

**TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING**

September 23, 2020

Trustee Dress called the meeting to order at 6:00 PM. The Pledge of Allegiance was recited. Roll call: Trustee Dress, Trustee Hirt, and Trustee Rozak, Fiscal Office Assistant Susan Dress and Fiscal Officer Carolyn Adams. There were no visitors. Approval of September 9th meeting minutes were approved on a motion by Mr. Hirt and seconded by Ms. Rozak. All voted aye.

**Correspondence**

- Ottawa County Board of Elections sent reminder of election November 3rd and the need for setup to be completed on November 2nd. at Township polling location.
- Marblehead Chamber of Commerce membership renewal.
- Newsletter from Ottawa County Historical Society

**Roads**

- Sackett Cemetery one full service burial
- Mowing and maintaining the road right of ways and Township Parks
- Lightner Road repaving is progressing well.
- Continue to install new street signs throughout the Township

Brush pile grinding quotes:

Lake Erie Tree Service: \$6400.00

Universal Farms: \$7164.27

Mr. Hirt motioned and Ms. Rozak second the motion to contract with Lake Erie Tree Service. Roll Call all Voted Aye.

Trustees will discuss moving forward with the road department salt barn and fuel dispenser at the October 14th meeting.

Ms. Rozak motioned to accept the resignation of Road Department employee Mark Turinsky effective October 2nd. Mr. Hirt seconded the motion. Roll Call all voted aye.

Trustees indicated sink holes were developing in Meadowbrook Marsh. Mr Waldron to evaluate damage and seek funding for needed repairs.

**Police**

Chief Meisler reported 215 incidents to date in September. D.A.R.E. will begin today for the fourth grade class. The class will be attended by fifteen in – school students and three will receive virtual instruction. This fourth grade class will be taught during the first quarter, which ends November 16th. The second fourth grade class will then have their turn, until the second quarter ends on January 15th. Chief Meisler has been asked to speak at the Lakeside Property Owners Association meeting October 3rd. at 10:00 a.m. to provide a report concerning police activity in Lakeside. This meeting will be attended via Zoom.

**FIRE**

Ms. Rozak motioned approval of hiring Taffy Armstrong as a Fire Department Auxiliary member at \$10.00 per call. Mr. Hirt seconded the motion. All voted aye. Chief Kahler provided the following report:

		Fire & Ems Run Details					
		EMS	Fire	MVC*	Alarm **	CO***	Mutual Aid
9-23-2020		44	1	1	5	0	0
Year to date		521	30	25	57	6	3
	Total	642					

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\*Motor Vehicle Crash(es)  
\*\* Alarm Activation(s)  
\*\*\*Carbon Monoxide Investigation(s)

## Zoning:

### Permits

To-date this month there has been 22 permit applications submitted/processed totaling \$2,125.85 collected in fees and BZA balances.

### Board & Commission Activity

#### The Board of Zoning Appeals –

The BZA held adjudication hearings Wednesday, September 16, 2020, via Zoom on the following cases:

- a. **BZA-2020-196**  
**Approved as Presented**  
**5686 E. Harbor Road, Unit A-1 (Safe Harbor Development).** Request for Conditional Use in accordance with Section 3.4 and 7.11 to allow a kennel (doggie daycare). **Samantha Puckett, Applicant/ Agent.**
  
- b. **BZA-2020-205**  
**Approved as Presented**  
**8582 Billings.** Request for an Area Variance from Section 5.1.7 to allow for a covered front porch to encroach into the north, front-yard setback (14' proposed/ 20' required) and to Section 7.12.3.A to allow more square footage onto a nonconforming structure than permitted [708s.f. (53.3%) proposed/ 288s.f. (20%) permitted]. **Fred & Julie Reinhart, Owners/ Applicant.**

#### The Zoning Commission -

The Zoning Commission scheduled to hold a public hearing on October 7, 2020 at 6:30p.m. on the following rezoning application:

- a. **ZC-2020-206 0 E. Bayshore Road (SE Corner of S. Danbury N.).** Request for a Map Amendment from "A" Agricultural to "C-2" General Commercial for PIN# 0140828430281000 (Sec. 4, part of Lot 20) consisting of 5.311 total acres. **Timothy Feller, Owner/Applicant.**

Ottawa County Regional Planning Commission recommended **Approval as Presented** on this case at their September 15, 2020 meeting.

### Department Updates

None at this time.

### Violations/ Complaints:

#### ILLEGAL RENTAL:

None.

#### ILLEGAL CAMPERS:

None.

### JUNK & DEBRIS:

**1802 Bayview (Con't Scrapping, Junk & Debris – Christiansen)**

#### **Open**

Verbal complaint was made by neighbor again on 09.10.20. Citations were filed with Muni Court on 09.11.20 for a zoning violation for continued use that is not permitted in that zoning district and ORC 505.87 for the junk & debris. Hearing is set for 09.30.20 at 8:30a.m.

**280 Springcrest (Misc. household Junk & Debris – Snyder)**

#### **Open**

All letters were sent for this property and claimed by September 21, 2020. The earliest the Township may enter the property is Monday, September 28, 2020. The bank has filed a request with the court for an emergency hearing for a permanent injunction and emergency relief as well as a motion for a Temporary Restraining Order. Essentially what this means is the bank is looking to get the occupants out of the house so they can enter the property and get it cleaned up.

