

PERKINS TOWNSHIP BOARD OF ZONING APPEALS MEETING

Held By: Perkins Township Board of Zoning Appeals

Place: Perkins Township Service Facility, Meeting Room, 2610 Columbus Avenue

Date: August 17, 2020

Time: 4:00 p.m.

Board Members Present: Mr. Larry Pitts, Chairperson
Mr. Michael Bixler
Mr. Ted Kastor
Mr. David Bertsch, Alternate

Board Members & Staff Absent & Excused: Mr. Gary Gast
Mr. Will Spence

Staff in attendance:

Ms. Byington, Community Development Director
Ms. Melanie Murray, Planner/ Zoning Inspector

I. Call to Order

Mr. Pitts called the meeting to order at 4:00 p.m.

II. Pledge of Allegiance

Mr. Pitts led the Board and the audience with the Pledge of Allegiance.

III. Roll Call

Mr. Pitts asked for roll call to be taken. Mr. Pitts, Here; Mr. Kastor, Present; Mr. Bixler, Here; Mr. Bertsch, Here

IV. Minutes

Mr. Pitts asked for a motion to approve the minutes from the June 15th, 2020 meeting. Mr. Bertsch made the motion. Mr. Kastor seconded the motion.

V. Chairperson's Welcome and Explanation of Public Hearing & Meeting

Mr. Pitts welcomed everyone to the meeting and explained how the meeting will operate. He said there are two (2) parts to meeting. The first part is a public hearing where the applicant can tell the Board the reason for their request and the second part will be their actual meeting where questions are able to be asked.

Mr. Kastor asked Mr. Pitts if they voted on the minute approval. Mr. Pitts apologized for the oversight. Roll Call: Mr. Pitts, Yes, Mr. Kastor, Yes, Mr. Bixler, Yes, Mr. Bertsch, Yes.

VI. Reading of the Request

APPLICATION #BA2020-06 – This application seeks the approval of a variance to the Zoning Resolution to accommodate an addition to an existing accessory building. The proposed addition would be setback a distance of 6 ft. from the west side lot line and 10 ft. from the north property line whereas Section 13.6(3)(a) of the Resolution requires a side yard setback distance of 20 ft. for an accessory building with an area of 1,500 sq. ft. or greater. A variance of 14 ft. and 10 ft. is requested.

VII. Staff Review

Ms. Murray told the Board that this property is zoned R1-A, single family residential. There is an existing structure on the property that was about 750 sq. ft. and the homeowner would like to add onto that existing accessory building. The dimensions of the new accessory building would be 30 x 33 ft. which would put it over the 1,500 sq. ft. rule where you must have the accessory building 20 ft. from each lot line. Mrs. Murray explained that is the reason for the two (2) variances of 14 ft. and 10 ft. Ms. Murray referenced the picture letting the members know the property is split in two (2) so that is the reason for the second one, even though the homeowners have ownership of both properties. She goes on to say that they have had no concerns or anything from any neighbors about the addition.

VIII. Open Public Hearing

Mr. Pitts said at this time the public hearing will be open. He asked if anyone would like to speak in favor of this application or if anyone is present for this application.

Mr. Vassallo asked the Board if they can just let him do it?

Mr. Pitts asked if anyone is present to speak against it? And asked Mr. Vassallo to state his name and his address.

Mr. Vassallo said Joey Vassallo, 3007 Hayes Avenue.

IX. Close Public Hearing/Open Public Meeting

Mr. Pitts asked for a motion to close the Public Hearing and open the Public Meeting.

Mr. Kastor said so moved. Mr. Pitts seconded. Roll Call: Mr. Pitts, Yes; Mr. Kastor, Yes; Mr. Bixler, Yes; Mr. Bertsch, Yes.

X. Discussion from Board

Mr. Pitts asked if everyone has any questions for Mr. Vassallo.

Mr. Bixler asked Mr. Vassallo what the hardship is on this property, why is the variance being requested?

Mr. Vassallo responded that he does not know. It is an existing building and he is just adding on. He continues to say that the addition is going toward his property, not toward any neighbors' properties. He explained that he does not understand what the variance is for.

Mr. Bertch let him know that it is because the addition takes it over 1,500 sq. ft.

Mr. Vassallo said it is a 24x30 building and he is adding on towards the house 30 ft. and adding 33 ft. away from his lot line.

Mr. Pitts said so the property on the north side is your property as well?

Mr. Vassallo answered yes, and I thought I combined both of them last year because he put an addition on the house and that exceeded onto the 2nd lot. It was supposed to be combined.

Ms. Murray said I am not sure. It may not have been recorded. But the existing barn was existing, and it put him over the 1,500 sq. ft. She explained he is only about 200 sq. ft. over.

Mr. Kastor asked if he is building on the east side of the existing building, toward Rt. 4.

Mr. Vassallo replied yes, that is correct.

Mr. Pitts asked for a motion and a second.

Mr. Kastor moved to approved Application BA2020-06, which is a variance requested by Mr. Vassallo. Mr. Pitts seconded. Roll Call: Mr. Pitts, Yes; Mr. Kastor, Yes; Mr. Bixler, Yes; Mr. Bertsch, Yes.

XI. Reading of the Request

APPLICATION #BA2020-07 – An application was made by the Sandusky Church of God at 1018 W. Bogart Road for a reduction in the parking lot setback to zero (0) feet whereas Section 27.2 (3) requires a ten (10) foot setback from road rights-of way or residential side and rear yards. A variance of ten (10) feet is requested.

