

WEST HARBOR MARINA

5401 E. Maritime Shoreway

Marblehead, OH 43440

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August 24, 2017

Danbury Township Zoning Board
c/o Kathryn Dale
5972 E. Port Clinton Road
Marblehead, OH 43440

Dear Mrs. Dale,

We are writing to request a one-year extension of our Conditional Use approval at West Harbor Marina. The conditional use approval which allows for the change of use from hotel to condominium was finalized on September 21, 2016. In July 2016, a lawsuit was filed and is still pending concerning parking issues associated with platting the subject property. After more than a year of being held up in litigation, we respectfully request an additional one (1) year extension of the conditional use approval.

Questions and comments welcome.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Brown". The signature is written in a cursive, flowing style.

Bill Brown
West Harbor Marina

BZA Motion & Findings of Fact

With regard to Case # BZA-2016-108, being a request for a Conditional Use to allow for a 4 unit Condominium Development in accordance with Section 3.1.10.C.iii and Section 4.3, on located at 5401 Maritime Shoreway (PIN # 0141133915182001):

1. The Conditional Use will be harmonious with and in accordance with the general objectives of the Danbury Township land use plan because the plan calls for this area to be "High Density Residential" despite the "R-C" Recreational Commercial zoning designation. The 2011 Land-Use Plan also promotes existing land uses to expand within the parameters of their existing property boundaries and maximize the existing use of physical land as opposed to expanding and sprawling onto undeveloped land.
2. The Conditional Use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area because there are no changes proposed with this request that are different from what already exists and there are a variety of housing styles to the north, south and east of this site.
3. The Conditional Use will not be hazardous or disturbing to existing or future neighboring uses because the proposed Condominium designation is well below the permitted density and adjacent to other high density housing.
4. The Conditional Use will not be detrimental to property in the immediate vicinity or to the community as a whole because same reason #3 above.
5. The Conditional Use will be served adequately by essential public facility and services because public utilities to the building, according to the Sanitary Engineers 06.29.16 letter, are currently connected to the services.
6. The Conditional Use will have vehicular approaches to the property which will be designated so as not to create an interference with traffic on surrounding public/private streets or roads because the property has existing vehicular approaches adequate to service the site.
7. The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely to serve a convenience to the applicant.

Mr. Bauer moved that the Board adopts the findings of fact as read by the Recording Secretary and further moved that the Board has given due regard to the Conditional Use criteria of Section 6.2.2 of the Danbury Township Zoning Resolution and after considering and weighing these factors, the Board finds that Decision Standards(s) (1) (2) (3) (4) (5) (6) (7) weigh most heavily to show that:

- a. The request is consistent with the Conditional Uses specifically mentioned in the "R-C" Recreational Commercial Zoning District and the intent and purpose of the zoning resolution.
- b. There is a preponderance of reliable, probative and substantial testimony and evidence that supports the applicants request for the Conditional Use;

Therefore, the requests should be accordingly **APPROVED WITH THE FOLLOWING CONDITIONS** the request. The conditions for approval, include:

- 1.) That, all necessary Change of Use zoning permits are obtained for the conversion of the Hotel to Condominiums.
- 2.) That, a copy of the Certificate of Occupancy for each unit is filed with the Zoning Office.
- 3.) An Alternative Vehicle Storage Area shall be provided. Said site plan illustrating this location, shall be submitted to the Zoning inspector no later than September 7, 2016 and presented to the Board for approval and acceptance prior to the signing of the decision sheet for this case at their September 21, 2016.

4.) That, Per Section 6.2.3 of the Danbury Township Zoning Resolution, the Applicant may request a maximum 1-year allowable extension of the approval of this Conditional Use. Should the Applicant request additional extensions, **beyond 1 additional year**, the Board shall reopen the case publically for consideration of the extension request. It is not the responsibility of the BZA or Zoning Staff to remind the Applicant of upcoming expirations. If at any point an expiration has occurred and an extension request has not been filed within 1 month of that expiration date, the Applicant will be required to file a whole new application.

Motion Seconded by: Mr. Smith .

Vote:

Yes Carol Robertson:

Carol Robertson

Yes Brad Bauer:

Yes Bill Smith:

John William Smith

Yes Sharon Michael:

S. I. Michael

Adjudication Hearing Date: August 17, 2016

BZA Case# 2016-108

Adopted this 21st day of September, 20 16 .

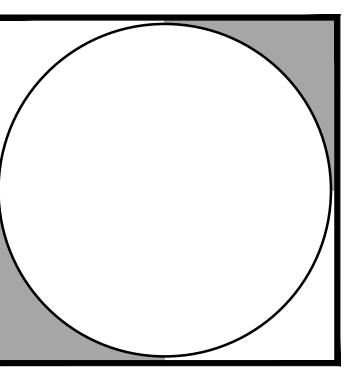
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DATES & REVISIONS:

