



PERKINS TOWNSHIP

COMMUNITY DEVELOPMENT DEPARTMENT

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MEETING MINUTES

To: Chair and Members of the Zoning Commission

From: Adam Panas, Planner/Zoning Inspector

Subject: 6/10/2024 Zoning Commission Meeting Minutes

Date, Time, & Location of Meeting: Monday, June 10, 2024 @ 4:00 pm
Perkins Township Services Facility – Big Meeting Room
2610 Columbus Avenue, Sandusky, OH 44870

I. Call to Order.

- a. At 4:00 p.m., Mrs. Cheryl Best-Wilke called the meeting to order.

II. Pledge of Allegiance.

- a. At 4:00 p.m., Mrs. Cheryl Best-Wilke led the room in the pledge of allegiance.

III. Roll Call.

- a. At 4:02 p.m., Mrs. Cheryl Best-Wilke asked for a call from the roll.

b. Mr. Adam Panas conducted said roll call:

i. Board Members Present:

1. Mrs. Cheryl Best-Wilke – Chair
2. Mrs. Kula Hoty Lynch
3. Mr. Greg Schmid
4. Mr. John Lippus
5. Mr. Les Wilson – Alternate

ii. Board Members Absent & Excused:

1. Mr. Billy Criscione – Vice Chair

iii. The following staff members were in attendance:

1. Mr. Adam Panas, Planner/Zoning Inspector
2. Mr. Mason Davis, Intern

IV. Approval of Meeting Minutes from Monday, March 11, 2024.

- a. Mrs. Best-Wilke stated that she was not present for this meeting and noted that Mr. Criscione sent corrections to Mr. Panas for minutes. She asked for a motion.
- b. Mr. Wilson motioned to approve the minutes, Mr. Lippus seconded. Roll Call: All ayes, motion carried.

V. Approval of Meeting Minutes from Monday, May 13, 2024.

- a. Mrs. Best-Wilke noted that there was one correction under Item 19, which stated that Mrs. Hoty Lynch recommended tabling of the item, rather than approving. Mr. Panas responded that the correction was caught after the minutes were sent to the Zoning Commission and the copy printed for the meeting tonight reflects

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that very edit. Mrs. Best-Wilke entertained a motion to approve the minutes.

- b. Mr. Lippus motioned to approve the minutes; Mr. Wilson seconded. Roll Call: All ayes, motion carried.

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

- a. Mrs. Best-Wilke welcomed everyone to the meeting. She stated that the purpose of the meeting is to consider two requests for Zoning Map Amendments. The authority to conduct this meeting is granted by the Perkins Township Zoning Resolution. First, we will read the request then we will open a public hearing during which we will hear comments, questions, and any concerns from members of the audience. Then the public hearing will be closed, and the public meeting will open. During the public meeting, Commission members will discuss the request and vote on a recommendation to present to the Trustees, whether to accept, decline or table. Then our recommendation will be forwarded to the Trustees who will consider the request at a future Trustee meeting. Citizens are welcome to attend this meeting. The Trustees can accept or overturn the recommendation of the Zoning Commission. The next Trustee meeting will be Tuesday, June 25, 2024 @ 8:30AM in the same location as the meeting today.

VII. Secretary Reads the Request on the Proposed Amendment.

- a. Mr. Panas read the following into the record: **Case #ZC2024-04** - an application was submitted by Kurtiss Hirt of Blue Heron Villas on behalf of Stopper Professional Park LLC for a property located at 3814 Hayes Avenue, Sandusky, OH 44870 (PPN 32-01712.000). The application is for a zoning amendment to rezone the above-mentioned property from “P-B-O” (Professional & Business Office District) to “PUD” (Planned Unit Development).

