

MEETING MINUTES
PERKINS TOWNSHIP BOARD OF ZONING APPEALS
MONDAY, JULY 15, 2024 @ 4:00 PM
PERKINS TOWNSHIP SERVICES FACILITY – BIG MEETING ROOM
2610 COLUMBUS AVENUE, SANDUSKY, OH 44870

- I. **Call to Order.**
a. Mr. Kastor called the meeting to order at 4:00PM
- II. **Pledge of Allegiance.**
a. Mr. Kastor led everyone in the Pledge of Allegiance.
- III. **Roll Call – Members of the Board and Staff.**
a. Mr. Kastor asked for a roll call to be taken.
b. Mr. Adam Panas conducted said roll call:
i. Board Members Present:
1. Mr. Ted Kastor – Chairperson
2. Mr. Larry Pitts – Vice Chair
3. Mr. Michael Bixler
4. Mr. Will Spence
ii. Board Members Absent & Excused:
1. Mr. Gary Gast
2. Mr. David Bertsch
iii. The following staff members were in attendance:
1. Mr. Adam Panas, Planner/Zoning Inspector
2. Mr. Mason Davis, Intern
- IV. **Approval of Previous Meeting Minutes (Tuesday, May 28, 2024, Special Meeting).**
a. Mr. Kastor entertained a motion to approve the previous meeting minutes from May 28, 2024; Mr. Spence motioned to approve the minutes; Mr. Pitts seconded.
Roll Call: All ayes, motion carried.
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- V. **Chairperson's Welcome and Explanation of Public Hearing & Meeting.**
a. 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.
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- VI. **Secretary Reads the Request on the Proposed Application.**
a. Mr. Panas read the request on the proposed application. APPLICATION #BZA2024-17- An application for a variance permit was submitted by Angela



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Clifton for property located at 706 Parkland Drive, Sandusky, OH 44870 (PPN 32-02607.000). The variance request is to alter the house such that it will be set back eighteen (18) feet from public right of way whereas Article 13.3 requires a minimum front yard setback of 35 feet for properties zoned R-1A (Single-Family Serviced Residential).

VII. Staff Reviews the Community Development Staff Report.

- a. Site Details:
 - i. Staff has reviewed this application and has conducted a site inspection of the subject property and surrounding area. In this regard, it is noted that the property is located on the south side of Parkland Drive. Vehicular access to this property is provided by a private driveway which connects with Parkland Drive.
- b. Surrounding Land Uses:
 - i. North: Single-Family Residences, zoned "R-1A" (Single-Family Residential); Quick Lane service center, zoned "I-1" (Light Industrial); Mathews Ford dealership, zoned "C-2" (General Commercial)
 - ii. East: Single-Family Residences, Wolf Inn Motel zoned "R-1A" (Single-Family Residential)
 - iii. South: Oakland Cemetery, zoned "R-1A" (Single-Family Residential)
 - iv. West: Single-Family Residences, zoned "R-1A" (Single-Family Residential)
- c. Comprehensive Plan – Future Land Use Map Designation:
 - i. The Perkins Township Compressive Plan's Future Land Use Map designates these parcels for future medium-density residential development.
- d. Purpose of Variance:
 - i. "The applicant states that she has a disability and requests the front yard setback variance to alter the existing front porch such that it is more durable and has smaller steps and handrails to help prevent falling."
Note: A site plan was provided by the applicant.
- e. Departmental Feedback:
 - i. Fire Chief: No objection to the requested variance.
 - ii. Police Chief: No objection to the requested variance.
 - iii. Public Works Director: No objection to the requested variance.
 - iv. Chief Building Official: No objection to the requested variance.
- f. Public/Adjacent Property Owner Feedback:
 - i. At the time of writing this report, we have not received any feedback written or otherwise regarding the requested variance.

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g. Conclusion

- i. The applicant seeks the approval from the Board of Zoning Appeals of a variance to the Zoning Resolution's requirements related to the minimum required front yard setback for single-family residences.

This application has been reviewed from the perspective of the Zoning Resolution's standards as noted above. In this regard, it is noted that the requested variance seems reasonable from staff's perspective, as the applicant cannot help that the home was constructed a shorter distance from the front property line than is required today.

The Board of Zoning Appeals should also review this request for compliance with the Zoning Resolution's standards/criteria, and should consider the same at a "public hearing" scheduled for July 15, 2024. Subsequent to that hearing, the Board should make a decision as to whether to grant or deny this variance. This application for a variance is hereby respectfully submitted for your consideration.

VIII. Open the Public Hearing.

- a. Applicant/Appellant Presentation
 - i. Mrs. Angela Clifton, the applicant and property owner of 706 Parkland Drive, stated that she had no further comments.
- b. Audience remarks:
 - i. "For" Request. No comment.
 - ii. "Against" Request. No comment.

