

STAFF REPORT

Board of Trustees

Meeting Date: August 14, 2024

Time: 5:15p.m.

Case #:	ZC-2024-140	Address:	5826 E. Harbor Road
Applicant:	Doug & Rose Sabin, Owners	Acreage:	3.261ac.
Request:	Map Amendment from “C-2” General Commercial to “R-C” Recreational Commercial for Part of Lot 2, Section 4, PIN# 0141152415425000 consisting of 3.261ac. to be rezoned.		

DESCRIPTION:

The applicant is proposing to rezone their property, 3.261ac. from “C-2” General Commercial to “R-C” Recreational Commercial.

The property owners initially purchased 2.1864ac. in 2022. Shortly after purchasing the property, the property to the south of Sabin’s was purchased by another party, which is currently being developed with storage condos. When the developers of the storage condo property began their communications with various agencies for development of that property, it was discovered that ODOT was not going to allow them access to their property where their road frontage was originally located. This resulted ultimately land swapping/ reconfiguration of land between that developer and the Sabin’s which resulted in the Sabin’s acquisition of roughly another acre of land and working together with that developer on clearing of the property, drainage and grade preparations.

While both the “C-2” & “R-C” zoning districts are commercial zoning districts, the “R-C” zoning district has a 10’ smaller front-yard setback requirement, but a 10’ greater rear-yard setback than the “C-2” zoning district. Both zoning districts make provisions for greater setbacks when abutting residential properties. As far as uses are concerned, both zoning districts allow many of the same permitted uses, however the “R-C” zoning district does list more options for conditional uses that are geared toward “Recreational” type activity, which could include a facility similar to Monsoon Lagoon, campgrounds, resorts and marinas.

In January 2024, the Sabin’s received a zoning permit (Permit #2024-003) for a new Yoga Studio, Café w/ covered patio, and Event Center/ Banquet Hall w/ covered porches. The development plans that the Sabin’s submitted with that permit indicate a very small, future Wine Bar overlooking the retention pond at the rear of the Event Center and a future Hotel/Motel on the property. These are all permitted uses under the current “C-2” General Commercial zoning district and would continue to be permitted uses under the “R-C” Recreational Commercial zoning district.

If this rezoning request is approved, it is unclear at this time if Sabin’s would revise their site design any. Where they have their buildings placed according to the site plan that was approved under Permit #2024-003, all their proposed buildings would meet the setbacks requirements of the “R-C” Recreational Commercial zoning district.

In their response to the rezoning application questions, while they are not required to disclose what their intentions are with the property should the rezoning be approved, the Sabin’s have shared they have intentions to pursue a “Resort” designation on the property. A “Resort” would allow the use of cabins for transient stay, as opposed to a hotel/motel, but is listed as Conditional Use and would have to be approved by the Board of Zoning Appeals before establishing that use. Since the property is under the minimum 5-acre requirement for a “Resort”, some variances would have to be obtained as well.

SURROUNDING ZONING:

North:	“C-2” General Commercial & “R-C” Recreational Commercial	Canoe Club Restaurant, Allure Signs & Comm. Storage Undeveloped Commercial property connected to Harbor’s Edge MHP
East:	“C-2” General Commercial & “R-C” Recreational Commercial	Access drive the storage condos Ferguson’s Gallery & New Beach Glass Restaurant
South:	“C-2” General Commercial &	Commercial Storage Condos x 40 structures
West:	“R-3” High Density Residential	Breezy Acres MHP

LAND USE PLAN:

The Danbury Township Land Use Plan was adopted in 2017. The Land Use Plan calls for a majority of the proposed rezoning area to be “Corridor Commercial”. The boundaries to these classifications should not be viewed as a hard line stopping or starting point, but more as a generality that can cross property lines or extend further than depicted if it makes good planning sense.

“Corridor Commercial” areas are generally made up of non-residential uses (i.e. Commercial, Storage, Offices). The roadway is not pedestrian friendly due to the scale (i.e. width, lack of sidewalks, speed, setbacks, curb-cuts) of the street large parking lots and public utility poles create many conflicts for pedestrians or bicyclists. Uses typically include civic, neighborhood commercial and large-scale commercial.

Staff would encourage Commission Members to review the Land Use Plan, between pages 13 & 17 to have a better understanding of the existing conditions of the Township and also review the goals, objectives & strategies that begin on page 22.

AGENCY REVIEWS:

Ottawa County Regional Planning Commission (OCRPC) was forwarded the proposed amendments on June 4, 2024, and held a hearing on June 18, 2024. Attached is OCRPC’s decision letter recommending **Approval as Presented**. The Danbury Township Zoning Commission held a public hearing on July 3, 2024, and recommended 4-1 **Approval as Presented** to the Board of Trustees citing that decision standard ‘ii’ was satisfied for Section 7.7.3.E.ii.

The Danbury Township Zoning Commission’s Decision Criteria for considering this request includes:


Section 7.7.3.E.ii Map Amendments

- i. There is an error on the Official Zoning Map or in the delineations between districts thereon.
- ii. The proposed amendment will make the map conform more closely with the Land Use Plan.
- iii. There has been a substantial change in area conditions that necessitates the amendment.
- iv. There is a legitimate need for additional land area in the zoning district that will be expanded.

STAFF RECOMMENDATION:

None.

