

LEROY TOWNSHIP ZONING BOARD OF APPEALS

Minutes

November 9, 2021

The Leroy Township Zoning Board of Appeals met at the Leroy Township Hall, 6684 Paine Rd., Leroy Township, on November 9, 2021 to review Sugar Lakes Conditional Use Permit. Shawn Parker, vice-chair, called the public hearing to order.

Members present were: Rudy Veselko, Susan Hanna, Tim Toman, Shawn Parker, and Greg Miller. Julie Himmelman, Secretary

Audience: Steven Todd

Minutes: No minutes were reviewed.

The Vice-Chair stated that the purpose of the meeting was to review the Conditional Use Permit (CUP) for the business known as Sugar Lakes, located at 6881 Kniffen Road. A permit (BZA 0219) was issued on November 30, 2016. On May 23, 2017, The BZA met to hear his appeal to amend his permit, which was granted with stipulations. On September 19, 2018, the BZA reviewed his CUP and renewed for a period of 3 years.

The current CUP holds the following restrictions:

Allowed:

One primary residence.

One Caretaker's residence, (the owner would need to obtain zoning permit for the 2nd residence from the Zoning Inspector which would require a land split as well as zoning and building permits)

Non-permitted Uses:

No more than 100 people maximum" at evening get togethers"

Amended to 250 people shall be allowed inside, if the fire codes are met, the health department codes are met, and the building codes are met and the security is worked out with the Lake County sheriff's department.

No firearms, including archery

No hunting parties.

Cabin rental shall be for a maximum of 7 days.

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No recreational vehicles.

No tents (used for overnight camping)

Amended from No open-air bands to No amplified music will be allowed outside.

Mr. Todd spoke about the history of his business and the CUP. He stated that they have had over one hundred events in the past 5 years. He feels they have been both professional and responsible. He feels they have been a good addition to the township. He stated that there have only been 2 complaints and that they were from the same person. He stated that he proved the noise from the first complaint was from Hidden Lake shelter. He feels that since they have run a responsible business that the CUP should be renewed for the 5-year period.

He stated that they are not doing big concerts in the night, and would like to see the restriction against open-air music taken out.

He would also like the tent camping restriction to be removed as well.

Susan asked if Mr. Todd would hold concerts if the restriction was removed. Mr. Todd stated he wouldn't change his operation.

The secretary stated that board could only renew the CUP as it stands tonight. Any modification would have to be made in a new CUP with a public hearing.

There was no correspondence regarding the matter.

The secretary received an email from the zoning inspector sent on the day of the hearing inquiring about the status of the hearing. In the email it was stated the neighbors who had lodged a noise complaint were asking.

Shawn did a Public Records request with the Lake County Sheriff for Sugar Lakes. There are no criminal investigations, official police reports or calls for service for the property dated back to 2018.

The secretary contacted the zoning inspector by phone to obtain her recommendation. The inspector spoke to the board. According to the zoning inspector, the neighbors have voice serious concerns over the volume of the music and have provided her with one video.

Susan moved to go into executive session. Tim seconded and all were in favor. Rudy Veselko was not present for the executive session.

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Shawn made a motion to table the decision for one week, in order for complete transparency and to be fair to the residents. Susan seconded. Mr. Todd felt it was absurd. Shawn apologized for the delays this evening. Shawn stated that the meeting did not make it onto the public calendar as it was supposed to. The board needs to always be open to hear complaints from the residents. Susan apologized specifically for the secretary not arriving on time. The secretary reminded the board that they had a motion on the table. Rudy abstained, all else were in favor.

Susan made a motion to close the meeting. Tim seconded and all were in favor.

Julie Himmelman
Zoning Secretary