



The City of Lorain, Ohio
Division of Buildings
Rey Carrion, Safety/Service Director

DATE: December 3, 2025
TIME: 9:00 A.M.
PLACE: Council Chambers

PUBLIC HEARING

Z.C.A. 03-2025 Submission for Planning Commission's review and recommendation to Lorain City Council, the Zoning Reclassification of, 2973 G St., from a B-2 General Commercial District to an R2-Transitional Residential district. Iraida Robles, applicant.

ZONING BOARD OF APPEALS AGENDA

ROLL CALL:

DISPOSITION OF MINUTES:

November Public Hearing Minutes

November Zoning Minutes

MATTERS FOR CONSIDERATION:

B.A. 37-2025 (previously held in abeyance) Submission for the Zoning Board of Appeals review and consideration, a variance from the required paved driveway access to the rear of the property, a variance of 169 parking spaces for open air businesses, a variance to allow storage and display areas on unpaved areas of the property, and a variance from the outdoor display areas being attached to the principal building (setbacks will be met) in a B-2 General Commercial district. Section 1143.07(h) Outdoor Display and Storage of Retail and Service Establishments at, 4953 W Erie Ave. Parma Park Properties, owner and Jacob Zook, applicant.

MISCELLANEOUS CONCERNS:

ADJOURNMENT

EVELISSE ATKINSON, PLANNING & ZONING ADMINISTRATOR

IF APPLICANT UNABLE TO ATTEND, PLEASE CALL (440) 204-2034

Lorain City Hall, 200 West Erie Avenue, 5th Floor, Lorain, OH 44052
Phone: 440-204-2045 / Fax: 440-204-2540



CITY OF LORAIN

Zoning Board of Appeals

1. a.

Meeting Date: 12/03/2025

Subject:

Z.C.A. 03-2025 Submission for Planning Commission's review and recommendation to Lorain City Council, the Zoning Reclassification of, 2973 G St., from a B-2 General Commercial District to an R2-Transitional Residential district. Iraida Robles, applicant.



CITY OF LORAIN

Zoning Board of Appeals

4. a.

Meeting Date: 12/03/2025

Subject:

November Public Hearing Minutes

Attachments

November Public Hearing Minutes

Public Hearing Minutes

DATE: November 5th, 2025

TIME: 9:00 a.m.

PLACE: Council Chambers

Public Hearing For:

C.U.P. 07-2025 Submission for Planning Commission's review and consideration, a Conditional Use Permit for outdoor storage related to a principal use (Auto repossession company) in an I-1 Light Industrial district. Section 1127.02 Schedule of Allowed Uses and 1143.08(a) Outdoor Storage Related to Principal Industrial Uses at, 1039 Bridge Dr. Shady Lahoud, owner and S&B Storage LLC, applicant.

Shady Lahoud, the applicant, spoke in regard to this matter.

Mary Springowski spoke in regard to this matter.

Beth Henley spoke in regard to this matter.

C.U.P. 08-2025 Submission for Planning Commission's review and consideration, a Conditional Use Permit to operate a diesel truck repair shop in a I-1 Light Industrial district. Section and Table 1127.02 Schedule of Allowed Uses and 1143.07(l) Vehicle Repair, Major at, 915 Colorado Ave. Jaime Pickens, applicant.

Gary Fischer, on behalf of the applicant, spoke in regard to this matter.

Mary Springowski spoke in regard to this matter.

David Faciana, Chief Building Official for The City of Lorain, spoke in regard to this matter.

Beth Henley spoke in regard to this matter.

C.U.P. 09-2025 Submission for Planning Commission's review and consideration, a Conditional Use Permit for outdoor storage related to a principal use (PVC pipe company) in an I-1 Light Industrial district. Section 1127.02 Schedule of Allowed Uses and 1143.08(a) Outdoor Storage Related to Principal Industrial Uses at, 5900 Baumhart Rd. Donel Sprenger, applicant.

Nicole Sprenger, on behalf of the applicant, spoke in regard to this matter.

David Faciana, Chief Building Official for The City of Lorain, spoke in regard to this matter.

C.U.P. 10-2025 Submission for Planning Commission's review and consideration, a Conditional Use Permit for Outdoor Display and Storage of Retail and Service Establishments (trailers and storage sheds) in a B-2 General Commercial district. Section 1125.02 Schedule of Allowed Uses and 1143.07(h) Outdoor Display and Storage of Retail and Service Establishments at, 4953 W Erie Ave. Parma Park Properties, owner and Jacob Zook, applicant.

