

# RECORD OF PROCEEDINGS

Minutes of

Meeting

## TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held August 11 2021

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, Carolyn Adams was excused. Ms. Rozak moved approval of July 26th meeting minutes, Mr. Dress seconded the motion, all voted aye.

### Correspondence

- Ottawa County Community Foundation summer newsletter
- Greater Port Clinton Arts Council will have **The Eddie Adams: Vietnam** exhibit will be open to the until Sunday November 13<sup>th</sup>.
- NOAA Marine Debris Program- Notice of Funding Opportunities

### Roads

- Sackett Cemetery three cremation burials
- Trustees signed Cemetery Deeds
- Continue to receive quotes for window installation
- Poggemeyer's structural engineers will be at the Township August 12<sup>th</sup> to use a camera to gain knowledge before giving us a price to repair the meeting room floor. to gain knowledge
- Wolcott Cemetery stone restoration will take place the 13<sup>th</sup>, weather permitting.
- The Department is maintaining Roads, Parks and Township Buildings

### Police

The month of July were busy with 448 calls for service. To date in August, 120 incidents required officer assistance.

### Fire

Trustees reviewed and approved a quote from American Tower for \$11,551.02 for the new Fire station radio communications. A motion was made by Ms. Rozak and seconded by Mr. Hirt. Roll call all voted aye.

The Department was awarded the 2021-2022 P1 Training and equipment grant for \$3163.90.

Fire & Ems Run Details						
EMS	Fire	MVC*	Alarm**	CO***	Mutual Aid	
08/11/2021	20	1	0	2	1	0
Year to date	488	28	11	51	5	5
Total	588					

\*Motor Vehicle Crash(s)

\*\* Alarm Activation(s)

\*\*\*Carbon Monoxide Investigation(s)

### Zoning:

#### Permits

21 permit applications were processed for the month of July totaling \$2,000.77 in collected fees.

Accessory Building:	4
Addition	
Commercial:	
Residential:	2
Appeals:	
Area Variance:	1
Conditional Use:	
Deck:	3

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Dock:	1	
Fence:	3	
New SF Home:	3	
New Commercial Structure:	2	
Other:	1	
Refusal:	1	
Signage:		
Swimming Pool:		
Text/Map Amendment:		
<b>Total:</b>	<b>21</b>	

**Board & Commission Activity**

The BZA held an adjudication hearing July 21, 2021 on the following case:

a. **BZA-2021-133**

**Approved as Presented**

**583 Columbus Avenue.** Request for an Area Variance from Section 5.1.7 to allow for a shed to encroach into the south, front yard setback (12' proposed/ 20' required), east, rear-yard setback (1' proposed/5' required) and north, side-yard setback (1' proposed/5' required). Also, Area Variances from Section 3.5 to allow more lot coverage than permitted (45% proposed/ 40% required) and Section 5.2.1.C.ii to allow the accessory structure to be located closer to the principal structure than allowed (2' proposed/5' required). **Daniel Lippert, Owner/ Applicant.**

**The Zoning Commission -**

The Zoning Commission met July 7, 2021 and finalized recommendations and reviewed maps of recommendations for the Rezoning Study before publicly releasing. The first Open House for the Rezoning Study was held Saturday, July 24, 2021 where at least 40 people were in attendance.

The Ottawa County Regional Planning Commission held a hearing July 20, 2021 on the following case and recommended approval:

**ZC-2021-134 8931 E. Harbor Road.** Request for a Map Amendment from "A" Agricultural to "R-3" High Density Residential for PIN# 0140782014622000 (Sec. 1, part of Lot 2) consisting of 4.98 acres. **William "Bill" Ziegan, Owner/Applicant.**

**Department Updates**

- Certified letters were sent to the 5 property owners under consideration for demolition of structures. Determination Letters from the Building Dept. and Fire Chief, along with quotes from contractors are expected to be in by August 1, 2021.
- 3 grass abatements were reported to the Ottawa County Auditor's office on 07.07.21.

**Office Activity**

During the month of July, the Department went on 108 site visits, responded to 622 calls, e-mails and in-person inquiries as follows:

- Outgoing 105
- Incoming 117
- Other 76
- Emails 324
- Violation Letters 13

**Permits**

To-date this month there has been 14 permit applications submitted/processed totaling \$2,029.96 collected in fees and BZA balances.

