

RECORD OF PROCEEDINGS

Minutes of

Danbury Township Board of Trustees Special
Public Hearing

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

August 12, 2015
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The public hearing of the Danbury Township Board of Trustees held at the Danbury Township Hall, 5972 E. Port Clinton Eastern Road, Marblehead, Ohio on August 12, 2015 was called to order at 6:00 p.m. by President Charles B. Scott; the pledge of allegiance was recited, with Mr. Scott, Ms. Dianne M. Rozak, and Mr. David M. Hirt in attendance.

Also present were Fiscal Officer Shelley Seamon and Zoning & Planning Administrator Kathryn Dale.

Trustee Charles Scott stated that the purpose of the public hearing was for the Board to review and consider case # ZC-2015-075 - Text Amendments to Articles 6 & 7.

Zoning & Planning Administrator Kathryn Dale provided a summary regarding the steps that were taken for case #ZC-2015-075, review focused on the following;

1. In June 2015, the Trustees initiated Resolution No. 15-2015 regarding that the Zoning Commission and Board of Appeals should meet monthly, to establish that the Board of Zoning Appeals should meet within 30 days of receiving an application, which essentially reinforces the monthly meeting.
2. To modify some of the paragraphs in the Board of Zoning Appeals and Zoning Commission sections that outlines their duties and processes to correlate with how the Ohio Revised Code is worded.
3. To establish the radius criteria for members to recuse themselves for a hearing and then also to amend the nonconformities section of 7.9 per advisement of legal counsel.

The Ottawa County Regional Planning Commission met on July 21, 2015 to review and considered said text amendments, which resulted with the Commission voting unanimously to recommend approval of said text amendments as presented.

The Zoning Commission met on July 22, 2015 and unanimously recommended approval of said text amendments with one minor modification, which was to include in the radius language "any property that member owns and/or leases".

Mr. Scott opened the floor for discussion, there was none, therefore Ms. Rozak moved and Mr. Scott seconded the motion to approved said text amendments as presented in Resolution No. 17-2015. The vote was unanimous and motion carried. (A copy of said resolution is listed below).

Resolution No. 17-2015

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in regular session at 6:00 p.m., on August 12, 2015, at the Danbury Township Hall, 5972 E. Port Clinton Eastern Road, Marblehead, Ohio 43440, with the following members present: Ms. Dianne Rozak; Mr. Charles Scott; Mr. David Hirt

Ms. Rozak introduced the following resolution and moved its adoption:

RESOLUTION NO. 17- 2015

A RESOLUTION ADOPTING TEXT AMENDMENTS, TO THE ZONING RESOLUTION RELATED TO ARTICLE 6 DEVELOPMENT PROCEEDURES AND ARTICLE 7 ADMINISTRATION, APPEALS AND ENFORCEMENT

WHEREAS, on June 24, 2015 the Board of Trustees, in accordance with Ohio Revised Code section 519.12(A)(1) initiated, by passage of a resolution #15-2015, the following amendments to the Danbury Township Zoning Resolution:

- Clarify that Zoning Commission and Board of Zoning Appeals meetings are to be held monthly; and
- Establish a reasonable period of time an application submitted to the Board of Zoning Appeals shall be heard; and
- Modify any sections quoting the Ohio Revised Code are as worded in the Ohio Revised Code; and
- Establish criteria in which Zoning Commission and Board of Zoning Appeals members are required to recuse themselves from participation in hearing proceedings before their respective Commission or Board in which they sit; and
- Amend Section 7.9 Nonconformities per legal counsel's advisement.

WHEREAS, said certification of the Trustees Resolution #15-2015, was forwarded to the Zoning Commission on July 1, 2015 where they scheduled a Special Meeting for July 22, 2015, and

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WHEREAS, said text amendments were forwarded to the Ottawa County Regional Planning Commission (OCRPC) July 2, 2015 and considered by the Ottawa County Regional Planning Commission (OCRPC) on July 21, 2015 where the Commission recommended unanimous approval of said text amendments as presented; and

WHEREAS, the Danbury Township Zoning Commission held a public hearing on July 22, 2015 and by motion and vote, the Zoning Commission unanimously recommended approval of said text amendments with a minor modification; and

WHEREAS, the Board of Trustees held a public hearing on August 12, 2015 and, at the conclusion of the public hearing, voted to accept the recommendation of the Zoning Commission as set out in Exhibit A as attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Danbury Township, Ottawa County, Ohio:

- 1) The Board finds that:
 - a. The proposed amendment will clarify the intent of the Resolution.
 - b. The proposed amendment will better implement the intent of the Resolution.
- 2) The Board does hereby adopt the amendment to the Danbury Township Zoning Resolution attached hereto as Exhibit A; and
- 3) That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
- 4) That this Resolution shall be effective at the earliest date allowed by law.

Mr. Scott seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows: Vote Record: Ms. Rozak-yes; Mr. Scott-yes; Mr. Hirt-yes.

ADOPTED this 12th day of August, 2015.

There being no further business Ms. Rozak moved to adjourn at 6:09 p.m. Mr. Hirt seconded the motion. The vote was unanimous and motion carried.

S. Kelley J. Seaman

Fiscal Officer

Chad B. Suter
Sam Suter
Chad B. Suter

Danbury Township Board of Trustees