

**Planning Commission  
September 27, 2023  
Meeting Minutes**

**Meeting Called to Order**

Chair McGory called the Planning Commission meeting to order at 5:00 pm. The following Commissioners were present: Commissioner Castile, Commissioner Jackson, Vice Chair Miller, Chair McGory, Commissioner Poggiali, Commissioner Whelan, and Commissioner Zuilhof. Alec Ochs was present on behalf of the Community Development Department, Sarah Chiappone was present on behalf of the Law Department and Quinn Rambo was the acting clerk.

**Approval of Minutes from August 23, 2023**

Chair McGory introduced the first item on the agenda, which was the approval of the minutes from the August 23rd Planning Meeting. Commissioner Poggiali made a motion to approve the minutes as presented and Commissioner Jackson seconded the motion. Chair McGory called for a vote to approve the minutes as presented and the motion passed unanimously.

Chair McGory swore in Staff and public, who may want to speak on behalf of the agenda item.

**Adjudication Hearing**

**410 West Jefferson Street-**

**Brady Sign Company, on behalf of Rev. Monsignor William, has submitted an application for a conditional use permit at 410 W. Jefferson Street to allow an animated sign.**

Chair McGory introduced the application and asked for the Staff report. Mr. Ochs stated the site of 410 W. Jefferson St. was currently the location of the St. Mary's Catholic School. An application was submitted for a conditional-use permit to replace the existing message board with a digital LED message board. The zoning code currently permitted digital signs with a conditional-use permit. The new digital sign would be the same size as the existing message board that was inside of the existing masonry structure and would be approximately 36" x 48" of LED area. Staff was concerned that the glare/brightness may negatively impact the surrounding residential uses to the north. Staff suggested only adding images with a dark background to minimize projecting light onto neighboring properties. Another suggestion was to set the hours of operation to not operate during certain times of the day. The applicant stated the hours of operation would be from dawn to dusk, approximately 7am to 6pm. Staff was not opposed to the approval of the proposed Conditional Use at 410 W. Jefferson Street, parcel (56-68016.000), with the following conditions: (1) all applicable permits were obtained through the Building Department, Engineering Department, Division of Planning and any other applicable agency prior to construction, (2) the brightness should not impose hazard to pedestrian or vehicular traffic, nor a nuisance to surrounding property owners, (3) the sign criteria followed ODOT safety standards for minimum timing of image display, or a 10 second minimum display time per image, whichever was longer, (4) no animations, videos, or illuminations with flashing displays, (5) a Certificate of Appropriateness is obtained by the Landmark Commission. Chair McGory asked about notices to the public and response from the public. Mr. Ochs stated that all properties within 300 feet were notified of the application and that he did not receive any public feedback prior to the meeting. Chair McGory pointed out that there was no public present other than the applicant's representative. Commissioner

Zuilhof wanted clarification that Staff conditions were following conventions set by years of precedent. Mr. Ochs confirmed that that was correct. Commissioner Castile asked if there was a way to restrict the brightness of the sign. Mr. Ochs stated that there was currently no way for Staff to measure the actual brightness and it would be left up to the discretion of the applicant. Vice Chair Miller asked about the hours of operation. Mr. Ochs stated that the hours from dawn until dusk were supplied by the applicant. Commissioner Whelan stated that the hours of operation were not one of the conditions from Staff. Mr. Ochs confirmed that was correct because daylight savings time may change the hours of operation. Commissioner Zuilhof asked if the applicant could answer the question about if the sign, and if it could be auto dimmed. Chair McGory asked the applicant's representative to come to the podium. Mr. David Mack of Brady Sign Company was present to speak on behalf of the applicant. Mr. Mack explained that there was an automatic dimming function. Chair McGory asked if there were complaints from neighbors if there was an option to adjust the brightness. Mr. Mack stated that the sign had a built-in broadband modem and could be adjusted remotely through the factory. Vice Chair Miller asked why the certificate of appropriateness was required. Mr. Ochs stated it was required because the building was listed on the national register of historic places and Staff was still in discussions with the Chair of the Landmark Commission if this type of sign could be approved by administrative approval or if it should be approved by the Landmark Commission. Chair McGory asked if the Planning Commission approved this application that the Landmark Commission could deny the application. Mr. Ochs stated that the Landmark Commission would be required to follow the Planning Commission's guidance but could look at the if it was historically appropriate but could not put conditions on the brightness of the sign because that was not clear in the guidelines. Mr. Mack stated that there were multiple ways that the sign's brightness could be adjusted.

Vice Chair Miller made a motion to approve the application with Staff conditions. The motion was seconded by Commissioner Poggiali. Chair MGory called for the vote and all Commissioners voted to approve the application.

Chair McGory stated that he wanted to discuss an email received from City Commissioner Murray. Commissioner Zuilhof stated he had received the email regarding derelict boats, and he thought there was code in place to enforce this problem but maybe there was not a way to enforce it. Chair McGory asked if the City Attorney would investigate the issue and see if there were any ordinances in place that could be used for enforcement. Ms. Chiappone, the City's Assistant Law Director, stated that she would work with Staff to get an answer, but she was not included in the email that was being referenced and would investigate what was being discussed in this email chain. Commissioner Whelan stated he had not received the email. Commissioner Whelan asked if there was any proposed legislation on this topic and that the Commission should not be trying to go after boats when Sandusky was a boating community. Commissioner Zuilhof stated the Commission should be empathetic to the people who were trying to improve the community. Commissioner Whelan asked if the Commission wanted to get into the business of policing whether boats were derelict or not. Commissioner Zuilhof

answered that was a fair question and that there are two sides to the issue, and it should be examined further. Chair McGory added Commissioner Murray had brought this concern up multiple times and that the Planning Commission should discuss the matter and consider possible options. Commissioner Miller stated there may be an ordinance in place that was presented by State Representative Steve Ardt brought forward legislation regarding this issue and that may be a good starting point for investigation.

Commissioner Zuilhof made a motion for Staff to explore the issue and present legislation that allows code enforcement to act or why such legislation would not be necessary. The motion was seconded by Vice Chair Miller. Commissioner Poggiali stated he thought Mr. Hart's bill was for residential areas and asked if it was a permitted use to store boats. Commissioner Whelan stated that he would vote against the motion because he would like to be presented with a need for this type of ordinance. Commissioner Castile asked to be included in the email that was being referenced. Commissioner Poggiali added there was merit in examining what was currently on the books. Commissioner Castile agreed that the code should be evaluated before presenting new legislation. Commissioner Zuilhof moved to suspend discussion and take a vote. Chair McGory called for a vote. A vote was called, and the motion was approved 6-1, with Commissioner Whelan with the nay vote.

**Adjournment**


Chair McGory asked for a motion to adjourn. Vice Chair Miller made a motion to adjourn the meeting and the motion was seconded by Commissioner Poggiali. The meeting adjourned at 5:43 pm.

**Next Meeting:**

October 25, 2023, at 5:00pm.

**Approved:**

  
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Clerk

  
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Chair/ Vice Chair