

Village of Middlefield Planning & Zoning Minutes

JANUARY 6, 2026

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

Also present: Leslie McCoy-Village Administrator, Mr. Luke McConville- Village Solicitor, Mr. John Boksansky-Zoning Inspector, Ms. Sabine Weizer, Mr. Mark Longrich, Mr. Brad Busson, Ms. Marcia Dziczkowski, Ms. Jane Gresch, Mr. Brian Gresch, Mr. Mike Timas, Ms. Felicia Timas, Ms. Donna Longrich, Ms. Kathy Gibbs, Mr. J. Gibbs, Ms. Robin Carney, Mr. Dale Sears, Mr. John Gerger, Mr. Frank M. Gerger, Ms. Donna Beardsley, Mr. Jerald Jordak, Mr. Dan Hildebrand, and Ms. Claudia Cassidy.

Agenda: No Additions/Deletions.

Minutes: The minutes of the November 11, 2025 meeting were presented for approval. **Mr. Linberg made a motion to approve the minutes of November 11, 2025 as presented, motion seconded by Mr. Dietrich. Roll Call. All in favor: Yeas (4).**

PUBLIC HEARING:

Mr. Klein opened the Public Hearing at 6:02PM.

- 1. 15511 West High Street Middlefield Express, LLC future Oil Change business. Applicant is requesting an area Variance. A proposed 109' lot width, where 150' is required.** Mr. Boksansky stated Mr. Gerger was present in February 2023 to preview the project potential previous to purchasing the .64-acre parcel and has been going through the zoning process. The property was annexed into the Village in April of 1999, and the zoning was changed to General Commercial in June of 1999. Mr. Boksansky stated the Planning and Zoning Commission reviewed the project and stated that they were generally in favor of looking at any variances that might be required to develop the site, subject to satisfactory site control and preparation of site plans and application for any variances that may be required.

Mr. Boksansky stated that there has been a notion that the site, previously a part of the Crestwood Subdivision, has a zoning restriction and must only be utilized for a residential site. This came to light when Mr. Gerger was shopping for financing, and upon title examination Andover Bank brought the deed restriction notion forward. Mr. Boksansky stated Andover Bank contacted the Village for information regarding the annexation as well as the rezoning, and the Village followed up with the requested information. Mr. Boksansky stated after further review and seeking opinion from Mr. McConville- Village Solicitor, Mr. McConville has the opinion that if the owner or developer of the property presents a permitted use, the zoning permit should be issued by the Village of Middlefield. Mr. Boksansky stated the deed restriction is a private matter between the grantor of the deed and the current owner, and is separate from the concern of the Village of Middlefield. In light of these facts, Mr. McConville suggested a letter to Mr. Daniel Spada- Geauga County Chief Building Official, regarding this matter as the project continues to go through the zoning review process. Mr. Boksansky stated he did send that letter to Mr. Spada.

Mr. Boksansky stated the reason for the public hearing on the project tonight is to seek approval to start the project. Mr. Gerger is present and stated he has been working on this project for a couple years now and before the property was purchased Mr. Gerger presented the project to the Planning and Zoning Commission to have them review and potentially approve the project. Mr. Gerger stated he would like to bring a nice and clean establishment to the Village of Middlefield. Mr. Gerger stated he would like to be open 5 days a week, 9am-5pm, and serve 5-10 people at once. The establishments would be closed on Sundays. Mr. Gerger stated he owns many other businesses like this one and has been doing it for 25 years.

Mr. Klein opened the floor to the public.

Mr. Mike Timas- Crestwood Dr Resident is present and has been meeting with other residents of Crestwood regarding this project. Mr. Timas stated the reason they are there is because their concern is that this is a residential property. Mr. Timas stated he does not understand why the Village annexed in that residential property and rezoned it for General Commercial. Mr. Timas stated Mr. Gerger is trying to get the deed restriction voided and that Mr. Gerger is filing suit against Crestwood Residents for damages. Mr. Timas stated they did not have a vote back when the property was sold and annexed. Mr.

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Klein stated back then even the township had to be involved in order for it to be annexed into the Village.

Mr. Jerald Jordak is present and stated that he has attended many of the Township meetings and the Township stated in order for something in the township to be annexed into the Village the Township has to sign off. Mr. Jordak stated they told him they never signed off on this. Mr. Jordak stated he would like to see any documents that would prove the annexation was legit.

Mr. McConville stated there are many methods through annexation not all of them require the agreement of the Township. Mr. McConville stated he does not think anyone present was around at the time this decision was made. Mr. McConville stated he will look into the way the annexation was completed and pull the documentation. Mr. McConville stated the association has the right to assert a deed restriction if there is a legit board for the association and residents of Crestwood also have that right. Mr. McConville stated the concern for the applicant is that if a party does attempt to enforce a deed restriction whether that is an individual property owner or the association, they can do that at any time but there are possible repercussions. Mr. McConville stated that is on the private side. Mr. McConville stated on the Village side the property was rezoned to be General Commercial within the Village. Mr. McConville stated also on the public side is the fact that the applicant is asking for a variance. Mr. McConville stated the Village of Middlefield was never named in the deed restriction.

