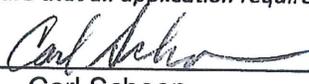




# BOARDS & COMMISSIONS APPLICATION

132 North Elmwood Avenue  
330-722-9038  
www.medinaoh.org

Application Number 223-13

<b>GENERAL</b>	Date of Application <u>June 24, 2023</u> Property Location <u>1041 Lake Rd. Medina, Ohio 44256</u> Description of Project <u>Switching Penske from Building D to Building E for future expansion and to be located closer to their customer, Sealy Mattress</u>
<b>CONTACT INFORMATION</b>	<b>Applicant</b> Name <u>Carl Schoen</u> Address <u>719 SE Woodbine Rd.</u> City <u>Port St. Lucie</u> State <u>Fl.</u> Zip <u>34984</u> Phone <u>954-324-5886</u> Email <u>mermaidventures@msn.com</u> <b>Property Owner</b> Name <u>Carl Schoen and Connie Schoen</u> Address <u>719 SE Woodbine Rd</u> City <u>Port St. Lucie</u> State <u>Fl.</u> Zip <u>34984</u> Phone <u>954-324-5886</u> Email <u>mermaidventures@msn.com</u>
<b>APPLICATION TYPE</b>	Planning Commission Site Plan <input type="checkbox"/> Conditional Zoning Certificate <input type="checkbox"/> Code or Map Amendment <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Final Plat <input type="checkbox"/> Conditional Sign (EMC/Shopping Ctr) <input type="checkbox"/> Cert. of Appr. (TCOV) <input type="checkbox"/> Other <input type="checkbox"/> Historic Preservation Board Certificate of Appropriateness <input type="checkbox"/> Conditional Sign <input type="checkbox"/> Board of Zoning Appeals Variance <input checked="" type="checkbox"/> Appeal <input type="checkbox"/>
<b>APPLICANT SIGNATURE</b>	By signing this application, I hereby certify that: 1) The information contained in this application is true and accurate to the best of my knowledge; 2) I am authorized to make this application as the property owner of record or I have been authorized to make this application by the property owner of record; 3) I assume sole responsibility for correspondence regarding this application; and 4) I am aware that all application requirements must be submitted prior to the formal acceptance of my application. Signature <u></u> Date <u>June 24, 2023</u> Carl Schoen
<b>OFFICIAL USE</b>	Zoning District <u>I-1</u> Fee (See Fee Sheet) \$ <u>200</u> Meeting Date <u>7/13/23</u> Check Box when Fee Paid <input checked="" type="checkbox"/>

**Z23-13**  
**Lake Road Vehicle Sales, Rental, & Leasing**

Property Owners: Carl and Connie Schoen  
Applicant: Carl Schoen  
Location: 1041 Lake Road  
Zoning: I-1 (Industrial)  
Request: Use Variance to Section 1141.02 to allow a nonpermitted motor vehicle sales, renting, and leasing use

**LOCATION AND SURROUNDING USES**

The subject site is composed of 30.3 acres located on the west side of Lake Road. Adjacent properties are zoned I-1 and contain industrial uses:



**BACKGROUND & PROPOSED APPLICATION**

The applicant has indicated that Penske has utilized Building D on the site for a number of years for vehicle leasing, maintenance, and sales. Building D is approximately 4,800 sq. ft. in area. There is no documentation of the use previously being approved on the site.

The current proposal is to relocate the use to Building E, which is approximately 10,800 sq. ft. in area. Building E is located to the south of Building D, as shown in the map above.

**USE REQUIREMENTS – SECTION 1141.02**

Section 1141.02 includes a table indicating permitted uses in the I-2 zoning district. A “Motor Vehicle Truck, Trailer and Farm Implement Sales, Rental or Leasing” use is not included in the permitted uses for the district and is thus prohibited.

As there is no documentation of the use originally being established on the property and the proposal includes relocation to a larger building, the subject use variance is necessary.

