



**Kathryn A. Dale, AICP**  
Zoning & Planning Administrator

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## **DANBURY TOWNSHIP ZONING DEPARTMENT**

### **2024 ANNUAL REPORT (January 1 – December 31)**

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#### **Board of Zoning Appeals**

Loretta Grentzer  
Sherry Roberts  
Joseph Fetzer  
Clyde Shetler  
Greg Huffman  
Joseph Kruse  
Julie Cottingham

#### **Township Trustees**

Dianne Rozak  
John Paul Dress  
David Hirt

#### **Zoning Commission**

Jodi Kopanski  
Vito Kaminkas  
Robert Strauss  
Susan Dress  
Barb Singer  
William Tuttamore  
Douglas Huber

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## About the Zoning Department

The purpose of zoning according to the Danbury Township Zoning Resolution is to conserve and protect property and property values; to secure the most appropriate use of land, and to facilitate adequate but economical provisions of public improvements. The Zoning Department provides short and long-range planning services for the Township as well as zoning, permitting and enforcement. The Zoning Department also works in conjunction with businesses seeking to locate or expand in the Township. We work closely with both commercial and residential developers, with business owners and property owners to design projects that will add to the Township's economic, environmental, and social well-being.

## Goals & Accomplishments from 2024

### **Goal: Storage Building Study**

In January 2024 there was a kick-off meeting with Miami University and data was shared with them so they could begin working on the study. As each phase of the study was being completed, Miami shared summary reports of the findings. July 1, 2024, we received the final Storage Study from Miami University. The summary of findings were as follows:

- 6,657 boat slips between Township & Village, requiring 30.25 - 34.37 acres of storage.
- Capacity for 2,914 RV's, requiring 16.65 - 18.55 acres of storage.
- 46.9 - 52.92 total acres needed.
- 96.9 acres existing (43.98 - 50 acre surplus)
  - Would argue based on the permit data, the Township potentially has more than this, and closer to 268 acres already existing.
- 70 acres of undeveloped or underdeveloped land currently being used for storage that can be expanded upon.
- 82.73 acres of Commercially zoned property available for potential expansion of use.
- Potential for expansion at the current rate could result in 403 additional acres.

Following the receipt of the Study, the Zoning Commission and Board of Trustees held a joint work session to discuss how the Township wishes to address the results of the Storage Study. Many options were discussed and ultimately the consensus is that future storage buildings should undergo Conditional Use review and be placed at the rear of the property, limiting the amount that a parcel can be used for storage purposes. The Zoning Commission has continued to work on potential language to accomplish this via work sessions during their regular monthly meetings. Language should be ready to introduce in 2025 for public hearings.

### **Goal: Begin preparations for 2025 Comprehensive Plan Update**

Not much was accomplished on this in 2024 but is a primary focus project in 2025.

### **Goal: Prioritize another set of dilapidated structures**

In 2024, the Township pursued 5 properties to remove unsafe, uninhabitable and dilapidated structures. Since 2013, the Township has had much success in having more than 15 blighted buildings removed by requesting the property owner to remove the structure on their own accord without having to abate the removal through Township funds.

## 2025 Goals

- Prepare 2025 Comprehensive Plan Update
- Complete CEU requirements for AICP Certification
- Prioritize another set of dilapidated structures

## Litigation

**Bilton vs. Danbury Township Board of Zoning Appeals  
2023 CVF 028 - Ottawa County Court of Common Pleas  
23-OT-041 – 6<sup>th</sup> District Court of Appeals**

**Re: 2991 Waterside Court**

A letter was sent to the property owner in October 2022 notifying them that a permit was necessary for the lanai, screened-in porch they constructed without any permits on the rear of their condo unit. This addition did not meet the rear setback requirements and required consideration before the BZA. The Application was ultimately denied at the December 2022 BZA meeting. The owner then retained legal counsel and proceeded with an appeal through the Ottawa County Court of Common Pleas in January 2023. After many extensions, all briefs were filed by August 2023. At the end of November 2023, the Judge's Decision was rendered, upholding the BZA's decision to deny the variance request for an encroachment into the rear setback. The property owner subsequently filed another appeal through the 6<sup>th</sup> District Court of Appeals in December 2023.