XII. Staff Review

Ms. Murray stated the property is at 1018 Bogart Road, it is where Sandusky Church of God is located. They would like to add additional parking and they have to add a retaining pond as well. They would like to expand the parking lot up to the property line. Whereas our Code does not allow that. It requires 10 ft. from side and rear property lines. So, they have requested a 10 ft. reduction. Ms. Murray continues that they did have one (1) neighbor call and she was just trying to understand what was going on. There is a drainage easement on the property next to it so, it is not close to the house at all. Ms. Murray told the Board if they look at the aerial that was provided by Alex Etchill, it shows where the parking lot would be expanded to.

XIII. Open Public Hearing

Mr. Pitts asked for a motion to open the Public Hearing. Mr. Bixler motioned. Mr. Bertsch seconded.

The associate pastor spoke regarding the request. He presented the Board with an updated document that had the total parking. He explained that they have a big water issue because there is a 13-acre field next to them that is dumping onto their property. He stated that it is ruining their blacktop. They would like to fix the blacktop and if they are fixing that, they would like to expand because they are always running out of room when they run special programs. He goes on to say they had Erie County come out and they told him he must put in retaining pond. He agreed that they need that. He stated that he spoke to the neighbor Ms. Biggs about this and she seemed to be for it. The other neighbor wants them to bring the parking lot to the lot line because he wants to use it to pull his car in and out of his garage. He continued to say by doing these things they are helping all their neighbors.

Mr. Kastor asked if the entire ditch is new.

Mr. Studer said it all runs right into their property and when it rains...

Mr. Kastor asked if the ditch will feed the retention pond and when that overflows, will it go to storm somewhere?

Mr. Studer states that Alex Etchill is going to put in a catch basin that has a 4-inch inlet so it will drain off slow. Then if it builds up and gets full, it will run out a 24-inch line which is another catch basin that they will tie into.

Mr. Kastor asked it is a storm line?

Mr. Studer responded yes, that is a big 24" storm line and it goes right underneath the neighbor's shed.

Mr. Kastor said so, all the overflow gets managed?

The Pastor said yes, through that 24-inch. And they are going to put a French drain in the ditch.

XIV. Close Public Hearing/Open Public Meeting

Mr. Pitts asked for a motion to close the Public Hearing and open the Public Meeting.

Mr. Bixler said so moved. Mr. Bertsch seconded. Roll Call: Mr. Kastor, Yes; Mr. Pitts, Yes; Mr. Bixler, Yes; Mr. Bertsch, Yes.

XV. Discussion from Board

Mr. Pitts asked if he talked to Pauline (Ms. Biggs).

Mr. Studer said yes, she was only upset that he did not get back with her sooner.

Mr. Pitts his other question is was the variance with the neighbor?

Mr. Studer said yes, I cannot get closer than 20 ft. because she has a 20 ft. right-of way.

Mr. Pitts asked if there were any further questions.

Mr. Kastor stated that he appreciates all the other information, but it is irrelevant. The only thing they are giving their okay on is the 10 ft. variance on the 20 ft. front setback.

Mr. Bertsch motioned to approve Application #BA2020-07. Mr. Bixler seconded. Roll Call: Mr. Kastor, Yes; Mr. Pitts, Yes; Mr. Bixler, Yes; Mr. Bertsch, Yes.

XVI. Reading of the Request

APPLICATION #BA2020-08 – A variance request filed by Party Place of 4903 Milan Road, Sandusky, OH (PP #32-01208.000). The variance request is to allow an inflatable sign to be temporarily located on the roof of a business building at this address whereas Section 28.C (5) and (8) would not permit such installation.

XVII. Staff Review

Ms. Murray tells everyone they have had this same request before. The pumpkin would be place on the roof from September to October. The property is zoned C2 – General Commercial. They are located at 4903 Milan Road and would like to display a pumpkin on the roof during the Halloween season. This is prohibited by our Code Section 28. They did not receive any complaints. They did receive one (1) letter of support from the Hoty's stated they are okay with it.

XVIII. Close Public Hearing/Open Public Meeting

Mr. Bertsch motioned close the Public Hearing and open Public Meeting. Mr. Bixler seconded. Roll Call: Mr. Kastor, Yes; Mr. Pitts, Yes; Mr. Bixler, Yes; Mr. Bertsch, Yes.

XIX. Discussion from Board

Mr. Kastor asked if they are sure this it will be tethered good enough to not blow off?

Party Place said yes, and it does have a light. It is on a timer. It probably comes on around dusk.

Mr. Kastor inquired if there is a date when they will be taking the pumpkin down.

Party Place answered yes, November 1st.

Mr. Bertsch motioned to approve Application #BA2020-08. Mr. Kastor seconded.

XX. Old Business

Mr. Kastor asked about Mr. Bertsch currently being the alternate.

Ms. Murray said yes that she forgot to send the email to Mr. Gast and when she remembered the meeting was too close. She explained that she did not want to offend Mr. Gast by sending the email too close to the meeting. She let them know she would send the email to Mr. Gast tomorrow and then a motion could be made at the next trustee meeting to change Mr. Bertsch to a permanent position.

XXI. New Business

Ms. Murray asked the Board members if they would be available to have a special meeting in September. The meeting is currently scheduled for September 21st. She asked if September 8th would work for them. She told the members it would be to approve a variance for a residential deck.

The members confirmed that September 8th would work for a special meeting.

XXII. Adjournment

Mr. Pitts asked for a motion to adjourn. Mr. Kastor motioned. Mr. Bixler seconded. All Board members were in agreement and the meeting was adjourned.