

## 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: November 20, 2023

Time: 4:00 p.m.

Board Members Present: Mr. Kastor  
Mr. Bixler  
Mr. Gast

Board Members Absent & Excused: Mr. Spence, Mr. Pitts & Mr. Bertsch.

Staff in Attendance: Mr. Adam Panas, Planner  
Mrs. Jessica Gladwell, Administrative Assistant

### I. Pledge of Allegiance

Mr. Kastor called the meeting to order and lead 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. Bixler, here; Mr. Gast, here.

### III. Minutes

Mr. Kastor asked for a motion to approve the minutes from the October 16, 2023, meeting.  
Mr. Gast made the motion and Mr. Bixler seconded.

**Roll Call:** Mr. Gast, yes; Mr. Bixler, Yes; Mr. Gast, 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.

Mrs. Gladwell Swore in everyone that signed in.

**V. Reading of the Request**

**APPLICATION #BZA2023-28-** A variance application submitted by Elinor Old on behalf of Tony Mayse for the property at 911 Taylor Road, Sandusky, OH 44870 (PPN 32-01693.000). The variance request is to allow a side yard fence to be 8’ tall, whereas Article 26, Section 10 has a 6’ maximum height for “R-1A” / Single Family Residential zoned parcels.

**VI. Staff Review**

Mr. Panas stated that as Jessica stated, Tony E. Mayse from 911 Taylor Road, Sandusky OH 44870 applied for a zoning variance for the above-listed property. The present zoning is “R-1A” Single Family Serviced Residential. The comprehensive plan shows low density residential. The proposed development is to construct a fence in the side yard that is 8’ tall. The variance requested is to allow a side yard fence to be 8’ tall, whereas Article 26, Section 10 requires a 6’ maximum height for “R-1A” / Single Family Residential zoned parcels. The parcel that the proposed fence will be located is at 911 Taylor Road, which is the primary residence of the applicant and the property owner. The subject property is approximately 0.37 acres. This property has been owned by the property owner since 2021.

**(a) Surrounding Land Uses:**

- a. **North:**
  - i. Residences, Zoned R-1A
- b. **East:**
  - i. Residences, Zoned R-1A and A
- c. **South:**
  - i. Residences, Zoned A
- d. **West:**
  - i. Residences, Zoned R-1A and A

**(a) Comprehensive Plan: Future Land Use Map Designation**

- a. The Perkins Township Comprehensive Plan Future Land Use Map designates this parcel as low density residential.

**DEPARTMENTAL FEEDBACK:**

- (a) **Public Works Department:** No comment.
- (b) **Building Department:** No comment.
- (c) **Police Department:** No comment.
- (d) **Fire Department:** No comment.

**PUBLIC / ADJACENT PROPERTY OWNER FEEDBACK:**

- (a) Neighbor, Kevin Didion, 907 Taylor Rd – No problem with the request (verbal, in-person).**

Based on the evaluation of the standards and the unique situation of the topography difference between the subject property and adjacent property, **staff recommends approval for the fence height variance.**

