



Planning Commission

240 Columbus Ave

Sandusky, Ohio 44870

419.627.5973

www.cityofsandusky.com

Agenda

January 26, 2022

5:00 pm

City Commission Chamber

Live Streamed on www.Youtube.com/CityofSanduskyOH

1. Meeting called to order – Roll Call
2. Approval of minutes from December 22, 2021 meeting
3. Election of officers
4. Adjudication Hearing
 - Paper Street Holdings, LLC has submitted a Conditional Use Permit Application for 603 Columbus Avenue
5. Old Business
 - Sandusco, Inc. has submitted a Similar Main Use Application for 709-F West Perkins Avenue (tabled at last meeting)
 - Cross View Bay Ltd has submitted a Site Plan Application for 1231 First Street.
 - Discussion on Transient Rentals Regulation
6. Adjournment

NEXT MEETING: February 23, 2022 at 5:00pm

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

**Planning Commission
December 22, 2021
Meeting Minutes**

Meeting called to order:

Chairman Dennis Murray called the meeting to order at 5:00pm. The following members were present: David Miller, Mike Zuilhof, Conor Whelan, and Jade Castile. Alec Ochs and Arin Blair represented the Community Development Department, Brendan Heil represented the Law Department, and clerk Kristen Barone was also present.

Approval of minutes from the October 27, 2021 meeting:

Mr. Miller moved to approve the minutes as submitted and Ms. Castile seconded. All voting members were in favor of the motion.

New Business:

1) Sandusco, Inc submitted a Similar Main Use Application for 709-F West Perkins Avenue

Mr. Ochs explained that 709 W. Perkins Avenue, Unit F currently shares a portion of a single parcel with adjoining stores. The stores are a combination of retail shopping and restaurants. The store in this application currently operates as a pawn shop. The company would like to offer firearms to pawn, buy, and sell. Currently the zoning code does not specifically permit the sale of firearms or similar uses in the General Business district. General Business does allow uses permitted in Local Business districts. The Local Business district permits the sale of sporting and athletic goods. Staff feels that a firearm may be interpreted as a sporting good. Staff also feel that this could be considered a similar main use in the General Business district. Therefore, staff recommends approval of the proposed similar main use with the conditions that all applicable permits are obtained, ATF guidelines are properly followed, and no ammunition is sold at the location without further analysis. Mr. Murray asked if staff could clarify if the scope of review for Planning Commission whether or not the proposed usage exceeds noise, odor, or other influence generated from activities otherwise permitted at the facility. Mr. Ochs stated that is correct. Mr. Murray asked that if Planning Commission feels otherwise then are they free to make that determination and if it is reviewed in a court of law, what is the standard by which that is reviewed. Mr. Heil stated that the Planning Commission may approve the application, deny it, or approve it with conditions. Final determinations from administrative bodies are reviewed on an abuse of discretion standards by the courts, which is a pretty high standard. Mr. Miller stated that it is stated in the staff report that this store is outside of the 500 feet threshold requirement of Sandusky High School, and he finds that hard to believe by looking at the pictures. Mr. Zuilhof asked that when they say 500 feet do they mean the school building or school property because the ball field behind the store is school property. He then stated that he is not expecting a discharge of firearms with the application being presented and it is still illegal to discharge a firearm in Sandusky. However, he is still skeptical of the buying and selling of firearms at this location due to the location of the school. Mr. Murray stated that the federal law states that one may not possess a firearm within 1000 feet of the grounds of a school. Mr. Zuilhof asked then if someone had a gun in the trunk of their car and they are driving by would they be in violation of the law. Mr. Murray said no. Mr. Heil stated that when this application was presented to the City, staff did look briefly into this and the 1000 feet rule does not apply to the sale of firearms, so long as they are following ATF rules. Ms. Castile stated that in reading what staff provided when considering the determination of other similar uses at this location, she feels that this could possibly be considered a danger to health and safety due to the proximity to the school. Mr. Miller stated that maybe having a better understanding of what the ATF guidelines entail would help the members feel more comfortable in making a decision. Mr. Heil stated that he does not know all of the ATF guidelines, but staff could look into that. Scott Sexton, Director of Firearms Operations with First Cash Pawn stated that they are a publicly traded company based out of Texas. He stated that he wants to clarify that not only do they want to be able to sell firearms, but they want to be able to pawn firearms as well. So those that are in need of a financial opportunity to pawn a firearm, they could do that. He said that anyone can look up the ATF guidelines at ATF.gov. He said that if within 1000 feet of a school, they would have to adhere by certain guidelines and those guidelines are

that the firearm is unloaded, contained within a locked container or in a locked firearms rack that is on a vehicle. He said that they are familiar with the law and what goes along within proximity of a school zone. They have about 900 firearms shops across the country and their Director of Firearms Compliance is a retired ATF investigator. The expectations for safety are set very high at all of the stores. Tara, Store Manager at Fast Cash in Sandusky stated that any firearm that comes into their stores need to be in a locked case, and if they do not have a locked case, they have to purchase a case from their store that will then need to be zip tied shut. She explained that in order for someone to purchase a firearm from their stores, they do need to get a background check done. She said that even if their background check comes back clean, they can still deny someone the right to purchase a firearm if they are drunk or smell of alcohol or marijuana. Mr. Sexton added that kids can come into their store and buy a dvd or a video game, but a person must be 18 years or older to enter into a pawn transaction. Greg Ward, District Manager at Fast Cash in Sandusky explained that they also do a gun check on every gun that comes into the stores. Mr. Whelan stated that he is still not clear on what the rule is on how close this business could be from the school and whether or not that rule is based on the school building or school property. Mr. Miller made a motion to table this application until staff can get clarification on that. Ms. Castile seconded the motion. Mr. Murray, Mr. Whelan, Mr. Miller, and Ms. Castile voted for the motion. Mr. Zuilhof voted against the motion. The motion passed.

2) Cross View Bay Ltd submitted a Similar Main Use Application for 1231 First Street

Mr. Ochs stated that the applicant would like to create a luxury recreational vehicle park with some transient occupancy sites and a motel, as an amenity to the marina facilities also owned by the applicant. Transient occupancy and motels are permitted at this location, so the similar main use permit is only needed to operate the RV Park. There is currently an existing commercial structure there that the applicant will use for winter boat storage and maintenance. This address is zoned Commercial Recreation. Property to the east is zoned Commercial Recreation. Property to the West is zoned General Business, Single Family Residential, and Commercial Recreation. Property to the south is zoned Residential Business and Commercial Recreation. To the north is the bay. Staff feels that the proposed use would be of similar noise, odor, or other influences as other main uses allowed in this district. Staff also believe that the proposed use would not create traffic to a greater extent to the retail business stores and services allowed in this district. Staff recommends approval of the application with the condition that all applicable permits are obtained. Mr. Miller made a motion to approve the application with the conditions staff recommended. Mr. Whelan seconded the motion. All voting members were in favor of the motion.

3) Presentation on 1231 First Street Site Concept by Cross View Bay Ltd

Ms. Blair shared a high level site plan provided by the applicants. Staff has discussed with the applicant that there will need to be further design and detail regarding the bike path area when the pathway is ready to come through that area. Staff also asked the applicant to show a lighting plan and drainage plan when they do apply for site plan approval. Mr. Miller stated that he likes the idea but asked if there is a backup plan in case the pathway does not follow the railroad right of way as planned. Ms. Blair stated that from her understanding there is a backup plan and the Director of Public Works could probably give more detail on that. Mr. Miller stated that he does not know if he wants to vote for site plan approval of a site plan that does not provide for a safe bike riding experience in the meantime. Mr. Zuilhof stated that he thinks this is an appropriate use for the land, but he would vary the site sizes a bit to more efficiently use the space. He would also cluster the sites more to allow them more breathing space. He said he would like to see the mound look natural and not man made. Maybe have the mound be more sinuous and let trees grow on there instead of having it be something that needs mowed. He then asked the applicant to use lighting that sends the light downwards and not upwards into the sky and into people's eyes. Mr. Miller stated that clustering the RV sites like houses in a PUD could be problematic when trying to get big RVs in and out.

4) Discussion on Small Box Discount Stores Regulation

Mr. Murray stated that it has been a conversation in the community for years now about getting additional grocery stores, especially downtown. However, when there are small box discount stores, it makes it difficult for a grocery store to compete because it is expensive to have fresh foods and is much cheaper to have boxed foods. He asked Ms. Blair to do some research and see what other communities do in order to allow everyone access to healthy food. Ms. Blair stated that she has found that some communities have regulations on how far away stores must be from other stores and if a certain percentage of the store has fresh foods available then they are exempt from having to abide by the rule stating how far away they must be from other stores. Another thing she found is that some communities have reduced the minimum parking ratios, making it easier for grocery stores to come in. She then shared that the City of Cleveland adopted a city-wide moratorium of the construction of new Dollar Stores in June of 2020 and have yet to resolve that from what she could find. Mr. Miller stated that in the past he has chosen where to live due to proximity to a convenient store so he could grab a few items quickly and easily, but he does believe that there needs to be more fresh food options downtown. Ms. Castile stated that she appreciates the convenience of small box discount stores but does wish they had fresh food available. Mr. Whelan stated that he is not sure how successful the City would be in writing ordinances to sway the private market, but in the research Ms. Blair found, there might be some things that could work for Sandusky and the cause is worth looking into. Mr. Zuilhof stated that there needs to be simple rules that are enforceable. He said he doesn't think parking is a concern. He believes there are going to be more and more people that do not own a car, whether it is by choice or because they cannot afford it. Mr. Murray agreed that legislation would need to be objectively reasonable so that it is easy to measure and definitions that are clear. He said that the idea is not be to ban the small box discount stores all together, but to require them to have healthy options for the residents. He said that it sounds like the Planning Commission would like to see some draft legislation from staff for further discussion.