IX. Board Motion to Close Public Hearing and Open Public Meeting – Roll Call Vote.

- a. Mr. Kastor entertained a motion to close the public hearing and open the public meeting. Mr. Spence made a motion to close the public hearing and open the public meeting, Mr. Bixler seconded the motion. Roll Call: All ayes, motion carried.
- b. Mr. Kastor entertained a motion to approve or deny the variance. Mr. Spence motioned to approve BZA2024-17, Mr. Bixler seconded the motion. Roll Call: All ayes, motion carried.

X. Secretary Reads the Request on the Proposed Application.

- a. Mr. Panas read the request on the proposed application. APPLICATION #BZA2024-18- An application for a variance permit was submitted by Angela Clifton for property located at 706 Parkland Drive, Sandusky, OH 44870 (PPN 32-02607.000). The variance request is to construct a privacy fence that is 8 (eight) feet tall, whereas Article 26, Section 10.2.a requires a maximum height of six (6) feet in residential districts.

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XI. Staff Reviews the Community Development Staff Report.

- a. Site Details:
 - i. Staff has reviewed this application and has conducted a site inspection of the subject property and surrounding area. In this regard, it is noted that the property located on the South side of Parkland Drive. Vehicular access to this property is provided by a private driveway which connects with Parkland Drive.

- b. Surrounding Land Uses:
 - i. North: Single-Family Residences, zoned "R-1A" (Single-Family Residential); Quick Lane service center, zoned "I-1" (Light Industrial); Mathews Ford dealership, zoned "C-2" (General Commercial)
 - ii. East: Single-Family Residences, Wolf Inn Motel zoned "R-1A" (Single-Family Residential)
 - iii. South: Oakland Cemetery, zoned "R-1A" (Single-Family Residential)
 - iv. West: Single-Family Residences, zoned "R-1A" (Single-Family Residential)

- c. Comprehensive Plan – Future Land Use Map Designation:
 - i. The Perkins Township Compressive Plan's Future Land Use Map designates these parcels for future medium-density residential development.

- d. Purpose of Variance:
 - i. "The applicant states that she requests the fence height variance to increase privacy because her current neighbors make her feel uncomfortable when she uses her pool."
Note: A site plan was provided by the applicant.

- e. Departmental Feedback:
 - i. Fire Chief: No objection to the requested variance.
 - ii. Police Chief: No objection to the requested variance.
 - iii. Public Works Director: No objection to the requested variance.
 - iv. Chief Building Official: No objection to the requested variance.

- f. Public/Adjacent Property Owner Feedback:
 - i. At the time of writing this report, we have not received any feedback written or otherwise regarding the requested variance.

- g. Conclusion
 - i. The applicant seeks the approval from the Board of Zoning Appeals of a variance to the Zoning Resolution's requirements related to the maximum permitted fence height on residentially zoned properties.

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This application has been reviewed from the perspective of the Zoning Resolution's standards as noted above. In this regard, staff cannot recommend approval of this variance because of the absence of a hardship created by the land itself.

The Board of Zoning Appeals should also review this request for compliance with the Zoning Resolution's standards/criteria, and should consider the same at a "public hearing" scheduled for July 15, 2024. Subsequent to that hearing, the Board should make a decision as to whether to grant or deny this variance. This application for a variance is hereby respectfully submitted for your consideration.

XII. Open the Public Hearing.

- a. Applicant/Appellant Presentation
 - i. Mrs. Angela Clifton, the applicant and property owner of 706 Parkland Drive, stated that she was seeking the variance to allow for a taller fence in order to provide more privacy. She claimed that her neighbor was an alleged sex offender and that she was uncomfortable.
 - ii. Mr. Kastor responded that this claim could not be admissible evidence in consideration of her variance request.
- b. Audience remarks:
 - i. "For" Request. No comment.
 - ii. "Against" Request. No comment.

XIII. Board Motion to Close Public Hearing and Open Public Meeting – Roll Call Vote.

- a. Mr. Kastor entertained a motion to close the public hearing and open the public meeting. Mr. Bixler made a motion to close the public hearing and open the public meeting, Mr. Spence seconded the motion. Roll Call: All ayes, motion carried.
- b. Mr. Bixler noted the importance of maintaining a consistent maximum height for fences across Perkins Township, and the rest of the board concurred.
- c. Mr. Bixler asked the staff what situations had resulted in the board approving such variances in the past. Staff replied that an applicant from Taylor Road in 2023 who had a steep grade between their property and neighbor's property, which they were attempting to screen, which would have caused a 6-foot fence to hardly cover the area the applicant wanted to screen.
- d. Mr. Kastor entertained a motion to approve or deny the variance. Mr. Bixler motioned to deny BZA2024-17, Mr. Spence seconded the motion. Roll Call: All ayes, motion carried.

