

RECORD OF PROCEEDINGS

Minutes of

MADISON TOWNSHIP ZONING COMMISSION REGULAR MEETING & WORKSHOP MINUTES

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

Monday, March 11, 2019

20

7:00 p.m.

The Madison Township Zoning Commission Meeting was called to order at 7:01 p.m. by Chairman Witt, with the following people present: Mr. R. Rothlisberger, Mr. J. Witt, Mr. B. Diak, Mr. J. Hyrne, and Ms. A. Wisniowski. Mr. F. Walland was present as Zoning Inspector, and Mrs. M. Howell.

Chairman Witt informed those in attendance that he had Mrs. Howell make a correction to the minutes. He added that he had stated at the previous meeting that the Comprehensive Plan was an addendum to the Route 20 Corridor Plan, when in fact it is just the reverse.

A motion was presented by Mr. Hyrne to approve the minutes from the February 11, 2019 Meeting, seconded by Ms. Wisniowski.

Roll Call: All "Ayes."

Mr. Walland informed those in attendance that Mr. Matt Sisson, owner of property on Route 528, Permanent Parcel #01-A-048-A-00-007-0, is present this evening to discuss his property and his intentions. Mr. Walland stated for the record that he had a complaint about all the items on the property. Mr. Walland stated that Mr. Sisson had purchased the property and is currently operating a business on the property and that someone was previously operating a business on the property. He invited Mr. Sisson to enlighten the Board as to what he does on the aforementioned parcel.

Mr. Matt Sisson, 6655 Ford Rd., Madison, OH. Mr. Sisson stated that the address of the business is 5388 S. Madison Rd., (Rte. 528). Mr. Sisson informed the Board that he works on cars and welds and fabricates. He also stated that his residence is the only neighbor, and he is surrounded by neighborhood business properties. He also stated that he is taxed at a commercial rate and pay a higher rate for electric and the property is zoned Agricultural Residential.

Mr. Walland asked Mr. Sisson if it would be his preference to re-zone the parcel. Mr. Sisson stated that he would like to be able to continue working on cars. Chairman Witt asked if this was a Preliminary Site Plan Review for the parcel. Mr. Walland stated that it is not a Preliminary Site Plan Review. He stated that the business was operating well before he started at the Township. Mr. Sisson stated that before he bought the property he spoke with Mr. Jerry Klco, the Zoning Inspector at the time, and was informed that he would be able to conduct the business on the property. He added that he owns the next two (2) properties to the South. He stated that Mr. Klco had informed him that as long as he kept it to less than eight (8) customer vehicles on the property, it would not be a problem.

Mr. Walland asked if all the work is done inside the building. Mr. Sisson confirmed that all work is done inside the building. Mr. Rothlisberger asked what kind of work is conducted on the property. Mr. Sisson stated that he works on cars and also welds and fabricates, making sculptures. Mr. Walland asked if there is a cemetery on the North side of the property. Mr. Sisson confirmed that there is a cemetery on the South side of the property. Mr. Rothlisberger asked if the property was residential at one point. Mr. Sisson stated that as far as he knew it was never residential. Mr. Sisson added that there was a welding and fabrication shop at the location in the 1950's.

Mr. Walland stated that he was thinking that maybe a fence running north and south with gates to help conceal things. Mr. Sisson stated that he has not had any neighbor complaints. Mr. Walland stated that Mr. Sisson would like to get some feedback from the Board as to re-zoning the property. Mr. Diak stated that since the property is taxed commercial it is his opinion that the zoning should match. Mrs. Howell stated that the property could potentially be a legal non-conforming property.

Mr. Sisson informed those in attendance that the neighbor across the street bought the house in 1941, raised a family there the entire time and never ran a business there, yet the property is

RECORD OF PROCEEDINGS
MADISON TOWNSHIP ZONING COMMISSION
REGULAR MEETING & WORKSHOP MINUTES

Minutes of

Meeting

BEAR GRAPHICS 800 325 8094 FORM NO 10148

Held _____ **Monday, March 11, 2019** _____ 20_____
7:00 p.m.

zoned Neighborhood Business. He added that his place has never been lived in, never grown anything on the property and it is zoned Agricultural Residential. Mr. Sisson stated that he is just trying to make a living and some of the items on the property are his personal items that he parks on the business property because they are large tractors.

The Board discussed and agreed that Mr. Sisson's property is a legal non-conforming use and that he may continue his business as it is.

Mr. Walland stated that the next item on the agenda is a few proposed text changes. Mr. Walland stated that the first proposed text change is for Section 145 that was requested by the Trustees via a resolution. Mr. Walland presented the Board members with the current Section 145 and the proposed changes. He also informed the Board that he is not quite sure why the change is being requested. Mr. Rothlisberger asked what the difference is between a third degree misdemeanor and an unclassified misdemeanor. Mr. Walland stated that he is not certain. Mrs. Howell commented that she believes a third degree misdemeanor can be punishable with a fine and jail time. Mr. Walland stated that he believes the conversation started out between Tim Brown, Township Administrator and Gary Pasqualone, Township Solicitor, and that he will get confirmation regarding the reason behind the proposed change and provide the information to the Board. The Board agreed to wait for the reasoning on the proposed change before making any decision.

