

## 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: May 16, 2022

Time: 4:00 p.m.

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

Board Members Absent & Excused: Mr. Spence, Mr. Gast

Staff in Attendance: Mrs. Arielle Blanca, Planning  
Mrs. Jessica Gladwell, Administrative Assistant

### 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. Bertsch, here; Mr. Bixler, here;

### III. Minutes

Mr. Kastor asked for a motion to approve the minutes from the April 18, 2022, meeting.

Mr. Bixler made the motion and Mr. Pitts seconded.

**Roll Call:** Mr. Bixler, Yes; Mr. Pitts, Yes; Mr. Bertsch, Yes; Mr. Kastor, 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 #BA2022-09** Two variances were requested by Doug Galloway, President of the Erie County Agricultural Society, on behalf of Erie County Board of Commissioners for a property located at 2900 Columbus Avenue (32-62002.000). The first variance requested is to allow a front yard setback of 2 feet for a sign whereas Section 28.6 of the Zoning Resolution requires a sign to have a front yard setback of 30 feet on Columbus Avenue. The second variance requested is to allow an electronic message board pole sign in a residential district, whereas section 28.11 of the Perkins Township Zoning Resolution does not allow these types of signs in a residential district.

**VI. Staff Review**

As Jessica stated this is an application for a sign set back variance & electronic message board pole sign variance. Doug Galloway, President of the Erie County Agricultural Society has submitted an application on behalf of the Erie County Board of Commissioners. Current Zoning is "R1-A" / Single Family Residential. Proposed Development: Electronic Message Board sign for the Erie County Fairgrounds. The first variance requested is for a 28 ft. setback variance. The applicant requests a sign setback of 2 ft. whereas Section 28.6 of the Perkins Township Zoning Resolution requires a sign setback of 30 ft. The second variance requested is to allow an electronic message board pole sign in a residential district, whereas section 28.11 of the Perkins Township Zoning Resolution does not allow these types of signs in a residential district. It is noted that the properties in question are located along the east side of Columbus Avenue. The subject site is made up of 59.54 acres of land. The subject property is zoned "R1-A" / Single Family Residential, properties to the south, east and west are currently zoned "R1-A" / Single Family Residential and "R1-B" / Single-Family Residential, properties to the north are zoned "I-1" / Light Industrial District. The proposed sign will be located in the same location as the existing sign. The applicant did submit information identifying the special circumstances related the signage they requested. The applicant did state "Township requires a variance due to the removal of the old signposts that will be replaced with a new signpost with the new sign occupying the same footprint as the old sign has been for the past 50 plus years. Public Works, Building, Fire and Police have all reviewed the proposed variances and we received no objections from them. The variance requested has been reviewed from the perspective of the Zoning Resolution's standards as noted above in this report. In this regard, staff is of the opinion that the proposed setback and use of an electronic message sign is a reasonable request since the new sign will sit in the same location as the existing sign and not be directed towards the residents across the street. However, staff has a concern that the proposed pole sign would not fit the character of the surrounding residential properties and is of the opinion that the sign should be a monument sign, which will be consistent with the public signage located in that vicinity on Columbus Avenue. The Department of Community

Development is supportive of this application and the granting of the variances should not cause a negative impact any surrounding properties. Staff recommends a conditional approval listing the following conditions:

1. The applicant must sign off on the Electronic Message Board Requirements on the Electronic Message Board application (attached).
2. The sign must be positioned so that the sign face is viewed from the north and the south and is not directed directly towards the residential properties to the west.
3. Revised plans shall be submitted for the Building Permit showing that the sign will be a monument sign and shall not have an overall height that exceeds the height of the existing sign.

We were just hoping to upgrade the Fair Grounds, our sign is in terrible shape. We're trying to do it with good taste and picked a good local contractor to do it for us.

Nick Smith represents the fair board- the issue we see is that everything thing looks good, we're not trying to go above that height, but the monument sign is with the fencing there it's going to be in the fence and the monument sign looks better on the pole, if you have to have that monument go up 14ft you're going to have to have a big distraction out there, and if there is just a pole, it's better. Also, it is just going to be north and south. When you look at the other monument signs, as in the Townships, the Counties, those are all on the ground, where this is higher up, so I don't think you want that base all the way up.

Mr. Kastor stated so what you're showing is a pole mounted 8ft 6 from the bottom of the sign to the ground. Total height is 15ft. So, does the total height shown on the submittal conform to our sign regs?

Mrs. Blanca stated that we don't really have sign regulations for this type of sign in residential. This type of sign really isn't permitted in residential, which is really what this variance is for, to allow a sign of type of sign in residential. We were just recommending monument to keep it consistent with what is going down Columbus Ave, especially with what is on that property, with the county building. We just didn't think a pole sign really fit in with the residential district across the street, or any of the existing signs in the area.

Mr. Bixler asked what Arielle's comment is in regard to the height of it.

Mrs. Blanca stated if they do a pole sign it has to be over 8.5 ft to meet the clearance for people to walk under, so that would meet it. For a monument sign, we were thinking they could just do a little larger of a base, I believe the fence there is maybe 4ft.

