

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in special session at 6<sup>00</sup> p.m., on June 29, 2022 at the Danbury Township Hall, 5972 E. Port Clinton Eastern Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt

Mr./ Ms. John Paul Dress introduced the following resolution and moved its adoption:

RESOLUTION NO. 21 - 2022

**A RESOLUTION ADOPTING TEXT AMENDMENTS TO THE DANBURY TOWNSHIP ZONING RESOLUTION**

**WHEREAS**, Ohio Revised Code section 519.12(A)(1) authorizes amendments to the zoning resolution initiated by the filing of an application by one or more of the owners or lessees of property within the area proposed to be changed, and

**WHEREAS**, Lakeside Association, the owner of property, filed on April 27, 2022 a request for a Text Amendment to Article 3, Section 3.5 of the Danbury Township Zoning Resolution for the "L" Lakeside and "LBO" Lakeside Business Overlay zoning districts to modify setback requirements in both zoning districts and the maximum building height requirement in the "LBO" zoning district. Article 5, Section 5.10 'Parking & Loading Requirements' to reduce the number on-site parking spaces for dwellings in these zoning districts.; and

**WHEREAS**, said text amendments were forwarded to the Ottawa County Regional Planning Commission (OCRPC) April 28, 2022, and considered by the Ottawa County Regional Planning Commission (OCRPC) on May 17, 2022 where the Commission recommended approval of said text amendments as presented; and

**WHEREAS**, the Danbury Township Zoning Commission held a public hearing on June 1, 2022 and by motion and vote, the Zoning Commission recommended 3-2 approval of said text amendments; and

**WHEREAS**, the Board of Trustees held a public hearing on June 29, 2022 and, at the conclusion of the public hearing, voted to accept the recommendation of the Zoning Commission as set out in Exhibit A as attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees at the conclusion of the public hearing, by motion and vote, voted to accept the recommendation of the Danbury Township Zoning Commission and that the application for a Text Amendment be approved as presented, finding that the Decision Criteria "e" of Section 7.7.3E.i. of the Danbury Township Zoning Resolution is satisfied and that the amendment would be in the best interest of the Township and the public, and is in keeping with good land use planning.

**BE IT FURTHER RESOLVED** by the Board of Trustees of Danbury Township, Ottawa County, Ohio:

- 1) The Board does hereby adopt the amendment to the Danbury Township Zoning Resolution attached hereto as Exhibit A; and

- 2) That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
- 3) That this Resolution shall be effective at the earliest date allowed by law.

Mr./ Ms. HIRT seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak Yes Mr. ~~Stett~~ Dress Yes Mr. Hirt Yes

ADOPTED this 29<sup>th</sup> day of JUNE, 2022.

Attest:

Carolyn Adams  
Fiscal Officer

Board of Trustees  
Danbury Township  
Ottawa County, Ohio

Dianne Rozak  
Dianne Rozak

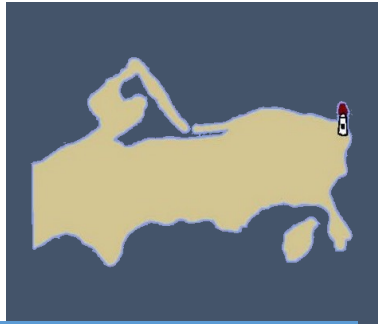
John Paul Dress  
John Paul Dress

David Hirt  
David Hirt

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 29<sup>th</sup> day of June, 2022 and filed with the Danbury Township Fiscal Officer.

