

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

Tuesday, May 9, 2023

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

Present: Dave Enzerra, Randy VanBuren, Ken Sullivan, Dave Lindrose, Tom Hill
Absent:
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.

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

Public Hearing:

- **Case 2023-0007-BZA:**

Applicant Davis Greg submitted a Variance Application for property located at 320 Bowhall Road. (PPN 11-B-026-0-00-005-0). The request is to allow construction of a 1,920 sq ft detached garage maintaining a minimum riparian setback of 51' from the ordinary highwater mark of a watercourse with a watershed size of 1 to 20 square miles and proposed to be located on a property with three existing accessory structures totaling, collectively, approximately 1,100 sq ft which would bring the total square footage for all accessory structures to approximately 3,020 sq ft does not conform to zoning requirements in the R-1 zoning district which includes the subject property. In violation of Section 38.06(A) which requires that a minimum riparian setback for watercourses with a watershed size of 1 to 20 square miles shall be 75 feet from the ordinary highwater mark and Section 14.02(C)(4) which requires that the total square footage of all accessory structures on a property not exceed 875 sq ft.

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

Greg Davis spoke for the request.

Mr. Davis let the Board know that a shed would be demolished, and another structure was not a part of his property.

Mr. Davis explained why he wanted the garage in a specific location on his property, to avoid needing to build a bridge to access the proposed detached garage. Mr. Davis wanted to store and work on collector cars and lawn equipment.

Chairman needed clarification regarding the setback and where it started.

A discussion was held with Zoning Inspector Harley DeLeon.

Chairman asked the applicant how long he had owned the property.

The applicant replied he's owned the property since 2018.

Chairman asked if there has been any flooding on the property

The applicant said once in 2019 that the city of Painesville took care of it. Flooding happened away from the house, not towards it. The proposed detached garage will also sit higher.

Chairman needed clarification on an already existing garage on the property.

Dave Enzerra needed clarification where the access for the proposed garage would be.

The applicant showed with the help of a photo of the property provided, where access would be.

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

There was no one present to speak against the request.

Dave Enzerra needed clarification regarding the size of the proposed garage.

The applicant replied he would like the garage size that is given on the application to store four (4) collectors cars and other equipment.

Ken Sullivan asked how big the applicant's property was.

The applicant replied 5.2 acres.

Chairman needed clarification on how big the proposed garage was.

The applicant replied 40 by 48 sq ft.

A discussion was held regarding the average lot size for Painesville Township and what to consider for the asked variance.

Chairman entertained a motion.

Ken Sullivan made a motion to approve **Case 2023-0007-BZA** with the condition(s) as follows:

1. Approve the Variance for 2,320 sq ft total for all accessory structures with a setback from the ordinary highwater mark being a minimum of 51 feet.

Dave Lindrose seconded.

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

Motion carried

Chairmen explained what journalization was and asked if the applicant would like Case 2023-0007-BZA journalized. A discussion was held.

Randy VanBuren made a motion to journalize **Case 2023-0007-BZA**. Dave Enzerra seconded.

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

Motion carried.

Closing of Public Meeting:

A discussion was held regarding the need to close the Public Hearing.

Dave Enzerra made a motion to close the Public Hearing. Randy VanBuren seconded.

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

Regular Meeting:

Vice-Chairman asked the Board if there were any comments or edits to the **April 11, 2023 Meeting Minutes**. Hearing none.

The **April 11, 2023 Meeting Minutes** were approved as submitted.

Old Business:

Chairman asked regarding Case 2022-0022-BZA.

A discussion was held with Zoning Inspector Harley DeLeon regarding what type of development was happening on site on Hardy Road.

New Business:

Zoning Inspector Harley DeLeon discussed possible upcoming cases that may come before the Board.

Chairman entertained a motion to adjourn the meeting.

Randy VanBuren made a motion to adjourn the meeting. Dave Lindrose seconded.

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

Vice-Chairman adjourned the meeting at 6:48 P.M.

Next official meeting date is Tuesday, June 13, 2023.

Respectfully submitted,


Tom Hill, Chairman


Rachel Muro, Secretary

