

## 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 15, 2022

Time: 4:00 p.m.

Board Members Present: Mr. Ted Kastor, Chairperson  
Mr. Larry Pitts, Vice Chair  
Mr. David Bertsch  
Mr. Michael Bixler  
Mr. Will Spence

Board Members Absent & Excused: Mr. Gast

Staff in Attendance: Mrs. Arielle Blanca, Planning  
Ms. Michela Coon, Intern

### I. Pledge of Allegiance

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

### II. Roll Call

Mr. Kastor asked for roll call to be taken.

Mr. Kastor, here; Mr. Pitts, here; Mr. Spence, here; Mr. Bertsch, here; Mr. Bixler, here;

### III. Minutes

Mr. Kastor asked for a motion to approve the minutes from the July 18, 2022, meeting. Mr. Pitts made the motion and Mr. Bertsch seconded.

**Roll Call:** Mr. Pitts, Yes; Mr. Bertsch, Yes; Mr. Kastor, Yes; Mr. Spence, Mr. Bixler, Yes;

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

Mr. Kastor 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.

### V. Reading of the Request

#### **APPLICATION #BZA2022-21**

A variance request filed by Lana Fargo for the property located at 702 W. Strub Road (PPN: 32-02647.000). The variance requested is to allow a dwelling to have a 43-foot front yard

setback and a 36-foot rear yard setback whereas section 13.3 of the Zoning Resolution requires a front yard setback of 55 feet on Strub Road and a rear yard setback of 50 feet.

#### **VI. Staff Review**

As Michela stated that the property is located at 702 W Strub Rd. The current zoning is “R-1”/Single-Family residential district. The proposed development is a new residential dwelling. The variance requested is to allow a dwelling to have a 43-foot front yard setback and a 36-foot rear yard setback whereas Section 13.3 of the Zoning Resolution requires a front yard setback of 55 feet on Strub Road and a rear yard setback of 50 feet.

The applicant did submit information identifying the special circumstances related the variance requested. The applicant stated “when we purchased the land, we believed the lot was 165’ deep and were unaware that 25’ of that started in the middle of Strub Road and set back 25’ from the right of way. Our house will not fit with the required setbacks. We ask for your consideration in allowing the adjustments.”

Properties within the surrounding area of W. Strub road are also not meeting setback requirements, I just wanted that to be noted. Also, this property is located next to a vacant lot on one side and the other side is an access drive to the nursing home on the other.

The Department of Community Development is supportive of this application since the front and rear yard setbacks would allow the applicant to build a new dwelling on a residential lot in Perkins Township, additionally, there are multiple surrounding properties not meeting setback regulations.

Lana – property owner, stated she doesn’t have anything really to add. They put the house on angle because it fell in like with all the other property houses on an angle, and that is what shortened up the front and then the rear wouldn’t have met either way.

Mr. Kastor stated so the lot length dimension you didn’t realize it was the middle of the road. Have we heard from any adjacent neighbors?

Mrs. Blanca stated I only have had one call and they were just asking what was going on there, I explained and that was it.

#### **VII. Close Public Hearing/Open Public Meeting**

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

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

**VIII. Discussion from Board**

Mr. Kastor stated he would entertain a motion or approve or deny the request.

Mr. Spence motioned to approve Application #BZA2022-21 Mr. Bixler seconded. Mr. Spence, yes; Mr. Bixler, yes; Mr. Kastor, yes; Mr. Pitts, yes; Mr. Bertsch, yes;

**IX. Old Business**

Mrs. Blanca stated that Coastal Swings does not currently have their parking lot paved, we gave them a condition on getting it done by June 30<sup>th</sup>. I have reached out to them and they are under contract with 7L Construction and it is supposed to be done mid-September. If the board was okay with it, I was going to have you guys make a motion to extend it to September 30<sup>th</sup>, unless there is something else you guys would want to do?

Mr. Kastor stated that if they could provide a contract showing that, I'd be fine. I know sub-contractors are busy and stuff is backed up.

Mrs. Blanca stated I know you guys have had some questions about Wolf Inn, the interns went out and I will be sending out a letter regards to that.

Lowe's will be getting a letter to get a conditional use permit as well.

Mr. Gast had reached out to me via email regarding the Tusing Builders trailer that is parked at the old Kroger lot, to see if there is anything we can do about that. I am looking into it, not sure there is much we can do.

Mr. Spence stated that its classified as mobile billboards, we have been through this before. It is one thing if its on a construction site, different if its just sitting there.

Mr. Kastor stated that I know that Tusing has done a lot of work for Thor Works, so I assume they got permission to be parked there but it does set a precedence for people to start parking trailers places.

Mr. Spence asked two things just out of curiosity, when Erie Shores and Islands changed out their signs, was a signage change in the Township required?

Mrs. Blanca stated yes, we required them to have a building permit not a zoning permit since the sign was staying the same.

Mr. Spence stated that Ability Works has some donation containers that do not meet the zoning requirement for off the road if you could look into that.

Mrs. Blanca stated oh, okay I was not aware of that I will look into it.

Mr. Bertsch asked what was taken down in front of Target?

Mrs. Blanca stated a car wash (I think she is implying an oil change place)

Mr. Bixler asked if we were keeping Burger King under control with the weeds? Also, is Panda Express is going in next to Cane's

Mrs. Blanca stated yes

Mr. Kastor stated he sees the new sign at the fairgrounds, I know we asked for some landscaping, and they just threw some rocks up there.

**X. New Business**

The pumpkin at Party Place.

**XI. Adjournment**

Mr. Kastor asked for a motion for adjournment.

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