



## **CITY OF SANDUSKY BOARD OF ZONING APPEALS MEETING**

---

**January 18, 2017  
4:30 p.m.  
1ST FLOOR CONFERENCE ROOM, CITY BUILDING  
AGENDA**

---

Meeting called to order – Roll Call

Review of minutes from the December 22, 2017 meeting

**Adjudication hearing to consider the following:**

1. John Davenport has submitted an application to revise the previously approved use variance to request the occupancy of the building at 805 Wayne Street to exceed 80 people.

**Next Meeting: February 15<sup>th</sup>, 2018**

Please notify staff at least 2 days in advance of the meeting if you cannot attend.  
Thank you.

Board of Zoning Appeals  
December 21, 2017  
Minutes

The Chairman called the meeting to order at 4:30PM. The following members were present: Mr. Delahunt, Mr. Zeiher, Mr. Feick and Dr. Semans. Ms. Casey Sparks, Mr. Greg Voltz and Ms. Angela Byington represented the Planning Department; Mr. Jeff Keefe represented the Engineering Department and Debi Eversole, Clerk from the Community Development Department. Mr. Matthews was absent.

Mr. Zeiher moved to approve the minutes from the 11/16/17 meeting. Mr. Delahunt seconded the motion. With no further discussion, the motion carried with a unanimous vote.

The Chairman stated that Latasha Prophet had applied for a use variance to operate a business out of a building located at 1400 Taylor Street to operate a child daycare center. Mr. Voltz stated that Ms. Prophet was not in attendance at this time. The Chairman moved the item to the end of the agenda.

Item #2 of the agenda had been withdrawn by the applicant, Mr. Jeff Krabill.

Ms. Sparks presented that Jan Bucholz had applied for a rear yard variance of 14.5' for a 375 sq. ft. residential addition to the south west side of the existing structure at **623 46<sup>th</sup> Street**. She stated that this application was before the Board of Zoning Appeals in October which was denied. The applicant had made substantial changes to the application to be heard tonight. The applicant is proposing to go up 2 stories with the addition to meet the side yard setback and is requesting a 14.5' variance to the rear yard setback. The applicant wished to bring the home to a more modern layout. Staff recommended approval to the rear yard variance.

Brad Clark with Janotta & Herner spoke in favor of the request stating that he would be doing the construction on the addition. The request is to modernize the house and there would be no drainage issues.

The Chairman swore in audience and staff members that wished to speak on any agenda item.

Jackie Smith, 2305 Milan Road stated that she lives 2 houses behind the applicant. She stated that one of her and another neighbors concern is the rain runoff. If a structure is built, there will not be as much grass to absorb the rain. She added that she already gets flooding from the north side of her property and now she anticipated flooding from the south as well. She stated that she was not aware that the structure was to be a multi-level. She wondered what her recourse would be if there was flooding on her property.

Chairman Feick asked Mr. Clark if there were any way to change the downspouts and deal with the water coming from the applicant's property. Mr. Clark stated that they have a drafting department that will assess the rain water situation and probably tie into the storm drains. Chairman Feick also added that any plans that will be turned in will go through the Engineering Department for approval of such.

Mr. Delahunt confirmed with the contractor that the drainage issues will be dealt with. Mr. Clark stated that yes, it will be addressed.

Dr. Semans moved to approve the application as submitted. Mr. Zeiher seconded the motion. Without further discussion, the motion carried with a 3/0 vote, Chairman Feick abstained from the vote.

Ms. Sparks presented that Sandusky City School District had submitted an application for several variances regarding lot coverage, side yard setbacks and location of the size of the access drives to allow the construction of a new Pre-K – K building to be located at **2314 Hancock Street**. This item was previously tabled to wait for Planning Commission's findings. Planning Commission approved a revised site plan on 12/5/17.

Mr. Zeiher moved to take the application off of the table. Dr. Semans seconded the motion. The motion carried.

Ken Damm, Lesko Architects stated that this is a single story building. Due to safety reasons, the structure must remain single story for the Pre-K – K students. They have done everything they can to fit this structure onto the property. They must request the variances to do so.

Dr. Semans moved to approve the application subject to the conditions in the staff report. Mr. Zeiher seconded the motion. With no further discussion, the motion carried with a 3/0 vote, Chairman Feick abstained from the vote.

Ms. Sparks presented that Sandusky City School District had submitted an application for a 6' variance to allow an access drive to be located directly adjacent to the existing property lines at **924 Ontario Street**. This application had been tabled in a prior meeting.

Dr. Semans moved to take the application off of the table. Mr. Zeiher seconded the motion. The motion carried.

Ms. Sparks stated that there were several questions from surrounding property owners. She stated that the 6' access drive will be paved and will go all the way to the property lines. This will give property owners on Fifth Street access from the rear of their property. Other questions were confirming access to garages and whether accessory buildings would be removed. Planning Commission approved the revised site plan on 12/5/17.

Ken Damm, Lesko Architects stated that if properties on Third Street and Fifth Street currently have access to their properties, they will retain access. There is not a plan to add additional access, only properties with current access will retain access. He added that any current fencing within the specific area will be replaced.

Tim Stookey, 1307 Fifth Street asked if all of the fencing will be replaced. Mr. Damm corrected his previous statement to say that the south side fences will remain in place. The north and east side fences will be replaced. Mr. Stookey stated that the fencing in the rear of the properties should be fenced. He stated that even the properties that don't currently have fencing, should be fenced for the safety of children.