Old Business:

1) Discussion on Transient Rentals Regulation

Mr. Murray stated that given the length of the meeting this far, the Planning Commission could take this agenda item up at the next meeting if the rest of the members were okay with that. The rest of the members were fine with that.

Meeting Adjourned:

Mr. Miller made a motion to adjourn and the meeting ended at 6:48pm.

Next Meeting:

January 26, 2022

Approved:

Kristen Barone, Clerk

Dennis Murray, Chairman

CITY OF SANDUSKY, OHIO
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING

PLANNING COMMISSION REPORT

APPLICATION FOR CONDITIONAL USE APPROVAL
FOR
603 COLUMBUS AVE
(PARCEL 56-01256.000)

Reference Number: PCONDU22-0001

Date of Report: January 18, 2022

Report Author: Alec Ochs, Assistant Planner



City of Sandusky, Ohio Planning Commission Report

BACKGROUND INFORMATION

Property Owner: Paper Street Holdings, LLC
603 Columbus Ave. Suite A
Sandusky, OH 44870

Site Location: 603 Columbus Ave.

Current Zoning: "LB" – Local Business

Adjacent Zoning: North: "LB" – Local Business
East: "LB" – Local Business
West: "R2F" – Two-Family Residential
South: "LB" – Local Business

Existing Use: Office

Proposed Use: Office / Transient Rental

Applicable Plans & Regulations: 1109.10 CONDITIONAL USE PERMITS.
1133 Business Districts

SITE DESCRIPTION

The property at 603 Columbus Ave. is zoned LB—Local Business and it is surrounded by LB to East, to the south, and the north. The parcels to the west are zoned R2F & LB.

Zoning Map (subject property outlined in Red)



Zone Map Setbacks



PUD - Planned Unit Development



Parcels



TRO - Transient Rental Overlay



Zoning

AG - Agriculture

CA - Commercial Amusement

CR - Commercial Recreation

CS - Commercial Service

DBD - Downtown Business

GB - General Business

GM - General MAnufacturing

LB - Local Business

LM - Local Manufacturing

P - Auto Parking

PF - Public Facilities

R1-40 - Single Family Residential

R1-50 - Single Family Residential

R1-60 - Single Family Residential

R1-75 - Single Family Residential

R2F Two-Family Residential

RB - Roadside Business

RMF - Multi-Family Residential

RRB - Residential/Business

RS - Residential Suburban



County Auditor Property Map (subject property outlined in red) Photo (taken March 2021)

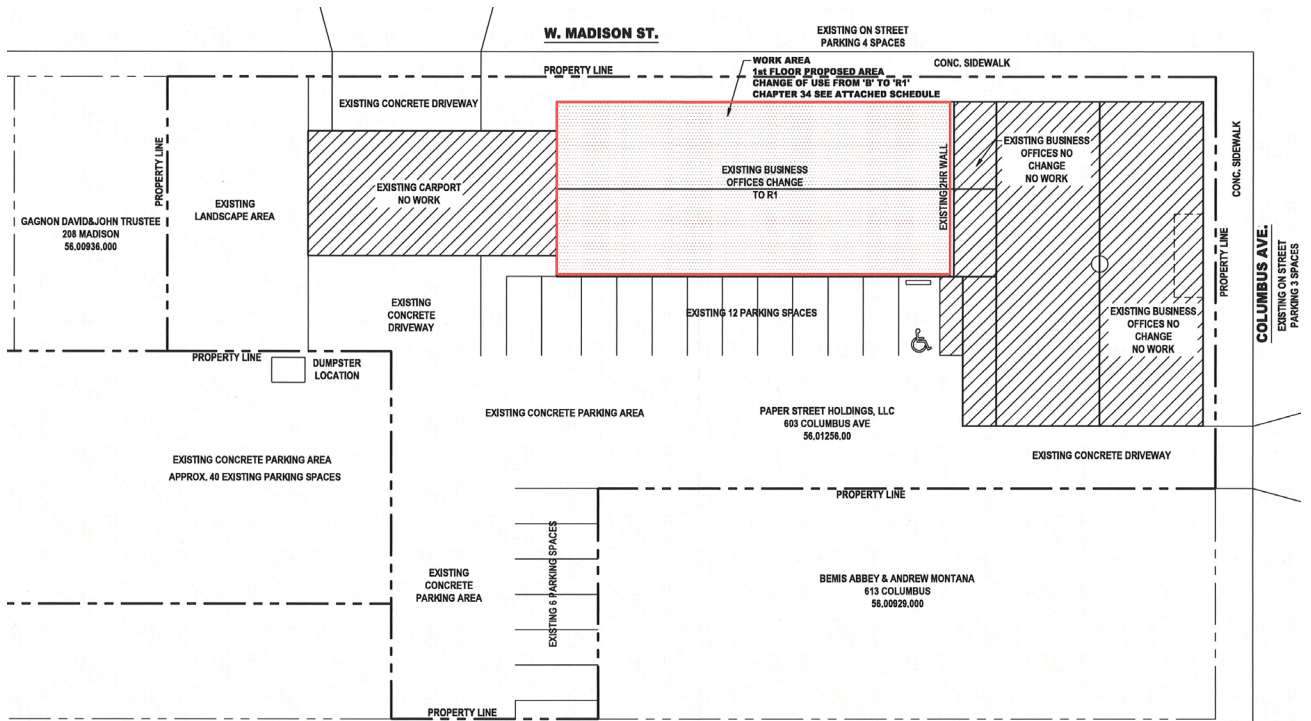




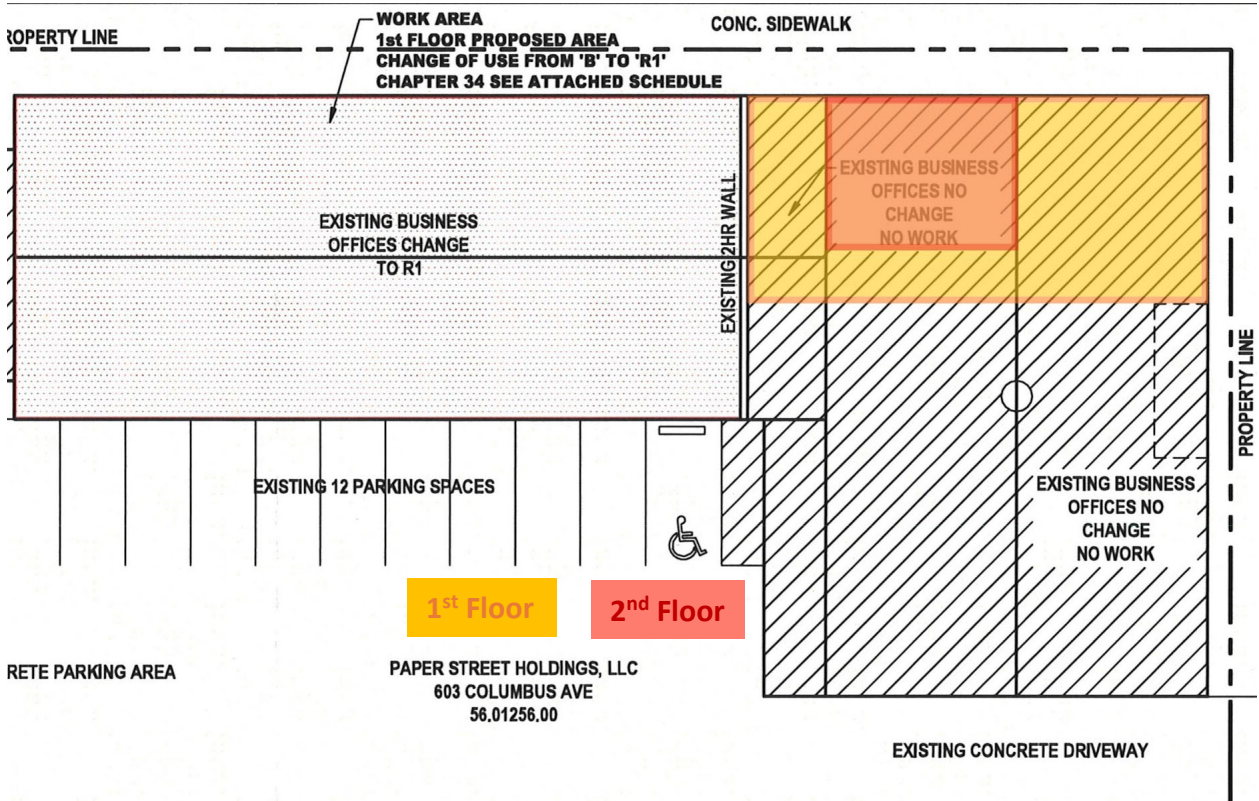
Photos taken July, 2019



3 Unit Proposal



4th Unit Proposal



PROJECT DESCRIPTION

The site of 603 Columbus Ave. currently has an “L-shaped” building on the corner of Columbus and Madison. The building covers roughly 27% of the parcel. The facade of the building facing Columbus Ave. is a two-story brick building defined by an open gable roof and central columns at the entry way. The Madison St. façade appears to be an addition, separated by a firewall, to the Columbus Avenue facing building. It is a single story brick structure with separate suite entrances under a covered porch along Madison St and alternate entrances at the parking lot. The spaces in the building had been used as office space and are currently vacant. There are 25 existing off-street parking spaces—totaling around 12,400 sq. ft. of parking area coverage. The adjacent western parcel is also owned by the applicant.

The applicant wishes to use some of the space in this structure for transient rentals, particularly the frontage along Madison Street. Approximately 3,000 sq. ft. would be used for transient (3 units) (see site plan). The remaining 6,500 sq. ft. would be used for professional office or retail. An additional 4th unit has been mentioned by the applicant as a phase 2. The sq. ft. of the 4th unit is not known at this time.

