



## STAFF REPORT

Board of Zoning Appeals  
Meeting Date: May 20, 2026

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<b>Case #:</b>	BZA-2026-082	<b>Address:</b>	170 Laser
<b>Appellant:</b>	Brandon Prenzlin, Owner	<b>Zoning:</b>	“R-C” Recreational Commercial
<b>Request:</b>	<b>Request for Area Variances to Section 5.7.3 to allow for a deck to encroach into the east, front-yard setback (15' required/ 10' proposed) and to Section 5.1.7 to allow the deck to encroach into the south, side-yard setback (5' required/ 3' proposed).</b>		

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### SUMMARY:

The property is part of the Laser-Owen Subdivision that was platted in 1946. The existing house was torn down and rebuilt in 2014. The owners at that time came before the BZA (Case# 2014-003) and requested a 2' side-yard setback variance from the south, side property line for the new house, from the roof overhang to the property line instead of the required 5'. Even though a variance was received for the house, that variance only covered the request for the house, not carte blanche for a deck or future construction, from the south property line.

The current owner and applicant is proposing an 8' x 24' uncovered deck onto the front of the existing house which will encroach into the south, side-yard setback by approximately 3' from the property line where 5' is required. The average front yard setback for the west side of Laser Lane is 15'. The prior owners did not need to have a front yard setback variance because the front of the house was 18' from the east, front property line, which met the 15' average. The proposed deck will encroach 5' into this reduced setback and be 10' to the east, front property line where 15' is required.

The property currently has simple steps from the front door to a patio area. There is no stoop or even landing at the doorway. The applicants' aging father currently lives in the house and is having difficulty managing the steps safely. He would like to provide this deck for ease in and out and to be able to safely exit this doorway with a platform at the door opening.

### ANALYSIS:

Staff provides the following analysis of the decision standards the Board utilizes in their deliberations for deciding whether the request should be approved or denied. The Board is not obligated to agree in whole or in part with any of Staff's review:

The property in question will yield a reasonable return and can be used beneficially without the variance because the property is permitted to be used for a single-family residence.

The variance is not substantial because the deck will remain uncovered and open and has no effect on where vehicles are parked on the property or visibility to traffic going up and down the street.

The essential character of the neighborhood would not be substantially altered by the variance and adjoining properties would not suffer a substantial detriment as a result of the specific variance request because the deck will be no closer to the south, side property line than the existing house and vehicles coming up and down the street will be able to adequately see or get off to the side without being impeded by this deck.

There is no indication that there would be a detrimental effect on the delivery of government services because all utilities exist and are available to the property. Any utility extensions or upgrades will have to be installed in accordance with the proper County agencies.

The applicant states in their narrative statement that they were not aware of zoning restrictions at the time they purchased the property in 2024.

Whether or not the property owner's predicament can or cannot feasibly be obviated through some method other than a variance can be debated. There is currently a patio and that could be improved and remain as a patio. A simple 3' x 3' or 4' x 4' stoop would be permitted because the building code requires access from doorways. The addition of a full deck with room for seating is what triggers the structure needing to meet the setback requirements.

On the other hand, due to the small 40' x 61' size of the lot, and the fact that the lot is 66% smaller than what a lot would be required to be today, there are few options other than to request variances for improvements on the lot.

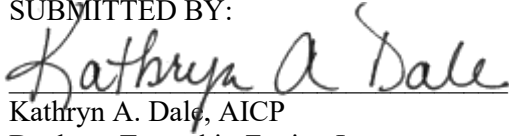
The spirit and intent of zoning would be met should the variance be granted because there are no known negative impacts to surrounding properties.

**STAFF RECOMMENDATION:**

None.

