

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

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

Held _____ **Thursday, January 12, 2023** _____
7:00 p.m. _____ 20 _____

The Madison Township Board of Zoning Appeals Meeting was called to order at 7:05 p.m. by Chairman Boyle, with the following people present: Mr. T. Sill, Mr. B. Dubiel, Mr. E. Francis, Ms. L. Diak and Mr. J. Boyle. Mr. M. Ungers was present as Zoning Inspector and Mr. C. Bernard was present as Assistant Zoning Inspector.

Mr. Boyle requested a motion to approve the minutes from December 08, 2022. Mr. Sill presented a motion, seconded by Mrs. Diak. With no discussion the minutes were approved:

“All Ayes” Mr. Sill, Mr. Boyle, Mr. Dubiel, Mr. Francis and Mrs. Diak.

Chairman Boyle opened the public hearing for a variance request #2023-001-BZA for Ace Hardware.

Mr. Ungers read the following case summary:

Variance Application #2023-001-BZA

Owner: Kevin Jones of Ace Hardware – Represented by Bob Batista

Location: 1969 Hubbard Rd.
Permanent Parcel # 01-B-097-0-00-042-0
Property Zoned B-1, Neighborhood Business

Ace Hardware is seeking a Variance to Section 128.2 of the Madison Township Zoning Resolution which states a maximum of one (1) Pole Sign per Commercial business is allowed in all Commercial Districts. Ace Hardware purchased and installed the existing Plaza sign at 1969 Hubbard Rd. which provides and counts towards the one pole sign allowance for its’ business as well as the other businesses operating on the parcel. Ace Hardware has since installed an additional pole sign, separate from the Plaza Sign, that advertises the exclusively sold product of “STIHL” power tools. The STIHL company requires their advertisement sign to be displayed near the road side of any store they agree to sell their products in and this Variance Request is to allow that already installed pole sign to remain. The Neighbor/Applicant letters were mailed on December 29, 2022 and the Public Hearing was advertised in The News-Herald Legal Section on January 2, 2023.

The Zoning Office received no response from any adjacent parcel owners.

Chairman read the Oath of Accuracy to Ace Hardware representative Bob Batista.

Mr. Boyle asked if Ace Hardware planned on lighting the sign up at night. Mr. Batista stated that they would. Mr. Batista gave a quick summary of the property and the idea of having the sign separate. They feel it will take away from the other tenants. Mr. Dubiel asked what would happen if the sign needed to be removed. Would Stihl leave? Mr. Batista stated didn’t know for sure but he believes they would just bolt the new sign to the old sign in some fashion. Mrs. Diak asked for clarification on the total square footage they are permitted to have. Mr. Ungers stated it wasn’t a square footage issue but a issue of having a second sign. Mr. Sill asked if they were to approve this, would they be setting precedence? Mr. Ungers stated he found 2 cases currently in the township. One is the Burks Plaza and the other is Pizza Hut. Both have frontage on 2 roads, and both were granted variances.

Chairman Boyle read the ballot results and the variance was granted votes were 4-1.

Chairman Boyle closed the public hearing at 7:16PM

“All Ayes” Mr. Sill, Mr. Boyle, Mr. Dubiel, Mr. Francis and Mrs. Diak.

RECORD OF PROCEEDINGS

Minutes of

MADISON TOWNSHIP BOARD OF ZONING APPEALS PUBLIC HEARING & REGULAR MEETING MINUTES

Meeting

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Thursday, January 12, 2023

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

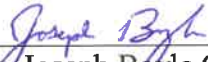
Mr. Ungers presented old and new business. He gave a quick update on C-4. Stating that the township has submitted their brief and C-4 turned theirs that day. The judge now has 2 weeks to decide.

Mr. Ungers stated moving forward the board will do a public vote, over using a ballot and explained how that would work.

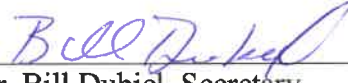
Mr. Ungers discussed our current legal non-conforming language and discussed some ideas for modifications that he would like the Zoning Commission to review this year.

There being no further business before the Board, a motion to adjourn the Meeting at 7:38 p.m. was presented by Mr. Sill, seconded by Mr. Dubiel.

Roll call: All "Ayes."



Mr. Joseph Boyle Chairman



Mr. Bill Dubiel, Secretary