



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

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

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### **Review of minutes from April 20, 2017 Special Meeting**

### **Adjudication hearing to consider the following:**

1. Cedar Point Park, LLC has submitted an application for variances to allow a commercial structure within a special flood hazard area at One Cedar Point Drive.
2. Lori Rickenbaugh, on behalf of the Board of County Commissioners of Erie County has submitted an application for a variance of 15' for a sign within the front yard at 503 Washington Street.
3. Conor Whelan has applied for a side yard variance of 3' for a proposed residential addition at 1524 Central Avenue.

**Next Meeting: June 15, 2017**

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

Board of Zoning Appeals  
April 20, 2017  
Minutes

Chairman Feick called the meeting to order at 4:30 PM. The following members were present: Mr. Kevin Zeiher, Dr. William Semans and Chairman John Feick. Casey Sparks and Angela Byington represented the Planning Department; Trevor Hayberger represented the Law Department and Debi Eversole, Clerk from Community Development.

Mr. Zeiher moved to approve the meeting minutes from the April 6, 2017 meeting as written. Dr. Semans seconded the motion. With no discussion, the motion carried unanimously.

Chairman Feick swore in audience members and staff that wished to speak on any of the applications on the agenda.

Dr. John Davenport, 2818 N. Coho Drive, Port Clinton has applied for a use variance for the property located at 805 Wayne Street. He and his partner, Shawn Patrick Thomas Daley are proposing to use this property as a listening room and recording studio.

Dr. Davenport stated that the former church at 805 Wayne Street will serve as a music/sound recording studio, taking advantage of a large available building with excellent acoustics. In conjunction with the studio, we propose a live listening room venue similar to the one operated in Port Clinton's Our Guest Inn on Perry Street. Tickets will be sold and seating will be provided for up to 100 people to enjoy live entertainment from the local area. The music studio will support music and sound production for local and regional musicians and corporations desiring to record voice-overs, commercials, and audio books.

Most day-to-day operations within the church enterprise will occur in the evenings from 5:00PM – 11:00PM. The music studio has the potential to operate 7 days per week, based on schedules and client demands.

Now abandoned by the Methodist Church, a new use must be found to keep the building viable and to prevent it from becoming an eyesore. Vacant buildings could be subject to vandalism, invasion, and other illegal uses. We hope to place a music studio on the premise, taking wonderful advantage on the large open spaces inside and the excellent acoustical qualities of the vintage stone building. Except for a handicap-access ramp that will be constructed on the north side entrance of the building, no external changes will be made. This business opportunity fits in perfectly with the revitalized downtown area of Sandusky.

There is an option to close off some of the sound to the outside by building shutters to fit over the stained glass windows. There is a contractor working on this project now to make the window area soundproof when these shutters are closed.

Parking will be a challenge. There is a neighbor that said they could use their parking after 5:00PM and on the weekends.

Ms. Byington stated that Dr. Davenport has applied for a use variance to allow for a music studio/listening room and a residence. Currently the property is zoned as Public Facility, which

does not permit any of those uses. The property contains the church and a single family dwelling on one lot. The church stands vacant, but the residence is currently being rented. The single family dwelling will be utilized by Mr. Daley, partner in the project. There seating capacity of the church was approximately 120 seats and the music studio/listening room will have 100 seats, which is slightly below its prior use. Current zoning code requires 1 parking space per 4 seats for places of assembly; therefore, 30 parking spaces would be required. A parking plan was submitted with 18 spaces to be provided on a lot owned by Gundlach Sheet Metal. Upon review, this plan utilizes stacking of parking places, which is not permitted by our Zoning Code. Staff feels that 12 spaces would fit on that property. A contract must be submitted granting permission to use the off street parking lot provided by Gundlach Sheet Metal.

Staff recommended approval of the use variance with the following conditions:

1. Based on the 12 parking spaces provided by a nearby lot and 8 on-street parking spaces, the maximum occupancy would be 80. If applicant could provide more parking, the occupancy could be increased upon Staff's review and approval.
2. Applicant shall provide a contract for the proposed parking according to Section 1109.06(c).
3. Applicant shall provide sound proofing to the most possible extent.
4. Applicant shall provide a revised parking plan with dimensions for Staff approval.
5. Applicant shall install temporary parking blocks in the proposed off-street parking area.

Chairman Feick asked if anyone in the audience wished to speak in favor of the request. He swore in additional audience members that arrived late.

Eric Wobser, 221 E. Jefferson St resides in close proximity to the proposed project. He stated that he has seen firsthand how non-conforming uses within residential neighborhoods that have been left without adaptive re-use places a drain on the neighborhood. When you get a potential re-use for these types of buildings, and the applicant has a solid plan with a good track record and can follow zoning conditions, these are the types of projects that can give a second life to a vacant building without negative impact. The positive impact would be the exposure to a beautiful section of Sandusky that this project will bring to people from out of the area.

Scott Schell, 714 Wayne Street, ½ block from the proposed project. He stated that he is in favor of this application and feels it is a terrific re-use of this property. While parking may be a concern at this time, he feels confident that the applicants are looking for solutions. He would love to see this project and he stated that this would be a terrific asset to this neighborhood.

Chairman Feick asked if anyone in the audience wished to speak against the request.

Kelly Stewart, 730 E. Park Street stated that she owns the house and a business behind the proposed project property. She stated that she is not necessarily against the project, but at this time, she stated that there is a lot of noise and commotion on the corner of Wayne and Reece Street where the police have already been called out. Parking is a concern for her because she feels that since she resides in the area, she should be able to park in front of her house. She stated that with the amount of people already in the area, along with the trouble

that is in the area on surrounding streets, opening a business in the area now would just add to the congestion and she foresees that to be an issue.

Rob Van Fosen stated that he owns the commercial property at the end of Reece Street. He stated that parking is currently an issue and that he feels that this project would add to the problem that they are already dealing with. He is also concerned about the noise since the new use would be open from 5:00PM – 11:00PM. He stated that his opinion is that there is not a solution that would rectify the parking and noise concerns.

Mr. Zeiher stated that this seems like an aggressive project and wondered if the applicant could conform to the conditions that were recommended by Staff. Dr. Davenport replied yes, and that parking is a known issue and that he is working on a solution. He also stated that he is aware that handicap accessibility is an issue and there are solutions in place to meet the ADA requirements. There will be a wooden ramp built at the back entrance and walls will be removed and reconstructed for wheelchair access. There will also be restroom on the first floor dedicated to handicap accessibility.

Dr. Seman's asked the applicant if he had contacted D&A Auto requesting shared parking and also asked about the lot on the corner which occupies an insurance company. Mr. Wobser stated that the corner business is a renter but Mr. Gundlach is reaching out to the owner of the building to request shared parking.

Chairman Feick asked the applicant if they are doing construction at the site. Dr. Davenport stated that they are removing pews from the church, etc. Mr. Feick cautioned the applicant that he will need a building permit prior to any new construction. He also advised that the applicant would need 2 handicap accessible restrooms. The applicant stated that there are 5 separate rooms behind the altar that would provide more than enough space for 2 handicap accessible restrooms.

Mr. Zeiher stated that he has been to the listening room in Port Clinton. He enjoys seeing new artists and song writers.

Chairman Feick addressed Ms. Stewart to ask about the prior use as a church, wondering if she could hear the church organ play. She said she definitely could hear the songs play at the church during their times of operation. She is concerned with the proposed hours of operation for the listening room. She is concerned that she will hear the noise into the night. She stated that there is a law to keep her dog from barking, there needs to be a law regulating the noise that will come from this building, if the application is approved.

Dr. Davenport stated that he cannot guarantee what type of music will be in there or how loud it may get, but he will certainly do everything he can to please his neighbors. The soundproofing is already being worked out with the shutters being placed over the windows to deaden the sound. He even indicated that the entire basement will be unused with a large kitchen already in place. He welcomes the neighbors to utilize this space for neighborhood meetings, etc.

Ms. Stewart questioned how the noise ordinance would be enforced. Ms. Byington stated that there is a noise ordinance in place, but is unsure if the City is equipped to document things, but

the City could also follow up any complaints through our Division of Code Enforcement. This could be something written in as a condition.

Mr. Wobser stated that there is currently nuisance legislation in force and stated that when the City receives complaints for a particular property a certain number of times within a calendar year, the City is able to fine the property owner.

Dr. Semans moved to approve the application according to Staff's recommendation and conditions. Mr. Zeiher seconded the motion. With no further discussion, roll was called and the motion passed with a 3/0 vote.

Dr. John Davenport has applied for a 28' rear yard setback and 40.5' side yard setback to allow for a lot split at 805 Wayne Street.

Mr. Zeiher moved to approve the application for a 28' rear yard setback and 40.5' side yard setback to allow for a lot split at 805 Wayne Street. Dr. Semans seconded the motion. An audience member stated that the former church tried to do the same thing years ago and wondered why it was not approved back then. Mr. Zeiher stated that this is generally a two step process that involves the City and the County. He is not aware of a previous application. With no further discussion, roll was called and the motion passed with a 3/0 vote.

Andre Grant has submitted a variance application to allow for a front yard setback of 12.5' and a proposed rear yard setback of 6' for a garage addition at 1919 W. Jefferson Ave. The property is zoned as R1-40 which would require a 25' front yard setback and a 40' rear yard setback. The applicant recently purchased the lot that is adjacent to his home and demolished the dilapidated home that was previously on the lot. The applicant purchased the lot and demolished the home with the intention of constructing a garage addition onto his home. The existing home does not meet the existing setbacks as such he is looking to expand the non-conforming use. The applicant has stated that he is proposing to place the garage within the front yard to utilize the existing driveway as his rear yard already contains other accessory structures. Staff recommends the approval of the front yard setback of 12.5' and the proposed rear yard setback of 6' with the conditions:

1. The front plane of the addition does not extend further into the front yard of the existing home nor the home of the adjacent lot.
2. An elevation drawing shall be provided showing the addition to confirm the height and location.