VIII. Staff Reviews the Planning & Zoning Department’s Staff Report.

- a. Mr. Panas stated that this application had been tabled at the previous Zoning Commission meeting held on May 13, 2024, at 4:00 p.m. to be heard at this meeting. Mr. Panas stated that, at the last Zoning Commission meeting, the Commission members stated they would be amenable to a sort of “phased approval process” if one could occur. Mr. Panas stated that a phased approval process had been agreed on, which would reserve approximately 3.9 acres of the site with frontage on State Route 4 (Hayes Avenue) for “future commercial development” and leave the remaining 10.9 acres for the development of 68 apartments. Mr. Panas stated that the future applicant for that portion of the property will have to go through the “Major Change” PUD process to develop the commercial portion. This allows the applicant to focus on the proposed residential section of the development, which the Commission stated was a slightly greater need for the community than a potential hotel on the property.
- b. Mr. Panas noted that the staff was not granted the opportunity to review an updated set of plans prior to the meeting by the applicant. Mr. Panas noted there may have been some communication issues between himself and the applicants that could have prevented this. To compensate, Mr. Panas asked the Zoning Commission if they would be comfortable reviewing the new set of plans against the list of missing items established at the May 13th, 2024, Zoning Commission

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meeting during this meeting. The Commission members unanimously agreed that they are comfortable having Mr. Panas walk through the list and discussing each item during the discussion portion of the meeting.

IX. Chairperson Opens the Public Hearing.

- a. Mrs. Best-Wilke opened the floor up to the audience for their remarks.

X. Audience Remarks.

- a. **“For” Request?** None.
- b. **“Opposed” to Request?** None.
- c. **Other Comments?** None.

XI. Commission Motion & Second to Close the Public Hearing and Open the Public Meeting – Roll Call Vote.:

- a. Mrs. Best-Wilke entertained a motion to close the public hearing and open the public meeting.
- b. Mrs. Hoty Lynch motioned to close the public hearing and open the public meeting. Mr. Schmid seconded the motion. Roll Call: All ayes, motion carried.

XII. Discussion from Commission.

- a. Background from the 5/13/2024 meeting: The Commission discussed the original plan to include a hotel on the property that would sit in front of the proposed residential development. Mrs. Best-Wilke referred to residents’ comments from the previous meeting, stating that some of the main concerns that were raised in regard to the hotel were related to stormwater drainage issues and a potential increase in traffic. Mr. Lippus stated that requirements from the County Engineer’s Office and the Ohio Department of Transportation (ODOT) would require that these issues be accounted for and managed, respectively. Best-Wilke added that Mr. Panas had spoken with the applicants and found that they were open to constructing alternate commercial properties rather than the hotel.
- b. “Future Commercial Use” Designation: Mr. Panas explained the details surrounding the “Future Commercial Use” designation for the property. He stated it would cover which would cover approximately 3.9 acres of the property with frontage on State Route 4 (Hayes Avenue), thus allowing for the presence of a retention/detention pond for stormwater drainage to serve the residential and future commercial developments on the site, and for the future commercial development to be setback far enough from the road to respect the anticipated eventual expansion of State Route 4 to a width of 4-5 lanes (each 12 feet wide). Mrs. Best-Wilke asked if the expansion would be for both sides of the highway, and Mr. Panas said he was unaware of any active projects for the highway at this time, but that his discussions with ODOT have indicated that the proposed 3.9-acre envelope would allow for a sufficient setback to be met when the road is eventually widened.
- c. Access to Adjacent Parcels: The commission then discussed stub and access roads. Mr. Panas indicated that the applicants had provided plans that showed that there would be the potential for future access to adjacent parcels through the

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south side of the property. The applicant, Mr. Hirt (the developer), and his Agent, Adam Weaver, P.E., P.S. of Contractors Design Group (the engineer) stated that the southern access road stub's location and the location of the rental office building relative to it was designed intentionally to ensure three things: (1) That vehicle turning lanes would be located far enough away from the curve of the road to avoid the awkward bunching of traffic due to low storage space; (2) Allow for the residences to be set back far enough from the road to avoid as much noise from traffic as possible; and (3) To avoid running traffic through the middle of the residential development. The applicant and his agent added that they were open to moving the location of the rental office building to the south side of the proposed road so that they could insert an access road stub to the northern property line. Mrs. Hoty Lynch asked that this be noted in the record. Mr. Panas indicated it has been noted.

