

RECORD OF PROCEEDINGS

Minutes of

Meeting

TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held June 23, 201

Trustee Hirt called the meeting to order at 6:00 PM. The Pledge of Allegiance was recited. Roll call: Trustee Dress, Trustee Rozak, and Trustee Hirt, Fiscal Office Assistant Susan Dress, Fiscal Officer Carolyn Adams. All present. Ms. Rozak moved approval of June 9th meeting minutes, Mr. Hirt seconded the motion, all voted aye.

Correspondence

- Quote from Bodner & Kerik Architects, Inc. for repairs and renovation to the Township Hall meeting room.
- Ottawa County Community Foundation Spring newsletter.
- Ohio Department of Administrative Services latest news updates.

Roads

- Sackett Cemetery two cremation burial
- Township clean-up is under way and running smoothly
- The Athletic complex is in full swing with several games & practices every night
- Mowing and maintaining Roads, Parks and Township buildings

Truck purchase to replace 2013 GMC pickup truck will cost \$1200.00 more than originally quoted. Mr. Rozak motioned and Mr. Dress seconded the acceptance of the new price. Roll Call all voted yes.

Police

The Department has received one application and resume for the Seasonal Officer position. The applicant graduated from Sandusky Police Academy last August and currently works part time for the Bay View Police Department. A second interview with the applicant and Mr. Dress will be scheduled. The Department has responded to 311 incidents from 6/1 thru 6/23.

Fire

Fire & EMS Run Details						
	EMS	Fire	MVC*	Alarm**	CO***	Mutual Aid
06/23/2021	54	2	3	2	0	0
Year to date	351	21	10	30	2	4
Total	418					

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

Chief Kahler notified the Trustees that John Englebeck has retired after 50 years of service. Gary Deerhake retired do to change of residency. Their service to the Township was greatly appreciated.

Zoning:

Permits

To-date this month there has been 16 permit applications submitted/processed totaling \$692.86 collected in fees and BZA balances.

Board & Commission Activity

The Board of Zoning Appeals –

The BZA held adjudication hearings June 16, 2021 on the following cases:

- a. **BZA-2021-110**
Approved as Presented
2494 Port Pleasant. Request for an Area Variance from Section 5.1.7 to allow for a covered patio awning to encroach into the front yard setback (17' proposed/ 20' required). **Loretta Grentzer, Owner/ Applicant.**

- b. **BZA-2021-111**
Approved as Presented

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538 Plum. Request for multiple Area Variances, from Sec. 3.5 to allow a porch addition to encroach into the east, front-yard setback (0.5' proposed/ 5' required), Sec. 7.12.3.A to allow more square footage than allowed on a nonconforming structure [20% (331s.f.) allowed/ 153% (2,169s.f.) proposed], Sec. 7.12.3.C to allow more than 75% of the floor area of the nonconforming structure to be altered. Also requesting a Conditional Use in accordance with Sec. 3.4 to allow the property to be used as a two-family. **Scott Luebcke, Owner/Applicant.**

c. **BZA-2021-112**

Approved w/ Conditions

2048 Robert. Request for an Area Variance from Section 5.12.1.B to allow a pool/spa to encroach into the west, rear-yard setback (0' proposed/ 5' required). **Andrew Lukcso, Owner/ Applicant; Wm. Foster, Contractor/Agent.**

The Zoning Commission -

The Zoning Commission is scheduled to meet July 7, 2021. They did finish the rezoning study, so preparations need to be made for open houses.

Department Updates

- New computer was delivered 06.22.21. Few little hiccups, but believe it is up and fulling functioning as needed now.

Violations/ Complaints:

ILLEGAL RENTAL:

242 Worthy (*Illegal Rental – Erie Shores Ventures*)

Monitoring

06.18.21 Outreach has been made with the prosecutor's office. Conference call was held 06.21.21 with the Prosecutor's office to discuss next steps.

Prior Info: Certified Letter sent 04/26/21 to owners notifying them to cease & desist renting the duplex for less than 30 days as advertised. To-date the letter has not been claimed despite notice being left by the post office. It is due to be returned as unclaimed starting 05.12.21. Once it is returned, the property and owners' local residence will be posted with the notice. The properties were posted 05.13.21 and the owner called 05.14.21. Owner said they would correct the situation and remove the reservations from their website. As of 05.25.21 more complaints were received regarding the usage of the property and the website still needs work. Owner was called and told to get it done immediately. If we continue to get more complaints, then a citation may need to be issued with the Court. We continue to get calls and emails about this property. The owner has removed a large portion of their online listing and indicated that a college-aged daughter of one of the other co-owners is occupying the one unit this summer while working locally. When the property was posted 05.13.21, there was no one in either of the units. Received another complaint from someone different indicating fisherman were on the property at the time the message was received. I immediately drove to the property to observe, and again, there was no one on the property. Dianne has received concerns too regarding this property and the noise. The complainants have been advised to contact the police regarding noise.