**STANDARDS FOR VARIANCES AND APPEALS (SECTION 1107.08(i))**

Standards applicable to use variances (“unnecessary hardships”). The applicant shall demonstrate by clear and convincing evidence that all of the following standards have been met in order to find an unnecessary hardship exists so as to justify the granting of a use variance, as determined by the Board:

- A. The variance requested stems from a condition which is unique to the property at issue and not ordinarily found in the same zone or district;
- B. The hardship condition is not created by actions of the applicant;
- C. The granting of the variance will not adversely affect the rights of adjacent owners;
- D. The granting of the variance will not adversely affect the public health, safety or general welfare;
- E. The variance will be consistent with the general spirit and intent of this Ordinance;
- F. The variance sought is the minimum which will afford relief to the applicant; and
- G. There is no other economically viable use which is permitted in the zoning district.

The applicant has indicated the following regarding the Standards for Variances and Appeals:

- The property is surrounded by trucking and manufacturing uses
- The use will not adversely affect the public health, safety, or general welfare
- The variance is the minimum necessary to afford relief to the applicant to allow a business to grow on the site

Attachment for application for Variance on question (A)

Carl and Connie Schoen are asking for a variance for Building E, located at 1041 Lake Rd. Medina, Ohio 44256. The building is located on a small portion of PP# 028-19C-22-016. We have been approached by Penske Truck Leasing for more space to expand their operation in Medina to include the operation of a motor vehicle and truck leasing and renting business, including the housing and washing, maintaining to full capacity and repairing of motor trucks and trailers, outside parking and storage of such vehicles, motor vehicle repair shop, used truck sales and the storage and dispensing of fuel.

Penske, for the last 23 years, has been leasing Building D at 1041 Lake Rd. to maintain Sealy Mattress and other companies equipment in Medina, Ohio. Penske wants to lease this larger building to be able to bring more business and revenue to the Medina area.

11

**STANDARDS APPLICABLE TO USE VARIANCES ("UNNECESSARY HARDSHIPS")**

The applicant shall demonstrate by clear and convincing evidence that all of the following standards have been met in order to find an unnecessary hardship exists so as to justify the granting of a use variance, as determined by the Board:

A. The variance requested stems from a condition which is unique to the property at issue and not ordinarily found in the same zone or district;

See Attached

---

---

---

B. The hardship condition is not created by actions of the applicant;

No hardship, the property is surrounded by trucking and manufacturing

---

---

---

C. The granting of the variance will not adversely affect the rights of adjacent owners;

No, it will not

---

---

---

D. The granting of the variance will not adversely affect the public health, safety or general welfare;

No, it will not

---

---

---

E. The variance will be consistent with the general spirit and intent of this Ordinance;

Yes

---

---

---

F. The variance sought is the minimum which will afford relief to the applicant; and

Allow Penske to grow and stay in the area they have been in for the last 23 years

---

---

---

G. There is no other economically viable use which is permitted in the zoning district.

No, this is a central truck and industrial area in Medina and crucial to the industry

