. He wasn't aware that Safstor needed additional terms. That would be a variance request. Jon stated that is still a discretionary approval. Chairman asked if they would need a new variance request for the 20 year term. The Zoning Inspector replied yes.

Applicant, Jon, stated he will submit a new application for a variance for 20 years and asked the board to approve the conditions tonight as a 5 year term. Jeremy Iosue agreed with that plan.

Dave Enzerra seconded the motion.

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

Motion carries.

Dave Lindrose made the motion to journalize **Case 20-BZA-07**

Randy VanBuren seconded the motion.

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

Motion carries.

### **Case 20-BZA-08**

Applicant Safstor Real Estate Co LLC submitted a Variance application for the property located at 1980 Mentor Ave (PPN 11-A-014-0-00-001-0). The request is to allow a maximum building height of 40 feet for a proposed 3-story climate controlled indoor storage facility in violation of Sections 22.04 and 22.07 which require a maximum height of 35 feet for main buildings in the B districts.

Jon Williams stated that he is requesting a slight variance in height for aesthetics. This was a request by the board. Chairman asked that the drawing illustrates 37 feet, is the building going to be higher than that?

Truman stated that the building ended up being 37 instead of 40. Chairman stated that he didn't have an issue.

Dave Lindrose made a motion to approve **Case 20-BZA-08** as submitted.

Randy VanBuren seconded the motion.

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

Motion carries.

Dave Enzerra made the motion to journalize **Case 20-BZA-08**.

Randy VanBuren seconded the motion.

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

Motion carries.

Jon Williams asked the board to pass along the invitation to the local police department that they would allow Police the use of a 10x10 room that they can access 24-7.

Other communities have utilized this service and Mr. Williams wanted to extend the offer.

#### **REGULAR MEETING:**

The Chairman called for attention to the minutes of the April 14, 2020 and June 9, 2020 hearings and meetings. Chairman stated hearing no edits, the Chairman declared the minutes approved.

Lorrie Schuck, Zoning Secretary, announced that she has resigned from her position. This will be her last meeting. The board thanked her for her work and wished her the best as she moved on.

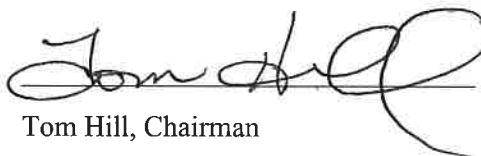
Chairman asked if the July meeting will be at the township hall. Rich Constantine is not sure, as that will be determined by the Trustees.

#### **NEW BUSINESS:**

#### **OLD BUSINESS: None**

There being no further New Business, the Chairman adjourned the meeting at 7:17 PM. Next meeting will be Tuesday, July 14, 2020.

Respectfully submitted,



Tom Hill, Chairman



Lorrie Schuck, Secretary

