

Held Thursday April 11, 2024  
7:00 p.m. 20  

The Madison Township Board of Zoning Appeals Meeting was called to order at 7:03 p.m. by Chairman T. Sill, with the following people present Mr. B. Dubiel, Mr. T. Sill, Mrs. L. Diak, Mr. T. Brass. Mr. J. Boyle was absent. Mr. Ungers, Zoning Inspector, was present. Mr. C. Bernard, Assistant Zoning Inspector, was absent.

Mr. Sill requested a motion to approve the minutes from March 14, 2024. Mr. Dubiel presented a motion to approve the minutes from March 14, 2024, Regular minutes, seconded by Mr. Brass. With no discussion the minutes were approved:

**“All Ayes” - Minutes approved 4-0.**

Chairman Sill opened the public hearing for variance request #24-003. Mr. Ungers read the following report:

**Variance Application #24-003**

**Applicant: Robert Tomsich**

**Location of Variance Request:**

Permanent Parcel #01-B-098-0-00-001-0

**Property Zoned:**

R-2, Single Family Dwelling

The applicant is seeking to purchase the existing lot of record and build a single-family dwelling on the parcel under Zoning Resolution Section 125.16 which allows for a reduction to the minimum requirements in the R-2, Single Family Zoning District. Variances needed for from Section 125.16 are a reduction to the minimum 2 car garage requirement. And possible reductions to the total lot area, side yard setback and minimum square footage to the existing property owners parcel where a legal nonconforming lot currently exists.

The Neighbor/Applicant letters were mailed on April 1, 2024 and the Public Hearing was advertised in The News-Herald Legal Section on April 1, 2024.

The Zoning Office received no response from anyone regarding this Hearing.

Mr. Sill invited Mr. Bob Tomsich (PO Box 777 Grand River, Ohio) to the podium. Mr. Ungers read the oath of accuracy.

Mr. Tomsich stated he would like to build a single-family home and the reason for his appearance tonight is he would like to only have a single car garage instead of the required 2 car garage requirement. He added that as you drive down the street most of the homes do not have a garage at all. He produced a site plan for the board to review, showing the home with a single car garage. He stated he could try a build a 2-story home with a 2-car garage below it but he’s trying to build a home that closely resembles the current homes and doesn’t stick out.

Mr. Ungers stated that this is the first time the board is dealing with the new section of the code (Section 125.16), and they also need to consider the neighboring parcel, which will also become non-conforming. Mr. Ungers confirmed that Mr. Tomsich does meet the average front yard setback and side-yard setbacks for the street. Mr. Sill asked if there was a reason the current owner is selling the vacant lot. Mr. Tomsich stated that the owner just doesn’t want to maintain it any longer. Mr. Ungers added that this lot is a repeat offender for high grass violations during the summer. Mr. Sill asked if the current house is considered legal

**RECORD OF PROCEEDINGS**  
**MADISON TOWNSHIP BOARD OF ZONING APPEALS**  
**REGULAR MEETING AND PUBLIC HEARING MINUTES**

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

**Thursday April 11, 2024**

Held \_\_\_\_\_

**7:00 p.m.**

\_\_\_\_\_ 20 \_\_\_\_\_

non-conforming. Mr. Ungers stated that it was and if this is approved it will leave that parcel more non-conforming. Mr. Tomsich stated that he's not asking to create a new substandard lot and added it's currently 2 legal lots of record. Mr. Bernard asked what the square footage of the home was. Mr. Tomsich stated 1194 Sq/Ft. Mr. Ungers asked what Mr. Tomsich plan did to do with the home once it was completed. He stated he planned to sell it.

Mrs. Diak stated she feels the push now is for smaller homes. People want less maintenance on smaller lots. She stated she worries more about the overall deterioration of the neighborhood when people are not keep up with lawn maintenance more than 1-car garage or 2-car garage and feels the addition of a new home is good for the neighborhood.

Mr. Sill asked Mr. Tomsich if he looked at a version that did include a 2-car garage. Mr. Tomsich stated that it is nearly impossible on a ranch style home because the standard width of a garage is 20 feet, leaving only a 26-foot building envelope. He added that those homes do not look as nice because from the road all you will see is the garage.

Mr. Sill presented a motion to approve variance #24-003, second by Mrs. Diak.

**“All Ayes” – Variance approved 4-0.**

Mr. Sill closed the hearing at 7:30PM

Chairman Sill opened the public hearing for variance request #24-004 at 7:31PM. Mr. Ungers read the following report:

**Variance Application #24-004**

**Applicant: Kenneth Baxter**

**Location of Variance Request:**

7799 Cashen Rd

Permanent Parcel #01-A-089-0-00-012-0

**Property Zoned:**

B-1, Neighborhood Business

The applicant is seeking a Variance to the front and side yard setback in the B-1 Neighborhood Business Zoning District for an Accessory Structure to be built constructed at 7799 Cashen Rd.

The Neighbor/Applicant letters were mailed on April 1, 2024, and the Public Hearing was advertised in The News-Herald Legal Section on April 1, 2024.

The Zoning Office received no response from anyone regarding this Hearing.

**MADISON TOWNSHIP BOARD OF ZONING APPEALS  
REGULAR MEETING AND PUBLIC HEARING MINUTES**

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7:00 p.m.**

Mr. Sill invited Mr. Ken Baxter (7799 Cashen) to the podium. Mr. Ungers read the oath of accuracy.

Mr. Baxter is asking to build a 2-car garage. He stated he's limited in space due to the flood plain from Arcola Creek and the location of his septic system in the back. The parcel is zoned B-1 commercial which includes larger setbacks, but the parcel and structure have always been used as residential. Mrs. Diak asked for clarification on the property lines. Mr. Ungers showed the board the recent boundary survey explaining that this is a unique situation as the centerline of survey and the centerline of travel for Cashen Road are very different and that makes this parcel look very odd. Mr. Ungers stated that if this was zoned R-2, which it is being used as, the garage would fit without a need for a variance.

Mr. Dubiel asked if the zoning department received any feedback from the neighbors. Mr. Ungers stated he did not. Mr. Ungers explained the required variances to the board. Since the parcel is zoned B-1 the applicant will need three variances in total. Minimum front yard setback, minimum side yard setback, and minimum distance between buildings.

Mr. Sill asked if he considered building a smaller garage. Mr. Baxter stated that he owns larger vehicles and would like the extra space to accommodate them. Mrs. Diak stated that in a normal R-2 district this large garage would stick out but even though there are 2 residential homes, it's not that kind of neighborhood and she doesn't feel like it will look out of place. Mr. Sill asked if line of sight around the bend in the road would be an issue. Everyone agreed it would not.

Mr. Sill asked if anyone would like to make a motion to on variance #24-004, Mrs. Diak made a motion to approve all 3 variances, second by Mr. Brass

**Roll Call – Mr. Dubiel -Yes  
Mr. Sill – No  
Mr. Brass – Yes  
Mrs. Diak – Yes**

**Variance approved 3-1.**

Mr. Dubiel made a motion to close variance 24-004, seconded by Mr. Brass.

**All Ayes. Mr. Sill closed the hearing at 7:47PM**

There being no further business before the Board, a motion to adjourn the meeting was presented by Mr. Sill, seconded by Mrs. Diak.

**All "Ayes." – Meeting adjourned at 7:50 PM**

  
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Mr. Thomas Sill Chairman

  
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Mr. Thomas Brass, Secretary