

## Danbury Township Zoning Commission

October 7, 20

The Danbury Township Zoning Commission was called to order at 6:31p.m. at the Danbury Township Meeting Room by Vice-Chair, Michael Brown. The pledge of allegiance was recited. The roll call showed the following present: Mr. Michael Brown, Mr. Richard Kracer, Mr. Robert Strauss, Mr. Vito Kaminskis and Alternates Ms. Susan Dress and Mr. John Basilone. Ms. Jodi Kopanski was excused. Also present were Kathryn Dale, Zoning and Planning Administrator. Visitors present included Timothy Feller.

### Approval of the August 5, 2020 Minutes

Mr. Strauss made a motion to approve the minutes for the August 5, 2020 meeting. Mr. Kaminskis seconded the motion. All Ayes. The motion carried.

### Public Hearing

The Vice-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-2020-206

0 E. Bayshore Road  
(SE Corner of S. Danbury N.)

Feller

### Map Amendment

**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.**

The Chair asked if there was any member who would have a conflict and wished to abstain. Mr. Kracer stated that he needed to abstain because the applicant is a family member. Alternate Ms. Dress was seated for Ms. Kopanski's absence and Alternate Mr. Basilone was seated for Mr. Kracer. The Vice-Chair asked for a motion to open the public hearing. Mr. Strauss made the motion, Mr. Kaminskis seconded the motion. All were in favor and the motion carried. The Vice-Chair asked Ms. Dale the Zoning Administrator, to give the Commission an overview of this application.

Ms. Dale stated the applicant is requesting to rezone 1 parcel of land at the SE corner of Bayshore and S. Danbury N. Road from "A" Agricultural to "C-2" General Commercial. The property consist of 5.311 acres.

While it is not a requirement in a rezoning request for the applicant to disclose their intended use of the property, the owner does have a potential buyer interested in the property to establish some sort of commercial business and build a home on the property. They were provided both the "R-C" and "C-2" zoning district requirements and uses to review prior to filing the map amendment request.

Ms. Dale shared the surrounding zoning districts and uses of property. The Danbury Township Land Use Plan was updated and adopted in 2017. The plan looked at the existing character of areas within the Township that have specific elements that define part of the physical environment. The characteristics used included: lot size, lot coverage, land use based on tax classification, density, street pattern and connectivity and building design. This particular property was identified as "Recreational & Marine" and within a "Corridor Enhancement Area".

"Recreational & Marine" includes characteristics that consist of developments that cater to recreation, camping, water recreation and tourism within the Township. Typified with campgrounds, boating activities, fishing and marine services. Uses deemed as appropriate for this designation were single-family, two-family and multi-family dwellings as well as civic and neighborhood commercial activities. The Corridor Enhancement Area specifies that the development Intent on properties in this area need to enhance landscaping, signage and access to improve the local image along major thoroughfares within the Township. The Corridor Enhancement Area indicates there are a mix of all uses from Residential to Commercial.

Ottawa County Regional Planning Commission (OCRPC) was forwarded the proposed amendments on August 25, 2020 and held a hearing on September 15, 2020. OCRPC's decision letter recommending Approval as Presented was provided to the Commission.

## Danbury Township Zoning Commission

October 7, 20

Timothy Feller, 130 Charles Street, Marblehead, Owner/ Applicant came forward and stated the property is agricultural land right now. He stated the buyer has a home over in Marblehead Estates and is interested in purchasing it. Mr. Feller said that what Ms. Dale shared as far as the buyers potential plans are, is the most he knows about their intentions.

Mr. Kaminskas asked Ms. Dale to repeat what those plans were again. Ms. Dale shared they asked about a small commercial strip center, storage, maybe a mix of both with the road frontage looking nice, but also about possibly constructing a home on the property as well. They were not specific about what type of commercial activity, but Ms. Dale pointed out to the Commission that part of their duty is to determine if any of the uses listed in the "C-2" would be appropriate for this property.

Mr. Basilone asked what the significance was of the list of names in the packet. Ms. Dale explained that those were the adjoining property owners who received notice of this hearing. Ms. Dress said she had two questions, the first was whether the land was being farmed. Mr. Feller said no. Ms. Dress said her second question was if Danchisen's still owned the property to the south. Mr. Feller said yes, the daughter Jackie has it.

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

The Vice-Chair reviewed the decision criteria and the Commission deliberated. Ms. Dress made a motion to approve case ZC-2020-206, as presented herein and found that Decision Criteria "b" of Section 7.7.3.E.ii. of the Danbury Zoning Resolution was satisfied, and furthermore that the benefits of said request outweighs any potential pitfalls presented this evening. Mr. Basilone seconded the motion. The roll call vote was as follows: Mr. Basilone - yes; Ms. Dress - yes; Mr. Kaminskas - yes; Mr. Strauss - yes; Mr. Brown - yes. All in favor, the motion carried 5-0. The Vice-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.

### 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 August In regards to the potential text amendments that they have been discussing and the focus this evening is the language of the Solar Farm or Field. Ms. Dale shared that at the last meeting the Commission suggested making the setbacks the same as Wind Farms, however, those structures can be up to 150' tall, so utilizing a percentage equal to the height of the structure may not be very helpful for a Solar Farm use. She suggested that they rely on the underlying zoning district regulations. Consensus was made among the Commission members as well as not to further increase the setbacks when such use may abut a residential property.

The Commission said that an open space requirement for this seems excessive and could eliminate an acre or more of usable land. Consensus among members was to ensure that this use is a Conditional Use in the "A", "C-2", "M-1" and "M-2" zoning district and to eliminate a 0' side-yard setback in the "M-2" zoning district. Ms. Dress stated that is should be no less than 15'. Ms. Dale stated she did not have the setback modifications with her, but she would make sure to review that.

No further discussion. Ms. Dale said she will compile a final draft of everything they have discussed up to this point and present that to them in November to make a formal motion to initiate the changes.

### Reports and Communications from Members and Staff

There was none.

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

There was none.

**Danbury Township Zoning Commission**

**October 7, 20**

**Adjournment**

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

The meeting was adjourned at 7:15 p.m.

\_\_\_\_\_  
RECORDING SECRETARY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
ZONING COMMISSION

[INTENTIONALLY LEFT BLANK]