SUBMITTED BY:



Kathryn A. Dale, AICP
Danbury Township Zoning Inspector

Date Prepared: July 24, 2024



OTTAWA REGIONAL PLANNING COMMISSION

COUNTY COURTHOUSE - ROOM 107 • 315 MADISON STREET • PORT CLINTON, OHIO 43452
Phone (419) 734-6780 • Ottawa County Residents 1-800-788-8803
mmessa@co.ottawa.oh.us

June 20, 2024

Susan Dress
179 Elizabeth Drive
Marblehead, Ohio 43440
RE: Danbury Township Zoning Change

Dear Ms. Dress:

At the regular meeting of the Ottawa Regional Planning Commission held on June 18, 2024 a rezoning request that was initiated by Doug and Rose Sabin to rezone a 3.261 acre parcel from "C-2" General Commercial districts to "R-C" Recreational Commercial was reviewed. The Commission considered the following items in reaching its recommendation.

1. The applicant is requesting to rezone a 3.261 acre parcel
2. The parcel is located in Lot 2 Section 4 of Danbury Township at 5826 East Harbor Road
3. The parcel is currently vacant ground that is being developed.
4. The applicants have approved permits to place a yoga studio, café and event center/banquet hall on the site.
5. Potential future development could include a small hotel and wine bar.
6. Rezoning of the property would allow the applicants to pursue a Resort designation from the township however a conditional use and variance would need to be approved by the townships board of zoning appeals.
7. The adjoining parcels are as follows: the parcel to the north across East Harbor Road are several small commercial buildings including the Canoe Club restaurant, commercial storage buildings, and undeveloped commercial property zoned "C-2" General Commercial and "R-C" Recreational Commercial. To the east is an access drive, storage condos, Ferguson's Gallery and a new restaurant that is under construction. Those parcels are zoned "C-2" General Commercial and "R-C" Recreational Commercial. To the south there are commercial storage condo's which are zoned "C-2" General Commercial. To the west is the Breezy Acres MHP which is zoned "R-3" High Density Residential.
8. While the C-2 and R-C districts are similar the R-C district offers more conditional uses that promote a recreational type activities as well as allow the applicant to pursue the resort designation as they have indicated they may.
9. The current land use plan identifies the area of the proposal as Corridor Commercial. These areas are typically made up of non-residential uses such as commercial uses, storage, and offices.

The Commission voted to recommend approval of the rezoning case based on the Danbury Township Land Use Plan. Should you have any questions, please feel free to contact my office.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Messa', written over a horizontal line.

Mark Messa
Director

Cc: Carolyn Adams
Kathryn Dale
Bryan Baugh
Doug and Rose Sabin
file



Danbury Township, Ohio

5972 E. Port Clinton Rd.
Marblehead, Ohio 43440
☎: (419) 734-6120 F: (419) 734-3137
🌐: www.danburytownship.com

ZONING MAP AMENDMENT APPLICATION

Date Filed: 6/3/24 Application #: 2024-140

Action: _____

Resolution #: _____

1. **Property Location:** 5826 EAST HARBOR RD. MARBLEHEAD, OH 43440

Parcel ID# 0141152415425000 Zoning District : From: C 2 To: R C

Section 4 Lot 2 Block _____ Total Acreage 3.261

Existing Use COMMERCIAL Proposed Use RESORT

2. **Agent** _____ Address _____

City _____ State _____ Zip _____ Phone _____

Email: _____

3. **Owner** DOUG & ROSE SABIN Address 1996 N. ROBERT STREET

City MARBLEHEAD State OHIO Zip 43440 Phone 440-821-7421

Email: DSABIN48@GMAIL.COM

Use an additional application if there is more than one owner making the request.

4. **Legal Description:** Attach Deed For Complete Legal Description

5. **Respond to the following questions on a separate sheet of paper:**
- A. What is the relationship of the proposed zone change to the Danbury Township Land Use Plan? Does it make the zoning map conform more closely with the Land Use Plan?
 - B. How will the zone change affect the neighborhood in which the property is located? Briefly describe any impacts of the change as proposed.
 - C. How will the zone change affect public facilities such as sewer and water service, drainage, schools and roads, if applicable?
 - D. What mitigating actions might be suggested to offset problems resulting from adverse impacts on private property and public facilities (e.g., landscape screening, drainage improvements, changes in traffic signalization, provision of additional turn lanes).

- E. Why is the current zoning classification of the property no longer appropriate?
- F. Is there an error on the Official Zoning Map or in the delineations between districts thereon?
- G. Has there been a substantial change in area conditions that necessitates the amendment?
- H. Is there a legitimate need for additional land area in the zoning district that will be expanded? Provide copies of any studies prepared that support this statement.

An application is hereby made for a zoning map amendment (rezoning) to the Official Danbury Township Zoning Map . It is understood and agreed to by the applicant(s) and owner(s) that the subject property shall comply with the zoning district regulations of the Danbury Township Zoning Resolution, upon adoption for the district which is being applied for and the laws of the State of Ohio, and; furthermore hereby certify that the information and statements given on this application, drawings and specification are to the best of their knowledge, true and correct.

(Agent's Signature)	(Date)
	6-3-24
(Owner's Signature)	(Date)

Filing Fee = \$200.00 Legal Ad Fee \$ _____ Postage Fee \$ _____ Total Fees Paid \$ _____ Cash/ Check # 1021
 Amount Invoiced \$ _____

List of neighboring property owners provided? Yes No Map of proposed amendment included? Yes No

**PLEASE REFER TO THE ZONING COMMISSION SUBMISSION CALENDAR.
INCOMPLETE OR LATE APPLICATIONS WILL NOT BE ACCEPTED.**

Do not write below this line

ZONING SUMMARY

<p>Date application sent to OCRPC: _____ (Ottawa County Regional Planning Commission)</p> <p>ZC Hearing Date: <u>7/3/24</u> (Zoning Commission)</p> <p>ZC Action: Approved Denied Approved w/ Conditions Vote: _____</p>	<p>Map Amendment Application #: <u>2024-140</u></p> <p>OCRPC Hearing Date: <u>June 18, 24</u></p> <p>OCRPC Recommendation: _____</p> <p>Notice Sent to Newspaper: <u>6/17/24</u> Published: <u>6/22/24</u></p> <p>Notice Sent to Neighboring Property Owners: <u>6/17/24</u></p>
--	---