Jacob Zook, the applicant, spoke in regard to this matter.

David Faciana, Chief Building Official for The City of Lorain, spoke in regard to this matter.

Evelisse Atkinson, City of Lorain Planning and Zoning Administrator, spoke in regard to this matter.

Mary Springowski spoke in regard to this matter.

F.D.P. 05-2025, Submission for Planning Commission's review and consideration, the Final Development Plan for Broadway Commons, a multi-family residential development in a MU Mixed-Use district, Chapter 1129.02 Schedule of Allowed Uses and Chapter 1145- Site Development Plans located at, 2119 Broadway. Hiti, DiFrancesco and Siebold, Inc, agent, CHN Housing Partners and Emerald Development Economic Network (EDEN), applicant.

Brian Grambort, architect, spoke in regard to this matter.

Joanne Zalena, spoke in regard to this matter.

Mary Springowski spoke in regard to this matter.

Evelisse Atkinson, City of Lorain Planning and Zoning Administrator, spoke in regard to this matter.

Adjournment:

The public hearing was adjourned without objection.

Rey Carrion, Chairman

Recorded by: Megan Warrens

Accepted:



CITY OF LORAIN

Zoning Board of Appeals

4. b.

Meeting Date: 12/03/2025

Subject:

November Zoning Minutes

Attachments

November Zoning Minutes

**ZONING BOARD OF APPEALS
MINUTES**

**DATE: November 5th, 2025
TIME: 9:00 a.m.
PLACE: Council Chambers**

Attendance:

Chairman: Rey Carrion Board Members: Henry Patterson, Ken Kramer, Brandon Wysocki, Shawn Lloyd

**A Quorum was established
The meeting was called to order on November 5th, 2025 by Rey Carrion.**

Minutes:

A motion was made by Ken Kramer to approve minutes from the Zoning Board of Appeals Meeting that was held on October 1st, 2025. The motion was supported by Brandon Wysocki.

5 in favor/ 0 opposed

Matters of Consideration:

*****Agenda items B.A. 29-2025, B.A. 30-2025, B.A. 31-2025, B.A. 32-2025, B.A. 33-2025, B.A. 34-2025 are requesting the same variance for different parcels. They will all be discussed together, and voted on separately. *****

B.A. 29-2025, Submission for the Zoning Board of Appeals review and consideration, a variance of seven (7) feet from the required width of twenty-two feet for single-family dwellings in an R-3, High Density Residential district. Section 1141.32 Requirements for single-family dwellings outside of a manufactured home community at, 3724 & 3726 Dallas Ave. Travis Carrie (agent) Your Grand Estates, applicant.

Travis Carrie, the applicant, spoke in regard to this matter.

Beth Henley spoke in regard to this matter.

David Faciana, Chief Building Official for The City of Lorain, spoke in regard to this matter.

Evelisse Atkinson, Planning and Zoning Administrator for The City of Lorain, spoke in regard to this matter.

Matt Kusznir, Director of Building, Housing, and Planning for The City of Lorain, spoke in regard to this matter.

Mary Springowski spoke in regard to this matter.

A motion was made by Brandon Wysocki to approve B.A. #29-2025 as requested and was supported by Ken Kramer.

4 in favor/ 1 opposed

B.A. 30-2025, Submission for the Zoning Board of Appeals review and consideration, a variance of seven (7) feet from the required width of twenty-two feet for single-family dwellings in an R-3, High Density Residential district. Section 1141.32 Requirements for single-family dwellings outside of a manufactured home community at, 3732 & 3734 Dallas Ave. Travis Carrie (agent) Your Grand Estates, applicant.

A motion was made by Brandon Wysocki to approve B.A. #30-2025 as requested and was supported by Ken Kramer.

4 in favor/ 1 opposed

B.A. 31-2025, Submission for the Zoning Board of Appeals review and consideration, a variance of seven (7) feet from the required width of twenty-two feet for single-family dwellings in an R-3, High Density Residential district. Section 1141.32 Requirements for single-family dwellings outside of a manufactured home community at, 3736 & 3738 Dallas Ave. Travis Carrie (agent) Your Grand Estates, applicant.

A motion was made by Ken Kramer to approve B.A. #31-2025 as requested and was supported by Brandon Wysocki.