- d. Density: The current density proposed for the residential development is approximately 6.24 units per acre, which, for reference, exceeds the R-3 multi-family zoning district maximum density of 3 units per acre. Mr. Panas noted that the recent apartment developments of Redwood on E Perkins Ave had a density of approximately 3.55 units per acre, and the Villas apartments behind the Sandusky Mall had a density of approximately 3.7 units per acre. Mr. Panas noted the staff had no concerns regarding density. Mrs. Hoty Lynch indicated that there might be green-space requirements from the county that the applicant should be mindful of. The applicant mentioned there would be no on-street parking and that campers and RV's would not be permitted in driveways.
- e. Square Footage: Square footage was discussed. Mr. Panas asked for an estimation from the applicants of how many 1-2-bedroom units would be created and what their approximate square footage would be. The applicants responded that all the units would be 2-bedroom design and 1,800 square feet (1,300 in-unit, 500 garage). These units would be ADA compliant.
- f. Landscaping: The staff had no concerns about the landscaping plans provided by applicants. Mr. Panas noted there was an existing tree line surrounding the property in addition to the landscaping proposed. The Commission had no comments.
- g. Lighting Plan: The applicants indicated that there would be no lighting poles on the property. Instead, each tenant's garage would have two exterior "coach" lights as well as one above their front door. These lights would be set on a "dusk-to-dawn" schedule and operate automatically.
- h. Building Height: The staff had no concerns about building height and stated that sufficient information had been provided for this topic. The Commission had no comments.
- i. Waste Management: For garbage/waste removal, the applicant indicated that there would be no dumpsters present on the property. Instead, each unit would receive their own tote. The staff had no concerns on this topic. The Commission had no comments.
- j. Setbacks: Mr. Panas asked the applicants if they had spoken with the Erie

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County Department of Environmental Services regarding the capacity of the existing public utilities to handle the increased use by the apartments. The applicants said they had spoken with a representative, Bill Fleck. According to Mr. Adam Weaver of Contractors Design Group, Mr. Fleck informed them that there is a 24-inch sanitary sewer, which they were told should be sufficient. Additionally, they were told the water line should also be capable of handling the increased usage. The commission had no further questions.

- k. Parking and Traffic Flow: For setbacks, there is a 46-foot setback for parking from the rear property line and a 127-foot setback from the closest unit to the property line. Traffic flow plans were provided. Bays would be available for guest parking. There were concerns about the “hammerhead” style of endcap for the road and Mrs. Hoty Lynch had a concern about this being a sufficient turning-radius for fire engines, noting that the County Engineer’s Office might disapprove. Mr. Panas said that the fire department had been made aware and stated that they preferred a cul-de-sac style endcap but would be okay with a “hammerhead” style as long as it extends far enough to the north and south, respectively.
- l. Disposition of Open Space for parks, recreation, and related uses: Mr. Panas stated that there were no requirements for a PUD for open spaces for parks, recreation, and related uses, but that the Zoning Resolution provides that the Township Zoning Commission in conjunction with the Township Trustees may require land to the amount of three percent (3%) of the land included in the planned unit development be conveyed to the Township for park purposes. Mrs. Best-Wilke asked if the open spaces for the proposed development would be similar to the developer’s existing “Blue Heron Villas” development in Fremont, OH. Mr. Hirt replied that it would be, and that there would actually be more space in this development than in Fremont.
- m. Construction Schedule: The applicants said their goal for the construction schedule would be to start utility-related construction this Fall 2024. The applicants plan to do a 2-phase development process, starting with the back of the property. Mr. Panas requested that a slightly more detailed construction schedule be provided to staff prior to final development plan approval.