Planning Staff does not have a concern with the proposed height and since the applicant is adding to the existing structure, the project could go up to 30'. Staff recognizes that there was a structure at this location previously and the current configuration of the lot creates a hardship to meet both front and rear yard setbacks at this location.

Chairman Feick asked if anyone in the audience wished to speak in favor of the request.



Andre Grant, 1919 W. Jefferson Street stated that his neighbors could not make it to the meeting tonight, but that he did receive signatures from the neighbors stating they had no issue with his proposed project, which included their addresses. Mr. Grant provided that list to Staff. He also stated that he owns the property across the street and he bought the property at 1919 W. Jefferson because it sat vacant for 8-10 years. He stated that he would like to keep his neighborhood looking nice and that's the reason for purchasing the property.

Chairman Feick asked if anyone in the audience wished to speak against the request. There were none.

Mr. Zeiher moved to approve the application with the conditions listed. Dr. Semans seconded the motion. With no further discussion, roll was called and the motion passed with a 3/0 vote.

Mr. Feick adjourned the meeting at 5:16pm.

APPROVED:

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Debi Eversole, Clerk

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John Feick, Chairman

CITY OF SANDUSKY, OHIO  
DEPARTMENT OF DEVELOPMENT  
DIVISION OF PLANNING

# BOARD OF ZONING APPEALS REPORT

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APPLICATION FOR VARIANCES TO ALLOW A  
COMMERCIAL STRUCTURE WITHIN A  
SPECIAL FLOOD HAZARD AREA

CEDAR POINT SHORES

Merchandise Building

Coke Refresh Addition to Toft's Building

Children's Pool Filter Building Addition

Bath House by Hotel Breakers Wing Parking Lot

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ONE CLEVELAND DRIVE  
CEDAR POINT PARK LLC

Reference Number: BZA-14-17

Date of Report: May 9, 2017

Report Author: Jeff Keefe, P.E., Project Engineer



# City of Sandusky, Ohio

## Board of Zoning Appeals Report

### BACKGROUND INFORMATION

Cedar Point Park LLC, has submitted 4 variance applications for the currently under construction (commercial) structures at the One Cedar Point Drive (Cedar Point Amusement Park). Parcel 55-00076.000. The location of the structure is within the current 100 year Flood Zone based on the current FEMA Firm Map (Issue Date of 2008), and below the Base Flood Elevation. City of Sandusky Ordinance Chapter 1157 Flood Damage Reduction requires a variance for new structures within the Flood Zone. Should a flood event occur, the park will be closed.

The following information is relevant to this application:

Applicant: Cedar Point Park LLC  
One Cedar Point Drive  
Sandusky, Ohio 44870

Site Location: One Cedar Point Drive

Zoning: Commercial Amusement

Applicable Plans & Regulations: City of Sandusky Zoning Code Section 1157 – Flood Damage Reduction

### SITE DESCRIPTION

Cedar Point Park LLC has filed a variance application to the required Flood Protection Elevation at One Cedar Point Drive, for four new structures (2017) which proposed uses are merchandise, food, equipment and modification to the existing bathhouse. Due to the proposed and existing structures being above the 100 year floodplain elevation (577.2), but below the Flood Protection Elevation of 579.2, our Floodplain Ordinance (Chapter 1157) requires a variance be granted prior to building below the Flood Protection Elevation. In this case three structures are currently under construction and one existing structure is being modified.

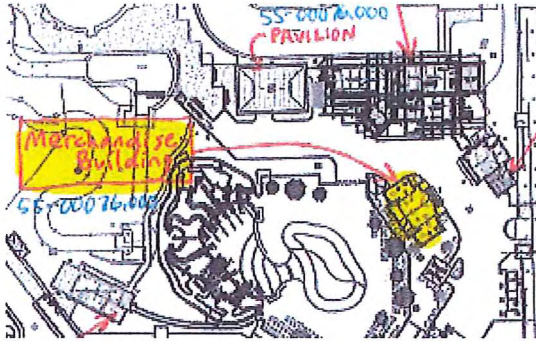
Based on the provided information, and our review of the current elevations, we recommend that these four variances be approved.



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## MERCHANDISE BUILDING – CEDAR POINT SHORES

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Variance Requested: Section 1157.04(d)(2)

1) To allow for a new structure (constructed 2017) that is above the Base flood elevation (floor elevation 578.6 - BFE 577.2) and below the flood protection elevation 579.2.

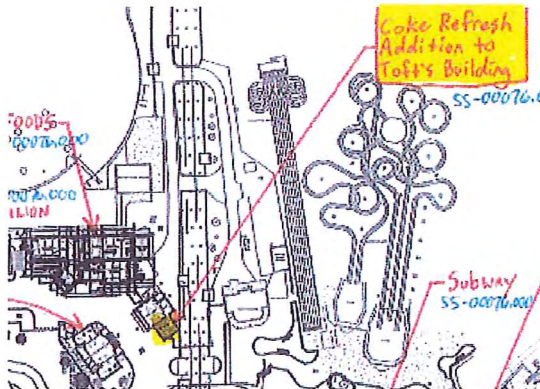
Staff has reviewed this request and based on the park not being open if there is a flooding event and the raising of the proposed floor is not feasible due to ADA slope accessibility. We do not anticipate any impact to the Base Flood Elevation based on this additional structure.

Division of Engineering Comments - We request that this item be granted a variance which would allow its current new use.

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## COLD REFRESH ADDITION TO TOFT'S BUILDING CEDAR POINT SHORES

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Variance Requested: Section 1157.04(d)(2)

1) To allow for a new structure (constructed 2017) that is above the Base flood elevation (floor elevation 578.5 - BFE 577.2) and below the flood protection elevation 579.2.

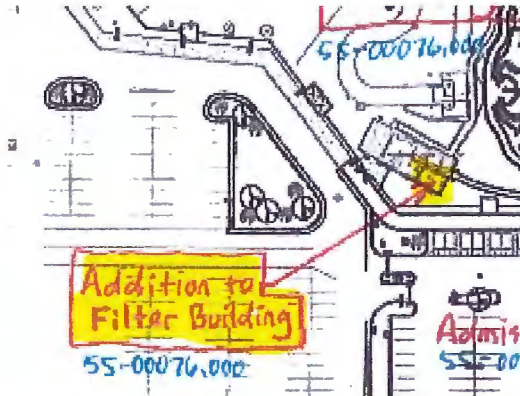
Staff has reviewed this request and based on the park not being open if there is a flooding event and the raising of the proposed floor is not feasible due to ADA slope accessibility. We do not anticipate any impact to the Base Flood Elevation based on this additional structure.

Division of Engineering Comments - We request that this item be granted a variance which would allow its current new use.

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## CHILDREN'S POOL FILTER BUILDING ADDITION CEDAR POINT SHORES

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Variance Requested: Section 1157.04(d)(2)

1) To allow for a new structure (constructed 2017) that is above the Base flood elevation (floor elevation 578.75 - BFE 577.2) and below the flood protection elevation 579.2.

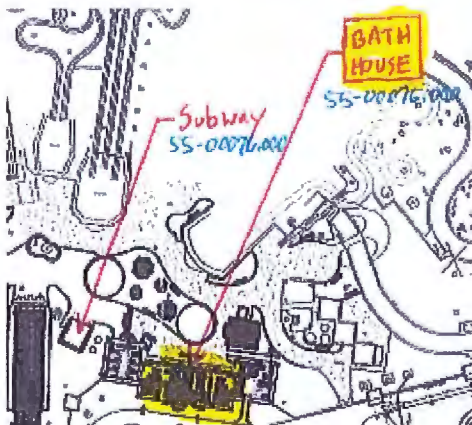
Staff has reviewed this request and based on the park not being open if there is a flooding event and the raising of the proposed floor is not feasible due to ADA slope accessibility. We do not anticipate any impact to the Base Flood Elevation based on this additional structure.

Division of Engineering Comments - We request that this item be granted a variance which would allow its current new use.

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## BATH HOUSE BY HOTEL BREAKERS WING PARKING LOT CEDAR POINT SHORES

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Variance Requested: Section 1157.04(d)(2)

1) To allow for interior modifications to the existing structure (modified 2017) that is above the Base flood elevation (floor elevation 578.77 - BFE 577.2) and below the flood protection elevation 579.2.

Staff has reviewed this request and based on the park not being open if there is a flooding event and the raising of the proposed floor is not feasible due to ADA slope accessibility. We do not anticipate any impact to the Base Flood Elevation based on this additional structure.

Division of Engineering Comments - We request that this item be granted a variance which would allow its current new use.

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## CONCLUSION/RECOMMENDATION

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In conclusion, engineering staff recommends approval of this variance. Staff and Cedar Point have been coordinating on this and future projects so that, if required, we will submit for variances earlier in the process to facilitate the approval, construction and occupancy requirements.

<u>2017 BUILDINGS AT CEDAR POINT</u>	<u>FLOOR ELEV.</u>	<u>FEMA FLOOD ZONE AE</u>	<u>PERMIT REQUIRED</u>	<u>VARIANCE REQUIRED</u>
<u>CEDAR POINT SHORES</u>				
Merchandise Building	578.6	yes	yes	yes
Coke Refresh Addition to Toft's Building	578.5	yes	yes	yes
Children's Pool Filter Building Addition	578.75	yes	yes	yes
Admissions Gate	579.7	yes	yes	no
Security Gate	580.2	no	no	no
Foods Building	579.2	yes	yes	no
Pavilion west of Foods Building	579.2	yes	yes	no
Restrooms near Admissions Gate	579.2	yes	yes	no
Beach Bar	579.2	yes	yes	no
Restrooms near Wave Pool	578.1	no	no	no
Filter Building for Snake Pit Slides	579.5	no	no	no
Subway	579.2	yes	yes	no
Bath House by HB Wing parking lot	578.77	yes	yes	yes
<u>NEW PARK ENTRANCE NEAR MAGNUM</u>				
Security Gate	579.6	no	no	no
Admissions Gate	578.7	no	no	no
<u>CORAL COURTYARD</u>				
Security Gate at main ticket entrance	579.45	no	no	no
Security Gate within Coral Courtyard	580.5	no	no	no

\*\*\*\*\* ALL ELEVATIONS ARE TO BE BASED ON NAVD88 DATUM \*\*\*\*\*

CITY OF SANDUSKY  
FLOOD DAMAGE PREVENTION DEVELOPMENT PERMIT  
CODIFIED ORDINANCE CHAPTER 1157

Application must include site-specific plans submitted in duplicate containing the following information:

A scaled drawing indicating the development area, showing nature, location, dimensions, existing and proposed contours and elevations of the area in question; existing or proposed structure, proposed fill materials; drainage facilities and location of the foregoing.