The zoning currently permits transient rental in LB- Local Business with a conditional-use permit.

APPLICABLE CODE SECTIONS

1133.04 PERMITTED BUILDINGS AND USES; LOCAL BUSINESS DISTRICT.

(b) Similar Main Uses. Any other retail neighborhood store, shop, service, or office not listed above, or in any subsequent use classification, and determined as similar by the Commission according to standards set forth in Section [1109.11](#). **Main uses set forth in the General Business District may be permitted in a Local Business District if a conditional use permit is granted.**

1133.06 PERMITTED BUILDINGS AND USES; GENERAL BUSINESS DISTRICT.

(a) Main Buildings and Uses.

- (1) All stores, services, dwellings, and other uses permitted in Roadside Business Districts;

1133.05 PERMITTED BUILDINGS AND USES; ROADSIDE BUSINESS DISTRICT.

- (4) Transient Occupancy.

1109.10 CONDITIONAL USE PERMITS.

Conditional use permits shall be required for the uncommon and infrequent uses, uses that require extraordinary safeguards, and **uses which may be permitted in more restrictive districts than the districts in which the uses are permitted by right.** Enumerated throughout this Zoning Code are such uses and the districts in which they may be permitted, provided the following

standards are fulfilled: all conditions set by the Planning Commission for specific uses, and a permit is granted by the Planning Commission.

(a.)

(b) **Standards for evaluating conditional use permits.** An application for a conditional use permit shall not be approved unless it conforms with the intent of the City of Sandusky Comprehensive Plan and complies with the following conditions and standards:

(1..)

(2) Business, Commercial and Manufacturing Districts.

- A. That the proposed use is necessary to serve community needs, and existing similar facilities located in a more remote district in which the use is permitted by right, are inadequate;
- B. That the proposed use is not closer than appropriate in the particular situation to schools, churches, and other places of assembly.
- C. That location size, intensity, and site plan of the proposed use shall be such that its operation will not be objectionable to nearby dwellings by reason of noise, smoke, dust, odors, fumes, vibrations, or glare more than is normal, or as permitted by the performance standards of the district.
- D. That the proposed use will form a harmonious part of the business, commercial, or manufacturing district, taking into account, among others, convenience of access and relationship of one use to another.
- E. That the proposed use should be permitted in the next less restrictive district because of its limited nature, modern devices, equipment, or improvements;
- F. That the hours of operation and concentration of vehicles in connection with the proposed use will not be more hazardous or dangerous than the normal traffic of the district.

(3) In addition to the above general standards set forth in subsections (b)(1) and (2) hereof, appropriate specific safeguards, applying to a particular application may also be specified in the permit.

(Ord. 03-071. Passed 3-10-03.)

STAFF ANALYSIS / STANDARDS FOR COMMISSION EVALUATION

Staff Analysis of Applicability According to Code Section: 1109.10

(b) Standards for evaluating conditional use permits. An application for a conditional use permit shall not be approved unless it conforms with the intent of the City of Sandusky Comprehensive Plan and complies with the following conditions and standards:

- This property is within a 10-minute walk to downtown Sandusky. Based on the 2018 Top Priorities in the Bicentennial Comprehensive Plan:
 - 1. This property will increase walkability to the downtown corridor.
 - 2. Make Sandusky more of a Destination City with additional transient rental options available.

(2) Business, Commercial and Manufacturing Districts.

- A. That the proposed use is necessary to serve community needs, and existing similar facilities located in a more remote district in which the use is permitted by right, are inadequate;
- This use will serve community needs by helping to fill the high demand for additional transient rental units walkable to our downtown business district.
- B. That the proposed use is not closer than appropriate in the particular situation to schools, churches, and other places of assembly.
- This is not an intensive use that would be considered inappropriate to be near schools, churches, and other places of assembly.
- C. That location size, intensity, and site plan of the proposed use shall be such that its operation will not be objectionable to nearby dwellings by reason of noise, smoke, dust, odors, fumes, vibrations, or glare more than is normal, or as permitted by the performance standards of the district.
 - The proposed use will not be objectionable to nearby dwellings. Brewpubs are permitted in this district which by nature create more noise, dust, odors, etc., than the proposed use.
 - D. That the proposed use will form a harmonious part of the business, commercial, or manufacturing district, taking into account, among others, convenience of access and relationship of one use to another.
 - The site is surrounded by residential and commercial uses. Transient rentals are a form of residential use that provide a harmonious buffer between the residential surrounding properties and commercial corridor along Columbus Ave.
 - E. That the proposed use should be permitted in the next less restrictive district because of its limited nature, modern devices, equipment, or improvements;
 - The use of transient rental is currently permitted in the next less restrictive district (RB – Roadside Business). The proposed use is in increasing demand because of modern devices and improvements and is appropriate in the Local Business district on a case by case basis.
 - F. That the hours of operation and concentration of vehicles in connection with the proposed use will not be more hazardous or dangerous than the normal traffic of the district.
 - The proposed use will not be more hazardous than traffic created by Brewpubs or retail stores. These establishments create a higher volume of turn-over traffic.

SUPPLEMENTAL NOTES / PLANNING DIVISION COMMENTS

Additional Staff Notes:

The applicant has stated they expect to pursue a 4th transient unit. This unit would have access to Madison Street via a door along the covered porch portion, and also take up part of the structure that faces Columbus Avenue and is currently used as office. The unit would have additional access to the parking lot through a private doorway in the office building. A stairway

internal to the unit would be added to ensure the transient rental unit was otherwise private and separated from the office uses that share the structure.

The applicant stated that depending on how quickly the commercial space can be occupied—this 4th unit may be essential to the viability of the entire project. This would be considered a phase two with potential construction beginning early 2023.

Staff is supportive of an additional 4th unit to be implemented as a phase 2 in this application. Staff would like to see the upstairs unit on this corner facing Columbus Ave. continue as business space. The applicant has confirmed that this is in fact the plan.

Today, Planning Commission has the following options:

1. Approve (or deny) Transient Rental as a use for the entire parcel.
2. Approve (or deny) Transient Rental as a use for the proposed three units.
3. Approve (or deny) Transient Rental as a use for the proposed three units and potential fourth unit.

OTHER DEPARTMENT COMMENTS

Engineering Staff:

No concerns have been received as of the writing of this report

Building Staff:

No concerns have been received as of the writing of this report

Police Department:

No concerns have been received as of the writing of this report

Fire Department:

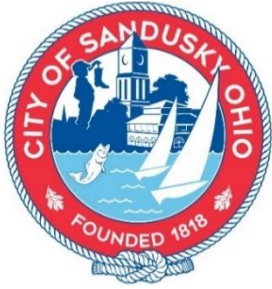
No concerns have been received as of the writing of this report

CONCLUSION/RECOMMENDATION

Staff fully supports the initial proposal of 3 units facing Madison St. If the Planning Commission is inclined to also grant the preliminary idea of the 4th unit—staff is also supportive. If not, we recommend the applicant return to the commission to apply for another conditional use permit when the idea is more than preliminary.

Staff recommends the approval of the proposed Conditional Use at 603 Columbus Ave. (parcel 56-01256.000) with the following conditions:

1. All applicable permits are obtained through the Building Department, Engineering Department, Planning Department and any other applicable agency.
2. The projects do not exceed the proposed 4 transient units stated above. If the commercial spaces lack consistent occupancy, staff recommends applying again for a conditional use permit no less than 2 years from the current Conditional Use permit issuing date.



PLANNING COMMISSION

Application for Approval

Department of Planning
240 Columbus Ave
Sandusky, Ohio 44870
419.627.5891
www.cityofsandusky.com

TYPE OF APPLICATION:

☒ Conditional Use Permit
☐ Flood Plain Variance
☐ Other

☐ Similar Main Use
☐ Front Yard Fence

APPLICANT/AGENT INFORMATION:

Property Owner Name: Paper Street Holdings, LLC

Property Owner Address: 603 Columbus Ave Suite A

Property Owner Telephone: 419-359-0001

Property Owner Email: homes.paperstreet@gmail.com

Authorized Agent Name: Ross M. Boesch, Member

Authorized Agent Address: _____

Authorized Agent Telephone: _____

Authorized Agent Email: _____

LOCATION AND DESCRIPTION OF PROPERTY:

Municipal Street Address: 603 Columbus Ave.

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

Parcel Number: 56-01256.000 Zoning District: Local Business

DETAILED SITE INFORMATION:

Land Area of Property: .593 acres (sq. ft. or acres)

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

Building #1: 7029 sq ft (in sq. ft.)

Building #2: _____

Building #3: _____

Additional: _____

Total Building Coverage (as % of lot area): 27.2%

Gross Floor Area of Building(s) on Property (separate out the square footage of different uses – for example, 800 sq. ft. is retail space and 500 sq. ft. is storage space:

3000 sq ft transient rental space

6500 sq ft mixed use professional office or retail

Proposed Building Height (for any new construction): _____

Number of Dwelling Units (if applicable): 3 transient

Number of Off-Street Parking Spaces Provided: 25

Parking Area Coverage (including driveways): 12400 sq ft (in sq. ft.)

Landscaped Area: 3690 sq ft (in sq. ft.)

