

Board of Zoning Appeals Minutes
May 20, 2024

Chairman Paxson called The Parma Heights Board of Zoning Appeals meeting to order on this Monday, May 20, 2024 at 6:00 p.m.

PRESENT: DeSouza, Dumbauld, Podany, Paxson

OTHERS PRESENT: Mayor Gallo, Law Director Schneider, CBO Marty Surella, Director Bob Sepik, Assistant Law Director Bryan O'Malley, and Clerk Allen.

Pledge of Allegiance is spoken.

Chairman Paxson: Approval of the minutes for the meeting held March 18, 2024. Are there any additions, deletions, or any changes? Seeing none.

DeSouza motioned; Dumbauld seconded the motion to approve the minutes from March 18, 2024.

Clerk Allen: Roll Call: Aye: Dumbauld, Podany, DeSouza, Paxson

Minutes Approved

Chairman Paxson asked Dumbauld to read case 2024-02.

Dumbauld read: We are considering a variance(s) for Hertz Rental, 6215 Pearl Road, Parma Heights, Ohio 44130 PPN# 472-06-001, Chapter 1195.06 (e)(1)(2) Automotive Use Specific Regulations: (e): Vehicle Sales and Associated Service. (1) The minimum lot area shall be four acres and the minimum lot width shall be 200 feet. (2) The minimum building area shall be 25,000 square feet and there shall be sufficient building area to include space for offices; indoor display of at least five motor vehicles; inspection, servicing and repair of at least five motor vehicles; and sufficient parts and storage.

Applicant came forward and was sworn in.

Ms. Amber Valez was present and represented Hertz Rental. Ms. Valez stated that they are not a dealership, they are rental car facility. We don't display our cars; the cars are not for sale. The vehicles are being rented to Uber drivers specific. The spacing needed is max 30 spaces, the sizing seems to be excessive for a rental car. We don't need a lot of space; we have 5 employee and about 15 – 20 cars at max. The space required for a dealership don't seem to be the same for a rental car facility. We are also not working on cars, we are just cleaning them inside and out, there will be no mechanics no servicing vehicles.

Podany added that you are Uber only correct. You are not renting to the general public.

Ms. Valez stated that is correct, not yet.

Dumbauld asked so there would be no sales.

Ms. Valez stated that the only sales that would be available would be the self-coverages while renting the vehicles.

Podany asked about security for the location.

Ms. Valez stated that typically there are cameras inside and outside of the building. I already have 6 arranged to be installed for this building specific. We may add more in the bay area.

Chairman Paxson asked how many parking spaces in that lot?

Ms. Valez stated that there are 30 in total; 18 on site and 12 that run along the side street on the side of the building. We have already reviewed at the last meeting getting signage for those 12 spaces within the shared lot. I also will implement the 12 spaces to be used as stored cars and not for our customer use. The spaces on site will be where customers will park their cars. This will reduce traffic of just customers coming in/out of the shared lot.

Chairman Paxson responded that this is a shared lot so we don't want to get into a circumstance where your vehicles take away spaces for others to use.

Ms. Valez stated that she understands the concern. There are specific spaces listed in the lease. Hertz is willing to put some type of signage on those areas for our use only. I don't let cars sit, because I don't make money by doing that. I don't intend on even needing the amount of space that we currently have in our lease. We are currently working out of Bedford until we get this location up and running. The demand and customers are already there, we are just waiting to transfer over. We do have another regular location for rentals in Parma and in doing our research this is the only Uber location in the area. The only other Uber locations I have are in Akron and Warren, Ohio. This is already the biggest Uber location in the state and would like to move it to Parma Heights, but anywhere we go, customers have to go there.

Chairman Paxson asked why this specific site was chosen?

Ms. Valez stated that they do a lot of business in Parma so to be able to offer it in Parma Heights it would be extremely beneficial to the Herts Corporation. Additionally, a lot of our customers live in this area so that also helps. Anywhere in this general facility is what we were looking at as well as that is one of the few buildings in the next 5 cities that have bays.

Podany asked Mr. Surella if there is a driveway both on Pearl Road and Ackley to that corner lot?

Mr. Surella responded yes.

Dumbauld asked about the type of vehicles that will be used and the security for the lot.

Ms. Valez stated that the most common vehicles are 4-door sedans. Realize these are vehicles for use for Uber use not general rental.

Chairman Paxson asked if there were any further questions? Seeing none from my colleagues.

Mr. Surella stated that the variances are significant because the zoning changes that have happened. The building has been there since 1957, the footprint of the property hasn't changed. We have an existing condition this is not a new building proposal. We have not heard of any pushback from any of the surrounding businesses. We think it's a none contentious issue. That's why the numbers are so large for the variance request.

Assistant Director O'Malley added that you may have received a copy of some advice in writing. Hopefully it's the first of many of its kind to give you guidance on the legal standards. You are not the only review of this proposal, first administratively, the Planning Commission, and City Council. This presents as a rather substantial variance based on the numbers but this is an existing location to consider. Historically this was a rental car

agency and this make it that more attractive to them. The lot isn't going to get any bigger and the lot has certain expectations as to its reasonable economic use. I'd be happy to answer any questions you might have. Thank you.

DeSouza asked if the variance for the Hertz Corporation and they modify the building and then if they move out would another company be able to move in with the variance.

Assistant Director O'Malley responded that a variances term is known as running with the land. The use runs with the land so if Hertz becomes Alamo and Alamo is continuing the same use at the same location with the same strings attached, then it can continue. When you consider a motion, any specific conditions that you might want to impose you certainly can. Two conditions that you should consider are: 1.) Condition upon obedience to the Development Plan approved by the Planning Commission, 2.) it's conditioned upon compliance with Conditional Use Permit, assuming that's granted by council. It can be one motion with two conditions.

Chairman Paxson asked if there are any further questions? Seeing none.

Podany made a motion to approve three variances 1195.06 (e) (1) frontage required to be 200 liner feet, existing 80.7 variance request of 119.3 liner feet. The second variance 1195.06 (e) (1) requirement for 4 acres minimum area of 174,240 sq. feet. The existing is 10,370 so the variance request is 163,870 sq. ft. and the third variance is 1195.06 (e) (2) the minimum building area shall be 25,000 square feet and there shall be sufficient building area to include space for offices; indoor display of at least five motor vehicles..... the requirement is 25,000 sq. feet the building size is 2,500 sq. ft. variance request of 22,500 square feet. Provided that the Conditional Use Permit is granted by council and compliance with the Development Plan that was approved by the Planning Commission. Seconded by DeSouza

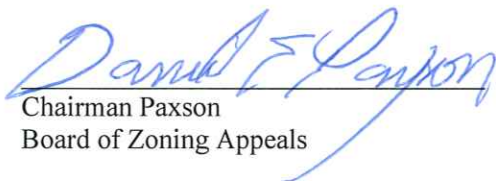
Clerk Allen: Roll call: Aye: Podany, DeSouza, Dumbauld, Paxson.

Motion Carries

Podany made a motion to adjourn; seconded by Dumbauld

Clerk Allen: Roll call: Aye: DeSouza, Dumbauld, Podany, Paxson

The Board of Zoning Appeals meeting is adjourned at 6:28 p.m.


Chairman Paxson
Board of Zoning Appeals


Barbara Allen
Board of Zoning Appeals Clerk