



Board of Zoning Appeals **Meeting Minutes August 21, 2018**

Mr. Miller, Chair of the Perrysburg Township Board of Zoning Appeals, called the meeting to order at 6:00 p.m. Pledge of Allegiance was said. Mr. Miller then asked Ms. Hemminger to please call the roll.

Members present: Mr. Miller, Mr. Justus, Mr. Warnimont, Mr. Bilkovsky, and Ms. Wilker
Members absent: Mr. Irwin

Mr. Miller asked all those present who had cell phones to please turn them on vibrate or turn them off. Additionally, he mentioned the very sensitive microphones and asked if individuals were speaking amongst themselves to step outside or keep it to whisper because the microphones will pick it up.

Mr. Miller moved to the first formal item of business, the approval of the agenda for August 21, 2018. **Mr. Bilkovsky made a motion to approve the agenda, Mr. Warnimont seconded the motion.** Mr. Miller stated there was a motion and a second to approve and asked if there was any further discussion. Hearing none, Mr. Miller asked Ms. Hemminger to please call roll. *YES - Mr. Bilkovsky, Mr. Warnimont, Mr. Justus, Ms. Wilker, and Mr. Miller. Motion carried.*

Mr. Miller moved to the next formal item of business, the approval of the meeting minutes for the July 17, 2018 Board of Zoning Appeals meeting. **Mr. Warnimont made a motion to approve the meeting minutes, Ms. Wilker seconded the motion.** Mr. Miller stated there was a motion and a second to approve and asked if there was any further discussion. There being no further discussion, Mr. Miller asked Ms. Hemminger to please call roll. *YES - Mr. Warnimont, Ms. Wilker, Mr. Bilkovsky, Mr. Justus, and Mr. Miller. Motion carried.*

Mr. Miller stated they would now move to the public hearing. Mr. Miller asked all those who intend or think they might need to make a presentation to stand and be sworn in; he subsequently swore all those in.

Mr. Miller moved to the first substantive item on the agenda. **Application No. Z2018-0119 – (variance)** Kevin and Jennifer Condon request variance approval to permit construction of a single-family dwelling at 29145 & 29163 E. River Rd. Applicants are requesting reduction of front, side, and rear setbacks, per Article V. Minimum Dimensional and Construction Requirements. Applicants request to construct across part of Lots 9 & 10, Block “C” East Bend Addition. Property is zoned R-1 Rural Residential.

Mr. John Schmalzried, Michelle Construction, represented the application. Mr. Justus was pleased with the plot plan as presented. Discussion ensued regarding the proposed setbacks. Mr. Justus questioned how many stories the proposed residence would have. Mr. Schmalzried stated the plans were still being designed, but he believed it would be two (2) stories, with one (1) story at or above grade level.

Ms. Mary Minkinen, 104 Rockledge Drive, questioned where the driveway would be located and if there was sufficient space. Ms. Hemminger stated location of the driveway would be determined by Ohio Department of Transportation (ODOT).

There being no further discussion, **Mr. Justus made a motion to approve the application, specifically a fifty four (54) foot rear yard setback, a twelve and one half (12.5 each side) foot side yard setback, and a twenty-six (26) foot front yard setback. Mr. Warnimont seconded the motion.** Mr. Miller stated there was a motion and a second to approve the application. Hearing no further discussion, Mr. Miller asked Ms. Hemminger to please call roll. **YES – Mr. Justus, Mr. Warnimont, Mr. Bilkovsky, Ms. Wilker, and Mr. Miller. Motion carried.**

Mr. Miller moved to the next substantive item on the agenda. **Application No. Z2018-0120** – (conditional use) John A. Weithman, P.E., on behalf of Urban Air Adventure Park, requests consideration of conditional use to allow a “Recreational Facility (Commercial)” use at 10017 Fremont Pike (P57-400-026401001502), formerly Best Buy. See Article IV. Land Uses. Property is zoned C-2 Community Business and located within State Route 20/23 Overlay Zone.