PROPOSED DEVELOPMENT (check those that apply):

- ☐ New Construction (new building(s))
☐ Addition to Existing Building(s)
☒ Change of Use in Existing Building(s)

Description of Proposed Development (Describe in detail your development plans, for example – proposed use, size of building or proposed addition, hours of operation, days of operation, seating capacity, etc.):

The intent of requesting conditional use of the existing, vacant structure is _____

to allow for a portion of the facility to be renovated into transient rental space. There _____

is no proposed change in building size or configuration. Renovation will _____

include repairs of the deferred maintenance and landscaping, enhancing the overall _____

neighborhood appearance. Also included in the project budget will be money _____

for tenant improvements to assist in attracting a viable commercial tenant, _____

ideally bringing an entity from outside city limits or creation of new business _____

within city limits. _____

REQUIRED SUBMITTALS:

15 copies of a site plan/off-street parking plan for property

Application Fee:

Conditional Use Permit: \$100.00

Similar Main Use: \$100.00

Flood Plan Variance: \$100.00

Front Yard Fence: no charge

Other: check with staff for fee

APPLICATION MUST BE COMPLETELY FILLED OUT

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.



01/07/2022

Signature of Owner or Agent

Date

PERMISSION TO ACT AS AUTHORIZED AGENT:

As owner of 603 Columbus Ave. (municipal street address of property), I hereby authorize Ross M. Boesch to act on my behalf during the Planning Commission approval process.



01/07/2022

Signature of Property Owner

Date

STAFF USE ONLY:

Date Application Accepted: _____ **Permit Number:** _____

Date of Planning Commission Meeting: _____

Planning Commission File Number: _____



2022
PLANNING COMMISSION
MEETING DATES AND FILING DEADLINES

	FILING DEADLINE	MEETING DATE
JANUARY	12/22	1/26
FEBRUARY	1/26	2/23
MARCH	2/23	3/23
APRIL	3/23	4/27
MAY	4/27	5/25
JUNE	5/25	6/22
JULY	6/22	7/27
AUGUST	7/27	8/24
SEPTEMBER	8/24	9/28
OCTOBER	9/28	10/26
NOVEMBER	10/26	11/23
DECEMBER	11/23	12/28

The Planning Commission will typically meet on the fourth Wednesday of every month. The meetings are held in the City Commission Chamber, 240 Columbus Ave at 5:00 p.m. Meeting times, locations, and dates are subject to change with prior notice. Any changes will be posted to the City website.

SITE PLAN/OFF-STREET PARKING PLAN REQUIREMENTS

Site plan/off-street parking approval is required whenever a building is constructed or a new use is established; whenever an existing building is altered and there is an increase in the number of dwelling units, seating capacity, or floor areas of buildings; and whenever the use of an existing building is changed (Section 1149.02 of the Sandusky Zoning Code).

All plans submitted to the Planning Commission must be met, concise, accurate, complete and must be drawn to scale. Any plans submitted that are not drawn to scale will not be processed.

The following details are to be shown on the site plan/off street parking plan:

General Requirements

- A key plan showing the location of the property relative to the surrounding area (should include closest major streets).
- The plan must be drawn to a scale not smaller than 1" to 100'. An engineering scale must be used (for example, 1" = 10" or 1" = 20').
- All plans must show date of preparation and dates indicating any revisions to plans.
- All plans must include a north arrow oriented to the top of the page.
- A legend, in chart form, to include the following where applicable:
 - 1) Lot area
 - 2) Building coverage
 - 3) Total floor area
 - 4) Area of addition
 - 5) Building height
 - 6) Landscaped area
 - 7) Number of parking spaces provided

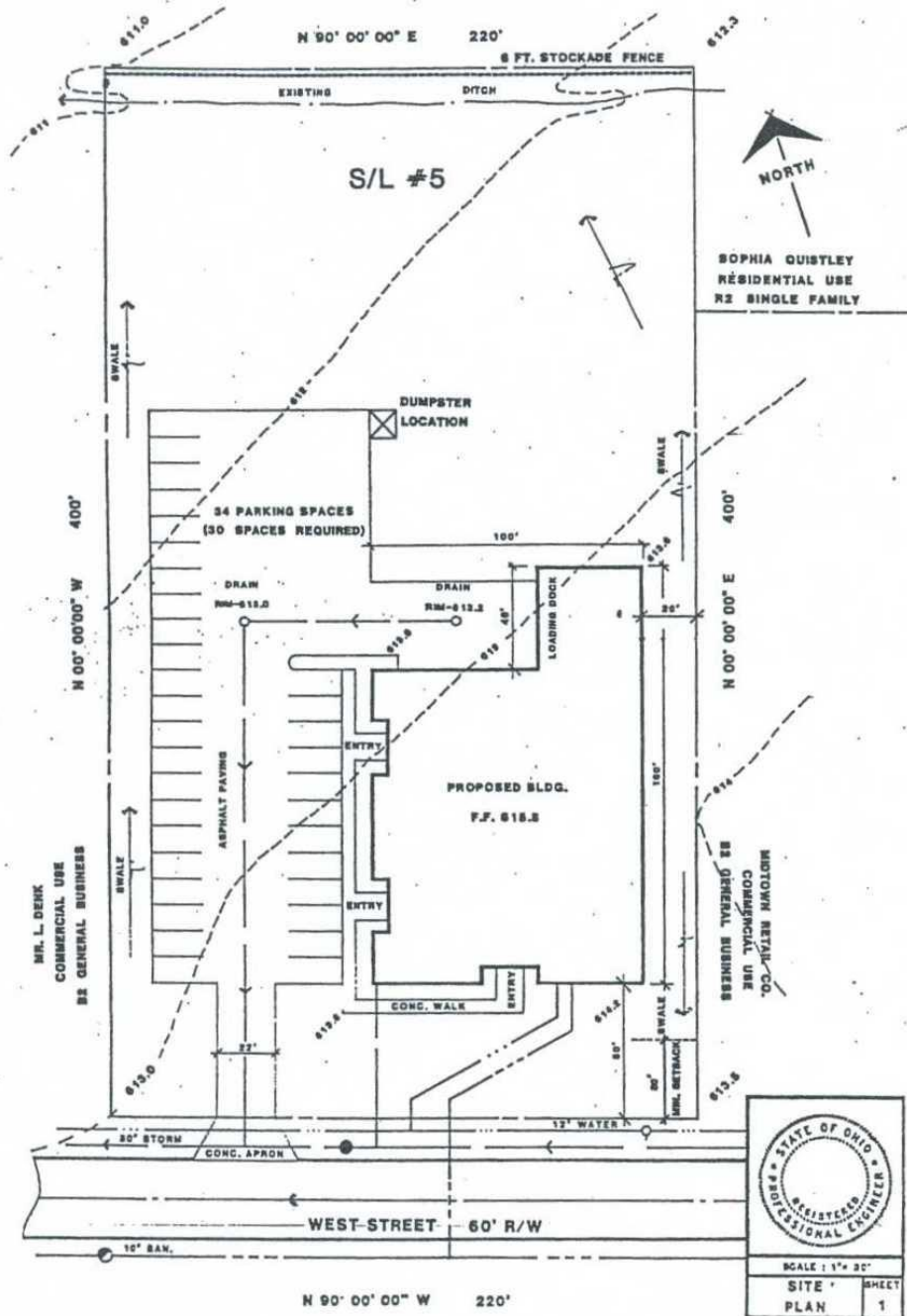
Design Details

- **Property Description:** The site plan should accurately reflect the size and shape of the property.
- **Buildings:** All buildings should be shown on the site plan indicating setbacks from all lot lines, distance between buildings, dimensions of all buildings, identification by type of each building and number of stories, and distances between buildings on adjacent properties.
- **Parking Areas:** Designated as to garages, carports, or open parking; with all spaces numbered and a typical parking stall dimensioned, poured concrete curbing (to be indicated by double lines) or bumper blocks pegged in place and surfacing material indicated (asphalt, paving stones, or concrete). If parking is underground, the extent of the underground garage and the location of ramps should be indicated.
- **Driveways and Ramps:** With dimensions, indicating vehicular circulation (if one way) and curbs (to be indicated by a double line). Show curve radii of curbs at all street access and driveway intersections.
- **Landscaping:** Location and identification of all landscaping features including planting beds, sodded areas, treatment of garbage collection areas and fencing including privacy fencing or screening. The type and location of lighting should also be included where appropriate.
- **Other Features:** With dimensions: retaining walls, protective railings, walks (indicating material), areas of recreation, play lots or areas to be landscaped, service and delivery access, outside garbage areas (to be screened on all sides), loading zones, road right-of-ways and easements (if any), and location of sewer and water lines. All property lines and public grounds on or adjacent to the subject site should also be indicated on the site plan.

An example of a site plan/off-street parking plan is attached.