Fill material must be clean and free of decay material. No asphalt material is permitted. Concrete material shall be crushed and free of any structural material.

The following information is also required in accordance with Sandusky City Code 1157.16:

- Elevation in relation to mean sea level, of the lowest floor, including basement, of all proposed structures located in areas of special flood hazard where base flood elevation data are utilized from any source.
- Elevation in relation to mean sea level to which any nonresidential structure will be flood proofed in accordance with Section 1157.21 (b) where base flood elevation data are utilized from any source;
- Provide a certificate from a registered professional engineer or architect that the nonresidential floodproofed structure meets the floodproofing criteria in Section 1157.21b;
- Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development and certification by a registered professional engineer that the flood carrying capacity of the watercourse will not be diminished; and
- Certification submitted upon completion by a registered professional engineer, architect or surveyor of the structures as-built lowest floor or flood proofed elevation.

A filing fee is required at the time of submittal, please check designation:

☒ Non/Residential - \$500.00 (Per Site) and/or Structure ☐ Residential - \$100.00 Per Lot

Description of Work (check appropriate boxes)

☐ Excavation/Fill ☒ New Construction ☐ Addition ☐ Alteration

Exact Address of Proposed Project: One Cedar Point Drive

Lot Number:

Applicant Name: Cedar Fair, Adam Pouch

Phone: 419-656-4489

Relationship to Owner: ☐ Self ☐ Agent ☒ Other (fill in) OWNER

Applicant's Address: SAME

Property Owner:

(If other than applicant)

SAME

Cedar Point Shores

Phone

SAME

Owner's Address: SAME

Merchandise Building

1. Elevation of lowest floor (including basement) of all structures:

578.60

2. Elevation of Non-Residential structure that floodproofing has been proposed:

3. Flood proofed structure needing Certification:

Estimated Market Value of Existing Structure:  
(Attach copy of tax duplicate or other documentation)

\$

Year structure was built:

2017

Cost of Improvement of Addition or Alteration:

\$

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED AND DRAWINGS ATTACHED ARE TO THE BEST OF MY KNOWLEDGE TRUTHFUL AND ACCURATE. I AGREE TO ABIDE BY ALL THE TERMS AS IN CITY OF SANDUSKY'S CODIFIED ORDINANCE, CHAPTER 1157, FLOOD CONTROL.

Applicant Signature

Date

2/7/10

FOR OFFICE USE ONLY

In accordance with the plans and applications submitted, the proposed project ☐ does or ☐ does not comply with the minimum requirements of the Sandusky City Code Chapter 1157 and is therefore:

☐ Approved

☒ Disapproved (comments attached)

Permit Number

Approved by:

DOES NOT MEET FFE

Signature:

Jeffrey R. Kufel  
Project Engineer

Date:

5/3/2017

Title:



\*\*\*\* ALL ELEVATIONS ARE TO BE BASED ON NAVD88 DATUM\*\*\*\*

CITY OF SANDUSKY  
FLOOD DAMAGE PREVENTION DEVELOPMENT PERMIT  
CODIFIED ORDINANCE CHAPTER 1157

Application must include site-specific plans submitted in duplicate containing the following information:

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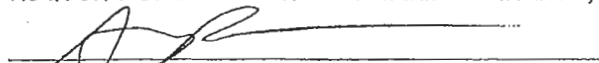
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- Provide a certificate from a registered professional engineer or architect that the nonresidential floodproofed structure meets the floodproofing criteria in Section 1157.21b;
- Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development and certification by a registered professional engineer that the flood carrying capacity of the watercourse will not be diminished; and
- Certification submitted upon completion by a registered professional engineer, architect or surveyor of the structures as-built lowest floor or flood proofed elevation.

A filing fee is required at the time of submittal, please check designation:			
<input checked="" type="checkbox"/> Non/Residential - \$500.00 <u>Per Site</u> and/or Structure		<input type="checkbox"/> Residential - \$100.00 Per Lot	
Description of Work (check appropriate boxes) <input type="checkbox"/> Excavation/Fill <input type="checkbox"/> New Construction <input checked="" type="checkbox"/> Addition <input type="checkbox"/> Alteration			
Exact Address of Proposed Project:		One Cedar Point Drive	
Applicant Name:		Cedar Fair, Adam Pouch	Phone 419-656-4489
Relationship to Owner:		<input type="checkbox"/> Self <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Other (fill in) OWNER	
Applicant's Address:		SAME	
Property Owner: (if other than applicant)		SAME Cedar Point Shores	Phone SAME
Owner's Address:		SAME Coke Refresh addition to Toft's Building	
1.	Elevation of lowest floor (including basement) of all structures:		578.50
2.	Elevation of Non-Residential structure that floodproofing has been proposed:		
3.	Flood proofed structure needing Certification:		
Estimated Market Value of Existing Structure: (Attach copy of tax duplicate or other documentation)		\$	Year structure was built: 2017
Cost of Improvement of Addition or Alteration:		\$	

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED AND DRAWINGS ATTACHED ARE TO THE BEST OF MY KNOWLEDGE TRUTHFUL AND ACCURATE. I AGREE TO ABIDE BY ALL THE TERMS AS IN CITY OF SANDUSKY'S CODIFIED ORDINANCE, CHAPTER 1157, FLOOD CONTROL.

  
Applicant Signature

2/7/17  
Date

FOR OFFICE USE ONLY			
In accordance with the plans and applications submitted, the proposed project <input type="checkbox"/> does or <input type="checkbox"/> does not comply with the minimum requirements of the Sandusky City Code Chapter 1157 and is therefore:			
<input type="checkbox"/> Approved	<input checked="" type="checkbox"/> Disapproved (comments attached)	Permit Number	
Approved by: DOES NOT MEET FPE			
Signature: Jeffery R. Kafe		Date:	5/3/2017
Title: Project Engineer			

\*\*\*\* ALL ELEVATIONS ARE TO BE BASED ON NAVD88 DATUM \*\*\*\*

CITY OF SANDUSKY  
FLOOD DAMAGE PREVENTION DEVELOPMENT PERMIT  
CODIFIED ORDINANCE CHAPTER 1157

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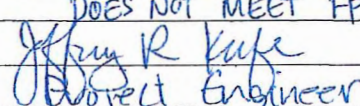
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- Provide a certificate from a registered professional engineer or architect that the nonresidential floodproofed structure meets the floodproofing criteria in Section 1157.21b;
- Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development and certification by a registered professional engineer that the flood carrying capacity of the watercourse will not be diminished; and
- Certification submitted upon completion by a registered professional engineer, architect or surveyor of the structures as-built lowest floor or flood proofed elevation.

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<input checked="" type="checkbox"/> Non/Residential - \$500.00 (Per Site) and/or Structure		<input type="checkbox"/> Residential - \$100.00 Per Lot	
Description of Work (check appropriate boxes) <input type="checkbox"/> Excavation/Fill <input type="checkbox"/> New Construction <input checked="" type="checkbox"/> Addition <input type="checkbox"/> Alteration			
Exact Address of Proposed Project:		One Cedar Point Drive	
Applicant Name:		Cedar Fair, Adam Pooch	Phone 419-656-4489
Relationship to Owner:		<input type="checkbox"/> Self <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Other (fill in) OWNER	
Applicant's Address: SAME			
Property Owner: (if other than applicant)		SAME Cedar Point Shores	Phone SAME
Owner's Address: SAME		Children's Pool Filter Building Addition	
1.	Elevation of lowest floor (including basement) of all structures:		578.75
2.	Elevation of Non-Residential structure that floodproofing has been proposed:		
3.	Flood proofed structure needing Certification:		
Estimated Market Value of Existing Structure: (Attach copy of tax duplicate or other documentation)		\$	Year structure was built: 2017
Cost of Improvement of Addition or Alteration:		\$	

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED AND DRAWINGS ATTACHED ARE TO THE BEST OF MY KNOWLEDGE TRUTHFUL AND ACCURATE. I AGREE TO ABIDE BY ALL THE TERMS AS IN CITY OF SANDUSKY'S CODIFIED ORDINANCE, CHAPTER 1157, FLOOD CONTROL.

  
Applicant Signature

2/7/17  
Date

FOR OFFICE USE ONLY			
In accordance with the plans and applications submitted, the proposed project <input type="checkbox"/> does or <input type="checkbox"/> does not comply with the minimum requirements of the Sandusky City Code Chapter 1157 and is therefore:			
<input type="checkbox"/> Approved	<input checked="" type="checkbox"/> Disapproved (comments attached)	Permit Number	
Approved by: DOES NOT MEET FPE			
Signature: 		Date:	5/3/2017
Title: Project Engineer			



\*\*\*\* ALL ELEVATIONS ARE TO BE BASED ON NAVD88 DATUM\*\*\*\*

CITY OF SANDUSKY  
FLOOD DAMAGE PREVENTION DEVELOPMENT PERMIT  
CODIFIED ORDINANCE CHAPTER 1157

Application must include site-specific plans submitted in duplicate containing the following information:

A scaled drawing indicating the development area, showing nature, location, dimensions, existing and proposed contours and elevations of the area in question; existing or proposed structure, proposed fill materials; drainage facilities and location of the foregoing.


Fill material must be clean and free of decay material. No asphalt material is permitted. Concrete material shall be crushed and free of any structural material.

