

LAGRANGE TOWNSHIP BOARD OF ZONING APPEALS
Variance Request – Shellie Pasadyn
November 15, 2023

Call to Order

Kelly West called the meeting to order at 6:30pm.

Roll Call – Board Members Present:

Kelly West, Chairperson	Jill Windelspecht, Member
Mike Hornby, Member	Kevin Henthorn, Member
Frank Lupinski, Member	Tina Henthorn, Alternate
Kimberly Carter, Secretary	

Public Attendance

See attached sheet

Business

- K. West made it known that if someone would like to appeal the decision of the Board of Zoning Appeals, it needs to be within 30 days. Also, if any members of the board have a conflict of interest in the case then they need to recuse themselves.
- K. Carter swore all attendees in and read the public hearing notice.
- K. West gave more information on the application details.

Questions/Comments from Public

Todd Cendrosky, 17779 Indian Hollow Rd: Been in his house for 27 years and the parcel in question sits directly behind his house. He doesn't want to devalue his house in the future by having a house built that is right behind his backyard. He has talked to others and they said it would decrease it by 25-30%. The only way he would agree is for Brittney and Jason to build the house closer to her mother's house.

David Walter, 17517 Indian Hollow Rd: No issues with it

Kevin Conrad, 14999 Whitehead Rd: Given the amount of acreage they could put it, doesn't see an issue

Jan Plas, 19034 State Route 301: Have lived behind 3 houses and have never bothered anyone and currently selling house for more than we've put into it.

Jim Plas, 19034 State Route 301: Need to communicate with your neighbors and work it out.

Shellie Pasadyn, 17663 Indian Hollow Rd: Feels there is plenty of room.

Brittney Pasadyn: No comment

Jason Raber: Brought map overview and presented to board members and offered them to all of the attendees. First page is an aerial view of the parcel and the second page is a loose concept of what they want to build. This is prior to zoning and other requirements. Plan on putting landscaping between the parcels up front and his for privacy.

Mike Hornby, Member: How far off the road are you building the house?

Jason Raber: Didn't lay it out to scale, but roughly 600' – 800' off the road. I understand the neighbor's concerns and have no intentions of having bad relations.

Randall Hoagland, 17741 Indian Hollow Rd: Been in his house since 1995 and concerned that Jason's house will sit right behind his backyard. Everything he has built and renovated in his backyard will not be able to be enjoyed because all he is going to see now is a house behind his yard and will have no privacy. When he originally was going to purchase the house, he met with Leo, the previous owner, and Leo said that he was never going to use it for anything but farming. Also, had Jerry Klein inspect it prior to purchasing and the property was non-commercial and already zoned unbuildable because of the frontage, but was able to be used for farming. His house and Todd's house are both per the zoning code at 200' frontages. When Skip purchased the property, talked to him about it and he said he would never build on it. Also stated that the driveway is going to be too close to his house. He just retired and wants to enjoy his property, but will be unable to. Some of the neighbors were unable to attend this evening, but has a paper with signatures of neighbors who are against it. His brother, Brian Hoagland, is an attorney and they will take it to appeals court.

Kelly West, Chair: What happens if they sell to a developer and build a development?

Randall Hoagland, 17741 Indian Hollow Rd: Offered to sell my house to Jason so he could have the frontage. Jason said that it was going to be a long, slow build which means heavy equipment for longer periods of time being a distraction and tearing up the land. Thanked the board members for their time.

Board Members Questions/Comments

Kevin Henthorn, Member: no questions

Jill Windelspecht, Member: no questions

Frank Lupinski, Member: Who owns the parcel? How thick are the woods?

Jason Raber: Shellie owns it and the woods grade down after the tree line heading to the back. Intends on installing trees around edge for privacy for neighbors and themselves.

Frank Lupinski, Member: Considered step lots like in Litchfield and nothing about them in zoning

Mike Hornby, Member: no questions

Kelly West: defined step lots as staggered housing that have a specific distance of separation.

Todd Cendrosky : Are step lots considered side-by-side parcels?

Kelly West, Chair: Correct, there would not be a house behind another.

Jim Plas: After 30 years with the county engineer, they could put a road in and put a cul-de-sac.

Kevin Henthorn, Member: When you did an analysis of the value did you consider if they built a million dollar house that it would bring the value of your house up.

Randall Hoagland: No, it wouldn't because people don't want that in their back yard.

Kelly West, Chair: We must be clear, there are home that sit on 1.3 acres and the parcel in question is 31.79 acres. Is it a reasonable request for current homeowners to ask the property owners to never build on their property?

Candy Cendrosky: They are only going 600' back.

Randall Hoagland: Our lot goes 300' deep so their house will be another 300' and there will be no privacy.

Kelly West, Chair: The issue is that there was no agreement signed and notarized by Leo or Skip about not building. Also, the road is not categorized as an easement, it's an access road.

Brittany Pasadyn: It's not a scaled drawing, but it's going to be about 600' back. I was born in J.R.'s house 40 years ago and played in those woods. There are a lot of childhood memories which is why we are choosing to build a house here.

Mike Hornby, Member: How much tillable land is being used and what is average for a farm?

Shellie Pasadyn: 9 acres being used and normally 50-150 acres for a farm

Mike Hornby, Member: How long have you lived there?

Shellie Pasadyn: Since 2001

- K. West closed public comment, summarized the use of Page 110 in the zoning book when making decisions to grant or not grant approval of variances.
- J. Windelspecht made a motion to vote on the application for the variance request to build a house on the non-conforming lot at 17663 Indian Hollow Rd, M. Hornby seconded the motion, roll call – Hornby: YES; K. Henthorn: YES; Lupinski: YES; Windelspecht: YES; West: Confirmed vote 4-0 to approve the application.
- It is determined by vote that the LaGrange Township Board of Zoning Appeals approved the variance request for building on a non-conforming lot.

Adjournment

F. Lupinski made the motion to adjourn the meeting, K. Henthorn seconded the motion, roll call – Hornby: YES, K. Henthorn: YES; Lupinski: YES; Windelspecht: YES. The meeting was adjourned at 7:19pm.

Respectfully Submitted,

Kelly West, Chairperson

Kimberly Carter, Secretary