---

---

---

in Medina

---

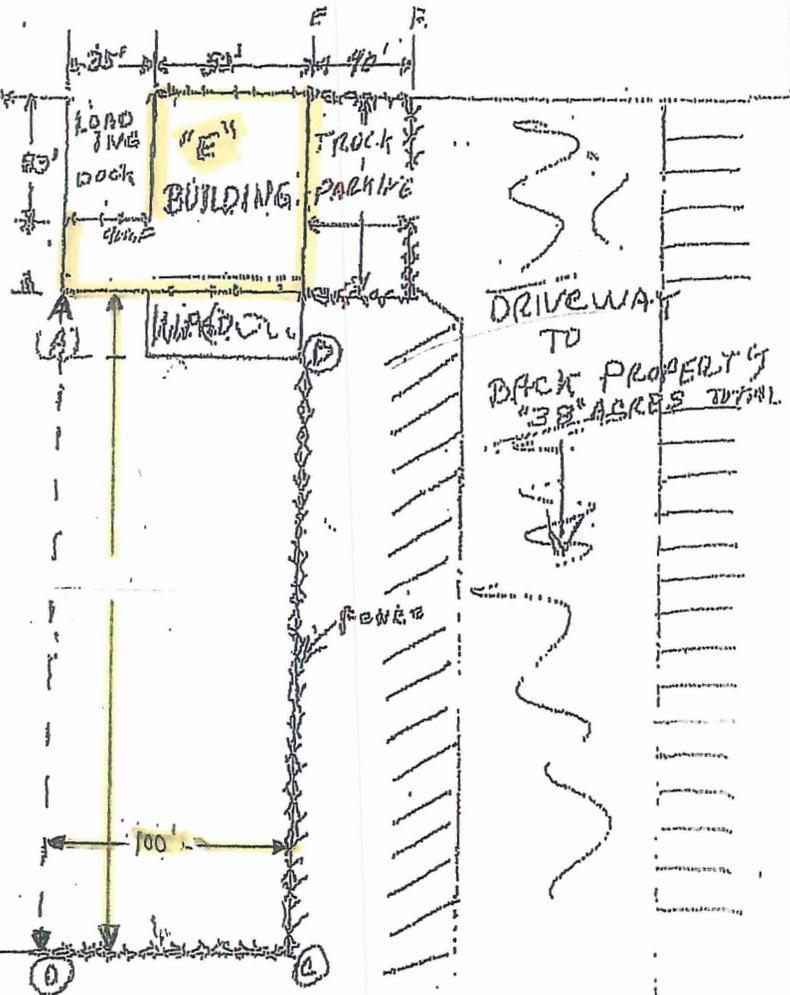
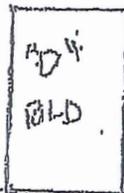
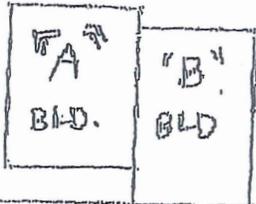
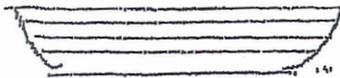
---

---



LAKE Rd

N ← → S



MAYER HACHAM  
NOT TO SCALE

CARL Schoen  
954-324-5886





Penske Truck Leasing  
2675 Morgantown Road  
Reading, PA 19607

[Rebecca.Lilly@penske.com](mailto:Rebecca.Lilly@penske.com)  
Tel: 570-980-3507  
[www.gopenske.com](http://www.gopenske.com)

Rebecca Lilly  
Manager – Real Estate

April 28, 2023

Via E-mail: [adutton@medinaoh.org](mailto:adutton@medinaoh.org)  
City of Medina  
Planning and Zoning  
ATTN: Andrew Dutton

**RE: Verification of Zoning and intended use related to the industrial property located at 1041 Lake Road, Medina, OH 44256 (“Property”)**

Dear Mr. Dutton:

Penske Truck Leasing Co., L.P. (“Penske”) is presently contemplating leasing some space at the above-referenced Property. Prior to entering into a formal agreement, I would appreciate your advising me, by filling out and signing the second page of this letter in the space provided below, of the Property’s present zoning and whether Penske’s intended use is permitted under the existing zoning regulations. The Property proposed for occupancy is owned by Carl Schoen and we show the parcel number as 02819C22016.

Penske’s intended use of the Property will be to support “the operation of a motor vehicle and truck leasing and renting business, including the housing, washing, maintaining to full capacity and repairing of motor trucks and trailers, outside parking and storage of such vehicles, motor vehicle repair shop, used truck sales and the storage and dispensing of fuel”.

Further, if there are conditions which must be met prior to the granting of a permit to occupy the Property, kindly indicate in writing in the space provided below.

Should you have any questions regarding this matter, please do not hesitate to call me at (570) 980-3507. Thank you for your assistance in this matter.

Respectfully,

Rebecca E. Lilly  
Manager – Real Estate  
North Central Region

**PRESENT ZONING CLASSIFICATION:** I-1 (Industrial)

**I CONFIRM THAT THE INTENDED USE DESCRIBED ABOVE CONFORMS WITH PRESENT  
ZONING FOR** See Below

**YES** \_\_\_\_\_ **NO** X

**OTHER REQUIREMENTS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SIGNED:** 

**PRINT NAME:** Andrew Dutton

**DATED:** 5/2/23

Proposed Use: The operation of a motor vehicle and truck leasing and renting business, including the housing, washing, maintaining to full capacity and repairing of motor trucks and trailers, outside parking and storage of such vehicles, motor vehicle repair shop, used truck sales and the storage and dispensing of fuel.

This use is not listed as a permitted use in the I-1 zoning district. This use may be approved by the Board of Zoning Appeals with a use variance application (attached).