ZONING SUBMITTAL	12/16
FIRE ACCESS	2/16
ZONING	6/16
ZONING	6/16
REVISION	8/16
REVISION	8/16

REGISTERED STATES:
 OHIO
 PENNSYLVANIA
 MICHIGAN
 ILLINOIS
 IOWA
 MISSOURI

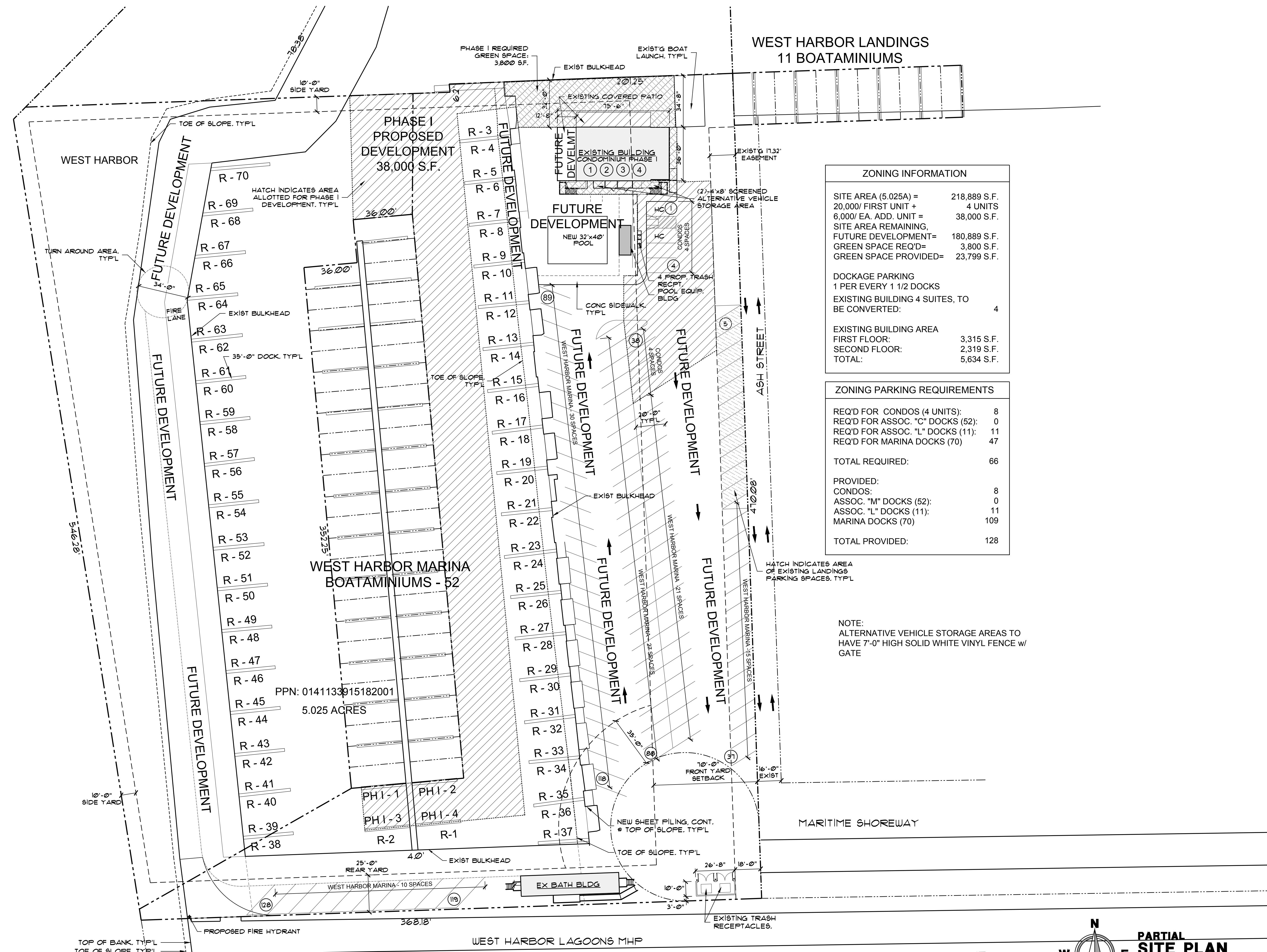
- TRAVIS P. MAYER -
 603 BAYBERRY ROAD
 LORAIN, OHIO 44053
 PHONE : 216.789.8292
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 mayerarchgrp@adelphia.net



SITE PLAN
 PROPOSED CONDO AND MAR DEVELOPMENT FOR
WEST HARBOR MARINA
 5401 EAST MARITIME SHOREWAY
 LAKESIDE / MARBLEHEAD, OH 43440

PROJECT NO: WHM - AP
 DRAWN BY: HEN
 CHECKED BY: TFM

SHEET NO:
SP-1



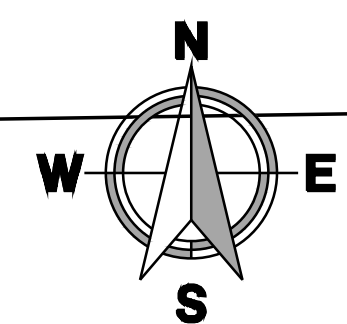
ZONING INFORMATION

SITE AREA (5.025A) =	218,889 S.F.
20,000/ FIRST UNIT +	4 UNITS
6,000/ EA. ADD. UNIT =	38,000 S.F.
SITE AREA REMAINING,	
FUTURE DEVELOPMENT=	180,889 S.F.
GREEN SPACE REQ'D=	3,800 S.F.
GREEN SPACE PROVIDED=	23,799 S.F.

ZONING PARKING REQUIREMENTS

REQ'D FOR CONDOS (4 UNITS):	8
REQ'D FOR ASSOC. "C" DOCKS (52):	0
REQ'D FOR ASSOC. "L" DOCKS (11):	11
REQ'D FOR MARINA DOCKS (70)	47
TOTAL REQUIRED:	66
PROVIDED:	
CONDOS:	8
ASSOC. "M" DOCKS (52):	0
ASSOC. "L" DOCKS (11):	11
MARINA DOCKS (70)	109
TOTAL PROVIDED:	128

NOTE:
 ALTERNATIVE VEHICLE STORAGE AREAS TO HAVE 7'-0" HIGH SOLID WHITE VINYL FENCE W/ GATE



PARTIAL SITE PLAN
 SCALE: 1" = 30'-0"



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