

RECORD OF PROCEEDINGS
MADISON TOWNSHIP BOARD OF ZONING APPEALS
REGULAR MEETING AND PUBLIC HEARING MINUTES

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

Held Thursday February 8, 2024
7:00 p.m. 20

The Madison Township Board of Zoning Appeals Meeting was called to order at 7:02 p.m. by Chairman T. Sill, with the following people present Mr. B. Dubiel, Mr. T. Sill, Mrs. L. Diak, Mr. T. Brass and Mr. J. Boyle. Mr. C. Bernard was present as Assistant Zoning Inspector. Mr. Ungers, Zoning Inspector, was absent.

Mr. Sill requested a motion to approve the minutes from January 11, 2024. Mr. Dubiel presented a motion to approve the minutes from January 11, 2024 Organizational and Regular minutes, seconded by Mr. Brass. With no discussion the minutes were approved:

“All Ayes” - Minutes approved 5-0.

Mr. Sill opened the public hearing for the review of Variance Request #24-001 for Brian and Becky Madonna.

Mr. Bernard read the following zoning summary:

Applicant & Property Owner:

Brian & Becky Madonna

Location of Variance Request:

1608 Hubbard Rd & 6688 Tarbell Ave

Property Zoned:

R-2, Single-Family

The applicants own both properties involved in the request and are seeking the following Variances. A minimum lot area reduction of approximately 5,500 sq ft. at 1608 Hubbard Rd. A minimum lot width (frontage) reduction of approximately 20 ft. at 1608 Hubbard Rd. And a minimum depth of rear yard reduction of approximately 10 ft at 6688 Tarbell Ave. These requests are in order to perform a lot line adjustment on the parcels which would allow for an addition to the dwelling located at 6688 Tarbell Ave to be permitted.

The Neighbor/Applicant letters were mailed on January 30th, 2024 and the Public Hearing was advertised in The News-Herald Legal Section on January 30th, 2024.

The Zoning Office has received no response from anyone regarding this hearing.

Mr. Sill issued the oath of accuracy.

Mr. Sill invited Mr. Madonna to the podium to address the board. Mr. Madonna stated he purchased the home next door to his current home for the purpose of having his mother live in the home. The original property line was approximately 10 feet off of his house and he's looking to move that line for the purpose of a home addition. Mr. Dubiel confirmed that this would reduce the frontage on Hubbard Road by 20 feet. Mr. Madonna stated that was correct. Mr. Sill asked for confirmation of the size and orientation of the addition. Mr. Madonna stated the addition will be 16'x24'. His goal is to put it between the 2 basement windows.

Mr. Bernard explained to the board that they will be voting on 3 total variances for Mr. Madonna's project. The first will be the frontage reduction of 20' at 1608 Hubbard Road. The second will be the area reduction of 5500Sq/Ft at 1608 Hubbard Road. The last will be the rear yard setback a 20-foot variance for 6688 Tarbell Ave. Mrs. Diak asked what is currently non-conforming. Mr. Bernard stated that back in 1996 the applicant came before this board to build the home at 6688 Tarbell. At that time the home was to face Hubbard

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Road, but the Board of Zoning Appeals (BZA) requested the home be turned and faced Tarbell instead of Hubbard Road. This required a rear yard variance.

Mr. Sill asked Mr. Madonna how difficult would it be to flip the project and go 24'x16' to reduce the rear yard variance requirement. Mr. Madonna stated that if he were to do that, he would be covering up a basement and a kitchen window. That's why he would prefer not to change it. Mrs. Diak asked if going west was an option. Mr. Madonna stated he's got a large deck, patio and shed over on that side of the house. The board expressed some concerns with the current layout and felt this will really leave 1608 Hubbard Road without much of a yard.

Mr. Sill explained to Mr. Madonna that this could go 2 ways tonight. They could vote on it as it sits right now, or they could table it and he could reconsider the dimensions. Mr. Madonna asked what changes to the variances would make the board more comfortable? The board stated they would feel better by rotating the addition so that there would be 18 feet between the property. Therefore, reducing the frontage reduction from the 20-foot variance being asked for to 10-foot variance. Mr. Madonna stated he could probably change the layout so that the addition is only coming out 16-feet and not the full 24 feet.

