**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: July 19, 2021

Time: 4:00 p.m.

Board Members Present: Mr. David Bertsch, Alternate

Mr. Michael Bixler

Larry Pitts, Vice Chair

Board Members Absent & Excused: Mr. Spence; Mr. Ted Kastor; Chairperson, Gary Gast

Staff in Attendance: Ms. Angela Byington, Director

Ms. Melanie Murray, Planner/Zoning Inspector

Mrs. Jessica Gladwell, Administrative Assistant

1. **Pledge of Allegiance**

Mr. Pitts called the meeting to order and led the Board and staff in the Pledge of Allegiance.

1. **Roll Call**

Mr. Pitts asked for roll call to be taken. Roll Call: Mr. Pitts, Here; Mr. Bertsch, Here; Mr. Bixler, here.

1. **Minutes**

Mr. Pitts asked for a motion to approve the minutes from the June 21st meeting.

Mr. Bertsch made the motion and Mr. Bixler seconded. **Roll Call:** Mr. Bertsch; Yes, Mr.Bixler; Yes, Mr.Pitts; Yes,

1. **Chairperson’s Welcome and Explanation of Public Hearing & Public Meeting**

Mr. Pitts welcomed everyone to the meeting. He said it will be held in two (2) parts. First will be the Public Hearing, where the Board will hear from the applicant. Then they will switch to the Public Meeting, where the Board will decide the fate of the application.

Mrs. Gladwell Swore in everyone that signed in.

1. **Reading of the Request**

**APPLICATION #BZA2021-18** A conditional use permit was requested by John Guerrero on behalf of DFS Sales Co., LLC for property located at 6513 Milan Rd. (PPN: 32-04778.000). The conditional use permit requested is for DFS Sales Co., LLC to use the lot for vehicle sale whereas Section 17.2(3) of the Zoning Resolution requires that all automobile sales establishments to obtain a Conditional Use Permit on a “C-2”/General Commercial District. A conditional Use Permit for vehicle sales is requested.

1. **Staff Review**

Ms. Murray stated that this application is located at 6513 Milan Rd, former site of Deiderick Motors. It is zoned C-2 – the proposed use is for a car dealership, which section 17.2 (3) requires a conditional use permit for this type of use. The property is generally surrounded by “C-2”/General Commercial District with some agricultural zoning surrounding the property. The site plan is in the packet. Ms. Murray stated that their were no department comments that were not in favor of this application. Planning staff recommends the approval of this application.

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

Mr. Pitts asked for a motion to close the public hearing and open the public meeting.

Mr. Bixler motioned to close the public hearing. Mr. Bertsch seconded. Mr. Bilxer, Yes; Mr. Bertsch, Yes; Mr. Pitts, Yes.

1. **Discussion from Board**

Mr. Bertsch motioned to approve Application #BZA2021-18. Mr. Bixler seconded. Roll Call: Mr. Bertsch, Yes; Mr. Bixler, Yes; Mr. Pitts, Yes.

1. **Reading of the Request**

**APPLICATION #BZA2021-19** A conditional use permit was requested by Shane Francis on behalf of MEF Properties, LLC for their property located at 5500 Milan Rd. (PPN: 32-03494.009). The conditional use permit requested is to allow for outdoor entertainment and business. Section 17.2(5) of the Zoning Resolution requires Conditional Use Permits for properties zoned C-2 District in order to conduct outdoor entertainment and business.

1. **Staff Review**

Ms. Murray stated that this property is located on 5500 Milan Rd., the Former Toys R Us currently Ashley Furniture. Ms. Murray stated that the applicant proposed to have car shows and food trucks on some summertime weekends and that it’s the same kind of outdoor entertainment and business conditional use permit that bike week typically gets every year. The property is zoned “C-2”/General Commercial - surrounded by mostly “C-2”/General Commercial zoning.

Ms. Murray stated that there were no departmental comments that weren’t in favor of this application. The planning staff recommends the approval of this application. Ms. Murray also noted she did contact and aske for specific dates and times and they never got back to her, so it is unclear don’t know how many car shows will be held.

Mr. Pitts asked if the applicant was here; they were not. Mr. Pitts recommends that it is tabled.

1. **Discussion from Board**

Mr. Pitts asked for a motion to table this application. Mr. Bixler motioned Mr. Bertsch seconded.

Mr. Bixler, Yes; Mr. Bertsch, Yes; Mr. Pitts, Yes.

1. **Reading of the Request**

**APPLICATION #BZA2021-20** A variance was requested by Nicholas J. Smith, Esq. on behalf of DSG Farms, Ltd. for 11.56-acre section of the property located at 6114 Campbell Street (PPN: 32-04711.000). The variance requested is for a lot split with 172.27 feet of frontage and 0.9891-acre lot size whereas Section 11.3 of the Perkins Township zoning Resolution requires 300 feet of frontage and a 5 acre lot size. A variance for lot size and required frontage in a “A”/Agricultural zoning district is requested.