Mr. Zeiher moved to approve the application. Mr. Delahunt seconded the motion. Dr. Semans stated that even through the fencing has nothing to do with the variance request, the Board will take Mr. Stookey's comments regarding the fencing seriously to maintain the safety of the properties. Chairman Feick suggested that if some of the proposed new fencing is not needed on the north and east sides, maybe the school can use the unused portion for the south side. Mr. Damm stated that could be a possibility. With no further discussion, the motion was carried with a 3/0 vote. The Chairman abstained from the vote.

Mr. Voltz presented that Latasha Prophet had applied for a use variance to operate a business out of a building located at **1400 Taylor Street** to operate a child daycare center. The structure is zoned Public Facility and previously operated as a church. Staff recommended approval with the condition that the property be used as a daycare facility or similar use and that a parking plan is submitted. Staff believed that there was sufficient parking at the facility.

DeAndre Fuller at 1601 Larchmont Drive was sworn in and represented the applicant. He stated that the structure operated as a church. He added that that his mother received state approval from the state to operate a daycare but that the zoning was not appropriate for this location. Mr. Voltz added that staff recommended approval based on the fact that "Public Facility" allows for similar use such as nursing or convalescing homes and institutes for children and the aged.

Scott Davis, 1539 Camp Street stated that the side of his house faces this facility. He stated that there is an unstable neighbor very close by that brings children into his home with popsicles. He approached the landlord

of the neighboring house to say that along with luring children, there are prostitutes and drug users that visit the home at all hours of the night. He stated that this is public record through the police reports. He stated that he had woken people up from using drugs and knows that the applicant had found needles in the yard. He added that there is no fencing by the railroad tracks. He stated that the church is no longer there because the neighbor was threatening the people at the church. They move to another facility. He added that he and his wife had seen too much danger in the area and are afraid for the safety of the children.

Chairman Feick wondered if the applicant could table the application for one month to allow staff to speak to police. Mr. Fuller stated that the process has been ongoing for a year and each calendar year the rules may change and applicants have to pay the \$500 fee again.

The applicant responded to Mr. Davis' comments by stating that the building was open for 2 years prior to moving in. They met with the gentleman when they were cleaning the building out. He was asking general questions about plans for the building and told the applicant about the neighbor in front of the church. The applicant contacted the owner, who approved fencing if necessary and recommended a security system, which since had been installed. He added that he spoke with the neighbor in front as well as the landlord and the landlord stated that he had told the tenant not to have people over and if there are any complaints from the daycare regarding the safety of the children, there will be in immediate eviction. The applicant stated that when he contacted the church as to why they moved from the building, the pastor stated that the church outgrew the building and that they purchased their own church.

Chairman Feick stated that unfortunately, the Board of Zoning Appeals cannot put conditions on what the neighbors are allowed to do or not do. That is for the landlord to determine. They are here to review a variance to the building's use.

Mr. Davis asked what will happen at night time. The applicant stated that they have taken extra precautions to protect the children by putting in the security system that faces both driveways, the railroad tracks and the back of the building, as well as inside a vehicle.

Dr. Semans asked if the applicant foresees the need for a fence. The applicant stated that yes; there will be a fence as they will take the children outside in the warmer weather.

Mr. Zeiher stated that it seemed that there was a police issue and that he appreciated the suggestion that it be monitored. He also stated that the applicant will need to be vigilant in protecting the children while in their care. Maybe with the new business, the police will be monitoring more closely.

Dr. Semans moved to approve the variance and would recommend fencing and subject to the staff's conditions. Mr. Zeiher seconded the motion. With no further discussion, the motion carried with a 3/0 vote. Chairman Feick abstained from the vote.

Ms. Sparks stated that there is one application received for a January 18<sup>th</sup> meeting.

Mr. Delahunt moved to adjourn the meeting. Mr. Zeiher seconded the motion. The meeting was adjourned at 5:15PM.

APPROVED:

---

Debi Eversole, Clerk

---

John Feick, Chairman

CITY OF SANDUSKY, OHIO  
DEPARTMENT OF DEVELOPMENT  
DIVISION OF PLANNING

# BOARD OF ZONING APPEALS REPORT

---

APPLICATION FOR AMENDMENT TO THE  
USE VARIANCE ALLOWING FOR A MUSIC  
STUDIO AND LISTENING ROOM AT 805  
WAYNE STREET

Reference Number: BZA-01-17

Date of Report: January 11, 2018

Report Author: Casey Sparks, Chief Planner



## City of Sandusky, Ohio Board of Zoning Appeals Report

---

### BACKGROUND INFORMATION

---

John Davenport, has submitted an application to request an amendment to the previously approved use variance for additional occupancy at 805 Wayne Street. On April 20<sup>th</sup>, 2017 the Board of Zoning Appeals approved a use variance to allow a music studio and listening room at 805 Wayne Street. The Board of zoning appeals approved an occupancy of 80 people with the option of increasing this occupancy if the applicant provides additional parking area. The following information is relevant to this application:

Applicant: Dr. John M. Davenport  
2818 N. Ocho Drive  
Port Clinton, Ohio 43452

Property Owner: East Ohio Conference of the United Methodist Church  
8800 Cleveland Ave NW  
North Canton, Ohio 44720