Mrs. Diak made a motion to approve the variance for the frontage reduction of 10 feet on the property located at 1608 Hubbard Road, seconded by Mr. Dubiel.

“All Ayes” – 5-0. Variance #1 #24-001 of a 10-foot frontage reduction.

Mr. Brass made a motion to approve the variance for the area reduction of 4000Sq/Ft on the property located at 1608 Hubbard Road, seconded by Mr. Boyle.

“All Ayes” – 5-0. Variance #2 #24-001 of a 4000Sq/Ft. area reduction.

Mr. Sill made a motion to approve the variance for a 16-foot rear yard set-back on the property located at 6688 Tarbell Ave., seconded by Mrs. Diak.

“All Ayes” – 5-0. Variance #3 #24-001 of a 16-foot rear yard set-back.

Mr. Brass presented a motion to close the public hearing for variance #24-001, second by Mrs. Diak. Hearing was closed at 7:40PM.

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

Mr. Sill opened the public hearing for the review of Variance Request #24-002 for Jack Avcin for the purpose of converting an agricultural structure into a single-family dwelling.

Mr. Bernard read the following zoning summary:

Applicant & Property Owner: Jack Avcin

Location of Variance Request:

Permanent Parcel #01-A-011-0-00-006-0

Property Zoned:

A-1, Agriculture

The applicant is seeking a Variance in order to convert an Agricultural Structure into a Single-Family Dwelling. Variances needed in order to issue a Zoning Permit include: A minimum frontage reduction of approximately 10 ft. A possible minimum sq ft reduction for the existing structure. A possible minimum 2 car garage reduction. And an approximate 10 ft reduction for the minimum riparian setback.

The Neighbor/Applicant letters were mailed on January 30th, 2024 and the Public Hearing was advertised in The News-Herald Legal Section on January 30th, 2024.

The Zoning Office received no response from anyone regarding this hearing.

Mr. Bernard added that on Friday he and Mr. Ungers reached out to the health department because they had concerns about if there was an approved septic system already on site. The health department confirmed the existence of an approved septic system. Mr. Bernard also added that according to the County Auditor's records the structure is a 30'x34' structure, which comes out to approximate 1020 Sq/Ft. We are saying approximate due to the lack of architectural drawings. Lastly, Mr. Bernard presented the board with a map showing the riparian setback which appears to touch the structure.

Mr. Sill invited Mr. Avcin to the podium to address the board. Mr. Avcin presented the board with some photos of the structures and stated the building has water and a approved septic system. Mr. Avcin stated that he goes the property daily to manage his arborvitae plants and now he would like to make it his permanent residence. The board explained to Mr. Avcin that it's difficult to grant a variance on the size of the building without architectural drawings. The board also expressed concerns about the lack of a 2-car garage. Mr. Bernard explained that if the board were to grant the variance, then the county would get involved and perform all the required inspections. Mr. Avcin stated he could bring the board some drawings with all the interior dimensions so that the board knows exactly how much of a variance he would require. Mr. Avcin also stated that he could measure from the center of the stream to the edge of the structure so the board can see how much, if any of the structure is within the riparian setback area.

Mr. Sill presented a motion to table the public hearing for variance #24-002, second by Mr. Boyle

"All Ayes" – 5-0 Public Hearing tabled at 8:02 PM

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Mr. Bernard stated there is no new business but has a few items under old business. Madison County Club has approached zoning about the possibility of developing the driving range, on the north side of Chapel Road, into a housing development. Mr. Bernard stated that Pepperidge Tree Golf Course is going up for auction soon and the zoning department has been approached by a few developers about the possibility of doing a housing development there.

There being no further business before the Board, a motion to adjourn the meeting was presented by Mr. Sill, seconded by Mr. Brass.

All "Ayes." – Meeting adjourned at 8:10 PM



Mr. Thomas Sill Chairman



Mr. Thomas Brass, Secretary