

Minutes of Perrysburg Board of Zoning Appeals

Meeting Held December 9, 2024

CALL TO ORDER - 5:30 PM

The meeting was called to order at 5:30 p.m. by Chairperson Scott Anderson.

ROLL CALL

Board members present were Scott Anderson, Michael McIntyre, Matthew Sutter, Bill Williams, and Travis Wolfinger. Also present was Mark Easterling, Deputy Planning and Zoning Administrator.

APPROVAL OF NOVEMBER 18, 2024 MEETING MINUTES

Mr. Sutter move to approve the minutes of the November 18, 2024 meeting as written. The motion was seconded by Mr. Williams. Ayes: Anderson, McIntyre, Sutter, and Williams (4). Abstain: Wolfinger (1).

ADMINISTER OATH

Mr. Anderson administered the oath to those who would be speaking during the meeting.

ZONING PERMIT OBLIGATION

Mr. Easterling reminded the applicants that if their application is approved, they still need to get a zoning permit.

NEW BUSINESS

APPLICATION 36-24

Eric Hennan of Image360, on behalf of Kibo House, is requesting a zoning variance to construct an additional new freestanding sign in the front yard. The property is located at 1121 Louisiana Avenue and is zoned C-3 (Community Shopping).

NOTE: Chapter 1250.33(a) Permanent Freestanding Signage

Zoning District: C-3

Maximum Height: 10'

Maximum Size: 72 Square Feet

Minimum Setback: 10' Setback

Quantity: 1 per street frontage, plus 1 for each additional 500 feet

NOTE: Chapter 1250.39 Variances

(a) *That the literal enforcement of the requirements of this chapter would involve practical difficulties based on the presence of special conditions and circumstances*

which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same zoning district. A finding of such special conditions or circumstances shall be based on a review of factors including but not limited to the following:

(1) Exceptional narrowness, shallowness or shape of a specific property on the effective date of this chapter or amendment; or

(2) Exceptional topographic or environmental conditions or other extraordinary situation on the land, building or structure; or

(3) The impact on the property of uses or development of immediately adjoining property or properties.

(4) Whether the applicant was aware of the relevant code limitation when the property was sold or leased to it.

(5) Whether the property in question will yield a reasonable rate of return in the absence of the proposed variance, or whether there can be any beneficial use of the property without the proposed variance.

(6) Whether the issue could be resolved by some other method, even if this alternate method is less convenient or most costly to achieve.

(b) That granting the variance will not cause a substantial adverse effect to property or improvements in the vicinity or will not materially impair the intent and purposes of the requirement being varied or of this chapter and is the minimum variance necessary to provide relief.

(c) That the variance would not adversely affect the delivery of governmental services (e.g., water, sewer, garbage).

(d) That the variance as granted would not confer on the applicant any special privilege, or deprive the applicant of rights, when compared with those rights commonly enjoyed immediately adjoining properties;

(e) That the variance request is not one where the specific conditions pertaining to the property are so general or recurrent in nature as to make the formulation of a general regulation for those conditions reasonably practicable.

1. The applicant is requesting a variance to install an additional freestanding sign in the front yard 83' from another freestanding sign.

Recommendation:

1. The Deputy Administrator recommends denial as the request does not meet all the

conditions required to grant a variance outlined in Chapter 1250.39. In addition, the parcel houses multiple businesses. Future signage should be made into a multi-tenant sign to reduce the amount of signage on the parcel. The nonconforming sign for Pizza Hut is on the same parcel and is only 83' from the proposed sign location. As the parcel is under single ownership, this would create an opportunity to bring the single pole sign into compliance, making it multi-tenant and allowing the signage to all come into compliance with the current code.

Mr. Easterling reviewed Application 36-24. Eric Hennen of Image360 was present. He said that there has been a sign there forever, and there is one owner of the parcel, but there are two businesses. Mr. Anderson asked what happened to the old sign. Mr. Easterling said that it has been down for more than 90 days, so it has lost its non-conforming status. Mr. Hennen said that they took it down, and they were unaware of the zoning regulations. He added that Pizza Hut has a sign so they are not going to want to spend any money to put in a multi-tenant sign. Mr. Anderson explained to Mr. Hennen that when there is a non-conforming sign and they are just changing the nameplate, they are okay with that, but this is different. Mr. Sutter said that he agrees with Mr. Anderson. He said he can't support this as he has concerns about creating a precedent. Mr. Hennen asked if anything could be added to the Pizza Hut sign. Mr. Easterling said that nothing could be added because that it also a non-conforming sign. He said that if the business changed they could request approval from the Board for a face change.

Mr. Anderson moved to approve Application 36-24. Seconded by Mr. Sutter. Ayes: (0). Nays: (5).

APPLICATION 37-24 - THE APPLICATION HAS BEEN REMOVED BY THE APPLICANT & DEFERRED TO JANUARY 13, 2025

APPLICATION 38-24

Cassandra Billstein is requesting a zoning variance that would allow for the construction of an accessory structure above the 5% allowed. The property is located at 411 W. Second Street and is zoned R-3 (Single Family Residential).

NOTE: Chapter 1250.61(f) Accessory Structures and Uses: combined footprints of all accessory buildings on a lot shall not exceed the lesser of 5% of the lot size or 4,000 SF. However, the Board of Zoning Appeals may consider an exception to the maximum size requirement providing that the requested size does not exceed 8% of the lot size.

1. The applicant is requesting a variance to keep an accessory building. The variance would allow for the 190 SF structure to remain in the rear of the property, eclipsing the 4% maximum in addition to the existing garage (628 SF). This accessory structure would bring the total percentage of accessory structures to 7.48%.

The Deputy Administrator recommends approval of the variance based on meeting criteria for variances B, C, D, and F of Chapter 1275.02(c)(3). The structure is at the rear of the property and is not permanent. This structure poses no visibility or safety concerns.

Mr. Easterling reviewed Application 38-24. Devin Billstein, 411 West Second Street, was present. Mr. Sutter asked if any comments were received from neighbors, and Mr. Easterling said there were not. Mr. Anderson asked if this is a temporary structure. Mr. Billstein said he only needs it in the winter, but he doesn't want to take it down in the summer. Mr. McIntyre said that he saw some sandbags near it, and he wondered if there had been some issues with it blowing in the wind. Mr. Billstein said he has had no issues with it.

Mr. Williams moved to approve Application 38-24 based on meeting criteria B, C, D and F of Section 1275.02(c)(3). Seconded by Mr. Wolfinger. Ayes: (5). Nays: (0).

APPLICATION 39-24 - THE APPLICATION HAS BEEN REMOVED BY THE APPLICANT AND DEFERRED TO JANUARY 13, 2025

OTHER BUSINESS

Mr. Easterling called attention to the 2025 schedule of meetings that was distributed to the Board members. He also thanked Mr. Anderson for his service as this was his last meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:48 p.m.

Respectfully submitted,

Mary Jo Sutton
Recording Secretary