

CROCKERY TOWNSHIP
ZONING BOARD OF APPEALS
ZBA MEETING MINUTES
October 18, 2018
Meeting Minutes

- Call to order at 7:30 PM.

- Roll call –

Present: Brian Ford, Robb Constantine, Bill Sanders, Gordy Constantine, and Mike Wallis

Absent: None

Others in Attendance: Zoning Administrator Robert Toland, 4 members of the public

- Agenda approved unanimously by Board.
- Minutes for ZBA meeting on **July 20, 2017** will be reviewed at the October 30, 2018 special ZBA board meeting.
- Communications to ZBA: none
- Action Items: Variance request from Sky High LLC to construct an industrial storage building (1) within the required 20-foot side lot line setback, (2) to forego the required 10-foot buffer yard, and (3) to expand an existing nonconforming building on the north property line adjacent to Groeninks Elevator.
- The existing nonconforming building appears to be approximately 4' off the line. The applicant believes the building is between 7' and 9' off the property line and is requesting that 7'-9' be the setback for the new building.
- Public comments (signed in on the ZBA register at the meeting):
 - Mark Schroeder, owner of Sky High LLC, described the variance request.
 - R. J. Pierson, 16979 112th, supported the variance.
 - Leon Stile, Crockery Township Supervisor, supported variance.
 - John Groenink, letter submitted to ZBA board, supported the variance.
 - All Public comments were heard and the comment period was closed.
- ZBA discussed the application and reviewed the standards for a variance:

Standard 1:

- I. The existing buildings were built by previous owner (prior to 1991) and are already nonconforming.

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- II. Meeting the required setback would perpetuate a "courtyard" or "dead zone" between the two existing buildings that is unusable and an eyesore.
- III. Connecting the buildings would eliminate the blight caused by the irregular placement of the existing buildings and the difficulty of maintaining vegetation.

Standard 2:

- I. The alignment of the buildings, i.e. old with new buildings, will present a more aesthetic appearance to the property.
- II. The "court yard" zone is difficult to maintain due to limited access to that portion of the parcel.
- III. The enforcement of the ordinance would create an inability to extend the current manufacturing operations in the existing buildings into the new building due to the required linear configuration of the equipment.

Standard 3:

- I. Expanding the existing building along the property line in the proposed location would be more visually appealing for the neighbor to the north instead of ugly vegetation.
- II. There is no benefit to the public to have the "court yard" created by the setback ordinance.
- III. A letter from the adjacent property owner was submitted to the ZBA supporting the zoning variance, referenced in the above public comments.

Standard 4:

- I. This situation is unique to this parcel and this manufacturing operation. It is extremely rare in the Township because of the limited amount of industrially zoned land and manufacturing businesses.
- II. The current property owner did not cause the situation on the property. The current buildings have been in the same nonconforming location since before 1991 when the current owner purchased the property.
- III. This situation is not reoccurring in nature.

Condition of approved zoning variance:

- I. No other setback zoning variance will be allowed on this parcel of property.

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- II. Property added to the parcel will be in accordance with the current setback ordinances.

Motion was presented by Gordy Constantine to approve the variance with conditions, seconded by Mike Wallis.

Variance was approved 3 yes votes, 2 no votes.

- Other Action Item:
 - Election of Officers – Motion to accept the following ZBA member as officers for the next term presented by Gordy Constantine and supported by Brian Ford. Unanimously approved were the following officers
 1. Chairperson – Bill Sanders
 2. Vice-Chairperson – Robb Constantine
 3. Secretary – Mike Wallis
- Next scheduled ZBA special meeting will be October 30, 2018 at 5:30 p.m. at the Township office and next regular ZBA meeting January 17, 2019 at Township office.
- Motion to adjourn meeting presented by Gordon Constantine and seconded by Mike Wallis. Motion carried unanimously.

Meeting was adjourned at 10:03 p.m.

Respectfully submitted by:
Mike Wallis, ZBA Secretary

Signed: _____

Date: _____