XIII. Commission Motion & Second to Recommend Approval / Disapproval / Table Application – Roll Call Vote.

- a. Mrs. Best-Wilke entertained a motion to approve, disapprove, or table the application.
- b. Mr. Schmid motioned to approve the application, contingent on the insertion of the access stub road from the proposed road to the northern property line. Mr. Wilson seconded the motion. Roll Call: All ayes, motion carried.

XIV. Secretary Reads the Request on the Proposed Amendment.

- a. **Case #ZC2024-06** – Rezoning of property located at 1301 Melody Ln, Sandusky, OH 44870 (PPN #32-02004.000), 1306 Melody Ln, Sandusky, OH 44870 (PPN 32-03426.000), and Lot 31, Melody Ln, Sandusky, OH 44870 (PPN #32-04435.000) from “C-2” (General Commercial District) to “R-

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1A” (Single-Family Serviced Residential), respectively.

XV. Staff Reviews the Planning & Zoning Department’s Staff Report.

- a. Mr. Panas explained that the three properties were located at the end of the cul-de-sac of Melody Lane, which is part of the larger Westchester Estates subdivision. Mr. Panas stated that the non-compliant zoning district classification was brought to his attention in 2023 when the owner of the property at 1306 Melody Lane called to ask about minimum setbacks for their rear yard. No previous zoning map amendments on this matter were found in the Township’s records.
- b. Pursuant to Article 8.2.1 of the Perkins Township Zoning Resolution, the Zoning Commission may initiate an amendment to the Zoning Resolution by adoption of a motion. The staff recommended that this be done in order to preserve the existing residential character of the neighborhood.
- c. Mr. Panas was unable to find the original justification for why the neighborhood was classified as C-2 (General Commercial District) in previous decades.
- d. Properties zoned R-1A require a minimum lot area of 11,250 square feet. 1306 Melody Lane (existing residence) complies with this requirement. 1301 Melody Lane (existing residence) and Lot 31 (vacant) merely reflect existing property lines pursuant to Article 6.5 and do not meet this requirement. Lot 31 may still construct a single-family dwelling with accessory buildings if the proposed Zoning Map amendment were approved. Similarly, 1306 and 1301 Melody Lane would both be able to continue to exist as they have.

XVI. Chairperson Opens the Public Hearing.

- a. Mrs. Best-Wilke opened the floor up to the audience for their remarks.

XVII. Audience Remarks.

a. “For” Request?

- i. Kristy and Robert Burdue of 1306 Melody Lane were sworn in. The Burdue’s spoke in favor of approving this item. They stated that they have been long-time residents of the neighborhood and have owned their property since 2006. Kristy stated that, to her and her husband’s knowledge, they are the third owners of their property and were under the impression that their cul-de-sac was originally planned to be part of another phase of development of the existing Westchester Estates subdivision that was never realized. They believe that this may have been the reason that their property remained zoned “C-2” (General Commercial District).
- i. The Burdue’s were concerned about the C-2 classification as they had been told that the owner of Lot 31 was interested in building a commercial property such as a parking garage or transient rental home, which they felt was outside of the residential character of the cul-de-sac and larger neighborhood. Their main concern had to do with protecting their property from potential fire damage, should one occur again near their property. They stated that years ago, a fire on Corso’s property, which is adjacent to their backyard, spread quickly to their home and they would like to

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avoid making that situation more likely to occur again. Mr. Panas stated that Mr. Anderson, the property owner of Lot 31 had called him previously and inquired about the legality of constructing a parking garage on the property but that he had not received any comments from Mr. Anderson about this proposed re-zoning specifically.

- ii. The Burdue's also mentioned that they had spoken with the property owners of 1301 Melody Lane and they were unable to make it to the meeting, but agreed with the rezoning

b. "Opposed" to Request? None.

c. Other Comments?

- i. The Burdue's then discussed one of the other lots in question, Lot 31, Melody Ln., Sandusky, OH 44870. They stated the following: (1) They have confirmed with Corso's that they once used some of Lot 31 in connection with their business; (2) The current owner of Lot 31 has a history of not maintaining the property consistently, citing a failure to mow the lawn regularly. They stated that they and the residents of 1301 Melody Ln., Sandusky, OH 44870 resorted to mowing Lot 31 themselves for a period.