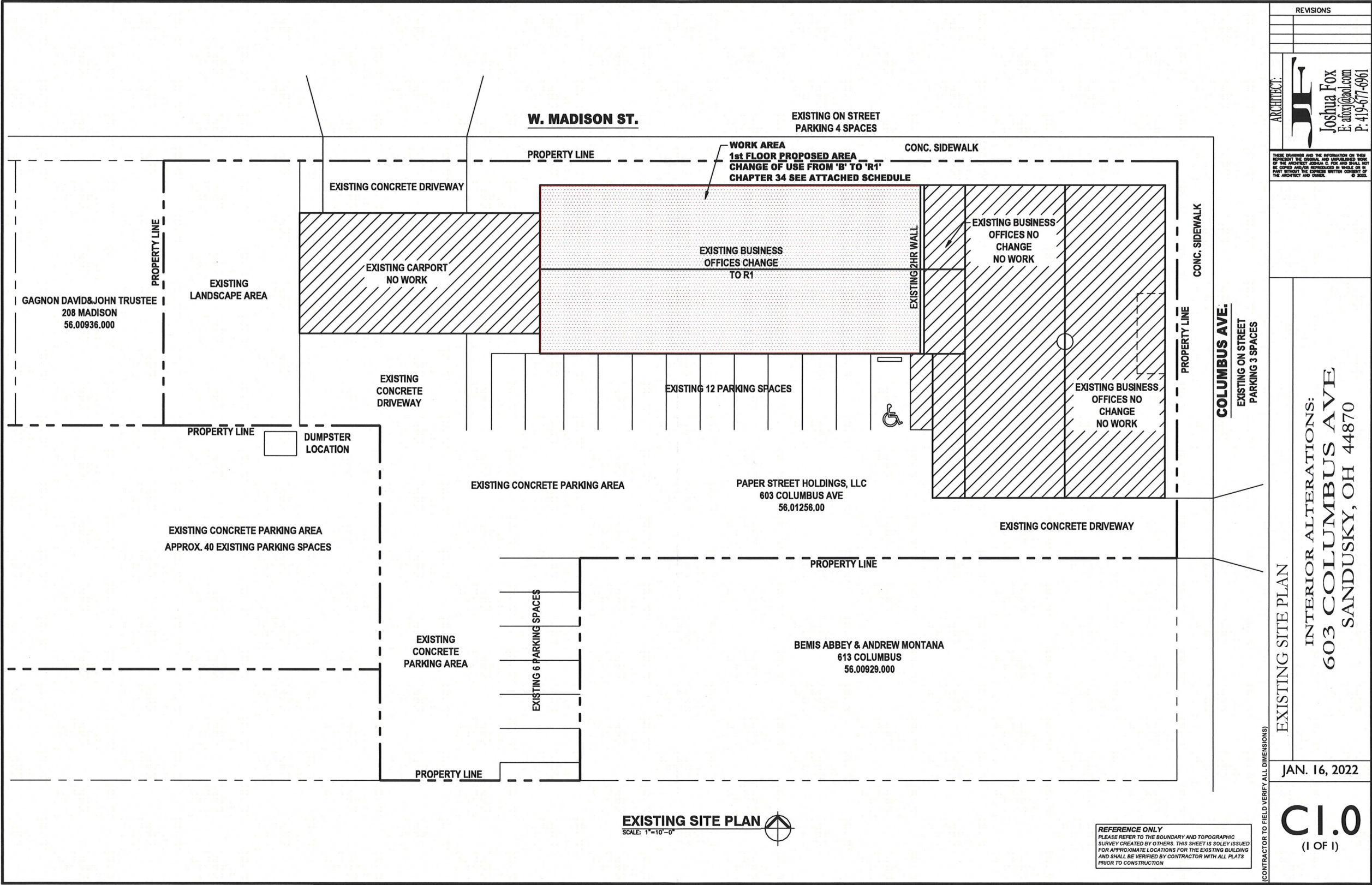
It is noted that additional plans (drainage, landscaping, lighting, etc.) may be required by the Planning Commission and/or City Departments prior to the issuance of any building permits.

FIGURE 1
SITE PLAN



CONDITIONAL USE PERMIT GENERAL STANDARDS

- Is a proposed use in fact a conditional use as established under the provisions of the Zoning Code?
- Will the proposed use be harmonious with and in accordance with the general objectives or with any specific objective of the City's Comprehensive Plan and/or the Zoning Code?
- Will the proposed use be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and/or change the essential character of the same area?
- Will the proposed use be hazardous or disturbing to existing or future neighboring uses?
- Will the proposed use be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools? Will the persons or agencies responsible for the establishment of the proposed use be able to provide adequately any such services?
- Will the proposed use create excessive additional requirements as public cost for public facilities and services and be detrimental to the economic welfare of the community?
- Will the proposed use involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes or odors?
- Will the proposed use have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares?



CITY OF SANDUSKY, OHIO
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING

PLANNING COMMISSION REPORT **UPDATE**

APPLICATION FOR SIMILAR MAIN USE APPROVAL
FOR
709 W. PERKINS AVE – UNIT F
(PARCEL 57-01011.000)

Reference Number: PSMU21-0003

Date of Report Update: January 18, 2022

Report Author: Alec Ochs, Assistant Planner



City of Sandusky, Ohio

Planning Commission Report

BACKGROUND INFORMATION

Property Owner: Sandusco, Inc.
1755 Enterprise Parkway, suite 200
Twinsburg, Ohio 44087

Site Location: 709 W. Perkins Ave – Unit F

Current Zoning: “GB” – General Business

Adjacent Zoning: North: “PF” – Public Facilities
East: “CS” – Commercial Service
“GB” – General Business
West: “GB” – General Business
South: Perkins Township: “C-2” – General Commercial
Perkins Township: “I-1” – General Industrial

Existing Use: Pawnshop / Retail

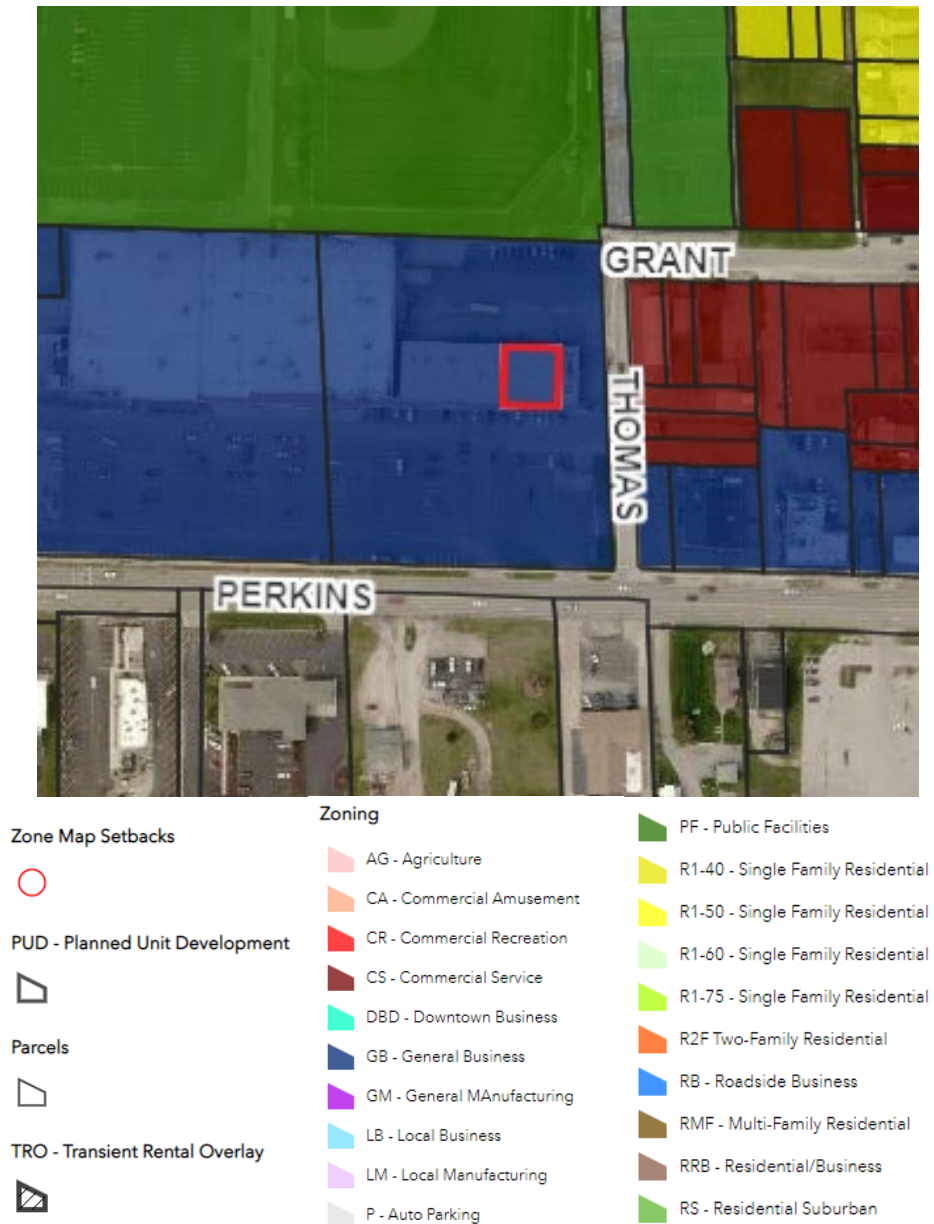
Proposed Use: Pawnshop / Retail – adding the sale of firearms

Applicable Plans & Regulations: 1109.11 Determination of Other Similar Uses
1133 Business Districts

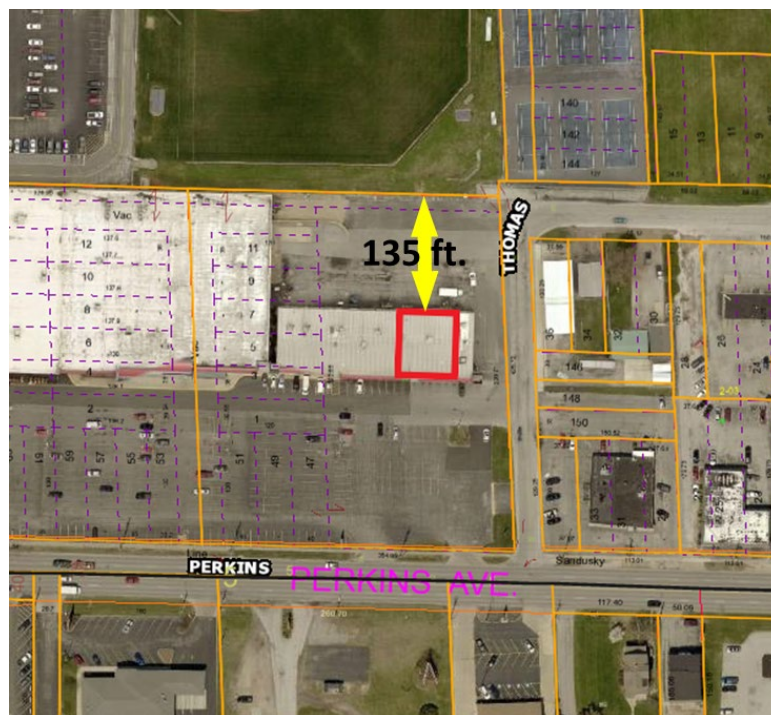
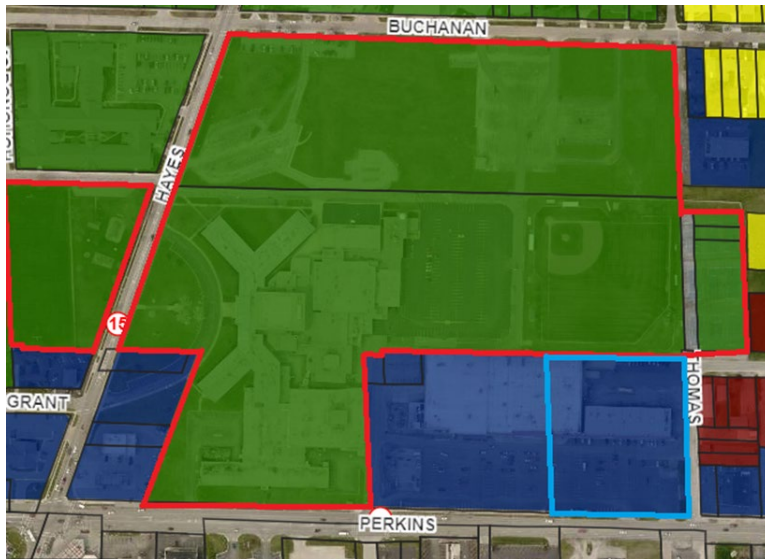
SITE DESCRIPTION