4 in favor/ 1 opposed

B.A. 32-2025, Submission for the Zoning Board of Appeals review and consideration, a variance of seven (7) feet from the required width of twenty-two feet for single-family dwellings in an R-3, High Density Residential district. Section 1141.32 Requirements for single-family dwellings outside of a manufactured home community at, 3740 & 3742 Dallas Ave. Travis Carrie (agent) Your Grand Estates, applicant.

A motion was made by Brandon Wysocki to approve B.A. #32-2025 as requested and was supported by Ken Kramer.

4 in favor/ 1 opposed

B.A. 33-2025, Submission for the Zoning Board of Appeals review and consideration, a variance of seven (7) feet from the required width of twenty-two feet for single-family dwellings in an R-3, High Density Residential district. Section 1141.32 Requirements for single-family dwellings outside of a manufactured home community at, 3744 & 3746 Dallas Ave. Travis Carrie (agent) Your Grand Estates, applicant.

A motion was made by Ken Kramer to approve B.A. #33-2025 as requested and was supported by Brandon Wysocki.

4 in favor/ 1 opposed

B.A. 34-2025, Submission for the Zoning Board of Appeals review and consideration, a variance of seven (7) feet from the required width of twenty-two feet for single-family dwellings in an R-3, High Density Residential district. Section 1141.32 Requirements for single-family dwellings outside of a manufactured home community at, 3748 & 3750 Dallas Ave. Travis Carrie (agent) Your Grand Estates, applicant.

A motion was made by Brandon Wysocki to approve B.A. #34-2025 as requested and was supported by Ken Kramer.

4 in favor/ 1 opposed

B.A. 35-2025, Submission for the Zoning Board of Appeals review and consideration, a variance to allow a fence past the front building line in a B-2, General Commercial district. Section 1141.08(f) Fences and Walls at, 713 W 5th St. Michelle Brooks, applicant.

Michelle Brooks, the applicant, spoke in regard to this matter.

David Faciana, Chief Building Official for The City of Lorain, spoke in regard to this matter.

A motion was made by Henry Patterson to approve B.A. #35-2025 as requested and was supported by Ken Kramer.

5 in favor/ 0 opposed

B.A. 36-2025, Submission for the Zoning Board of Appeals review and consideration, a variance to allow playground equipment in the front yard in a R-3, High Density Residential district. Section 1141.28(c)(2) Accessory Buildings and Uses at, 3575 Elyria Ave. Jill Psota (agent) Lorain County Safe Harbor, applicant.

Jill Psota, the applicant, spoke in regard to this matter.

Mary Springowski spoke in regard to this matter.

A motion was made by Rey Carrion to approve B.A. #36-2025 as requested and was supported by Henry Patterson.

4 in favor/ 0 opposed/ 1 abstain

B.A. 37-2025 Submission for the Zoning Board of Appeals review and consideration, a variance from the Conditional Use Permit requirements in Section 1143.07(h) including, vehicular and maneuverability circulation, driveway access, a permanent principal building, and storage and display areas on unpaved areas of the property in a B-2 General Commercial district. Section 1143.07(h) Outdoor Display and Storage of Retail and Service Establishments at, 4953 W Erie Ave. Parma Park Properties, owner and Jacob Zook, applicant.

Jacob Zook, the applicant, spoke in regard to the matter.

Evelisse Atkinson, Planning and Zoning Administrator for The City of Lorain, spoke in regard to this matter.

Mary Springowski spoke in regard to this matter.

Don Zaleski, from The City of Lorain Law Department, spoke in regard to this matter.

A motion was made by Brandon Wysocki to hold B.A. #36-2025 in abeyance with the condition that there will be an extension on the cease and desist order, and was supported by Shawn Lloyd.

Miscellaneous Concerns:

Correspondence from Ryan M. Gambala, Esq., on behalf of Tracy Homenik, regarding Zoning Board of Appeal applications, B.A. 26-2025 720 Hamilton Ave, B.A. 27-2025 740 Hamilton Ave, and B.A. 28-2025 754 Hamilton Ave.

Evelisse Atkinson, Planning and Zoning Administrator for The City of Lorain, read the correspondence from Ryan M. Gambala, Esq., into the record.

Adjournment:

The meeting was adjourned without objection.

