

## Danbury Township Zoning Commission

August 5, 20

The Danbury Township Zoning Commission was called to order at 6:30 p.m. at the Danbury Township Meeting Room by Chair, Jodi Kopanski. The pledge of allegiance was recited. The roll call showed the following present: Ms. Jodi Kopanski, Mr. Richard Kracer, Mr. Michael Brown, Mr. Robert Strauss, Mr. Vito Kaminskas and Alternates Ms. Susan Dress and Mr. John Basilone. Also present were Kathryn Dale, Zoning and Planning Administrator. Visitors present included Holly Hunt, Kelsey Keller and Josh Adkins.

Ms. Dale swore in Mr. Basilone as a new Alternate Member. His term is set to expire 12/31/2023.

### Approval of the March 4, 2020 Minutes

Mr. Brown made a motion to approve the minutes for the March 4, 2020 meeting. Mr. Strauss seconded the motion. All Ayes. The motion carried.

### Public Hearing

The Chair reviewed the procedures for the meeting and announced the application before us this evening is map amendment request. This Commission is a recommending body to the Board of Trustees. Staff will review what hearings have taken place regarding the application, but essentially this is the 2nd hearing of a 3-hearing process. Following the hearing this evening, our recommendation will be forwarded onto the Township Board of Trustees at their next regular meeting. Upon receipt of our action, the Trustees will establish when they will schedule a public hearing on this application. All notifications for our hearings are published in the Port Clinton News Herald 10 days prior to the hearing. Notice was also sent to adjoining property owners. Final action to approve or deny is made by the Board of Trustees. The Chair asked Mrs. Dale to introduce the case for this evening.

### ZC-2020-143

#### 0, 419 and 479 Lightner Road African Safari Wildlife Park Map Amendment

**Request for a Map Amendment from “A” Agricultural to “R-C” Recreational Commercial for PIN# 0141174415277000 (Sec. 4, part of Lot 16 NW Corner 70’x 125’ Firelands Survey – 0.200ac.), 0141866525006000 (35.543acres) & 0141866525006001 (7.324ac.)(both Sec. 4, part of Lot 16 Firelands Survey) consisting of 43.067 total acres. **Francisco & Pamela Davis-Guerra, Owner/Applicant; R. Brian Hunt, Owner/Applicant; Holly Hunt, International Animal Exchange/ Agent; Rod Gillespie, BEC Associates/Agent.****

The Chair asked if there was any member who would have a conflict and wished to abstain. There were none. The Chair asked for a motion to open the public hearing. Mr. Brown made the motion, Mr. Strauss seconded the motion. All were in favor and the motion carried. The Chair asked Ms. Dale the Zoning Administrator, to give the Commission an overview of this application.

Ms. Dale stated the applicants are requesting to rezone 3 parcels of land from “A” Agricultural to “R-C” Recreational Commercial. Two parcels and the main reason for the request comes from African Safari Wildlife Park. R. Brian Hunt, an original owner of African Safari Wildlife Park owns parcel #0141866525006000 (35.543acres) & parcel #0141866525006001 (7.324ac.) to the south of the current park. The 7.324 acre parcel has a farm house and some barns on it and is addressed as 479 Lightner Road. The park is listed in a corporate name and now owned and managed by Mr. Hunt’s daughter, Holly Hunt.

While it is not a requirement in a rezoning request for the applicant to disclose their intended use of the property, since their existing facility is zoned “R-C” Recreational Commercial and would be considered as a Conditional Use for a “Commercial Amusement Enterprise”, any expansion of the facility onto these two parcels of property to the south of the current park would have to undergo a review process before the Board of Zoning Appeals, should the rezoning be approved. A full zoning history of the property is listed at the end of this report.

Staff advised the Hunt’s at the time they enquired about the process of rezoning that it would make better planning sense to reach out and see if the Davis-Guerra family would be agreeable to join the application so their small farm house property located at 419 Lightner Road, #0141174415277000 (0.200ac.) wasn’t left as an undersized, nonconforming “A” zoned property and potentially surrounded by “R-C” zoning. There are no intensions as this time for this property to be anything other than a single-family farmhouse. The rezoning of the property would actually make this lot more conforming to the “R-C” district requirements in regards to lot size and required setbacks. The Davis-Guerra family also own the parcel to the north of the house that has a barn on it, which is already zoned “R-C” Recreational Commercial.

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Ms. Dale shared the surrounding zoning districts and uses of property. The Danbury Township Land Use Plan was updated and adopted in 2017. At the time, the subject property was identified as a Rural Development area for the fact that it was farmland at that time and that future development should consist of agricultural uses and low density residential. The goal of Economic Development is to:

*Promote diverse businesses, attract residents, local services and year-round, full-time employment opportunities.*

Objective 2. Retain and expand existing businesses.

Strategies:

- ED 2.1. Understand the changing tourism attractions and economy and ensure zoning allows for new uses.
- ED 2.2. Expand near existing tourism attractions and locations.
- ED 2.3. Support existing businesses looking to expand or relocate within the Township.