<p>Trustee's Hearing Date: _____</p> <p>Trustee's Action: Approved Denied Approved w/ Conditions Vote: _____</p>	<p>Notice Sent to Newspaper: _____ Published: _____</p> <p>Notice Sent to Neighboring Property Owners: _____</p>
---	--

Resolution #: _____ **Effective Date:** _____

Zoning Map Amendment Application - QUESTIONS:

A)

B) We feel a Resort Rezone will bring more people to the area, hence increasing property values and business revenue as well as create new jobs for our local economy. It will make the overall area more attractive for investment and development, which will lead to more amenities, services and improved infrastructure, further driving property values. New Resort Zoning can attract businesses and commercial activities, creating job opportunities and stimulating growth. Increased resort activity can provide convenient services and retail options for local residents, improving the overall livability of the neighborhood. More options will attract younger demographics, including young professionals and families.

C) Our existing zoning change has already come with some major improvements to local infrastructure, such as better roads, a new traffic light, and utilities benefiting both the property and the surrounding neighborhood, all to help mitigate and offset any problems resulting from changes in traffic flows. We also added a retention pond to improve better stormwater management, reduced pollution and enhanced natural landscape. Our project will deliver tax benefits to local schools and the township.

D) Our current zoning changes will lead to urban renewal projects which will transform the surrounding property into vibrant, active space which will foster a strong sense of community. Environmental benefits will include beautiful landscaping and greenspaces

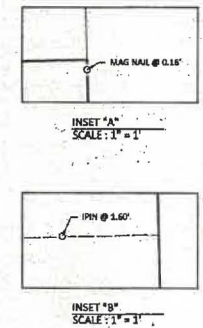
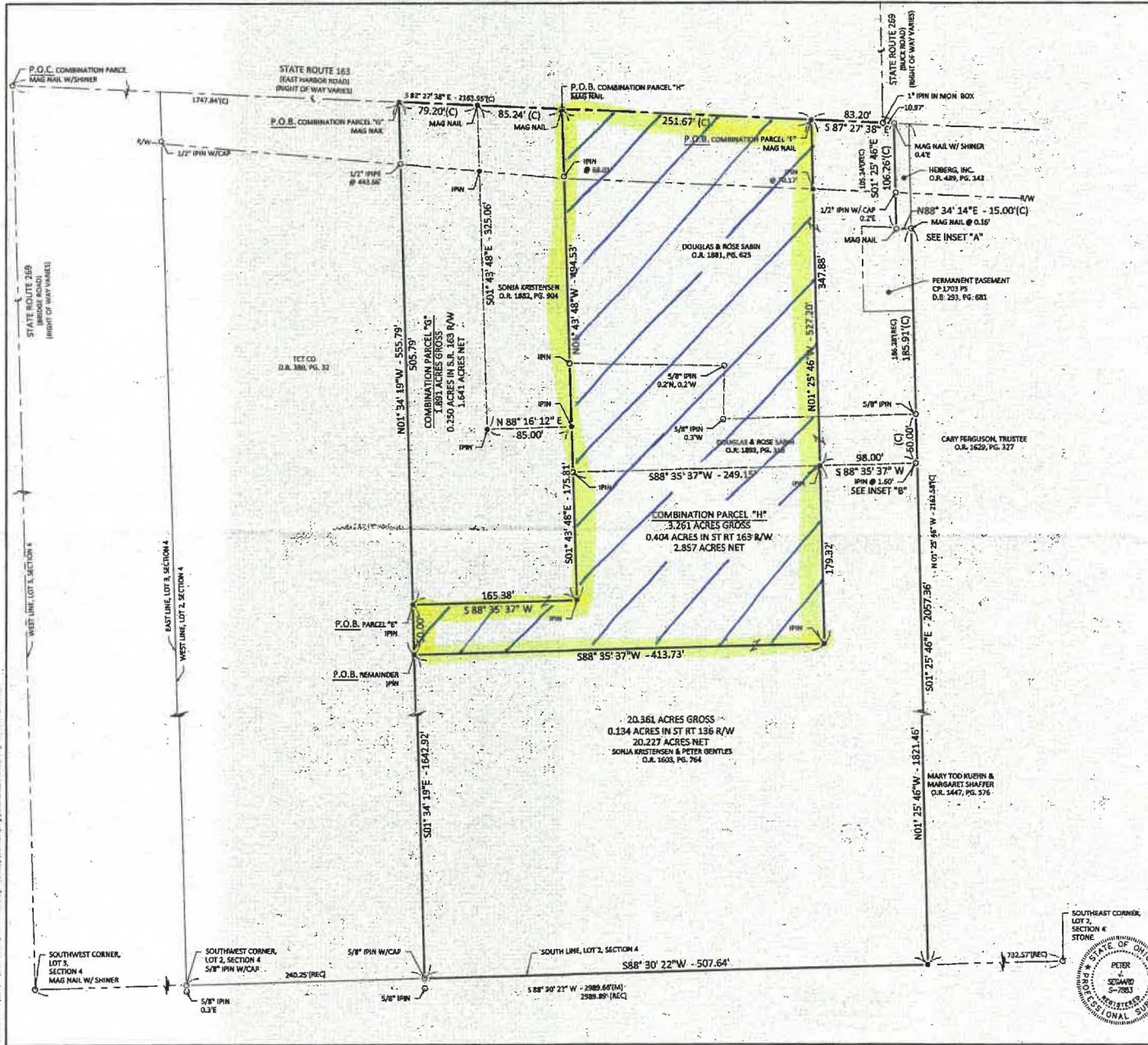
E) Our new vision to create a unique Wellness Campus with a Resort like feel and experience would be better suited to a Resort Zoning.