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SUBMITTED BY:



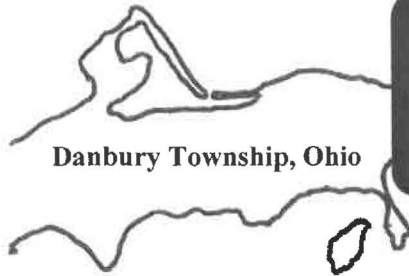
Kathryn A. Dale, AICP  
Danbury Township Zoning Inspector

*Date Prepared: April 23, 2026*

**List of Exhibits Enclosed:**

Exhibit 1: BZA Application  
Appellants Response to Decision Standards  
Adjacent property owners' notification list  
Property Deed

Exhibit 2: Refused Permit  
Submitted Plans



Danbury Township, Ohio



BOARD OF ZONING APPEALS APPLICATION

Date Filed: 4/17/26 Application #: 2026-082

Action: \_\_\_\_\_

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

Rejected Permit: 2026-074 Approved Permit: \_\_\_\_\_

1. Property Location: 170 Laser Lane Parcel ID# 014119971624000
Subdivision Laser-Owen Lot # 28 Zoning District: "R-C"
Attach Deed For Complete Property Legal Description
Existing Use SF Home Proposed Use 8' x 24' Deck

2. Agent Address
City State Zip Phone
Email:

3. Appellant/ Owner Brandon Prenzlin Address 161 Laser Lane
City Marblehead State Ohio Zip 43440 Phone
Email:

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

4. Specific Request:
[checked] Area Variance [ ] Use Variance [ ] Special Exception [ ] Conditional Use [ ] Appeal
Chapter / Section Request for Area Variances to Section 5.7.3 to allow for a deck to encroach into the east, front-yard setback (15' required/ 10' proposed) and to Section 5.1.7 to allow the deck to encroach into the south, side-yard setback (5' required/ 3' proposed).
Practical Difficulty
Attach Separate Narrative Statement describing the request if additional space is needed.

5. Attach a Narrative Statement with a response to each Decision Standard listed in Attachment "A" hereto, as is relates to the specific request.

Next Page ->

7. **Project Description:** Construct 8' x 24' Deck onto the front of the existing house

8. Are the property line pins located or have you had a recent survey of the lot? \_\_\_\_\_ (yes/no)

9. If application is for a non-residential use, list total square footage of building per floor. If application is for a residential use list total area of living space per floor as well as total area of all applicable attachments to the structure. Attach sketch of lot, showing existing buildings and proposed construction or use for which application is made. Give dimensions, indicate *north* and provide the following information:

	<u>Existing</u>	<u>Proposed</u>	<u>Setbacks:</u>	<u>Existing</u>	<u>Proposed</u>
Basement:	_____ sf.	_____ sf.	<i>(Setbacks are from the property lines to roof overhang, not the edge of the road pavement or foundation) 15' Avg.</i>		
First floor:	<u>888</u> sf.	_____ sf.	Front Yard Setback:	<u>18'</u> ft.	<u>10'</u> ft. <b>** Variance Needed</b>
Second floor:	_____ sf.	_____ sf.	Side Yard Setback:	<u>N</u> side: <u>16'</u> ft.	<u>Same</u> ft. <b>** Variance Needed</b>
Third floor:	_____ sf.	_____ sf.		<u>S</u> side: <u>2'</u> ft.	<u>2'</u> ft. <b>** Variance Needed</b>
Garage:	_____ sf.	_____ sf.	Rear Yard Setback:	<u>6'</u> ft.	<u>Same</u> ft.
Decks/porches:	_____ sf.	<u>192</u> sf.	5' Acc. Bldg/ Separation?	<u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> <input checked="" type="checkbox"/>	<u>N/A</u> ft.
Breezeway:	_____ sf.	_____ sf.	Is the property Nonconforming?	<input checked="" type="checkbox"/> <u>Yes</u>	<input type="checkbox"/> <u>No</u>
Accessory:	_____ sf.	_____ sf.	<b>Lot Coverage:</b>		
Parking:	_____ sf.	_____ sf.	A. Principal Building Footprint:	<u>888</u> sf.	
Other:	_____ sf.	_____ sf.	B. Total of Accessory buildings:	<u>0</u> sf.	
Highest point of building above the established grade:	_____ ft.	_____ ft.	C. Lot Width x Lot Depth = Lot Area:	<u>2,440</u> sf.	
			[ (A + B) ÷ C ] x 100 =	<u>36.4</u> %	

**NOTE: Private deed restrictions may need to be met in some areas of the township. Zoning does not enforce private restrictions. It is the responsibility of the Owner & Applicant to be aware of these.**

Application is hereby made for a zoning certificate. It is understood and agreed by the applicant that any error, misstatement or misrepresentation of fact or expression of fact in the application, either with or without intention on the part of the applicant, such as might, or would, operate to cause the issuance of a permit in accordance with this application, shall constitute sufficient ground for the revocation of the permit at any time. The owner of this building or premises and the undersigned, do hereby agree to comply with all the laws of the State of Ohio and the Zoning Resolution of Danbury Township, and to construct the proposed building or structure or make the proposed change or alteration in accordance with the plans and specifications submitted herewith, and certify that the information and statements given on this application, drawings and specification are to the best of their knowledge, true and correct.

