

## LEROY TOWNSHIP ZONING BOARD OF APPEALS

### Minutes

February 13, 2018

The Leroy Township Zoning Board of Appeals met at the Leroy Township Hall, 6684 Paine Rd., Leroy Township, on October 3, 2017.

Chairman Rudy Veselko called the public hearing to order at 7:00 p.m.

Members present were: Jerry Hausch, Brian Crouse, Rudy Veselko, Susan Hanna, Stuart Bennett and alternate, Sharon Noewer.

Also present were: Assistant Zoning Inspector, Shawn Parker, and Attorney, Ron Graham.

Guest: Applicant, Mr. Dale Francis, Michelle Francis and Dave Radachy of Lake County Planning and Community Development.

Audience: Zoning Commission members, Dan Himmelman, Tom Gabor and Anthony Falcone.

The minutes of the January 9, 2018 meeting were read. Stuart Bennett made the motion to approve with corrections, Susan Hanna, seconded, and all approved.

The chairman confirmed that the hearing date was published in the News Herald on February 3, 2018 and on the township website. Surrounding property owners were notified by mail.

The Chairman read from the application that the applicant, Mr. Dale Francis, owner of Francis Engineering, proposes a Conditional Use Permit for a home occupation of approximately 6,000 square feet for the manufacturing of performance pistons and engine rebuilding.

Ron swore in Mr. Francis.

Mr. Francis stated that he does not manufacture pistons. He rebuilds engines and builds race car engines. He stated he did not keep inventory on-hand nor hazardous materials in his shop. His shop is intermixed with his own race trucks and his customers. He does have an engine dyno that is muffled, which he uses only during daytime hours. During racing season, he may use it 3-4 times a month between his business and personal use. He stated for his business he uses the dyno approximately 14 times a year. He stated that he had one complaint in all the years he has lived in Leroy. He addressed the problem and told the neighbor to let him know if there was ever a problem.

He uses 840 sq. ft. in the front part and 3,360 sq. ft. in the back part of his accessory building for his business and the rest of the building is for his own use.

No significant traffic was reported.

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He has been in Leroy since 1985, built the garage in 1986. After a garage fire in 2001, he rebuilt a garage of the same size. He has been in operation close to 32 years. He has one family member and one non-family member working in his shop.

Mr. Francis stated that he does have some oil on site but is a stickler for safe storage. His garage fire was a result of a fuel pump failure on the dyno. He had 200 gallons of racing fuel in the room which exploded. He keeps no fuel in the building now. He rebuilt the garage with block walls, fire barriers every 24 feet in the attic and multiple fire extinguishers.

Shawn shared Myron's concerns about the parking of customer vehicles and provided a street view of the property. Mr. Francis stated that he parks customer vehicles behind the building, out of view from the road.

Dave Radachy asked Mr. Francis if the family member who is an employee resides there. Mr. Francis said yes. Mr. Radachy also asked about the disposal of cutting oils. Mr. Francis said that he sells it to Crystal Clean.

Anthony Falcone and Dan Himmelman both stated that they live nearby and have never experienced any traffic due to Mr. Francis's business, nor could you tell that it was a business from the road, if you did not know it.

The chairman asked if anyone was opposed to the Home Occupation. No one present was opposed.

The chairman then made motion to go into executive session. Brian Crouse seconded and all were in favor. Stuart Bennett asked the audience to exit the hall.

Susan Hanna motioned to close executive session. Jerry Hausch seconded and all were in favor.

Stuart Bennett made a motion to approve the requested Home Occupation Permit to continue to use the existing space, not to exceed the current 4,200 square feet for engine rebuilding and repair. Limit the use of dyno testing to Monday through Friday excluding holidays to 12-3pm, midday. The owner must contact the Leroy Fire Department for an annual inspection. There will be a one-year review process. At that time if there are no complaints or violations, the Zoning Inspector will issue a four-year extension.

Susan Hanna seconded. All were in favor by roll call.

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**Minutes**

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Jerry Hausch motioned to adjourn the meeting. Susan Hanna seconded. All were in favor.

Respectfully submitted,

Julie Himmelman

Zoning Secretary