Prior Info: The first 'Warning' letter dated March 4, 2020 was sent via regular & certified mail. The second 'Notice to Comply' letter dated June 11, 2020 was sent via regular & certified mail. In both instances, the regular mail letter was received as it was never

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returned to us and the certified letters were returned to us unclaimed. A "Final Notice" was sent out August 27, 2020 via regular & certified mail as well. At least one of the certified letters is coming back unclaimed. We've received 3 written complaints and 2 verbal phone call complaints regarding this property. The owner of the property has been filed with a bankruptcy/ foreclosure action and has moved out to another location in Danbury, however, the owner's daughter & son-in-law have essentially moved in to the house with other acquaintances and are destroying the house from the inside-out. The furnace, hot water heater, cabinets, decks, etc. have been removed from the home. There has been multiple, documented emails, photos and phone calls with the bank, the bank's attorney and property preservation team regarding all this. The bank indicates they cannot do anything until the premises is vacated. I've looked at other options also, such as the Sanitary Engineer's office to see if they are current on water & sewer billing, which they are, but even if they hadn't been shut-offs are not occurring with many of the utility companies due to Covid-19. The Board of Trustee passed Resolution 18, 2020 on September 9, 2020 declaring the property as a nuisance.

**248 Erie Beach (Misc. household Junk & Debris & Junk Cars – Richards)**

**Open**

08.12.20 was the bench trial for this case. The judge issued a \$250 fine (\$500 was possible) suspending \$100 provided that the owner complies with the zoning requirements within 60 days (October 11<sup>th</sup>).

Prior Info: Complaint was received 03/19/20 regarding the condition of this property. Letter was sent to the property owner via Certified Mail on 04/02/20. Letter attached for your review. Owner signed for and received his letter 04/08/2020. Upon reinspection 04/22/20 the yard has been slightly picked up, they have removed some recreational vehicles so they are in compliance with only 3 items on the property. They have not removed 2 junk vehicles and another letter was sent to them 04/24/20. This will be reinspected this week to see if any additional improvements have been made. Final Notice letter was sent via Certified Mail May 19, 2020. Owner is refusing to claim the letter at the post office. Letter sent via regular mail also. Next step if failure to correct will be filing a complaint with Municipal Court. Complaint filed with Municipal Court 06.19.20 for 2 junk vehicles and exceeding allowable number of recreational vehicles on the property. Hearing is to be held morning of 07.08.20. Will give Trustee Rozak update of outcome. Owner pled Not Guilty which is now causing this case to go before the Muni Court as a bench trial which is scheduled to take place August 12, 2020 at 9:00a.m. KAD will update Trustee Rozak following the proceedings.

**TALL GRASS:**

**246 Arman (Tall Weeds – Benko)**

**Open**

Complaint was received 09.16.20. Yard is immaculate, but there is a small area behind the shed that is only visible to the complainant. Just a friendly regular mail letter was sent to the property in question asking them to clean it up some.

**CONSTRUCTION WITHOUT PERMITS:**

**2869 Amherst (2<sup>nd</sup> story deck w/out Permit – Petroff)**

**Open**

Owner has not followed up further with the Township, but pulled the Building Permit on September 10<sup>th</sup>.

Prior Info: Owner constructed 2<sup>nd</sup> story deck over rear patio. Letter sent via regular mail 08.20.20 and has until 09.04.20 to respond. Owner called September 4<sup>th</sup> and will be working on getting the proper paperwork in this week after Labor Day.

**1891 Tecumseh (Covered Patio w/out Permit – Wolf)**

**CLOSED**

Owner applied for and received necessary permits on 09.14.2020.

Prior Info: Owner constructed an awning cover over the rear patio. Letter sent via regular mail 08.20.20 and has until 09.04.20 to respond.

**319 Erie Beach (Covered front porch w/out Permit – Semmelroth)**

**Open**

Owner reached out and will need a variance. Waiting on them to turn in their necessary paperwork.

Prior Info: Owner constructed covered awning over front existing deck. Letter sent via regular mail 08.20.20 and has until 09.04.20 to respond.

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172 Elizabeth (Shed w/out Permit – Guy Tibbels)

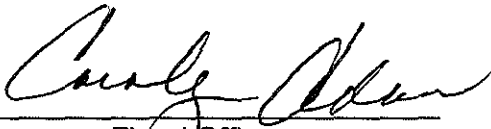
Open

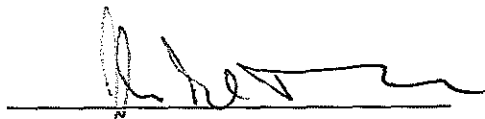
Owner is actively working on getting the necessary paperwork in order.

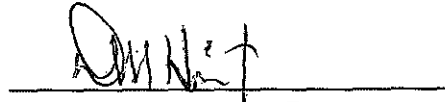
Prior Info: A replacement shed was installed without a permit. Located partially on property not owned solely by the lot owner. Letter was sent via regular mail 06.26.20. Owner called 06.29.20 and is trying to make sure property agreements with his siblings and family business are in place and have actually been recorded.

FISCAL BUSINESS

A motion by Mr. Dress and seconded by Ms. Rozak to approve the payroll and bills totaling \$55,575.83 for the period 9/10 – 9/23. Roll call was unanimous and motion carried. There being no further business before the Board, Mr. Dress moved and Ms. Rozak seconded a motion to adjourn at 7:00 p.m. Next meeting will be held October 14th.

  
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Fiscal Officer

  
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Danbury Township Board of Trustees