

Minutes of Perrysburg Planning and Zoning Committee

Meeting Held June 7, 2023

CALL TO ORDER - 5:30 PM

The meeting was called to order at 5:34 p.m. by Chairperson Tim McCarthy.

ROLL CALL

Committee Members present were Barry VanHoozen, Tim McCarthy, and Cory Kuhlman. Also present were Tim Effler, Law Director, Brody Walters, Planning and Zoning Administrator, and Mark Easterling, Deputy Planning and Zoning Administrator.

CITIZEN'S CONCERNS

None.

APPROVAL OF APRIL 5, 2023 MEETING MINUTES

There being no objections, the minutes of the April 5, 2023 meeting were approved 3-0.

NON-CONFORMING SIGN DISCUSSION

Mr. McCarthy asked that this be put on the agenda, in light of the letter received from Scott Anderson, Vice Chair of the Board of Zoning Appeals. Mr. Easterling explained that Code Section 1250.38 provided that businesses with signage that did not comply with the City's Sign Code would have until December 31, 2022 to make changes in their signs without being requested to bring them into full compliance with the Sign Code. Since December 31, 2022, businesses with nonconforming signage have been required to bring their signs into full compliance with the Sign Code in the event they wished to make changes.

As a result, several businesses have sought variances from different aspects of the Sign Code when they were seeking to make changes in their signage, and many variances have been granted. At a recent meeting, the Planning Commission voted unanimously to remove the provision allowing variances from the Sign Code.

Mr. McCarthy asked why this did not come to the Planning and Zoning Committee before being presented to the Planning Commission. Mr. Easterling responded that it was an open discussion at the Planning Commission and they informally voted to show that they are in favor of eliminating variances. Mr. McCarthy is not sure how there is a requirement that does not have a variance process. Mr. Easterling responded that most of the Chapter 1250 provisions cannot have a variance.

Mr. Walters added that there is only a small portion of the Zoning Code that is eligible for a variance. Mr. Effler stated that businesses have had a ten year period to get into conformity before it even went into enforcement actions.

Mr. McCarthy commented that even the change in one tenant name on a multi-tenant sign would trigger the requirement to bring the entire sign into full compliance.

Mr. Easterling explained that the change in the nameplate may be the City's only opportunity to bring the sign into compliance with the Sign Code.

Becky Williams, 421 East Sixth Street, explained that she was the one that made the motion at Planning Commission because she wanted this to come to the Planning and Zoning Committee. Mr. Kuhlman asked if nonconforming signs were grandfathered in. Mr. Walters explained they were grandfathered in as nonconforming signs as long as they were not making structural changes. As a result, businesses are not coming into conformance with the Sign Code.

Mr. VanHoozen stated that Planning Commission's recommendation to do away with variances could create undue hardship, as Mr. Anderson also noted in his letter to City Council. Mr. Kuhlman does not like the idea of saying something is okay and going back to say it is no longer okay. Mr. Kuhlman noted that this is something that we need to be cognizant about.

Mr. McCarthy requested that the Committee be provided the BZA minutes from the 2023 meetings. He would like to gain a better understanding of what the BZA is doing. Mr. Kuhlman asked if there is a list of all of the non-conforming signs. Mr. Walters responded that there are a lot and there is no practical way to gather a list of them all. Mr. McCarthy stated that this topic will be on the agenda for next month as well.

OTHER BUSINESS

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:27 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Timothy G. McCarthy". The signature is written in a cursive, flowing style.

Tim McCarthy, Chairperson
Planning and Zoning Committee

Next meeting: Wednesday, July 5, 2023 at 5:30 p.m.