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DANBURY TOWNSHIP ZONING DEPARTMENT

2018 ANNUAL REPORT (January 1 – December 31)

Board of Zoning Appeals

Carol Robertson
Loretta Grentzer
Brad Bauer
Sherry Roberts
Joseph Fetzer
Sharon Michael
Cathy Bertovich
Jack McGrew

Township Trustees

Dianne Rozak
John Paul Dress
David Hirt

Zoning Commission

Jodi Kopanski
Richard Kracer
Vito Kaminkas
Michael Brown
Robert Strauss
Susan Dress
Clyde Shetler

About the Zoning Department

The purpose of zoning according to the Danbury Township Zoning Resolution is to conserve and protect property and property values; to secure the most appropriate use of land, and to facilitate adequate but economical provisions of public improvements. The Zoning Department provides short and long-range planning services for the Township as well as zoning, permitting and enforcement. The Zoning Department also works in conjunction with businesses seeking to locate or expand in the Township. We work closely with both commercial and residential developers, with business owners and property owners to design projects that will add to the Township's economic, environmental, and social well-being.

Goals & Accomplishments from 2018

Goal: Conduct training for new BZA & ZC Members

Training for all Board and Commission Members was held in May 2018 for 2 hours with Township Atty. Jeff Stopar. The first hour focused on the Zoning Commission. Topics included the general role of the zoning commission, how litigation is different than BZA, constitutional law, spot zoning, regulating land use and not users, and conditional zoning. The remaining hour focused on the Board of Zoning Appeals. Topics included the 3 basic areas of jurisdiction, their authority to revoke, variance basics, and practical difficulties test, use variances vs. area variances, conditional uses, and appeals of the zoning inspector's decision, deliberating & findings of fact. The training session was well received by the members and well attended.

Goal: Begin implementation of Land Use Plan through necessary text amendments to zoning resolution as a result of goals established in the Land Use Plan.

The Zoning Commission in 2018 prioritized the goals and strategies from the Land Use Plan into immediate, short-term, long-term and on-going categories. One of the immediate items that was implemented was the language on voting and term limits for each of the Board & Commission By-Laws. Some other, unexpected items came up during the year that turned our attention away from the land use plan implementation and became immediate matters to rectify, specifically regarding fencing and demolition of nonconformities.

2019 Goals

- Continue implementation of Land Use Plan through necessary text amendments to zoning resolution as a result of goals established in the Land Use Plan.
- Conduct an updated sign inventory.
- Organize zoning records in storage room off the meeting room.

Litigation

None.

Board and Commission Activities

These boards are made up of citizen volunteers appointed by the Board of Trustees, to review and make determinations or recommendations on planning and zoning matters assigned to them. The Board of Zoning Appeals is a quasi-judicial body that hears requests for variances to the strict application of the Zoning Resolution. The BZA also hears requests for Area and Use Variances, Appeals of the Zoning Inspector’s Decisions, Conditional Uses, and Nonconforming Uses. The Zoning Commission provides formal recommendations to the Board of Trustees on amendments to the Zoning Resolution text and the zoning map. These citizen volunteers provide a valuable service to the Township by sharing their expertise and perspective. Activity for this year was as follows:

The **Board of Zoning Appeals** took action on 25 cases (24 in 2017) as follows:

Case# 2018-001	436 Poplar	Charles Meyer	Area Variance	Approved
Case# 2018-002	416 Walnut	Keith LePage	Area Variance	Denied
Case# 2018-009	2496 Cook’s Dock	Gary & Chris Wolf	Area Variance	Approved
Case# 2018-011	5830 Sweetbriar	Mike & Melinda Crall	Area Variance	Withdrawn
Case# 2018-013	1432 N. Buck Road	John Solecki	Conditional Use	Approved
Case# 2018-015	5826 Sweetbriar	Tim & Cheryl Harmsen	Area Variance	Approved
Case# 2018-019	1920 E. Bayshore	Young’s RV	Conditional Use	Approved
Case# 2018-022	530 Cedar	Milt Lewis	Area Variance	Denied
Case# 2018-059	8581 Hartshorn	Mark Moore	Area Variance	Approved
Case# 2018-083	6657 E. Harbor Road	Bass Haven North	Area Variance	Approved
Case# 2018-084	416 S. Church	Dave & Marnie McAtee	Area Variance	Approved
Case# 2018-117	4919 Port Clinton Eastern	Michael Uhinck	Area Variance	Approved
Case# 2018-132	129 Leddy Lane	Bob & Kathleen Lucak	Area Variance	Approved
Case# 2018-148	163 Lynn	Don Longwell	Area Variance	Denied
Case# 2018-149	171 Lynn	Ron “Skip” Skolnik	Area Variance	Withdrawn
Case# 2018-155	344 Vine	Jack Allen	Area Variance	Approved
Case# 2018-173	169 Hidden Beach	David Cassel	Area Variance	Approved
Case# 2018-178	7185-7233 E. Harbor	Shady Shores	Conditional Use	Partial Approval
Case# 2018-194	1741 S. Anne	William Rodwancy	Area Variance	Approved
Case# 2018-206	7771 Everett	Dixie Hord	Area Variance	Approved
Case# 2018-208	567 Park Lane	Robert & Betty Kinley	Area Variance	Approved
Case# 2018-211	8230 E. Harbor	Takedown Investments	Conditional Use	Approved w/ Cond.
Case# 2018-213	1697 N. Danbury South	Robert Hennig	Area Variance	Approved
Case# 2018-215	171 Lynn	Ron “Skip” Skolnik	Area Variance	Approved
Case# 2018-239	355 Central	James Morrow	Area Variance	Approved

Mr. Clyde Shetler was appointed in September to a term ending 12/31/2018 as an Alternate member. In November, the Board of Trustees extended Mr. Brad Bauer’s term as a regular member until 12/31/2023 and renewed Mr. Shetler to continue serving as an Alternate until 12/31/2023 as well.

* * *

The **Zoning Commission** heard 4 cases in 2018 (6 in 2017), as follows:

Case# ZC-2018-003 **9573 E. Harbor Road.** Request for a Map Amendment from “L” Lakeside to “C-2” General Commercial for PIN# 0140174204553000 (Sec. 1, Lot 10 Firelands Survey) consisting of approximately 0.715 total acres. **Dan Dudley, CFO & COO for Lakeside Association, Owner/Applicant.**

Approval– ZC
Approval – Trustees
Resolution No. 01-2018
Effective – 04.14.2018

Case# ZC-2018-045 **Text Amendments** to Article 7, Section 7.5.3 & Section 7.8.1.B Establish term limits for the elected positions of the Zoning Commission and Board of Zoning Appeals. Section 7.5.4 & Section 7.8.1.C Tie vote on an application under consideration shall be placed on the next agenda. Article 7, Section 7.6 General simplification, clarification and number restructuring to refer to ORC 519.12 regarding the Zoning Commission amendment process and notification requirements. Article 7, NEW Section 7.6.3.B – Optional language consideration dependent on the outcome of HB 500 by time the zoning resolution is codified at the end of 2018. Language is in regards to whether State statute requires applications to be forwarded to Regional Planning for a recommendation as a mandatory requirement or optionally. **Danbury Township, Applicant.**

Approval– ZC
Approval – Trustees
Resolution No. 05-2018
Effective – 06.13.2018

Case# ZC-2018-182 **Text Amendments** to Art.2, adding new definition #25 “Building Footprint” and amending definitions #70 “Floor Area” and #96 “Lot Coverage”. Article 5, Section 5.2.B clarifying parking standards when more than 50% of a structure is modified. Article 5, Section 5.5.7.C.i.e, remove reference to ‘reproduction value’ and replace with specific structural requirements for Nonconforming Signs. Article 7, Section 7.9, restructure entire section on Nonconforming Uses into like categories. Primary modifications include removing reference to ‘reproduction value’ and replace with floor area square footage requirements and to include a provision addressing the relocation of nonconforming structures. **Danbury Township, Applicant.**

Approval– ZC
Approval – Trustees
Resolution No. 15-2018
Effective – 12.14.2018

Case # ZC-2018-232 **Text Amendments** to Art. 5, Section 5.6 to exempt Danbury Township, Danbury Local School District and Lakeside from fence height and opacity requirements for athletic fields or courts and perimeter security fences. Also to remove reference to hedges or landscaping within this section and title. **Danbury Township, Applicant.**

Approval– ZC
Approval – Trustees
Resolution No. 17-2018
Effective – 01.26.2019

In January, Jack McGrew was appointed as an Alternate Member to the Zoning Commission to fulfill a term ending 12/31/2018. In May, Susan Dress was appointed as an Alternate Member to the Zoning Commission with a term ending 12/31/2022. In November, the Board of Trustees extended Mr. Richard Kracer’s term as a regular member until 12/31/2023 and renewed Mr. McGrew to continue serving as an Alternate until 12/31/2023 as well.