Evelisse Atkinson, Planning and Zoning Administrator

Rey Carrion, Chairman

-

Recorded by: Megan Warrens

Accepted:

****A full recording of this meeting can be found at www.cityoflorain.org.**



CITY OF LORAIN

Zoning Board of Appeals

5. a.

Meeting Date: 12/03/2025

Subject:

B.A. 37-2025 (previously held in abeyance) Submission for the Zoning Board of Appeals review and consideration, a variance from the required paved driveway access to the rear of the property, a variance of 169 parking spaces for open air businesses, a variance to allow storage and display areas on unpaved areas of the property, and a variance from the outdoor display areas being attached to the principal building (setbacks will be met) in a B-2 General Commercial district. Section 1143.07(h) Outdoor Display and Storage of Retail and Service Establishments at, 4953 W Erie Ave. Parma Park Properties, owner and Jacob Zook, applicant.

Attachments

BA 37-2025

BA 37-2025 Recommendation

CITY OF LORAIN

ZONING BOARD OF APPEALS

Bradley
Mayor

BOARD OF APPEALS NO. 37-2025

APPLICATION FOR A VARIANCE FROM THE ZONING CODE

APPLICATION IS HEREBY MADE TO THE ZONING BOARD OF APPEALS OF THE CITY OF LORAIN, STATE OF OHIO, FOR A VARIANCE OF THE ZONING CODE.

Name: trailers of call owner Jacob Zook
Address: 277 Grubuck Rd
City: Yorkport, S State: OH Zip: 45631
Phone: (Residential) 330-472-8347 (Business) 740-709-7205

Address or location of property requiring a variance if different from above:

Plot Plan Submitted: Yes No

Letter Submitted: Yes No

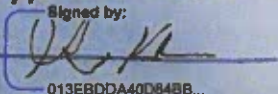
Section of Zoning Code Involved 1143.07 H

Reason for the Appeal or Variance:

building will be moved to the proper spot back the 2nd
1143.07 H section m With the layout of
the land we are asking to be allowed to
park buildings on the grass we would not
be changing the grade at all

Non-refundable Application Fee: \$165.00 (Ordinance 168-20 effective January 21, 2021)

Signed by:



013EBDDA40D84BB...

Applicant Signature

Date

10-16-25

Atkinson, Evelisse

From: Jacob Zook <jacobzook241@gmail.com>
Sent: Tuesday, November 18, 2025 8:38 PM
To: Atkinson, Evelisse
Subject: Variance letter

External sender <jacobzook241@gmail.com>
Make sure you trust this sender before taking any actions.

We are asking for a variance on the items listed below.

And humbly ask the boards for approval on the items listed below as we bought this business with out the knowledge of there being issues related to this property.

(2) A drive shall be provided, graded, paved, and maintained from the street to the rear of the property, to permit free access of emergency service vehicles and firefighting equipment at any time.
We will be putting up one way signs as well as enter and exit signs

(4) Outdoor storage and display areas located on parking lots shall not reduce the available parking spaces to fewer than those required by Section 1149.03 for the principal use.

We are asking for a variance to be allowed five parking spots code asks for 174 for an open air business we feel five is sufficient.

(7) All outdoor display and sales areas shall be paved with a permanent, durable, and dustless surface and shall be graded and drained to dispose of all surface water.

The lot is 2 acres only 1/2 acre roughly is paved we are asking that the board would grant a variance on this as we will not be changing the grading on this and property owner is not willing to pave the rest of the lot.

Atkinson, Evelisse

From: Jacob Zook <jacobzook241@gmail.com>
Sent: Friday, October 17, 2025 2:39 PM
To: Atkinson, Evelisse
Subject: Fwd: Vac cover letter

Warning: Unusual sender <jacobzook241@gmail.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Sent from my iPhone

Begin forwarded message:

From: Jacob Zook <jacobzook241@gmail.com>
Date: October 16, 2025 at 8:54:18 PM EDT
To: Evelisse Atkinson <Evelisse_Atkinson@cityoflorain.org>
Subject: Vac cover letter

Sent from my iPhone 1143.07(h)

(h) Outdoor Display and Storage for Retail and Service Establishments.

(1) The outdoor storage and display area shall be arranged to provide safe pedestrian and vehicular circulation and safe emergency access. Maneuvering aisles shall be kept free of all obstruction.