From January to March 2024, briefs were filed with the 6<sup>th</sup> District Court of Appeals and Oral Arguments were requested. Oral Arguments were held in Toledo at the court on June 5, 2024. The hearing lasted approximately a half hour. Many of the same, expected arguments were made by both sides from the written briefs that had been filed. Once the hearing was over, it was just a matter of waiting for the decision from the panel of Judges. We had hoped to have a decision by September/October 2024 but are still waiting for the final decision.

## Abatements

There were no abatements necessary in 2024. All property owners took care of nuisance concerns on their own accord.

## Board and Commission Activities

These boards are made up of citizen volunteers appointed by the Board of Trustees, to review and make determinations or recommendations on planning and zoning matters assigned to them. The Board of Zoning Appeals is a quasi-judicial body that hears requests for variances to the strict application of the Zoning Resolution. The BZA also hears requests for Area and Use Variances, Appeals of the Zoning Inspector's Decisions, Conditional Uses, and Nonconforming Uses. The Zoning Commission provides formal recommendations to the Board of Trustees on amendments to the Zoning Resolution text and the zoning map. These citizen volunteers provide a valuable service to the Township by sharing their expertise and perspective. Activity for this year was as follows:

The **Board of Zoning Appeals** took action on 26 cases (46 in 2023) as follows:

Case# 2024-001	2301 Split Rock	Tim Lubbe & Katie Lenz	Setbacks – House	Area Variance	Approved
Case# 2024-034	1795 Danielle	Michael Internicola	Side Setback - Sheds	Area Variance	Approved
Case# 2024-040	81 Margaret	CJ & Marissa Gosik	Front Setback - Addition	Area Variance	Approved
Case# 2024-065	5871 Sweetbriar	John Marconi	20% - Addition	Area Variance	Approved
Case# 2024-071	324 Sycamore	Frederick Seling	Lot Cov'g & 20% - Add.	Area Variance	Approved
Case# 2024-073	7465 E. Bayshore	Shawn & Mark Weiss	Setbacks, Lot Cov'g	Area Variance	Approved
Case# 2024-075	6544 E. Bayshore	Kyle Hickman	Min. House Width	Area Variance	Approved
Case# 2024-079	2155 Lattimore	Jeff & Sherri Lippus	Front Setback - Pergola	Area Variance	Approved
Case# 2024-125	8186 E. Bayshore	Terry Slauterbeck	Acc. Bldg. S.F. & Height	Area Variance	Approved
Case# 2024-131	9451 E. Harbor	Danbury School Dist.	Electronic Ground Sign	Area Variance	Denied
Case# 2024-137	2026 Emerald Shores	Jonathan Brown	Rear Setback - Deck	Area Variance	Approved
Case# 2024-159	233 Bedford	Kent & Jen Brandeberry	Setbacks - Shed	Area Variance	Approved
Case# 2024-164	344 Hidden Beach	Todd & Kirsten Cassaro	Setbacks - Shed	Area Variance	Approved
Case# 2024-165	2488 Knobhill	Patrick O'Keefe	Setbacks - Garage	Area Variance	Approved
Case# 2024-167	304 Walnut	Dexter Woods	20% & Lot Cov'd – Add.	Area Variance	Approved
Case# 2024-216	6050 Port Clinton E.	Willie Steinbrick	Acc. Bldg. Height	Area Variance	Approved
Case# 2024-220	222 Willowdale	Craig & Annette Parsell	Front Setback - Deck	Area Variance	Approved
Case# 2024-221	7816 & 7834 E. Harbor	Carol Bushee-Dunfee	Lot Split < 1ac.	Area Variance	Approved
Case# 2024-245	292 Gravel Bar	Joseph Nejd	Setback & 20% – Add.	Area Variance	Approved
Case# 2024-251	7479 E. Harbor	Gabe Gerard	Side Setback - Garage	Area Variance	Approved
Case# 2024-266	399 Hidden Beach	Scott Ziembowicz	Setback & 20%	Area Variance	Approved
Case# 2024-274	2498 Knobhill	Sonja Toma	Setbacks - Garage	Area Variance	Approved
Case# 2024-280	9608 E. Bayshore	Brad Hutcherson	20% & Setback - Garage	Area Variance	Denied
Case# 2024-281	525 Hillcrest	Wendy Stahanczyk	20% - Addition	Area Variance	Approved
Case# 2024-287	355 S. Bridge	Stevenson/ Pickeball	Parking Reduction	Area Variance	Continued
Case# 2024-312	253 Worthy	Tim & Lori Kleman	Separation from house	Area Variance	Approved