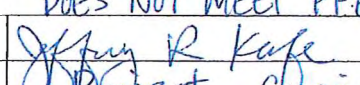
The following information is also required in accordance with Sandusky City Code 1157.16:

- Elevation in relation to mean sea level, of the lowest floor, including basement, of all proposed structures located in areas of special flood hazard where base flood elevation data are utilized from any source.
- Elevation in relation to mean sea level to which any nonresidential structure will be flood proofed in accordance with Section 1157.21 (b) where base flood elevation data are utilized from any source;
- Provide a certificate from a registered professional engineer or architect that the nonresidential floodproofed structure meets the floodproofing criteria in Section 1157.21b;
- Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development and certification by a registered professional engineer that the flood carrying capacity of the watercourse will not be diminished; and
- Certification submitted upon completion by a registered professional engineer, architect or surveyor of the structures as-built lowest floor or flood proofed elevation.

A filing fee is required at the time of submittal, please check designation:			
<input checked="" type="checkbox"/> Non/Residential - \$500.00 <u>Per Site</u> and/or Structure		<input type="checkbox"/> Residential - \$100.00 Per Lot	
Description of Work (check appropriate boxes) <input type="checkbox"/> Excavation/Fill <input type="checkbox"/> New Construction <input type="checkbox"/> Addition <input type="checkbox"/> Alteration			
Exact Address of Proposed Project:		One Cedar Point Drive	Lot Number
Applicant Name:		Cedar Fair, Adam Pooch	Phone 419-656-4489
Relationship to Owner:		<input type="checkbox"/> Self <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Other (fill in) OWNER	
Applicant's Address: Same			
Property Owner: (If other than applicant)		Same Cedar Point Shores	Phone same
Owner's Address: Bath House by Hotel Breakers Wing Parking Lot			
1.	Elevation of lowest floor (including basement) of all structures:		578.77
2.	Elevation of Non-Residential structure that floodproofing has been proposed:		
3.	Flood proofed structure needing Certification:		
Estimated Market Value of Existing Structure: (Attach copy of tax duplicate or other documentation)		\$	Year structure was built:
Cost of Improvement of Addition or Alteration:		\$	

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED AND DRAWINGS ATTACHED ARE TO THE BEST OF MY KNOWLEDGE TRUTHFUL AND ACCURATE. I AGREE TO ABIDE BY ALL THE TERMS AS IN CITY OF SANDUSKY'S CODIFIED ORDINANCE, CHAPTER 1157, FLOOD CONTROL.

Applicant Signature  Date 4/7/10

FOR OFFICE USE ONLY			
In accordance with the plans and applications submitted, the proposed project <input type="checkbox"/> does or <input type="checkbox"/> does not comply with the minimum requirements of the Sandusky City Code Chapter 1157 and is therefore:			
<input type="checkbox"/> Approved	<input checked="" type="checkbox"/> Disapproved (comments attached)	Permit Number	
Approved by: DOES NOT MEET FFE			
Signature: 		Date: 5/3/2017	
Title: Project Engineer			



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

☒ Variance to Regulations of the City of Sandusky Zoning Code

APPLICANT/AGENT INFORMATION:

Property Owner Name: Cedar Point Park LLC

Property Owner Address: One Cedar Point Drive  
Sandusky, OH 44870

Property Owner Telephone: 419-609-5965 ☐ Check if okay to Text

Email: adam.pooch@cedarpoint.com

Contact Person: Adam Pooch

Authorized Agent Name: \_\_\_\_\_

Authorized Agent Address: \_\_\_\_\_  
\_\_\_\_\_

Authorized Agent Telephone: \_\_\_\_\_ ☐ Check if okay to Text

Email: \_\_\_\_\_

Contact Person: \_\_\_\_\_

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

LOCATION AND DESCRIPTION OF PROPERTY:

Municipal Street Address: One Cedar Point Drive

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

Parcel # 55-00076-000

Cover page of deed attached, remaining 41 pages available upon request

Zoning District: Commercial Amusement (CA)

VARIANCE INFORMATION:

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

1157.04 (e)(3)

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

Merchandise Building elevation = 578.60, required = 579.20

Coke Refresh Addition to Toft's Building elevation = 578.50, required = 579.20

Children's Pool Filter Building Addition elevation = 578.75, required = 579.20

Bath House by HB Parking Lot elevation = 578.77, required 579.20

DETAILED SITE INFORMATION:

144.83 AC. in Parcel #55-00076.000

Land Area of Property: \_\_\_\_\_ (sq. ft. or acres)

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

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

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

Many buildings within the amusement park

Total Building Coverage (as % of lot area): N/A

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

Number of Dwelling Units (if applicable): N/A

Number of Accessory Buildings: N/A

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

- Merchandise building proposed to replace a recently demolished existing merchandise building within Cedar Point Shores
- Coke Refresh building addition to Toft's Building within Cedar Point Shores, floor elevation fixed to match existing.
- Children's Pool Filter Building addition to accommodate pumps and equipment for new pool with slides and splash pad features. (CP Shores)
- Bath house in Cedar Point Shores, interior modifications only.

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):

- The merchandise building was set 0.60 feet below the City required elevation in a flood zone due to the close proximity of the children's pool. The pool was elevated as high as possible but sanitary requirements force runoff to flow away from the pool which caused a low spot at the back of this building. Elevating the building any higher would cause too extreme of a slope adjacent to the pool.
- The Coke Refresh and Toft's building additions had to match existing floor elevations
- The Bath House was upgraded to include a First Aid station needed to service guests, interior modifications only.

#### 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

4/7/17  
Date

#### PERMISSION TO ACT AS AUTHORIZED AGENT:

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

  
Signature of Property Owner

4/7/17  
Date

<b>Transferred</b> In Compliance with sections 319-202 and 322-02 of the Ohio Revised Code.	
FEE \$	
Exempt: <input checked="" type="checkbox"/>	
R.E. TRANSFER:	
\$	
Richard H. Jeffrey Erie County Auditor	
Trans. Fees: \$	3.50
Date: 12/2/14	By: [Signature]

Per O.R.C. 319.203  
Erie County Auditor/Engineer  
12/2/14  
Date

GENERAL WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that Cedar Fair, L.P., a Delaware limited partnership, and Magnum Management Corporation, an Ohio corporation ("Grantors"), for good and valuable consideration paid, grants to, with general warranty covenants, Cedar Point Park LLC, a Delaware limited liability company, whose tax mailing address is C/O Property Tax Service Company, P.O. Box 543185, Dallas, TX 75354-3185, certain real property located in the City of Sandusky, County of Erie, State of Ohio, and more fully described in Exhibit "A" attached hereto.

See Exhibit "A" attached hereto for Permanent Parcel Numbers and Prior Instrument References.

Dated: December 1, 2014

Hartung# E-260099@com



IN WITNESS WHEREOF, Grantors have executed this instrument effective as of the date set forth above.

Cedar Fair, L.P.

By: Cedar Fair Management, Inc.,  
Its General Partner

By: Brian C. Witherow  
Brian C. Witherow  
Executive VP & Chief Financial Officer

Magnum Management Corporation

By: Brian C. Witherow  
Brian C. Witherow  
Executive VP & Chief Financial Officer

STATE OF OHIO                   )  
  ) SS:  
COUNTY OF ERIE               )

The foregoing instrument was acknowledged before me on Nov. 21, 2014, by Brian C. Witherow, the Executive VP & Chief Financial Officer of Magnum Management Corporation, an Ohio corporation, and the Executive VP & Chief Financial Officer of Cedar Fair Management, Inc., the general partner of Cedar Fair, L.P., a Delaware limited partnership, on behalf of such corporation and limited partnership, respectively.

Melissa L. Johnson  
Notary Public

This instrument prepared by:

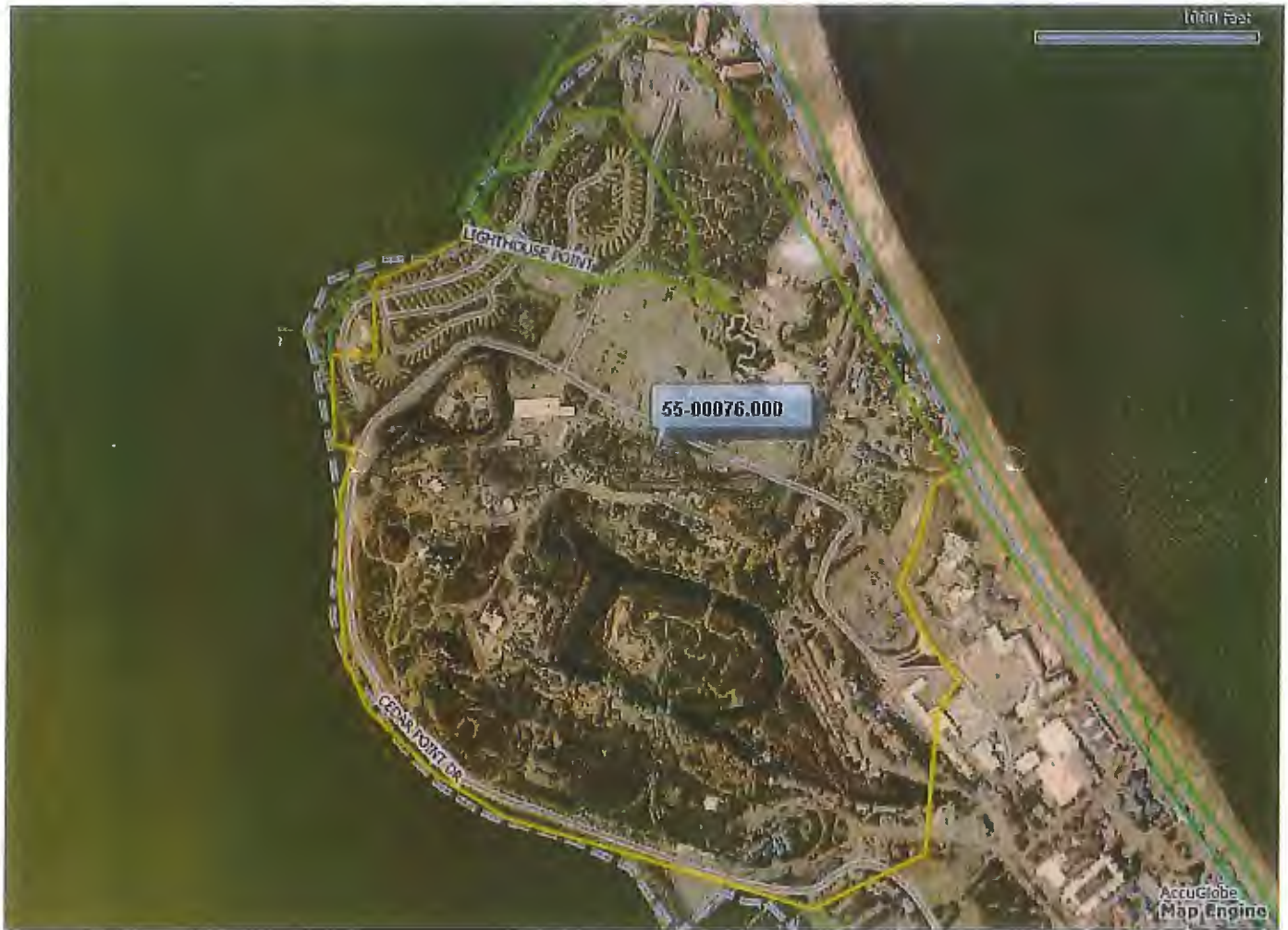
Squire Patton Boggs (US) LLP  
4900 Key Tower  
127 Public Square  
Cleveland, OH 44114-1304