ILLEGAL CAMPERS/TRAILERS:

8033 Terry Lane (*Illegal Camper – Metro*)

Open

Will have to do a weekend drive-by to see if it is being used illegally for sure. May just be storing the camper on the property.

Prior Info: Letter sent to the property owner 06.10.21. House demo'd in spring 2021 and owner had been in contact about permitting for a new SF home but never submitted for permits and instead moved a camper onto the property.

120 Perryview (*Multiple Trailers – Reeves*)

CLOSED

Owner received their letter 06.12.21 and called 06.21.21 and asked for clarification. They have 3 lots next to each other and a 4th lot that they live at. They are allowed to store 3 trailers on each lot but are not allowed to store all 9 or 12 on the one vacant

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lot. They have removed some trailers and relocated trailers, so they are in compliance.

Prior Info: Letter sent to the property owner 06.10.21 for having over 12 trailers on a residential property. Permitted to have 3 owned, by the property owner or occupant – not for commercial storage.

JUNK & DEBRIS:

1365 Englebeck (*Junk & Debris – Carr*)

Monitoring

Owner received their letter 06.11.21 and have had a dumpster brought in. They are actively cleaning it up and have already made a lot of progress. They have until Friday, 06.25.21 to finish up, but will continue to monitor and allow them the time they need if more progress is happening.

Prior Info: A complaint was received last year regarding the multiple junk vehicles on this property, which were promptly removed once they received our letter. We recently received an anonymous letter asking why the rest of the junk & debris that was uncovered once the junk cars were removed has not been removed yet. I will send another letter addressing junk & debris. Certified letter sent 06.07.21.

JUNK VEHICLES:

6380 E. Port Clinton Eastern (*Junk & Debris/Junk Vehicles – Lange*)

Monitoring

Owner & Occupant both received their letters 06.11.21 & 06.07.21 respectively. Occupant called 06.17.21 and emailed photos of the vehicles on the property. Many do have current tags; they just were not visible. They do have a dumpster on the property and are actively cleaning up the property and it looks much better than it did.

Prior Info: Trustee Rozak left a note for me on my desk following your last meeting to send a "clean it up" letter to this property. I have not received a formal complaint from anyone about it and will send a letter. Certified letter was mailed out 06.04.21 and claimed at the property 06.07.21. They will have 14 days to address the issue or another letter will go out.

TALL GRASS:

1505 Heritage (*Tall Grass – Rakes*)

Open

Owner was sent a letter 06.11.21 and received 06.14.21. There is a strip of grass they are not mowing along the neighboring property line. They have grasses on the property also for pheasants in the back. They indicated they were going to be out of town for a week, but would get it cut when they return and no later than 06.28.21.

1935 Ellsworth (*Tall Grass – Brown*)

Open

Grass was abated by us 06.19.21. There is some debris that was in the rear yard that needed to be moved in order to cut. This will be loaded up and brought to the dumpster days the week of June 22nd.

Prior Info: This property is a regular, annual repeat offender. A Warning Letter was sent in July 2020. A 2nd Notice has been sent via certified mail on 05.07.21. The initial certified letter came back as undeliverable. A 2nd certified letter was sent to another address we had available for the property owner. That letter also came back as undeliverable. The property was then posted 05.17.21 and to date has yet to be mowed. A resolution is enclosed for your consideration. Since the letter came back as undeliverable, we will likely be required to include a notice in the newspaper as well. Certified letters were sent to known parties of interest 05.27.21 and the property posted. All letters so far have been delivered. Unfortunately, the title company who tells us who all the lien holders are is very busy and have been delayed in getting this information back to me. I cannot order the cut until I know all interested parties have been notified, which could include a mortgage company, but I don't believe there is one on this property. If there are no lien holders, then the cut will get ordered right away. *** The biggest issue with this property is that the owner is deceased (10/2020), unmarried and no children. The property was not on a survivorship deed to his acquaintance or siblings and there has been nothing filed with Probate Department either here in Ottawa Co. or his permanent residence of Marion Co. The property is currently delinquent in property taxes. The taxes are \$337.47 for the full year. Before

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Ottawa County will even consider filing a foreclosure action on the property, they must be delinquent by \$2,500 – and even then, this would be at the bottom of the list because they go after those that are delinquent by the highest amount first. Point being, this property will likely be an ongoing issue for many years (could take 7 years just to meet the County's threshold for delinquent taxes). All the while, if taxes aren't being paid, we aren't going to recoup any assessments for abatement. I don't think we can ignore it, but I will be very, very choosy on how frequently a cut gets ordered for this property. I'm thinking no more than 3 times a season and maybe even just twice a season (beginning and towards the end). Unfortunately, the neighbors may not be happy about this, but I can't see justifying spending a lot of money on something we may not ever fully recoup.

