

**Village of Middlefield Planning & Zoning
Meeting Minutes
November 21, 2017**

The Village of Middlefield's Planning & Zoning meeting was called to order at 7:00 p.m. with the following members present: Mayor Garlich, Mr. Scott Klein-Chairman, and Mr. Dave Dietrich and Mr. Jim Linberg. Ms. Edna Davis is excused.

Also present: Ms. Leslie McCoy-Village Administrator, Mr. John Boksansky, Mr. Tom Lee, Ms. Joyce Porozynski, Mr. Dave Harrington, Ms. Becky Harrington, Mr. & Mrs. Thomas Dudinsky and Ms. Ann Wishart-Maple Leaf.

Agenda: No additions or deletions.

Minutes from October 26, 2017 were presented for approval. *Mayor Garlich made a motion to approve the minutes as presented, motion seconded by Mr. Linberg. All in Favor: Yeas (4).*

PUBLIC HEARING

1. **To Hear a Request by Mr. Dave Harrington, Requesting a Variance from Codified Ordinance Section 1115.03 and 1115.01, Minimum Lot Frontage (feet) on Public Street, for a Lot Split of the Property Located at 15575 West High Street. (Note: KFC PP# 19-072778) :** Mr. Klein opened the public hearing at 7:02 pm. Mr. Lee swore in Mr. Karberg of Karberg Law. Mr. Boksansky stated that plans were submitted for a lot split of this property. Mr. Lee stated that in 2008 a Tax Parcel was created but the deed was never filed. When a new deed is created the village typically require a private water line be installed and currently it is running from the plaza. The village is requiring an amended easement agreement regarding the utility lines that stating they are privately owned. Mr. Karberg stated is name and address 31599 Fairview Drive, Orange Village. The buyers/tenant and the village should be notified in the writing. Dave Harrington, owner of Harrington Square, PO Box 167, Garrettsville. Mr. Harrington asks if the properties can tie into the main. The properties are allowed to tap into the main along the street front at any time. Looking at transferring the property by the first of the year. KFC has closed and there is a purchaser for the property in place, just need the closing done. Mr. Klein closed the public hearing at 7:17 pm *Mr. Klein made a motion to approve the Lot Split contingent upon the final submission of the documents Mr. Karberg needs to submit, motion seconded by Mr. Linberg. Roll call: Yeas (5).*

OLD BUSINESS:

1. **An Administrative Appeal of the Decision of the Zoning Inspector under §1101.02 of the Zoning Code. The Subject Property is Located at 15900 Grove Street Parcel #19-039000, Property Owner: Mr. Thomas Dudinsky, A R3 Property Use, within a**

R2 Zoned Area-P & Z discussed in a hearing session at the 10/26/2017 P&Z

Meeting: Mr. Boksansky showed other homes in the area that are in the same position as Mr. Dudinsky. Looked at Grove Street, Johnson Street and Thompson Street. Mr. Dudinsky presented as evidence some homes that he felt were also illegal in use. Mr. Boksansky stated that the homes submitted as evidence are legal non-conforming use; basically grandfathered. Mr. Boksansky gave the evidence of the County appraisers. In 1996 the home was a single family, in 1999 the home was appraised as a 2 family and in 2013 it was classified as a 3 family. The property was purchased in 1996 and was already a two family and then shortly converted to a three family home. Mr. Boksansky continued through the various homes within the village that he has found that are multi units. Mayor Garlich asked if there are more units in violation. Mr. Boksansky stated that he believes so. Mayor Garlich stated that he feels that the village needs to include a sunset clause, that if the home is sold, then it must meet zoning and maybe the commission needs to look at rezoning some areas. This issue needs to be discussed further at other meetings.

NEW BUSINESS:

1. **Re-Appointment of Latisha Stupka as the Planning Commission appointment for the Tax Abatement Housing Council:** Mayor Garlich made a motion to appoint Ms. Stupka to the commission, motion seconded by Mr. Klein.
2. **Developers Responsibility for Installation of Sidewalks –Community: Woodsong:** Discussion regarding the changes that were done years before regarding the requirements for the installation of sidewalks. Discussion regarding the missing pieces where the vacant lots still are. Discussion regarding installing a temporary sidewalks such as gravel.

ZONING INSPECTORS REPORT: Mr. Boksansky stated that 2 residential permits were issued. Hunger Squad opened in Harrington square and a white box build out for the Dollar Tree, Mr. Harrington's Lot Split.

There will be a Planning & Zoning work session on 11/30/17 at 6:00 pm.

EXECUTIVE SESSION: Nothing before the committee.

There being no further business before the Planning & Zoning Commission the meeting adjourned at 7:55 pm. All in favor: Yeas (5)

Latisha Stupka-Tax Administrator

Scott Klein