Site Location: 805 Wayne Street  
Sandusky, Ohio 44870

Zoning: "PF" Public Facility

Existing Use: Vacant

Proposed Use: Music studio and listening room

Applicable Plans & Regulations: City of Sandusky Zoning Code Section 1129.03 Schedule of Permitted Building and Uses:

Variance Requested: Additional occupancy for 805 Wayne Street

---

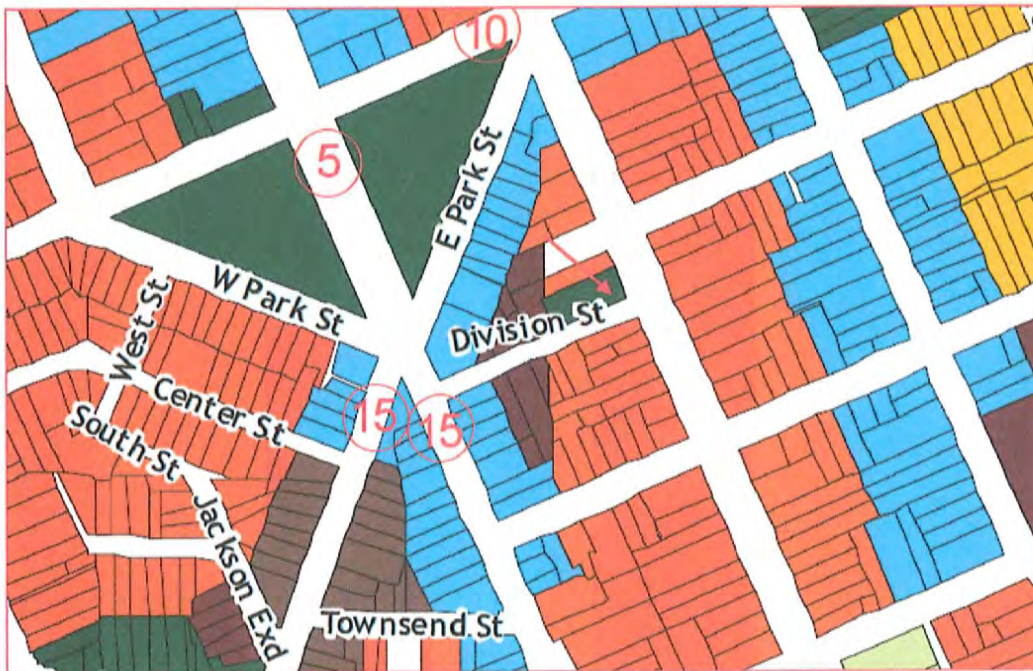
### SITE DESCRIPTION

---























The subject property is currently located within the "PF" Public Facility. The subject property is adjacent to both "CS" Commercial Service and "R2F" Residential two family. The parcel of the subject property is pointed out:



805 Wayne Street





 PF PUBLIC FACILITY	 R1-40 SINGLE-FAMILY RESIDENTIAL	 LB LOCAL BUSINESS	 LDU LOW-DENSITY URBAN
 RS RESIDENTIAL SUBURBAN	 R2P TWO-FAMILY RESIDENTIAL	 RB REGIONAL BUSINESS	 CR COMMERCIAL RESIDENTIAL
 R1-70 SINGLE-FAMILY RESIDENTIAL	 RMF MULTI-FAMILY RESIDENTIAL	 CB CENTRAL BUSINESS	 LM LOW-MED DENSITY URBAN
 R1-60 SINGLE-FAMILY RESIDENTIAL	 RRB RESIDENTIAL / BUSINESS	 CA COMMERCIAL AMUSEMENT	 CM COMMERCIAL MANUFACTURING
 R1-50 SINGLE-FAMILY RESIDENTIAL	 P AU/O PARKING	 CR COMMERCIAL RESIDENTIAL	 PLD PLANNED UNIT DEVELOPMENT
 AG AGRICULTURAL			 RSD REQUIRED SETBACK IN FEET

## DIVISION OF PLANNING COMMENTS

As the Board will recall a use variance was issued to utilize the structure as a music studio and a listening room. Staff does recognize that the Board of Zoning Appeals approved the ability for staff to approve the increase in parking, however understanding the substantial increase in occupancy staff thought it was important to bring this back to the Board. The Board also approved an additional variance for the lot split to separate the single family dwelling and the church. The applicant had indicated that the single family dwelling will be utilized for the individual that will be operating the music studio and the listening room. The applicant had also stated that the operation will be open seven days a week, with hours of operation being 5PM- 11PM.

Since the Board has approved the variances the applicant has put a substantial amount of investment into the property to assure the building will accommodate the music studio and listening room. During the course of the renovations the applicant has found that there is a need for additional occupancy at the site to proceed with their business plan and create a profitable business. The applicant would like to hold an occasional music concert at the site which would require an occupancy of 175 within main hall. As the Board will recall the previous seating capacity of the church was approximately 120 seats. The applicant has worked with the building department regarding the occupancy and other local businesses to provide additional parking options for the business. Some of the area businesses that he has received agreements with include Gundlach Sheet Metal and Imagine Baking. A map is provided indicating all of the proposed parking locations. It is also important to note that this occupancy will only occur when the applicant is hosting large concerts, this will not generally be the occupancy of the building. One location indicated on the map includes the public parking lot located on Hancock Street and Monroe Street. This lot provides additional parking spaces and is less of a distance to the building than Imagine Baking.