Sadly, on November 3, 2024, Board of Zoning Appeals Member Loretta Grentzer unexpectedly passed away. Loretta served 16 years on the Board. The Board of Trustees appointed Joseph Kruse from Alternate Member to a Regular BZA Member with a term to expire 12/31/2029. The Trustees also appointed Jim Switzer as a new Alternate Member with a term set to expire 12/31/2027, fulfilling Mr. Kruse's unexpired Alternate term.

**Board and Commission Activities (Con't)**

The **Zoning Commission** took action on 6 cases (4 in 2023), as follows:

Case# ZC-2024-112 **0 & 1697 S. Danbury N. Road. Map Amendment from “A” Agricultural to “R-C” Recreational Commercial** for Lot 20, Part of Section 4, PIN# 0141161115543000 consisting of 5.758ac. of the 8.003ac. parcel and **“C-2” General Commercial to “R-C” Recreational Commercial** for Lot 20, Part of Section 4, PIN# 0141160615537016 - 0141160615537025 consisting of 10.464ac. Total of 16.222ac. to be rezoned. **Robert & Janet Hennig & Stowaway Jeannie, LLC, James Davenport, Owners/Applicants; Keith Brown, DB Development Group, Agent.**

Denial – ZC  
Denial – Trustees

Case# ZC-2024-140 **5826 E. Harbor Road. Request for a 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. **Doug & Rose Sabin, Owners/Applicants.**

Approval – ZC  
Approval – Trustees  
Resolution No. 18-2024  
Effective – 09.14.2024

Case# ZC-2024-168 **6114 E. Port Clinton Eastern Road. Request for a Map Amendment from “A” Agricultural to “R-C” Recreational Commercial** for Lot 13, Section 4, PIN# 0140400022988000 consisting of 22.6ac. **David & Edith Dlubak, Owners/Applicants.**

Denial – ZC  
Denial – Trustees

Case# ZC-2024-211 **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.**

Approval – ZC  
Approval – Trustees  
Resolution No. 24-2024  
Effective – 12.13.2024

Case# ZC-2024-249 **6114 E. Port Clinton Eastern Road. Request for a Map Amendment from “A” Agricultural to “R-C” Recreational Commercial** to rezone 19.25 acres of a 22.6ac parcel located in Section 4, Lot 13, PIN# 0140400022988000. **David & Edith Dlubak, Owners/Applicants.**

Denial – ZC  
Approval – Trustees  
Resolution No. -2024  
Effective – 01.19.2025

**Board and Commission Activities (Con't)**

Case# ZC-2024-253    **5542 E. Bayshore Road. Request for a Map Amendment from “A” Agricultural to “R-C” Recreational Commercial** of Section 4, Lot 20, PIN# 0141159815529000 consisting of 10 ac. **Dale Edward Parker, Owner/Applicant.**

Approval – ZC  
Approval – Trustees  
Resolution No. -2024  
Effective – 01.19.2025

Regular Zoning Commission Member Robert Strauss submitted his letter of resignation effective at the end of his term 12/31/2024. Roberts served 7 years on the Zoning Commission. The Board of Trustees appointed Alternate Member William Tuttamore to be a Regular ZC Member with a term to expire 12/31/2029. The Trustees appointed Cynthia Mahl as an Alternate Member with a term set to expire 12/31/2027, fulfilling Mr. Tuttamore’s unexpired Alternate term.

