

Village of Middlefield Planning & Zoning

Minutes

April 9, 2024

The Village of Middlefield's Planning & Zoning meeting was called to order at 6:00 p.m. with the following members present: Mr. Scott Klein, Mayor Garlich, Mr. Dietrich, and Ms. Carissa Shaffer. Mr. Linberg is excused.

Also present: Leslie McCoy-Village Administrator, Mr. Luke McConnville- Village Solicitor, Mr. John Boksansky-Zoning Inspector, Mr. Tom Cappello- Village Engineer, Mr. Alex Duncan, Ms. Ann Wichert- Maple Leaf, and Mr. Ron Wiech.

Agenda: No Additions. Deletions: Mr. Klein stated Mr. Linberg would like to delay talking about the noise ordinance in Old Business number 2.

Minutes: The minutes of the March 12, 2024 and March 15, 2024 meeting were presented for approval. **Ms. Shaffer made a motion to approve the minutes of March 12, 2024 as presented, motion seconded by Mr. Klein. All in favor: Yeas (4). Mr. Garlich made a motion to approve the minutes of March 15, 2024 as presented, motion seconded by Mr. Klein. All in favor: Yeas (4).**

PUBLIC HEARING:

Mr. Klein opened the Public Hearing at 6:04 pm.

- 1. 15853 Grove St 28' High Accessory Structure (Garage), where 15' is permitted. Proposed height/area variance:** Mr. Boksansky stated the applicant is requesting a 28' high structure where a 15' high accessory is permitted. Mr. Boksansky stated a zoning permit application and the documents associated with the project were included in the packet. Mr. Klein stated no one has written to the Village and disapproved of the high accessory structure request. The letter regarding the high accessory structure was sent to all adjacent property owners within 300 feet. **Mr. Klein made a motion to approve the high accessory structure garage height/area variance, motion seconded by Mr. Garlich. All in favor: Yeas (3).**

Mr. Klein closed the Public Hearing at 6:07pm.

NEW BUSINESS:

- 1. Amish Country Market 15711 W High St PPN 19-045700 (1159.06 Open Storage and Display of Material and Equipment) Danny Kuhns, Proprietor:** Mr. Boksansky stated he has Elliot's Ice Cream, the Pretzel Bar, Smoothies, Coffee, and furniture in there. Mr. Boksansky stated he is requesting to use the grass area for open storage of outdoor furniture and flowers in the spring. Mr. Boksansky included photos of what the tents would look like and where they would be placed. Mr. Klein stated the building looks very good and he would be okay with the outdoor storage. Mr. Klein recommended that for this property with the outdoor storage that Mr. Kuhns puts up a fence to make it look a lot better. **Mr. Klein made a motion for a conditional use permit for a period of one year conditioned upon the owner of the property mowing it, putting up a split rail fence that is 30 feet from the sidewalk on 87 and 50 feet from the center line road of Lake Ave and elimination of the northern most parking spots on 87, motion seconded by Ms. Shaffer.**
- 2. Sherpa Development, LLC. Lot Consolidation 15260 Kinsman Rd (new address) the proposal joining of PPN's 19-072930 a 1.25 acre parcel, 19-072931 a 24.09 acre parcel with 19-072866 a 1.13 acre parcel:** Mr. Klein stated this property is

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officially annexed into the Village. Ms. McCoy stated legislation can be brought to Council for the zoning change and there is also a public hearing for the public to speak at the Council Meeting. **Mr. Klein made a motion to waive the hearing, rezone from residential to commercial, and lot consolidation, motion seconded by Mr. Dietrich. All in favor: Yeas (3).**

- 3. Proposed Zoning Ordinance Changes Discussion 40/60 Lot Coverage, Parking Requirement/ per use:** Discussion held regarding lot coverage ordinance and changing the 40/60 lot coverage to 40% green lot coverage and 60% building space coverage. Group discussion held proposing a draft for new legislation for zoning ordinance on lot coverage.

OLD BUSINESS:

- 1. Residential Rain Garden Continue draft ordinance review:** Mr. Klein stated he would like to see an Ordinance where these rain or butterfly gardens are confined to behind a house. Mr. Boksansky stated Geauga Soil & Water is willing to help with any input the Planning and Zoning Commission may need regarding a draft ordinance and any regulations.
- 2. Noise Ordinance Update:** Delayed until next Planning & Zoning Meeting.
- 3. 16216 Kinsman Property conditions (located in Middlefield Township) next steps, condemnation through the county, plus additional steps.. Update:** Mr. Klein stated Middlefield Township is in agreement that this property needs condemned if nothing is done about the conditions of the property. Mr. Klein stated the township will be writing the property owner a letter stating the property needs to be addressed and taken care of or the township, building department, and the fire department will move to get the property condemned. Mr. McConville stated if she does not take the remedial steps to clean up the property there is a mechanism for the township, to bring in action that is statutorily permitted where they could ask for the appointment of the receiver of the property and that receiver would get a lien and force it into foreclosure. Mayor Garlich stated she has 30 days to respond and if she does not the court will take action and appoint a receiver. Mr. McConville stated the receiver is appointed by the court and that he can recommend that the Village be the receiver but ultimately it is up to the Judge.

PUBLIC DISCUSSION:

ZONING INSPECTORS REPORT – Mr. Boksansky stated the report is included in the packet. Mr. Boksansky was able to issue 10 out of 12 permits for the month of March.

PENDING

- 1) 15971 Pierce St. Extension of a nonconforming structure/ use. Applicant is considering option(s) for next step(s) regarding his improvement proposal.
- 2) Smallwood Sub Division Preliminary Plan approved 11/7/2023 off S. State Ave prepared by C.W. Courtney Company Owner is River Oaks Investment Company. Final plan anticipated for review in 2024.
- 3) Adult Use Recreational Marijuana; Moratorium First Reading 3/14/2024 in Council
- 4) 15885 W High St Property Nuisance 1313.00 letter started,

Mr. Klein made a motion to adjourn the Planning & Zoning Commission at 7:07 pm, motion seconded by Mr. Dietrich. All in favor: Yeas (4).

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Next meeting is on Tuesday, April 9, 2024 at 6 PM.

There being no further business before the Planning & Zoning Commission the meeting adjourned at 7:07 pm.

Leslie McCoy – Village Administrator

Scott Klein-Chairman

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