F) There is no error

G) No

H) No.

Overall, the zone change has the potential to create a more dynamic economically vibrant and attractive neighborhood, benefiting both existing property owners and new residents or businesses.



- REFERENCES:**
- COUNTY DEED/OFFICIAL RECORD BOOKS AND PAGES AS SHOWN.
 - SURVEY FOR ESTATE OF ALBERTA TEWERS, BY KUSMER & ASSOCIATES, INC., OCTOBER 1989.
 - OTTAWA COUNTY SURVEY RECORDS:
 - 1-7-98A - 1-7-98B - 2-7-57 - 3-7-88B - 4-7-104
 - 4-7-108B - 4-7-110M
 - DANBURY-4-11-0038P1
 - DANBURY-4-11-0038P2
 - DANBURY-S4-11-00271

- LEGEND**
- MONUMENT FOUND
 - MONUMENT SET
 - (C) CALCULATED DISTANCE
 - (M) MEASURED DISTANCE
 - (REC) RECORD DISTANCE
 - R/W RIGHT-OF-WAY
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT

NOTE:
IRON PINS SET ARE 3/8" DIAMETER X 30" LONG IRON PINS WITH CAP "DGL-PIS-7883"

BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING AND ARE FOR THE SOLE PURPOSE OF SHOWING ANGULAR MEASUREMENT.

CERTIFICATION:
I HEREBY CERTIFY THAT THIS SURVEY SHOWN ON THE ATTACHED PLAT WAS PREPARED FROM AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION AND THAT IT AND THE INFORMATION, COURSES AND DISTANCES AS SHOWN ARE CORRECT TO THE BEST OF MY KNOWLEDGE.



PETER J. SHEPPARD, P.S.
OHIO PROFESSIONAL SURVEYOR NO. 7883

DATE: 7/16/2022

NO	DATE	REVISION
1	3/2/22	DATE
2		CORRECTED CENTERLINE BEARING

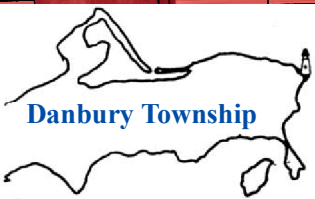


SONIA KRISTENSEN & PETER GENTLES
PART OF LOT 2, SECTION 4,
FIRELANDS SURVEY,
OTTAWA COUNTY, OHIO
SPLIT SURVEY

FILE:KRISTENSEN COMB.dwg
JOB NO.: 22127
DRAWN BY: PIS/GSW
ISSUED: 07/06/2022

2/2

PROJECT: S4-12-00367 - 2nd Plan
DRAWING: M12137 (DGL Development - Strong County) (COUNTY) (KRISTENSEN COMB.dwg) 22127 REMAINING



Danbury Township

**5826 E. Harbor
Map Amendment
"C-2" to "R-C"**

Danbury Zoning Districts

- A Agricultural
- R-1 Rural Residential
- R-2 Suburban Residential
- R-3 High Density Residential
- L Lakeside
- LBO
- LMO
- C-1 Limited Commercial
- C-2 General Commercial
- C-3 Entertainment Commercial
- R-C Recreational Commercial
- M-1 Light Manufacturing
- M-2 Heavy Manufacturing
- MHP Manufactured Home Park
- PUD Planned Unit Development