Permits

The 2018 year was an equivalent year to 2017 as far as total number of permits. The Township finished the 2018 year with issuing 256 permits, 11 more than 2017. Between 2000-2010 the Township averaged 256 permits per year. Since 2010, the Township has been averaging 215 permits per year.

The total number of new single-family homes also remained about the same with 30 permits, compared to 28 last year. The average number of new single-family home permits issued since 2010 is 24 permits. 22 of the 30 new homes built were on vacant lots; 7 were a tear down and rebuild; 1 was not started.

Commercial construction activity compared to last year decreased. There were 8 new commercial permits issued and 4 commercial additions for a total of 58,216 s.f. of new building space compared to 17 new buildings last year for a total of 93,822 s.f.. These new buildings and additions included a new Netty's Restaurant, 3 storage buildings, expansion of Marine Tech Boat Sales, indoor swimming pool facility at Bass Haven, substantial addition onto the former Train-O-Rama building for Bass Haven boat storage, addition for a new Lakeside Restaurant coming in 2019, Lakeside shelter at the new pickleball courts and a new aviary at African Safari.

Permit fees collected this year were down by \$4,600. Most permit fees are associated with the size of a project. The decrease of commercial projects contributes substantially to the decrease, but there were also no new Condominium buildings issued this year and a decrease in the number of accessory buildings.

Permits over the years have traditionally began to increase between April and September. This trend continued in 2018. The months of July and September proved to have the most permits issued in those months since 2005. Unfortunately, for unknown reasons, the month of October was the worse it has been since 2011.

In addition to issuing many commercial building permits and remaining in-line with new single family home permits; residential additions, porches, decks, accessory structures, and fencing permits were popular improvements made to existing homes and property. The Township continues to see people retiring permanently to the area and making improvements to their properties in preparation of making them year-round.

Enclosed are the Comparison Reports of the permits.

Office Activity

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 2018 the Department responded to 6,722 calls, e-mails and in-person inquiries and went on 991 site visits. This averages to 560 calls or emails per month and 82 inspections per month. We had a 2% decrease in phone volume from 2017 and a 3% increase in inspections.

The office daily logs are no longer created, so the data detail is simplified as follows:

- Outgoing 633
- Incoming 787
- Other 2,215
- Emails 3,087
- Violation Letters 58
- Inspections 991

There were was one Municipal Court citation for junk vehicles but no abatements/assessments this year related to nuisance complaints.

Other Office Updates:

The Township website was obsolete and required a full update with GoDaddy into the Wordpress format. This process was facilitated through the Zoning Department and started in February 2018. The update was finished and the new website launched at the beginning of June 2018.

Due to the sale of the company, the ZonePro permitting program was eliminated. There was no interruption to the permitting process as result and in the end, will save the Township roughly \$400 a year.