It is important to note that the previous use had an existing legal non-conforming parking situation. At the time of the April 2017 meeting, the applicant had proposed an occupancy of 80 for the building that did not exceed that of the prior church use, as such staff had the ability to approve the parking plan. The increase of occupancy is an amendment to the use variance previously approved by the Board of Zoning Appeals and due to the increase exceeding that of the church, however the shared parking agreements will now have to go to Planning Commission for review as required in Section 1149.06.

In the application, the applicant state the following as to the necessity of the variance:

**“For the occasional music concert, the occupancy has been set at 175 persons in the main hall. The current limitation of 80 persons based on the parking hinders our ability to function as a profitable enterprise.”**



The Code states that no variance to the provision or requirements of the Zoning Code shall be granted by the Board unless the Board has determined that a practical difficulty does exist or will result from the literal enforcement of the Zoning Code. The factors to be considered and weighed by the Board in determining whether a property owner has proved practical difficulty include:

Section 1111.06(c)(1)

**A. Whether the variance is substantial;**

The amendment to the variance sought in this case is substantial, however the applicant has provided several different parking locations to accommodate the occasional increase in occupancy.

**B. Whether the essential character of the neighborhood would be substantially altered or whether adjoining property would suffer a substantial detriment as a result of the variance;**

The requested amendment to the variance could affect the neighborhood, however staff believes that if the applicant appropriately handles the parking situation it will not have a greater impact than the assembly/ church use that was previously within the building.

The applicant has proposed a total of 42 parking spaces within a reasonably proximity (Imagine Bakery, and Gundlach parking areas), this does not include the on- street parking spaces, or the additional 12 parking spaces on the public lot located on Hancock Street and Monroe Street. Section 1149.05 states that theatres, lodge halls, auditoriums, arenas, stadiums or other places of assembly require 1 space per four seats in the building. Understanding the maximum occupancy of the building is proposed to be 175, the required parking would be 44 spaces which the applicant has provided, off-site.

Planning staff does recognize that the additional occupancy could have an impact to the adjacent property owners, however this was previously a place of assembly as such the Board may want to consider increasing the occupancy to the previous seating capacity of 120.

**C. Whether the variance would adversely affect the delivery of government services (i.e. water, sewer, garbage, fire, police or other);**

The proposed amendment to the use variance would not affect the delivery of government services, and would not impact a right-of-way, utility line or block access for emergency vehicles.

**D. Whether the property owner purchased the property with the knowledge of the zoning restriction;**

The applicant was aware of the zoning regulations and the conditions of the use variance, however as the renovations and business plan has developed the applicant has realized that additional occupancy is required.

**E. Whether the property owner's predicament can be resolved through some method other than a variance;**

If the applicant would like to increase the occupancy an amendment to the previously approved use variance is the only way to resolve the owner's predicament and operate the proposed uses within the site.

**F. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance;**

It is the opinion of the Planning staff that the applicant has provided several parking areas that will service the parking needs of the facility, as such staff believes that the zoning regulations have been observed.

**G. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without a variance; and**

The applicant has indicated that in order to be profitable the applicant will need to increase the occupancy of the building. Staff recognizes that this occupancy will not be ongoing instead will be periodic in nature.

**H. Whether the granting of the variance will be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City.**

It does appear that the proposed amendment to the variance would not be contrary to the general purpose, intent or objectives of the Zoning Code or the Comprehensive Plan.

Other conditions that the Zoning Board of Appeals must determine have been met include the following:

Section 1111.06(c)(2):

**A. That the variance requested arises from such a condition which is unique and which is not ordinarily found in the same zoning district and is created by the Zoning Code and not by an action or actions of the property owner or the applicant;**

The property is within a unique location as it is in the midst of a residential neighborhood and has previously been utilized for assembly use. The applicant has provided alternative parking solutions and has indicated that this occasional increase in occupancy will only occur periodically.

**B. That the granting of the variance will not adversely affect the rights of the adjacent property owners or residents;**

In Planning staff's opinion, one of the major concerns with increasing the occupancy for the building was relative to the lack of parking in the area. The applicant has made an effort to assure that agreements are in place with adjacent business to provide parking. Staff does recognize that the increase in occupancy will also affect the neighborhood in regards to noise, additional foot traffic, etc. Within the previous application the applicant had indicated that the building will be equipped with sound proofing elements that will assist in limiting the noise to the surround properties. To date, we are not aware of any complaints from the surrounding property owners regarding noise or any other disturbance.

**That the strict application of the Zoning Code of which the variance requested will constitute unnecessary hardship upon the property owner or the applicant;**

The applicant has communicated that without the amendment to the use variance they will not be able to function as a profitable enterprise.

**That the variance desired will not adversely affect the public health, safety, morals or general welfare; and**

The proposed amendment to the use variance would not appear to adversely affect the public health, safety, morals or general welfare of the neighborhood. The applicant made a substantial effort to bring this property back to a condition that would benefit the neighborhood.

**C. That the granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Ordinance.**

Amending the use variance for this property does not appear to be contrary to the to the general spirit, intent or objectives of the Zoning Code or the Comprehensive Plan, as it is similar to the previous assemble use.