## Permits

The 2024 year resulted in 25 more permits than 2023 as far as total number of permits. The Township finished the 2024 year with issuing 327 permits. Between 2020-2024, the Township has averaged 304 permits per year.

The total number of new single-family homes was slightly up in 2024 with 30 permits, compared to 26 last year. The average number of new single-family home permits issued since 2020 is 31 permits. 21 of the 30 new homes built were on vacant lots; 7 were torn down and rebuilt. 1 converted an existing garage into a residence and 1 has not started yet. There was also 1 condominium permit issued for a total of 6 new dwelling units, which is also down from 2023 (8 units).

Commercial construction activity compared to last year resulted in 8 more permits, but with 3,746 less square footage (2.2% decrease). There were 18 new commercial permits, 7 commercial addition permits issued for a total of 169,532s.f. of new building space compared to 17 new buildings & additions last year for a total of 173,278s.f. These new buildings included 15 new commercial storage buildings (under 9 permits) and 7 commercial storage additions, Root to Wise Café, Yoga & Wellness Center, additions to Tibbels, Crow's Nest, & Lakeside Laundry and the new Ferguson's Beach Glass Lounge restaurant, as well as the indoor Backyard Pickleball facility.

Permit fees collected this year were down by \$3,383.95, in part due to the decrease in commercial space constructed. Additionally, some of the reasoning for the decrease in fees is because 19 of the 30 new homes were smaller, thus charged the minimum new house fee of \$150.00. Most permit fees are associated with the size of a project, which also contributes to the permit fees collected.

Permits over the years traditionally begin to increase between April and September. February is typically a very low permit month with fewer than 15 permits being issued. In 2024, there was a huge spike with 35 permits being issued. July 2023 there were 52 permits issued, but this year there was a significant drop with only 17 permits being issued. There is no known reason for this change. However, 2024 produced more permits every month except March, April and July, than those same months the last two years. This led to the most permits ever issued in a calendar year (327) since permits have been tracked, dating back to December 1975.

Residential additions, porches, decks, accessory structures and fencing permits were again popular improvements made to existing homes and property. The Township continues to see people retiring permanently to the area and making improvements to their properties in preparation for making them year-round. There were 4 fewer permits issued this year for additions than last year, but 25 more permits were issued for accessory buildings and swimming pools.

The zoning code was modified in 2022 that amended the setback requirements for homes in Lakeside, which had made up for about 1/3 of the BZA cases. In 2023 we had anticipated the number of refused permits and Board of Zoning Appeals cases to significantly drop, but they did not. This year, we had a 56.5% decrease in cases (26 cases compared to 46 in 2023), which is more in line with what we expected as a result of those text amendments in 2022. The variance requests this year were predominantly for setbacks and to our 20% addition limitation onto grandfathered, nonconforming structures.

### **Office Activity**

A primary activity of the Zoning staff is responding to inquiries from residents, developers, appraisers, contractors, etc. Inspections are performed to verify or identify violations as well as to verify that projects are completed in compliance with approved plans. In addition, the department staff greets visitors seeking information regarding other township services and directs them to the appropriate official or department.

During 2023, the Department responded to over 7,013 calls, e-mails and in-person inquiries and went on 1,322 site visits. This averages 584 calls or emails per month and 110 inspections per month. We had an 11% increase in phone volume from 2023 and a 48% increase in inspections.