Mr. McConville asked if there was anyone else in the audience that wishes to comment. Mr. Timas stated that property was brought in knowing it didn't meet the zoning requirements whether or not Mr. Gerger was aware of that or not so how can a property be annexed and rezoned when it didn't meet the zoning requirements at the time. Ms. McCoy stated a variance for the property has already been granted with the property. Mr. Timas asked why a variance is being required of him now if one has already been granted. Mr. Boksansky stated the plans were reviewed and approved by the Village Engineer as well as the Zoning Inspector.

Mr. Dale Sears- Crestwood resident is present and has been a resident of Crestwood for 31 years. Mr. Sears stated even if a variance was ever granted, he does not understand how the lot was able to be annexed into the Village. Mr. Sears stated he does not recall the association ever being asked if they approve of the annexation. Mr. Sears stated it is in the Crestwood Association bylaws that any resident of Crestwood has first dibs on purchasing a piece of property in Crestwood if they wish to do so. Mr. Sears stated he would like to challenge the annexation. Mr. Sears stated he would like to ask that the Planning and Commission consider whether or not an oil Quick Change facility is in demand. Mr. Sears believes that there are other properties in the Village of Middlefield that can be used for this type of business.

Mr. McConville stated as government the Village of Middlefield is not in a position to put constraints on competition where someone has a permitted use. Mr. McConville stated it is up to the private parties who are operating a business to decide whether or not the market is saturated or not and their relative success or failure can depend on a number of factors one of those being market saturation. Mr. McConville stated it is not on the Village to regulate that one way or another. Mr. McConville stated the Village creates zones and permitted uses within those zones. The applicant is presenting a permitted use within the General Commercial Zone and so there is no use issue and we are not in a position to regulate that.

Mr. Klein stated he asked Mr. Boksansky to bring together a comparison of the current oil change and the one being proposed. Mr. Boksansky stated the frontage wasn't a concern, the amount of acreage was judged. Mr. Klein stated they are both about the same amount of acreage. Mr. Timas stated the new oil change being proposed will not look like it fits in where it is being proposed whereas the Quick-change business looks like it fits in. Mr. Timas stated he is concerned about the lights, pollution, and the noise and stated that is what it ultimately comes down to.

Mr. Mark Longrich- Crestwood Resident is present and asked where the cars will be coming in. Mr. Longrich stated there are two many other entrances in the vicinity of the proposed oil change business and the concern would be adding another entrance. Mr. Klein stated that is the way the area is due to it being a General Commercial area.

Mr. Boksansky stated the meeting minutes from 1999 on this property reflect that it being annexed and granted a variance were approved. Mr. Klein stated the Planning and Zoning Commission looks at it from the public side and the private side. Mr. McConville

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stated a deed restriction trumps zoning as long as the deed restriction is not in any way unconstitutional. Mr. McConville stated this deed restriction is a private matter enforced by private entities or the association. Mr. McConville stated if the owner of property presents an application that is permitted use without the need of variance, then the Village role is limited to site plan review and configuration of the site. Mr. McConville stated if there is a variance that already exists and the applicant is presenting an application for that use the Village has no authority to regulate it.

Ms. Claudia Cassidy Crestwood Resident is present and stated it is bad enough having the car wash lights and noise and on top of that possible adding even more traffic and lights due to the proposed new business. Ms. Cassidy stated to have another business in the backyard of her house concerns her because of the property value and the possibility of water contamination. Mr. Klein stated if the project does get approved the Planning and Zoning Commission has a lot of things they can do for the site plan to prevent those things from happening.

Ms. Marcia Dzikowski- Crestwood Resident is present and stated all of that was supposed to happen with Woodsong and it never happened.

Mr. Klein stated the first steps for the Planning and Zoning Commission to do before the project gets approved is to make sure that the annexation documents are legit and that it was filed through the county. Mr. Klein stated the variance has already been granted so there is nothing for the Planning and Zoning Commission to do. Mr. McConville stated there are a lot of interests to protect.

Mr. Klein stated he will look into the annexation and the variance and will have those documents to present at the next Planning and Zoning Commission.

Mr. Klein made a motion to table the area variance, motion seconded by Mr. Dietrich. Roll Call. All in favor: Yeas (4).

