

LeRoy Township Zoning Commission
May 11, 2021
Working Session Meeting Minutes

The meeting was called to order by the chair at 7:00 pm at the town hall.

Members Present: Dan Himmelman, T.R. Hach, Sharon Noewer, Steve McKee, Dane Hockman and secretary, Julie Himmelman.

Absent: none

Guests: Ron Graham, Township attorney: Noell Sivertsen, Zoning Inspector: Dave Radachy, Lake County Planning and Community Development Director.

Audience: None

Minutes: The minutes from the April 13, 2021 meeting were read. TR made a motion to approve the minutes as read. Sharon seconded. Dan abstained as he was not in attendance. All else were in favor.

Correspondence: none

Zoning Inspector: Noell had no comment.

Secretary: Nothing.

Audience: None were present.

Trustees: No trustee was in attendance.

Old Business:

Regulations Review: The goal for tonight is to get the draft language for a review by Dave Radachy.

Section 19 - Pools: For safety, TR added under subsection D that the gap from the bottom of the fence to grade shall be no more than 4 inches. Noell stated that ORC states pools are at 2 feet or greater, and ours is at 3 feet. Discussion was made. TR will adjust that as well for the final language.

Section 20 – Private Driveways: We got comments back from Dave and he was present to explain his thoughts. We are regulating flag lot drives not private driveways; therefore, we will change the words Private Driveway to Flag Lot. Dave suggested Rear Lots can be used as well. The board decided to stay with Flag Lot as it was clearer and already used in multiple regulations.

That would change in section 20.1 as well. Dave gave his comments regarding the proposed changes. He stated that all those changes should be added to Parking, not private drive. Discussion was made concerning structures in the right-of-way. Dave stated that structures could only be built with the setback regulations of any residential lot, so unless the flag was larger than the minimum it wouldn't be allowed due to setback limitations. Sharon asked about parking in the flag lot drive and Dave stated that it was a question of who would enforce parking on the drive. Noell add that a home with 200 feet frontage could park at the sideline, so we cannot regulate flag lots differently. Dave suggested all regulation changes that pertained to driveways be added to Parking, not Flag Lot specific. Standards would then be for all residential lots. In review of 20.01:

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20.01 Subsections A, C, D, E, F were not altered.

20.01 B Dave felt this was redundant as it was in Section 16 Residential and should be removed.

20.01 G Dave pointed out that the 50-foot minimum should be changed from any to front of the flag as side and back lines should be the same as all residential (R-2).

20.01 I-K: Dave suggested that these changes should be considered in Section 25 – Parking, as it should not just be a Flag Lot regulation. Sharon questioned if her subsection K addressing building on the flag pole drive should remain to keep homeowners from building on the pole. Dave stated that there has to be 200 feet width to build any structure, so no structures could be built in a pole. Regarding the parking of vehicles in the drive, Dave stated that we do not regulate the parking in the driveway of a normal lot, and so shall not restrict the same usage on a flag. There would be no way to enforce this. Noell agreed.

20.01 L Dave suggested that the staff should add “and adhere to section 31”.

20.01 M Dave felt this was redundant but could be left in.

Sharon will modify her changes to Flag Lot as discussed. Dave stated that he had written an addition to Section 25 – Parking. Steve will add I, J and K from Sharon’s changes to Parking and add the wording Dave suggested regarding hard surfaces being capable of handling the weight of a fire truck.

Steve asked for clarification on flag lot as written today. He asked if the 200-foot frontage could intersect another building on the property. Dave said it could not be done. Structures cannot straddle two lots. The Zoning Inspector interpreted the current regulation as not allowing a driveway easement from the lot in front of the building envelope of the flag lot. She stated each resident must have their own drive to access the property. The secretary stated that section 25.01 states all dwellings must have 400-square-feet of parking and a means of egress and ingress thereof.

Section 21- Fences. Dan suggested that the definition of fences be moved to Section 2. Acceptable fence materials were added in 21.01 and the exception for decorative fences were added in 21.02 as subsection 3. Everything was acceptable as suggested. Sharon asked about setback on fences. Fences may be on the line. Dave noted that GIS from the county website is not accurate.

Section 23 – Signs: TR read the suggested addition to signs regarding maintenance: Signs shall be maintained in a safe condition in a reasonable state of repair. The Zoning Inspector shall have the authority to inspect, and order the painting, repair, alteration or removal of, any sign which becomes damaged or dilapidated, is abandoned, or which constitutes a hazard to the public safety. This would be added to 23.01 as 12.

Section 25 – Parking: Dan forwarded the recommended changes he received today from Dave Radachy to all. Dan asked that Steve review them and make the recommended additions of them as discussed earlier under Private Drives/Flag Lots.

No changes were needed to Section 26.

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Section 27 – Telecommunication Towers: Dan asked if we should clarify our regulations are only for residential. After brief discussion of potential changes, the board and Dave agreed that was the only recommended change as all other topics discussed were already covered as it stood.

Section 28 – Occupancy Permit: All mention of Occupancy Permit will be changed to Zoning Compliance Permit.

No changes to Section 30.

Section 31 – Riparian Setback: Sharon has made changes and would like Dave and Noell to review before moving forward. She has added language regarding crossing, dumping and dredging along with other topics.

New Business:

Section 22 – Gas Wells: There were questions brought up over Gas Wells and that we cannot regulate them. Dave stated there could be new construction setback requirements off of a gas well added to Section 16 and then strike Section 22.

Discussion was made regarding renumbering sections from 21 onward. It was decided to leave them as they stand.

TR stated that he would be resigning this year as he is moving to Concord. His last meeting will be in August.

Steve opened the subject of permanent storage containers. Sharon felt that as a board we agreed to remove it as an agenda item and it was too soon to revisit a subject we had dropped. Upon hearing that it was not tabled, but dropped, Steve agreed it should not be pursued at this time.

The September meeting will be moved to the 14th to accommodate the BZA's schedule.

Discussion was made regarding the use of language from another township's regulation. It is perfectly fine to use other township's language. Dave stated that sharing of ideas happens frequently, just be sure when copying text, that any references to other sections is updated to the township's regulations and not the township it was lifted from.

As there was no other business, Sharon made a motion to adjourn. Dane seconded and all were in favor.

Respectfully submitted,

Julie Himmelman
Zoning Secretary