

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

Tuesday, January 10, 2023

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

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

Vice-Chairman Dave Enzerra 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 Jeremy Iosue swore in persons who were present to speak, and intended to testify during the Public Hearing.

Public Hearing:

- **Case 2022-0030-BZA (Continued from December 13, 2022):**

Applicant Daily Droppers INC. submitted a Conditional Use Application for property located at 1435 Mentor Ave. (PPN 11-A-011-0-00-004-0). The request is for an outdoor storage of propane exchange cage and Uhaul rental vehicles.

Vice-Chairman saw no error in the Zoning Inspector requiring a conditional use.

Jamel Herbawi spoke for the request.

Mr. Herbawi would like to have a propane storage cage and a rental for Uhaul trucks.

Ken Sullivan asked the applicant to show on a picture provided in the application, where the propane storage cage will be kept on the property.

Ken Sullivan asked if balusters will be installed as a safety barrier for the propane storage. The applicant replied he was unsure of needing a barrier installed around the metal propane cage.

Dave Lindrose asked the applicant what the maximum number of Uhaul trucks will be on the property. The applicant replied nine (9) trucks currently.

Dave Lindrose asked where on the property the trucks will be kept. The applicant replied on the side of the building where they currently are parked.

Vice-Chairman asked what the hours of operation will be for both the propane storage and the Uhaul rental. The applicant replied that the UHaul rental will be 10 A.M. to 5 P.M. Store hours will be 8 A.M. to 10 P.M. Sundays will be 8 A.M. to 9 P.M. UHaul rentals will run Monday through Friday.

Vice-Chairman explained that a condition may be placed that the Painesville Township Fire Department will need to check that safety is being met regarding the propane storage.

The applicant let the Board know that the Fire Department had been to the property recently for fire extinguishers to be placed at the gas pumps. Nothing had been mentioned regarding the propane tanks.

Randy VanBuren asked if there had been any discussion at the December 13, 2022 Meeting regarding an email from the Fire Chief for ballards being installed as a safety barrier.

The Board let Randy VanBuren know that that comment from the Fire Chief was for a different case.

The Board asked for Zoning Inspector Harley DeLeon's comments and/or concerns.

Zoning Inspector Harley DeLeon commented that the Board should take into consideration that parking on unimproved surfaces is not permitted. This was dependent on where the UHaul trucks were parked and could be taking up parking spaces.

Dave Lindrose needed clarification.

Harley DeLeon clarified that the trucks are required to be parked on asphalt. There are a certain number of parking spaces needed for business. A certain number of UHauls could impede on the amount of parking spaces required for the public for the business.

The applicant let the Board know that if the gas pumps are considered parking spaces, there are thirteen (13) parking spaces available.

Harley DeLeon commented that a minimum of five (5) public parking spaces were needed, not including the gas pumps.

The applicant replied that nine (9) parking spaces were available without the gas pump spots.

Randy VanBuren asked regarding the amount of UHaul trucks being parked on the property.

The applicant replied that there could be anywhere between seven (7) to nine (9) trucks.

The Board needed clarification from the applicant what amount of Uhaul trucks max would be parked on the property as a condition set.

The applicant agreed to seven (7) trucks total allowed.

The applicant let the Board know that when the business was bought a year prior, he did not know that there was a UHaul agreement with the gas station.

Dave Lindrose asked if there was a permit already attached to the property.

Zoning Inspector Harley DeLeon replied the previous owners had not gotten a permit, and it was unknown of the UHaul truck rentals.

Vice-Chairman explained what entails with a Conditional Use Permit. What conditions are being added that will need to be followed. A term of a certain number of years the permit will be good for before needing to be renewed, will also be issued. Vice-Chairman asked the applicant how many years with a maximum of five (5) years total would the applicant like

The applicant replied he would like a five (5) year term.

Zoning Inspector Harley DeLeon let the Board know that the parking spaces required will be correct with five (5) spaces for the public, and the seven (7) for the UHaul trucks.

Vice-Chairman entertained a motion.

Dave Lindrose made a motion to approve **Case 2022-0030-BZA** with the conditions as follows:

1. Seven (7) UHaul trucks parked on asphalt.
2. Must meet all requirements set by PTWP Fire Department.
3. UHaul Hours of Operation Monday through Friday, 10 A.M. to 5 P.M.
4. Propane Hours of Operation Monday through Saturday, 8 A.M. to 10 P.M., Sunday 8 A.M. to 9 P.M.

5. Five (5) year term.

Randy VanBuren seconded.

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

Vice-Chairman explained to the applicant the process of journalizing the case.
The applicant would like the motion journalized.

Randy VanBuren made a motion to journalize **Case 2022-0030-BZA**. Ken Sullivan seconded.

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

Regular Meeting:

Chairman asked the Board if there were any comments or edits to the **December 13, 2022 Meeting Minutes**. Hearing none.

The **December 13, 2022 Meeting Minutes** were approved as submitted.

Old Business: None

New Business:

- **Election of Officers**

Vice-Chairman let the Board know that Tom Hill had agreed if re-elected for Chairman.

Randy VanBuren made a motion to re-elect Tom Hill as Chairman. Dave Lindrose seconded.

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

Ken Sullivan made a motion to re-elect Dave Enzerra as Vice-Chairman. Randy VanBuren seconded.

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

Vice-Chairman entertained a motion to adjourn the meeting.
Ken Sullivan made a motion to adjourn the meeting. Dave Lindrose seconded.

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


Chairman adjourned the meeting at 6:54 P.M

Next official meeting date is Tuesday, February 14, 2023.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dave Enzerra", written over a horizontal line.

Dave Enzerra, Vice-Chairman

A handwritten signature in black ink, appearing to read "Rachel Muro", written over a horizontal line.

Rachel Muro, Secretary