The office daily logs are no longer created, so the data detail is simplified as follows:

- Outgoing Calls 413
- Incoming Calls 1,395
- Other Calls 371
- Emails 4,834
- Violation Letters 88
- Inspections 1,322

### **Other Office Updates:**

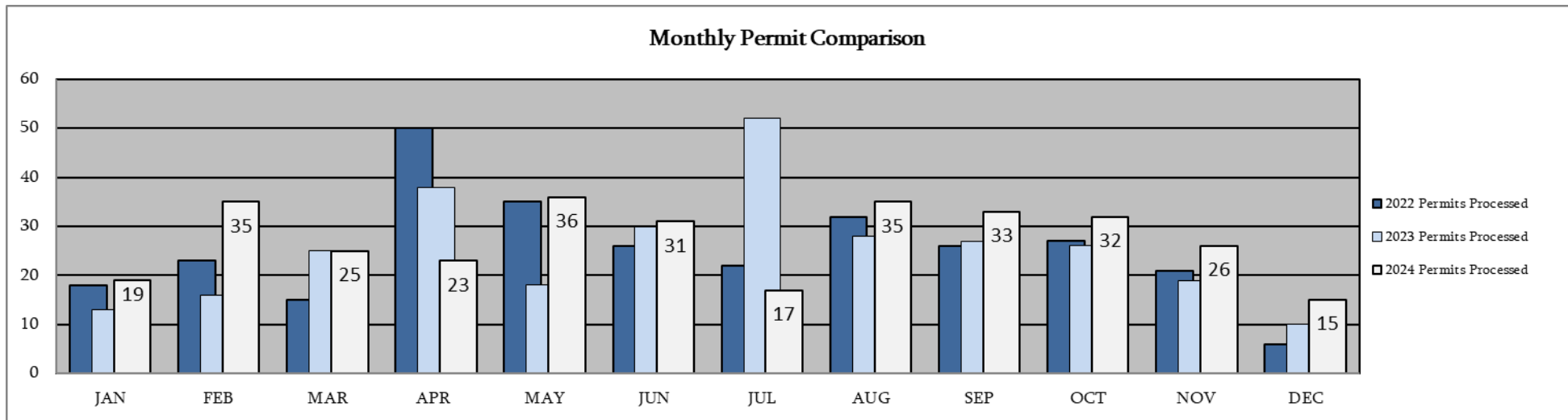
- As the part-time Zoning Assistant, Michelle Teresi's last day was September 24, 2024. We were hopeful Michelle could stay on full-time, but due to her personal schedule and running a local business, she was unable to accept a full-time position.
- Dawn Connor joined the Department in November as a full-time Zoning Assistant. Dawn is a resident of the Township and had been commuting to Parma/Parma Heights area for the last 8 years as a 911 dispatcher. She has 19 years of local government experience and has been a wonderful addition to the office!



## 2024 Monthly Permit Activity Danbury Township Zoning Permits

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTALS
<b>New Dwelling</b>	1	4	2	2	2	1	2	4	2	8	2		<b>30</b>
<b>Condominium Building</b>							1						<b>1</b>
<b>Addition/Porch/Deck</b>	7	12	3	5	11	5	2	9	7	5	8	2	<b>76</b>
<b>Accessory Bldg./Dock/Pool</b>	3	7	4	7	6	5	10	9	6	6	2	5	<b>70</b>
<b>Fence</b>	1	2	2	5	8	7	1	3	4	2	6	1	<b>42</b>
<b>Commercial Building</b>	4	2	2				1	1	4		4		<b>18</b>
<b>Commercial Addition</b>	1	1	1	1						2	1		<b>7</b>
<b>Sign</b>				1	1	2		1	2			3	<b>10</b>
<b>Change of Use</b>	1												<b>1</b>
<b>Permit Rejected/Voided</b>		2	5		3	4		3	2	3	1	2	<b>25</b>
<b>Zoning Amendment</b>					1	2		1	2				<b>6</b>
<b>Appeal</b>													<b>0</b>
<b>Conditional Use</b>													<b>0</b>
<b>Cond. Use Phase Approval</b>													<b>0</b>
<b>Variance</b>	1	2	5		3	4		3	2	4	2		<b>26</b>
<b>Special Exception</b>													<b>0</b>
<b>Other Misc.</b>		3	1	2	1	1		1	2	2		2	<b>15</b>
<b>2024 Permits Processed</b>	19	35	25	23	36	31	17	35	33	32	26	15	<b>327</b>