Mr. Smith stated the fence there is at least 5 or 6ft, it's taller than I am. That's just our thought, it is on a pole now too.

Mr. Bertsch stated regarding the electronic portion of it, how is the Township zoned where we have the electronic board.

Mrs. Blanca stated we are zoned light industrial, so it is permitted.

Mr. Smith stated that he thought it was odd that all the 59-acre property is owned by the county. How that is still zoned residential is beyond me,

Mr. Bertsch stated there isn't a precedence set from ours here since its zoned differently.

Mrs. Blanca stated correct because it is permitted.

Mr. Kastor stated it is unique so in R-1 R-2 residential I don't think a conditional use is accounted fair; I wouldn't think. So, this is the staff recommendation, which the board puts some stock into, but we don't have to follow it.

Mr. Bertsch asked how tall the current sign was.

They stated 13 or 14ft.

Mr. Kastor asked that at the base of the pole sign they're proposing could they do a little landscaping?

Sure, we like to put flower beds underneath it like it is now.

Mr. Kastor stated so it wont just look like a naked pole sign.

Mr. Pitts stated or even make it a concrete block to incase the pole, just something to make it more attractive other than a pole.

Mr. Smith stated that even the flower bed that is in there now we can keep it like its installed or something similar to that.

Mr. Bertsch asked if there were any comments from the neighbors about it.

Mrs. Blanca stated we did not receive any comments.

Mr. Kastor stated that he personally thinks it's a nice improvement over what is there.

Mr. Pitts asked if they were 100% opposed to doing a monument sign or does that involve more money?

Mr. Smith stated yes, it does involve more money, but I think its just more north and south and there are so many people pulling in and out of that drive, don't want it to cause a blind spot.

Mr. Pitts stated their thoughts are the monument sign is going to be 14 ft tall, so you want to make sure the sign goes over the fence now yeah.

Mr. Bertsch asked if they thought of the option of having the pole on the sign without the electronic message board since it isn't zoned for that?

We have always wanted an electronic message board from the get-go, because that helps us put people's names up there if they are renting the grounds for a wedding and every

even we can put their names on it, makes it special to the people who are renting it. It helps promote our business at the fairgrounds.

Mr. Bixler stated that the staff reviewed the requests as a wholesome and they had no objections. Did they have an objection to the staff's recommendation of the monument sign.

Mrs. Blanca stated correct, I just send them the general application and permits to see if they have any objections, in that way. To the actual pole sign is what I sent them, I did not send them our recommendations, no.

Mr. Bixler stated that so Mr. Smith brought up that there might be some construction that the police chief would really consider.

Mr. Kastor stated that he could see if we went with a monument sign, if someone is pulling out of the fair grounds and there is a bicyclist heading north on the sidewalk, you're not going to see them.

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

Mr. Bertsch stated hes kind of torn here as we are setting a precedence putting and electronic message sign in a residential neighborhood, in addition to putting it 15ft high. So, the next person that comes in, in a residential neighborhood which could be more congested could say well you let them do it in a residential owned property. I'm just concerned about that being seen from a few houses away.

Mr. Kastor stated that he knows this is a unique situation with this being zoned residential.

Mr. Bertsch asked if there are any stipulations, we could put on it for only certain hours of the day?

Mrs. Blanca stated that we don't have any on our electronic message board sheet they have to sign, but it is something you guys can obviously add as a condition.

Mr. Bertsch stated because its nighttime that would be the problem. Would you be open to turning the electronics off in the evening? You don't have anything going on in the nights anyhow. I'm just making some suggestion to make it easier for me to accept.

Mr. Smith stated we could do that, but what time is the time?

Mr. Kastor stated that this is a relatively small sign, I mean its only 7ft 3 wide.

Mr. Pitts asked if that was the only spot for a sign?

I don't know where they would make any difference. It shows people where our main entrance is.

Mr. Bertsch asked if we approve it and the neighbors complain later saying its just a lot brighter than we thought it was going to be at night, and you being good neighbors would you be open to suggestions.

We try to be good neighbors, and we take care of them.

Mr. Pitts stated that he thinks the people that live around there are more tolerant, they just understand. It is 59 acres of fair grounds.

Mr. Kastor stated that's a very heavily traveled street, so they are used to lights and sounds. If you look at the other side of that street from Perkins Ave to Strub Rd there is no residences.

#### **VIII. Discussion from Board**

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

Mr. Pitts motioned to approve Application #BA2022-09 Mr. Kastor seconded. Mr. Pitts yes; Mr. Kastor, yes; Mr. Bixler, yes; Mr. Bertsch, no

Mr. Kastor stated this was a tough one – unique situation.

Mrs. Blanca stated yes, very unique that its zoned residential, because obviously its not used as residential.

Mr. Kastor stated Mr. Bertsch's point if a resident wants to put up an electronic board like the fairgrounds.

#### **IX. Old Business**

#### **X. New Business**

#### **XI. Adjournment**

Mr. Kastor asked for a motion for adjournment.

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