

Held _____ **Thursday, November 16, 2023** _____
 7:00 p.m. _____ 20 _____

The Madison Township Board of Zoning Appeals Meeting was called to order at 7:03 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. 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 November 9, 2023. Mr. Sill presented a motion to approve the minutes from November 9, 2023, seconded by Mr. Dubiel. There was no further discussion.

“All Ayes” - Minutes approved 5-0.

Chairman Boyle opened the continued variance request #23-006 for 1891 East Tuttle Park.

Mr. Ungers read the following case summary:

Continued Variance Application #23-006

Applicant & Property Owner:

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 all 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. Requiring this 3 ft Variance.

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 Public Hearing was opening on November 9th 2023, tabled and continued to this evening.

The Zoning Office has received one response from a neighboring property owner regarding this hearing. Mr. Ungers read the following letter:

“My name is Tim Warmuth, I live at 1890 East Tuttle Par Rd across the street from Scot Miles. I was unable to attend tonight’s zoning meeting. I have NO problem with the improvements that Scot has done to his property. I think what he has done has improved the value of our properties on Tuttle Park.”

Mr. Boyle invited the applicant, Mr. Miles to approach the podium and address the board and read him the oath of accuracy. Mr. Miles stated that he was unaware that a permit was needed for this type of a project. Once he knew he was in violation he came to the zoning office the next day to resolve the issue. Max stated he would need a variance for the project and that is what brings him before the board today. Mr. Miles stated that the project was being built for 2 reasons: first they have lived in the house for 23 years and are planning on staying in the house much longer and this entrance way makes the house look nicer and second, his mother in law is currently living with him and his wife and having a covered entrance will help with getting her in and out of the house. Mr. Sill asked if this was currently under construction. Mr. Miles stated in fact it was and he based the location off of the neighbor’s house location and that’s why he didn’t realize he was in violation. The board had no further questions for Mr. Miles.

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Tim Warmuth (1890 E. Tuttle Park Rd.) approached the podium to address the board. Mr. Boyle read the oath of accuracy. Mr. Warmuth stated he was in favor of the project. He feels it looks very nice and adds value to the area.

Mr. Sill stated his only issue is what happens if the applicant encloses the entrance at some point down the line. Mr. Ungers stated the applicant would need another permit and variance request and go through the same process.

Mr. Boyle asked for a motion to approve or deny the variance request. Mr. Francis made a motion to approve the variance request. Seconded by Ms. Diak. There was not further discussion.

All "Ayes." – Variance request #23-006 passes 5-0

Mr. Boyle closed the public hearing at 7:09PM

Chairman Boyle opened variance request #23-007 at 7:10PM.

Mr. Ungers read the following case summary:

Continued 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 originally permitted Single-Family Dwelling located at 1300 Madison Properties LLC prior to the property owner obtaining a Rezoning and a Change of Use Permit for Accessory Uses to a Winery for the structure and property.

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 public hearing was opened on November 9th 2023, tabled and continued to this evening.

The Zoning Office received one call from a neighbor requesting information about the property and received questions from the same resident at the public hearing opened on November 9th 2023.

Mr. Boyle invited Mr. Profeta to approach the podium and the oath of accuracy was read. Mr. Sill asked how many rooms will be available for rent. Mr. Profeta stated there are 8 rooms available, each with their own bathroom. Mr. Sill asked if there currently any limitations on the length of stays. Mr. Profeta stated that they currently do not have any guides on length of stay but since it's a winery he envisions only a few nights at most. Mr. Profeta says his plans are to book things along the lines of corporate retreats and similar events. He stated he's still debating weddings. They currently do not have a rainy-day plan for weddings yet. Their

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main focus are very short stays requiring at minimum half the facility. They're not looking for single renters. Mr. Sill said some of the concerns the board has heard from neighbors deal with parking and noise, how do they plan to handle these items. Mr. Profeta stated the green area to the east will hold 75 vehicles. The current plan is put in a parking lot there that will hold 40 vehicles to start. As far as noise, Mr. Profeta stated he doesn't envision them being open much later than sunset. Mr. Profeta stated that the whole east side (Side closest to the neighbors) of the building is strictly for lodging and has no public access. He added that the patio space, that is utilized by the guests, is located on the far west side, by the park. This provides approximately 75 feet of distance between the guests and the neighbors.

Mr. Boyle requested a motion. Ms. Diak presented a motion to approve the variance, Mr. Boyle seconded the motion to approve the variance.

All "Ayes." – Variance approved 5-0

Mr. Boyle closed the public hearing at 7:25PM

Mr. Ungers stated he has no old or new business for this evening. There being no further business before the board, a motion to adjourn the meeting was presented by Mr. Sill, seconded by Mr. Francis.

All "Ayes." – Meeting adjourned at 7:26PM



Mr. Joseph Boyle Chairman



Mr. Bill Dubiel, Secretary

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