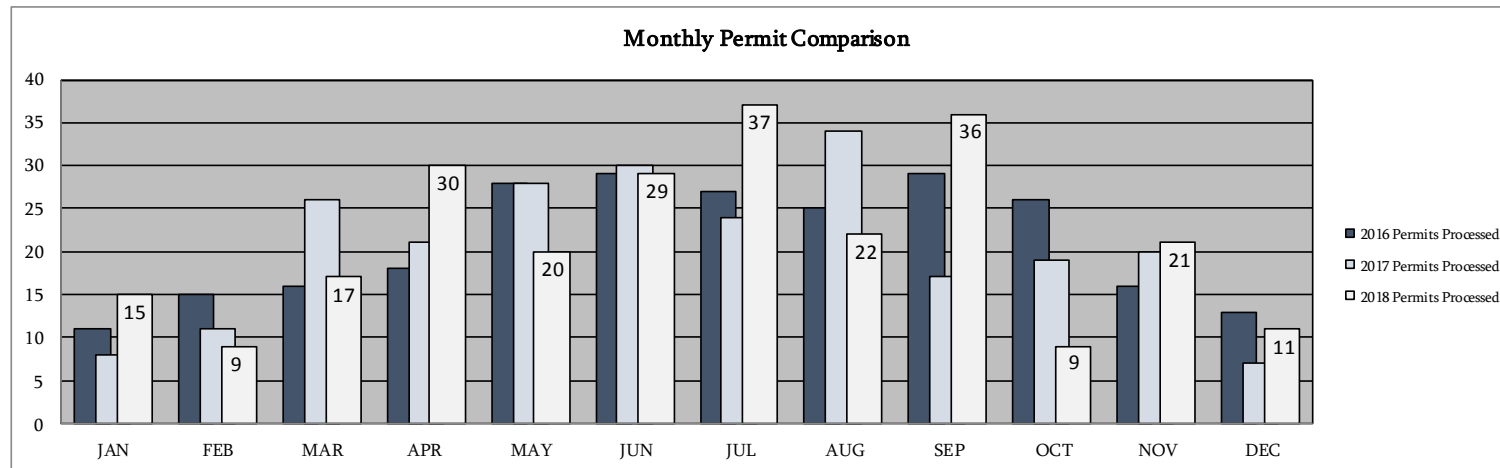
There were three events that zoning staff spoke and provided a presentation at this year. The first was in March at the Marblehead Chamber of Commerce Business Roundtable. The results of the 2017-2025 Land Use Plan were presented to share the direction that the Township would like to go for future development. The second event was the International Town & Gown Conference in Columbus in May with the City of Oxford regarding Floor Area Ratio's in the zoning resolution and the effect on the redevelopment of their Uptown. Representatives from Lakeside also attended the session as they are interested in exploring this as an option when developing residential lots within the gates. The last event was in August for the Lakeside Property Owner's Association meeting. Staff along with Lakeside's Historic Preservation Design Review Board and Municipal Services Committee reviewed the process of receiving a permit on property in the gates and what the role & responsibilities are of each review.

Staff attended the National APA Conference in New Orleans in April. 32 Continuing Education Credits are needed to retain AICP credentials for the 2018 & 2019 reporting period. 24.25 of the required 32 credits were obtained leaving 7.75 credits remaining to be completed by 12/31/2019.

2018 Monthly Permit Activity Danbury Township Zoning Permits

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTALS
New Dwelling	3	2	5	3	1	1	1	2	4	3	3	2	30
Condominium Building													
Addition/Porch/Deck		2	4	6	1	10	11	7	8	2	9	2	62
Accessory Bldg./Dock/Pool		1	3	8	6	7	8	2	2	2	3	1	43
Fence			3	5	5	3	5	6	4	1	1	2	35
Commercial Building				2	1	1	1		1		1	1	8
Commercial Addition					1		1		1		1		4
Sign		1		2		4			1	1			9
Change of Use	1		1										2
Permit Rejected/Voided	3	1		1	2	1	4	2	5		1	2	22
Zoning Amendment	1			1					1		1		4
Appeal	1												1
Conditional Use		1						1	1				3
Cond. Use Phase Approval													
Variance	4	1		1	2	1	4	1	5		1		20
Special Exception													
Other Misc.	2		1	1	1	1	2	1	3			1	13
2018 Permits Processed	15	9	17	30	20	29	37	22	36	9	21	11	256

Zoning Books Sold													
Fees Collected	\$1,727.78	\$1,127.89	\$1,520.96	\$2,979.54	\$1,838.46	\$1,589.96	\$2,904.22	\$1,367.34	\$3,201.43	\$862.64	\$1,888.93	\$1,352.36	\$22,361.51

