

## LeRoy Township Zoning Commission

May 9, 2016

### WORK SESSION and PUBLIC HEARING MINUTES

Meeting called to order at 7:08 p.m. by Chairman Dennis Keeney.

#### **Roll Call**

**Members Present:** Dennis Keeney, Rob Coulter, T.R. Hach Jr., Anthony Falcone, Jeff Kenyon, Alternate Tom Gabor, Secretary Nancy Kranstuber

**Guests:** Trustees Heather Shelton, Rich VanPelt, Chuck Klco, Board of Appeals Member Rudy Veselko, Zoning Inspector Myron Telencio, Director Lake County Planning and Development Dave Radachy, Attorney Steve Byron, Principles of Zoning

**Minutes** were read from the last meeting held April 11, 2016. Hach made a motion to accept the minutes as read; seconded by Kenyon; all in favor.

#### **REPORTS**

##### **Zoning: Myron Telencio**

- Osborne's illegal sign court date is set for May 23, 2016.
- A meeting was held with a possible buyer for the Girl Scout Camp. Preliminary plans would be to turn property into an agritourism. Property has not been procured; this was a discussion only with no specifics. Metroparks is in the process of buying a portion of same property.
- JJJ Properties (Allega). A violation letter dated March 24 was sent for the staging materials (cement barriers) that are still on the property. The original deadline for removing the materials was October 2015.
  - Plans were approved and a permit issued to start construction of a temporary asphalt plant on June 1, 2016. LeRoy Zoning states a "substantial" amount of work must be done on the asphalt plant by June 24<sup>th</sup>. If property is cleared and dirt is moved and leveled, this could classify as "substantial".
  - Three and a half (3-1/2) acres of Allega's property has been leased to French Concrete. There is nothing in LeRoy's zoning that says property can't be leased, as long as the operation is the same as what was applied for and originally granted. The lease conditions go along with the land at the time it is leased until the lease expires. Zoning does not have a right to review a lease according to the Lake County Prosecutor.
- Director Lake County Planning and Development Dave Radachy took the opportunity to provide the audience an overview of the organization and structure of the Lake County Planning Commission and how it works with LeRoy Zoning.

##### **Land Use: Jeff Kenyon**

- At Lake Terrace Estates, Painesville Township is changing the layout to a two permanent cul-de-sac, as opposed to having two connecting streets.
- Madison Township removed Riparian Setbacks code for wetlands only that do not have a waterway through it.

#### **RE-OPEN PUBLIC HEARING FOR DISTRICT CHANGE (JJJ Properties LLC)**

Chairman Keeney re-opened the Public Hearing for a district change by JJJ Properties LLC. Roll call taken; all members present.

**Correspondence Received:** Assistant Zoning Inspector Shawn Parker submitted documentation describing the conservation easement at Cedar Hills. Section III A prohibits buildings and alterations to the natural environment. All changes need to be approved by the Lake Metroparks.

Audience questions were addressed by Keeney, Klco and Radachy regarding tax revenue, JEDD (Joint Economic Development District) and authority and decision approvals on the parcels in question.

Kenyon made a motion for a continuation of the public hearing to next month, June 13, 2016; seconded by Hach. Poll of the vote: Keeney: Aye, Coulter: Aye, Hach Jr.: Aye, Falcone: Aye, Kenyon: Aye. Motion passed.

Public hearing concluded at 8:06 p.m.

## **WORK SESSION MEETING RESUMED**

### **OLD BUSINESS**

#### **Comprehensive Plan**

- Radachy reported that he will email all Comprehensive Plan sections reviewed and edited by Lake County Planning and Development to the Zoning Commission. The Commission will review and edit the sections over the summer months and return on September 12 with final edits.
- Additional Comp Plan areas to consider, but not limited to:
  - Interchange – other uses to be considered
  - Increasing the current minimum 3-acre zoning.
  - Increase setback from current 100 feet to 150 feet
- Keeney distributed a 5-page alternative proposal covering Section 16.04 Home Occupations and requested the Commission review and return with comments at the next meeting.

### **NEW BUSINESS**

- Guest Attorney Steve Byron, Principles of Zoning, provided an overview on the legalities of enforcing zoning laws.
  - He advised it is always hard to establish proof when attempting to enforce the zoning law. The defendant has the ability to fight and the money to take legal action.
  - The Commission shared the challenges of getting a better response time from the Prosecutor's office and the long list of criteria that must be met before action would be taken by the Prosecutor.
  - The Commission thanked Attorney Byron for his input, and he left at 8:46 p.m.
- Kenyon stated the Commission has an obligation to increase the awareness of LeRoy's Zoning Regulations and inform citizens that "agriculture" is no longer a license to build anything they want without a permit. Most citizens don't realize that LeRoy now requires permits for agriculture buildings, even though there is no cost. Communications should be started with the community that Zoning plans to begin strengthening its enforcement of regulations that impact businesses, junk cars, material storage, etc. He suggested putting a notice on the Vrooman Road community sign and also on the LeRoy OH website/Zoning Information tab. Kenyon will email to the Commission recommended text for the sign and ask that they review and bring comments to share at the next meeting.
- Trustee Shelton advised the Commission would be allowed to meet once a month if the momentum is continued as it has been.

There being no further business, Kenyon made a motion to adjourn, 2<sup>nd</sup> by Coulter. All in favor.

A special Zoning meeting will be held Monday, June 13, 2016, 7:00 p.m.

Respectfully submitted,  
Nancy Kranstuber, Secretary  
LeRoy Twp. Zoning Commission