

PERRYSBURG TOWNSHIP BOARD OF ZONING APPEALS
26609 Lime City Road
Perrysburg, OH 43551

PUBLIC HEARING
APRIL 18, 2006

The Perrysburg Township Board of Zoning Appeals held a public meeting on April 18, 2006, at 26609 Lime City Road, Perrysburg, Ohio. Russell Sturgill, Chairman, called the meeting to order at 6:08 p.m. A roll call was taken. Mr. Sturgill said they have five members present, and they can conduct business. The meeting was tape-recorded. Grant W. Garn, Zoning Inspector, was also present.

MEMBERS PRESENT: Russell Sturgill, Elsie Hetman, Bill Irwin, Bob Warnimont, and Thomas Warns. James Bennett was present in the audience.

MEMBERS ABSENT: Russell R. Miller.

APPROVAL OF 3/21/06 ORGANIZATIONAL AND MEETING MINUTES:

Mr. Sturgill asked if all the members received a copy of those minutes, and all indicated they had. He then asked if there were any additions, deletions, or corrections, and there were none. Ms. Hetman moved with a second by Mr. Irwin to approve the organizational minutes. A roll call vote was taken. Yes votes by Ms. Hetman, Mr. Irwin, Mr. Warnimont, and Mr. Sturgill. Mr. Warns abstained. Motion carried 4-0-1.

Mr. Sturgill asked if all the members had received a copy of those minutes, and all indicated they had. He then asked if there were any corrections, additions, or deletions, and there were none. Ms. Hetman moved with a second by Mr. Warnimont to approve the minutes. A roll call vote was taken. Yes votes by Ms. Hetman, Mr. Warnimont, Mr. Irwin, and Mr. Sturgill. Mr. Warns abstained. Motion carried 4-0-1.

Mr. Sturgill swore in all persons wishing to address the board this evening.

APPLICATION NUMBER 2006-5681, (Variance). The Perrysburg Heights Community Association of 12282 Jefferson Street would like to build a gymnasium and teen education room addition. This property is zoned A-1. Article V, Section A, Table 5.1 states that the rear yard setback shall be at least 75 feet. They are proposing a rear yard setback of 36 feet 8 inches. They are asking for a rear yard setback that is 38 feet 4 inches too short.

Paul Belazis addressed the board regarding this application. He told the board he is a member of the board of the Perrysburg Heights Association, and he has been involved

with them for about the last 15 years. He is joined by Mike McIntyre and Fred Moore, and both of them are members with their association as well.

This gym project is one that they have been working on for about 10 years. That's when they conceived the idea, and for about the last 5 years they have been raising money to try to create it. As they may know, the PHA serves children and families from the township, principally from the Heights community, but they have been serving children from throughout the township and really many parts of NW Ohio for many years. At the center they provide a range of services mostly for the kids and some family activities, but there is a very heavy tutoring component. The kids that go there, particularly children from the neighborhood, when they first began they had a lot of difficulty with school failure, and just absence, and destructive activities, so they have tried to fill that gap over the years. They provide programming year-round, five days a week. They have full time programming staff at the center. In addition to tutoring they provide a range of educational and recreational activities just to keep the kids busy, and help them to learn, and keep them interested, and just to help them succeed. And so far they have had a lot of success with what they have done.

Right now they have an arrangement with the YMCA in Greater Toledo. They are providing the staffing component, and they have two full-time equivalent staff people here Monday through Friday. They are there for the kids after-school until 8:00 in the evening. In the summer time they change it and they start it at about 10:00 in the morning until about five in the afternoon.

There is a park. The center is surrounded by 6 acres that they purchased over a period of time starting in 1991 or so, and they got it with block grant money from the county. They purchased a couple of acres at a time. They started working in a construction trailer, and eventually the township gave them money to put up a community center. That's when things really began to flourish.