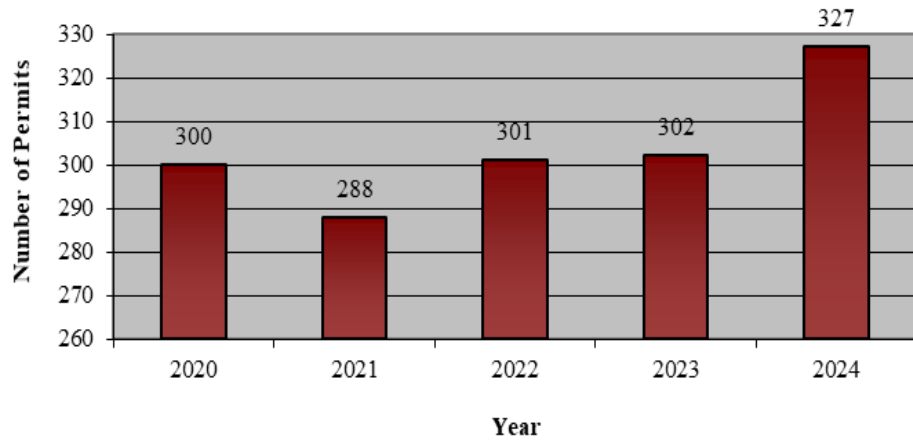
<b>Zoning Books Sold</b>													<b>0</b>
<b>Fees Collected</b>	\$3,776.32	\$3,975.96	\$2,561.84	\$2,196.59	\$3,265.56	\$2,583.13	\$2,633.91	\$4,425.96	\$4,147.02	\$3,046.60	\$4,073.34	1,129.85	<b>\$37,816.08</b>



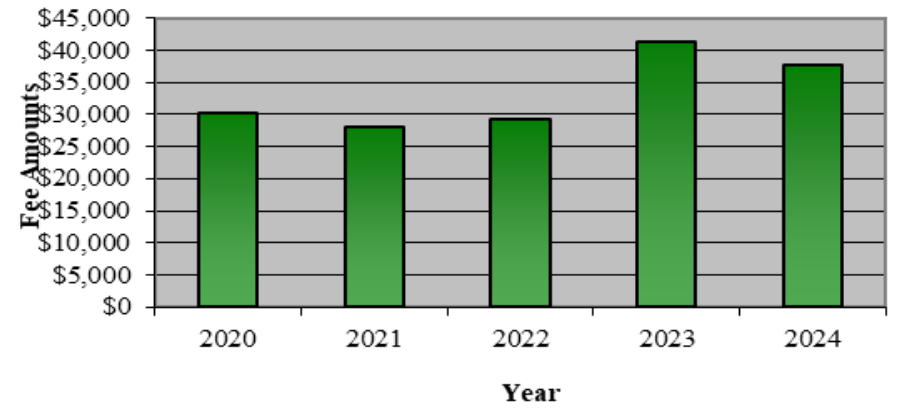
## 5 Year Permit Comparison Report Danbury Township Zoning