**MELISSA L. JOHNSON**  
NOTARY PUBLIC  
STATE OF OHIO  
My Commission Expires  
January 21, 2018

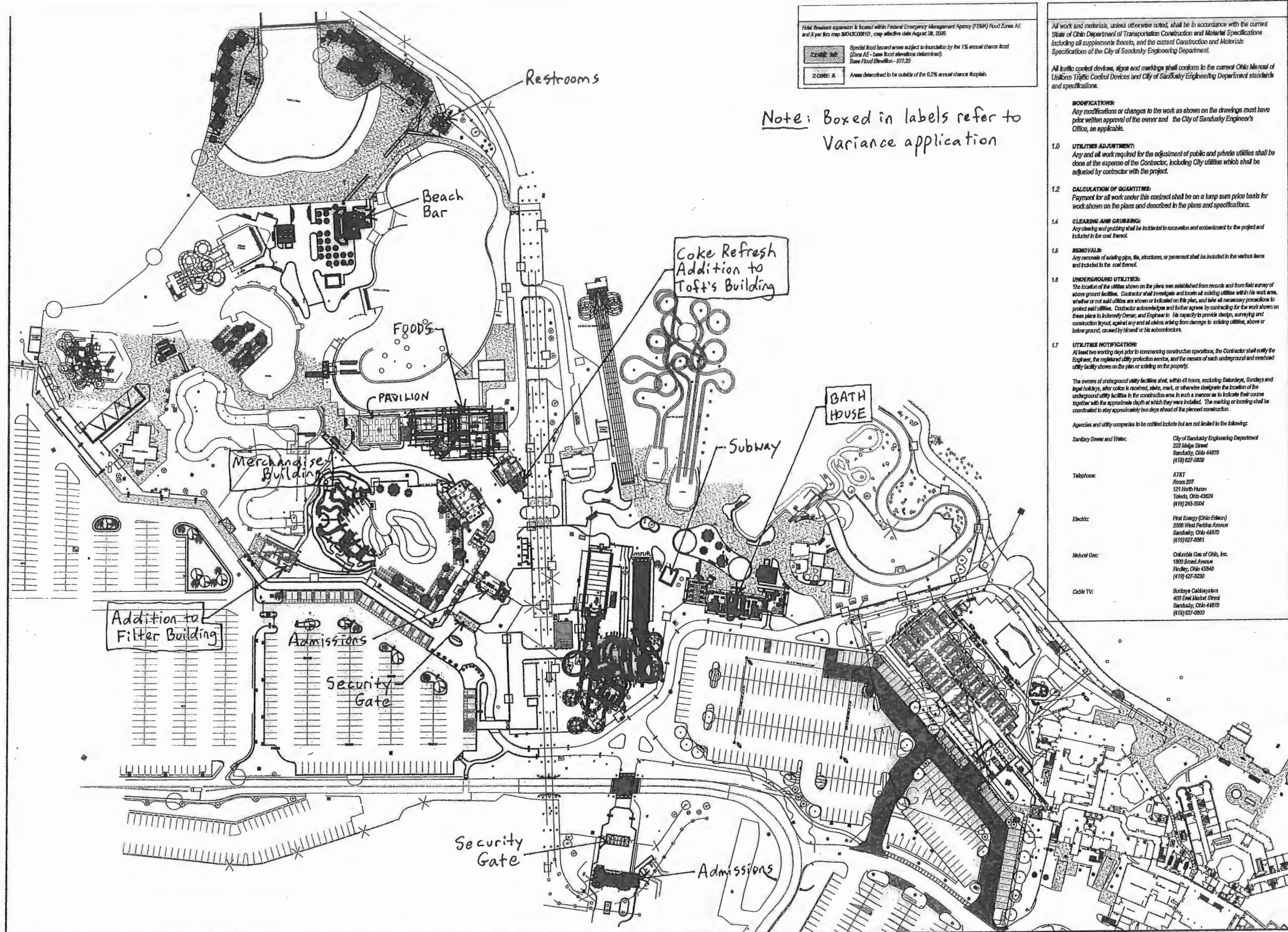
[Print](#) | [Back](#)

## Erie County GIS



Notes

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Hotel Reservoir expansion is located within Federal Emergency Management Agency (FEMA) Flood Zones AE and X per the map 30430001D, map effective date August 28, 2008.

Special flood hazard areas subject to inundation by the 1% annual chance flood (Zone AE - base flood elevations determined). Base Flood Elevation - 577.20

2.000E: X Areas determined to be outside of the 0.2% annual chance floodplain.

Note: Boxed in labels refer to Variance application

All work and materials, unless otherwise noted, shall be in accordance with the current State of Ohio Department of Transportation Construction and Material Specifications including all supplements thereto, and the current Construction and Materials Specifications of the City of Sandusky Engineering Department.

All traffic control devices, signs and markings shall conform to the current Ohio Manual of Uniform Traffic Control Devices and City of Sandusky Engineering Department standards and specifications.

- MODIFICATIONS:**  
Any modifications or changes to the work as shown on the drawings must have prior written approval of the owner and the City of Sandusky Engineer's Office, as applicable.
- 1.0 UTILITIES ADJUSTMENT:**  
Any and all work required for the adjustment of public and private utilities shall be done at the expense of the Contractor, including City utilities which shall be adjusted by contractor with the project.
- 1.2 CALCULATION OF QUANTITIES:**  
Payment for all work under this contract shall be on a lump sum price basis for work shown on the plans and described in the plans and specifications.
- 1.4 CLEARING AND GRUBBING:**  
Any clearing and grubbing shall be incidental to excavation and embankment for the project and included in the cost thereof.
- 1.5 REMOVALS:**  
Any removals of existing pipe, tile, structures, or pavement shall be included in the various items and included in the cost thereof.
- 1.6 UNDERGROUND UTILITIES:**  
The location of the utilities shown on the plans was established from records and from field survey of above ground facilities. Contractor shall investigate and locate all existing utilities within his work area, whether or not said utilities are shown or indicated on this plan, and take all necessary precautions to protect said utilities. Contractor acknowledges and further agrees by contracting for the work shown on these plans to indemnify Owner, and Engineer in his capacity to provide design, surveying and construction layout, against any and all claims arising from damages to existing utilities, above or below ground, caused by himself or his subcontractors.
- 1.7 UTILITIES NOTIFICATION:**  
At least two working days prior to commencing construction operations, the Contractor shall notify the Engineer, the regulated utility protection service, and the owners of each underground and overhead utility facility shown on the plans or existing on the property.

The owners of underground utility facilities shall, within 48 hours, excluding Saturdays, Sundays and legal holidays, after notice is received, place, mark, or otherwise designate the location of the underground utility facilities in the construction area, in such a manner as to indicate their course together with the approximate depth at which they were installed. The marking or locating shall be coordinated to stay approximately two days ahead of the planned construction.

Agencies and utility companies to be notified include but are not limited to the following:

Sanitary Sewer and Water:	City of Sandusky Engineering Department 222 Hedge Street Sandusky, Ohio 44870 (419) 627-5829
Telephone:	AT&T Room 207 121 North Huron Toledo, Ohio 43624 (419) 245-5204
Electric:	First Energy (Ohio Edison) 2508 West Perkins Avenue Sandusky, Ohio 44870 (419) 627-6381
Natural Gas:	Columbia Gas of Ohio, Inc. 1800 Broad Avenue Findlay, Ohio 43840 (419) 427-3230
Cable TV:	Buckeye Cablevision 409 Elm Market Street Sandusky, Ohio 44870 (419) 627-0902



SCALE IN FEET  
0 30 60 120  
SCALE 1" = 40'  
HORIZONTAL SCALE IN FEET

**John Hancock & Associates**  
INCORPORATED  
ENGINEERS - SURVEYORS  
309 E. MARKET STREET, SANDUSKY, OHIO 44870  
(419) 627-7638

**Cedar Fair**  
Entertainment Company  
**CEDAR POINT SHORES**  
OVERALL SITE  
WARD 1, CITY OF SANDUSKY, ERIE COUNTY, OHIO

JOB NO.: 243916  
DWG BY: DM  
FILE NO.: 2439-004K  
DATE: 12/08/16  
SHEET NO.: C-2



CITY OF SANDUSKY, OHIO  
DEPARTMENT OF DEVELOPMENT  
DIVISION OF PLANNING

# BOARD OF ZONING APPEALS REPORT

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APPLICATION FOR A VARIANCE OF 15' FOR  
A SIGN WITHIN THE FRONT YARD AT 503  
WASHINGTON

Reference Number: BZA-15-17

Date of Report: May 18<sup>th</sup>, 2017

Report Author: Casey Sparks, Assistant Planner



# City of Sandusky, Ohio

## Board of Zoning Appeals Report

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### BACKGROUND INFORMATION

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Lori Rickenbaugh, on behalf of the Board of County Commissioners of Erie County, has filed an application for a 15' variance to the required front yard setback for a monument sign to be located within the front yard at 503 Washington Street. The sign will service the adult probation building. The following information is relevant to this application:

Applicant/ Owner: Board of County Commissioners of Erie County  
503 Washington Street  
Sandusky, Ohio 44870

Agent: Lori Rickenbaugh  
323 Columbus Ave  
Sandusky, Ohio 44870

Site Location: 503 Washington Street

Zoning: "GB"/General Business

Existing Use: Public Facility/ Adult Probation

Applicable Plans & Regulations: City of Sandusky Zoning Code Section 1143.09(d) Specific Sign Requirements

Variance Requested: 1) A 15' variance to the required front yard setback for a monument sign

Variance Proposed: 2) The applicant proposes a 0' front yard setback for a sign located within the front yard at 503 Washington Street; whereas the zoning code requires a 15' front yard setback.