Asking for a variance on this being as the driveway is more of a u shaped pavement

(2) A drive shall be provided, graded, paved, and maintained from the street to the rear of the property, to permit free access of emergency service vehicles and firefighting equipment at any time.

Asking for a variance on this as the driveway is not going to the rear of the property

(3) The sale or outdoor display of merchandise shall not be permitted within the required setback [areas.na](#)

(4) Outdoor storage and display areas located on parking lots shall not reduce the available parking spaces to fewer than those required by Section 1149.03 for the principal use.

Asking for a variance as there will not be a set primary office

(5) No outdoor display area or parking serving an outdoor display area shall be located within fifty (50) feet of any residential district boundary [line.na](#)

(6) The storage of soil, sand, mulch, and similar loosely packaged materials shall be contained and covered to prevent it from blowing onto adjacent properties. The outdoor storage of fertilizers, pesticides, and other hazardous materials, unless packaged in approved containers, is [prohibited.na](#)

(7) All outdoor display and sales areas shall be paved with a permanent, durable, and dustless surface and shall be graded and drained to dispose of all surface water.

Asking for a variance on this as we are seeking permission to put sheds on the grass will not be changing the grade

(8) All loading and truck maneuvering shall be accommodated on-site. Maneuvering in the public right-of-way is prohibited.na

(9) Lighting for security purposes may be required, as determined by the planning commission. All lighting shall be shielded from adjacent residential districts and uses.na

(10) Permanent outdoor storage areas shall be attached to and be considered part of the principal building relative to all setback requirements. The storage area shall be fenced with a fence or wall at least six (6), but no more than eight (8), feet in height.

Will not have a permanent office the display models will work as a office

(11) The Planning Commission may require a sight-obscuring screen that meets maximum fence height requirements for the zoning district around any storage or display area. Stored materials and stockpiles shall not be piled or stacked higher than the height of the obscuring screen.

