PLANNING & ZONING COMMISSION MINUTES
VILLAGE OF MADISON
Regular Meeting
March 17, 2014

Regular Planning & Zoning Commission Meeting

Chairman Rob Johnson called the Regular Planning & Zoning Commission Meeting to order at 6:30PM.

Roll Call

Planning and Zoning Commission members in attendance: Mr. Mark Vest, Mr. Dan Donaldson, Mr. Rob Johnson and Mayor Britton. Law Director Mr. Joe Szeman and Assistant to the Mayor Mr. Jason Chapman were also in attendance. Mr. Gardner was absent.

Approval of Minutes

Mr. Johnson presented February 10, 2014 meeting minutes for approval.
Motion made by Mr. Vest and seconded by Mr. Donaldson.
Questions/Discussion: None
Roll call on approval of minutes: 3 yeas, 1 abstention (Mayor Britton) motion carried.

Council Reports

Mr. Vest stated that we are awaiting the outcome of Ordinance 33-2013. There will be a public hearing held on Monday, March 24th at 6:00pm. Mr. Vest stated that he received a call from ChemMasters and they have approved and made the deed restriction. They will be forwarding a letter to the Village prior to the Public Hearing.

Old Business – None

New Business – Re-Plat of JRO Properties Parcels 02-A-008-B-00-002-0, 02-A-008-B-003-0 Land now or formally owned by JRO Properties LLC being part of Lot Number 18 in the North Street Harvey Survey.
Mr. Tom O'Hara, owner of O'Hara Land Surveying, licensed in the state of Ohio and Ms. Joanie Todd from Sikora Law Offices, Counsel for JRO attended the meeting. Mr. O'Hara presented a request on behalf of his client and provided details as to their request to split a portion of road frontage from parcel Parcels 02-A-008-B-00-002-0 and attach said portion to parcel 02-A-008-B-003-0. This would combine parcels 02-A-008-B-00-002-0 and 02-A-008-B-003-0 to create lot 2. There is a tentative purchase agreement from a tenant to purchase that entire parcel as indicated on the drawings provided by Mr. O'Hara. The current owner intends to retain lot 1 that is currently being used as a gravel parking lot for the 528 Tavern. It is her intention to continue to use that lot for that purpose. The property owner intends to create an ingress easement and an egress easement to access lot 1 as well as create utility easements underground to address future utility access needs. Mr. O'Hara stated that there is already a sanitary sewer easement that services lot 1 that comes in off of Union Street. Mr. O'Hara and Ms. Todd stated that the current property owner also owns several additional parcels and at this time indicated these parcels on provided drawings. Mr. O'Hara stated that the purchase agreement is contingent on the re-plat of the parcels as requested. Mr. Vest asked for clarification of the placement of the easements. Ms. Todd commented. It was stated that there would be no road frontage for lot 1 however, as stated, the current owner is also the owner of several of the adjacent properties.

Discussion took place in regards to the lots in which the owner does not own. Mr. O'Hara stated that the current owner does not wish to attach lot 1 to one of the other lots that she owns at this time. Mr. Donaldson stated that it is rather unusual to approve an isolated lot without any frontage. It was also stated that the 528 Tavern straddles three (3) parcels. Completing the re-plat as requested would 'land lock' lot 1 and access would only be possible via the easements. Discussion of the easements took place. Mr. Szeman stated that he met with Mr. Chapman and the property owner. Mr. Szeman explained his legal opinion. He stated that the request allows the property owner to get the maximum value of their property and to transfer it for the greatest economic value to someone who wants it. Mr. Szeman added that there really is no use for lot 1 for anything other than a parking lot or a flood zone due to its configuration and the fact that the area is a deep, narrow lot with little frontage on Lake Street. Mr. Donaldson expressed concern of eliminating access to lot 1 in the fear that if that property would, if at some point, need to be sold at a sheriff's sale that it would have no accessibility might cause it to become an abandoned property years from now. Further discussion took place. Mr. Vest stated that he approves the property owner's request providing there is documentation detailing the easement and parking issue. Ms. Todd confirmed. Mr. Szeman stated that the documentation can be presented to legal for approval prior to recordation of the change. Mr. Szeman stated that what is being requested through the easement is simply a creation of a shared parking space. It was stated that if approved, the total square acreage of lot 1 would be .742 and lot 2 would be .345 acres. Mr. Donaldson stated that there is some concern about lot 1 not having frontage on 528 and the commission would like to see language in regards to a parking agreement and easements. Ms. Todd stated that she will submit requested documentation to Mr. Szeman.
Motion to approve with the condition that the amendments stated above are received and approved by Mr. Szeman made by Mr. Vest, seconded by Mayor Britton
Roll Call on approval, 3 yeas, 1 nay (Donaldson). Motion carried.

Misc. Commission comments
Brief discussion took place in regards to an issue with a home on River Street that appears to be selling raffle tickets on an honor system.

Visitor participation - None

Next Meeting
The next scheduled meeting of the Planning and Zoning Commission is Monday April 14, 2014.

Adjournment
With no other business before Planning and Zoning Commission, a motion for adjournment was made by Mr. Donaldson and seconded by Mr. Vest at 6:56pm. Motion passed unanimously with 4 yeas. Meeting adjourned.

5/12/14

Rob Johnson, **Sam Britton, Jr., Mayor** **Date**

Planning & Zoning Commission Chairman