

LeRoy Township Zoning Commission
December 3, 2019
Working Session and Public Hearing Meeting Minutes

Meeting was called to order by Anthony Falcone, Chair.

Members Present: Anthony Falcone, Tom Gabor, Dan Himmelman T.R. Hach and Steve McKee, and secretary, Julie Himmelman

Also, present: Ron Graham, Township Attorney, and Brian Crouse, Assistant Zoning Inspector

Absent: alternate, Dane Hackman

Guests: Lake County Planning and Community Development Director, Dave Radachy, BZA members, Susan Hanna and Rudy Veselko

Audience: None

Minutes: The Oct 15, 2019 minutes were read. TR made a motion to approve with corrections. Dan seconded; those present at the October meeting were in favor. Anthony abstained.

Correspondence: None

Comments:

Mahr Farm: Ron update the commission on the issues.

Joddi Drive: The owner was in the hospital. Myron hopes that he will continue the clean-up after he is back in good health.

Old Business:

- **Zoning Regulation updates and changes:** Dave Radachy and the commission discussed the proposed zoning additions and updates.
 - Section 20 - Dave provided a definition of Private Drive and suggested the changes from R-1 to R-2 instead be changed to R District so that it would not need to be updated.
 - Section 7 – General Requirements: Regulation regarding temporary Accessory Use of Shipping Containers and/or Construction Storage Containers were determined after much discussion.
 - Section 9 – taking out permanent shipping containers (currently 9.24)
 - Section 14 – add Permanent Shipping Container as a Conditional Use
 - Section 16 – add Permanent Shipping Container as a Permitted Conditional Use
 - Section 16 – After much discussion the following was put to a vote which passed (4-1): Accessory buildings less than or equal to one-hundred and sixty (160) square feet do not require a Zoning Permit but must comply with all zoning regulations.

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New Business: The commission set a public hearing for the purpose of making the following changes/additions to the zoning regulations on Wednesday, January 8, 2020:

Section 20: (1) Add the clarification of Flag Lot to the section title as follows:

CONSTRUCTION ON PRIVATE DRIVEWAYS (FLAG LOTS)

- (2) Change all mention of R-1 to R-district
- (3) Change all quantitative terms to the wording: lot size as required by the zoning district
- (4) Move to section 2.02 and update the definition of Private Drive as follows:

PRIVATE DRIVEWAY: The portion of the fee simple lot that meets the minimum width required in section 20, but not the minimum width required in the R District district(s). This land is intended to provide access to the building envelope of the property, but it is not dedicated or intended for use by the general public.

Section 7: Add the following after section 7.12

7.13 TEMPORARY SHIPPING CONTAINER OR TEMPORARY CONSTRUCTION STORAGE

CONTAINERS: The use of a temporary shipping container or temporary construction storage container as a temporary Accessory Use except as defined below is prohibited. These structures are subject to the following conditions and to the general standards applicable to all Accessory Use structures as set out in this Section.

- A.** Shipping containers and/or Temporary Construction Storage Containers may be used for temporary storage of equipment and materials during construction of a new residential house only as authorized by a one-year permit.
- B.** Shipping containers and/or temporary construction storage containers may be used for temporary storage of equipment and materials during construction of projects other than a new residential house or for relocation purposes as authorized by a permit. Only one 6-month permit may be issued for the temporary use of a shipping container and/or temporary construction storage container for storage as noted in this section in a 1-year span.
- C.** Permanent Shipping Containers require a Conditional Use Permit as outlined in Section 14.19.

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Section 14 Conditional Use: Add the following after section 14.18:

14.19 CONDITIONAL USE FOR PERMANENT SHIPPING CONTAINER AS AN ACCESSORY BUILDING:

(Effective 00/00/00)

A Conditional Use Permit shall be required for a shipping container to be used as an accessory structure in an R district. Such use shall be subject to the following conditions set out below and to the general standards applicable to all conditional uses set out in this Section:

- A. Shipping containers shall rest on a durable permanent foundation (concrete, asphalt) and shall be screened from public view.
- B. Shipping containers shall adhere to minimum setback standards for accessory structures in a R district.

Section 16: Add to 16.03 CONDITIONALLY PERMITTED USES after #8

- 9. Permanent Shipping Containers as permanent Accessory Use Buildings as specified in 16:04:15 of this section.

AND

Add to the end of 16.05 ACCESSORY BUILDINGS: after f.

- G. Accessory buildings less than or equal to one-hundred and sixty (160) square feet do not require a Zoning Permit but must comply with all zoning regulations.

Anthony made the motion to set the public hearing for all the above changes and additions on January 8, 2020. T.R. seconded and all were in favor.

The organizational meeting will be held after the public hearing.

TR made a motion to adjourn. Dan seconded and all were in favor.

Respectfully submitted,

Julie Himmelman

Leroy Zoning Secretary