

**VILLAGE OF PERRY
ZONING BOARD OF APPEALS MEETING
JULY 1, 2025**

Present:	Zach Kowasz	Chairperson
	Meggan Quartz	Member
	Joe Rebisz	Member
	Bethany Zerbe	Member
	Tim Hatch	Alternate
	Don Roberts	ZEO
	Amanda Bouchard	Deputy Village Clerk
Also Present:	Kurtis Hulse	Applicant
Absent:	George Smith	Member
	Christina Slusser	Zoning Secretary

Chairperson, Zach Kowasz called the meeting to order at 6:32 pm and led in the Pledge of Allegiance.

MINUTES

Motion to accept the minutes for 6/3/2025 was made by Bethany Zerbe, seconded by Meggan Quartz, and carried unanimously.

APPOINTMENTS

Meggan Quartz asked if alternate Tim Hatch should be made a voting member in place of George Smith who was absent. Chairperson Zach Kowasz appointed Tim Hatch to fill in as a voting member for George Smith.

PRELIMINARY REVIEW – VARIANCE FOR A POOL DECK AT 40 DOLBEER STREET

An application was submitted by Kurtis Hulse of 40 Dolbeer Street for a variance for a pool deck. The applicant is looking for relief from the 5’ setback to 6” in the backyard. Bethany Zerbe stated that the deck is already partially built and requested photos of the deck to assist with a visual as it is not visible from the street. There is a preexisting garage 3’ from the lot lines, and the neighbor put up a 6’ fence. During discussions, the applicant, Mr. Hulse, was able to share several photos of the deck from his cell phone. ZEO Don Roberts stated the deck is currently 6” from the fence line, which constitutes a substantial request. The applicant was asked if the posts were set. Mr. Hulse stated that the posts for the deck as it sits are poured and set in the ground. He also stated that digging in alternate locations would be difficult due to large amounts of stone being buried underground. Tim Hatch questioned what was supporting the center of the deck, and how footers were dug in that location given the underground stone limitations previously mentioned. ZEO Roberts

clarified that the board is looking for alternative ways to accommodate the deck with a 5' setback, eliminating the need for a variance. Chairperson Kowasz expressed that he would not be likely to approve a variance of 6", he would feel more comfortable approving a 3' variance to line up with the existing garage. Meggan Quartz asked the applicant why they opted to build on the current side of the pool, and not the other. Mr. Hulse explained that, aesthetically, this made the best use of his backyard space. Mr. Hulse added that with the current placement, he faces away from his neighbors who do not like anyone looking at them. If the deck were built on the other side, he would be facing the neighbors directly. ZEO Roberts suggested setting up a time to meet with the applicant on site to determine if there are potential ways to manipulate the current construction. Bethany Zerbe requested additional photos showing multiple angles. Mr. Hulse also offered a copy of the survey to help paint the picture and clarified the garage sits at 4.3' in the front and 4.1' in the back for setbacks. ZEO Roberts stated that there are not any triggering factors to need County approval. Bethany Zerbe made a motion to schedule a public hearing to take place at the next scheduled meeting on Tuesday August 5, 2025. The motion was seconded by Meggan Quartz and carried with all voting aye. Mr. Hulse left the meeting at this time.

Chairperson Kowasz asked if there was any other business. ZEO Roberts said he is expecting a site plan review for McClurg's where they intend to merge a parcel, previously owned by Perry Market, expanding their lot and adding an addition to the back of the building. Joe Rebisz asked if there had been any more talk on what would be replacing the Perry Market. Nothing further was mentioned.

Chairperson Kowasz asked the reason why the applicant at 44 Dolbeer Street withdrew. ZEO Roberts stated that the applicant was waiting to see what came of the discovery that the deck being built next door was not properly permitted. Meggan Quartz asked if a stipulation could be added for the deck at 40 Dolbeer Street requiring a privacy wall be installed. Chairperson Kowasz asked if the 6' fence height limit would nullify the ability to build a privacy wall on the deck. ZEO Roberts explained that the measure of a fence starts from the point where it serves, so, serving on the deck, a privacy wall could be a viable stipulation. It was noted that the need for a variance was self-created when the applicant failed to get the proper permits prior to beginning construction. Chairperson Kowasz asked ZEO Roberts if he could take measurements from the eaves while on site at 40 Dolbeer Street to possibly stay in line with those for the pool deck.

Motion to adjourn the meeting was made by Joe Rebisz at 7:02 pm, seconded by Bethany Zerbe, and carried.

Respectfully submitted,
Amanda Bouchard
Deputy Village Clerk