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### SITE DESCRIPTION

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The subject property is located at 503 Washington Street; within the "GB" General Business Zoning. The property is surrounded by other GB General Business zoning district as well as R2F Two Family Residential.

Below is the zoning map and aerial image of the subject property is found below and the parcel of the subject property is pointed out:

### 503 Washington Street



PF PUBLIC FACILITY	R1-40 SINGLE-FAMILY RESIDENTIAL	LB LOCAL BUSINESS	DBD DOWNTOWN BUSINESS
RS RESIDENTIAL SUBURBAN	R2F TWO-FAMILY RESIDENTIAL	RB ROADSIDE BUSINESS	CS COMMERCIAL SERVICE
R1-75 SINGLE-FAMILY RESIDENTIAL	RMF MULTI-FAMILY RESIDENTIAL	GB GENERAL BUSINESS	LM LIMITED MANUFACTURING
R1-60 SINGLE-FAMILY RESIDENTIAL	RRB RESIDENTIAL / BUSINESS	CA COMMERCIAL AMUSEMENT	GM GENERAL MANUFACTURING
R1-50 SINGLE-FAMILY RESIDENTIAL	P AUTO PARKING	CR COMMERCIAL RECREATION	PUD PLANNED UNIT DEVELOPMENT
AG AGRICULTURAL			NO. REQUIRED SETBACK IN FEET





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#### DIVISION OF PLANNING COMMENTS

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The applicant has proposed to construct a monument sign adjacent to the southern wall of the property located at 503 Washington Street. The sign will serve to advertise the Adult Probation facility. The applicant has proposed a 5'x 6' monument sign, currently there is no advertisement for the building and many individuals find it difficult to locate. The site has limited area for signage that is outside of the right-of-way. Signage within the area is either located within the right-of-way or a minimal distance from the property line.

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

*"Currently there is no signage at this location. There has been a recent need to advertise the location of this building. We have received numerous concerns that defendants are unable to locate this facility. There is currently very limited space to place a sign."*

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 setback variance sought in this case is 15' which is substantial, however due to current layout of the property it would be difficult for the sign to meet the required setbacks.

**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 location of the proposed sign would not substantially alter or be a detriment to the essential character of the neighborhood. There are other monument signs within the area that are also located within the required front yard setback.

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

The proposed variance would not affect the delivery of government services.

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

The property owner was aware of the proposed setback requirements, however due to the existing configuration of the site it is difficult to meet the required front yard setbacks.

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

The only way the owners predicament can be resolved through another method other than a variance is by the installation of a wall sign or window signage instead of a monument sign. It is important to keep in mind a monument sign may be easier to locate for individuals not familiar with the area.

**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 intent behind the zoning requirement would be observed as the proposed sign does not create a line of site issues and another similar variance request have been granted.

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

In this instance, the property can still yield a reasonable return; however the applicant has indicated that many of the public have had a difficult time locating this facility and the sign would assist this issue.

- 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.**

The proposed variance will not be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City.

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 request for the variance is created by the actions of the property owner regarding the proposed location of the sign, however there is a very limited area for a monument sign on this property.

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

Staff does not believe that the sign will adversely affect the surrounding property owners. As stated, the sign will be more aesthetically pleasing than a window or wall sign and should not create a line of site issues within this area.

- C. 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 strict application of the Zoning Code would not permit the applicant to construct the monument sign at this location, thus limiting the applicant on the amount of signage for the property.

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

The proposed variance would not appear to adversely affect the public health, safety, morals or general welfare of the neighborhood.

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

The proposed variance will not oppose the general spirit and intent of the zoning ordinance.

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**CONCLUSION/RECOMMENDATION**

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In conclusion, planning staff recommends approval of the 15' variance for the proposed sign at 503 Washington Street with the condition that the applicant receive all required building permits and confirm with Engineering that no encroachment permits are required. Staff believes that property proposes a hardship regarding possible locations for the sign and the proposed sign will not create a line of site issue.







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

\_\_\_\_\_ Variance to Regulations of the City of Sandusky Zoning Code

**APPLICANT/AGENT INFORMATION:**

Property Owner Name:

Board of County Commissioners of Erie  
County

Property Owner Address:

503 Washington St.  
Sandusky, OH 44870

Property Owner Telephone:

419-627-7672

☐

Check if okay to Text

Email

N/A

Contact Person:

Lori Rickenbaugh

Authorized Agent Name:

Judicial Administrator: JUDGE Roger  
Binette

Authorized Agent Address:

323 Columbus Ave. 2nd Floor  
Sandusky, OH 44870

Authorized Agent Telephone:

419-624-6314

☐

Check if okay to Text

Email

lrickenbaugh@eriecounty.oh.gov

Contact Person:

Lori Rickenbaugh

Meeting with Staff

\_\_\_\_\_



**LOCATION AND DESCRIPTION OF PROPERTY:**

Municipal Street Address: 503 Washington St. Sandusky, OH 44870

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

61 Washington St. S 91' 63 South 91' of E 20'

Permanent Parcel Number: 59-61142.000

Zoning District: Sandusky City

**VARIANCE INFORMATION:**

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

1143.09 d1

Requesting a 0 ft. setback

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

Required is 15' - proposed 0'

**DETAILED SITE INFORMATION:**

Land Area of Property: .1859 acres (sq. ft. or acres)

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

Building #1: \_\_\_\_\_ (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):**

Installation of a 5'x6' monument sign at  
503 Washington St. for purposes of Adult  
Probation Department.


**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):

Currently there is no signage at this location. There has been a recent need to advertise the location of this building.

We have received numerous concerns that defendants are unable to locate this facility. There is currently very limited space to place a sign.

**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

4/27/17  
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



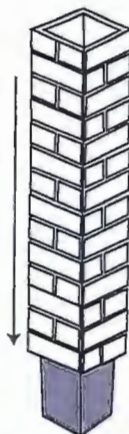
# LANDMARK

## DECK SLEEVES INSTALLATION

1. Landmark Accents™ Deck Sleeves are designed to slip over a 6" x 6" treated post or can be used with a shimmed 4" x 4" post.

(If using 6" x 6" post go to Step 2)

Note: Saw, drill or route for limitless unique applications



- 1a. Shim 4" x 4" treated post with a minimum 1" and a maximum 1 5/32" x 6" deck board.

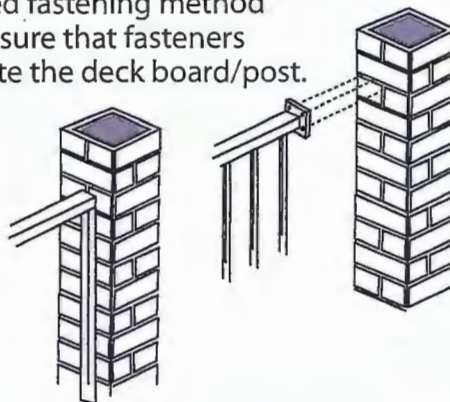


- 1b. Full length shims should be used on the sides to which railing will be attached.

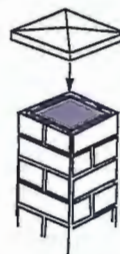
- 1c. Short shims (6" x 6" used as spacers top and bottom) should be used on the sides where no railing will be attached.



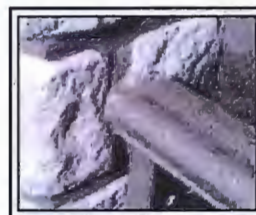
2. Slide deck sleeve over post to the deck base. Refer to the railing manufacturer for approved fastening method making sure that fasteners penetrate the deck board/post.



3. Secure deck sleeve cap by applying a quality polyurethane exterior adhesive to the top edge of the deck sleeve. Center cap and apply pressure to secure.



4. Fill any voids around top and bottom rails and/or rail brackets with color matching exterior caulk available through Menards Floor Coverings Department.



## Available DECK SLEEVES & CAP



LBR844-BX  
Brick Bordeaux  
8" x 8" x 44"



LPS844-TS  
Stucco Tan  
8" x 8" x 44"



LCS844-ST  
Cobblestone  
Summer Tan  
8" x 8" x 44"



LCFF10 Flagstone Cap 10" x 10" x 2 1/2"

For more information go to web site  
[www.landmarkaccents.com](http://www.landmarkaccents.com)

ARCHITECTURAL  
COMPOSITE  
TECHNOLOGIES

Architectural Composite Technologies  
2500 Marina Drive • Elkhart, IN 46514

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Hover out to close zoom.**Landmark Accents EZ-Mason 20" x 20" x 50" Column**

Model Number: LBR2050BX | Variation: Brick Bordeaux

Enter Your ZIP Code for Local Price &amp; Status

Variation:  
Brick Bordeaux  
\*Prices may vary by variation

11 Variations Found

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Landmark Accents 20" x 23" Pedestal

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pricing and status for your local store.Landmark Accents 23" x 23" Crown  
CapPlease enter your location to get  
pricing and status for your local store.Landmark Accents 23" x 23" Pyramid  
CapPlease enter your location to get  
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Landmark Accents 20" x 11" Pedestal

Please enter your location to get  
pricing and status for your local store.**Description & Documents**

Have an upscale look at a reduced cost with the EZ-Mason 20" x 20" x 50" Column. This easy-to-install column comes in several different styles and colors to suit your taste and home.