C-2 General Commercial

R-C Recreational Commercial

C-2 General Commercial

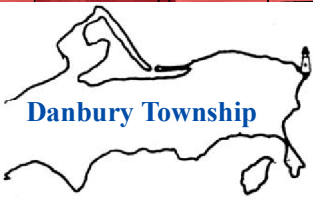
C-2 General Commercial

R-C Recreational Commercial

C-2 General Commercial
















**5826 E. Harbor Road
PIN # 0141152415425000
3.261 Acres
Rezone from "C-2" to "R-C"**

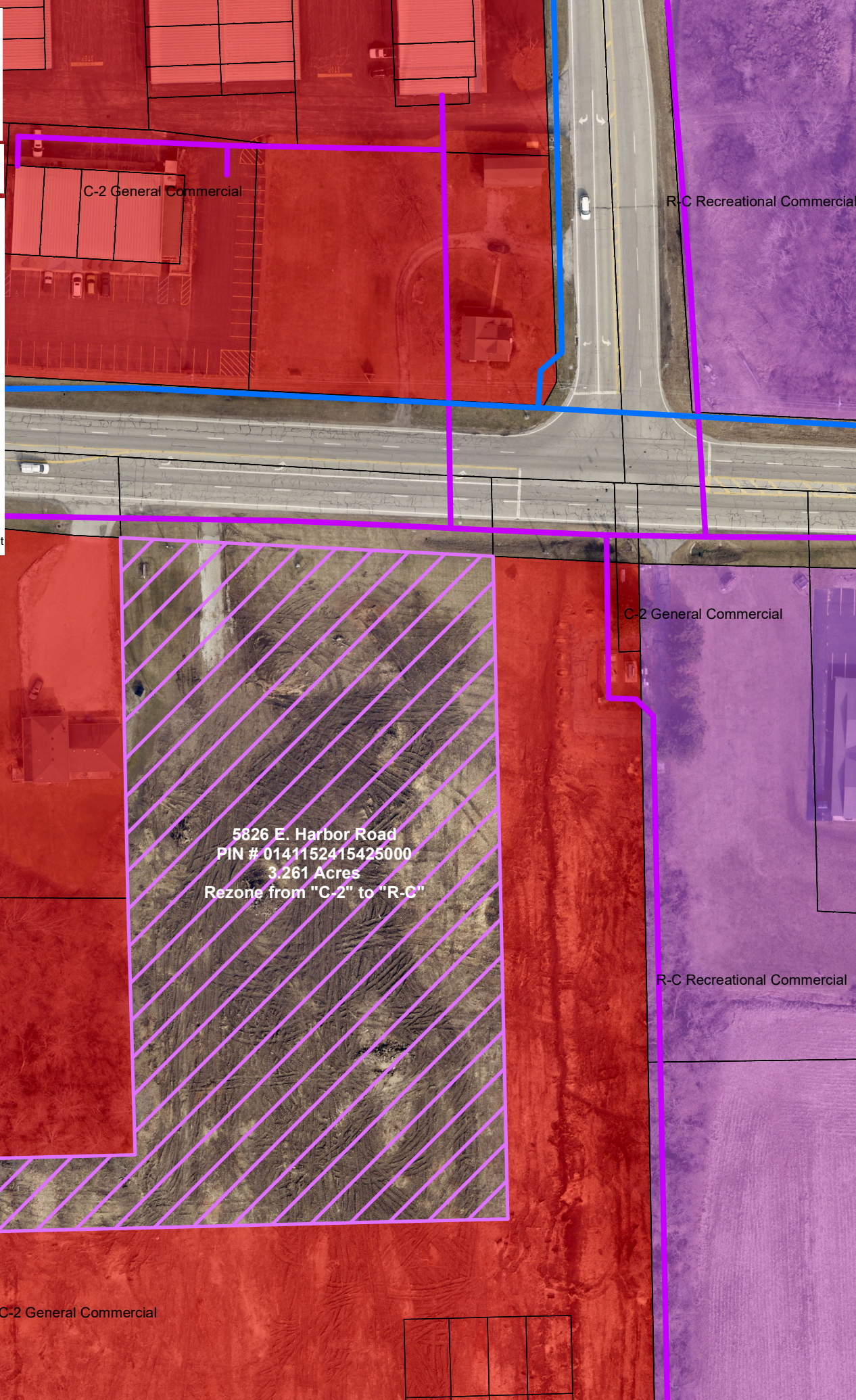
- 35
- 36
- 37
- 38
- 39
- 40
- 41
- 42
- 43
- 44
- 45
- 46



**5826 E. Harbor
Map Amendment
"C-2" to "R-C"**

Danbury Zoning Districts

-  A Agricultural
-  R-1 Rural Residential
-  R-2 Suburban Residential
-  R-3 High Density Residential
-  L Lakeside
-  LBO
-  LMO
-  C-1 Limited Commercial
-  C-2 General Commercial
-  C-3 Entertainment Commercial
-  R-C Recreational Commercial
-  M-1 Light Manufacturing
-  M-2 Heavy Manufacturing
-  MHP Manufactured Home Park
-  PUD Planned Unit Development



C-2 General Commercial

R-C Recreational Commercial

35

36

37

38

39

40

41

42

43

44

45

46

C-2 General Commercial

5826 E. Harbor Road
PIN # 0141152415425000
3.261 Acres
Rezone from "C-2" to "R-C"

C-2 General Commercial

R-C Recreational Commercial

C-2 General Commercial

Spotted Dog Properties, LLC
GOBOCH, LLC
647 Davidson Drive
Richmond-Highland Hts., Ohio 44143

ZC-2024-140
5826 E. Harbor Road
Sabin

Spotted Dog Properties, LLC
GOBOCH, LLC
647 Davidson Drive
Richmond Heights, Ohio 44143

Allure Shop Rental, LLC
1541 N. Carroll Erie Road
Port Clinton, Ohio 43452

ZC-2024-140 **Map Amend.**
5826 E. Harbor **“C-2” to “R-C”**
0141152415425000
Sabin

Allure Shop Rental, LLC
1541 N. Carroll Erie Road
Port Clinton, Ohio 43452

Marblehead Canoe Building, LLC
Attn: Mark LaGrange
30628 Detroit Road #111
Westlake, Ohio 44145

Marblehead Canoe Building, LLC
Attn: Mark LaGrange
30628 Detroit Road #111
Westlake, Ohio 44145

Shoreline Storage Suites, LLC
520 Belfry Court
Avon Lake, Ohio 44012

Shoreline Storage Suites, LLC
520 Belfry Court
Avon Lake, Ohio 44012

Sonja Kristensen
5754 E. Harbor Road
Marblehead, Ohio 43440

Sonja Kristensen
5754 E. Harbor Road
Marblehead, Ohio 43440

Mistic TB, LLC
2489 Akins Road
Broadview Heights, Ohio 44147

Mistic TB, LLC
2489 Akins Road
Broadview Heights, Ohio 44147

Haasmosis, LLC
Attn: Christopher Haas
2351 S. Commodore Court
Marblehead, Ohio 43440

Haasmosis, LLC
Attn: Christopher Haas
2351 S. Commodore Court
Marblehead, Ohio 43440

Charles & Vicki Henson
30199 N. Fostoria Road
Millbury, Ohio 43447

Charles & Vicki Henson
30199 N. Fostoria Road
Millbury, Ohio 43447

Michalski Properties, LLC
Attn: Keith & Hope Michalski
5595 Mystic Bay Blvd.
Marblehead, Ohio 43440

Michalski Properties, LLC
Attn: Keith & Hope Michalski
5595 Mystic Bay Blvd.
Marblehead, Ohio 43440

132



202200320465 09/01/2022 12:55 PM
Filed for Record in OTTAWA County, Ohio
Nathan J. Daniels Rec Fees: \$50.00
OR Vol 1913 Pgs 103 - 106

This conveyance has been examined and the grantor complied with section 319-202 of the revised code.
FEES \$ _____
EXEMPT
Jennifer J. Widmer, County Auditor

TRANS 9-1-2022
DBall

QUIT CLAIM DEED

DOUGLAS SABIN and ROSE SABIN, husband and wife, for good and valuable consideration

GRANT to DOUGLAS SABIN and ROSE SABIN, husband and wife, for their joint lives, remainder to the survivor of them,

tax mailing address: 1996 N. Robert St., Lakeside-Marblehead, OH 43440,

the following real property: Situated in the Township of DANBURY, County of OTTAWA, and State of OHIO:

Being the 0.261 acre parcel described on EXHIBIT A attached hereto.