Burl Pugh

(Applicant's Signature)

4-14-24

(Date)

*Do not write below this line*

**ZONING CERTIFICATE**

Upon the basis of Application No. 26-074, the statements in which are made a part hereof, the proposed usage (is or isn't) isn't found to be in accordance with the Danbury Township Zoning Resolution and is hereby (approved or rejected) rejected for the R-C Zoning District.

Kathryn A Dale  
 Danbury Township Zoning Inspector  
 5972 E. Port Clinton Road, Marblehead, Ohio 43440

Date Application Received 4/14, 20 26

Fee Paid \$ \$TBD Check # —

Date Application Ruled On 4/14, 20 26

If certificate refused, reason for refusal: See Attached Letter

Permit valid for a period of one (1) year from date of issue.

Applicant's Narrative Statement & Response to Decision Standard's

170 Laser  
Prenzlin

Scope of Work:

I am looking to put A RAISED DECK ON THE Front OF my property @ 170 LASER LN to help my FATHER WITH EASIER access IN/OUT OF HIS home. It will only cover the pre existing PAD. I WANT to make it so it is easier to WALK IN/OUT to SIT ON Deck. My DAD enjoys SITTING OUTSIDE. This will prevent Him from doing steps.

Decision Standards:

- A. The property in question (~~will~~/~~will not~~) yield a reasonable return or (~~can~~/~~cannot~~) be used beneficially without the variance because I am very limited on space due to lot size. This will only cover a pre-existing PAD off the front of the house.
- B. The variance (~~is~~/~~is not~~) substantial because I AM NOT trying to expand PAST A pre existing PAD. I AM ONLY RAISING IT to help ease with entering and exiting to home.
- C. The essential character of the neighborhood (~~would~~/~~would not~~) be substantially altered by the variance and adjoining properties (~~would~~/~~would not~~) suffer a substantial detriment as a result of the variance because My Deck would NOT extend out any further than MOST OF THE HOMES on the STREET.
- D. The variance (~~would~~/~~would not~~) adversely affect the delivery of governmental services (i.e. water, sewer, garbage, etc.) because There would be NO Change to utilities. I'm only RAISING the Deck to help with entering and exiting the Home
- E. The property owner (~~did~~/~~did not~~) purchase the property with knowledge of the zoning restriction because I bought the house and have NO knowledge OF ZONING LAWS in this AREA.
- F. The property owner's predicament (~~can~~/~~cannot~~) feasibly be obviated through some method other than a variance because I WANT to make it easy IN/OUT for aging father who enjoys sitting outside. This will help with NOT HAVING SMALL step when he is OUTSIDE. Also will provide A more sturdy base to enter/exit
- G. The spirit and intent behind the zoning requirement (~~would~~/~~would not~~) be observed and substantial justice done by granting the variance because The Deck would be set back From neighbors to the south and would NOT Block Any visibility for Road OR parking. I would still MAINTAIN the same amount OF YARD.
- H. Other relevant factors, if any, considered include Please NOTE this is going over a pre existing PAD and is only being RAISED for safety for entering and exiting the home Also IT will give the home very nice curb appeal.

