

LeRoy Township Zoning Commission
December 7, 2021
Public hearing and Working Session Meeting Minutes

The December 7, 2021 working session of the Zoning Commission was called to order by the chair at 7:00 pm at the town hall. The meeting was opened with the Pledge of Allegiance

Members Present: Dan Himmelman, Sharon Noewer, Dane Hockman, and secretary, Julie Himmelman.

Absent: Steve McKee

Audience: Kelsey Brown and Don Bezdek

Minutes: The minutes of the October 26, 2021 meeting were read. Dan made a motion to approve with corrections. Dane seconded and all were in favor. The minutes of the November 15, 2021 meeting were read. Dan made a motion to approve. Dane seconded and all were in favor.

Correspondence: Dan read the response from the Lake County Board. The board did not like the flow of section 5.2 and recommended alternative wording: and Section 25.01 did not take into account Section 34- Estate Lot Overlay Residential District. They recommended adding the following language in Section 25.01: *Any development approved under Section 34, Estate Lot Overlay District, is exempt from this regulation.*

Public Hearing: Dan opened the public hearing and stated the publication of this meeting was made on the township website and in the News-Herald on November 23, 2021.

Section 2 - Definitions: The County stated that they did not like references to another section in a definition and suggested striking it from the definition. The commission members agreed. Dan read the revised definition for Manufacturing, Light with the reference removed:

Manufacturing, Light (Light Manufacturing) means industrial type uses which may include the design, assembly, processing, creation, formation, production, or construction of products and equipment from previously manufactured components, but shall not include any operations that involve the combination, reduction, refining, heat treatment, or chemical conversion of primary raw materials, or the manufacture and/or distribution of asphalt, concrete, or fuel, including crushing of previously formed concrete.

Dan made a motion to send the revised definition to the Trustees for adoption. Sharon seconded. Poll of the vote: Sharon, aye. Dane, aye. Dan, aye. The motion passed.

5.2 – Enforcement (fines) Taking into consideration the recommendations of the county, Dan proposed the reconstructed language of the change to this section, to be as follows:

Any person, firm or corporation, violating this Resolution or any regulation, provision or amendment thereto, including the owner or occupant of any building, structure, premises, or part thereof, or any architect, builder, contractor, agent, or other person who commits, participates in, assists with, or maintains such violation, shall be deemed guilty of a misdemeanor and upon conviction thereof or an accepted plea of no-contest, shall therefore be punished for such Unclassified Misdemeanor as provided by Ohio Revised Code Section 519.99; and in addition shall pay all costs and expenses involved in the case. Each and every day during which such illegal erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense.

Dan made a motion to send the revision to the Trustees for adoption. Sharon seconded. It was stated that this was in line with all the other townships in the area. Dane seconded. Poll of the vote: Sharon, aye. Dane, aye. Dan, aye. The motion passed.

Section 17 – Commercial and Industrial: Dan read the changes to be considered.

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17.01.f – regarding B3. Change the descriptive from Five-Points crossroads to roundabout (“Five-Points”) as a transitional wording. This is just to reflect the change from an intersection to a roundabout.

Table 17.03 – regarding Retail Establishments, 10,000 square foot or greater. Change to NOT permitted in a B-4 district.

Dan made a motion to send the proposed revisions to Section 17 to the Trustees for adoption. Sharon seconded. Poll of the vote: Sharon, aye. Dane, aye. Dan, aye. The motion passed.

Section 25 – Parking: Dan read the proposed additional language to Section 25.01 with the county’s suggested addition to exempt Estate Lot Overlay Residential District:

Each parking area shall be accessed by its own separate means of ingress and egress to the right-of-way. Driveways serving individual residential structures shall not be less than twelve (12) feet in width and shall be constructed over an aggregate base of reasonable depth as necessary to support the weight of service and emergency vehicles. The driveway is required to be compliant to Section 31, Natural Resource Protection. Any development approved under Section 34, Estate Lot Overlay District, is exempt from this regulation.

After discussion, Dan made a motion to send the proposed revisions to the Trustees for adoption. Dane seconded. Poll of the vote: Sharon, aye. Dane, aye. Dan, aye. The motion passed.

Section 33.04.A.02.a - Alternative Energies: Dan read the proposed additional language to be added to this section as follows:

If roof-mounted solar panels are to be installed on a previously built structure that is deemed a legal nonconforming structure per Section 8 of the Zoning Regulation, the solar panel setback requirement is deemed to be met.

Dan made a motion to send the proposed addition to Section 33 to the Trustees for adoption. Sharon seconded. Poll of the vote: Sharon, aye. Dane, aye. Dan, aye. The motion passed.

Dan commented that the proposed changes to section 29 were not necessary as that section had been removed previously.

Dan made a motion to close the public hearing. Dane seconded. All were in favor.

The date for the organizational meeting was set for January 18, 2022 at 7 p.m.

Audience: Kelsey Brown spoke regarding the legal notice she received regarding her shipping containers. She stated that the shipping containers were bought in December of 2020 and delivered in May 2021. She felt she was grandfathered with those dates. Dan asked about the containers uses. It was stated that there is a newly sided and reroofed 20’ x 20’ barn, but it is not air-tight. There is feed in the containers. Dane asked if they were planning on keeping them. She stated that yes, they were. She stated there are plans to side and roof the containers. She feels they are not permanent structures.

She stated they were for agricultural use as she raises pygmy goats, pigs and chickens. She cited health issues and the condition of the property prior to their purchase as reasons for the current condition of the property. and the shipping containers are not permanent structures. Dan stated an agricultural affidavit must be filed with the zoning inspector for all agricultural uses. The zoning inspector will then inspect the structure to determine that it is being used for agricultural use. If the outcome is unsatisfactory, the owners were told to contact the trustee in charge of zoning.

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The secretary addressed concerns of targeting, and stated that if a concern or complaint is made, the zoning inspector must investigate.

Dan made a motion to adjourn. Dane seconded. All were in favor.

Respectfully submitted,

Julie Himmelman
Zoning Secretary