Mr. Sturgill told Mr. Belazis that he could not hear him. He said he needed to stay there because they are recording it, but he is not speaking loud enough. Mr. Belazis asked if they wanted him to start over, and there was no request to do that. Mr. Belazis said he was sorry, but as the day wears on, his voice gets a little bit softer.

Mr. Belazis continued saying they have been providing this programming for many, many years, and it's been successful, and it's helped a lot of kids. Their aim with the gym is to try to expand their programming, and to be able to serve a larger number of kids from around the area to allow them to do more out-reach to larger numbers of kids throughout Perrysburg. Mr. Sturgill reminded him that they are here this evening about the building. Mr. Belazis said right. He said the main thing that he wanted them to understand is what the building would be used for, and what kinds of services they have been providing.

The building is about 11,000 square feet. It's going to be attached to their existing community center, and they will be providing the same kind of services in the gym that they have in the center. They have requested a setback variance for a number of reasons. One is that just from an aesthetic standpoint he guesses is the best way to put it, when you are coming in toward the center from Route 25 which is where most people will approach it, you will be able to see the center as well as the gym. If the gym is up further, you can't see the center. You don't know what's there. The second reason is if you pull it up, there is some existing parking in front of the building, and that will require them to eliminate that parking which does a couple of things. The first is that it will increase their costs because they have to have a certain amount of parking. The second thing is that it will require them to put the parking around to the side of the gym which means they will lose some additional space that they are now using in the park.

The park is used for outdoor activities in the summertime. They have a basketball court up there. There are baseball games. They have soccer. There is a range of activities for the kids. They want to try to maximize the amount of park space that's available to the kids. So if they can keep the parking in the front which is where it is now, then that will allow them to make better utilization of the space to the side of the building for the kids.

Mr. Sturgill asked if that was the north lot line, and the response was yes. Mr. Sturgill asked what was on the other side of the lot. Mr. Belazis said there are some commercial buildings. He said he can't tell him exactly what all of them are, but he thinks one of the owners, Mr. Friesner, is present, and he has some comments about it, and he can tell them what he does commercially at his building. Mr. Sturgill said so there is commercial behind them, and Mr. Belazis said yes. Mr. Sturgill said not farmland that they would be shading. Mr. Belazis said somebody might have a garden back there, but he does not think so.

Ms. Hetman asked where is the park. Mr. Belazis said the whole thing there is about 6 acres going east/west. It's kind of rectangular, and this is Jefferson. So you pull in, and right now they have their center. And parking is along here and here. Ms. Hetman said she thought he said a baseball park. Mr. Warnimont said to the left of it. Mr. Belazis said now over here to the left, this is all fields. There is a baseball diamond here, and also a baseball diamond here. There is a gazebo here. There is basketball. And all of this is used by the kids and really community. It's one of the most actively used parks here. Ms. Hetman said that looks like a parking lot. Mr. Belazis said the whole thing is pretty large, and then there is a little bit more over here.

A question was asked, the northern wall, does that kind of come in line with a fence that is there right now by their baseball diamond on the right hand side of the building, the upper right corner of the building. Mr. Belazis said Mr. Moore knows the layout better than he does, but there is a diamond somewhere in this vicinity. Mr. Sturgill

asked how tall is the building, and the response was the new gym, and Mr. Sturgill said the new building. Mr. Moore said this is alternate parking, their proposed alternate parking. It's not something that they are going to be doing now in this area. This is all parking. They would like to keep that, eliminate that unless they do need it in the future. What Mr. Belazis is saying is if they have to move this building out, it's going to cut into this area which right now it's used by, and Mr. Sturgill asked him to introduce himself.