Na

9:20



3D

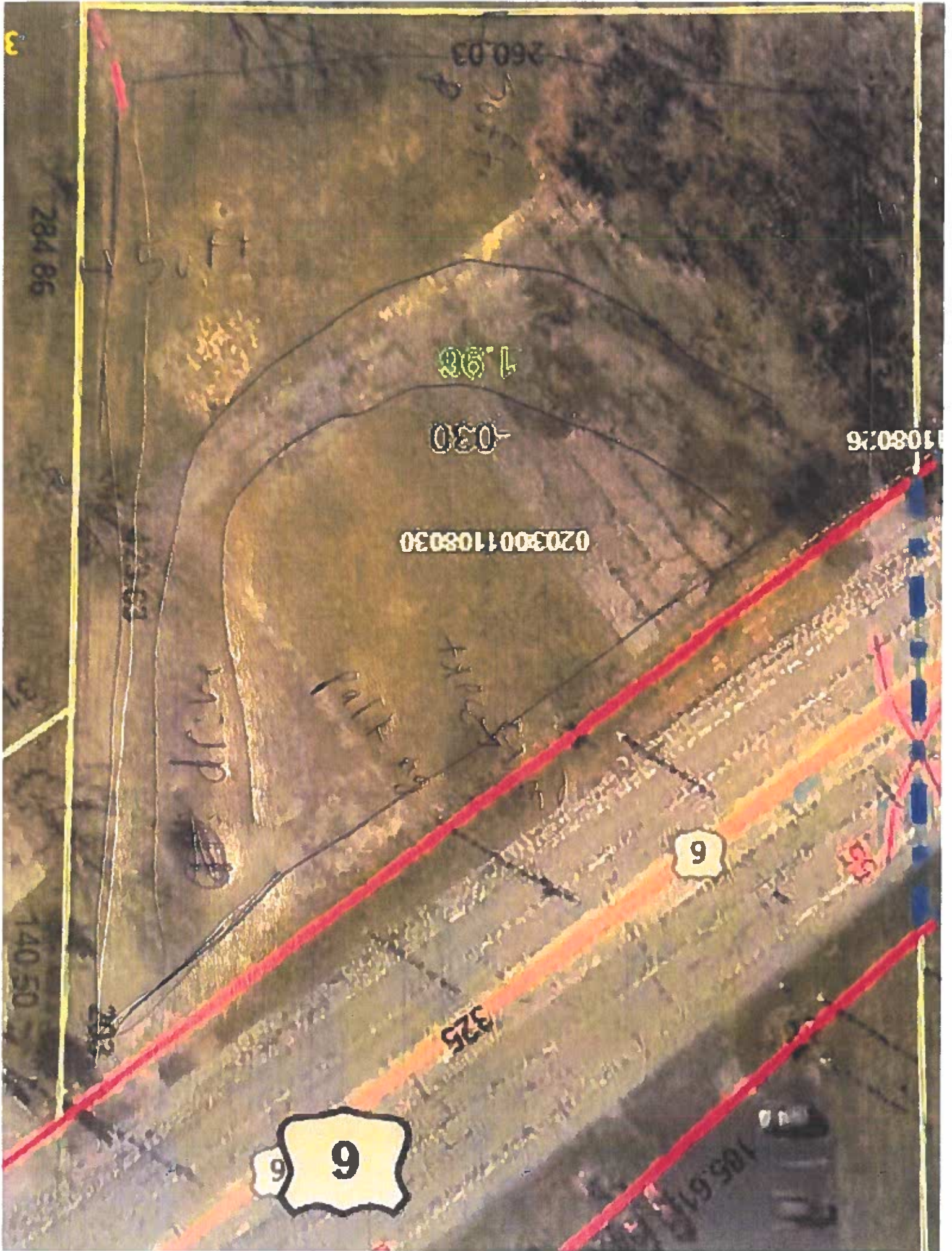
WERIE AVE

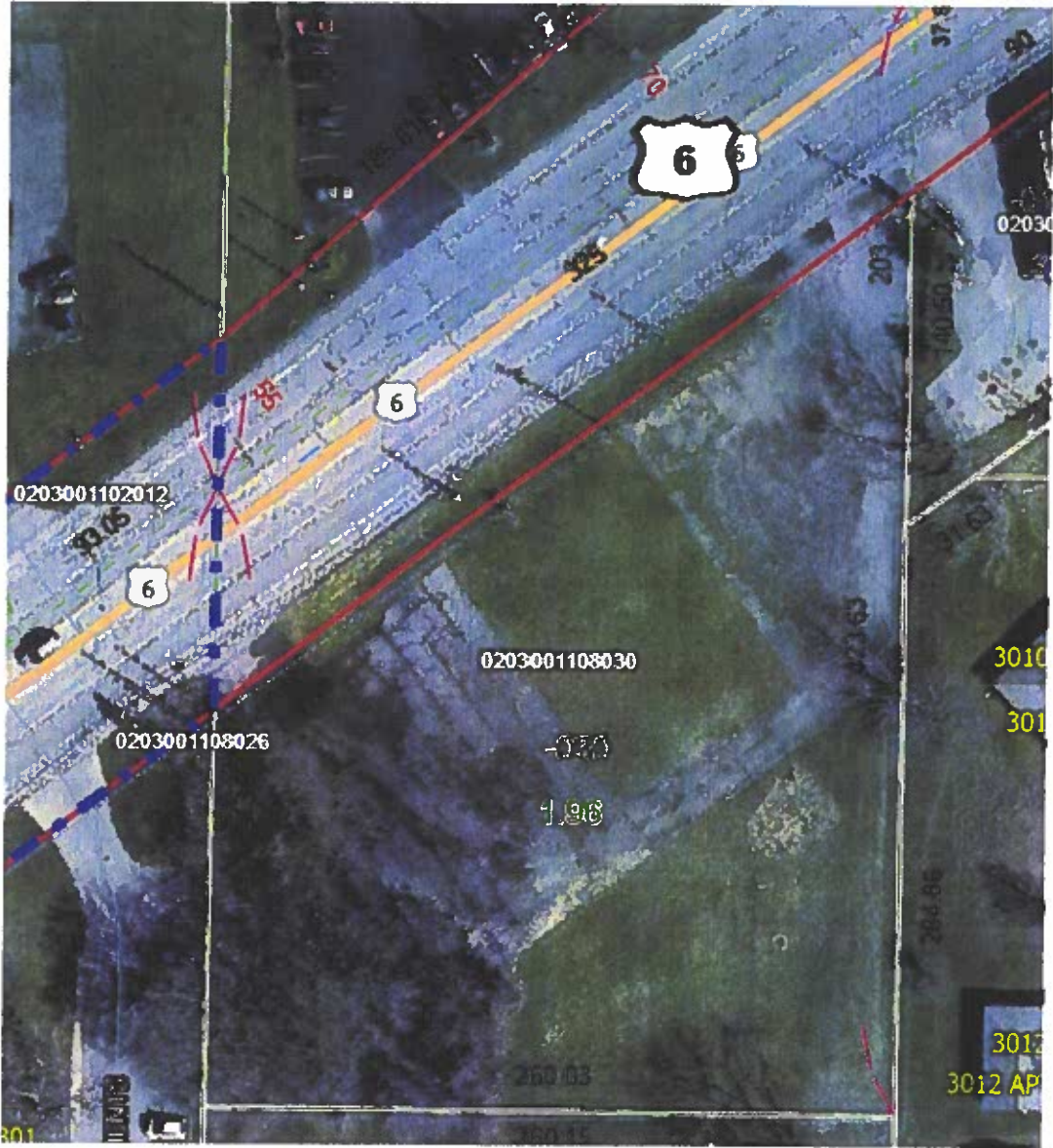
55°
AUG 24

Search Maps



JZ





(Left Side)

West Lake Garden Assoc

~~Palma Properties LLC~~

500 W Erie Ave apt 101

Loriano OH 44053

~~W Erie Ave Loriano OH 44053~~

(behind) LRLB LLC

4875 W Erie Ave Loriano OH 44053

(behind) Booker + Washington LP
3002 Fulmer Rd Loriano OH

(Right side) Portage Banc LLC
4851 W Erie Ave Loriano OH 44053

~~4661 W Erie Ave Loriano OH 44053~~

~~4440 W Erie Ave Loriano OH 44053~~
(across the street) Desu: Mukesh N I

4876 W Erie Ave Loriano OH 44053

(across the street)

Raylene Properties

4952 W Erie Ave Loriano OH 44053

COMMERCIAL LEASE AGREEMENT

I. **THE PARTIES.** This Commercial Lease Agreement ("Agreement") made on April 5th, 2025 by and between:

Landlord: Parma Park Properties, LLC with a mailing address of 4953 W. Erie Ave (US6), Lorain, OH. ("Landlord") who agrees to lease the Premises to:
C/O Muscle Trailer World, LLC OH# 5093251 Fed.# 93-2890457
Tenant: Daniel S. Swaney with a mailing address of 13225 State Route 39, Big Prairie, OH. 44611 ("Tenant"), who agrees to rent the Premises under the following terms:
Driver LIC# UV586527

Collectively the Landlord and Tenant shall be known as the "Parties."

II. **DESCRIPTION OF LEASED PREMISES.** The Landlord agrees to lease to the Tenant the following described space:

Street Address: 4953 W. Erie Ave, (US6), Lorain, Oh.
Square Feet: 45000 SF (Over 2 Acres of Vacant Commercial Land) Approx.
