

Leroy Township Zoning Board of Appeals
Public Hearing No. 2023-2 and No. 2023-3 / General Meeting
March 28, 2023
Leroy Township Town Hall, 6684 Paine Road, Leroy Township OH

PUBLIC HEARING

Chairman Veselko called the meeting to order with the pledge to the flag.

Roll Call: Chairman, Rudy Veselko, Vice Chairman, Shawn Parker, Members Tim Toman, Greg Miller, and Susan Hanna

Absent: Alternate, Amy Shelton

Staff Present: Zoning Inspector, Noell Sivertsen, Attorney, Ron Graham, Secretary, Nancy Kranstuber

Audience: Zoning Chairman, Sharon Noewer, Lake County Planning Commission, Dave Radachy, residents Melisa Dottore and Chris Valletto

An **Oath of Truthfulness** was administered by Chairman Veselko to those in attendance who planned to speak during the proceedings.

A **legal notice of the hearings** was published in the News-Herald on March 15, 2023, and on the township website. Written notices were mailed to all parties of interest.

- **PURPOSE OF HEARING: 2023-2 (Dottore)**

Application for Variance of Section 16, Table 16.1, by Melisa Dottore, 12772 Huntoon Road, to reduce the minimum 20-foot side yard clearance to 14-foot front and 18.6-foot rear for a storage addition.

Testimonies of Interested Parties: Ms. Dottore stated that due to the lot configuration and limited space, the requested variance would provide the best solution for the addition of the storage facility.

Testimony from guests and audience: None.

Correspondence Received: A letter was received from Mr. & Mrs. Wiedmann, neighbors to Ms. Dottore, stating they do not have any problem with the issuing of the requested variance.

Recommendation of Zoning Inspector: Approve. Due to the unique configuration of the lot and the existing structures, placement on the lot, combined with the creek in the backyard, there is a very limited area to construct the addition.

Motion to Approve: Parker made a motion to approve the variance as requested; Hanna seconded.

Vote: Veselko – Yes Miller - Yes
Parker – Yes Hanna - Yes
Toman - Yes

Motion carried. **Variance 2023-2 approved.**

- **PURPOSE OF HEARING: 2023-3 (TRAX)**

Conditional Use Permit (CUP) in the B-2 Special Interchange District for TRAX Construction Co., Wickliffe, OH, for property located at Vrooman Road, Parcel No. 07A0260000080, to relocate their underground utility business within the next five to seven years.

Testimonies of Interested Parties:

Mr. Valletto stated that TRAX Construction is an underground utility company currently located in Wickliffe OH. His intent is to relocate the entire company to provide more space. Residing in Chardon, this would also make the business closer and more convenient. Daily onsite staff would number an estimated 12 people. He is currently in the process of purchasing the parcel, however, requests the CUP be approved prior to finalizing the purchase and beginning the construction process. This is a five-to-seven-year buildout.

Testimony from guests and audience:

Zoning Inspector, Sivertsen, explained the subject property is zoned B-2 Special Interchange District and how the CUP request fits that zoning requirement.

Dave Radachy, Lake County Planning Commission, stated that several years ago, based on the Leroy Twp Comprehensive Plan, the thought was to try and develop a commercial base for Leroy Twp. He was not sure how much this CUP would benefit that commercial base. He also suggested that the Board clarify the statement of having a mechanic onsite, and what does it mean to have a shop onsite.

Correspondence Received: None

Recommendation of Zoning Inspector

The project has a substantial buildout timeline. The Board may want to consider setting timelines that need to be met so the project does not stall and sit idle for a period of time. As it would be a conditional use, the Board can require inspections or resubmittals on a yearly basis. If the conditions are not being maintained, the CUP could be revoked.

Executive Session: With no further questions or comments, the board moved into executive session to discuss and deliberate to arrive at a decision. Hanna made a motion to move into executive session; Miller seconded. All in favor. Veselko made a motion to exit the executive session; Toman seconded. All in favor.

Motion to Approve: Parker made a motion to approve the CUP for TRAX Construction with the following stipulations:

- Screening to be provided to adequately block the site of equipment and supplies that will be stored on the property.
- No crushing or processing of materials will be permitted.
- Maintenance of equipment is an accessory use and limited to only TRAX Construction equipment.
- All other Leroy Township zoning requirements, Lake County requirements, and state of Ohio code regulations will be followed.
- Annual renewal of the permit will be required.

Hanna seconded the motion.

Poll of vote:	Veselko – Yes	Miller – Yes
	Parker – Yes	Toman – Yes
	Hanna – Yes	
	Trax Construction <u>CUP approved.</u>	

Mr. Valletto then asked for clarification on the \$500.00 annual renewal of the permit. Sivertsen clarified conditional use is while the business is operational. The BZA can later change the frequency, but as of right now, yes, the annual renewal fee will be paid annually starting with the date of this approval.

GENERAL MEETING

- Zoning Chairman, Sharon Noewer, addressed the BZA and advised that the Leroy Twp Comprehensive Plan will be updated this year; this is done every five years. She invited the BZA members to join this year’s comprehensive plan committee, which will be made up in part by the Zoning Commission, community members, and Lake County Planning Commission.
- Parker made a motion to approve the January 24, 2023, meeting minutes as written; Hanna seconded. All in favor.
- Finding of Facts were presented and signed off for BZA Hearing 2022-5 dated September 27, 2022.

ADJOURNMENT: Hearing no requests for further business, Hanna made a motion to adjourn; Parker seconded. All in favor. Meeting adjourned at 8:55 p.m.

Respectfully submitted,

N Kranstuber
Secretary, Zoning Board of Appeals