

**VILLAGE OF PERRY  
ZONING BOARD OF APPEALS MEETING  
JUNE 6, 2023**

Present:	Zach Kowasz	Member
	Bethany Zerbe	Member
	Meggan Quartz	Member
	Joe Rebisz	Member
	George Smith	Alternate
	Don Roberts	ZEO
	Christina Slusser	Zoning Secretary

Also Present: Joe Kowasz Applicant

Absent: John Czyryca Chairman

In John Czyryca's absence, Zach Kowasz called the meeting to order at 6:30 pm and led in the Pledge of Allegiance.

**CHAIRPERSON APPOINTMENT**

The appointment of a chairperson was tabled due to John Czyryca's absence as the current chairperson.

**MINUTES**

Bethany Zerbe made a motion to approve the minutes from the last meeting on May 2, 2023 which was seconded by Meggan Quartz and carried with the following vote:

Ayes	4 (Zerbe, Quartz, Kowasz, Rebisz)
Nays	0
Abstain	0

**PUBLIC HEARING – AREA VARIANCE AT 9 ANDRUS AVE.**

The public hearing was opened at 6:36 pm regarding the application submitted by Joseph Kowasz of 9 Andrus Ave. for a variance under Section 490-22(A)(1)(a) for a 6 foot tall fence located within a front yard; an increase from the required 3 feet in front yards. The applicant was present at the last meeting to answer questions.

A variance is required because the property sits on a corner lot. There is another property in the area that has a fence on the corner lot, at the intersection of Orchard and Buckland and another at the corner of Spring and Dolbeer. Mr. Kowasz has agreed to put the fence at an angle to help with visibility. As seen in the application, consideration was given of the visibility

on a corner lot by planning to place the fence further back from the corner, at an angle, and 2' from the sidewalk. In conversations, the neighbors have been supportive. No comments have been received from the public.

Motion to approve the variance for 9 Andrus Ave. as written was made by Zach Kowasz, seconded by Meggan Quartz, and carried with the following vote:

Ayes	4 (Kowasz, Quartz, Zerbe, Rebisz)
Nays	0
Abstain	0

**PRELIMINARY REVIEW – AREA VARIANCE AT 23 N. FEDERAL ST.**

An application was submitted by Amy Alderman of 23 N. Federal Street for a 16' x 26' garage with a gambrel roof for loft storage. The application requires a variance for a reduction in side yard setback, 1 foot from property line. The applicant is trying to fit a new garage in between the existing retaining wall made of landscaping blocks and where the property starts to slope up. There is also a pool on the property. Zach Kowasz is the immediate neighbor on the side of the lot requiring a variance. There is a split rail fence at the property line.

Don Roberts confirmed that the applicant has been informed of the increased fire rating requirements and no referral to the county will be needed. The variance will include the eaves because the distance will be measured from the furthest projection. The next step will be to schedule a public hearing.

Meggan Quartz made a motion to schedule the public hearing for consideration of an area variance at 23 N. Federal Street on June 27<sup>th</sup> at 6:30 pm and to reschedule the July 4<sup>th</sup> meeting for the same time. This motion was seconded by Zach Kowasz and carried with the following vote:

Ayes	4 (Quartz, Kowasz, Zerbe, Rebisz)
Nays	0
Abstain	0

**Proposed Local Law entitled “Amending 490-15 ‘Nonconforming Lots, Uses, and Structures’ to Allow for Amortization”**

Comments from the ZBA on the proposed amortization law from the meeting on 5/2/2023 were passed along to the Mayor and Village Administrator and are being considered. There is further discussion taking place on amending the language of the law to provide for minimal impact to residential homes including consideration of the distance from the property line for compliance.

**DRI UPDATE**

The open call for projects for the Downtown Revitalization Initiative (DRI) Grant will be open on Monday with a six week submission time. At the next Village Board meeting on June 19<sup>th</sup>, there will be a public comment session for suggested public (municipal) projects.

With no other business, motion to adjourn was made by Joe Rebisz at 7:26pm which was seconded by Meggan Quartz and carried.

Respectfully submitted,  
Christina Slusser, Zoning Secretary