

Danbury Township Zoning Commission

December 2, 20

The Danbury Township Zoning Commission was called to order at 6:30p.m. at the Danbury Township Meeting Room by Chair, Ms. Jodi Kopanski. The pledge of allegiance was recited. The roll call showed the following present: Ms. Jodi Kopanski, Mr. Michael Brown, Mr. Vito Kaminskas and Alternates Ms. Susan Dress and Mr. John Basilone. Mr. Richard Kracer and Mr. Robert Strauss were excused. Also present were Kathryn Dale, Zoning and Planning Administrator. No visitors were present.

Approval of the November 4, 2020 Minutes

Mr. Brown made a motion to approve the minutes for the November 4, 2020 meeting. Mr. Kaminskas 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 a text 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-2020-269 Danbury Township Text Amendment

ZC-2020-269 Request for Text Amendments to add new definitions to Section 2.2, expand Permitted and Conditional Uses listed in Section 3.4 Use Matrix, Reduce Commercial front-yard setbacks in Section 3.5 District Requirements and increase setback requirements for Commercial Zoning Districts that abut Residential Zoning Districts and lower maximum building height requirement in Manufacturing Zoning Districts. Add new Section 4.18 establishing Use Standards for Solar Field or Farm, modify Section 5.2.4 clarifying permitted accessory uses in the LBO Zoning District, modify Section 5.10.3.B. establishing parking space requirement for Athletic Fields, modify Section 5.10.4 clarifying parking lot setback requirements from property lines and cross-reference to Landscaping & Buffering Requirements of Section 5.8 and modify Section 6.4 clarifying wall signage requirements for commercial uses in residential zoning districts that was erroneously left out from a prior amendment. **Danbury Township, Applicant.**

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. Kaminskas 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.

At the beginning of 2020, the Zoning Commission reviewed the goals and strategies outlined in the 2017 Updated Land Use Plan, specifically the implementation section for items that directly relate to the Zoning Commission. Discussion began to expand the uses listed as Permitted and Conditional to allow uses that are increasingly becoming more popular in this area, but to also address uses that were existing but not specifically listed or addressed in the zoning resolution. Many of these uses also needed to be defined. One proposed use is Solar Field or Farm which is proposed to be a Conditional Use. Members of the Commission have expressed an interest to take a pro-active stance on these despite there being no immediate interest from any companies coming to the Township.

Setbacks for Commercial properties were analyzed as well because many of the Commercial properties along SR 163/E. Harbor Road and Bayshore Road are nonconforming and sit much closer to the road than the required 70' front-yard setback. The proposal is to reduce this requirement based on what actually exists. There were concerns also that 10' side yard setbacks for Commercial properties adjoining residential properties was not adequate, so increases are proposed. There were also concerns over the excessive height allowance for structures in the M-1 & M-2 zoning districts (75'-100'), thus the reason for a reduction proposal to this requirement (40'). It seems as though the height allowance was trying to accommodate factories, which just aren't built anymore the way they were and don't exist in the Township.

There are many other minor modifications being made throughout for clarification purposes that don't create any major contextual issues that aren't already being practiced. These include listing

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accessory uses allowed in the LBO zoning district and parking lot setbacks from property lines and cross-reference to Landscaping and Buffering requires previously adopted. There is also a minor modification to the signage requirements to re-include language that was erroneously left out in 2019 during a previous text amendment.

Ms. Dale asked if the Commission had any corrections, modifications or deletions that they wanted to discuss. Mr. Brown stated that he feels that the two listed “storage areas” listed in the Use Matrix need to be better described and suggested eliminating the language *“and provided storage and maintenance is kept in an orderly fashion”*. Ms. Dale explained that one is related to Boat sales & service and the other is plain storage buildings and outdoor storage areas.

Upon the conclusion of the discussion amongst the Commission, the consensus was to leave the 1st storage area worded as it was, with the aforementioned elimination, and ensure that it is highlighted in blue to properly point to the definition. Then the 2nd “Storage Area” should read as follows:

“Storage Areas, which includes buildings for just storage or in relation to repair and services”.

There was no one from the public present with any comments.

The Chair asked for a motion to close the public hearing. Mr. Brown made the motion, Mr. Kaminskas 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-2020-269, as presented and modified, furthermore that Decision Criteria “a.”, “c.”, “d.” & “e.” of Section 7.7.3.E.i. of the Danbury Zoning Resolution was satisfied, and that the benefits of said request outweighs any potential pitfalls presented this evening. Ms. Dress seconded the motion. The roll call vote was as follows: Ms. Kopanski - Yes; Mr. Brown - Yes; Mr. Kaminskas - Yes; Ms. Dress - Yes; Mr. Basilone - Yes. All in favor, the motion carried 5-0. The Chair stated the Application has been recommended for **Approval as Modified**. Ms. Dale will forward this on to the Board of Trustees.

Old Business

Ms. Dale provided an update to the Commission on how the Board of Trustees voted on the Jadwisiak (approved) and Rader (denied) rezoning cases from last month.

New Business

Ms. Dale shared the Mr. Kracer had been hospitalized with Covid-19. She suggested that if anyone would like to send a card, she was sure he would appreciate it. She shared that his address should be on the contact list in their zoning resolutions and if they don’t have it, then she would share it with them. She also shared that he had called from his hospital bed and expressed interest in possibly resigning from the Commission, but that had yet to officially be accepted because Ms. Dale was uncertain on his frame of mind when he called and told him that we would of course accept his wishes, but suggested he wait until he’s feeling better and knows for certain that’s what he wants to do.

Other Business

Election of Officers

Ms. Dale shared that the Board of Trustees would like to see Mr. Kaminskas move to an Alternate Member since he leaves for 4-5 months over the winter to Florida and appoint Ms. Dress from Alternate Member to regular member. Discussion ensued that Mr. Kaminskas wasn’t so sure he supported that idea.

Ms. Kopanski stated that in light of Mr. Kracer’s recent health, she would suggest holding off on holding the Election of Officers until they next meet since it’s unclear if Mr. Kracer will remain as an active member or possibly resign.

Acceptance of By-Laws and 2021 Meeting Schedule

Ms. Dale shared that the only change she was recommending to the by-laws were some cross-references made to the Zoning Resolution so they referenced the correct sections of the code. She stated when the code was updated at the end of 2019, some of the section numbers changed.

Mr. Basilone made a motion to accept the 2021 Meeting Schedule and the By-laws update with the exception of correcting the meeting start time in Article IV and on the last page under the Sunshine requirements to say 6:30p.m. instead of 7:00p.m. Mr. Kaminskas seconded the motion. All were in favor, none opposed. Motion passed.

Reports and Communications from Members and Staff

There was none.

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Public Comments Regarding Zoning Items Not on the Agenda.

There was none.

Adjournment

The Chair asked for a motion to adjourn. Ms. Dress moved to adjourn the meeting and Mr. Basilone seconded the motion. All Ayes. The motion carried.

The meeting was adjourned at 7:05 p.m.

RECORDING SECRETARY

ZONING COMMISSION