	2020	2021	2022	2023	2024	TOTALS
<b>New Dwelling</b>	31	34	32	26	30	<b>153</b>
<b>Condominium Building</b>	3	5	3	2	1	<b>14</b>
<b>Addition/Porch/Deck</b>	63	61	69	81	76	<b>350</b>
<b>Accessory Bldg./Dock/Pool</b>	56	58	51	45	70	<b>280</b>
<b>Fence</b>	34	28	35	36	42	<b>175</b>
<b>Commercial Building</b>	10	9	8	16	18	<b>61</b>
<b>Commercial Addition</b>	2	4	1	1	7	<b>15</b>
<b>Sign</b>	5	4	4	9	10	<b>32</b>
<b>Change of Use</b>	2	2	4	1	1	<b>10</b>
<b>Permit Rejected/Voided</b>	40	28	28	33	25	<b>154</b>
<b>Zoning Amendment</b>	5	3	7	4	6	<b>25</b>
<b>Appeal</b>	1			0	0	<b>1</b>
<b>Conditional Use</b>	2	6	7	6	0	<b>21</b>
<b>Cond. Use Phase Approval</b>				0	0	<b>0</b>
<b>Variance</b>	36	29	34	31	26	<b>156</b>
<b>Special Exception</b>				0	0	<b>0</b>
<b>Other Misc.</b>	10	17	18	11	15	<b>71</b>
<b>Permits Processed</b>	300	288	301	302	327	<b>1,518</b>
<b>Zoning Books Sold</b>	2			1		<b>3</b>
<b>Fees Collected</b>	\$30,337.35	\$28,067.46	29,267.26	\$41,200.03	\$37,816.08	<b>\$166,688.18</b>