1. **Staff Review**

Ms. Murray stated the property is located at 6114 Campbell Street and is currently zoned “A”/Agricultural, an Agricultural district requires 5 acres and 300ft of frontage. Ms. Murray stated there is currently an existing house on the property that they would like to split off and sell separately. The property owners would not like to become landlords or rent it out and would just like to just sell it off. Ms. Murray stated that the original application talks about a zoning change and the easiest way to get to what they wanted was to apply for a variance for the lot size and the frontage.

Ms. Murray stated that there were no comments by staff that were negative and that the board had a similar variance request before and the planning department recommends the approval of this application.

Attorney William Smith stated that his client is just splitting off the lot and setting up a residence for one of their children.

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

Mr. Pitts asked for a motion to close the public hearing and open the public meeting.

Mr. Bixler motioned to close the public hearing. Mr. Bertsch seconded. Mr. Bixler, Yes; Mr. Bertsch, Yes; Mr. Pitts, Yes.

1. **Discussion from Board**

Mr. Bertsch motioned to approve Application #BZA2021-20. Mr. Bixler seconded. Roll Call: Mr. Bertsch, Yes; Mr. Bixler, Yes; Mr. Pitts, Yes.

1. **Reading of the Request**

**APPLICATION #BZA2021-21** A variance was requested by Brady Signs on behalf of the Sandusky Mall Co. for a property located at 4314 Milan Road (32-03119.000). The variance requested is for the addition of 316.9 square feet of wall signage whereas only 70 square feet is permitted, A variance of 246.9 square feet is requested.

1. **Staff Review**

Ms. Murray stated the property is located at 4314 Milan Rd, in the Sandusky Mall complex. Ms. Murray stated that it will be located at the end store of the complex right now. Ms. Murray stated it is a corner store and it is very long and narrow – which is the reason for the variance because the building has about 35ft of frontage and the Perkins Township regulations go off of building frontage for wall signs which is why it’s a larger variance requested. Ms. Murray stated that the property is zoned “C-2”/General Commercial surrounded by “C-2”/General Commercial properties. Ms. Murray stated we had a similar application for 5 Below about 5-6 months ago also kind of a end cap store. Ms. Murray stated our code doesn’t account for corner stores and this is how we have to proceed with this application and signage.

No comments from departments – no objections and the planning department recommends the approval of this application.

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

Mr. Pitts asked for a motion to close the public hearing and open the public meeting.

Mr. Bertsch motioned Mr. Bixler seconded. Mr. Bertsch, Yes; Mr. Bixler, Yes; Mr. Pitts, Yes.

1. **Discussion from Board**

Mr. Pitts asked for a motion to approve Application #BZA2021-21. Mr. Bertsch motioned Mr. Bixler seconded. Roll Call: Mr. Bertsch, Yes; Mr. Bixler, Yes; Yes; Mr. Pitts, Yes.

1. **Reading of the Request**

**APPLICATION #BZA2021-22** Mac Building and Development LLC requested a variance on behalf of Mike Ivoska for a property located at 1113 E. Bogart Road. The variance requested was for front yard setback of 72 +/- feet whereas section 25.2(4) of the Perkins Township Zoning Resolution requires an 80 foot front yard setback.

1. **Staff Report**

Ms. Murray stated that the property is located at 1113 E Bogart Rd. and a portion of the house had a house fire, and to rebuild from the existing foundation they need a variance. Ms. Murray stated that the setback on Bogart Rd. is 80 ft from the ROW, so the variance requested would approximately 8 ft.Ms. Murray stated that this property is zoned “R-1”/Single Family Residential and properties to the East are zone “R-2”/Multi family residential.

Ms. Murray stated that staff didn’t have and comments or concerns on this application. The intention is to just build from the existing foundation on the property. The planning department recommends the approval of this application.

1. **Discussion from Board**

Mr. Pitts asked for a motion to table this application.

Mr. Bertsch motioned to table Application #BZA2021-22. Mr. Bixler seconded. Roll Call: Mr. Bertsch; Yes, Mr. Bixler; Yes, Mr. Pitts, Yes.

1. **Old Business**

Ms. Murray stated they had a meeting with Ruta’s per a revocation hearing. Ms. Murray stated they put their sign up and it looks great. The case was dismissed from court.

Discussion about parking the U-hauls continued with the board.

1. **New Business**

None

1. **Adjournment**

Mr. Pitts asked for a motion for adjournment.

Mr. Bixler made the motion and Mr. Bertsch seconded. Roll Call: Mr. Bixler; Yes, Mr. Bertsch; Yes, Mr. Pitts; Yes.