Elinor Olds – Tony Mayse Wife – 911 Taylor Rd. Well, first of all, I guess I wasn't clear enough, where we want to start the fence, we are going to use 6ft we don't need 8ft. If you go back to the picture, it will start at the front of the bus, and we only need 4 and final panels. It would cover the whole length of the side garage, where everything is sitting. I have been trying to work with code enforcement and with Mr. Stanley. When we first moved in some of that stuff was sitting there and I inquired about it and they were going to see about getting it cleaned up as it was on his bucket list. There used to be a rather large black walnut tree hanging over his garage hanging over our garage dumping walnuts to the point we'd have an hour to clean up before mowing. So, we did work with Mr. Stanley then to help cut the tree down, so we did. You can see from the other pictures all that wood is just lying there, it's close to the property line. Mr. Stanley said it was on his bucket list to clean all of that up. Last year don't get me wrong he's a great neighbor I don't mess with him he doesn't mess with us, but in the last year his son has moved in, and a lot of that stuff is just been accumulating and you can see everything sitting there. Those tires never used to be there, the tractor sitting there doesn't have an engine because he bought it for parts for a tractor, he's trying to do at some point on his bucket list. Again, this year I asked Mr. Stanley when he thought he was going to get it cleaned up, he said it was on his bucket list, and I asked when he said maybe this year. Here's the thing, when we purchased the home, we knew there was a few things that needed remodeled on the inside, we got a half decent price on the house. The upstairs bathroom you could tell was from 1967 the kitchen, and before we had all those rains, we had a fully finished basement. We knew we had to re-do the kitchen and bathroom and of course the basement now. We bought the home because we got custody of two teenage grandkids. We couldn't rent so we had to buy, so we knew all along when they were grown, we were going to sell and go back. Unfortunately, if we put all this money back into the house, and all this keeps accumulating, in his driveway is getting more stuff, he is devaluing my property it looks horrendous. Now I have talked to Rick before matter of fact there is so much stuff in the drive now, they park in the road in front of the house, you can't see the curve for Botay and Taylor coming together just because he has so much stuff on his property.

Mrs. Olds continued to voice her opinion regarding the condition of the property and why she is requesting an 8ft section for that portion of the fence.

Mr. Didion and I have had conversations so when the fence goes up, the fence is pledged for us to look at and what his needs are as well. The fact that I have nothing against Mr. Stanley, nothing bad to say about him, but when all this stuff keeps accumulating and accumulating it's devaluing my property. The real estate agent even told me you're not going to get any money in your price range when there's that. Earlier today I looked up houses around us, they ranged from k down to 155k which Mr. Stanley is the lowest in the neighborhood. Once we re-do our kitchen were hoping to do 290k. I'm just simply asking for that fence, just to hide that side because it's horrible to look at and I don't think we should have to. I have tried to work with code enforcement, Tami told me since June she's still researching the tractor and ski steer to verify if they are junk vehicles. It will be a vinyl fence, I can't get Mr. Stanley to clean it up, or Tami to help get anything done, so we must resort to the 8' sections. The stuff is just c continues to get through.

Mr. Kastor said that okay that gives them a good idea. Let me ask about the fence. You mentioned it was going to be vinyl privacy?

Mrs. Olds stated yes.

Richard Stanely, the guy that's got the bus. Alright, the tractor has a motor in it. It is going to be a parts tractor. The skid steer needs a little bit of work, it runs and eventually it belongs to my son, sooner or better but I don't know. I do throw a lot of scraps and stuff on that side. If she does an 8ft section from the foot of the bus, it's not going to stick that high off the retaining wall to begin with, so I guess its not that big of an issue.

Mr. Kastor stated that the block is probably about 5 ft, and it won't be much higher.

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

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

Mr. Bixler stated his only concern is the preferential treatment of one over another one. I'm not against it, just want to clarify.

Mr. Gast motioned to close the public hearing. Mr. Bixler seconded.

Mr. Gast, yes; Mr. Bixler, Yes; Mr. Kastor, Yes.

**VIII. Discussion from Board**

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

Mr. Gast motioned to approve Application #BZA2023-28. Mr. Bixler Seconded.

Mr. Gast, yes; Mr. Bixler, yes; Mr. Kastor, Yes.

**IX. Reading of the Request**

**APPLICATION #BZA2023-29** A variance application submitted by Jami Tallman on behalf of H.F. Gerold Construction for the properties at 3617 Columbus Ave (PPN 32-04615.000) and 3716 Columbus Ave (PPN 32-00764.000). The variance request is to split the two parcels into three, < 1-acre lots, which is contrary to the 1-acre minimum set by Article 17, Section 3 for lots zoned "C-2" / General Commercial.