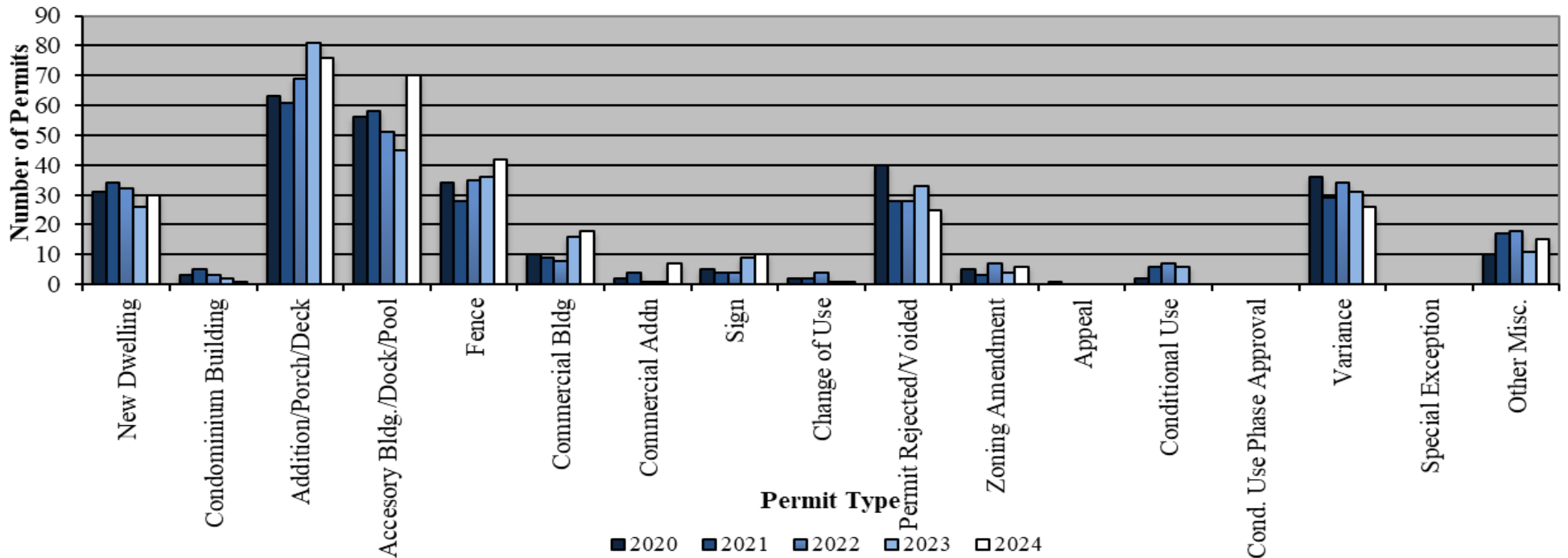
**5 year Zoning Permit Comparison**



**5 year Zoning Fee Comparison**



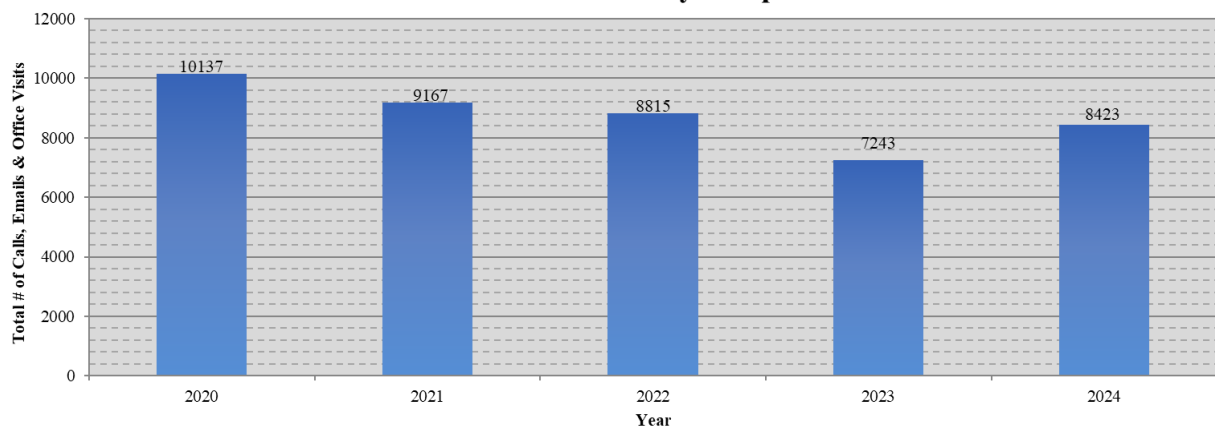
**5 yr. Permit Type Comparison**



## 2024 Office Activity Report Danbury Township Zoning

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTALS
<b>Calls &amp; Emails</b>													
Outgoing	30	41	47	36	43	41	36	21	36	40	42		<b>413</b>
Incoming	85	124	108	142	143	125	139	171	125	177	56		<b>1,395</b>
Other	11	36	50	13	25	45	27	34	41	26	63		<b>371</b>
Emails	296	387	379	365	393	382	532	465	482	524	378	251	<b>4,834</b>
	<b>422</b>	<b>588</b>	<b>584</b>	<b>556</b>	<b>604</b>	<b>593</b>	<b>734</b>	<b>691</b>	<b>684</b>	<b>767</b>	<b>539</b>	<b>251</b>	<b>7,013</b>
<b>Site Visits</b>													
Zoning Violations													
Violation Letters Sent	13	18	2	15	13	6	10	3	4	2	1	1	<b>88</b>
Zoning Inspections	93	62	77	120	217	140	171	142	139	30	76	55	<b>1,322</b>
	<b>106</b>	<b>80</b>	<b>79</b>	<b>135</b>	<b>230</b>	<b>146</b>	<b>181</b>	<b>145</b>	<b>143</b>	<b>32</b>	<b>77</b>	<b>56</b>	<b>1,410</b>
	528	668	663	691	834	739	915	836	827	799	616	307	7,101
												<b>TOTAL:</b>	<b>8,423</b>

**Total Office Activity Comparison**



**Office Activity Summary**