Ottawa County Regional Planning Commission (OCRPC) was forwarded the proposed amendments on July 6, 2020 and held a hearing on July 21, 2020. OCRPC's decision letter recommending Approval as Presented was provided to the Commission.

Mr. Kracer clarified that there was an error in the staff report that Portage Township is to the west of Lightner Road and not the east. Ms. Dale stated that is correct and thanked him for catching that.

Holly Hunt, 267 S. Lightner Road, Port Clinton, Owner/ Applicant on behalf of African Safari Wildlife Park came forward and stated they are experiencing a good season and are considering expanding. She said as most of them know, they had a tragic fire back in November and would like to recover from that. She said they are looking at buildings and would like the Board's blessing on this rezoning.

Mr. Brown asked for clarification on Item G of the questions they responded to on the application. He said they mention animal holdings and he asked what that was. Ms. Hunt said that is in reference to barns. He said he was wondering if it meant corrals for giraffes and lions. Ms. Hunt said no, they do not have any large carnivores. Mr. Brown asked if these barns would replace the one that burnt down. She said yes.

Ms. Kopanski asked if they had any intentions of selling this property or if it would be solely for the use or potential use to expand the existing Wildlife Park. Ms. Hunt said that is correct and they have no intentions of selling.

Mr. Strauss asked what their total acreage including the existing park would be. Ms. Hunt said she thought it would be around 100 acres.

Ms. Dress asked that if they plan to expand, if they have any thoughts about traffic control and back-up on Lightner Road since it's been an issue several times this year. Ms. Hunt asked her assistant to address this.

Kelsey Keller, 267 S. Lightner Road, Port Clinton came forward and stated they have spent a lot of time within their own operation to restructure how traffic flows thru the property. She said some of this now includes requiring reservations, which helps space out the traffic to arrive at certain times. She said they also added an additional ticket booth lane so when cars come into the park, they now have 3 lanes to feed that traffic thru. She said they worked very hard on this and are happy to report that there have not been any cars out on Lightner Road for over a month, possibly two months now. She said they are doing everything they can on their end to stagger traffic. Ms. Keller said they have also established some capacities and once they reach that level, they do turn people away. She said this year is the first they have had to do that, but now that they know what capacity looks like for them, they are able to better manage the guest expectations as well getting the cars off the main road.

The Chair asked if there were any questions from the Commission. There was no one else from the public present who wished to speak. The Chair asked for a motion to close the public hearing. Mr. Strauss made the motion, Mr. Brown seconded the motion. All were in favor and the motion carried.

The Chair reviewed the decision criteria and the Commission deliberated. Mr. Kaminskas made a motion to approve case ZC-2020-143, as presented herein and found that Decision Criteria "ii" & "iv" of Section 7.6.7.B. of the Danbury Zoning Resolution was satisfied, and furthermore that the benefits of said request outweighs any potential pitfalls presented this evening. Mr. Brown seconded the motion. The roll call vote was as follows: Mr. Strauss - yes; Mr. Brown - yes; Mr. Kaminskas - yes; Mr. Kracer - yes; Ms. Kopanski - yes. All in favor, the motion carried 5-0. The Chair stated the Application has been recommended for **APPROVAL**. Ms. Dale will be in touch with the applicant of the date set for the final decision hearing before the Board of Trustees.

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**Old Business**

There was none.

**New Business**

There was none.

**Other Business**

**Worksession & Discussion on Zoning Resolution.** Ms. Dale reviewed where they left off in March with average setbacks and median setbacks for the “R-C” and “C-2” zoning districts. She reviewed the proposed setbacks for these districts which will hopefully bring existing buildings more into compliance. Mr. Basilone and Mr. Kaminskas had questions about what happens if a building does not meet these requirements. Ms. Dale explained that it would be just like anything else, they would be considered nonconforming, grandfathers and potentially subject to BZA review if any variance would be needed on future improvements. Clarification was needed about the increased residential setbacks and how that differs from the underlying zoning district setback.

Ms. Dale said that many of the uses and expanding the permitted uses had pretty well been agreed upon except Solar Fields. She shared she had done a lot of research trying to find language for this and ultimately with the assistance of a colleague, found that the City of Monroe is one of the few jurisdictions in the State with any sort of language. She shared that she did not try to retro-fit it for this Township, but rather wanted them to see what another community had adopted. Upon review of this language, the Commission stated they think setbacks should be similar to what is already in the zoning resolution for Wind Farms and a Solar Field should be listed as a Conditional Use and not a permitted use. Once major questions that Ms. Dale said she would have to ask legal counsel about is whether or not the Township can require something like a reclamation bond should a solar field ever come in and then cease to operate.

**Reports and Communications from Members and Staff**

There was none.

**Public Comments Regarding Zoning Items Not on the Agenda.**

There was none.

**Adjournment**

The Chair asked for a motion to adjourn. Mr. Kracer moved to adjourn the meeting and Mr. Strauss seconded the motion. All Ayes. The motion carried.

The meeting was adjourned at 7:28 p.m.

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RECORDING SECRETARY

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ZONING COMMISSION

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