

RECORD OF PROCEEDINGS

Minutes of

MADISON TOWNSHIP ZONING COMMISSION REGULAR MEETING & WORKSHOP MINUTES

Meeting

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

Held Monday, May 10, 2021 20____
7:00 p.m.

The Madison Township Zoning Commission Meeting was called to order at 7:00p.m. by Chairman Wisniewski, with the following people present: Mr. R. Rothlisberger, Ms. A. Wisniewski, Mr. J. Hyrne, Mr. B. Diak, and Mr. J. Witt. Mrs. M. Howell was present as Zoning Inspector and Mr. M. Ungers was present as Assistant Zoning Inspector.

Chairman Wisniewski requested a motion to approve the minutes from the April 12, 2021 Meeting.

A motion was presented by Mr. Hyrne to approve the minutes from the April 12, 2021 Meeting, seconded by Mr. Diak.

Roll Call: Mr. Rothlisberger: Yes Mr. Hyrne: Yes
Mr. Diak: Yes Mr. Witt: Yes

Ms. Wisniewski abstained due to the fact that she was absent from the April 12, 2012 Meeting.

Chairman Wisniewski opened the Workshop portion of the Meeting. Mrs. Howell informed the Board that she and Mr. Gauntner have worked on compiling the proposed text changes that the Board has in front of them. She added that Mr. Gauntner did quite a bit of research regarding political signs, and provided the Zoning Department with proposed language for the Definition and Sign Sections of the Zoning Resolution. Mrs. Howell stated that she broke all of the proposed text changes down by section.

Mrs. Howell stated that the first Section is Section 101, Definitions. She informed those in attendance that the Funeral Services definition had been discussed previously and the Board had agreed that "*excluding crematories*" should be removed from the definition, and that she is also recommending adding the words, "*or pet*" so the definition covers pets as well. The Board agreed with the recommendation. Mr. Rothlisberger asked if a veterinary service can provide crematory services. Mrs. Howell stated that she would verify that information and let the Board know.

Mrs. Howell informed the Board that the next definition is for the Sign definitions. She stated that in their packets, the current text is in italics, and any wording being removed has a line through the wording. Mrs. Howell directed the Board's attention to the Political Sign & Political Action Signs, which are being removed. She added that new definitions for Animated Sign, Balloon Sign, Banner Sign, and Temporary Yard Sign have been created, which Mr. Gauntner crafted. Mrs. Howell stated that Political Signs will fall under the Temporary Yard Sign Definition. Mr. Diak asked about signs that advertise a business. Mrs. Howell stated that a Temporary Yard Sign advertising a business or special event shall not be displayed for more than thirty (30) days in a calendar year on any lot, which is part of the proposed definition for a Temporary Yard Sign.

Mrs. Howell stated that the definition for a Swimming Pool needs to be amended, because when Section 129 was recently amended, removing the words "*or being required by the manufacturer to use a filter system*", the definition for a swimming pool was overlooked. The Board agreed.

Mrs. Howell stated that the next Section is Section 114, the Permitted Use Table 114.3. She informed the Board that when the Permitted Use Table was updated, the Board added a Small Retail Business in the M-1 Zoning District as a Conditional Use. Mrs. Howell stated that there should have been language created for the Conditional Use requirements. She asked the Board if they had conditions they would like to establish for the update, or change it to a Permitted Use in the M-1 Zoning District. The Board discussed and agreed to change the Use to a Permitted Use instead of a Conditional Use.

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Mrs. Howell stated that the next Section is 126. She informed the Board that Section 126.8.3 would be amended and creating a New Section 126.8.6, that creates a time frame for submitting and conducting the Public Hearing. Mr. Rothlisberger questioned the thirty (30) day language in the New Section. Mr. Rothlisberger suggested that be changed to forty-five (45) days, so that the Public Hearing could be held at the next Regular Zoning Commission Meeting. Mrs. Howell thanked Mr. Rothlisberger for the suggestion. The Board discussed and agreed to adjusting that time frame to forty-five (45) days, instead of thirty (30) days.

Mrs. Howell stated Section 126.9 has a few repeated words and the proposed to change is to remove them. The Board agreed to the removal of the words in Section 126.9

Mrs. Howell stated that the next Section is Section 127, Off-Street Parking Requirements. She informed the Board that the parking requirements in Section 127.5.5 for a Bed & Breakfast do not match the parking requirements in Section 142.4.5.24.11, which is the parking requirements for a Conditional Use for a Bed & Breakfast. The Board discussed and agreed to the change.

Mrs. Howell stated that in Section 127.5.5, the parking requirements for a Car Wash are incomplete, because it references Concord Township's Zoning Resolution. She informed the Board that she confirmed with Mr. Dave Radachy that this language was in fact from Concord Township. The Board agreed to change the parking requirement for a Car Wash.

Mrs. Howell stated that the next Section is 128. She informed the Board that the proposed change to Section 128.4, Temporary or Portable Signs is to remove the word "or" and have it read Temporary Portable Advertising Signs. She commented that the change is so there won't be any confusion between these signs and the Temporary Yard Sign that was referenced earlier in the meeting. The Board discussed and agreed to the change.

