

## 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: October 19, 2020

Time: 4:00 p.m.

Board Members Present: Mr. Michael Bixler  
Mr. Gary Gast  
Mr. Ted Kastor  
Mr. Will Spence  
Mr. David Bertsch, Alternate

Board Members & Staff Absent & Excused: Mr. Larry Pitts, Chairperson

Staff in attendance: Ms. Angela Byington, Community Development Director  
Ms. Melanie Murray, Planner/Zoning Inspector  
Ms. Melissa Vassallo, Administrative Assistant

### **I. Call to Order**

Mr. Kastor called the meeting to order at 4:08 p.m.

### **II. Pledge of Allegiance**

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

### **III. Swearing In**

Ms. Vassallo swore in the applicant and asked, "Do you promise to tell the truth, the whole truth and nothing but the truth so help you God?"

Mr. Dezanett said, "Yes, ma'am".

### **IV. Roll Call**

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

### **V. Minutes**

Mr. Kastor states the next order of business is to approved minutes. Ms. Murray let the Board know since the special meeting was only six (6) days ago, the minutes from the October 13<sup>th</sup> meeting were not completed in time to send with the packets.

### **VI. Chairperson's Welcome and Explanation of Public Hearing & Public Meeting**

Mr. Kastor said there are two (2) parts to the meeting. The first part is a public hearing where the applicant will explain their request and the Board may ask questions. Then they will close

the public hearing and open the public meeting where the Board will discuss the variance request and make a decision.

**VII. Reading of the Request**

**APPLICATION #BA2020-14** – APPLICATION #BA2020-14 An application made by Pizza Boys at 913 Crossings Road seeking approval of a variance to the Zoning Resolution to accommodate window signs covering greater than twenty-five (25) percent of the window area. Section 28.5 (6) of the Zoning Resolution requires that less than twenty-five (25) percent of the window area to be covered.

**VIII. Staff Review**

Ms. Murray told the Board that this business is at 913 Crossings Road and the variance is for a window sign covering more than twenty-five (25) percent of the window. She lets everyone know that the resolution for the window signage is relatively new, only about six (6) months old. It was adopted mainly for safety reasons, including sight line and business checks by the Police Department. Staff is of opinion is that there are better solutions when it comes to window shades. And that this is additional signage which is highly regulated throughout the Township. It also poses a safety concern for the police department. The Police Chief did note that it creates a safety problem with being able to see in. They wouldn't know if there is a situation inside.

**IX. Open Public Hearing**

Mr. Kastor asked the gentleman to state his name and address.

He said his name is Micah Dezanett and he is here on behalf of Pizza Boys at 913 Crossings Road, Sandusky, Ohio.

Mr. Kastor asked Mr. Dezanett to tell the Board more about the request and why they feel it is needed.

Mr. Dezanett said the main thing is while working on the place, his brother and him discovered that the sun in the morning shines it and is very bright. He said it lasts from all morning until about 2:00 in the afternoon. It is an issue for their customers and for them. He continues to say that the easiest solution would have been to put shades up, but they noticed that other businesses that have shades up don't look too appealing. The shades do not look very nice and to him it brings the look down. It makes it a cold and unwanted place to be in. They have a high definition perforated window vinyl, which is 60/40. It is 60% printed and 40% see through from Loris Printing. It is 100% see through from the inside out. It is mainly used to keep the sun out to provide a friendly, safe environment for their customers. Mr. Dezanett let the Board know that you can't see in, but you can see at nighttime. He said as for the safety concern, some businesses don't have windows at all. So, he doesn't know how having a window vinyl would be different.

Mr. Kastor asked if the photo in the packet is representative to what is there?

Mr. Dezanett responded, Correct.

Mr. Kastor asked if there are any questions from the Board for the applicant.

Mr. Bixler asked if the applicants are concerned at all about the police's concern that they can't see in when they are doing their checks?

Mr. Dezanett said they understand their concern. And they would definitely be willing to work with them but also, the new security system that they are getting is going to be tied into the fire and police departments.

Mr. Gast comments that it has to help with energy costs.

Mr. Dezanett said it definitely helps. He stated their electric bill used to be close to \$1,700.00 but now they are around \$1,100.00.

Mr. Gast recommended that maybe to help with the safety issue, they could take out the center panel to the left and right of each door.

**X. Close Public Hearing/Open Public Meeting**

Mr. Kastor said if there are no other questions, he would entertain a motion to close the Public Hearing and open the Public Meeting. Mr. Spence made the motion. Mr. Gast seconded. Roll Call: Mr. Spence, Yes; Mr. Gast, Yes; Mr. Bixler, Yes; Mr. Bertsch, Yes; Mr. Kastor, Yes.

**XI. Discussion from Board**

Mr. Kastor commented that he understands. The sun does wash the front of that building.

Mr. Dezanett said it looks nice but from a customer standpoint, they don't want to get a tan while eating their food.

Mr. Bertsch said, a question for the staff, if this were the same material but no advertising on it, would that fit the code?

Ms. Murray responded that it would still be fully covered. It can't be fully covered so it would still need to be twenty-five (25) percent of window signage, logo or not.

Mr. Bertsch said as the gentleman said earlier if they had put blinds up, it would cover the windows. Are blinds acceptable?

Ms. Murray responded yes.

Mr. Gast said what if they put the logo on the back of the blinds and shut them.

Mr. Spence said he drove by this but failed to look at the businesses on either side. They are dealing with the sun as well, right?

Mr. Gast said yes, the shoe store at the corner, when they run a sale, they have signs all over. The only windows that are clear are the ones way up high that you can't see in anyway.

Mr. Kastor asked what the code says about non-permanent signs in windows.

Ms. Murray said there is nothing about non-permanent signs in windows. There are rules about temporary signs, like banners.

Mr. Spence said but those are for banners. There are no rules on window signs, they can be changed as often as you want. He said the way this is designed removing one (1) panel breaks up the look a little bit. Mr. Spence said what he has seen in the past, the doors themselves are not done so customers can see themselves coming and going too.

Mr. Kastor said personally he is sympathetic to small business owners and they are always looking at precedence. If they let him do it, then the next guy walks, it will be harder for them to say no. He went on to say that this screen is not a cheap product.

Mr. Dezanett told the Board that they spent almost \$3,000.00 on it.

Mr. Kastor said yeah, they could go to Home Depot and buy some cheap vinyl blinds and it will look like crap.

Mr. Dezanett explained that they also put Enter and Exit on the doors to clear up any confusion.

Mr. Bertsch said that you can see through from the outside in pretty well at night.

Mr. Dezanett let them know they are open until 1:00 am and 3:00 am so the lights are on.

Mr. Kastor said if there aren't any other questions from the Board, he would entertain a motion.

Mr. Gast said he would like to make a motion to approve the application as submitted. Mr. Spence seconded. Roll Call: Mr. Gast, Yes; Mr. Spence, Yes; Mr. Bixler, Yes; Mr. Bertsch, Yes; Mr. Kastor, Yes.

**I. Old Business**

Mr. Kastor asked if there is any other business to discuss.

**II. New Business**

Mr. Kastor asked if there is any new business.

**III. Adjournment**

Mr. Kastor asked for a motion to adjourn. Mr. Gast motioned. Mr. Spence seconded. Roll Call: Mr. Gast, Yes; Mr. Spence, Yes; Mr. Bixler, Yes; Mr. Bertsch; Mr. Kastor, Yes.