**X. Staff Review**

Mr. Panas said as Jessica stated that H.F Gerold Construction CO. at 1644 South Larchmont Dr. Sandusky, OH 44870 applied for a variance for the property located at 3617 & 3716 Columbus Ave. Sandusky, OH 44870. The present zoning is "C-2"/ General Commercial. The comprehensive plan shows Commercial for both. The proposed development was for lot splits with appropriate access easements. The requested variance is to split the two parcels into three, < 1-are lots, which is contrary to the 1- acre minimum set by Article 17, section 3 for lots zoned "C-2"/ General Commercial.

- **Site Details:**

- **3617 Columbus Ave (PPN 32-04615.000; 0.2400 acres)** This parcel is mostly a parking lot and appears to have a portion of the northerly shed encroaching onto it.

- **3716 Columbus Ave** (PPN 32-00764.000; 1.1400 acres) – 3716 Columbus Ave is the official address of the Gerold Construction Building and its northerly shed. Also, on this parcel is “3714 Columbus Avenue”, which are business suites.
  - H.F. Gerold Construction Co has owned both properties since 1/1/1987.
- **Surrounding Land Uses:**
    - i. **North:**
      - (a) Harney’s, Zoned “C-2” / General Commercial; Carson Plaza, Zoned C-2; BP Gas Station, Zoned C-2.
    - ii. **East:**
      - (a) Wagner Quarry Properties, Zoned “MA” / Mineral Aggregate.
    - iii. **South:**
      - (a) Wagner Quarry Property, Zoned MA; Residences, Zoned R-1B
    - iv. **West:**
      - (a) Capizzi’s, Zoned PUD; Schaefer Printy Associates, Zoned C-2, Sandusky Wellness Center/Press Juice Bar, Zoned C-2; Residences, Zoned R-1A
- (a) **Comprehensive Plan: Future Land Use Map Designation**
- a. The Perkins Township Comprehensive Plan Future Land Use Map designates this parcel as low density residential.

**DEPARTMENTAL FEEDBACK:**

- (a) **Public Works Department:** No comment.
- (b) **Building Department:** No comment.
- (c) **Police Department:** No comment.
- (d) **Fire Department:** Fire lane of 20’ wide (can include ingress and egress) must be maintained within 150’ of all portions of all buildings.

**PUBLIC / ADJACENT PROPERTY OWNER FEEDBACK:**

- (a) No comments.

**Based on the evaluation of the standards, staff recommend tabling this application, to allow the applicant to provide more information. As is, we cannot recommend approval. We do not have enough information about setbacks, frontage, parking, or access management to make a determination on all non-conformances this lot split would/wouldn’t create, and thus the exact variances that would be needed.**

No one was present to speak on behalf of the application.

**XI. Staff Close Public Hearing/Open Public Meeting**

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

Mr. Gast motioned to close the public hearing. Mr. Bixler seconded.

Mr. Gast, yes; Mr. Bixler, yes; Mr. Kastor, Yes.

**XII. Discussion from Board**

Mr. Kastor asked if the board had any questions for the applicant.

Mr. Kastor stated that he always feels if the applicant didn't show up, I wasn't going to approve anything, but in this case, I'm not opposed to denying it, there is nothing I like in that case. It doesn't work. I mean we can table it and then have her come in and talk about it and not make her re-applied.

Mr. Gast stated that he thinks that would be fair to her to table and come back. I can't see it working. I can't see if I would be happy if I owed the property.

Discussion continued to debate what the purpose of the properties being split would be.

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

Mr. Gast motioned to table Application #BZA2023-29. Mr. Bixler Seconded.  
Mr. Gast, yes; Mr. Bixler, yes; Mr. Kastor, Yes.

**XIII. Old Business**

**XIV. New Business**

Agenda item for Bogart Rd next meeting, for over the allowed accessory structures.

**XV. Adjournment**

Mr. Kastor asked for a motion for adjournment.

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