Type of Space: General Business (Retail, Office, industrial, etc.)
Other Description: Over 2 acres of Vacant Commercial Land on U.S 6.
(approximately)

Hereinafter known as the "Premises."

III. **USE OF LEASED PREMISES.** The Tenant agrees to use the Premises for:
(check one)

- All purposes legal under law.

- Only the following purposes: _____
Any change in the above-mentioned purposes of the Premises shall only be permitted upon the Landlord's prior written consent.

IV. **TERM OF LEASE.** The term of this Agreement shall be for a period of 2 years commencing on April 1st, 2025 and expiring at midnight on April 1st, 2027 ("Initial Term").

V. **SECURITY DEPOSIT.** The Tenant is: (check one)

- **Not Required to Pay a Deposit.** There shall be no deposit required for the successful performance of this Agreement by the Tenant ("Security Deposit").

- **Required to Pay a Deposit.** The Tenant is required to pay \$ 2,675⁰⁰ and shall be due and payable in advance of the

Atkinson, Evelisse

From: Jacob Zook <jacobzook241@gmail.com>
Sent: Thursday, October 16, 2025 5:16 PM
To: Atkinson, Evelisse
Subject: Fwd: 4953 W. Erie Ave., Lorain, OH
Attachments: 76556036480_1A3D906E-CFAA-4472-84E4-A8FAC364967D.heic

Warning: Unusual sender <jacobzook241@gmail.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Sent from my iPhone

Begin forwarded message:

From: Jacob Zook <jacobzook241@gmail.com>
Date: October 16, 2025 at 4:25:53 PM EDT
To: Evelisse_Atkinson@cityoflorain.org
Subject: Fwd: 4953 W. Erie Ave., Lorain, OH

