

RECORD OF PROCEEDINGS

Minutes of

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

Meeting

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

Thursday, November 09, 2023

Held

7:00 p.m.

20

The Madison Township Board of Zoning Appeals Meeting was called to order at 7:04 p.m. by Chairman J. Boyle, with the following people present Mr. B. Dubiel, Mr. T. Sill, Mr. Boyle. Ms. L. Diak and Mr. E. Francis were absent. 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 October 12, 2023. Mr. Sill presented a motion to approve the minutes from October 12, 2023, seconded by Mr. Dubiel. With no discussion the minutes were approved:

“All Ayes” - Minutes approved 3-0.

Chairman Boyle opened variance request #23-006.

Mr. Ungers read the following case summary:

Variance Application #23-006

Applicant & Property Owners:

Scot Miles

Location of Variance Request:

1891 E Tuttle Park Rd

Property Zoned R-2, Single Family

Mr. Miles is seeking a 3 ft Variance to the minimum depth of front yard. Section 107.3 of the Zoning Resolution calls for a 40 ft minimum depth of front yard in the R-2, Single Family Zoning District. The legal nonconforming houses along E Tuttle Park Rd have an average depth of front yard of 30 ft. The Structural Alteration under construction at 1891 E Tuttle Park would create approximately a 27 ft depth of front yard.

The Neighbor/Applicant letters were mailed on October 30th, 2023 and the Public Hearing was advertised in The News-Herald Legal Section on October 31st, 2023.

The Zoning Office has received no response from neighbors regarding this Variance.

Mr. Boyle invited the applicant, Scot Miles, (1891 E. Tuttle Park Rd.) to approach the podium. Mr. Boyle explained that due to the fact that there are only 3 members of the board present the applicant has the right to request the hearing to be tabled until a full board is present. Mr. Miles stated that he would like to table his request and wait for a full board before moving forward.

Mr. Dubiel presented a motion to table the variance hearing until November 16, 2023 at 7PM, Mr. Sill seconded the motion to table the hearing.

All “Ayes.” – Variance request tabled until November 16, 2023 at 7pm

Passes 3-0

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

Chairman Boyle opened variance request #23-007.

Mr. Ungers read the following case summary:

Variance Application #23-007

Applicant & Property Owner:

Peter Cregar

Location of Variance Request:

**7497 Lake Shore Blvd & 7499 Lake Rd E
Property Zoned R-2, Single Family**

Mr. Cregar is seeking a Variance to the minimum lot area (otherwise known as frontage along Lake Rd East) in order to perform a lot split and divide property owned by multiple family members. Section 107.3 of the Zoning Resolution calls for a 100 ft minimum depth of lot area in the R-2, Single Family Zoning District. The Variance request would create two new lots with approximately 86 ft of lot area or frontage along Lake Rd East. The process would turn 3 current legal nonconforming lots into 2 new lots and allow the 2 legal nonconforming structures located on the property, as well as the total lot area, to be equally divided among the remaining owners.

The Neighbor/Applicant letters were mailed on October 30th, 2023 and the Public Hearing was advertised in The News-Herald Legal Section on October 31st, 2023.

The Zoning Office received one response from one of the owners Mr. John Golembiowski who stated he is in favor of the lot split.

Mr. Boyle invited Mr. Cregar (7497 Lake Shore) to approach the podium. Mr. Boyle offered Mr. Cregar the option to table the meeting until a full board is present. Mr. Cregar stated he would like to proceed. Mr. Cregar stated that the property has been in the family since 1926 and he's seeking a variance to split the property down the middle so that it reduces the financial responsibility of each family member. Mr. Dubiel asked if there is currently 1 house on the property. Mr. Ungers stated that there are 3 parcels with 2 houses. Mr. Cregar will retain his house and 1 parcel and another family member will take the other house and parcel. Mr. Dubiel asked what would the frontage be of each parcel after the lot split. Mr. Ungers stated it would be 86 feet and reminded the board that they did approve a very similar lot split, with frontage reduction, on the parcel immediately to the west. Mr. Ungers added that Mr. David Radachy – Lake County Planning and Community Development can not grant lot split approval without a variance approved by the Madison Township BZA.

Mr. Sill presented a motion to approve the variance. Mr. Dubiel seconded the motion to approve the variance.

All "Ayes." – Variance Approved 3-0

Held Thursday, November 09, 2023
7:00 p.m. _____ 20 _____

Chairman Boyle opened variance request #23-008.

Mr. Ungers read the following case summary:

Variance Application #23-008

Applicant & Property Owner:

Mike Profeta of 1300 Madison Properties LLC

Location of Variance Request:

1300 Belleair Ave.

Property Zoned A-1, Agriculture

The applicant is seeking a Use Variance in order to continue using the lodging that existed within the Single-Family Dwelling permitted structure prior to obtaining a Change of Use Permit for Accessory Uses to a Winery.

The Neighbor/Applicant letters were mailed on October 30th, 2023 and the Public Hearing was advertised in The News-Herald Legal Section on October 31st, 2023.

The Zoning Office received one response from a neighboring property owner requesting information for tonight's hearing.

And one response from the property owner Mike Profeta stating that if given the option he requests to table this public hearing and continue it on November 16th when a full board is present.

Mr. Jim Doherty (6783 Beach Dr.) approached the podium and asked for a clarification as to why if nothing is changing that this is needed. Mr. Ungers stated that as far as the applicant is concerned, nothing is changing. The owner plans to use the property in the same manner as he has always intended. Mr. Ungers added this is more of a way to sure up the approval of the rentals. He added that this property, when construction started, was initially meant to be a single-family dwelling and permits were issued for that purpose. The new owner has decided to switch the property to a winery but would also like to utilize the rooms for rentals. This conditional use permit (CUP) will allow the owner to continue using the rooms as they were initially intended.

Jason Warner (6790 Beach Dr.) asked if the applicant could add any additional lodging. Mr. Ungers stated that no additional lodging could be added. Mr. Warner asked about parking. Mr. Ungers stated that Mr. Profeta plans to add a parking lot at the southeast corner and added he believes a fence will be installed.

Mr. Sill presented a motion to table the variance hearing until November 16, 2023 at 7PM, Mr. Boyle seconded the motion to table the hearing.

All "Ayes." – Variance request tabled until November 16, 2023 at 7pm
Passes 3-0

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

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All "Ayes." – Meeting adjourned at 7:33



Mr. Joseph Boyle Chairman



Mr. Bill Dubiel, Secretary