

Crockery Township

Zoning Board of Appeals Meeting

January 4, 2024

Draft Minutes

Agenda Item 1, Call to Order: 7:02 P.M.

Roll Call -

Present: Robb Constantine, Ryan Arends, Mike Wallis and Rich Suchecki present. Planner Julie Lovelace with Fresh Coast Planning was present on behalf of the Township. Paige Silva was present as Recording Secretary.

Absent: Brian Ford.

There were 17 people in the public gallery.

Agenda Item 2. Approval of the Agenda

Approved as submitted.

Agenda Item 3. Approval of Minutes

The Board reviewed the minutes from the December 20, 2022, Zoning Board of Appeals Meeting. **A motion** was made to approve the minutes, as written, by Rich Suchecki. A second was offered by Rob Constantine. The motion was carried unanimously.

Agenda Item 4. Variance Request

Planner Lovelace began by introducing the Variance Request. One fact being that the request is actually to create an 8.5-acre parcel rather than a 6.5-acre parcel. It was then brought to the attention of this Board the Public Notice specified 6.5 acres.

Planner Julie Lovelace advised no action should be taken tonight so that a new public notice can be issued, but discussion before tabling may be helpful.

A motion to table this Variance Request prior to discussion was made by Rich Suchecki. Mike Wallis supported.

Roll Call Vote:

Rob Constantine - no

Ryan Arends - no

Mike Wallis - no

Rich Suchecki - no

Motion denied unanimously.

Ryan Arends opened discussion.

Planner Julie Lovelace introduced the Variance Request and that she cannot approve the adjacent land transfer administratively. The Applicant requests a variance to build on a nonconforming, unbuildable lot and also to perform an adjacent land transfer from a conforming adjacent lot to this nonconforming lot. This would make the nonconforming lot *more conforming*. This would not exceed the width-to-depth ratio. If this Request is approved, the smaller of the two parcels will ultimately be increased in size to 8.5 acres.

Gordon Constantine - 11855 Leonard Street - He lives across the street. Buildable status and financial gain concerns. He suggested the attorney attend the next Meeting.

Applicant Marc Langeland - 11655 Arthur Street - He stated the parcel can be sold now and when they found out it was not buildable it became a surprise.

Mark Boss - 11986 Leonard Street - Current Zoning questions.

Applicant Marc Langeland - Zoning and Assessing questions. Planner Julie Lovelace clarified these questions. Ryan Arends displayed the Zoning map behind him.

Gordon Constantine - 11855 Leonard Street - Concerned about the buildability of the property and used his property for reference of potential financial gain through parceling.

Applicant Marc Langeland stated he and his wife want to build a retirement home. This is not for financial gain.

Janella Jonio - 16015 104th Avenue - Questions about Zoning and minimum building requirements.

David Willis - 17547 136th Avenue - Clarified what constitutes a "buildable parcel".

Beverly Traxler - 13625 State Road - Question about buildable property in the AG-1 Zoning District.

Planner Julie Lovelace recited the Zoning Ordinance 23.10.3 to clarify the last few questions.

Janella Jonio - 16015 104th Avenue - Asked why this Board was meeting here tonight. Planner Julie Lovelace answered, restating her opening introduction.

Applicant Marc Langeland stated the previous Zoning Administrator, Bob Toll said someone was supposed to build on this land and a house number was even assigned. A driveway permit was issued in 2018; however, a dwelling was never constructed. He said the application exceeds Crockery Township standards. This is an improvement in zoning because his (Applicant's) larger parcel will maintain its necessary 40+ acres and the smaller parcel will also increase in size.

Planner Julie Lovelace stated again that this meeting is about an adjacent land transfer and permitting this lot to be buildable. Ryan Arends also stated why it is not buildable at this time.

Gordon Constantine - 11855 Leonard Street - Concerned about the various changes to this property - and if they are reflected correctly.

Supervisor Erik Erhorn clarified Mr. Constantine's question.

Janella Jonio - 16015 104th Avenue - Questioned why the Township Attorney was not Present.

Applicant Marc Langeland had questions on the next steps. Ryan Arends said the public notice had to be corrected and another meeting would be held.

Gordon Constantine - 11855 Leonard Street - Buildable land concern.

Applicant Marc Langeland said he feels like he needs to seek his own legal counsel. Mrs. Langeland said the previous owners had all their permits and they feel at a loss because it was sold to them as buildable, but it is not because of the expired special land use.

Rich Suchecki answers Ms. Langeland's questions.

Planner Julie Lovelace described how this parcel was originally created and that she does not have the administrative authority to approve the adjacent land transfer, per the Township Attorney.

Rob Constantine asks if Julie can approve the land transfer alone. Julie confirmed she does approve adjacent land transfers, but cannot in this instance.

A motion to table this was made by Rich Suchecki. Mike Wallis seconded.

The Board spoke about when officers should be elected. Planner Julie Lovelace stated maybe the bylaws regarding this should be changed next meeting.

Agenda Item 5. Adjournment

A **motion** to adjourn was made by Commissioner Rich Suchecki. A second was offered by Robb Constantine at 8:08 P.M.

Respectfully Submitted,

Paige Silva
Recording Secretary

Next Regular Meeting - TBD
Next Special Meeting - TBD