129 S. Bridge (*Tall Grass – Thompson*)

CLOSED

Grass cut as of 06.14.21 by the owner.

Prior Info: Certified letter with 2nd Notice was sent 06.04.21. Is a repeat offender from 2020. Letter was received 06.07.21.

6869 E. Bayshore Road (*Tall Grass – Willow Brook Dev, LLC*)

CLOSED

Grass cut as of 06.19.21 by the owner.

Prior Info: Complaint received 06.02.21. Certified 1st Warning Letter sent to owner 06.04.21.

217 Forest Green (*Tall Grass – Schmardebeck*)

CLOSED

Worst of the grass was initially cut with a weed wacker, but not technically mowed. As of 06.21.22 property was properly cut.

Prior Info: Complaint received 05.26.21. Certified 1st Warning Letter sent to owner 05.27.21 and was received 06.07.21. The DTPD did conduct a welfare check on the owner due to a history at the property and notified an adult son that the grass needs to be mowed. As of 06.07.21 the front yard has been cut, but the rear yard has not. A second notice will be sent if the rear yard is not addressed.

CONSTRUCTION WITHOUT PERMITS:

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

Open

Letter was sent to the owner 06.10.21 asking them to remove the shed or apply for necessary permits to relocate it onto their property. Owner dropped off draft agreement 06.19.21. Awaiting to get proof of the recording of the agreement.

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. Owner is actively working on getting the necessary paperwork in order. As of 11.18.20 Owner has made an offer to purchase the additional land he needs for the shed from the family business. Awaiting to see if they will accept the offer and allow the transfer to go through. The owner called 01.11.21 and said that his family is refusing to sell him the additional land needed for the shed. He is scheduled to meet with his attorney on 11.12.21 to see if they can come up with some sort of other agreement or temporary easement. Owner has reached an agreement with his family to essentially set up an easement agreement, which will allow him to use the land for the shed. According to his attorney it should all be signed and recorded by the end of 1/27/21 week. Nothing new at the time of reporting. KAD has called Mr. Tibbels & his attorney asking for an update, but neither have returned her call. Apparently, Mr. Tibbels siblings are refusing to agree to the latest agreement presented to them. I told Mr. Tibbels that we may need to just get the shed moved or removed so there is no longer an outstanding violation.

NW Corner Bayshore & Englebeck (*Shed w/out Permit – Fien*)

CLOSED

Owner received letter 06.15.21 and came into the office 06.21.21. Received necessary permits, has removed some of the trailers to be more in compliance with

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the requirements. Is waiting on someone to pick up one more trailer and will get the shed moved to the proper location on the property. Sheds will have to be moved on the property to meet setbacks, but the owner has a year to do so to be in compliance with their permit. If he doesn't comply, then I'll pick this up again at the time the permit is due to expire.

Prior Info: Two sheds have been installed on the property without proper zoning permits. Multiple recreational vehicles and trailers stored on the property as well in violation of zoning storage requirements for agricultural property. Letter sent 06.07.21.

720 Timber Lane (*Deck w/out Permit – Wunder*)

Open

Owner never came in to get permit even though he said he would. A formal letter has been sent.

Prior Info: Owner contacted 06.09.21 regarding a deck built around their 2020 permitted above-ground pool.

721 Peach (*Shed w/out Permit – Comings*)

CLOSED

06.21.21 Owner came in and received necessary permit.

Prior Info: Letter sent 06.10.21 to property owner regarding shed installed without proper permits.

4497 E. Port Clinton Eastern (*Porch w/out Permit – DiBucci*)

CLOSED


Owner dropped off necessary permit paperwork 06.22.21

Letter sent 06.10.21 to property owner regarding porch addition installed without proper permits.

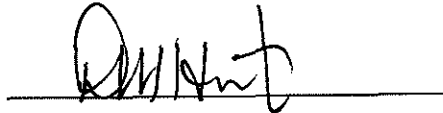
New Business

Fiscal Business

A motion by Ms. Rozak and seconded by Mr. Hirt to approve the payroll and bills totaling \$80,928.64 for the period 6/10 to 6/23/2021. Roll call was unanimous and motion carried. There being no further business before the Board, Mr. Hirt moved and Ms. Rozak seconded a motion to adjourn at 7:05 p.m.



Fiscal Officer







Danbury Township Board of Trustees