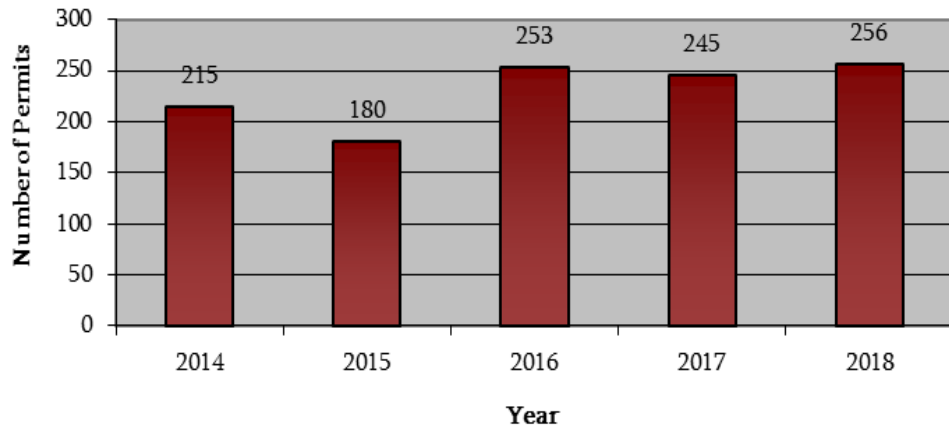


5 Year Permit Comparison Report

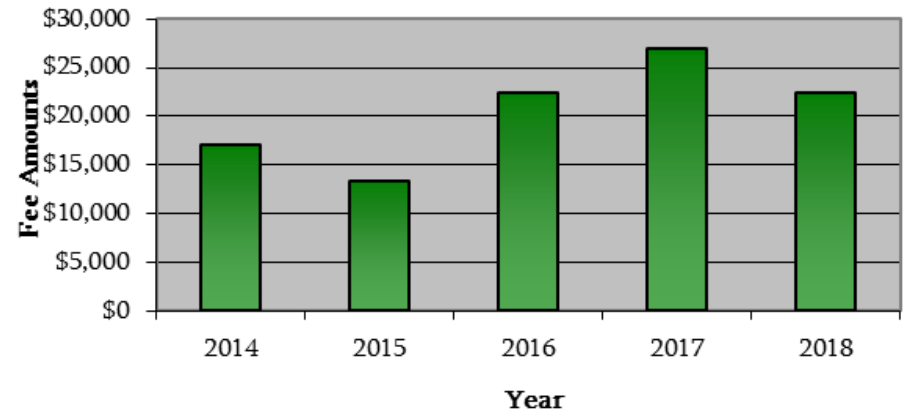
Danbury Township Zoning

	2014	2015	2016	2017	2018	TOTALS
New Dwelling	27	26	30	28	30	141
Condominium Building	1			2		3
Addition/Porch/Deck	45	34	55	48	62	244
Accessory Bldg./Dock/Pool	44	33	49	57	43	226
Fence	19	18	31	21	35	124
Commercial Building	8	6	7	17	8	46
Commercial Addition	2	1	1	4	4	12
Sign	13	12	9	5	9	48
Change of Use	2		2	2	2	8
Permit Rejected/Voiced	13	14	17	18	22	84
Zoning Amendment	6	4	6	7	4	27
Appeal					1	1
Conditional Use	4	5	13	3	3	28
Cond. Use Phase Approval						
Variance	17	13	18	19	20	87
Special Exception						
Other Misc.	14	14	15	14	13	70
Permits Processed	215	180	253	245	256	1,149
Zoning Books Sold	1	2	3			6
Fees Collected	\$17,107.19	\$13,256.63	\$22,499.50	\$27,007.06	\$22,361.51	\$102,231.89