2. **14958 S State Ave Coffee Roaster seeking conditional use in a GC- General Commercial District Space previously occupied by Middlefield Nutrition. Tenant is seeking the conditional use with approval by the property owner Robert Protocar.** Mr. Boksansky stated this proposed use is not mentioned in the Village ordinance as a permitted use. Mr. Boksansky stated after discussion with the applicant as well as Mr. McConville- Village Solicitor, the applicant must seek conditional use for roasting the coffee beans. Mr. Boksansky stated the applicant intends to roast beans for sale at the roaster shop, in a not necessarily coffee house, or restaurant setting. Mr. Dan Hildebrand is present and stated that he has 15-20 years in coffee experience. Mr. Hildebrand stated his only plan is to roast coffee beans. Mr. Hildebrand stated he does not have any employees and it is just himself and his wife. Mr. Hildebrand stated his plan is to ship once a week and use UPS or FedEx for deliveries. **Mr. Dietrich made a motion to approve the conditional use, motion seconded by Mr. Klein. Roll Call. All in favor: Yeas (4).**

3. **Proposed Circle K SW corner of Rt 87 and 528- site signage ground sign height and square footage of signage variance.**

Proposing:

- **Two- 20' high ground or monument signs are proposed where 8' high maximum is permitted by code.**
- **The signs exceed the maximum square feet permitted requesting 77 SF of signage where 32 SF of signage is permitted. The monument sign sq ft of signage, as well as the height is a variance from 1165.05(d) 1.a. Permanent Ground Signs.**

Mr. Boksansky stated upon review of the revised signage plan for the proposed Circle K, it was discovered that a variance regarding the proposed site monument sign will have to be heard. Mr. Brad Busson is present for Circle K. Mr. Boksansky stated both signs are proposed to be at the entry point of Circle K. Mr. Boksansky stated they have provided all documentation and applications needed for the signage variance. Mr. Busson said they are proposing signage on each side of the entrance, on the gas canopy, and on the front of the building. Mr. Klein stated it will be tabled for tonight until more plans are brought forward.

Mr. Klein made a motion to table the signage variance, motion seconded by Mr. Dietrich. Roll call. All in favor: (4).

Mr. Klein closed the public hearing at 7:15PM.

NEW BUSINESS:

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1. **15114 Sawgrass Lane approval of several easements concerning the property: air conditioner condenser and rear lot fencing encroaching onto the property. Said easements have been reviewed and approved by the VOM Engineer, Mr. Thomas Cappello. Following through on the approval of the easements by the Planning and Zoning Commission:** Mr. Boksansky stated approval of private property owner's easement within the Village of Middlefield. The encroachments involve previous installations of AC condenser, rear yard fence, and associated landscaping onto 15114 Sawgrass Ln S/L 60, a vacant lot, which is proposed to be built on. Property owner Middlefield Parkway, LTD has granted easements to adjacent property owners. Easements granted would be to Brian and Renae McCardle 15112 Sawgrass Lane. (Air conditioning Unit, 4 SF) and John C. Stein 15115 Woodsong Dr. (Rear Yard Fence 3.5 SF). Mr. Boksansky stated all property owners are okay with the easements. **Mr. Dietrich made a motion to approve the easements, motion seconded by Mr. Klein. Roll Call. All in favor: Yeas (4).**

OLD BUSINESS:

1. **Discuss the Open Storage of materials and equipment, and any changes to the ordinance that might be contemplated for renewal on a bi annual basis. Review of Draft Ordinance adjustment to be completed.:** Mr. Boksansky stated prior open storage and display of materials and equipment permit grantees may apply for a renewal for a no fee permit term of 2 years provided the area and the storage details remain unchanged. If anything is changed the applicant must reapply with the required information. Mr. Klein and Mr. Linberg stated they like the idea. **Mr. Klein made a motion to approved the ordinance changes, motion seconded by Ms. Shaffer. Roll Call. All in favor: (4).**

PUBLIC DISCUSSION:

ZONING INSPECTORS REPORT – Mr. Boksansky stated the report is included in the packet. Mr. Boksansky stated there is a new zoning permit software that is being utilized. Ms. McCoy is showing Planning and Zoning Commission how to use the portal and what you can see in the portal.

PENDING

- 1) Smallwood Subdivision (23 homes) GSWCD Plan review input received, reviewed at 3/11/2025 PnZC Meeting. No update available.
- 2) Heritage Point (209 homes) Lake Avenue 39 in the first phase. Grading and Infrastructure being placed.
- 3) Proposed Lot Split regarding PPN 19-043400 (in que) application is pending. Involves Geauga County Airport.
- 4) 15885 West High Street Property Nuisance Property Update. Incremental progress is being made.
- 5) Noise issue in vicinity of S. State Ave/ Industrial Parkway/ Kenwood. (Periodic updates as available.)

Mr. Klein made a motion to adjourn the Planning & Zoning Commission at 7:31pm, motion seconded by Mr. Linberg. Roll Call. All in favor: Yeas (4).

Next regular meeting is on Tuesday, February 10, 2026 at 6PM.

There being no further business before the Planning & Zoning Commission the meeting adjourned at 7:31 pm.

These Planning and Zoning Meeting Minutes are to be supplemented by any audio recording of the Meeting, to the extent any such audio recording exists and is kept by the Village.

Leslie McCoy – Village Administrator

Scott Klein-Chairman