

Held Monday, September 11, 2023
7:00 p.m. 20

The Madison Township Zoning Commission Regular Meeting and Public Hearing was called to order at 7:02 p.m. by Vice-Chairman Mr. Witt, with the following people present Mrs. A. Wisniowski, Mr. Witt, Mr. Diak, Mr. Hyme. Mr. R. Rothlisberger was absent. Mr. M. Ungers was present as Zoning Inspector. Mr. Christopher Bernard was present as Assistant Zoning Inspector.

Mr. Witt requested a motion to approve the minutes from September 11, 2023, for the regular meeting. Mr. Hyme presented a motion to approve the minutes from the September 11, 2023 meeting, seconded by Mrs. Wisniowski. There was no discussion:

“All Ayes”

Minutes approved 4-0.

Mr. Witt opened the public hearing for District Amendment Change #23-001.

Mr. Ungers read the following summary:

District Amendment Change #23-001

Submitted by: Juan Pacheco

Located at:

PP# 01-B-109-0-00-004-0 along Burns Rd.

Property Zoned: B-2, Regional Business

The public hearing this evening is to hear a zoning district change request for permanent parcel # 01-B-109-0-00-004-0. Owned by David & Betty Byler. Present this evening is the applicant Juan Pacheco who is under contract to purchase the property with the contingency of rezoning approval from Madison Township.

The request is to re-zone the parcel from B-2, Regional Business to R-1, Suburban Residential. The applicant plans to build a single-family dwelling on the parcel for his family to reside at.

The applicant and neighbor letter were mailed on August 30, 2023 and the public hearing was advertised in the News-Herald Legal Section on September 1, 2023.

The Lake County Planning Commission met on August 29, 2023 and recommended the zoning commission recommend this district amendment change to the trustees as well as consider recommending the rezoning of the 15 acres of B-2, Regional Business property to the south located on permanent parcel # 01-B-109-0-00-036-0 to R-1, Suburban Residential as well

Zoning Commission chairman Randy Rothlisberger, who is not present this evening, is in favor of this request.

The current property owners David & Betty Byler are in favor of the request as well.

There has been no correspondence from neighbors commenting for or against this request.

RECORD OF PROCEEDINGS

Minutes of

MADISON TOWNSHIP ZONING COMMISSION PUBLIC HEARING AND REGULAR MEETING MINUTES

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Monday, September 11, 2023

Held _____ 7:00 p.m. _____ 20 _____

Mr. Witt invited Mr. Pacheco to the podium to address the board. Mr. Juan Pacheco (1278 W. Jackson St. Painesville, OH) stated that nothing has changed since the last time he met with the board with the exception that he asked his realtor for an extension so that he could get through this process before completing the purchase.

Mr. Witt invited other people in the audience to approach the podium if they wished to speak. Amy Bukky (2782 Burns Rd.) approached the podium and stated that her concerns are the loss of wildlife, and is this house going to be positioned such that if Mr. Pacheco sells it in five years is there concern a new person could put in a full subdivision. Mr. Witt stated that couldn't happen in the R-1 district. Ms. Bukky stated that there are already many items considered eye-sore along Burns Rd. and she worries about losing the green space. Mr. Witt stated that this zoning request is only for a single-family home and the board cannot predict the future. He added that in the event that someone did decide to attempt to put a subdivision on that property they would have to jump through many hoops to make it work. Ms. Bukky stated that flooding is also a concern. Mr. Witt informed her that flooding would be handled by the county through the Lake County Stormwater Dept. and the township could certainly make a few phones calls if needed.

Mr. Hyrne asked for clarification on which parcels were being re-zoned and which parcels would potentially be re-zoned in the future. Mr. Ungers presented a map showing the parcels and explained which parcels would be considered in the future.

Mr. Hyrne asked what happens if the sale of the property falls through, does the zoning request still change. Mr. Ungers and Mr. Bernard stated that once the Trustee approves the change, it becomes effective 30 days afterwards, unless there's an appeal, and it would be forever changed unless another applicant request is made.

Mr. Witt requested a motion to approve or deny. Ms. Wisniowski presented a motion to approve the District Amendment Change #23-001. Seconded by Mr. Diak. There was no discussion.

"All Ayes"

District Amendment Change was approved 4-0.

Mr. Ungers stated that he'll make the recommendation to the trustees tomorrow night at their meeting and they will schedule a public hearing.

Mr. Witt requested a motion to close the public hearing. Mr. Diak made a motion to close the public hearing, seconded by Ms. Wisniowski.

"All Ayes" 4-0.

Mr. Witt closed the public hearing at 7:16.

Old/New Business:

Mr. Ungers stated he was approached by a person asking about a possible re-zoning request on Hubbard Rd. for the purpose of building a single-family home. It would be much like the request the board heard tonight.

Mr. Ungers asked if the board was ready to forward the text changes to the county for them to review and make recommendations. No one had any issue with sending off the text changes to the county for review.

Mr. Hyrne asked if the solar panel on Chapel Road was legal. Mr. Ungers stated that something like that wouldn't fit in our new language.

**MADISON TOWNSHIP ZONING COMMISSION PUBLIC HEARING AND
REGULAR MEETING MINUTES**

**Monday, September 11, 2023
7:00 p.m.**

Mr. Ungers asked if the board would be open to meeting on the alternate date in October (October 23) since the 9th is a government holiday. No one had any objections to meeting on the alternate date.

There being no further business before the board, Mr. Witt requested a motion to adjourn the meeting, a motion to adjourn the meeting at 7:27 p.m. was presented by Mr. Hyrne, seconded by Mr. Wisniewski.

Roll call: All "Ayes."


Randy Rothlisberger, Chairman


Bob Diak, Secretary

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