

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

Tuesday, June 13, 2023

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

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

Chairman Tom Hill 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 Mandy Gwartz swore in persons who were present to speak, and intended to testify during the Public Hearing.

Public Hearing:

- **Case 2023-0008-BZA:**

Applicant Land Douglas J & Megan A Carter submitted a Variance Application for property located at 69 Larchwood Dr. (PPN 11-A-009-E-00-006-0). The request is to allow construction of a 28 ft by 20 ft addition which is proposed to maintain a setback from the road right-of-way of 30' in violation of Section 14.03(A) which requires a minimum setback of 50 ft from the road right-of-way.

Chairman saw no error in the Zoning Inspector requiring a Variance.

Doug Land spoke for the request. The request is a two car garage addition, to be able to convert the current garage into a master bedroom.

A discussion with Zoning Inspector Harley DeLeon was held with the applicant regarding where the measurement is from for the violation pertaining to the road right of way.

Chairman asked if the addition could be done to the back of the home.
Applicant replied no.

Dale Lewis needed clarification which layout of the addition would be used per the photos in the application.

A discussion with Zoning Inspector Harley DeLeon was held regarding the examples given in the application of homes from other streets, and what the Board of Zoning Appeals takes into consideration.

Chairman asked regarding why the garage addition was needed.
The applicant explained that his family has grown, and to use the proposed garage for more storage and to better fit vehicles.

A discussion with Zoning Inspector Harley DeLeon was held regarding setbacks for the proposed garage being on a side street for the road right of way.

Randy VanBuren needed clarification regarding the different yellow highlighted layouts provided that the applicant did not want to move forward with due to issues.

There was no one else present to speak for the request.

There was no one present to speak against the request.

A discussion was held regarding how the measurement is done for setbacks with the road right of way.

Dale Lewis needed clarification regarding the proposed layout of the home with the garage addition.

A discussion was held regarding the proposed master bedroom.

Chairman needed clarification if Larchwood was a through street.

A discussion was held.

Chairman entertained a motion.

Ken Sullivan made a motion to approve **Case 2023-0008-BZA**

Randy VanBuren seconded.

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

Motion carried.

Chairmen explained what journalization was and asked if the applicant would like Case 2023-0008-BZA journalized. A discussion was held.

Randy VanBuren made a motion to journalize **Case 2023-0008-BZA**. Ken Sullivan seconded.

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

Motion carried.

- **Case 2023-0009-BZA:**

Applicant Rock Dennis M submitted a Variance Application for property located at 66 Deerfield Dr. (PPN 11-A-022-C-00-009-0). The request is to allow construction of a 1500 sq ft detached garage with a total height of fifteen (15) feet and eight (8) inches which exceeds the main building height by two (2) feet in violation of Section 14.02(C)(4) which requires that the maximum total square footage of accessory structures on the property shall not exceed 875 square feet and Section 14.02(C)(6) which requires that no accessory structure shall be erected to a height which exceeds that of the principal building.

Chairman saw no error in the Zoning Inspector requiring a Variance.

Dennis Rock spoke for the request. The applicant's current garage is in decay due to the driveway layout. The applicant would like a new, bigger garage to properly store vehicles and such.

Chairman asked regarding campers on the property.

The applicant replied that those do not stay parked but a couple months during the summer.

The applicant explained that the height he was asking for, was to raise the garage above the driveway as to avoid water run off into the proposed garage.

A discussion was held regarding the height of the applicant's home.

Chairman asked if the applicant's contiguous neighbors had discussed the proposed garage. The applicant replied that his neighbors did not have any issues.

Ken Sullivan needed clarification if the proposed garage would be the same as the current garage. The applicant replied that the proposed garage would exceed the current garage by two (2) feet.

Dale Lewis asked regarding the size of the garage door for the proposed garage. The applicant replied that the door would be an eight (8) foot door.

Chairman needed clarification that the proposed garage would be twenty (20) feet from the rear lot line. Applicant replied yes.

A discussion was held pertaining to roof heights of homes around the applicant's.

A discussion was held regarding how high a garage roof would be with an eight (8) foot door.

A discussion was held regarding the two (2) foot violation not being exceeded. The elevation of the garage will be lifted, but no more than two (2) feet.

A discussion was held regarding measurement from elevation or grade.

There was no one else present to speak for the request.

There was no one present to speak against the request.

Chairman entertained a motion.

Randy VanBuren made a motion to approve **Case 2023-0009-BZA**.

Ken Sullivan seconded.

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

Motion carried.

Chairman entertained a motion to journalize.

Ken Sullivan made a motion to journalize **Case 2023-0009-BZA**. Randy VanBuren seconded.

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

Motion carried.

Closing of Public Meeting:

Ken Sullivan made a motion to close the Public Hearing. Randy VanBuren seconded.

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

Motion carried.

Regular Meeting:

Vice-Chairman asked the Board if there were any comments or edits to the **May 9, 2023 Meeting Minutes**.
Hearing none.

The **May 9, 2023 Meeting Minutes** were approved as submitted.

Old Business: None

New Business:

Zoning Inspector Harley DeLeon discussed possible upcoming cases that may come before the Board.
A discussion was held regarding a past application for a Starbucks drive thru.

Chairman let the Board know that he would not be able to attend the July 11th Meeting.

Randy VanBuren let the Board know he also would not be able to attend the July 11th Meeting.

A discussion was held regarding moving the meeting date and who can attend when. It was decided on Wednesday July 19, 2023.

Zoning Inspector Harley DeLeon discussed a possible new Board for the proposed Casement Town Center. The Town Center Review Board. The new Board would review architecture, standards, and such for events and new buildings in the Commercial area or Town Center of the Casement Development. Harley DeLeon continued what seats were for who on the Board and if any of the Board of Zoning Appeals Members would be interested in a seat.

A discussion was held on when the Board would meet.

A discussion was held regarding the new Board and what seats would be taken by whom exactly to represent all aspects of the Development, Town Center, and Township.

A discussion was held pertaining to what the new Board would review and approve or disapprove. Harley DeLeon gave examples.

Chairman needed clarification that members were being looked for just for the Town Center.

Harley DeLeon replied yes. Harley DeLeon replied that the new Board is written into the Development Agreement for Casement.

A discussion was held between the Members, if it would be of interest to also for a Member to be a part of the New Board as a Board of Zoning Appeals representative.

A discussion was held that the new Board should have a good mix of representation. The Members were in agreement that a Board of Zoning Appeals Member would be beneficial if asked to join.

A discussion was held moving the July Meeting to Thursday, July 20th, instead of previously decided Wednesday, July 19th.

The Board was in agreement that the July Meeting would be Thursday, July 20, 2023.

Chairman adjourned the meeting at 7:28 P.M.

Next official meeting date is Thursday, July 20, 2023.

Respectfully submitted,

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

Tom Hill, Chairman

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

Rachel Muro, Secretary



DATE: 06-13-2023

BZA

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