

RECORD OF PROCEEDINGS

Held _____ 20 _____

The Special Meeting of the Danbury Township Board of Trustees to discuss a request to adopt Hotel/Motel text amendments to the Danbury Township Zoning Resolution was held at Danbury Township on November 13, 2024, and was called to order at 5:30 pm by Trustee Dianne Rozak.

The Pledge of Allegiance was recited. Roll Call: Trustee Rozak, Trustee Hirt and Trustee Dress were present along with Fiscal Officer Brinkley Paul, Zoning and Planning Administrator Kathryn Dale, Zoning Assistant Dawn Connor and Township Assistant Lynne James. Visitor in attendance was Susan Dress.

Ms. Rozak opened the meeting for public hearing regarding ZC-2024-211 Request for Text Amendments to add new Section 4.13 to include Use Standards for Hotel/Motels, specifically for conversion of residential structures in commercial zoning districts, modify Section 2.2 Hotel/ Motel definition, modify Section 3.4 Use Matrix to include reference to new 4.13 Use Standards for Hotels & Motels, and renumber Article 4 Section numbers and zoning resolution page numbers accordingly to accommodate new language. Danbury Township, Applicant. The Regional Planning Commission recommended approval as presented at their Sept., 17th meeting. The Zoning Commission held a public meeting regarding this amendment Oct., 2nd and recommended approval as presented.

The meeting was then turned over to Ms. Dale for the staff report.

Ms. Dale stated the following:

DESCRIPTION:

In May 2024, residents attended a Board of Trustees meeting expressing concerns on a residential home in a subdivision that received a Change of Use Zoning Permit and Ottawa County Building Department Certificate of Occupancy for a transient hotel/motel and are now essentially renting the structure short-term. The neighbors were more upset about the garbage management from this particular property, but it brought to light other concerns.

One of the residents that came to the Board of Trustees wanted a registration and penalty system put into place for short-term rentals. After much discussion with staff, the Zoning Commission and Board of Trustees, it was decided that, that suggestion would not be the best route to take because it would likely give a false impression that short-term rentals of dwellings is allowed in the Township, which it is not.

Danbury Township does not typically allow residential dwellings to be rented for periods of less than 30 days, but in this particular case, as well as at least two other similar situations, the residential structure is located in the "R-C" Recreational Commercial zoning district, where hotel/motels are a permitted use, and there were 6 sleeping rooms available in the structure. As such, the property met the definition of a hotel/motel and was issued the "Change of Use" Certificate. The neighborhoods in which these structures are located do not have active HOA's or more restrictive requirements. In 2021, the Township rezoned over 700 residential properties and took them out of a commercial zoning district for this very reason. However, some neighborhoods were not included in that rezoning for various reasons.

Admittedly, one of the properties that has been converted from a residence to a commercial use was not able to receive an official hotel/motel license to operate from the State of Ohio Fire Marshal's office because an occupant would have had to walk thru room #5 to get into the 6th sleeping room. The State Fire Marshal who inspected the property explained that they could not issue the license unless that was corrected and each room could be independently accessed, but they wouldn't consider the conversion as "illegal" since it met the Township & County requirements.

Ultimately, it was decided that the best direction to take to address some of the concerns raised would be to 'beef' up the hotel/motel requirements. The most substantial modification from the proposed language would make it a requirement, in a conversion situation, for the Homeowner to obtain a hotel/motel license first from the State of Ohio. The Homeowner will also need written verification from the Sanitary Engineer's office that such conversion would comply with water & sewer capacity so as not to overtax the system and to ensure it is functioning properly. This helps eliminate any conflicts in language or interpretation and puts all agencies having jurisdiction over such use on the same page. All of this would be the Homeowners responsibility before Ms. Dale would issue a zoning permit.

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DANBURY TOWNSHIP BOARD OF TRUSTEES SPECIAL MEETING Adopting Hotel/Motel Text Amendments to Zoning

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Careful consideration was given to not treat a residential conversion any differently from a traditional hotel/motel or to end up putting more restrictive requirements on existing hotels/motels. The use is still a permitted use.

The language proposed clarifies parking requirements for recreational trailered units if those types of units are going to be allowed to be brought to a premises. The language would also require hotels/motels to have commercial trash accounts. This is in part because fish offal is typically abused and improperly disposed of with residential containers, causing a nuisance to residential neighbors. Many of the trash providers set limitations for fish disposal, as well as other large items, in their contracts for commercial accounts and can discontinue services if repeatedly violated.

