

2010 Annual Report

Danbury Township Zoning

Permits

This year marked the end of a decade when zoning permits peaked and plummeted, going from a high of 315 permits in 2001 to a low of 144 in 2009. The number rose nearly 28% in 2010 to end with 184 permits. Included in this year's total were permits for 20 new dwellings (up from 15 last year) and 9 new commercial buildings (up from 3 last year).

Permit activity for the first half of the decade (2001-2005) averaged 295 permits annually, including an average of 64 new dwellings and 14 new commercial buildings per year. By the second half of the decade (2006-2010) the averages had dropped to 209 permits annually and included an average of 30 new dwellings and 8 new commercial buildings per year. The largest year to year decrease was between 2008 (214 permits) and 2009 (144 permits). A detailed comparison is attached.

Litigation

The Ottawa County Common Pleas Court and the Sixth District Court of Appeals ruled on a number of Danbury zoning appeals this year. Common Pleas dismissed one case in the township's favor and upheld the constitutionality of the zoning resolution on another challenge. The Sixth District Court ruled against the township on one case in January but in December supported the township's action in two others. The appellate court also agreed with the decision regarding the constitutionality of the zoning resolution. One case is still pending in Common Pleas Court.

Clearzoning

This marked the first full year of use for the digital Clearzoning format and the township received many positive comments regarding the change. Of particular interest is the fact that only one zoning book was sold during the year suggesting the easily accessible online version has nearly eliminated the need for the public to purchase a zoning book.

Staff, Board & Commission Activity

Staff

The zoning inspector and assistant participated in a number of professional development opportunities this year which included two days of seminars at the OTA conference in Columbus followed by local training sessions in May and June. They also served in an advisory capacity to the Land Use Plan committee.

Major project for the year was beginning the task of archiving thirty-five years of paper zoning documents in a searchable PDF format.

Board of Zoning Appeals

The Board heard sixteen applications for area variances during 2010. Ten were approved, five denied and one has been continued for further hearing in January 2011. The Board also heard three conditional use requests. Applications for a recreational camp and a condominium development were both approved but neither has yet been developed. A request for a modification to a previously approved condominium was denied.

In May BZA members participated in a training session designed to assist them in conducting hearings, receiving testimony and preparing findings of fact.

Zoning Commission

The Commission conducted hearings on three applications for rezoning and two for text amendments in 2010. It recommended approval of requests to rezone property on Hartshorn Rd. from "A" to "M-1" and on Meter Rd. from "R-1" to "R-C". It denied a request to rezone a parcel on North Shore Blvd. from "R-3" to "R-C". In addition, the Commission recommended approval of a text amendment to regulate small wind farms and establish requirements for streets in condominium/multi-family housing developments, as well as an application to amend regulations in the "L" district.

As a result of suggestions from the committee appointed to review the current Land Use Plan, the Commission undertook a thorough review of uses permitted in the commercial zoning districts with particular attention to the recreational-commercial district. That work will continue in 2011.

Board of Trustees

The Board of Trustees conducted hearings on the three rezoning applications as well as the two text amendment applications and voted to accept the Zoning Commission recommendations in each case.

After appointing a citizen committee which met from April through July to study the current Comprehensive Land Use Plan the Trustees held a public meeting in October to receive comments on the revisions proposed by the committee. The Trustees chose to wait for current census figures to be released and also to give the zoning commission time to make decisions on potential text amendments before taking further action on the suggested revisions.

Calls and Site Visits

A primary activity of the Zoning staff is responding to inquiries from residents, developers, appraisers, contractors, etc. Inspections are performed to verify or identify violations as well as to verify that projects are completed in compliance with approved plans. In addition, the department staff greets visitors seeking information regarding other township services and directs them to the appropriate official or department.

During 2010 the Department responded to 4032 calls, e-mails and in-person inquiries and went on 277 site visits. Here is the breakdown:

Calls

- Permit and application questions 962
- Zoning classification requests 88
- Inquiries regarding BZA 336
- Inquiries regarding Zoning Commission 170
- Other zoning related 1637
- Non-zoning related 839

Site Visits

- Zoning violations 74
- Zoning Commission cases 6
- BZA cases 29
- Other inspections 168

2010 Annual Report Danbury Township Zoning Inspector

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTALS
New Dwelling	2		2	1		3	1	6	1	1	2	1	20
Condominium Building													0
Addition/Porch/Deck	1	4	4	4	5	9	1	6	3	9	5	5	56
Accessory Bldg./Dock/Pool	1		2	1	2	5	3	3	4	5	2	2	30
Fence			2	3	1	8	2	1	1	1	4		23
Commercial Bldg				1		1	2	2	2	1			9
Commercial Addn				1		1							2
Sign					1	1	2	1			1		6
Change of Use			1										1
Permit Rejected/Voided	1	3		2	1	2		1	2	2	1		15
Zoning Amendment	2		1			1							4
Appeal													0
Conditional Use	1		1										2
Cond. Use Phase Approval													0
Variance	3	1		2	1	2		1	1	4		1	16
Special Exception													0
Other Misc.													0
Permits Processed	11	8	13	15	11	33	11	21	14	23	15	9	184
Zoning Books Sold			1										1
Fees Collected	1,440.20	397.06	675.04	888.76	508.20	2,325.60	992.50	1,761.58	2,047.46	1,646.56	490.98	136.82	13,310.76

**2001 - 2010 Comparison Report
Danbury Township Zoning Inspector**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	TOTALS
New Dwelling	79	62	55	59	64	58	29	27	15	20	468
Condominium Building	3	1	4	1	2	2	2	6			21
Addition/Porch/Deck	68	79	89	93	73	100	61	61	53	56	733
Accessory Bldg./Dock/Pool	67	53	60	54	49	44	32	36	29	30	454
Fence	33	23	22	21	38	22	30	24	14	23	250
Commercial Bldg	17	14	12	12	13	10	9	8	3	9	107
Commercial Addn	2	2	1	4	4	11	1	2		2	29
Sign	7	9	12	11	11	6	13	6	2	6	83
Change of Use	3	2	8		3	3	2	3	1	1	26
Permit Rejected/Voiced	7	3	2	2	3	2	5	19	10	15	68
Zoning Amendment	6	4	10	8	7	4	8	2	5	4	58
Appeal	2	1		1	2						6
Conditional Use	4	6	7	7	8	3	8	3	2	2	50
Cond. Use Phase Approval	1					2	1				4
Variance	15	15	15	21	18	18	17	17	9	16	161
Special Exception	1								1		2
Permits Processed	315	274	297	294	295	285	218	214	144	184	2520
Zoning Books Sold	19	12	14	20	11	4	4	5	2	1	92
Fees Collected	23,305.50	20,364.74	21,089.71	24,228.54	26,369.24	19,898.80	16,462.61	14,833.14	8,986.03	13,310.76	188,849.07