The property at 1231 First St. is zoned GB—General Business and it is surrounded by CR to East. To the south the parcels are zoned RRB and CR. The properties to the west are zoned GB, R1-40, and CR.

Zoning Map (subject property outlined in Red)



County Auditor Property Map (subject property outlined in blue)



Aerial Photo (taken March 2021)



PROJECT DESCRIPTION

The site of 709 W. Perkins Ave. – Unit F currently shares a portion of a single parcel with adjoining stores. The stores are a combination of retail shopping and restaurants. The commercial structure in this application totals about 5,367 sq. ft. The store in this application currently operates as a pawn shop. The company would like to offer firearms (pawn, buy, & sell) for customers. The operation is within a federally defined “school zone.” See ATF and Ohio Law notes in the supplemental facts to follow.

Currently, the zoning code does not specifically permit the sale of firearms or similar uses in the General Business district. General Business does allow uses permitted in Local Business districts. The Local Business district permits the sale sporting and athletic goods. Staff feels that a firearm may be interpreted as a sporting good. Staff also feels that this could be considered a similar main use in the GB district.

SUPPLEMENTAL FACTS

ATF Guidelines:

- 1) **School Zone Definition** - A school zone is defined as being within a distance of 1,000 feet from the grounds of a public, parochial, or private school

- 2) **Exceptions to the school zone requirements** – The possession of a firearm on private property not part of school grounds such as an FFL's business premise (e.g., commercial storefront, residence, or driveway).

A. Once a customer leaves private property located within a school zone they may be in violation of federal law, except in the following situations:

(...)

2. The firearm is unloaded and is contained within a locked container or a locked firearms rack that is on a motor vehicle;

Ohio Revised Code:

- Section 2923.122 regulates firearms in a school zone
 - Firearms dealers are not prohibited from operating within a school zone

APPLICABLE CODE SECTIONS

1133.06 PERMITTED BUILDINGS AND USES; GENERAL BUSINESS DISTRICT.

(a) Main Buildings and Uses.

- (1) All stores, services, dwellings, and other uses permitted in Roadside Business Districts;

1133.05 PERMITTED BUILDINGS AND USES; ROADSIDE BUSINESS DISTRICT.

(a) Main Buildings and Uses.

- (1) All stores, services, dwellings, and other uses permitted in Local Business Districts;

1133.04 PERMITTED BUILDINGS AND USES; LOCAL BUSINESS DISTRICT.

(a) Main Buildings and Uses.

(..)

- C. **The sale of** drugs, gifts, antique and art goods, flowers, periodicals, musical instruments and supplies (provided no loudspeaker broadcasts onto the street), tobacco, and **sporting and athletic goods;**

1109.11 DETERMINATION OF OTHER SIMILAR USES.

Upon application for a use not specifically listed in the use classifications of that district, a similar main use may be determined by the Commission, which is in compliance with the following standards:

(a) The use does not create dangers to health and safety, and does not create offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences to an extent greater than normally resulting from other uses listed in the classification to which it is to be added;

(b) The use does not create traffic to a greater extent than other uses listed in the classification to which is to be added;

(c) In addition to the above general standards, appropriate specific safeguards, applying to a particular application, may also be specified in the permit;

(d) The Planning Commission may revoke the similar main use permit if the property is not maintained in the manner that would conform to the required standards.

(Ord. 03-071. Passed 3-10-03.)

STAFF ANALYSIS / STANDARDS FOR COMMISSION EVALUATION

The standards for evaluating a similar main use are stated in code section 1109.11, items (a) – (d) above. In Planning Commission’s first evaluation of this proposal on December 22, 2021, the conversation centered on evaluation item (a):

The use **does not create dangers to health and safety**, and does not create offensive noise, vibration, dust, heat, smoke, odor, glare, **or other objectionable influences to an extent greater than normally resulting from other uses listed in the classification** to which it is to be added

To explore this standard for evaluation further, staff considered ALL allowable uses in the General Business zoning category, since General Business also allows all uses in Roadside Business and Local Business. See summary of all uses below, with staff highlights.

Summary of allowable uses in General Business:

GENERAL BUSINESS DISTRICT.

- The sale of all food; frozen food lockers; state liquor stores;
- The sale of general merchandise; dry goods, wearing apparel, shoes, hats, variety, and department stores;
- The sale of all hardware, appliances, china, furniture, floor and wall covering, business equipment, music, radios and televisions, provided no loudspeakers broadcast onto the street;
- Shops for custom work, and all personal service establishments without limitation on the number of persons engaged in work, provided the services rendered and articles produced are to be sold only at retail, and only on the premises;
- Photographic developing, blueprinting, letter and small job printing shops, medical and dental laboratories, radio and television broadcasting stations, transmittal towers, telephone exchanges, and transformer stations;
- **Railroad and bus passenger stations, taxi stations;**
- Offices such as banks, travel bureaus, public utility, insurance, and all types of business and professional offices;
- Wholesale offices and showrooms.

ROADSIDE BUSINESS DISTRICT

- The sale and serving of **all beverages, and eating places of all types** permitting dancing and live entertainment.
- **Motels, hotels; fraternal and social clubs, and labor union halls;**
- Automotive services, repair or service garages, and buildings for the sale of new and second-hand motor vehicles. The parking of vehicles with or without a fee, the sale of gasoline and oil

- The sale of boats and other marine supplies; motorcycles, bicycle shops; sports and athletic equipment; pet shops;
- Amusement and recreational services, such as assembly and meeting halls, billiard halls, bowling alleys, dance halls, indoor theaters, skating rinks, and other social, sports, or recreation establishments,
- Nursery stock, monuments, garden equipment, supplies, and garden
- Microbrewery.
- Transient Occupancy.

LOCAL BUSINESS DISTRICT

- Dwellings, of the type permitted and as regulated in the least restrictive contiguous district;
- Retail stores and services
- The sale of baked goods, confectionery, groceries, meats, fruits, vegetables, and dairy products.
- The sale, serving, and consumption of soft drinks, juices, ice cream, beer, and wine,
- The sale of drugs, gifts, antique and art goods, flowers, periodicals, musical instruments and supplies, tobacco, and sporting and athletic goods;
- The sale of tools, paint, seed, garden supplies, and household appliances;
- Personal services, such as beauty and barber shops, laundry agencies, laundromats, shoe and hat repair, radio and television repair, interior decorating, tailor, pressing and dry cleaning shops in which only nonexplosive and nonflammable solvents are used,
- Principal offices for dentists, doctors, and similar professions, financial institutions, and principal offices of real estate and similar businesses.

Staff considered the reality of how uses could be perceived as “objectionable” due to their proximity to a school. Consider these scenarios that are currently allowable within the zoning code:

- Transient individuals/movement of people throughout the area as customers of railway and bus stations, motels, hotels, social clubs, recreation establishments, etc.
- Consumption of alcohol
- The sale of prescription drugs
- The sale of other “sporting and athletic goods” such as knives, bow and arrows.

Staff also considered the reality of current Ohio gun laws and how they pertain to firearm presence in this area regardless of local zoning regulations. Consider these scenarios that are currently allowable within Ohio gun laws:

- Concealed carry of firearms by licensed gun owners in select establishments where they are not prohibited by the private owner and are fully in compliance concealed carry laws as defined by Ohio Revised Code (ORC 2923.126, 2923.122, and 2923.126)
- Firearms within a vehicle on the roadways

SUPPLEMENTAL NOTES / PLANNING DIVISION COMMENTS

Staff's understanding of the intent of this proposal is to sell firearms—following strict ATF guidelines. No ammo will be sold in this location at this time. Based on the analysis described above, staff opinion is that we can reasonably interpret this similar main use would not create dangers to health and safety, or create offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences to an extent greater than normally resulting from other uses listed in the GB zoning district.

OTHER DEPARTMENT COMMENTS

Engineering Staff:

No concerns have been received as of the writing of this report

Building Staff:

No concerns have been received as of the writing of this report

Police Department:

Police Chief – Jared Oliver had no concerns at this time as long as ATF guidelines were met.

Fire Department:

Fire Marshall – Steve Rucker had no concerns at this time as long as ammo was not sold in the store.