---

**CONCLUSION/RECOMMENDATION**

---

Staff does recognize that the use is located within a residential area, however as previously discussed for the building to be occupied it will need to be some form of an assembly use. The applicant has provided written agreements with local businesses for the occasional times in which more parking is required. The applicant plans to place these parking locations on their website and social media outlets in order to make their patrons aware. Staff recognizes that this increase in occupancy would only occur during the times when the business would have large events, however staff does recognize



that an occupancy of 175 will have an effect on the surrounding property owners and the neighborhood, as such staff would recommend the occupancy to be increased to the previous occupancy of the church which was 120 with the following conditions:

1. If at any time the parking agreements that are established with the local business become null and void the applicant must find alternative solutions that may be approved by Planning Staff.
2. If the Board approves the occupancy of 175, Planning Commission must approve the shared parking agreement with Gundlach and Imagine Baking.
3. The proposed use shall follow all federal, state, and local regulations.



**CITY OF SANDUSKY  
PLANNING DIVISION  
APPLICATION FOR BOARD OF ZONING  
APPEALS APPROVAL**

110-4010-46450

☒ Variance to Regulations of the City of Sandusky Zoning Code

**APPLICANT/AGENT INFORMATION:**

Property Owner Name: DR. JOHN M. DAVEPORT

Property Owner Address: 805 WAYNE ST  
SANDUSKY 44870

Property Owner Telephone: 419-349-6177 ☒ Check if okay to Text

Email: COLONEL CRASH @ yahoo.com

Contact Person: JOHN DAVEPORT

Authorized Agent Name: SAME

Authorized Agent Address: SAME

Authorized Agent Telephone: SAME ☐ Check if okay to Text

Email: "

Contact Person: "

Meeting with Staff: \_\_\_\_\_

LOCATION AND DESCRIPTION OF PROPERTY: NEIGHBORHOOD 45701

Municipal Street Address: 805 WAYNE ST SANDUSKY OH 44870

Legal Description of Property (check property deed for description):

60E 165' OFS 1/2 LOT 62 E 165'

Permanent Parcel Number: 57-68015

Zoning District: MAP#4 PERSONAL PROP DIST 22-P320

#### VARIANCE INFORMATION:

Section(s) of Zoning Code under which a variance is requested:

1109.06 (c)

Variance(s) Requested (Proposed vs. Required):

- EXISTING OCCUPANCY SET @ 80 PERSONS BASED ON

INITIAL PARKING AVAILABLE

- REQUESTING OCCUPANCY SET @ 175 PERSONS BASED ON

ADDITIONAL PARKING SPACES THAT ARE NOW AVAILABLE



**DETAILED SITE INFORMATION:**

Land Area of Property: 0.2046 ACRES (sq. ft. or acres)

Total Building Coverage (of each existing building on property):

Building #1: 3165 (in sq. ft.) Building #2: \_\_\_\_\_

Building #3: \_\_\_\_\_ Additional: \_\_\_\_\_

Total Building Coverage (as % of lot area): \_\_\_\_\_

Proposed Building Height (for any new construction): \_\_\_\_\_

Number of Dwelling Units (if applicable): \_\_\_\_\_

Number of Accessory Buildings: \_\_\_\_\_

**DESCRIPTION OF DEVELOPMENT PROPOSAL (Describe your development plans in as much detail as possible):**

AVAILABLE PARKING SPACES - SEE ATTACH.

① GUNDLACH LOT ON DIVISION ST 12 SPACES

② " " " COLUMBUS AVE 6 "

③ D&A SERVICE ON " " 12 "

④ IMAGINE BAKERY ON HANCOCK ST. 30 "

60 "

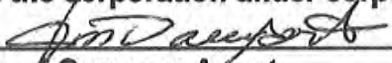
60 SPACES X 4 PERSONS PER CAR = 240 PERSONS

**NECESSITY OF VARIANCE** (Describe why not obtaining this variance would cause you hardship or practical difficulty and what unique circumstances have caused you to file for a variance):

FOR THE OCCASIONAL MUSIC CONCERT, THE OCCUPANCY HAS  
BEEN SET AT 175 PERSONS IN THE MAIN HALL. THE CURRENT  
LIMITATION OF 80 PERSONS BASED ON PARKING, HINDERS OUR  
ABILITY TO FUNCTION AS A PROFITABLE ENTERPRISE.

**APPLICATION AUTHORIZATION:**

If this application is signed by an agent, authorization in writing from the legal owner is required. Where owner is a corporation, the signature of authorization should be by an officer of the corporation under corporate seal.

  
Signature of Owner or Agent

15 DEC 17  
Date

**PERMISSION TO ACT AS AUTHORIZED AGENT:**

As owner of \_\_\_\_\_ (municipal street address of property, I hereby  
authorize \_\_\_\_\_ to act on my behalf during the Board of Zoning  
Appeals approval process.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

**REQUIRED SUBMITTALS:**

10 copies of a site plan (drawn to scale and dimensioned) which shows the following items:

- a) Property boundary lines
- b) Building(s) location
- c) Driveway and parking area locations
- d) Location of fences, walls, retaining walls
- e) Proposed development (additions, fences, buildings, etc.)
- f) Location of other pertinent items (signs, outdoor storage areas, gasoline pump islands, etc.)

