

PERKINS TOWNSHIP ZONING BOARD OF APPEALS MEETING

Held By: Perkins Township Zoning Board of Appeals

Place: Perkins Township Complex, 5420 Milan Road

Date: November 17, 2008

Time: 7:00 p.m.

Appl.# BA2008-0016 Continuation

Board Members Present: Theodore Kastor
Owen Reed
J. Thomas Pascoe
Gary Gast
Kathy Niehm, Assistant Secretary
James Lamb, Secretary

Board Members Absent: Ralph Roshong

Mr. Kastor opened the meeting and welcomed everyone and stated that this was a continuation of the October 20, 2008 meeting. Mr. Kastor further stated that since Mr. Gast was not in attendance at the last meeting; he could participate in the discussion but could not vote.

Mr. Pascoe made a motion to re-open the Public Meeting portion of the meeting. Mr. Reed seconded the motion. Roll Call: Mr. Pascoe, yes; Mr. Reed, yes; Mr. Kastor, yes; Mr. Gast, abstain.

Ms. Niehm read the correspondence from Mr. Lamb stating that Township Attorney John Coppel offered the following suggestions in regards to this variance:

1. Attaching the house to the garage with a breezeway would make the garage and house one single-family unit.
2. The owners could apply for a zoning change from R-1A (single family) to R-2 (two-family).
3. The owners could discontinue the use by converting the Mother-in-Law Suite back to garage space.
4. Even though the apartment in the garage existed for ten years and the owner was not aware that constructing it was a problem the violation still exists.

Mr. Kastor stated he had hoped for some sort of compromise but cannot see any other solution. He said that if the board granted this then it would set a presence.

Mr. Reed stated the request should be denied. He stated that the hardship no longer exists.

Mr. Pascoe stated that the hardship no longer exists and the house is up for sale. He stated that the Mother-in-Law is deceased. Mr. Pascoe further stated that the new owner could come to the Board.

Mr. Reed suggested that the new owner could follow Mr. Coppeler's suggestions. Mr. Reed stated that if approved it would be hard to enforce.

Mr. Gast stated that the house has been updated and wished there was some way to make it work.

Mr. Lamb stated that even if the house and garage were connected and rented out it is still in violation.

Ms. Vincenz Meyer stated she would like a copy of the letter from Mr. Lamb. Mr. Reed gave her his copy.

Mr. Gast asked if the lot could be split and the driveway could be shared? Mr. Lamb stated no that there was not enough space.

Mr. Reed made a motion to deny Application #BA2008-0016, a request for a non-conforming use variance filed by John J. and Carolyn S. Moots, 5115 Columbus Avenue, Sandusky, Ohio 44870, for property owned by them and located at 5115 Columbus Avenue, Sandusky, Ohio 44870. The request is for a non-conforming use variance to allow a mother-in-law apartment that was constructed in their garage to continue to be used as a mother-in-law apartment. Mr. Pascoe seconded the motion. Roll Call: Mr. Reed, yes; Mr. Pascoe, yes; Mr. Gast-abstain; Mr. Kastor, yes. The variance was denied.

IN OTHER BUSINESS

Mr. Pascoe made a motion to approve the minutes from the October meeting. Mr. Reed seconded the motion. Roll Call: Mr. Pascoe, yes; Mr. Reed, yes; Mr. Kastor, yes; Mr. Gast-abstain.

Mr. Kastor made a motion to appoint Mr. Reed Chairperson for 2009 and Mr. Pascoe as Vice-Chairperson for 2009. Mr. Gast seconded the motion. Roll Call: Mr. Kastor, yes; Mr. Gast, yes; Mr. Pascoe, yes; Mr. Reed, yes.

Mr. Pascoe made a motion to adjourn. Mr. Kastor seconded the motion. Roll Call: Mr. Pascoe, yes; Mr. Kastor, yes; Mr. Reed, yes; Mr. Gast, yes.

Theodore Kastor, Chairperson

Kathy Niehm, Assistant Secretary