CONCLUSION/RECOMMENDATION

Staff recommends the approval of the proposed similar main use at 709 W. Perkins Ave. – Unit F. (parcel 57-01011.000) with the following conditions:

1. All applicable permits are obtained through the Building Department, Engineering Department, Planning Department and any other applicable agency.
2. ATF guidelines of purchase / sale are properly followed
3. No ammo is to be sold at this location without further analysis



PLANNING COMMISSION

Application for Approval

Department of Planning
240 Columbus Ave
Sandusky, Ohio 44870
419.627.5891
www.cityofsandusky.com

TYPE OF APPLICATION:

☐ Conditional Use Permit
☐ Flood Plain Variance
☐ Other

☒ Similar Main Use
☐ Front Yard Fence

APPLICANT/AGENT INFORMATION:

Property Owner Name: SANDUSCO, INC.
Property Owner Address: 1755 ENTERPRISE PARKWAY SUITE 200
TWINSBURG, OH 44087
Property Owner Telephone: 234.212.3030
Property Owner Email: _____
Authorized Agent Name: _____
Authorized Agent Address: _____
Authorized Agent Telephone: _____
Authorized Agent Email: _____

LOCATION AND DESCRIPTION OF PROPERTY:

Municipal Street Address: 709-F WEST PERKINS AVE
Legal Description of Property (check property deed for description):

Parcel Number: 57-01011000 Zoning District: G1B

DETAILED SITE INFORMATION:

Land Area of Property: 5367 sq ft (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): _____

Gross Floor Area of Building(s) on Property (separate out the square footage of different uses – for example, 800 sq. ft. is retail space and 500 sq. ft. is storage space:

Proposed Building Height (for any new construction): N/A

Number of Dwelling Units (if applicable): _____

Number of Off-Street Parking Spaces Provided: _____

Parking Area Coverage (including driveways): _____ (in sq. ft.)

Landscaped Area: _____ (in sq. ft.)

PROPOSED DEVELOPMENT (check those that apply):

- ☐ New Construction (new building(s))
☐ Addition to Existing Building(s)
☒ Change of Use in Existing Building(s)

Description of Proposed Development (Describe in detail your development plans, for example – proposed use, size of building or proposed addition, hours of operation, days of operation, seating capacity, etc.):

THE IDENTIFIED LOCATION IS CURRENTLY BEING USED
AS A PAWN SHOP. THE COMPANY WOULD LIKE TO NOW
OFFER FIREARMS (PAWN, BUY & SELL) FOR OUR
CUSTOMERS

REQUIRED SUBMITTALS:

15 copies of a site plan/off-street parking plan for property

Application Fee:

Conditional Use Permit: \$100.00

Similar Main Use: \$100.00

Flood Plan Variance: \$100.00


Front Yard Fence: no charge

Other: check with staff for fee

APPLICATION MUST BE COMPLETELY FILLED OUT

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

11-24-2021
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 Planning Commission approval process.

Signature of Property Owner

Date

STAFF USE ONLY:

Date Application Accepted: _____ Permit Number: _____

Date of Planning Commission Meeting: _____

Planning Commission File Number: _____

Exhibit "C"

Legal Description of Property

PARCEL 1:

Situated in the City of Sandusky, County of Erie and State of Ohio:

And known as being all of vacated Sublots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 Novelty Street, vacated Sublots 73, 71, 69, 67, 66, 63, 61, 59, 57, 55 and 53 Perkins Avenue, vacated Sublots 2, 4, 6, 8, 10 and 12 Knapp Street, part of vacated Knapp Street, part of vacated Novelty Street, part of vacated Grant Street, and being more fully described as follows:

Beginning at a point on the North line of Perkins Avenue at the point of intersection with the centerline of vacated Knapp Street, the same being in the North line of Perkins Avenue, South 88 deg. 42' 19" West, approximately 356.30 feet from its intersection with the centerline of Thomas Street;

Thence South 88 deg. 42' 19" West along the North line of Perkins Avenue 471.54 feet to the East line of lands of the Sandusky Board of Education;

Thence North 4 deg. 53' 41" West along the last mentioned line, 320.93 feet to the South line of vacated Sublot 12, Novelty Street;

Thence North 88 deg. 42' 19" East along last mentioned line and said line produced Easterly 146 feet to the centerline of vacated Novelty Street;

Thence North 4 deg. 42' 19" West along said centerline and said line produced Northerly 86.50 feet to a point;

Thence North 88 deg. 41' 27" East 17 feet Northerly measured at right angles from the centerline of Grant Street, approximately 324.29 feet to the Northerly projection of the centerline of vacated Knapp Street;

Thence Southerly along the centerline of vacated Knapp Street to the point of beginning.

In this description from the North line of Perkins Avenue is taken to be 35 feet Northerly from the centerline of Perkins Avenue and the South line of City of Sandusky.

PARCEL 2:

Situated in the City of Sandusky, County of Erie and State of Ohio:

And known as being the Easterly two (2) acres, more or less of Outlot Number Seventy-seven (77) in Scranton's Survey as recorded in Volume 1 of Deeds, Page 28, Erie County Ohio Records.

EXCEPTING therefrom that part thereof conveyed to Rolland F. Geiss and Mary Helen Geiss by deed dated March 18, 1946 and recorded in Volume 186 of Deeds, Page 146, Erie County Ohio Records;

ALSO EXCEPTING that part conveyed to Marcus A. Kellerman by deed dated February 27, 1966, and recorded in Volume 353 of Deeds, Page 67, Erie County Records; subject to legal highways.

PARCEL 3:

Situated in the City of Sandusky, County of Erie and State of Ohio:

And known as being vacated Sublots 1, 3, 5, 7, 9 and 11 Knapp Street, 47, 49 and 51 Perkins Avenue, part of vacated Knapp Street, part of vacated Grant street, and part of Outlot 77 and being more fully described as follows:

Beginning at the Southwest of lands now or formerly owned by Rosella M. Hartleb, the same being in the North line of Perkins Avenue, due West 134.00 feet from its intersection with the centerline of Thomas Street;

Thence due West along the North line of Perkins Avenue, 220.05 feet to the centerline of vacated Knapp Street;

Thence Northerly along the centerline of vacated Knapp Street and along the Northerly projection thereof to a point 17 feet North, measured along said projection, 17 feet from the centerline of vacated Grant Street;

Thence North 89 deg. 49' 30" East along a line 17 feet North of and parallel to the centerline of vacated Grant street to the centerline of Thomas Street;

Thence South 3 deg. 67' East along said centerline 17.04 feet to the centerline of Grant Street;

Thence South 89 deg. 48' 30" West along said centerline 133.65 feet to the Westerly line of said Rosella M. Hartleb lands;

Thence South 3 deg. 44' East along last mentioned line 390.71 feet to the place of beginning, be the same more or less but subject to all legal highways, excluding therefrom the Northerly 17 feet of said parcel. In this description the North line of Perkins Avenue is taken to be 35 feet Northerly from the centerline of Perkins Avenue and the South line of the City of Sandusky, Ohio.

PARCEL 4:

Situated in the City of Sandusky, County of Erie and State of Ohio:

And known as being Second Ward, part of OL's #76 and #67 and being further described as follows:

Beginning at a point in the Southerly line of the lands of the Sandusky Board of Education, the same being the Northerly line of the lands of Mary D. Kellerman, said point being located also in the South line of Sublot #12 Novelty St., (vacated); said point of beginning being located as follows from the intersection of the centerline of Hayes Ave., with the South Corporation line of the City of Sandusky; North 89 deg. 30' East along the South corporation line of the City of Sandusky, a distance of 802.34 feet to a point said point being the Easterly line of lands of the Sandusky Board of Education;

Thence North 0 deg. 30' West and a distance of 355.27 feet to a point;

Thence North 89 deg. 30' East and a distance of 47.71 feet to the point of beginning;

Thence continuing North 89 deg. 30' East and a distance of 100.00 feet to a point in the Westerly line of the lands of Mary Kellerman;

Thence North 3 deg. 54' 30" West along the Westerly line of said Mary D. Kellerman lands, a distance of 88.07 feet to a point;

Thence South 89 deg. 30' West and a distance of 100.00' to a point;

Thence, South 3 deg. 54' 30" East and a distance of 88.07' to the point of beginning.

Containing 0.201 acres more or less.

PARCEL 5:

Situated in the City of Sandusky, County of Erie and State of Ohio:

And known as being a part of Outlot 66 and 67 West of Campbell Street in the Second Ward of the City of Sandusky, being more fully bounded and described as follows:

Beginning at the intersection of the centerline of Thomas Street and the Southeastern corner of Outlot 66 as aforesaid;

Thence Westerly along the Southerly line of Outlots 66 and 67, a distance of about 645 feet more or less to the centerline extended Northerly of Novelty street as shown on the plat of George Knapp's Subdivision as recorded in Plat Book 6, Page 47 of Erie County Records;

Thence Northerly on an extension Northerly of the centerline of Novelty Street, a distance of 17 feet to a point;