\$100.00 filing fee

**APPLICATION MUST BE COMPLETELY FILLED OUT!**

**NOTE: Applicants and/or their authorized agents are strongly encouraged to attend Board of Zoning Appeals meetings.**

**STAFF USE ONLY:**

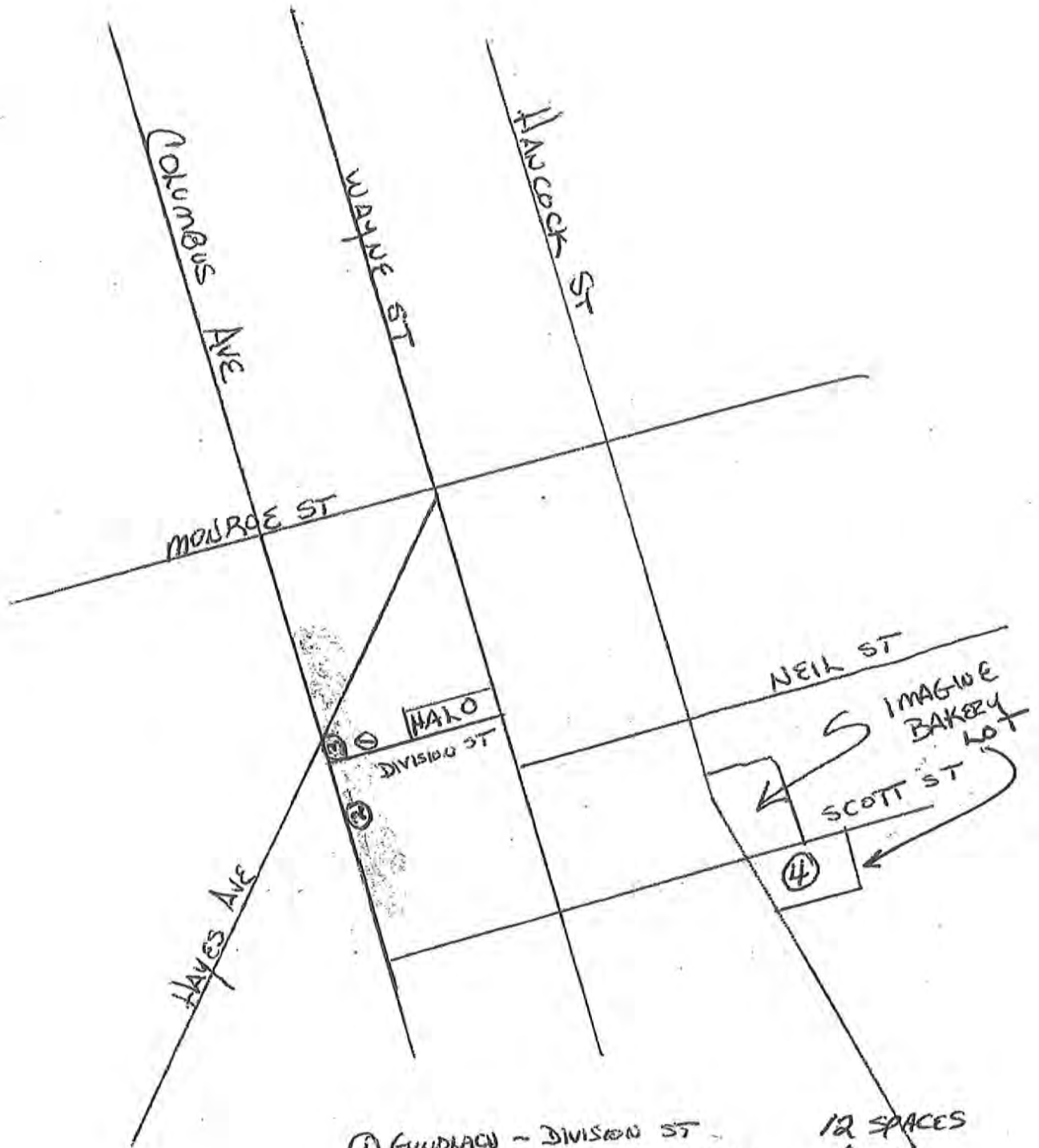
Date Application Accepted: \_\_\_\_\_ Permit Number: \_\_\_\_\_

Date of Board of Zoning Appeals Meeting: \_\_\_\_\_

Board of Zoning Appeals File Number: \_\_\_\_\_

City Of Sandusky  
Planning Division  
222 Meigs St. Sandusky, Ohio 44870  
419.627.5873





① GUNDLACH - DIVISION ST	12 SPACES
② GUNDLACH - COLUMBUS AVE	6 "
③ D:A SERVICE - COLUMBUS AVE	12 "
④ IMAGINE BAKERY	30 "
	<hr/>
	60 SPACES



## Department of Planning and Development

Casey Sparks  
csparks@ci.sandusky.oh.us

222 Meigs St.  
Sandusky, OH 44870  
Phone: 419.627.5873  
Fax: 419.627.5933  
www.ci.sandusky.oh.us

April 25, 2017

Dr. John Davenport  
2818 N. Coho Drive  
Port Clinton, Ohio 43452

**RE: Application of variance Board of Zoning Appeals, City of Sandusky, Ohio,  
April 20<sup>th</sup>, 2017. 2017- 805 Wayne Street- BZA 12-17**

Dr. Davenport,

This will confirm that the above application was considered by the Board of Zoning Appeals at their meeting on April 20<sup>th</sup>, 2017. After reviewing the application, and considering the factors enumerated in the Code, the Board resolved to approve the following variance:

Variance Approved: A use variance to allow for a music studio and listening room at 805 Wayne Street with the following conditions:

1. Based on the parking spaces provided, the maximum occupancy shall be 80. If the applicant can provide additional parking areas the occupancy can increase, these areas shall be approved by staff.
2. The applicant shall provide a contract for the proposed parking area as required in Section 1109.06(c).
3. The applicant shall provide sound proofing within the structure to the extent possible.
4. The applicant shall submit a revised parking plan with dimensions for staff approval.
5. The applicant shall install temporary parking blocks in the parking area.

