

**VILLAGE OF PERRY
ZONING BOARD OF APPEALS MEETING
JUNE 27, 2023**

Present:	John Czyryca	Chairperson
	Zach Kowasz	Member
	Bethany Zerbe	Member
	Meggan Quartz	Member
	George Smith	Alternate
	Don Roberts	ZEO
	Christina Slusser	Zoning Secretary

Also Present: Amy Alderman Applicant

Absent: Joe Rebisz Member

Chairperson Czyryca called the meeting to order at 6:35 pm and led in the Pledge of Allegiance.

CHAIRPERSON APPOINTMENT

John Czyryca explained that the chairperson has historically always been the most senior person. Bethany Zerbe made a motion to reappoint John Czyryca as the Chairperson and Zach Kowasz as the Vice Chairperson. Meggan Quartz seconded the motion and it was carried with the following vote.

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

John Czyryca stated that George Smith will be able to vote in place of absent member Joe Rebisz.

MINUTES

Zach Kowasz made a motion to approve the minutes from the last meeting on June 6, 2023 which was seconded by Meggan Quartz and carried with the following vote:

Ayes	5 (Kowasz, Quartz, Czyryca, Zerbe, Smith)
Nays	0
Abstain	0

PUBLIC HEARING – AREA VARIANCE AT 23 N. FEDERAL STREET

An application was submitted by Amy Alderman for a 16' x 26' garage at 23 North Federal Street with a reduction in side yard setback from the required 5 feet to 1 foot. The ZBA held a

preliminary review of the area variance on June 6, 2023. Applicant, Amy Alderman was present to talk about the project. She explained that the garage will have a gambrel (barn style) roof which was decided upon to keep in character with the rest of the neighborhood. There is a playground structure behind the existing retaining wall (which is about 5 ft high) then the lawn slopes up. It was confirmed that in case of emergency, an emergency vehicle could get to the back yard through the other side of the property. The garage is planned to start at an existing 18' wide concrete pad and go back from there. Roof overhangs were brought up at the last meeting. Amy Alderman clarified that the gambrel roof has almost no overhang so this will not be a problem.

Most signatures from neighbors within 200 feet were obtained but 5 were mailed. The applicant was not able to provide the neighbors with the required 10 days notice of the public hearing (most were contacted yesterday) so final approval will not be able to be granted tonight.

The ZBA considered the options of contingent approval where the permit could be issued 10 days from the date of mailing with no objections, or finalizing the approval at the next meeting since they have 62 days to render a decision. The applicant is ready and eager to get started on the project and has plans for someone to come in to do the site prep work.

Bethany Zerbe made a motion to approve the application for a variance with restriction that the measurement from the property line be from the furthest projection of the garage, contingent upon waiting 10 days to allow for responses to be received from mailing notifications to the neighbors. George Smith seconded the motion and it was carried with the following vote:

Ayes	5 (Zerbe, Smith, Czyryca, Kowasz, Quartz)
Nays	0
Abstain	0

AMORTIZATION UPDATE

There has been no update from the village board on the proposed local law for amortization of nonconforming properties. Don Roberts updated the group for those that missed the meetings where the proposed local law was discussed. The law as written would have affected a lot of residential properties, specifically single family homes. A stipulation was considered that anything along the street frontage within 30 feet cannot be residential which would be measured from the public right of way. As it stands now, new construction in the C-1 district cannot have first floor residential use.

The sign law amortization is coming to an end in September for non-conforming signs to be in compliance. Letters will be going out soon as a courtesy notice for compliance.

At 7:21 pm, Bethany Zerbe made a motion to close the public hearing to consider an area variance at 23 N. Federal Street which was seconded by George Smith and carried.

The next meeting is scheduled for August 1, 2023.

Motion to adjourn the meeting was made at 7:21 pm by Zach Kowasz, seconded by George Smith, and carried.

Respectfully submitted
Christina Slusser,
Village Clerk, Zoning Secretary

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