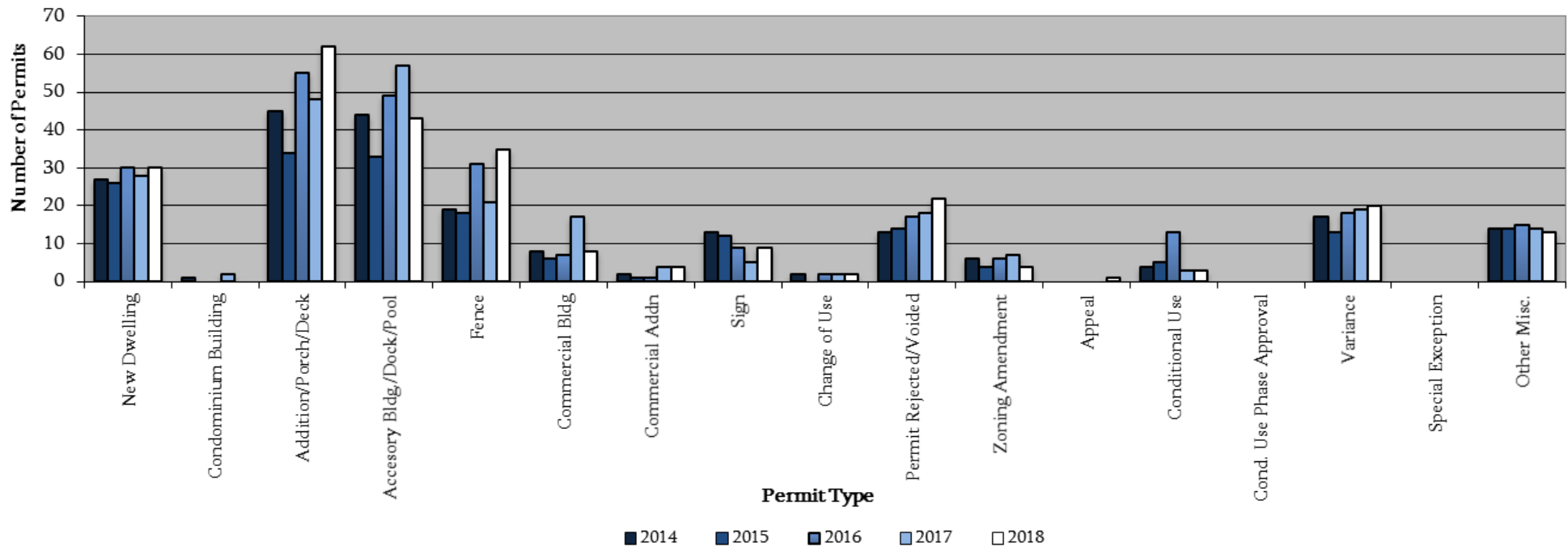
5 year Zoning Permit Comparison



5 year Zoning Fee Comparison



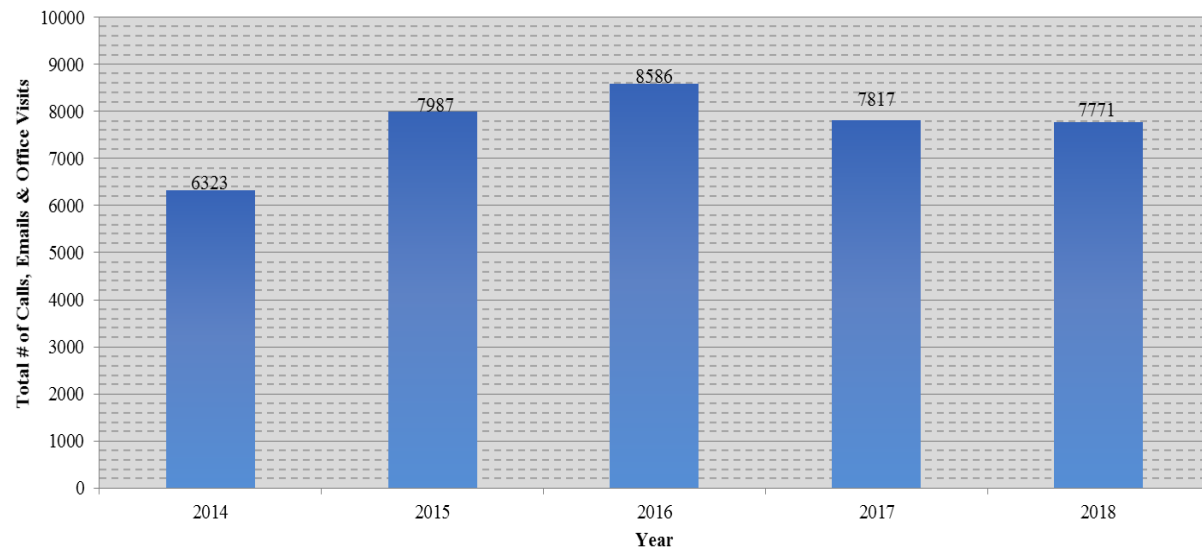
5 yr. Permit Type Comparison



2018 Office Activity Report Danbury Township Zoning

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTALS
Calls & Emails													
Outgoing	54	70	42	55	46	61	55	105	53	42	24	26	633
Incoming	49	79	49	65	62	50	81	123	104	58	35	32	787
Other	205	175	214	238	230	248	214	219	105	133	139	95	2215
Emails	272	250	279	70	267	253	261	309	305	316	322	183	3087
	580	574	584	428	605	612	611	756	567	549	520	336	6722
Site Visits													
Zoning Violations													
Violation Letters Sent	2	2	1	4	10	10	7	4	8	5	4	1	58
Zoning Inspections	61	50	55	56	133	82	101	132	70	120	81	50	991
	63	52	56	60	143	92	108	136	78	125	85	51	1049
	643	626	640	488	748	704	719	892	645	674	605	387	6780
												TOTAL:	7771

Total Office Activity Comparison



Office Activity Summary