Mr. Gavin Pike, 4950 Black Road (Monclova, OH) and Steven Whitlow, 621 W. Boundary Street (Perrysburg, OH), managing partners, represented the conditional use application. Mr. Pike provided Board members with a quick overview of Urban Air and business projections. Mr. Pike stated based on demographic and geographic need, they project approximately 8,000 customers per month, noting that current parking far exceeds need. Mr. Pike stated there would be a concession stand available, but no restaurant. Mr. Bilkovsky asked how many employees. Mr. Whitlow stated they would start with a team of 80 employees and move to 100 employees, mainly part-time positions. Management positions will full-time. Discussion regarding staffing ensued. Mr. Justus questioned if the maximum occupancy had been determined. Mr. Pike reported it had not. Mr. Warnimont questioned how much noise would be produced, specifically, affecting neighboring properties. Mr. Pike reported the structure was a stand-alone building, no common walls. He reported that Hobby Lobby had the right to allow Urban Air as a tenant within their lease.

Mr. Justus, posed the following condition “Any outdoor activities beyond the boundaries of the “Interior” of the building that are sponsored, co-sponsored or allowed by the leasor, leasee, or owner of the building/property, shall give a minimum of ten (10) days prior notice of the outdoor activities to the Perrysburg Township Administrator, Perrysburg Township Fire Chief, or their authorized designees. As a stipulation of “Conditional Use” Perrysburg Township officials ***must authorize the proposed outdoor activities in advance.*** Such activities include, but are not limited to: Trampoline activities or demonstrations, fitness/exercise activities, dodgeball activities, parties or events open to the public or by membership/business affiliation with lease, leasor, or building owner. Any other government regulations/laws or business center rules reference to any outdoor activities by listed parties are separate and distinct in themselves from these conditions of the Perrysburg Township Board of Zoning Appeals.” Mr. Justus questioned if the applicants would agree to the proposed conditions. Mr. Pike stated they have no outdoor activities planned and would agree to the proposed condition.

Mr. Miller questioned if they would be assuming a current lease or new lease. Mr. Pike stated they would be entering a new lease. Mr. Miller questioned if there were conditions within the lease for hours, use, or any other conditions that the Board needed to be aware of. Mr. Pike stated they have limited hours and no alcohol would be served.

Mr. Miller asked if anyone was present that wished to speak in support or opposition to the application. Hearing none, Mr. Miller opened up for discussion amongst the Board members or a

motion. **Mr. Justus moved to approve Application No. Z2018-0120 with stipulated conditions [see file]. Mr. Warnimont seconded the motion.** Mr. Miller stated there was a motion and a second to approve the application with stipulated conditions and asked for further discussion. Hearing none, Mr. Miller asked Ms. Hemminger to please call roll. *YES – Mr. Justus, Mr. Warnimont, Mr. Bilkovsky, Ms. Wilker, and Mr. Miller. Motion carried.*

Mr. Miller moved to the next matter on the agenda. **Application No. Z2018-0121** – (variance) Gary and Rebecca Britten, 10700 Roachton Road (P60-400-160000041501), request variance approval to construct a new single-family dwelling to the rear of an existing accessory structure. Per Article VII, Section B.b. (2) “No accessory structures shall be permitted in a lot’s front yard. A detached accessory structure shall not be located closer to the road right-of-way than the principal structure”. Property is zoned A-1 Agricultural.

Mr. Gary Britten, 10700 Roachton Road, stated him and his wife, Rebecca, would like to build a new and smaller house on the farm. Mr. Britten stated the new home would be located behind the existing wood pole barn and block garage structure. Mr. Britten stated the accessory structures would be located closer to the road than the principal structure. Mr. Britten noted that the existing turkey (wooden) barn would be removed. Mr. Justus questioned if the block garage was used for agriculture. Mr. Britten stated yes.

Mr. Miller asked if anyone was present that wished to speak in support or opposition to the application. Hearing none, Mr. Miller opened up discussion among the Board members or a motion. **Mr. Warnimont moved to approve Application Z2018-0121. Mr. Bilkovsky seconded the motion.** Mr. Miller stated there was a motion and a second to approve the application and asked for further discussion. Hearing none, Mr. Miller asked Ms. Hemminger to please call roll. *YES – Mr. Warnimont, Mr. Bilkovsky, Mr. Justus, and Mr. Miller. ABSTAIN – Mr. Wilker. Motion carried.*

Mr. Miller moved to the next substantive matter of the agenda. **Application No. Z2018-0122** – (variance) Jamal’s Cute Signs, 539 S. Reynolds Road, requests variance approval to permit the installation of new wall signage at Universal Marble & Granite, 27511 Holiday Lane (P60-400-090101012213). Some signage will be illuminated. Applicants request a total of four (4) wall signs. Per Article X. Sign Regulations, only one (1) wall sign is permitted per street frontage. Property is zoned C-2 Community Business.