MATT + TARA KANE

162 LASER LN

LAKESIDE Marblehead OH 10

43440

RON Mowry

178 LASER LN

LAKESIDE Marblehead OH

43440

Harbor Wind trailer PARK

7511 E. HARBOR RD.

LAKESIDE Marblehead OH

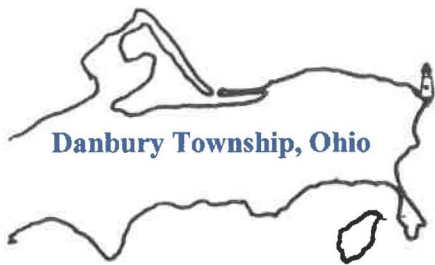
43440

Timothy + Jennifer Gremling

6990 Remlinger Rd

CRESTLINE OH 44827-9775





Kathryn A. Dale, AICP  
Zoning & Planning Administrator

## NOTICE OF REFUSAL

April 14, 2026

**To Applicant/:** Brandon Prenzlin  
**Owner** 161 Laser Lane  
Marblehead, Ohio 43440

**Application No.:** 26-074  
**170 Laser Lane**

**BZA Case No.:** \_\_\_\_\_

Your application dated **APRIL 14, 2026**, for a zoning certificate for a **8' X 24' DECK** located at **170 LASER LANE, MARBLEHEAD, OHIO 43440** is hereby refused on this **14<sup>th</sup> DAY OF APRIL, 2026** under **Article 3, Article 5 and Article 7** of the Danbury Township Zoning Resolution in that;

**Article 3** of the Danbury Township Zoning Resolution and Map designates the location of this property as "R-C" Recreational Commercial.

### Article 5, Section 5.1.3

#### General Regulations Applicable to All Districts

3. *No building or structure shall be erected, converted, enlarged, or reconstructed or structurally altered except in conformity with the yard and lot area regulations of the district in which the building is located unless otherwise specified herein.*

### Article 5, Section 5.9.3

#### Lot Area, Lot Width & Building Setbacks for Dwellings in the "C-1", "C-2" and "R-C" Commercial Districts

Information Only →

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

3. *With both community water supply and community sanitary sewer treatment systems, the "R-3" requirements shall apply.*

### Article 3, Section 3.5

Information Only –  
Reduced Setbacks  
Available Below →

#### "R-3" High Density Residential Development Standards

*The minimum setback requirements in the "R-3" zoning district are as follows:*

- Minimum Front-yard Setback 25'*
- Minimum Rear-yard Setback 25'*
- Minimum Side-yard Setback 5'*
- Maximum Lot Coverage 40%*

### Article 5, Section 5.1.7

#### General Regulations Applicable to All Districts

7. *Any lot of record at the time of the adoption of this Resolution may be used for a single-family dwelling. Any lot of record that can comply with the required setback requirements of the district in which it is located shall be required to do so. However, on such lots in all districts where compliance with required district setbacks cannot occur, the following setbacks shall be maintained unless a variance is granted by the Board of Zoning Appeals:*

Variance #1 →

- Min. Front-Yard Setback: 20'*
- Min. Side-Yard Setback: 5'*
- Min. Rear-Yard Setback: 5'*

- The property is part of the Laser-Owen Subdivision that was platted in 1946.

- The existing house was torn down and rebuilt in 2014. The owners at that time came before the BZA (Case# 2014-003) and requested a 2' side-yard setback variance from the south, side property line for the new house, from the roof overhang to the property line instead of the required 5'.
- Even though a variance was received for the house, that variance only covered the request for the house, not carte blanche for a deck or future construction, from the south property line.
- The applicant is proposing an 8' x 24' uncovered deck onto the front of the existing house which will encroach into the south, side-yard setback by approximately 2' or be 3' from the property line where 5' is required.

**Article 5, Section 5.7.3**

Variance #2

**Front-Yard Requirements**

*The following regulations shall apply to required front yards in all districts:*

3. *In situations where 40 percent or more of the frontage on the same side of a street between two intersecting streets is developed with buildings, new buildings shall be erected no closer to the street than the average front yard so established by the existing buildings.*
  - The average setback for the west side of Laser Lane is 15'.
  - The prior owners did not need to have a front yard setback variance because the front of the house was 18' from the east, front property line, which met the 15' average.
  - The proposed deck will encroach 5' into this reduced setback and be 10' to the east, front property line where 15' is required.

**Article 7, Section 7.5.1.A** states; It shall be unlawful for an owner to use or to permit the use of any structure, building or land, or part thereof, hereafter created, erected, converted or enlarged, wholly or partly, until a zoning certificate/permit shall have been issued by the Zoning Inspector. It shall be the duty of the Zoning Inspector to issue a certificate/permit, provided the Zoning Inspector is satisfied that the structure, building or premises, and the proposed use thereof conform with all the requirements of this Resolution. No certificate/permit for excavation, construction or reconstruction shall be issued by the Zoning Inspector unless the plans, specifications and the intended use conform to the provisions of this Resolution.