Mr. Walland informed those in attendance that the next proposed text change is for Section 142.4.5.7 - Planned Unit Development. He stated for the record that he would like the Board to consider removing the B-1, B-2 & B-3 Districts from the PUD section, because in his opinion he does not feel a PUD should be in a business district and he would like the Board to consider increasing the minimum acreage for a PUD.

Mr. Walland asked Mr. Dave Radachy, Director of Lake County Planning Commission if he knew of any other entity that does a PUD under a Conditional Use. Mr. Radachy stated that he believes that Perry Township does, but then stated that he believes Perry Township has a PUD as an overlay district. Mr. Walland commented that because a PUD is not a zoning district it would never show up on the Zoning Map. Mr. Radachy stated that the PUD could in fact be noted on the Zoning Map without it being a zoning district. Mr. Walland also stated that he would like the Board to consider increasing the minimum acreage to fifty (50) or one hundred (100) acres because in his opinion it is very difficult to fit various housing types on the current minimum of fifteen (15) acres.

The Board discussed and agreed that Planned Unit Developments should be removed from the business zoning districts and the minimum acreage should be increased to a minimum of fifty (50) acres.

Mr. Walland stated that one of the Trustees had commented to him that it was time to review the Comprehensive Plan. He informed the Board that he has never done one and has been at workshops where it was stated that if you do not have a Comprehensive Plan you'd better get one. He informed the Board that he invited Mr. Dave Radachy to the meeting this evening so that he could provide the Board with information regarding the Comprehensive Plan and the importance of having one. Mr. Walland informed Mr. Radachy that some of the Board members felt that the Comprehensive Plan did not need a full revamping maybe just a little tweaking. Mr. Radachy stated that that is an option.

Mr. Dave Radachy, Lake County Planning Commission, handed out a document to the Board that summarizes the Comprehensive Plan Process. Mr. Radachy went through the document with the Board. He stated that the current Comprehensive Plan for Madison Township does have a vision statement. Mr. Radachy stated that the Township's Comprehensive Plan is divided up into eleven sections; Land Use, Transportation, Utilities, Demographics, Environmental Concerns, etc., each having goals and objectives.

RECORD OF PROCEEDINGS

Minutes of

MADISON TOWNSHIP ZONING COMMISSION REGULAR MEETING & WORKSHOP MINUTES

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

Monday, March 11, 2019

20

7:00 p.m.

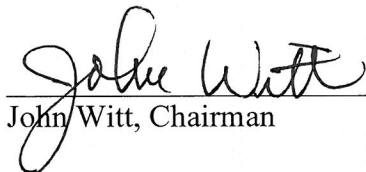
Mr. Walland asked Mr. Radachy how much legal standing a comprehensive plan has. Mr. Radachy stated that there are court cases that utilize a comprehensive plan. He also added that when the Lake County Planning Commission reviews a re-zoning request from the Township, they refer to the Comprehensive Plan during the review process. Mr. Diak asked who typically does the visioning. Mr. Radachy stated that there are different ways to do a comprehensive plan. He stated the Trustees can designate the Zoning Commission as the Comprehensive Plan Committee, or they can create a committee consisting of citizens, members of the Zoning Commission, members of the BZA, the Zoning Inspector, and a Trustee. Mr. Diak commented that in his opinion the larger group to serve as the committee sounds better. Mr. Radachy stated that he has had committees as small as three (3) people and as large as twenty-one (21). Chairman Witt stated that the last review had a large committee.

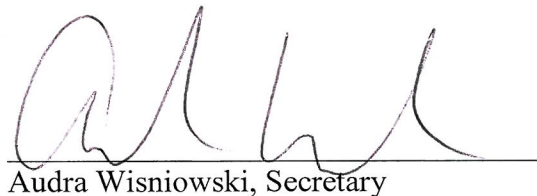
Mr. Radachy stated that Painesville Township just did their review and the committee consisted of the administrator, a trustee, a member of the Zoning Commission, a member of the BZA, a developer, and one or two citizens. Mr. Radachy stated smaller is better. Mr. Diak added that you want the committee to represent the community. Mr. Radachy stated it should be a diverse group. Mr. Walland asked if the review needed to be a public hearing. Mr. Radachy stated that there is no standard on how to approve a comprehensive plan, but he recommends holding public hearings so that there is notification. Mr. Walland asked if it is more common to have a land planner involved. Mr. Radachy stated Concord Township hired a planner, Madison, Leroy and Painesville Townships utilized the services of the Lake County Planning Commission to help with their Comprehensive Plan Reviews.

Mr. Walland stated that he would speak with the Trustees to see how they would like to proceed with the Comprehensive Plan Review.

There being no further business before the Board, a motion to adjourn the Meeting at 8:35 pm was presented by Ms. Wisniowski, seconded by Mr. Diak.

Roll call: All "Ayes."


John Witt, Chairman


Audra Wisniowski, Secretary

RECORD OF PROCEEDINGS
MADISON TOWNSHIP ZONING COMMISSION
REGULAR MEETING & WORKSHOP MINUTES

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO 10148

Held _____ **Monday, March 11, 2019** _____ 20_____
7:00 p.m.

This Page Left Blank Intentionally