**Board & Commission Activity**

**The Board of Zoning Appeals –**

The BZA will hold an adjudication hearing at 6:30p.m., August 18, 2021 on the following case:

**BZA-2021-156**

**2251 Commodore.** Request for an Area Variance from Section 3.5 to allow for a

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sunroom addition to encroach into the required rear-yard setback (18'2" proposed/25' required). **Patrick & Joan Fitzgerald, Owner/ Applicant; Great Day Improvements, Ryan Bell, Agent.**

### **The Zoning Commission -**

The Zoning Commission held a public hearing August 4, 2021 on the following case and recommended approval:

**ZC-2021-134 8931 E. Harbor Road.** Request for a Map Amendment from "A" Agricultural to "R-3" High Density Residential for PIN# 0140782014622000 (Sec. 1, part of Lot 2) consisting of 4.98 acres. **William "Bill" Ziegen, Owner/Applicant.**

The Board of Trustees need to schedule a public hearing for this case for September 8, 2021. I would suggest a start time of 5:30p.m.

### **Department Updates**

- The 2<sup>nd</sup> & last Open House for the Rezoning Study will be held Saturday, August 21, 2021 from 9a-11a with a presentation to be given at 9:30a.m.
- Certified Letters were sent July 27, 2021 to the five (5) property owners notifying them of their hearings scheduled for September 9, 2021 starting at 6:00p.m. Determination Letters from both the Fire Department and the Building Department were received 08.05.21. Both are enclosed for your review. Only 2 out of 7 companies returned quotes. Those are enclosed also. Summary below:
  - 4950 E. Bayshore (Shupp): Does not qualify for demolition per CBO & FC.
  - 1049 Englebeck (Stevens): Qualifies for demolition per CBO & FC. \$4,600-\$6,750. As of 08.04.21 owner has started to further disassemble the camper.
  - 1070 Englebeck (Brito): Qualifies for demolition per CBO & FC. \$5,200-\$7,450.
  - 8615 & 8625 E. Bayshore (Taylor): FD says house should be razed & trailer. CBO deems all safe.
  - 8653 E. Bayshore (Noggle/Meister): Qualifies for demolition per CBO & FC. \$5,600-\$6,850.

### **Violations/ Complaints:**

#### **ILLEGAL RENTAL:**

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

#### **Monitoring**

Complaint was filed with Municipal Court on 07.20.21. Case # CRB2100684A. Arraignment Hearing scheduled for 08.18.2021 @ 8:30am. Received a phone call from Rich Gillum 08.06.21 who will apparently be representing the defendant and indicated that they may waive arraignment and ask for a bench trial.

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. 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. We received email and phone call complaints again over the 4<sup>th</sup> of July weekend regarding the continued renting of the units at this property. Advised the complainants that it was actively being pursued with the County Prosecutor's office. Prosecutor's office was supposed

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to conduct a knock at the property the weekend of 07.10.21 but did not, so they are filing charges based on inquiries made on availability.

### ILLEGAL CAMPERS/TRAILERS:

**9438 E. Bayshore** (*Campground Expansion w/out approval – Somodi*)

#### Open

Certified letter was sent to property owner 07.30.21 and was delivered to the owner 08.04.21. Castaway Campground has expanded the campground by 12 RV sites without proper permits or BZA review. Owner called after receiving his letter and is scheduled to come in to discuss 08.10.21.

### JUNK & DEBRIS:

**252 Springcrest** (*Junk & Debris – White*)

#### CLOSED

Property cleaned up & mattress removed as of 07.28.21.

Prior Info: Letter sent to the owner and occupant 07.13.21. Given until 07.23.21 to get the items picked up. As of 07.21.21, some progress had been made.

**1067 Englebeck** (*Junk & Debris – Dress*)

#### CLOSED

As of 07.27.21, some progress had been made. As of 08.04.21 property was fully cleaned up and case closed

Prior Info: Certified Letter sent to the owner and occupant 07.16.21. Both have been received as of 07.20.21. They will have until 7.27.21 to deal with tall grass on the property and until 08.03.21 to remove the junk & debris & get the property cleaned up.