Carolyn Adams  
Carolyn Adams  
Danbury Township Fiscal Officer



# Danbury Township Zoning Resolution

**Adopted:**

November 6, 1975

**Amended Through:**

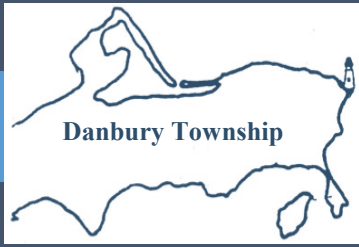
December 10, 2021



**SECTION 3.5 DISTRICT REQUIREMENTS**

**\*\* REFER ALSO TO SECTION 5.1.7 REGARDING LOTS OF RECORD**

District	Minimum Lot Size	Min. Lot Width	Min. Lot Depth	Max. Lot Coverage	Setbacks **			Max. Bldg. Height	Min. Bldg. Width
					Front	Side	Rear		
A Agricultural	1 acre	150'	120'	30%	50'	20'	40'	35' (30' to eaves)	20'
R-1 Rural Residential	20,000s.f. (one family) 25,000s.f. (two family)	100'	120'	35%	40'	15'	35'	35' (30' to eaves)	20'
R-2 Suburban Residential	12,000s.f. (one family) 16,000s.f. (two family)	80' (one family) 100' (two family)	120'	40%	35'	10'	35'	35' (30' to eaves)	20'
R-3 High Density Residential	7,000s.f. (one family) 8,400s.f. (two family)	60' (one family) 70' (two family)	120'	40%	25'	5' (one family) 8' (two family)	25'	35' (30' to eaves)	20'
L Lakeside	Existing lots of record	Existing lots of record	Existing lots of record	55%	<b>Inside the Gates</b> 5' 0'			30' (25' to eaves)	20'
					<b>Outside the Gates</b> 5'				
LBO Lakeside Business Overlay	Existing lots of record	Existing lots of record	Existing lots of record	55%	5' 0'	3' 0'	3' 0'	30' 45' (25' 40' to eaves)	20'
C-1 Limited Commercial	Not specified	Not specified	120' (for Residential)	60%	40'	10'	15'	35' (30' to eaves)	20' (for Residential)
C-2 General Commercial	Not specified	Not specified	120' (for Residential)	60%	50'	10'	15'	35' (30' to eaves)	20' (for Residential)
C-3 Entertainment Commercial	20,000s.f.	100'	100'	60%	70'	10'	25'	35' (30' to eaves)	Not specified
R-C Recreational Commercial	Not specified	Not specified	120' (for Residential)	60%	40'	10'	25'	35' (30' to eaves)	20' (for Residential)
M-1 Light Industrial	1 acre	150'	120'	75%	75'	15'	25'	40'	Not specified
M-2 Heavy Industrial	1 acre	150'	120'	75%	100'	20'	25'	40'	Not specified
MHP	10 acres	200'		Not specified	Not specified	Not specified	Not specified	30'	Not specified



# Article 5: General Regulations

## **ARTICLE 5: GENERAL REGULATIONS APPLICABLE TO ALL ZONING DISTRICTS**

- 5.1 General Regulations Applicable to All Districts
- 5.2 Accessory Buildings
- 5.3 Breezeways and Attached Garage Standards for Lakeside
- 5.4 Corner Clearance
- 5.5 Fences
- 5.6 Floor Area Requirements for Residential Dwellings
- 5.7 Front Yard Requirements
- 5.8 Landscaping & Buffering
- 5.9 Lot Area, Lot Width and Building Setbacks for Dwellings in the C-1, C-2 and R-C Commercial Districts
- 5.10 Parking & Off-Street Loading Requirements**
- 5.11 Storage of Recreational Vehicles
- 5.12 Swimming Pools

5. **Maintenance.**

- A. All landscaping materials shall be installed in a sound, workmanship-like manner, and according to accepted, good construction and planting procedures.
- B. The owner of the property shall be responsible for the continued proper maintenance of all landscaping materials and shall keep them in a relatively weed-free condition, clear of undesirable undergrowth, and free from refuse and debris at all times.
- C. All unhealthy or dead plant material shall be replaced within one year or by the next planting period, whichever comes first, while other defective landscape material shall be replaced or repaired within three months. Replacement plants shall conform to the standards that govern original installation.

**SECTION 5.9 LOT AREA, LOT WIDTH AND BUILDING SETBACKS FOR DWELLINGS IN THE C-1, C-2 AND R-C COMMERCIAL DISTRICTS**

For all dwellings in the C-1, C-2 or R-C districts, the following shall apply:

- 1. Without community water supply or community sanitary sewer treatment systems, the "R-1" requirements shall apply.
- 2. With community water supply or community sanitary sewer treatment systems, the "R-2" requirements shall apply.
- 3. With both community water supply and community sanitary sewer treatment systems, the "R-3" requirements shall apply.
- 4. Building Width for residential purposes is 20 feet.

**SECTION 5.10 PARKING AND OFF-STREET LOADING REQUIREMENTS**

1. **Rules:**

- A. In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- B. No building shall be enlarged, rebuilt, or structurally altered to the extent of more than fifty (50) percent of the floor area unless there shall be provided the total number of off-street parking spaces required for the original use and its enlargement.
- C. All parking spaces required herein shall be located on the same lot with the main use served except that spaces may be located within three hundred (300) feet of the lot line on which the main use is located provided a conditional use permit for the parking is approved by the Board of Zoning Appeals and the zoning district is the same as the main use.

2. **Specific Parking Requirements for the Lakeside (L) District and the Lakeside Business Overlay (LBO) District:**

- A. In the L district, the size of the parking spaces shall be a minimum of one hundred sixty-two (162) square feet per parking space, with minimum dimensions of nine (9) feet by eighteen (18) feet.
- B. Exceptions: Non-residential uses within the LBO zoning district are excluded from the parking requirements of this section herein.
- C. Residential uses within the L and LBO zoning districts shall only be required to provide one (1) parking space per dwelling in accordance with Section 5.10.2.A. above.

3. **Quantity:** There shall be provided at the time of the erection or enlargement of any main building or structure the following off-street parking spaces, with a minimum area of two hundred (200) square feet per parking space with minimum dimensions of ten (10) feet wide by twenty (20) feet long, and with adequate provision made for ingress and egress to the parking spaces.