XIV. Secretary Reads the Request on the Proposed Application.

- a. Mr. Panas read the request on the proposed application. APPLICATION

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#BZA2024-19- An application for a variance permit was submitted by Kendra James Smith for property located at 2105 Hull Road, Sandusky, OH 44870 (PPN 32-01420.000). The variance request is to construct a third (3rd) accessory structure on the property; whereas, for properties zoned R-1A (Single-Family Serviced Residential), Article 13, Section 6.10 permits a maximum of two (2) accessory structures.

XV. Staff Reviews the Community Development Staff Report.

- a. Site Details:
 - i. Staff has reviewed this application and has conducted a site inspection of the subject property and surrounding area. In this regard, it is noted that the property is located on the north side of Hull Road. Vehicular access to this property is provided by a private driveway which connects with Hull Road.
- b. Surrounding Land Uses:
 - i. North: Single-Family Residences, zoned "R-1A" (Single-Family Residential)
 - ii. East: Single-Family Residences, zoned "R-1A" (Single-Family Residential)
 - iii. South: Single-Family Residences, zoned "R-1A" (Single-Family Residential)
 - iv. West: Single-Family Residences, zoned "R-1A" (Single-Family Residential)
- c. Comprehensive Plan – Future Land Use Map Designation:
 - i. The Perkins Township Compressive Plan's Future Land Use Map designates these parcels for future low-density residential development.
- d. Purpose of Variance:
 - i. "The applicant states that she requests the variance to construct a 3rd accessory structure on the property to replace the accessory structure that was taken down due to concerns about its structural integrity."
Note: A site plan was provided by the applicant.
- e. Departmental Feedback:
 - i. Fire Chief: No objection to the requested variance.
 - ii. Police Chief: No objection to the requested variance.
 - iii. Public Works Director: No objection to the requested variance.
 - iv. Chief Building Official: No objection to the requested variance.
- f. Public/Adjacent Property Owner Feedback:
 - i. At the time of writing this report, we received feedback from one (1) surrounding property owner. On Tuesday, July 9, 2024, Mr. Ron

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Schweinfurth of 2101 Hull Road stated that he was concerned that the applicants were going to use the proposed accessory structure to test drag racing engines and that this would create a noise nuisance. Mr. Schweinfurth stated that he would prefer the new building to be placed in the SW corner of the property, where the existing smaller shed is located.

g. Conclusion

- i. The applicant seeks the approval from the Board of Zoning Appeals of a variance to the Zoning Resolution's requirements related to the maximum permitted number of accessory structures on properties zoned "R-1A" (Single-Family Serviced Residential) District.

This application has been reviewed from the perspective of the Zoning Resolution's standards as noted above. In this regard, staff cannot recommend approval because of the absence of a hardship created by the land. Staff notes that this type of variance request is becoming more common and that an amendment to the Zoning Resolution to exempt pools from the accessory structure count is being considered, but more research needs to be done.

The Board of Zoning Appeals should also review this request for compliance with the Zoning Resolution's standards/criteria, and should consider the same at a "public hearing" scheduled for July 15, 2024. Subsequent to that hearing, the Board should make a decision as to whether to grant or deny this variance. This application for a variance is hereby respectfully submitted for your consideration.

XVI. Open the Public Hearing.

a. Applicant/Appellant Presentation

- i. Mrs. Kendra James-Smith, the applicant and property owner of 2105 Hull Road, stated that she was seeking the variance for the purpose of additional storage. She explained that she already had two accessory structures, a pool and a shed, which limited her available storage space. A small storage shed that was on the property had been taken down by her and her husband due to deterioration. This was done without applying for a demolition permit. Mrs. James-Smith explained she had been unaware of the requirement for a demolition permit at the time.
- ii. Mrs. James-Smith responded to the comment from Mr. Ron Schweinfurth of 2101 Hull Road, stating that they had no intention of using the proposed shed for any purposes outside of storage. She claimed that Mr. Schweinfurth had raised several problems with her in the past.

b. Audience remarks:

- i. "For" Request. No comment.
- ii. "Against" Request. No comment.

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XVII. Board Motion to Close Public Hearing and Open Public Meeting – Roll Call Vote.

- a. Mr. Kastor entertained a motion to close the public hearing and open the public meeting. Mr. Spence motioned to close the public hearing and open the public meeting, Mr. Bixler seconded the motion. Roll Call: All ayes, motion carried.
- b. Mr. Kastor entertained a motion to approve or deny the variance. Mr. Kastor motioned to approve BZA2024-19, Mr. Spence seconded the motion. Roll Call: All ayes, motion carried.