----- Forwarded message -----

From: Daniel Swarey <muscletrailerworld@gmail.com>
Date: Thu, Oct 16, 2025 at 4:23 PM
Subject: Fwd: 4953 W. Erie Ave., Lorain, OH
To: <jacobzook241@gmail.com>

----- Forwarded message -----

From: George Kafantras <georgekafantaris0524@gmail.com>
Date: Thu, Oct 16, 2025 at 16:21
Subject: [4953 W. Erie Ave., Lorain, OH](#)
To: <Muscletrailerworld@gmail.com>

To whom it may concern: My name is George Kafantras, owner of Parma Park properties LLC, in which we are the legal owners of [4953 W. Erie Ave., Lorain, OH](#), as stated on the county deed records. We currently have a legal binding lease agreement with Daniel S. Swarey, owner of muscle trailer world. LLC, on the above mentioned property. Furthermore, we hereby give permission to Jacob Zook, who is an affiliate of Daniel S. Swarey and muscle trailer world LLC, to pull all the proper permits, as needed, related to

the above mentioned property address. If you have any further questions, please feel free to give me a call at 216-970-6714. Thank you for your time in this matter. Sincerely, and respectfully, George Kafantaris, managing member of Parma Park properties LLC.



Jack Bradley
Mayor

CITY OF LORAIN

Department of Building, Housing & Planning

Matthew Kuszmir
Director

David Faciana
Chief Building Official

November 24, 2025

To: Zoning Board of Appeals
From: Evelisse Atkinson, Planning & Zoning Administrator

Re: B.A. 37-2025 (previously held in abeyance) Submission for the Zoning Board of Appeals review and consideration, a variance from the required paved driveway access to the rear of the property, a variance of 169 parking spaces for open air businesses, a variance to allow storage and display areas on unpaved areas of the property, and a variance from the outdoor display areas being attached to the principal building (setbacks will be met) in a B-2 General Commercial district. Section 1143.07(h) Outdoor Display and Storage of Retail and Service Establishments at, 4953 W Erie Ave. Parma Park Properties, owner and Jacob Zook, applicant.

My responses regarding compliance are below:

04-21 § 1143.07 Specific Use Conditions- Retail and Service Oriented Uses: (h) Outdoor Display and Storage for Retail and Service Establishments (2,4,7).

(1) A drive shall be provided, graded, paved, and maintained from the street to the rear of the property, to permit free access of emergency service vehicles and firefighting equipment at any time. **Applicant will be utilizing the rear area for the outdoor display. Access to the property will be one way.**

(2) Outdoor storage and display areas located on parking lots shall not reduce the available parking spaces to fewer than those required by Section 1149.03 for the principal use. **This site will not have a permanent building. Open air businesses require 1 space per 500 sf off-street. The applicant is requesting a variance of 169 parking spaces.**

(3) All outdoor display and sales areas shall be paved with a permanent, durable, and dustless surface and shall be graded and drained to dispose of all surface water. **The applicant is requesting a variance to allow the display of materials to be parked on unpaved areas of the property.**

1175.01(b) Decisions- Variances

(1) The Zoning Board of Appeals is authorized to grant, upon appeal in specific cases, such variances from the terms of the Zoning Code as will not be contrary to the public interest, where owing to special conditions of the property, a literal enforcement of the provisions of this Code will result in unnecessary hardship.

(2) A nonconforming use of neighboring lands or structures in neighboring lands in the same or other zoning district shall not be considered grounds for the issuance of a variance.

(3) Variance shall not be granted on the grounds of convenience or economics, but only where strict application of the provisions of this Zoning Code would result in undue hardship due to conditions of the property.

(4) Variances shall not be granted which permit any use not otherwise permitted or expressly, or by implication, prohibited in the district involved.

1175.03 (d) A variance shall only be granted upon a finding by the Board of Appeals that all the following standards have been satisfied:

- (1) That special conditions and circumstances exist which are particular to the property involved and are not generally applicable to other properties in the same district.
- (2) That the literal interpretation of the provisions of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district
- (3) That the special conditions and circumstances which exist are not the result of actions of the applicant
- (4) That granting the requested variance will not give the applicant any special privileges denied to other properties in the same district.

Respectfully,



Evelisse Atkinson
Planning & Zoning Administrator