Fred Moore addressed the board regarding this application. He said the particular area he is talking about, and Mr. Sturgill said he could go back and point it out. He said this is the new gym addition. What Mr. Belazis is speaking of, if this is moved forward, it's going to encroach in this particular parking area here, and there will be a significant expense for them to redo this parking. In addition to that they have a tutoring program that's going on now, and they have busses that come in on a continual basis. They enter this driveway, and circle out, and go out here, which would require them to reconfigure this whole area for these busses coming in. Perrysburg schools is providing after-school bus transportation back to this facility from all the grade schools in the Perrysburg area. They hope to even expand that further with having bus transportation from the middle school, junior high and high school that will be available for after-school programming also once this gym is built. So that will be a significant impact on this particular facility. This area over here is currently in parkland. They want to keep it that way. This is proposed to be additional parking here to compensate for the additional structure here. They also have off-street parking here. But they feel that the addition that they proposed and this parking here will be sufficient for this particular facility. But he thinks the overall need they have is to have this variance for the purpose of not having this move forward and causing additional expense here in this area, and also for safety reasons for the busses coming in and out.

Ms. Hetman said this probably does not pertain to this meeting, but she wants to know for her own benefit. Are they going to have locker rooms. Mr. Moore said no. They have restrooms, yes. This particular area in the facility here, there will be a teen program room right in this particular area, and then there will be restrooms over here, additional restrooms here. It's just been the thought of both boys and girls clubs when they were there when they first decided to build this facility that by having locker rooms, it's an additional expense, additional liability, and really not necessary for the programming that's going to take place in this facility.

Mr. Sturgill said so how tall is the building.

Mike McIntyre addressed the commission regarding this application. The height of the building is 30 feet, 3 inches at its very peak, and at the gutter level it's about 17 feet. It's a single story facility. The gym addition is a single story. That gives them enough height to shoot balls and what have you in the facility. So it's 30 feet. A question was asked how tall are the buildings behind it on the next street, just to get a frame of

reference. Mr. McIntyre said from their experience it would roughly be about the same. They are used for storage and warehouse storage, so it would be of similar height. The comment was made but the setback's different. That's industrial. Because they are about 30 feet from the fence. Mr. Garn said it's industrial zoning in the city behind, and under the zoning they are allowed to have buildings at 35 feet tall, so they are under the height requirement. The comment was made that this property is zoned by the township, and Mr. Garn confirmed that. The comment was there would be about the same distance from the fence as the buildings on the other side if this variance is granted, and Mr. Garn said they would have to hear from the neighbor to make sure. The comment was made just eyeballing it that's what it looks like. The comment was that was their observation that the other buildings were probably at a similar distance. A question was asked of Mr. Friesner, what did he say is beyond his line there, is it commercial. The response was this is where the industrial is, and there are a series of buildings that when he looks at them, he does not know the difference, but they are not residential. Ms. Hetman said but they are in Perrysburg, and the response was they are in the city. A question was asked if they had to notify the neighbors, and Mr. Garn said they were all notified. One of the neighbors is here.

There was one other point by the applicant. The advantage to them having the facility where it's positioned there, on an annual basis they have a festival, south-of-the-border festival, and it's a fundraiser for them. It's a source of some of the major programming throughout the year. With that they put a very large tent in there for dancing and for bands as the main hall. In addition to that there are other vendors around there. The space that is typically used and the most logical configuration is to put that tent, that hall in the front of the existing center across that parking lot. If they lose that, not that it can't be done, but traditionally what has attracted the crowds is a large tent structure that really fits there very well. Mr. Sturgill said what they are saying is it would be a real hardship to move it forward. The response was yes, it would be inconvenient. Yes, it would be a hardship. The applicant felt those were the main considerations, and they would be happy to answer any further questions.

Mr. Sturgill asked if the members had any further questions for the applicant, and there were none. Mr. Sturgill asked if there was anybody in the audience that wished to address the board.

Todd Friesner addressed the board regarding this application. He is a Perrysburg resident, and he owns the buildings immediately adjacent to this project. He would like to say, first of all, that he is very much in favor of this project. He thinks that it's been a great community effort. And knowing these gentlemen personally, he knows that they have done an outstanding job. It's really needed in the community. They are very much behind it, and everyone he knows in talking to his neighbors on Williams Road, which is the road north of Jefferson, those that he has talked to, the whole neighborhood is in favor of this project going forward.

