



Board of Zoning Appeals **Meeting Minutes** **February 19, 2019**

Mr. Miller, Acting-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 (A)
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 order of business, election of 2019 officers of the Board. **Mr. Bilkovsky made a motion to nominate Officers of the Board to be filled as they were in 2018; Mr. Miller as Chair, Mr. Irwin as Vice-Chair, and Mr. Justus as Secretary. Mr. Warnimont seconded the motion.** Mr. Miller asked if there were any other nominations and with there being 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 asked for a motion to close the organizational meeting and call the regular meeting to order. **Mr. Warnimont moved to close the organizational meeting, with Mr. Bilkovsky seconding.** Mr. Miller asked Ms. Hemminger to call roll. *YES - Mr. Bilkovsky, Mr. Warnimont, Mr. Justus, Ms. Wilker, 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 formal item of business, the approval of the agenda for February 19, 2019. **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 November 20, 2018 Board of Zoning Appeals meeting. **Ms. Wilker made a motion to approve the meeting minutes, 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. There being no further discussion, Mr. Miller asked Ms. Hemminger to please call roll. *YES - Ms. Wilker, Mr. Warnimont, Mr. Bilkovsky, and Mr. Miller. ABSTAIN – Mr. Justus. Motion carried.*

Mr. Miller moved to the first substantive item on the agenda. **2019 0008 (variance)** Toledo Sign Company, Inc., on behalf of Illus Capital, LLC, request variance approval to alter the nonconforming freestanding pole sign located at 10677 Fremont Pike (P60-400-090105004002). Applicants request to install an Electronic Message Center (EMC) to the existing sign. Property is zoned C-2 Community Business District and located within the State Route 20/23 Overlay District. Per Article VII.Z.2.b. Signage "Freestanding signs shall be limited to monument signs." See Article X.L. Nonconforming Signs.

Mr. Rob Hall, Toledo Sign Company, Inc. stated they would like to incorporate an EMC into a vacant space on an existing sign. Mr. Hall reported they would not be expanding the sign, changing the structure, or increasing the height of the sign.

Mr. Miller noted for the record that the property owner, Mr. Greg Sullivan, contacted him prior to the meet. Mr. Miller noted the nature of the quasi-judicial board, and advised Mr. Sullivan that he was not at liberty to discuss the matter in detail with him. Mr. Miller described the public hearing procedure to Mr. Sullivan and advised him to contact Ms. Hemminger with additional comments or questions pertaining to the application.

Mr. Miller asked if any Board members had questions for the applicant. Mr. Justus requested for the applicant to describe the photo exhibit that was submitted along with the application. Mr. Hall reported the small photo was taken month ago. He referenced text on the photo stating "move existing cabinet down" and reported there would be no change to the existing cabinet. Mr. Hall stated there would be a shift in tenant panels but not change to the sign structure. Mr. Justus asked Mr. Hall to testify that he, or his company, had performed no work to the existing sign. Mr. Hall acknowledged the tenant panels were rearranged approximately 6-8 months ago. Mr. Justus questioned if the horizontal support structures were moved to create a larger space at the top of the sign. Mr. Hall stated he was unsure as he did not perform the work. Mr. Justus questioned if Toledo Sign performed the work. Mr. Hall confirmed Toledo Sign had moved the horizontal support structures.

Mr. Greg Sullivan, owner, reported he purchased the property in November 2018. Mr. Justus questioned if Mr. Hall was familiar with the Route 20 Corridor. Mr. Hall stated he was. Mr. Justus questioned if Toledo Sign previously performed work within the Route 20 corridor. Mr. Hall confirmed they had. Mr. Justus reported the sign qualified as legal non-conforming prior to alteration of the horizontal bars on the structure. Mr. Justus reported a legal nonconforming sign shall immediately lose its legal nonconforming designation if the sign structure is altered in any way. Mr. Justus stated they were now dealing with an illegal sign and expressed it would be

up to the Zoning Department or Perrysburg Township to enforce. Mr. Bilkovsky stated the sign was altered within the last two (2) weeks. Mr. Hall disagreed.

Mr. Justus noted that utilities were marked near the sign. Mr. Miller asked Mr. Sullivan if additional work was proposed for the sign. Mr. Sullivan noted the markers were not related to his project or property. Mr. Justus asked if Mr. Hall knew the property was located within an overlay district. Mr. Hall stated he was unaware the property was located within an overlay district. Mr. Hall indicated there may be visibility issues if the sign were constructed to code.

Discussion continued about modifications that were made to the sign. Mr. Miller reported a tenant panel may be replaced, but a nonconforming sign structure could not be altered. Mr. Miller questioned what was proposed to be advertised on the EMC. Mr. Hall reported tenants could advertise specials on the EMC sign.

There being no further discussion, **Mr. Bilkovsky made a motion to disapprove Application No. 2019-0008. Mr. Warnimont seconded the motion.** Mr. Miller stated there was a motion and a second to deny and asked if there was any additional 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. Application denied.*

Mr. Miller entertained a motion to adjourn. **Mr. Warnimont made a motion to adjourn, with Mr. Bilkovsky seconding the motion.** Mr. Miller asked Ms. Hemminger to please call roll. *YES - Mr. Warnimont, Mr. Bilkovsky, Mr. Justus, Ms. Wilker, and Mr. Miller. Motion carried.*

Meeting adjourned at 6:45 p.m.

Respectfully submitted,
Kelly Hemminger