Please be sure to apply for all necessary permits. Should you require any further information on this file, please contact the Department of Development at (419) 627-5715.

Sincerely,

  
Casey Sparks  
Assistant Planner

**HALO LIVE and The Mohawk Studio**

**805 Wayne Street, Sandusky, OH 44870**

Mr. Roger Gundlach  
910 Columbus Ave.  
Sandusky, OH 44870

December 15, 2017

Mr. Roger Gundlach,

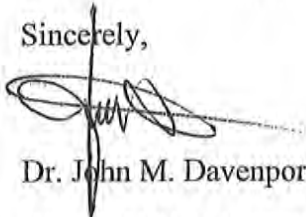
I am writing this letter to renew our agreement to allow us to continue to share your limited parking spaces with our new enterprises through 2018. For our mutual protection, we just took out an insurance rider (attached) that protects you should an accident occur on your premises.

This letter reiterates that your company normally utilizes your parking lots weekdays from 8:00 AM to 5:00 PM. Since most of our clients will be using our facilities in the evenings and on weekends, we should not interfere with your business activities. We understand that this is a privilege that you are offering us and that any disruption to your business or disputes could lead to the forfeiture of this privilege.

We just completed revitalizing the century-old Methodist church at 805 Wayne Street into a state-of-the-art music production studio, concert venue, and meeting facility for the City of Sandusky. Please take the time and come see what we have done for the City of Sandusky and our neighborhood.

Thank you again for your kind consideration of our parking requirements. We hope to become partners in making Sandusky a better place to live and work for everyone.

Sincerely,



Dr. John M. Davenport

Owner, HALO Enterprises



**HALO LIVE and The Mohawk Studio**  
**805 Wayne Street, Sandusky, OH 44870**

Mr. Dave Dobson  
D & A Service Center  
812 Columbus Ave.  
Sandusky, OH 44870

December 15, 2017

Dear Mr. Dobson,

I am writing this letter to renew our verbal agreement to allow us to share your limited parking spaces with our new enterprises. For our mutual protection, we just took out an insurance rider (attached) that protects you should an accident occur on your premises.

This letter reiterates that your company normally utilizes your parking lot weekdays from 8:00 AM to 5:00 PM. Since most of our clients will be using our facilities in the evenings and on weekends, we should not interfere with your business activities. We understand that this is a privilege that you are offering us and that any disruption to your business or disputes could lead to the forfeiture of this privilege.

We just completed revitalizing the century-old Methodist church at 805 Wayne Street into a state-of-the-art music production studio, concert venue, and meeting facility for the City of Sandusky. Please take the time and come see what we have done for the City of Sandusky and our neighborhood.

Thank you again for your kind consideration of our parking requirements. We hope to become partners in making Sandusky a better place to live and work for everyone.

Sincerely,



Dr. John M. Davenport

Owner, HALO 1848

**HALO LIVE and The Mohawk Studio**

**805 Wayne Street, Sandusky, OH 44870**

Ms. Adrienne O'Donnell

1034 Hancock Street

Sandusky, OH 44870

December 15, 2017

Ms. O'Donnell,

We just completed revitalizing the century-old Methodist church at 805 Wayne Street into a state-of-the-art music production studio, concert venue, and meeting facility for the City of Sandusky. I am writing this letter to establish an agreement that would allow us to share Imagine Bakery's limited parking spaces at the large lot just south of Scott Street through 2018. Recent discussions with Mr. Mason Lowry led us to believe that this shared use might be possible once insurance was established. For our mutual protection, we just took out an insurance rider (attached) that protects you should an accident occur on your premises.

This letter reiterates that your company normally utilizes your parking lots weekdays prior to 5:00 PM. Since most of our clients will be using our facilities in the evenings and on weekends, we should not interfere with your business activities. Most of our activities should conclude prior to 11:00 PM. We understand that this is a privilege that you are offering us and that any disruption to your business or disputes could lead to the forfeiture of this privilege.

Please take the time and come see what we have done for the City of Sandusky and our neighborhood. Thank you again for your kind consideration of our parking requirements. We hope to become partners in making Sandusky a better place to live and work for everyone.