Legal counsel for the Township has reviewed the proposed amendments and has signed-off on the proposed language.

AGENCY REVIEWS:

Ottawa County Regional Planning Commission (OCRPC) was forwarded the proposed amendments on August 28, 2024, and held a hearing on September 17, 2024. Attached is OCRPC's decision letter recommending **Approval as Presented**. The Danbury Township Zoning Commission held a public hearing October 2, 2024 and recommended 5-0 **Approval as Presented** to the Board of Trustees citing that decision standards "b" and "c" were satisfied.

A proposed amendment may be approved if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

7.7.3E.i. Text Amendments:

- a. The proposed amendment will make the Resolution conform more closely with the Land Use Plan.
- b. The proposed amendment will improve the public health, safety, or general welfare of Danbury Township.
- c. The proposed amendment will clarify the intent of the Resolution.
- d. The proposed amendment will better implement the intent of the Resolution.
- e. The proposed amendment will improve enforcement of the Resolution.

STAFF RECOMMENDATION:

None.

Ms. Rozak introduced the following Resolution 25-2024 Adopting Text Amendments to the Danbury Township Zoning Resolution and moved for its adoption:

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in special session at 5:30 p.m., on November 13, 2024, at the Danbury Township Building, 5972 E. Port Clinton Road, Marblehead, Ohio 43440, with the following members present:

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

Mr/ Ms. ROZAK introduced the following resolution and moved its adoption:

RESOLUTION NO. 25 - 2024

A RESOLUTION ADOPTING TEXT AMENDMENTS TO THE DANBURY TOWNSHIP ZONING RESOLUTION

WHEREAS, on August 7, 2024, the Danbury Township Zoning Commission, in accordance with Ohio Revised Code section 519.12(A)(1) initiated, by motion, the following amendments to the Danbury Township Zoning Resolution:

- *Add New Section 4.13 to include Use Standards for Hotel/Motels, specifically for conversion of residential structures in commercial zoning districts.*
- *Modification to Section 2.2 Hotel/ Motel definition to remove language on what a hotel/motel does not include to eliminate any confusion regarding conversions of property.*
- *Modification to Section 3.4 Use Matrix to include reference to new Use Standards for Hotels & Motels.*
- *Renumber Article 4 Section numbers and page numbers accordingly to accommodate new Section 4.13.*

WHEREAS, said text amendments were forwarded to the Ottawa County Regional Planning Commission (OCRPC) August 28, 2024, and considered by the Ottawa County Regional Planning Commission (OCRPC) on September 17, 2024, where the Commission recommended unanimous approval of said text amendments as presented; and

WHEREAS, the Danbury Township Zoning Commission held a public hearing on October 2, 2024, and by motion and vote, the Zoning Commission unanimously recommended approval of said text amendments as presented; and

WHEREAS, the Board of Trustees held a public hearing on November 13, 2024, and, at the conclusion of the public hearing, voted to accept the recommendation of the Zoning Commission; and

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DANBURY TOWNSHIP BOARD OF TRUSTEES SPECIAL MEETING
Adopting Hotel/Motel Text Amendments to Zoning

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NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Danbury Township, Ottawa County, Ohio:


- 1) The Board finds that the following Decision Standards of the Danbury Township Zoning Resolution are satisfied:
 - b. The proposed amendment will improve the public health, safety, or general welfare of Danbury Township.
 - c. The proposed amendment will clarify the intent of the Resolution.
 - d. The proposed amendment will better implement the intent of the Resolution.
 - e. The proposed amendment will improve enforcement of the Resolution.
- 2) The Board does hereby adopt the amendments to the Danbury Township Zoning Resolution attached hereto as Exhibit A; and
- 3) 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
- 4) 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. Dress Yes Mr. Hirt Yes


ADOPTED this 13th day of November, 2024.

Attest:


Brinkley Paul
Fiscal Officer

Board of Trustees
Danbury Township
Ottawa County, Ohio


Dianne Rozak


John Paul Dress


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 13th day of November, 2024 and filed with the Danbury Township Fiscal Officer.


Brinkley Paul
Danbury Township Fiscal Officer

Adjourn

Ms. Rozak thanked everyone for attending and there being no further business before the Board regarding this special meeting, Ms. Rozak motioned and Mr. Hirt seconded, to adjourn at 5:46 pm. All ayes and motion carried.


Fiscal Officer




Danbury Township Board of Trustees

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