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That being said, he has a concern as a neighbor. He owns the property immediately adjacent to the north. He has two industrial buildings on a one-acre site within the city. Their setback he believes by zoning code was 30 or 35 feet. The only concern that he has is they have had a loitering problem behind their buildings. The folks that are loitering are generally youth from the neighborhood, the heights community. They have found in the past couple of years hypodermic syringes and graffiti on one of their buildings. Until last December he also owned the building to the north and the east of this property, three buildings in a row. He had graffiti on that building. That prompted them a year and a half to 2 years ago, they went together with all of the neighbors and they put up a six-foot high chain link fence that runs all the way between the properties. His concern is that this is not a lure for kids to congregate, because they will be out of view from Jefferson Street. The buildings on Williams are a shelter of view from Williams Road. He believes that the remedy to this would be a means or a mechanism that they can help prevent a loitering issue. He is not opposed to the setback. He would propose that lighting would solve this issue. If there is adequate lighting on the back of the building, or if there is security lighting of some sort that could help disperse any kids from gathering, that would be great. That's his concern. The fence they put in did a great deal to alleviate the problem because they actually had, although this does not pertain to the building, but they had cars just driving through their yard to drive from Jefferson to Williams Road. The ice cream truck was the biggest offender.

Mr. Sturgill asked if he had outside lighting on his buildings, and he said they do on the front. He believes his neighbor to the west, he has lighting. His building is perpendicular to theirs. The front of their building faces Williams. The front of his building faces east, which is toward them, and he has lighting on the east side. Then the building to their east has lighting on the front, and the building to the east of that. All four of these properties form the north boundary of the entire park and the heights project. The building furthest to the east has it's lighting on the west. But he would simply ask if there could be a mechanism that would prevent this problem from occurring as far as the loitering is concerned.

Mr. Sturgill asked him where he would like them to put their lighting. Mr. Friesner said on the back of their building, or a security light just to light up the area in back. Mr. Sturgill asked him if he was going to put a security light on the back of his building also, and Mr. Friesner said no, he was not intending to, because once they put up the fence, that prevented the kids from migrating across from Jefferson Street to their property. But they will still be able to migrate across up to that fence line, and they will be behind the building. That's what he had to add.

He would like to close in saying that he thinks this is very much needed in the community, and they are very much in favor of the project. But he does have a concern, as a neighbor, that any problem that may exist is addressed now instead of later on.

Mr. Sturgill asked if there were any further questions of this gentleman, and there were none. Mr. Sturgill then asked are the applicants, as far as trying to be good neighbors, willing to put security lighting on the back of their building. The response was they will sincerely look at it, yeah.

Mr. Moore said he doesn't even know if on the existing prints if they have any lighting back there or not. He did not think there was, but he is not positive of that. He knows they have a genuine concern that the kids are kept engaged in programming out there, and this is the first he has been aware of this problem. Mr. Friesner said it's not a problem, it's a concern that he has. Ms. Hetman said she thinks they both should have some lights back there. The more lights the better. The applicant said they would be willing to look at it and see if they can come to an understanding back there. The comment was made it could be motion lights, something like that that does not have to be on all the time.

Mr. Friesner said the fence, all of the neighbors, it was a considerable expense to put up a fence. The stuff does not come cheap. It's a six-foot tall security fence. That stemmed the flow of traffic moving from the south north on to their property. They restricted the flow on to the property. They can be seen at the fence line. But when they come up to the back of the building, they can't be seen from Williams Road. So just by restricting them not getting on to the property in the first place, they still remain in view when you are driving by.

The comment was made so the feeling is no matter where the building is, they are still going to be able to congregate because it's a huge building anyway, or does he think it's more of problem because it's closer to his property and creates a smaller corridor. The response was he thinks a smaller corridor would be a greater lure than a large open area. Or if it is a small corridor, that it should be well lit. That's all. Mr. Warnimont asked if this happens after-hours, or is it during the time the kids are supposed to be inside, or is this like after the center closes, and then they gather say at 10:00 or 11:00. Mr. Friesner said he is not there at late hours to see when the graffiti is done. Mr. Warnimont said no, he meant the gathering of the kids. Mr. Friesner said that could be at any time. He sees it. He is not sure what causes the trend. He does not know whether it's the bus getting out, or the end of a program at the center. He does not know what causes that, but they do see them in groups of two or three.

