

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

Tuesday, November 10, 2020

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

Present: Tom Hill, Dave Enzerra, Ken Sullivan, Randy VanBuren, Dave Lindrose
Absent: None
Zoning Inspector: Rich Constantine, Harley DeLeon
Legal Counsel: Jason Hartzell

Chairman, Tom Hill called the meeting to order at 6:34 P.M. The Pledge of Allegiance was not recited due to the virtual hearing. The public hearing was held by video conference due to respectful response to the coronavirus mandates in the State of Ohio. A roll call revealed that a quorum was present. Legal Advisor Jason Hartzell swore in the persons who were present to speak, and intended to testify during the public hearings.

Public Hearing:

- **Case 20-BZA-28:**

Applicant Mario & Roberta Bertone filed a Variance Application for property located at 170 Hickory Hill Rd. (PPN 11-A-017-0-00-030-0). The request is to allow construction of a 1,504 sq ft addition connecting two pre-existing accessory structures in violation of Section 14.02(C)(4) which imposes a maximum total square footage for accessory buildings of 875 sq ft or 50% of the ground floor living area of the main structure, whichever is greater. The proposed total square footage for accessory buildings is 3, 200 sq ft. The ground floor living area of the main structure is 1680 sq ft.

Chairman found no error in the Zoning Inspector requiring a variance.

Mario Bertone spoke in favor. No one spoke against the request.

Mr. Bertone stated that he currently has two existing buildings on his property, and he would like to connect the roofs of both those buildings together. Once connected, one building will be torn down. This will leave a 40ft by 80ft building to hold various needed equipment.

Chairman asked the Board if there were any questions.

Randy VanBuren asked the applicant how the applicant would address water runoff from the new building. If the applicant would move the water runoff to his existing pond.

Mr. Bertone stated that was correct. Mr. Bertone continued that the pond overflow will maintain the level of the pond.

Chairman asked the applicant how he would facilitate the water runoff.

Mr. Bertone stated that his property is already at a slant toward one of his neighbors. Mr. Bertone continued that he has noticed a stream that runs around his pond and to a different neighbor who he believes has drainage installed. Mr. Bertone's hopes is to keep the runoff in the current direction it is in.

Chairman asked Mr. Bertone's neighbors about his plans, and if so, have they given any feedback to Mr. Bertone.

Mr. Bertone replied that his neighbors have not given any positive or negative feedback to his plans.

Chairman asked the applicant if the pond is shared between the properties of him and his neighbor.

Mr. Bertone replied that it was not. Mr. Bertone continued that it was on his property, but his neighbor's property was directly behind it.

Chairman asked Mr. Bertone if the proposed building would be on a slab.

Mr. Bertone replied that yes it would be.

Chairman asked the Board if there were any other questions.

DaveENZerra asked the applicant if there would need to be a change to the applicant's driveway to get vehicles back to the proposed building.

Mr. Bertone replied that the current driveway had enough room, and that the proposed building's door will be centered with the driveway. The proposed building will have a taller roof.

DaveENZerra clarified that the applicant would be using the existing driveway to get back to the proposed building.

Mr. Bertone replied that was correct.

Chairman reminded the Board that the application was for an Area Variance. This was a significant variance in size of the proposed building. Chairman told the Board that the property was large, and wooded. Chairman asked the Board if there were any other questions.

Chairman asked the applicant if the proposed building was a Morton Building.

Mr. Bertone replied that it is similar to Morton.

Chairman asked the applicant if the proposed building would be guttered.

Mr. Bertone replied that it would be.

Chairman asked the Board if there were any more questions.

Zoning Inspector Rich Constantine asked the applicant about his two separate parcels of property. What reason the applicant might have to not combine both parcels under one parcel number.

Mr. Bertone stated that he didn't realize that he could. That it had been two separate parcels when he bought it.

Zoning Inspector explained that if the applicant wanted to, it would be in the applicant's best interest to combine both parcels into one parcel.

The applicant asked how he could go about combining the parcels into one.

Rich Constantine explained how to, to the best of his knowledge.

Mr. Bertone thanked Rich Constantine.

Chairman asked the Board to make a motion.

David Lindrose made the motion to approve **Case 20-BZA-28**. Ken Sullivan seconded.

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

Motion carried.

Chairman asked the applicant if he would like to begin right away or if he needed time. Chairman explained how the Board journalizes their decision to fast track the approval of the application.

Mr. Bertone replied that he did not need the approval journalized.

Regular Meeting:

Chairman asked Legal Advisor Jason Hartzell if the correct quorum for the **September 8, 2020** meeting and correct quorum for the **September 14, 2020** meeting, needed to vote on approving those meeting minutes separately.

Jason Hartzell replied that was correct.

September 8, 2020 Minutes:

Chairman asked that a motion be made by a Board member that was present for the **September 8, 2020** meeting minutes as submitted.

Ken Sullivan made the motion to approve the **September 8, 2020** meeting minutes as submitted. David Enzerra seconded.

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

Special Meeting, September 14, 2020 Minutes:

Chairman asked that a motion be made by a Board member that was present for the **September 14, 2020** meeting minutes as submitted.

Randy VanBuren made the motion to approve the **September 14, 2020** meeting minutes as submitted. Dave Lindrose seconded.

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

October 13, 2020 Minutes:

Chairman asked that Vice-Chairman Dave Enzerra handle the approval of the **October 13, 2020** meeting minutes, as Chairman was not present for that meeting and Vice-Chairman led the meeting.

Vice-Chairman Dave Enzerra asked that a motion be made by a Board member present for the **October 13, 2020** meeting minutes as submitted.

Ken Sullivan made the motion to approve the **October 13, 2020** meeting minutes. Randy VanBuren seconded.

Roll call: VanBuren; Aye, Sullivan; Aye, Enzerra; Aye.
Motion carried.

Old Business: None

New Business: None

Chairmen let the Board know that he would not be in attendance for the December 8, 2020 meeting. Chairman asked if anyone else would be missing and if there were enough members for a quorum. The Board replied they would, and that a quorum should be present.

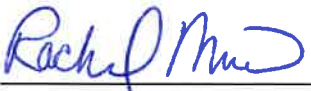
Chairman adjourned the meeting at 6:55 P.M.

Next official meeting date is Tuesday, December 8, 2020.

Respectfully submitted,

 12-11-20

Tom Hill, Chairman

 12-08-2020

Rachel Muro, Secretary