Mrs. Howell stated the next proposed change is for Sections 128.9.10 and 128.9.10.1. She stated for the record the proposed change would remove all language in both sections and replace it with; "*see definition for "Temporary Yard Sign," Section 101 – Definitions.*" The Board agreed with the recommended change.

Mrs. Howell stated that Section 128.11 – General Regulations of all Signs, does not have a general statement for the Section, so the language has been adjusted and renumbered so the items flow better. She informed the Board that a New Section, 128.11.1.3 A Balloon Sign advertising a business or service is prohibited in all Zoning Districts, which was crafted by Mr. Gauntner and language being added to Renumbered Section 128.11.5; Signs located on a building shall not project into any required building setback area **for more than eighteen (18) inches**. The Board had no comments regarding these proposed changes.

Mrs. Howell informed the Board that the next Section is Section 140. Mrs. Howell stated that this is another Section that did not have a general statement, so the Subsections have been renumbered so everything will flow better. She reminded the Board that during the previous Workshop Meetings the Board had discussed and agreed that the Sections pertaining to a Certificate of Occupancy should be removed, due to the fact that the Lake County Building Department issues the COO's, and commented that the Fee for this permit would need to be removed from the Fee Schedule.

Mrs. Howell stated that the next Section is Section 142. She reminded the Board that at the previous Workshops it had been discussed that in Section 142.4.2 to remove the word "non" from the language, which the Board agreed to. She also informed the Board that additional language has been created stating; If ownership of land or business changes, an administrative update is required, by means of a notarized statement being provided to the Zoning Inspector, without requiring a Public Hearing. Mr. Rothlisberger asked if language can be added stating that the CUP expires. Mr. Diak added that in his opinion, we need to be careful on how restrictive the Resolution gets, because we do not want a bunch of empty buildings. Mr.

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Rothlisberger stated that in his opinion, there should be some language that references the original conditions. Mrs. Howell suggested that additional language be added at the end of the last sentence, stating that all original conditions shall be adhered to. The Board discussed and agreed to the additional language.

Mrs. Howell stated that a new Section is being recommended; Section 142.4.5.7.2.1, which will tie Sections 142.4.5.7, 141.5.4 together, and 142.4.2.3. Section 142.4.5.7.2.1 language reads; Upon review and approval of a Planned Unit Development Area by the Board of Zoning Appeals, final approval must be granted by the Zoning Commission in conformance with Sections 141.54, and the requirements of Section 142.4.3 of this Zoning Resolution. The Board agreed with the new language.

Mrs. Howell informed the Board that the next Section is Section 142.4.5.18, Motor Vehicle Sales (Pre-owned), including Recreational, Heavy Equipment, and Motorcycle and ATV sales. She informed the Board that this Conditional Use was added to the M-1 Zoning District, but the language for this Section was not updated to reflect that change. The Board agreed to the amended text.

Mrs. Howell stated that the next text review is for Section 142.4.5.24.5. She reminded the Board that it was discussed at the previous Workshop Meetings that this requirement should be removed from the B&B Section. The Board agreed.

Mrs. Howell stated that the last Section is Section 142.4.5.24.11, the parking requirements for a Bed & Breakfast. She reminded the Board that Mr. Rothlisberger had commented at the previous meeting about having some language that regulates the parking area for a Bed & Breakfast. Mrs. Howell stated she is recommending modifying the language to read; One (1) parking space per guest room, two (2) owner parking spaces, plus one (1) parking space for every employee on maximum shift. On-Street parking is not permitted and all parking spaces shall be located as to not create a negative impact on adjacent properties. The Board agreed with the additional language for the parking requirements.

Mrs. Howell requested a motion to set a Public Hearing for the Text Amendments for Monday, June 14, 2021.

A motion to set a Public Hearing for the Proposed Text Amendments was presented by Mr. Hyrne, seconded by Ms. Wisniowski.

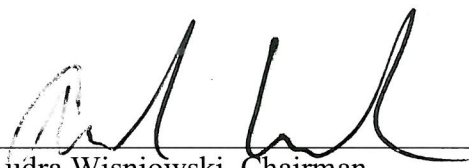
Roll call: All "Ayes."

Mrs. Howell informed the Board that she will tweak the Proposed Text Changes with the few additional items that were discussed this evening and forward the Final Proposed Text Amendments to Mr. Dave Radachy, so that he can place them on his agenda for his May 25, 2021 Meeting.

Mrs. Howell informed the Board that an outside engineering company reviewed the Dollar General Site Plan, regarding the Stormwater concerns and that the firm provided their review of the site and stated that the Proposed Site Plan meets or exceeds the requirements for the stormwater.

There being no further business before the Board, a motion to adjourn the Meeting at 7:58 p.m. was presented by Mr. Diak, seconded by Mr. Hyrne.

Roll call: All "Ayes."


Audra Wisniowski, Chairman


Randy Rothlisberger, Secretary

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