XVIII. Commission Motion & Second to Close the Public Hearing and Open the Public Meeting – Roll Call Vote.

- a. Mrs. Best-Wilke entertained a motion to close the public hearing and open the public meeting.
- b. Mr. Lippus motioned to close the public hearing and open the public meeting. Mr. Schmid seconded the motion. Roll Call: All ayes, motion carried.

XIX. Discussion from Commission.

- a. The Commission stated that this was a zoning mistake from decades ago that they wanted to correct. As such, they agreed to take action on the proposed Zoning Map amendment.

XX. Commission Motion & Second to Recommend Approval / Disapproval / Table Application – Roll Call Vote.

- a. Mrs. Best-Wilke entertained a motion to approve, disapprove, or table the application.
- b. Mr. Lippus motioned to approve the application. Mr. Schmid seconded the motion. Roll Call: All ayes, motion carried.

XXI. Secretary Reads the Request on the Proposed Amendment.

- a. The Perkins Township Zoning Commission will conduct a public working session to consider amendments to the text of the Perkins Township Zoning Resolution for smoke and vape shop regulations.

XXII. Staff Reviews the Planning & Zoning Department’s Staff Report

- a. Mr. Panas stated that we have an active moratorium on zoning approval for so-called “smoke and vape shops” that is set to expire 8/28/2024. Staff and the Board of Trustees feel it is in the best interest of our residents to establish new regulations for such establishments so that they may co-exist in our local economy while respecting our Zoning Resolution’s intent and purposes.
- b. Mr. Panas stated that he wanted to have a public working session on this topic prior to beginning research so that he is researching what the Commission believes he should be.
- c. Staff believes we can achieve the goal of providing better structure to regulate this land use by doing the following two (2) things: (1) Establish a definition for “smoke and vape shops”; and (2) Establish the land use as a “conditional use” in the “I-1” (Light Industrial District) and the “I-2” (Heavy Industrial District), respectively. Conditions can be created to mitigate negative aspects of these developments, as displayed by future research.
- d. The Zoning Commission should review the contents presented above and provide input to staff to guide our research and drafting of text amendments for the July 8th Zoning Commission meeting.

XXIII. Discussion from Commission.

- a. Mrs. Best-Wilke asked Mr. Panas if this was intended to regulate adult use cannabis operations. Mr. Panas stated that this was not the intention, and that the Township has a separate moratorium and proposed text amendments, respectively, in the pipeline for that land use. Regulating these “so-called smoke and vape shops” would be limited to land uses such as “head shops”, CBD stores, and the like, where the main sales occurring are related to tobacco or so-called “tobacco-adjacent” products.
- b. The Commission agreed that the proposed direction of regulation presented by staff was appropriate and stated that they look forward to reviewing Mr. Panas’ findings.

XXIV. Old Business:

- a. Case #: ZC2024-05 – Text Amendments to Article 25.6.4 will be heard at the Board of Trustees meeting tomorrow, Tuesday, June 11, 2024. This is the amendment proposed, post-edits:
 - i. “4) All vehicles located on parcels with a lot area of one acre or less in Residential Zoned Districts, must be parked on an improved surface including but not limited to crushed stone, gravel or similar material, asphalt, concrete, brick, paving blocks, **interlocking permeable paver grid systems, etc., such that the weight of the vehicle(s) stored is supported.**”

XXV. New / Other Business:

- a. There was no new / other business to be discussed.

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XXVI. Commission Motion & Second to adjourn the public meeting – Voice Vote.

- a. With no further business, Mrs. Best-Wilke entertained a motion to adjourn the public meeting. Mr. Schmid motioned to adjourn, Mr. Wilson seconded. Roll Call: All ayes, motion carried.

*Pheryl Best-Wilke
Chairperson
7/8/2024*