Parcel No. 014-11524-15425-000 (Split) and
014-20476-33269-001 (Split) *dyh*

Property Address: SR 163

Prior Deed Reference: Official Record 1895 page 203
Official Record 1913 page 93

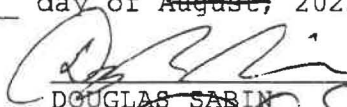
THE INTENT OF THIS DEED is to COMBINE remaining land from parcels received from Sonja Kristensen and Peter Gentles with parcel received from R163 Realty Company, LLC, into one parcel as described herein.

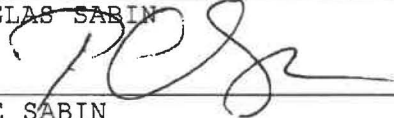
HARTUNG TITLE ORDER # 56215JTMWJ

COPY

And for valuable consideration, Douglas Sabin and Rose Sabin, husband and wife, release their respective rights of dower therein.

WITNESS their hands this 1st day of ~~August~~^{Sept.}, 2022.



DOUGLAS SABIN


ROSE SABIN

STATE OF OHIO
OTTAWA COUNTY, ss:

On this 1st day of ~~August~~^{Sept.}, 2022, before me, a Notary Public in and for said County and State, personally appeared DOUGLAS SABIN and ROSE SABIN, husband and wife, personally known to me or satisfactorily proven to be the individuals who executed the foregoing instrument and acknowledged that they did sign the same and that it is their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Notary Public



MARY-BETH WINDAU
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES
JUNE 5, 2023

Instrument prepared by
LINDA KROEGER-BAUM
KROEGER & PETERS CO., LPA
132 Madison St.
Port Clinton, OH 43452

COPY



LEGAL DESCRIPTION

EXHIBIT A

For: Sonja Kristensen & Peter Gentles

Combination Parcel "H" – 3.261 acres

A parcel of land located in part of Lot 2, in Section 4, of the Firelands Survey, Danbury Township, Ottawa County, Ohio and being further bounded and described as follows:

Commencing from a mag nail with shiner found marking the intersection of the centerline of State Route 163 (East Harbor Road) (right of way varies) with the centerline of State Route 269 (Bridge Road) (right of way varies);

Thence Easterly along the centerline of said State Route 163, South 87 degrees 27 minutes 38 seconds East, a distance of 1912.28 feet to a mag nail set marking the Northeasterly corner of lands now or formerly owned by Sonja Kristensen through Deed Book 1882, Page 904 of the Ottawa County Records and the **True Point of Beginning** of the Parcel herein described;

1. Thence continuing Easterly along the centerline of said State Route 163, South 87 degrees 27 minutes 38 seconds East, a distance of 251.67 feet to a mag nail set;
2. Thence Southerly along a line, South 01 degrees 25 minutes 46 seconds East, a distance of 527.20 feet to an iron pin set, passing over iron pins set at a distance of 70.17 feet and a distance of 34.88 feet;
3. Thence Westerly along a line, South 88 degrees 35 minutes 37 seconds West, a distance of 413.73 feet to an iron pin set on the Westerly line of lands now or formally owned by TCT Co through Deed Book 380 Page 32 of the Ottawa County Records;
4. Thence Northerly along the Easterly line of said TCT Co lands, North 01 degrees 34 minutes 19 seconds West, a distance of 50.00 feet to an iron pin set;
5. Thence Easterly along a line, North 88 degrees 35 minutes 37 seconds East, a distance of 165.38 to an iron pin set;
6. Thence Northerly along the Easterly line of lands now or formally owned by Sonja Kristensen through Official Record 1882, Page 904 of the Ottawa County Records and the extension of the Easterly line of said Kristensen lands, North 01 degrees 43 minutes 48 seconds West, a distance of 494.53 to the True Point of Beginning, passing over an iron pin found at a distance of 129.32 feet, an iron pin set at a distance of 175.81 feet, an iron pin found at a distance of 239.55 feet, and an iron pin found at a distance of 426.52 feet, containing in all

Sonja Kristensen & Peter Gentles
Combination Parcel "H" – 3.261 acres
Page | 2

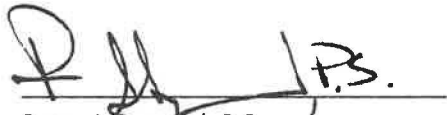
3.261 acres of land more or less, of which 0.404 acres lies in State Route 163 right of way,
subject however to all legal highways and prior easements of record.

Douglas & Rose Sabin claims title by Official Record 1881, Page 625 Ottawa County Records & Sonja
Kristensen & Peter Gentles claims title by Official Record 1603, Page 764 Ottawa County Record.

The above legal description is based on a land survey performed during February of 2022, by DGL
Consulting Engineers, LLC. and was prepared by Peter J. Seggaard, Ohio Professional Surveyor #7883.