Use	Minimum Number of Parking Spaces ( <b>exclusive of driveways</b> ) per Unit of Measure
<b>A. Residential</b>	
i. Residential Dwelling	Two (2) for each dwelling and unit ( <i>inclusive of driveways</i> )
<b>B. Institutional</b>	
i. Hospitals and Institutions	One (1) for each eight hundred (800) square feet of floor area
ii. Churches and Schools	One (1) for each three (3) seats in the main auditorium or assembly area.
iii. Clubs or lodge halls	One (1) for each three (3) members
iv. Athletic Fields	30 spaces per field
<b>C. Business and Industrial</b>	
i. Boat Storage/Dockage	One (1) space for every one and one-half (1 1/2) boats stored or docked except for winter storage where one (1) for every ten (10) boats are stored
ii. Commercial Buildings	One (1) space for each two hundred (200) square feet of floor area
iii. Hotels, Motels, Cottages and Cabins	One (1) per unit plus one (1) for every two (2) employees
iv. Indoor Theaters	One (1) for every three (3) seats
v. Industrial	One (1) for every two (2) employed on the largest working shift
vi. Restaurant, Bar, Saloon, Tavern or Night Club	One (1) for every eighty (80) square feet of floor area

#### 4. Improvement to Parking Areas for Non-Residential Uses:

- A. All parking areas shall be surfaced with gravel or crushed stone with adequate dust treatment, or with permanent surfacing.
  - i. The edge of the parking areas shall be a minimum of 5' from all property lines.
- B. Where the parking area adjoins lots in an A or R district, such lots shall be protected by the erection and maintenance of a permanent fence, screen and/or planting in accordance with Section 5.8.
- C. Any lights used to illuminate parking areas shall be so arranged as to reflect the light away from adjoining premises in an A or R district.
- D. When a parking area is located wholly or partly in an A or R district, as required for a permitted or conditionally permitted use, the following regulations shall apply in addition to the above:
  - i. No commercial enterprise of any kind shall be established on the area;
  - ii. No fee shall be charged for parking thereon;
  - iii. No signs of any kind shall be erected, except those necessary for the orderly parking thereon.
  - iv. No parking shall occur within fifteen (15) feet of any lot line.
- E. When a parking area will be used for purposes of commercial gain, the following standards will be required:
  - i. The parking area shall be surfaced with gravel or crushed stone with adequate dust treatment or with permanent surfacing;
  - ii. Where the parking area adjoins lots in an A or R district, such lots shall be protected by the erection and maintenance of a permanent fence, screen, or planting in accordance with Section 5.8. Any lighting used to illuminate the parking area shall be so arranged to reflect light away from the adjoining premises in an A or R district;
  - iii. The area shall be kept clean and orderly;
  - iv. The owner or operator will be responsible for the orderly control and parking of vehicles within the area;

- v. No parking shall occur within fifteen (15) feet of any lot line.

**5. Off-Street Truck Loading:**

- A. All loading areas shall be surfaced with gravel or crushed stone with adequate dust treatment, or with permanent surfacing.
- B. Every building of the type described below which is hereafter built, relocated or expanded more than fifty (50) percent in floor area, shall provide an off-street loading berth<sup>&</sup> or berths in accordance with the following schedule:
  - i. A building whose dominant use is handling and selling goods at retail shall provide berths in relation to the floor area used for retail purposes as follows:

Floor Area	Number of Loading Berths
5,000—10,000	1 space
10,000—20,000	2 spaces
20,000 +	3 spaces

- ii. Manufacturing, repair, wholesale, trucking terminal or warehouse uses shall provide berths in relation to total floor area as follows:

Floor Area (in square feet)	Number of Loading Berths
5,000—40,000	1 space
40,000 +	2 spaces

- iii. Other buildings not listed above, but having over ten thousand (10,000) square feet in floor area including offices, motels, mortuaries, etc., shall provide one berth.
- C. Minimum Size of Berth. The required dimensions of a loading berth shall be a minimum width of 12 feet, a minimum of 50 feet in length, with a minimum height clearance of 15 feet, exclusive of all driveways.
- D. Each space shall be easily accessible from a street or alley without substantial interference with traffic.
- E. All required loading berths shall be on the same lot as the use served and if such berths abut an A or R district, they shall be suitably screened or fenced from view.
- F. No loading berth shall be located in a required front or side yard.

**SECTION 5.11 STORAGE OF RECREATIONAL VEHICLES**

Any combination of up to and no more than three (3) boats, campers, jet skis (PWC), travel trailers, utility trailers and the like, only owned by the property owner, may be stored on residential property in the A, R-1, R-2, R-3 and R-C districts, provided that no use shall be made and no living quarters shall be maintained, or any business practiced in such a unit. Campers may not be occupied on private property by the owner or their guests and are required to be located in a licensed recreational camp/campground.