They have called the police on occasion. They have a detention pond in front of their building with tall ornamental brasses in it, and they will find kids in there drinking. They will see him pull in, and they will run off, but they will go across the street and hide in a creek over there. And they have called the police, and they will come over and flush them out of there. But it's the migration. That's what prompted them to put up a fence. He does not want to speak on one of his neighbor's behalf, but he told him that he has outside brick storage, and this is why he agreed to putting a fence across the back. In fact, it was his idea. Because his outside brick storage, kids were moving

the bricks around making a fort out of it. That's a dangerous hobby. But the fence did remedy that, and the problem does not exist like it did. He does not want to be creating the problem again by having a narrow, dark corridor.

Mr. Sturgill said he thinks the center should probably commit to him that if it becomes a problem, they will light it if it becomes a problem on their lot. Mr. Friesner said he certainly trusts the word of these gentlemen. Mr. Sturgill asked them if they would be willing to make that commitment, and they responded they would be willing to make that commitment, yes. He thinks the suggestion also of some sort of motion light might be a good thing to do because it's not that expensive to do. Mr. Sturgill said that usually spooks them and scares them away. Mr. Sturgill asked Mr. Friesner if he was happy, and he responded say he was all set.

Mr. Warnimont asked Mr. Moore if they had their final drawings yet on the building, and the response was no. Mr. Warnimont said usually on that type of building, the ones he has seen, they always had lights on the back of the buildings, or on the side of a building outside. Mr. Moore said he knows there is going to be lighting on the front. That has been proposed and added. He does not know about the lighting on the back. Mr. Warnimont said it's a lot cheaper to do it when they are doing everything than to get the guy out there later to put them in. It's something really to look at, as long as they have good neighbors who like the program and everything, that a little bit of lighting will go a long way. Usually they complain about too much light. Mr. Moore agreed.

Mr. Sturgill asked if they were ready for a motion. Mr. Irwin moved with a second by Ms. Hetman to grant the variance. A roll call vote was taken. Yes votes by Mr. Irwin, Ms. Hetman, Mr. Warnimont, Mr. Warns, and Mr. Sturgill. Motion carried 5-0-0.

APPLICATION NUMBER 2006-5682, (Conditional Use). The Perrysburg Heights Community Association of 12282 Jefferson Street would like to build a gymnasium and teen education room addition to the community building. The property is zoned A-1. Article IV, Section A states that a recreational facility (non-commercial) uses shall require conditional use approval by the board of zoning appeals.

Paul Belazis addressed the board regarding this application. He said he does not think he has anything to add other than what they have already said. They know what they are using the building for, and how important it is to the community. He hopes that the conditional use request will be granted.

Mr. Sturgill asked if any board members had any questions for these gentlemen about this issue, and there were none. Mr. Warnimont moved with a second by Mr. Warns to accept the application. A roll call vote was taken. Yes votes by Mr. Warnimont, Mr. Warns, Mr. Irwin, Ms. Hetman, and Mr. Sturgill. Motion carried 5-0-0.

Mr. Sturgill asked if there was any new business to come before the board, and there was none. He asked if there was any old business to come before the board, and there was none. If not, he would entertain Ms. Hetmans' favorite motion. She said she forgets how to do it. Mr. Warnimont moved with a second by Mr. Irwin to adjourn. A roll call vote was taken. Yes votes by Mr. Warnimont, Mr. Irwin, Mr. Warns, Ms. Hetman, and Mr. Sturgill. The meeting was adjourned at 6:41 p.m.

Respectfully submitted,



Grant W. Garn,
Recording Secretary