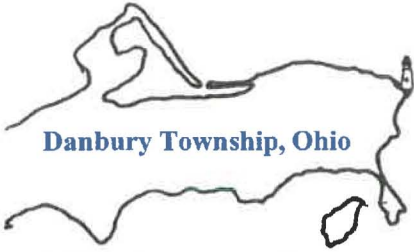
**Article 7:** An appeal from this decision to the Danbury Township Board of Zoning Appeals is governed under Section 7.9.2 of the Danbury Township Zoning Resolution. A request for an **Area Variance** is necessary prior to proceeding with the proposed construction.

Please contact the Zoning Department at (419) 734-6120 to obtain the appropriate application and to review the adjudication hearing process if you wish to proceed with the appeal.

  
 Kathryn A. Dale, AICP

Danbury Township Zoning & Planning Administrator

**Note:** The applicant has 20 days (per Section 7.9.2.A.i.) to submit revisions or to appeal this decision to the Board of Zoning Appeals. A new application will be required, including payment of a new fee, if the applicant fails to submit adequate revisions within this time period. Revisions that address these deficiencies may result in further comments relative to these or other Zoning Code provisions. This review is only for compliance with the zoning regulations. The Ottawa County building departments may also have comments that will need to be addressed before releasing permits.



Danbury Township, Ohio

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

### ZONING PERMIT APPLICATION

Date Filed: 4-14-26 Application #: 2026-074

~~Approval~~ <sup>Refusal</sup> Date: 4/14/26 BZA Case #: \_\_\_\_\_

1. **Property Location:** 170 Laser Lane Parcel ID # 0141199716240000  
 Subdivision Laser-Owens Lot # 28 Zoning District "R-C" Recreational Commercial  
 Existing Use SF Home Proposed Use 8' x 24' Deck

2. **Applicant** Brandon Prenzlin Address 161 Laser Lane  
 City Marblehead State Ohio Zip 43440 Phone \_\_\_\_\_  
 Email: \_\_\_\_\_

3. **Owner** Same As Above Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_  
 Email: \_\_\_\_\_

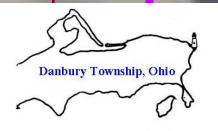
4. **Contractor/ Architect** Joe Boss Address 143 Laser Lane  
 City Marblehead State Ohio Zip 43440 Phone \_\_\_\_\_  
 Email: \_\_\_\_\_

5. **Site Plan:** **Attach site plan for subject property. See Instructions & Sample.**

6. **Type of Improvement**

<u>Residential Use</u>	<u>Non-Residential Use</u>
<input type="checkbox"/> New Single Family ( ___ w/Deck)	<input type="checkbox"/> New Building(s)
<input type="checkbox"/> New Two-Family	Dimensions of each Bldg. _____
<input type="checkbox"/> New Multi-Family, No. of Units _____	_____
<input type="checkbox"/> Addition	<input type="checkbox"/> Addition
<input type="checkbox"/> Accessory Structure	<input type="checkbox"/> Accessory Structure
<input checked="" type="checkbox"/> Decks or Patios	<input type="checkbox"/> Temporary Uses - Dates From: _____ To: _____
<input type="checkbox"/> Swimming Pools (above or inground)	<input type="checkbox"/> Signs – Permanent _____ Temporary _____
<input type="checkbox"/> Walls or Fences	<input type="checkbox"/> Walls or Fences
<input type="checkbox"/> Temporary Uses - Dates From: _____ To: _____	<input type="checkbox"/> Remodel/ Tenant Finish
<input type="checkbox"/> Signs – Permanent _____ Temporary _____	<input type="checkbox"/> Docks, Finger, Main or Walkway - _____ sf.
<input type="checkbox"/> Docks - _____ sf.	<input type="checkbox"/> Other (specify) _____
<input type="checkbox"/> Other (specify) _____	_____





170 Laser  
Zoned: "R-C"

**LEGEND**

- Water Main
- Sewer Main
- Road Centerlines
- Right-of-Way
- 2024 Parcels
- Principal Setbacks
- Accessory Setbacks



LASER



18 inches OFF THE GROUND  
TREATED LUMBER FRAMING  
COMPOSITE DECK BOARDS (GREY)  
(WHITE) VYRAL FENCE RAILINGS

HOUSE

FRONT NOT ATTACHED TO HOUSE