### JUNK VEHICLES:

**248 Erie Beach** (*Junk Vehicle – Richard*)

#### Open

This is a repeat offense. A new complaint was filed with the Ottawa County Municipal Court on 07.29.21 for having 2 junk vehicles on the property. Case # CRB2100741A&B. Arraignment Hearing scheduled for 08.18.2021 @ 8:30am. A similar complaint was filed in 2020 but eventually dismissed because the vehicles were running at the time and moved from their stationary positions on the property.

### TALL GRASS:

**325 Forest Green** (*Tall Grass – Walterbach*)

#### Open

As of 07.28.21 an attempt was made but only by a weedwacker and in the front yard. 2<sup>nd</sup> Notice sent 07.29.21. Owner called 08.03.21 and asked for more time because he works 12-14hr. days. Agreed to recheck 08.10.21 and as long as he's making progress, then will extend him more time.

Prior Info: Certified Letter sent 07.13.21. Owner received 07.21.21 and will have until 07.28.21 to cut the weeds & grass.

**7291 Applewood** (*Tall Grass – Huddleston*)

#### Open

Occupant called 07.27.21 and stated she is on land contract to purchase the property. Discussed getting the grass & weeds dealt with over the weekend of 07.31.21 and will check back in by 08.06.21 to give her a chance to look into options for the fence. Upon reinspection 08.06.21, grass and weeds have all been addressed and there is a small dumpster on the property for other clean-up. Will recheck with occupant after Labor Day to see when fence repair will actually take place. Contractor told her he couldn't do it for 3-4 weeks.

Prior Info: Certified Letter sent 07.13.21. Being returned with no forwarding address. Property was posted 07.21.21 because it was confirmed that a woman & child are living in the home. Will have until 07.28.21 to remove weeds & tall grass in rear yard. Letter also asked them to address their dilapidated fence.

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### CONSTRUCTION WITHOUT PERMITS:

**4350 E. State Road** (*Shed w/out Permit – Wagner*)

**CLOSED**

Certified Letter sent to the property owner 07.27.21 after no action was taken by owner following the initial contact. Owner came in 08.02.21 and received necessary permit.

Prior Info: Letter sent to the property owner 07.12.21 giving them until 07.23.21 to pull necessary permit.

**5725 E. Bayshore Road** (*Fence w/out Permit – Paul*)

**Open**

Certified Letter sent to the property owner 07.27.21 after no contact was made following the initial contact. Owner mailed in a permit application but did not include payment. Owner was called and emailed, but still not receiving any response.

Prior Info: Owner called 07.15.21. Owner emailed necessary paperwork 07.19.21.

**2306 Meter Road** (*Covered porch w/out Permit – Meyers*)

**CLOSED**

Stop Work Order issued 08.03.21 for a covered porch addition that was started without any permits from Township or County. Owner came in the next day to submit necessary paperwork, but am still waiting on final drawings.

### FISH OFFAL:

**389 Channel Grove** (*Fish Offal – Channel Grove*)

**Monitoring**

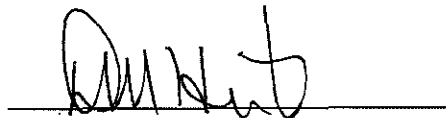
Caller complained late Friday 07.16.21 regarding fish offal smell. Dumpsters are in the Boat Storage area off Roanoke. Initial inspection did not reveal any smell, but multiple plastic garbage bin totes were visible with flies and signs of use for fish guts. A Certified Letter was sent to the owners making them aware that it can be determined to be a nuisance and that common practice is to freeze the remains until garbage pick-up day.

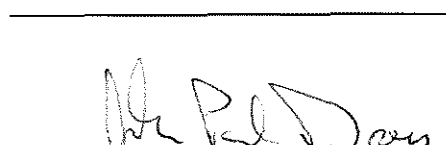
### **New Business**

A motion by Ms. Rozak and seconded by Mr. Hirt to approve the payroll and bills totaling \$662,218.49 for the period 7/27- 8/11/2021. Roll call was unanimous and motion carried.

Mr. Hirt motioned acceptance of the July bank reconciliation seconded by Mr. Dress. All voted aye. There being no further business before the Board, Mr. Hirt moved and Ms. Rozak seconded a motion to adjourn.

  
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Cheryl Adams  
Fiscal Officer

  
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Danbury Township Board of Trustees

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