NOTE: The bearings in this legal description are based upon an assumed meridian and are used only for
the purpose of describing angular measurements.

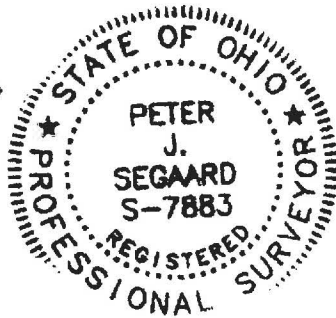
All references to "an iron pin set" are 5/8" diameter x 30" long iron pins with cap "DGL - PJS 7883"



Date: 7.26.2022

Peter J. Seggaard, P.S.
Ohio Professional Surveyor #7883
DGL Consulting Engineers, LLC
3455 Briarfield Blvd, Suite F
Maumee, Ohio 43537
Phone: (419)535-1015, Ext 221

COPY



APPROVED
STATE ENGINEERING BOARD
FOR THAT PURPOSE
[Signature]

Ronald P. Oatis, PE, PS.
Description Approved 8-3-22 mwr
Ottawa County Engineer

HARTUNG TITLE

Inst #202200320465

SECTION 3.4 USE MATRIX

Below is a table that summarizes the Permitted and Conditional uses for each zoning district. Uses below are generalized. Consult [Section 2.2 Definitions](#).

1. Permitted Uses:

A “P” in a cell indicates that a use is allowed by-right in the respective zoning district and can be approved administratively provided all other applicable regulations of this resolution are met.

2. Conditional Uses:

A “C” in a cell indicates that the use may be permitted if approved through the Conditional Use Review before the Board of Zoning Appeals as outlined in [Section 7.11](#). Conditional Uses may be subject to use-specific standards outlined in [Article 4](#).

3. Permitted with Conditions:

A “P & C” in a cell indicates that the use may be allowed by-right and approved administratively provided the use-specific standards are met listed in [Article 4](#). These may be more restrictive requirements than the underlying District Requirements.

4. Prohibited Uses:

A blank and/or shaded cell indicates that the use is prohibited in the respective zoning district.

5. Unlisted Uses:

If an application is submitted for a use that the Zoning Inspector determines is not defined or established in the Use Matrix below, the applicant may choose to take one of the following actions:

- A. The applicant may Appeal the determination of the zoning inspector to the Board of Zoning Appeals as stipulated in [Section 7.9.2.A](#).
- B. The applicant may file an application to the Board of Zoning Appeals to request a Use Variance in accordance with [Section 7.9.2.C.ii](#).
- C. The applicant may initiate a Text Amendment pursuant to [Section 7.7](#).
- D. The applicant may present their case to the Board of Trustees to request that the Township initiate a text amendment to address the proposed use and applicable standards.

P = Permitted Use
C = Conditional Use
P & C = Permitted w/
Conditions (See Art. 4)

	A	R-1	R-2	R-3	L	LBO	LMO	C-1	C-2	C-3	R-C	M-1	M-2	MHP	Add'l Regs
Accessory buildings and uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§5.2
Adult oriented sexual business										C					§4.17
Agriculture	P	P	P	P				P	P	P	P	P	P		
Airports	C							C	C			C	C		§4.1
Automobile parts manufacturing and assembly													P		
Automotive repair									P			P	P		
Automotive Salvage or Wrecking													P		§4738
Automotive service stations								P	P		P	P	P		
Automotive, manufactured home, recreational vehicle, and farm implement sales and service									P			P	P		
Banks & Financial Institutions								P	P		P				

P = Permitted Use
 C = Conditional Use
 P & C = Permitted w/
 Conditions (See Art. 4)

	A	R-1	R-2	R-3	L	LBO	LMO	C-1	C-2	C-3	R-C	M-1	M-2	MHP	Add'l Regs
Banquet Hall							P		P		P				
Bar, saloon, tavern/night club								P	P		P				
Beaches, commercial swimming pools							P	P	P		P				
Bed and breakfast	C	C	C	C	C	C					C				§4.2
Brewery												P	P		
Building material storage yards, sales												P	P		
Cement or cinder block mfg.													P		
Cemeteries	P	P	P	P	P		P	P	P	P	P	P	P		
Churches or other places of worship	P	P	P	P	P	P	P	P	P		P				
Child day-care centers	C	C	C	C				P	P		P&C				§4.3
Clubs	C								C		C				§4.4
Cluster housing communities			C	C											§4.5
Commercial Amusement Enterprises											C				§4.6
Commercial shipping and docking facilities												P	P		
Composting facility	P												P		
Continuing Care Retirement communities, nursing homes			C	C				C	C						§4.8
Contractors establishments including construction firms												P	P		
Distillery												P	P		
Distribution or Logistic Center												P	P		
Drive-in restaurants									P						
Drive-in theaters									C	P					§4.9
Entertainment facility						P	P								
Fishing, private or commercial and related business									P		P				
Flea markets							P	C	C		C				§4.10
Funeral Home									P		P				
General businesses									P						
Golf courses	C										P				§4.4
Golf driving range and miniature golf						P			P		P				
Government buildings	P	P	P	P	P			P	P		P				
Grocery Stores						P			P		P				
Historic sites	P	P	P	P	P	P	P	P	P		P				
Home Occupations	P	P	P	P				P	P		P				§4.11

P = Permitted Use
 C = Conditional Use
 P & C = Permitted w/
 Conditions (See Art. 4)