- Easy installation
- Durable and maintenance free
- Incredibly authentic
- Upscale look at reduced cost
- Columns won't rot, crack, shift or scale
- Lightweight
- 11 different styles and colors to choose from

Dimensions: 20" x 20" x 50"



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### Landmark Accents 8" x 8" x 44" Deck Sleeve

 Model Number: LCS844ST | Menards® SKU: 1128957  
 Variation: Summer Tan

 Online Price  
**\$139.99**

 Variation:  
 Summer Tan  
 \*Prices may vary by variation

8 Variations Found


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☒ Ship to Store - Free!

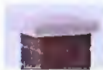
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#### Optional Accessories


 Landmark Accents 10" x 10"  
 Flagstone Post Cap

**\$34.99**

Online Price

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Landmark Accents 9" x 10" Pedestal

 Please enter your location to get  
 pricing and status for your local store.

 Landmark Accents 10" x 10" Crown  
 Cap

 Please enter your location to get  
 pricing and status for your local store.

 Landmark Accents 10" x 10" Pyramid  
 Cap

 Please enter your location to get  
 pricing and status for your local store.

#### Description & Documents

The Landmark Accents 8" x 8" x 44" Deck Sleeve is makes it easy to have an upscale look at a reduced cost. This sleeve is designed to slip over a 6" x 6" treated post or can be used with a shimmed 4" x 4" post. Inspired by nature, engineered by man.

- Easy Installation
- Durable and maintenance free
- Incredibly authentic
- Upscale look at reduced cost
- Can be used in conjunction with structural post as a decorative column
- Caps sold separately

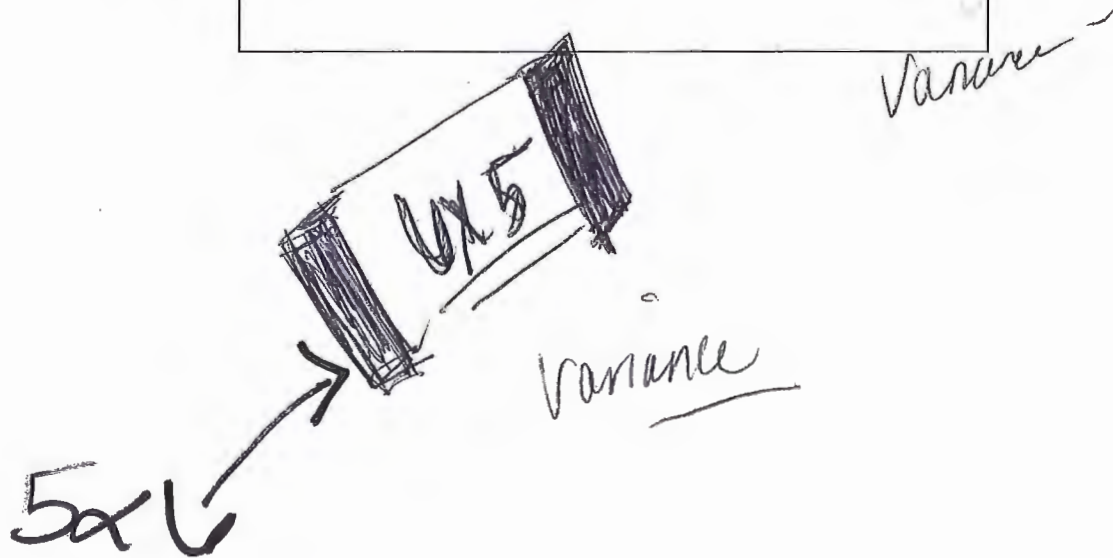
 Dimensions: 8" x 8" x 44"  
 Shipping Dimensions: 44.5 H x 10.5 W x 10.5 D  
 Shipping Weight: 15.0 lbs

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Erie County GIS



Notes



CITY OF SANDUSKY, OHIO  
DEPARTMENT OF DEVELOPMENT  
DIVISION OF PLANNING

# BOARD OF ZONING APPEALS REPORT

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APPLICATION FOR A SIDE YARD VARIANCE  
OF 3' FOR A PROPOSED RESIDENTIAL  
ADDITION AT 1524 CENTRAL AVE

Reference Number: BZA-16-17

Date of Report: May 18<sup>th</sup>, 2017

Report Author: Casey Sparks, Assistant Planner



# City of Sandusky, Ohio

## Board of Zoning Appeals Report

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### BACKGROUND INFORMATION

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Conor Whelan, has filed an application for a 3' variance to the required side yard setback to allow construction of a residential addition at 1524 Central Ave. The following information is relevant to this application:

Applicant/ Owner: Conor Whelan  
1524 Central Ave  
Sandusky, Ohio 44870

Site Location: 1524 Central Ave

Zoning: "R2F"/Two- Family Residential

Existing Use: Single Family Residential

Applicable Plans & Regulations: City of Sandusky Zoning Code Section 1129.14 Schedule of Area, Yard, and Height Requirements

Variance Requested: 1) A 3' variance to the required side yard

Variance Proposed: 2) The applicant proposes a 0' side yard setback; whereas the code requires 3'.

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### SITE DESCRIPTION

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The subject property is located at 1524 Central Ave within the "R2F" Residential Two- Family. The property is surrounded by other R2F zoning district.



Below is the zoning map and aerial image of the subject property and the parcel of the subject property is pointed out:

### 1524 Central Ave



	PF PUBLIC FACILITY		R1-40 SINGLE-FAMILY RESIDENTIAL		LB LOCAL BUSINESS		DBD DOWNTOWN BUSINESS
	RS RESIDENTIAL SUBURBAN		R2F TWO-FAMILY RESIDENTIAL		RB ROADSIDE BUSINESS		CS COMMERCIAL SERVICE
	R1-75 SINGLE-FAMILY RESIDENTIAL		RMF MULTI-FAMILY RESIDENTIAL		GB GENERAL BUSINESS		LM LIMITED MANUFACTURING
	R1-60 SINGLE-FAMILY RESIDENTIAL		RRB RESIDENTIAL / BUSINESS		CA COMMERCIAL AMUSEMENT		GM GENERAL MANUFACTURING
	R1-50 SINGLE-FAMILY RESIDENTIAL		P AUTO PARKING		CR COMMERCIAL RECREATION		PUD PLANNED UNIT DEVELOPMENT
	AC AGRICULTURAL						NO. REQUIRED SETBACK IN FEET





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## DIVISION OF PLANNING COMMENTS

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The applicant has proposed to construct a residential addition within the rear yard at 1524 Central Ave. The applicant has indicated that there is currently a dilapidated accessory building that is located directly on the lot line. The owner's intention is to demolish this structure and reconstruct a residential addition that will serve as a garage and an exercise room. Section 1129.14 requires a minimum side yard setback of 3' and a total of 10'. The single family dwelling does not meet these existing setbacks, both the accessory dwelling and the main structure are located very close to the property line.

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

*"My dilapidated garage needs to be rebuilt on the property line in order to use it as a garage and maintain a view of my yard."*

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 setback variance sought in this case is 3' within the side yard which is not substantial as the current garage and home sit very close to the existing lot line.

**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 location of the proposed addition would not substantially alter or be a detriment to the essential character of the neighborhood as there is an existing accessory structure already within the rear yard.

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

The proposed variance would not affect the delivery of government services.

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

The property owner was aware of the proposed setback requirements, however due to the dimensions of the lot and the shared driveway the applicant would like to

place the garage addition on the property line to allow for ample room to access the cars in and out of the garage.

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

The only way the owners predicament can be resolved through another method other than a variance is to reduce the size of the garage to assure that the side yard setback is met, however staff assumes that a smaller garage would not meet the storage needs of the applicant.

**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 intent behind the zoning requirement would be observed as the site already contains a garage within this location. The applicant is trying to improve his property by removing the dilapidated structure and construct a residential addition.

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

In this instance, the property can still yield a reasonable return without the garage; however the applicant would not have storage structure for their vehicles.

**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.**

The proposed variance will not be contrary to the general purpose, intent and objective of the Zoning Code or other adopted plans of the City.

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 request for the variance is created by the request of the property owner, however this is a unique condition as there is an existing structure already on the property.

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

Staff does not believe that the new addition will adversely affect the surrounding property owners. As stated, the addition will be in line with the current garage structure and the applicant has indicated that he has spoken to the neighbors and they have indicated support for the addition.

- C. 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 strict application of the Zoning Code would not permit the applicant to construct the residential addition with a 0' side yard setback. Constructing the garage within the proposed setback would reduce the size of the proposed garage and limit the access to the structure for the applicant.

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

The proposed variance would not appear to adversely affect the public health, safety, morals or general welfare of the neighborhood.

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

The proposed variance will not oppose the general spirit and intent of the zoning ordinance.

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#### **CONCLUSION/RECOMMENDATION**

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In conclusion, planning staff recommends approval of the 3' variance for the proposed addition at 1524 Central Ave. Staff recognizes that the lot is narrow and that the existing structure does not currently meet the required setbacks, understanding that there is an existing accessory structure within the rear yard at this location staff would recommend approval of the variance with the condition that the applicant obtains all required permits.