XVIII. Secretary Reads the Request on the Proposed Application.

- a. *Mr. Panas read the request on the proposed application. APPLICATION #BZA2024-20- An application for a variance was submitted by Brady Signs Co. on behalf of Grande Hospitality LLC for property located at 5909 Milan Road, Sandusky, OH 44870 (PPN 32-03989.000). The variance request was to alter a freestanding sign set back approximately ten (10) feet from the public right of way whereas Article 28, Section 12.4.a requires a minimum setback distance of thirty (30) feet from the public right of way.*

XIX. Staff Reviews the Community Development Staff Report.

- a. Site Details:
 - i. Staff has reviewed this application and has conducted a site inspection of the subject property and surrounding area. In this regard, it is noted that the property is located on the south side of Milan Road. Vehicular access to this property is provided by a private driveway which connects with Milan Road.
- b. Surrounding Land Uses:
 - i. North: Agricultural Use, zoned “R-1A” (Single-Family Serviced Residential District); Sandusky Fireworks Superstore, Speedway Gas Station, zoned “C-2” (General Commercial District); Kalahari Employee Housing, zoned “PUD” (Planned Unit Development District); Plumbrook Villas West, zoned “R-3” (Multi-Family Residential District).
 - ii. East: Best Western Hotel, zoned “C-2” (General Commercial District), Best Budget Inn/UHAUL, zoned “PUD” (Planned Unit Development District).
 - iii. South: Single-Family Residences, zoned “R-1” (Single-Family Serviced Residential District); Residence, zoned “R-2” (Two-Family Residential District).
 - iv. West: Plumbrook Villas West, zoned “R-3” (Multi-Family Residential District); Single-Family Residences, zoned “R-1” (Single-Family Serviced Residential District)
- c. Comprehensive Plan – Future Land Use Map Designation:
 - i. The Perkins Township Compressive Plan’s Future Land Use Map

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designates 5909 Milan Road for future commercial use.

- d. Purpose of Variance:
 - i. “The applicant proposes to alter a freestanding sign set back approximately ten (10) feet from the public right of way whereas Article 28, Section 12.4.a requires a minimum setback distance of thirty (30) feet from the public right of way.”
Note: A site plan was provided by the applicant.
- e. Departmental Feedback:
 - i. Fire Chief: No objection to the requested variance.
 - ii. Police Chief: No objection to the requested variance.
 - iii. Public Works Director: No objection to the requested variance.
 - iv. Chief Building Official: No objection to the requested variance.
- f. Public/Adjacent Property Owner Feedback:
 - i. At the time of writing this report, we have not received any feedback written or otherwise regarding the requested variance.
- g. Conclusion
 - i. The applicant seeks the approval from the Board of Zoning Appeals of a variance to the Zoning Resolution’s requirements regarding the minimum required setback from the public right-of-way for freestanding signage on U.S. Route 250 (Milan Road).

This application has been reviewed from the perspective of the Zoning Resolution’s standards as noted above. In this regard, it is noted that the requested variance seems reasonable from staff’s perspective because there is a hardship created by the land itself, which were also outside of the property owner’s control, in the widening of U.S. Route 250.

The Board of Zoning Appeals should also review this request for compliance with the Zoning Resolution’s standards/criteria and should consider the same at a “public hearing” scheduled for July 15, 2024. Subsequent to that hearing, the Board should make a decision as to whether to grant or deny this variance. This application for a variance is hereby respectfully submitted for your consideration.

XX. Open the Public Hearing.

- a. Applicant/Appellant Presentation
 - i. Mr. Nathan Glass, a representative for Brady Sign company, was present and stated that he had no further comments for the board.
- b. Audience remarks:

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- i. "For" Request. No comment.
- ii. "Against" Request. No comment.

XXI. Board Motion to Close Public Hearing and Open Public Meeting – Roll Call Vote.

- a. Mr. Kastor entertained a motion to close the public hearing and open the public meeting. Mr. Bixler motioned to close the public hearing and open the public meeting, Mr. Spence seconded the motion. Roll Call: All ayes, motion carried.
 - b. Mr. Kastor entertained a motion to approve or deny the variance. Mr. Spence motioned to approve BZA2024-20, Mr. Pitts seconded the motion. Roll Call: All ayes, motion carried.
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XXII. Old Business.

- a. Mr. Panas stated that staff did not have any old business to be discussed with the Board.

XXIII. New / Other Business.

- a. Mr. Panas stated that at the time of the meeting no applications had been filed for the August BZA Meeting. Applicants have until 4:00PM on Monday, July 29, 2024, to submit application materials.
- b. Mr. Pitts requested that the staff look into sign regulations within Perkins Township. Mr. Panas replied, stating that the topic of signage amendments is planned to be brought before the Zoning Commission in the coming months.

XXIV. Adjourn Meeting.

- a. Mr. Kastor entertained a motion to adjourn the meeting; Mr. Spence motioned to adjourn the meeting; Mr. Bixler seconded the motion. Roll Call: All ayes, motion carried. The meeting was adjourned.
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