	A	R-1	R-2	R-3	L	LBO	LMO	C-1	C-2	C-3	R-C	M-1	M-2	MHP	Add'l Regs	
Hospitals								C	C							§4.12
Hotel, motel						P	P		P		P					
Indoor theaters						P			P	P						
Industrial establishments manufacturing or assembling: small metal products, clothing, drugs and medicines, electrical equipment, glass products, furniture and wood products, the assembly of finished equipment												P	P			
Industrial parks												P				
Kennels, Veterinary Clinic, Animal Hospital	C								C							
Laboratory (Research & Development)									P		P	P	P			
Landing strip	C							C	C			C	C			
Limited home-based business	C	C	C	C				C	C		C					§4.11
Manufactured home park															P	
Manufactured homes	P	P	P	P				P	P		P					§4.13
Marinas, boat launching, docking facilities											P					
Medical marijuana, cultivation, processing and dispensaries																
Micro Brewery								P	P		P					
Micro Distillery								P	P		P					
Mini-warehousing									P			P	P			
Multi-family including condominiums			C	C				P*	C	C		C				§4.7
Neighborhood business						P	P	P			P					
Nurseries or greenhouses	P											P	P			
One-family dwellings	P	P	P	P	P	P	P	P	P		P					
Parking area, lot					P	P	P									
Personal services						P	P	P	P		P					
Printing shops/publishing									P			P				

P = Permitted Use
 C = Conditional Use
 P & C = Permitted w/
 Conditions (See Art. 4)

	A	R-1	R-2	R-3	L	LBO	LMO	C-1	C-2	C-3	R-C	M-1	M-2	MHP	Add'l Regs
Professional activities including doctors, dentist, attorney, etc.						P		P	P		P				
Propane storage facility												P			
Public community facilities	P	P	P	P	P			P	P		P				
Public parks and playgrounds	P	P	P	P	P	P	P	P	P		P				
Quarrying													P		
Recreation facility, outdoor						P* Not subject to §4.14	P* Not subject to §4.14		C		C	P			§4.14
Recreation facility, indoor						P	P		P		P	P			
Recreational businesses						P	P		C		C				
Recreational camp							P* Not subject to §4.15				C				§4.15
Resorts							P* Not subject to §4.16				C				§4.16
Restaurant						P	P	P	P		P				
Riding stable	P										P				
Roadside stands for the sale of agriculture and related products	P							P	P		P				
Rock crushers													P		
Schools, public and private	P	P	P	P	P	P	P	P	P		P				
Solar Farm or Field	C								C			C	C		§4.18
Storage areas on property being used for boat sales and service									P		P	P	P		
Storage areas, which includes buildings just for storage or in relation to repair, and services									P		P	P	P		
Telecommunication Towers	C	C	C	C										C	§4.19
Temporary building/structure/use	P & C	P & C	P & C	P & C	P & C	P&C	P&C	P & C	P & C		P&C	P&C	P&C		§4.20

P = Permitted Use
 C = Conditional Use
 P & C = Permitted w/
 Conditions (See Art. 4)

	A	R-1	R-2	R-3	L	LBO	LMO	C-1	C-2	C-3	R-C	M-1	M-2	MHP	Add'l Regs
Two-family dwellings		C	P	P	C	C	P	C	C		P				§4.7
Wholesale business and warehousing activities									P			P	P		
Wind Farm, Small	C												C		§4.21
Windmill, high impact												C	P		§4.22
Windmill, low impact	P	C						C	C			C	P		§4.23

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)	100'	120'	35%	40'	15'	35'	35' (30' to eaves)	20'
	25,000s.f. (two family)								
R-2 Suburban Residential	12,000s.f. (one family)	80' (one family)	120'	40%	35'	10'	35'	35' (30' to eaves)	20'
	16,000s.f. (two family)	100' (two family)							
R-3 High Density Residential	7,000s.f. (one family)	60' (one family)	120'	40%	25'	5' (one family)	25'	35' (30' to eaves)	20'
	8,400s.f. (two family)	70' (two family)				8' (two family)			
L Lakeside	Existing lots of record	Existing lots of record	Existing lots of record	55% up to 3,320s.f. lot	Inside the Gates			30' (25' to eaves)	20'
				45% over 3,320s.f. lot	0'	0'	0'		
LBO Lakeside Business Overlay	Existing lots of record	Existing lots of record	Existing lots of record	55%	Outside the Gates			45' 40' to eaves)	20'
					0'	3'	3'		
LMO Lakeside Municipal Overlay	Existing lots of record	Existing lots of record	Existing lots of record	75%	Adjoining Residential			70' for LM Bldgs. All else 45'	20'
					0'	3'	3'		
C-1 Limited Commercial	Not specified	Not specified	120' (for Residential)	60%	40'	10'	15'	35' (30' to eaves)	20' (for Residential)
					Adjoining Residential				
C-2 General Commercial	Not specified	Not specified	120' (for Residential)	60%	50'	10'	15'	35' (30' to eaves)	20' (for Residential)
					Adjoining Residential				
C-3 Entertainment Commercial	20,000s.f.	100'	100'	60%	70'	10'	25'	35' (30' to eaves)	Not specified
					Adjoining Residential				
R-C Recreational Commercial	Not specified	Not specified	120' (for Residential)	60%	40'	10'	25'	35' (30' to eaves)	20' (for Residential)
					Adjoining Residential				

District	Minimum Lot Size	Min. Lot Width	Min. Lot Depth	Max. Lot Coverage	Setbacks **			Max. Bldg. Height	Min. Bldg. Width
					Front	Side	Rear		
M-1 Light Industrial	1 acre	150'	120'	75%	75'	15'	25'	40'	Not specified
					Adjoining Residential				
						25'	40'		
M-2 Heavy Industrial	1 acre	150'	120'	75%	100'	20'	25'	40'	Not specified
					Adjoining Residential				
						40'	40'		
MHP	10 acres	200'		Not specified	Not specified	Not specified	Not specified	30'	Not specified