CITY OF SANDUSKY  
APPLICATION FOR BOARD OF ZONING APPEALS  
APPROVAL



Variance to Regulations of the City of Sandusky Zoning Code

APPLICANT/AGENT INFORMATION:

Property Owner Name: Conor Whelan  
Property Owner Address: 1524 Central Ave  
Sandusky  
Property Owner Telephone: 419-239-4877  
Contact Person: Conor  
Authorized Agent Name: \_\_\_\_\_  
Authorized Agent Address: \_\_\_\_\_  
\_\_\_\_\_  
Authorized Agent Telephone: \_\_\_\_\_  
Contact Person: \_\_\_\_\_

LOCATION AND DESCRIPTION OF PROPERTY:

Municipal Street Address: 1524 Central Ave

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

8 Emmrich St WH & 14 1/2 abutting

ETC9N 7' & 192 Central Ave WH & 194N 7'

Zoning District: Two Family Residential

VARIANCE INFORMATION:

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

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

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DETAILED SITE INFORMATION:

Land Area of Property: 0.2544 (sq. ft. or acres)

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

Building #1: 1750 (in sq. ft.) Building #2: \_\_\_\_\_

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

Total Building Coverage (as % of lot area): 16%

Proposed Building Height (for any new construction): 25.5 ft

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

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

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

Building a new 54'x15'  
(810ft<sup>2</sup>) garage with  
a bonus room above  
it. Total building  
height is 25.5' to  
the ridge.

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):

My dilapidated garage needs to be rebuilt on the property line in order to use it as a garage and maintain a view of my yard. Without the height variance I will not be able to build the bonus room.

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.

Conor J. Whelan  
Signature of Owner or Agent

5/1/17  
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: \_\_\_\_\_

Garage  
1524 Central Ave  
Site Plan

754

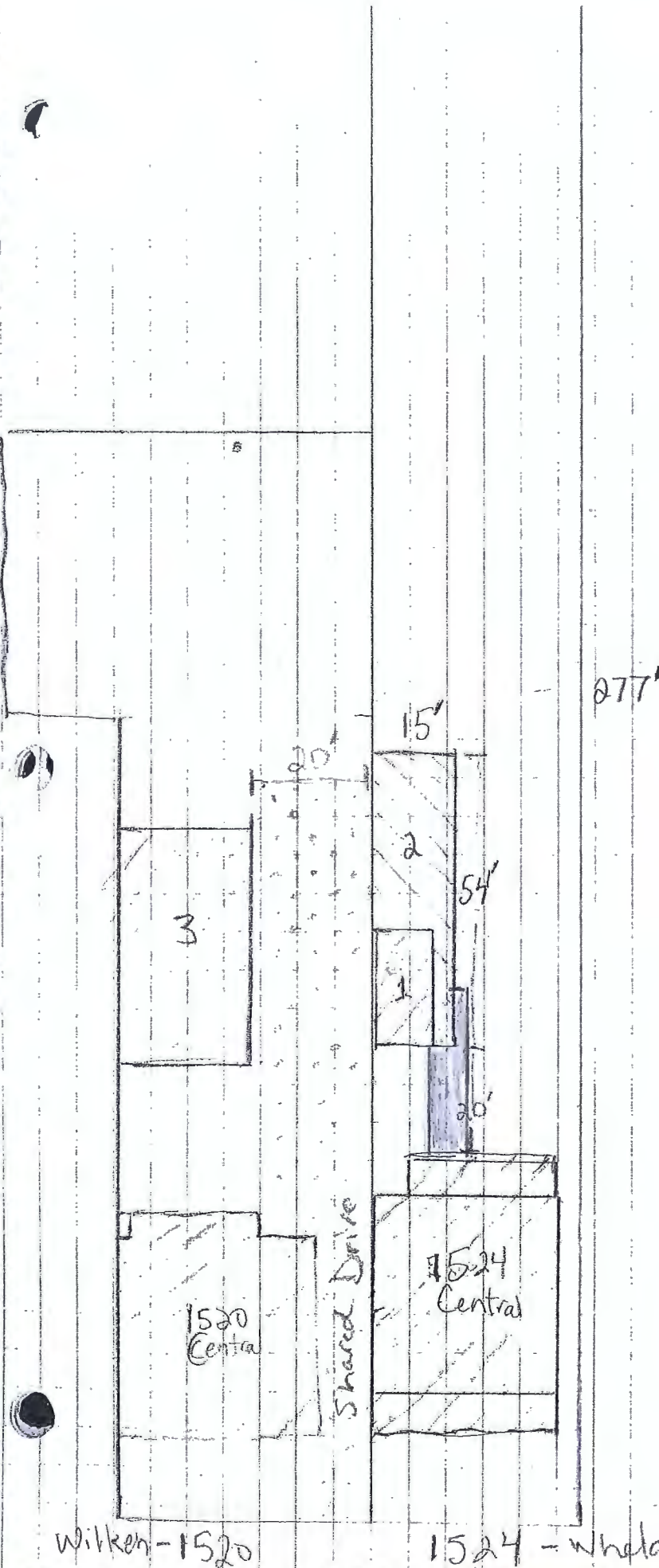


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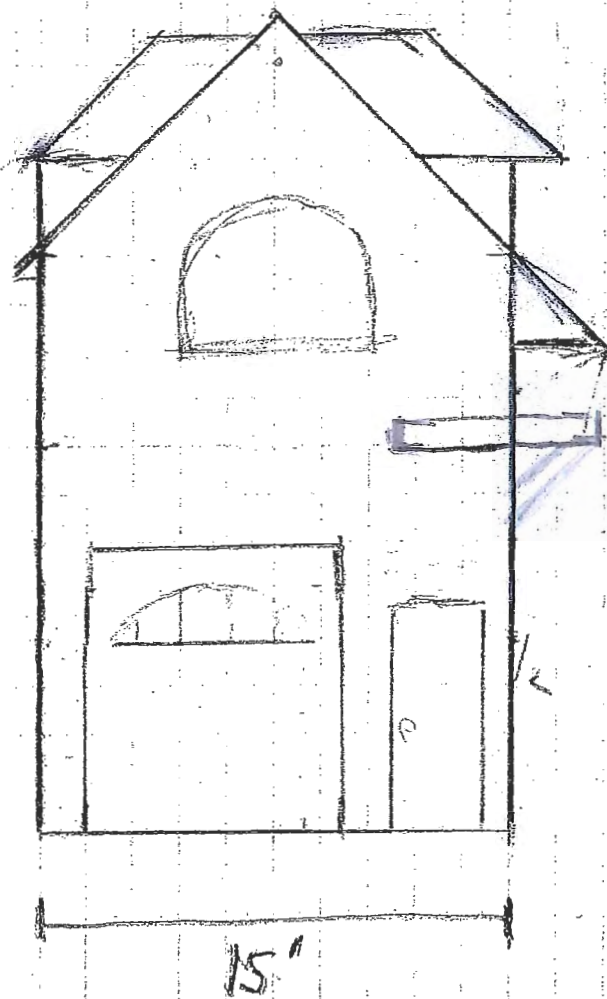
- 1- Existing Garage
- 2- New Garage



3- Wilkes)  
Garage





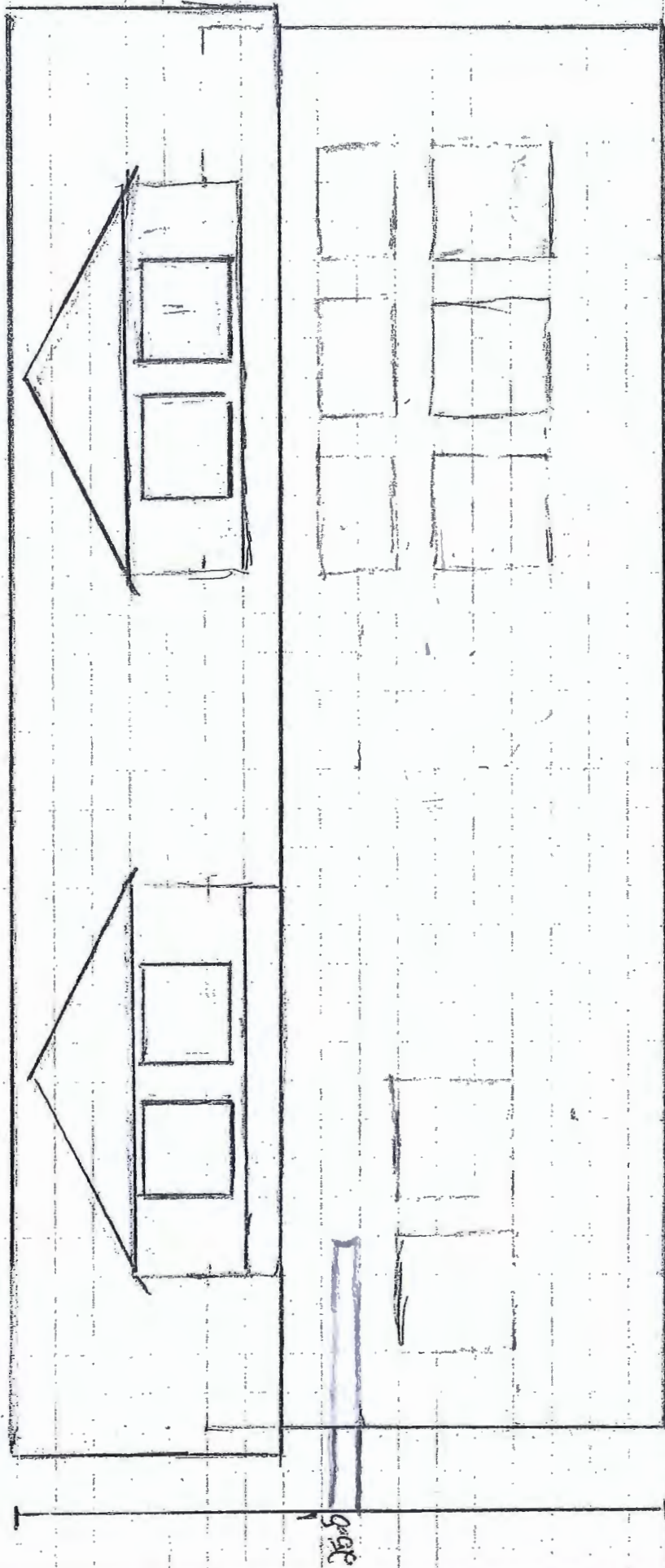


25.5'

15'

1.5'





250

541

11/15/11

Side view