Mr. Nabil, 539 S. Reynolds Road, representing Universal Marble & Granite (UMG), stated UMG would like their signage to be more visible from Interstate 75. Mr. Nabil stated there was currently one unlit cabinet sign on the north side. UMG would like to install an illuminated channel letter sign, which would be more visible. Mr. Bilkovsky questioned if the lights would be flashing. Mr. Nabil stated there would be no flashing. Mr. Justus stated they were requesting a total of four (4) signs. Mr. Nabil stated they currently have two (2) signs. Mr. Justus questioned if a variance existed for existing signage. Ms. Hemminger stated there was a variance on file. Mr. Justus questioned how many businesses were in the building. Mr. Nabil stated the property was owned and occupied by UMG. Discussion ensued regarding the proposed signage.

Mr. Miller asked if anyone was present that wished to speak in support or opposition to the application. Hearing none, Mr. Miller opened up discussion among the Board members or a motion. **Mr. Warnimont made a motion to approve Application No. Z2018-0122. Ms. Wilker seconded the motion.** Mr. Miller stated there was a motion and a second to approve the application and asked for further discussion. Hearing none, Mr. Miller asked Ms. Hemminger to call roll. *Yes – Mr. Warnimont, Ms. Wilker, and Mr. Bilkovsky. NO – Mr. Justus and Mr. Miller. Motion carried.*

Mr. Miller moved on to the final matter before the Board for the evening. **Application No. Z2018-0086** – (*variance*) Brock Rimmelin, 25001 W. River Road, requests to construct a new 25 foot high off-premises (outdoor advertising) pole mounted sign at 27100 Oakmead Drive (P60-400-026104003000). Proposed pole sign will include one 10' x 30' (300 sf) digital (illuminated) face in each direction. Applicant is appealing administrative denial of zoning certificate for sign structure. Per Article VII.Z. State Route 20/23 Overlay District, “Freestanding signs shall be limited to monument signs.” Property is zoned C-2 Community Business District and located within the State Route 20/23 Overlay District.

Mr. Jack Sculfort, 25900 Edinborough Circle, Perrysburg, stated would be representing the application. Mr. Sculfort stated they were requesting a variance to allow for the installation of an electronic message center (EMC) within Perrysburg Township and for the benefit of Perrysburg Township. Mr. Sculfort described the proposed location and design of the EMC. He reported the sign would be in compliance with all off-premises signage requirements. Mr. Sculfort referenced a memorandum addressed to Board members [see file], and offered that Perrysburg Township could control the content of one screen, on each side, in the regular rotation of the advertising content featured on the sign. Mr. Sculfort stated the advertising space would be at no cost to the Township. Mr. Warnimont questioned if the EMC was located within the Overlay District. Mr. Sculfort confirmed that it was.

Mr. Miller questioned if there was a similar sign located within Perrysburg Township. Mr. Sculfort reported there were no comparable signs within Perrysburg Township, but noted photos of a comparable sign, within Springfield Township, had been included with their application. Mr. Sculfort indicated the Township had informally expressed an interest in the proposed EMC. He stated Township Counsel would be asked to draft permit language acceptable to all parties. Mr. Bilkovsky stated they recently denied a variance request to increase the height of an existing monument sign on the same property.

Mr. Miller questioned if the sign would alter the essential character of the area. He indicated he was a visual person and believes that the sign is much different than surrounding signs. Mr. Sculfort concurred and offered the sign would be unique for Perrysburg Township and unique in the benefit that it would provide.

Mr. Miller asked if anyone was present that wished to speak in support or opposition. Hearing none, Mr. Miller entertained a motion. Mr. Miller noted that the Board has never considered a similar request. ***Mr. Miller moved to deny Application No. Z2018-0086. Mr. Bilkovsky seconded the motion.*** Mr. Miller stated further discussion was necessary. Hearing none, Mr. Miller asked Ms. Hemminger to please call roll. *YES – Mr. Miller, Mr. Bilkovsky, Mr. Justus, Mr. Warnimont, and Ms. Wilker. Motion carried. Application denied.*

Mr. Miller entertained a motion to adjourn. ***Mr. Bilkovsky made a motion to adjourn, with Mr. Warnimont seconding the motion.*** Mr. Miller asked Ms. Hemminger to please call roll. *YES - Mr. Bilkovsky, Mr. Warnimont, Mr. Justus, Ms. Wilker, and Mr. Miller. Motion carried.* Meeting adjourned at 7:00 p.m.

Respectfully submitted,
Kelly Hemminger