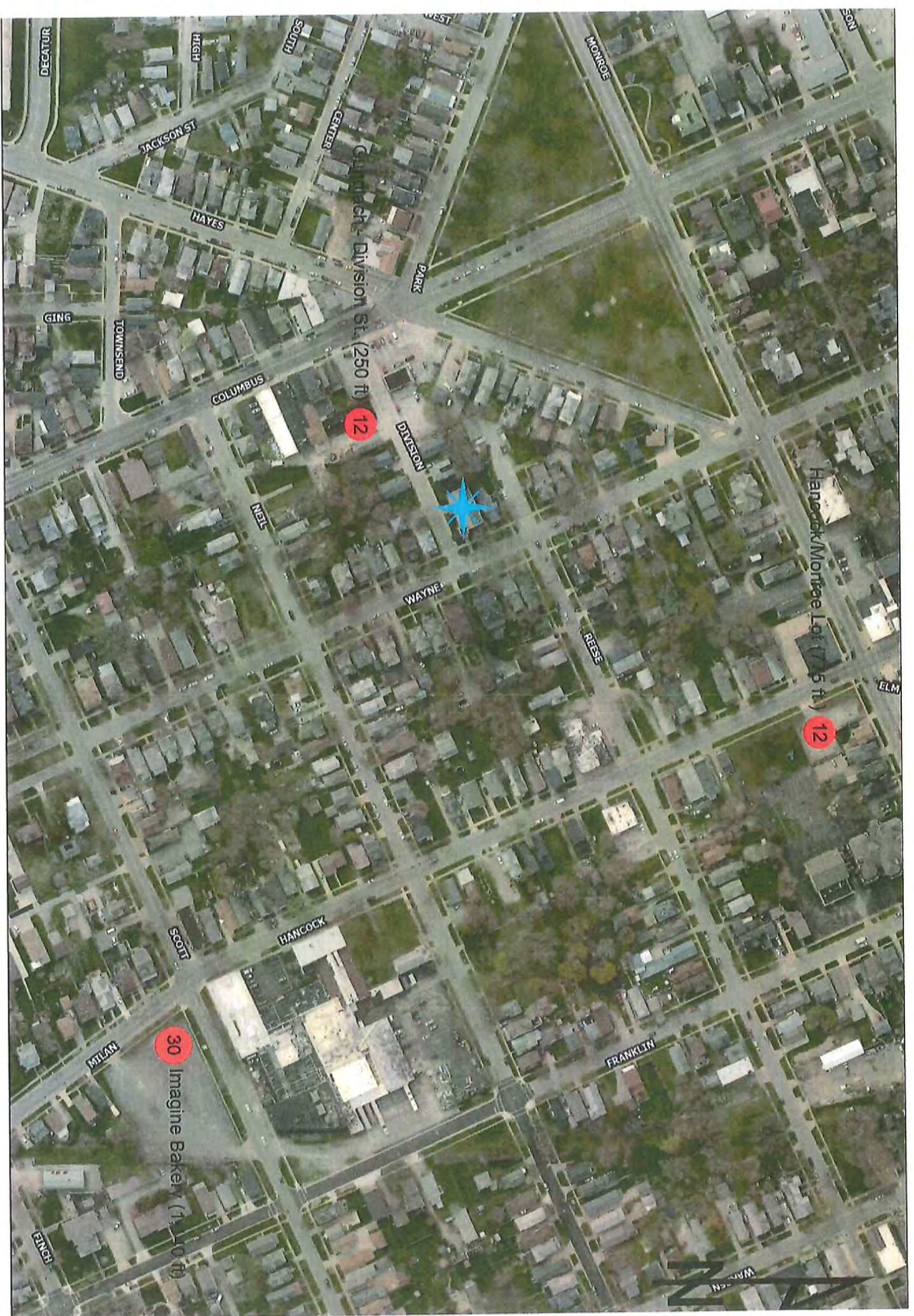
Sincerely,

A handwritten signature in black ink, appearing to read "John M. Davenport", with a long horizontal line extending to the right.

Dr. John M. Davenport

Owner, HALO Enterprises







## Casey Sparks

---

**From:** Ross Boesch <rboesch@gundlach-hvac.com>  
**Sent:** Monday, January 08, 2018 1:01 PM  
**To:** Casey Sparks  
**Cc:** Roger Gundlach  
**Subject:** 805 Wayne St

Casey,

From Gundlach's point of view, we do not have an issue with the request to increase occupancy at 805 Wayne.

We would like to reiterate that we will allow them to use our gravel lot on the north side of Division St and would also submit that we recognize the lot as 12 reasonable parking spaces with a maximum of 15. We have authorized use of the lot outside of our business hours of Monday – Friday 7AM-5PM.

With that said, for the neighborhoods sake, we believe the city should ensure that there is enough parking available to accommodate the increased capacity requested.

We wish HALO Enterprises, John, and Shawn all the best.

Sincerely,

**Ross M. Boesch**

Health and Safety Director  
Human Resources Manager

Gundlach Sheet Metal Works Inc.

910 Columbus Avenue  
Sandusky, Ohio 44870  
Office: (419) 626-4525  
Cell: (419) 656-9404  
Fax: (419) 626-9365



Heating  
Ventilation  
Air Conditioning  
Custom Sheet Metal

**GUNDLACH**  
**Sheet Metal Works Inc.**  
**www.gundlach-hvac.com**

**CONFIDENTIAL NOTICE WARNING:** Unauthorized interception of this electronic communication could be a violation of the law. The attachments accompanying this electronic transmission contain confidential information belonging to the sender, which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this message is strictly prohibited. If you have received this communication in error, please immediately notify (419) 626-4525.



1/4/2018

Dear Ms. Sparks:

We are allowing HALO Live (805 Wayne Street businesses) permission to use our parking spaces during their events, after 5p daily and on weekends, pending they provide documentation and maintain 2mil in liability insurance coverage covering the location.

Sincerely,



John O'Donnell  
Director of Operations, Imagine Baking, Inc.