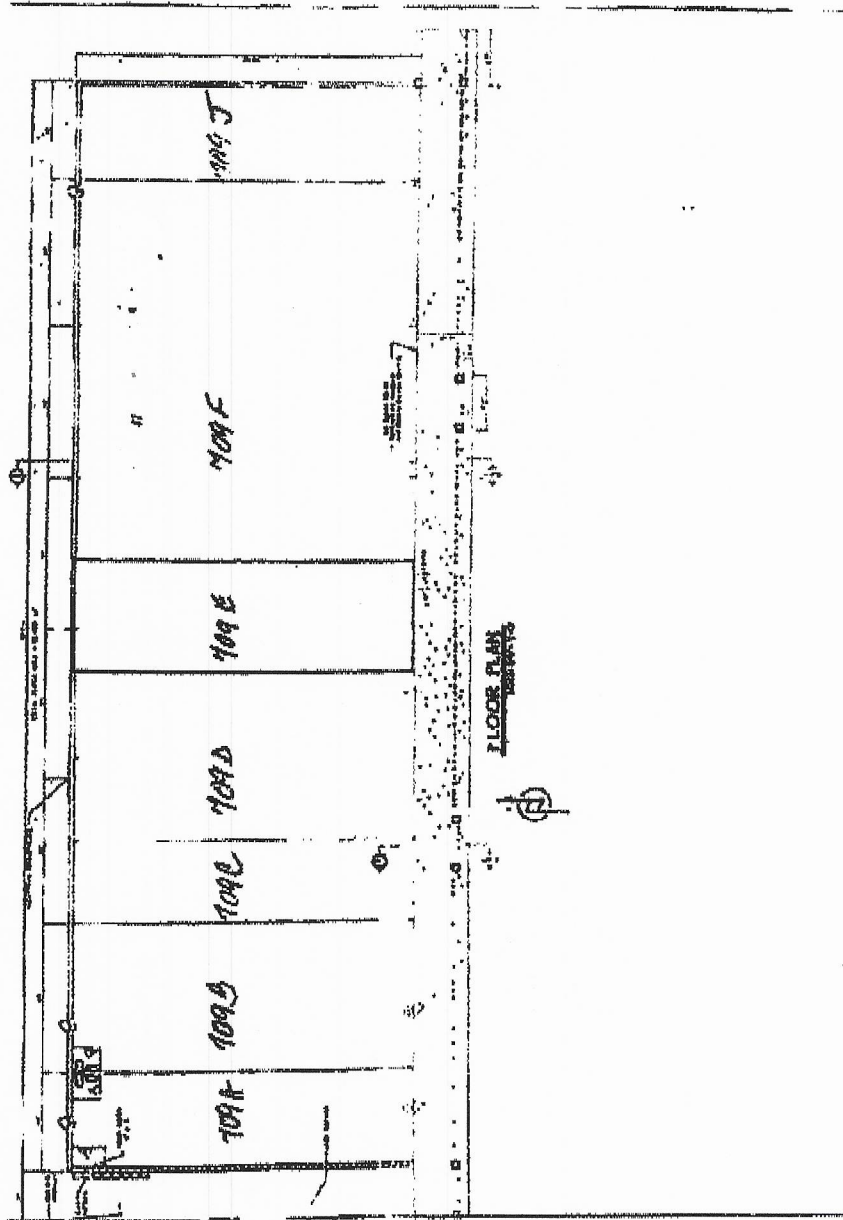
Thence Easterly a distance of 645 feet more or less to the centerline of Thomas Street as aforesaid;

Thence Southerly along the centerline of Thomas Street 17 feet more or less, to the place of beginning be the same more or less, but subject to all legal highways.

EXCEPTING therefrom that part lying Westerly of the centerline of Knapp Street extending Northerly.

Exhibit "C-1"

Site Plan



CITY OF SANDUSKY, OHIO
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING

PLANNING COMMISSION REPORT

APPLICATION FOR SITE PLAN APPROVAL FOR
1231 FIRST ST. (PARCELS 57-01436.000, 57-
05975.000, 57-01437.000, 57-01438.000, 57-
01436.001)

Reference Number: PSPOS21-0012

Date of Report: January 18, 2021

Report Author: Alec Ochs, Assistant Planner



City of Sandusky, Ohio Planning Commission Report

BACKGROUND INFORMATION

Property Owner:	CrossView Bay Ltd. 5003 Milan Rd., Sandusky, OH 44870 Sandusky, Ohio 44870
Site Location:	1231 First St.
Current Zoning:	"CR" – Commercial Recreation
Adjacent Zoning:	North: N/A East: "CR" – Commercial Recreation West: "GB" – General Business "R1-40" – Single Family Residential "CR" – Commercial Recreation South: "RRB" – Residential Business "CR" – Commercial Recreation
Existing Use:	Marina / Storage
Proposed Use:	Transient Occupancy / RV Park, and Marina / Storage
Applicable Plans & Regulations:	1149 Site Plan Review and Off-Street Parking 1137 Commercial Districts

SITE DESCRIPTION

The property at 1231 First St. is zoned CR—Commercial Recreation and it is surrounded by CR to East. To the south the parcels are zoned RRB and CR. The properties to the west are zoned CS, R1-40, and CR. There are no adjoining parcels to the North.

Zoning Map (subject property outlined in Blue)



Zone Map Setbacks



PUD - Planned Unit Development



Parcels



TRO - Transient Rental Overlay



Zoning

AG - Agriculture

CA - Commercial Amusement

CR - Commercial Recreation

CS - Commercial Service

DBD - Downtown Business

GB - General Business

GM - General Manufacturing

LB - Local Business

LM - Local Manufacturing

P - Auto Parking

PF - Public Facilities

R1-40 - Single Family Residential

R1-50 - Single Family Residential

R1-60 - Single Family Residential

R1-75 - Single Family Residential

R2F Two-Family Residential

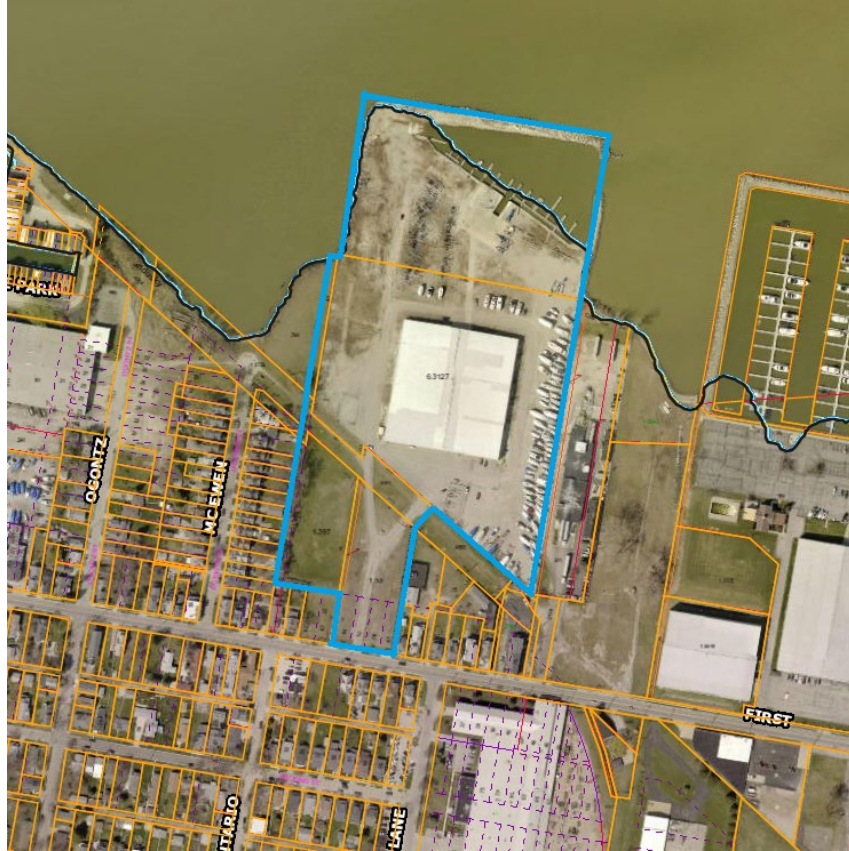
RB - Roadside Business

RMF - Multi-Family Residential

RRB - Residential/Business

RS - Residential Suburban

County Auditor Property Map (subject property outlined in blue)



Aerial Photo (taken March 2021)





Expected lighting to be used per RV site

PROJECT DESCRIPTION

The site of 1231 First St. sits on 19 acres and has a total building coverage of 12%. This property currently contains 5 parcels—1 parcel has a commercial structure, three parcels are undeveloped, and one parcel has a marina / dockage. The existing commercial structure totals about 93,600 sq. ft. The current building height is 25 feet.

The proposal contains 50 concrete-paved parking spaces for RV's and cars, a bath house, an outdoor pool, and asphalt-paved circulation/access roads. There are a total of 85 off-street parking spaces. The total paved area coverage will be 153,400 sq. ft. after the addition of 66,057 sq. ft. of proposed new coverage. The total landscaped area of the site is 87,000 sq. ft. Proposed lighting includes site lighting (example pictured above), wall pack lighting at the bath house to be defined at the time of building permitting, and entry/sign lighting to be defined at the time of sign permitting.

The applicant wishes to develop the parcel into a luxury recreational vehicle park as an amenity to the marina facilities currently in operation. Sites are also expected to be available to rent to customers other than marina customers. The proposed RV park is designed for the public to bring their own RV's but some sites are expected to have owner- provided moveable structures available for transient rental. Tent camping will not be permitted. Marina staff will operate the park during the daytime hours with one onsite resident manager for evening hours. The proposed park hours will be 24 hours a day with a quiet time from 10 pm – 7 am. The RV camping is anticipated to be seasonal (April – October). The marina is expected to be open year-round to allow for boat storage and maintenance in the existing building.

APPLICABLE CODE SECTIONS

1137.03 PERMITTED BUILDINGS AND USES, COMMERCIAL RECREATION DISTRICTS.

(a) Main Buildings and Uses.

(1) One- and two-family dwellings, boathouses, **motels;**

2. **I. Transient Occupancy.**

(b) Similar Main Uses. Any other recreational use not listed above or in any other use classification, and if determined as similar by the commission.

(1) Accessory off-street parking facilities as regulated and set forth in Chapter [1149](#); Planning Commission approved a similar main use for this property during the meeting of December, 2021. The RV resort is a similar main use to Transient occupancy / motels.

CHAPTER 1149

Site Plan Review and Off-Street Parking

1149.02 ACCESSORY PARKING FACILITIES REQUIRED.

(a) Whenever a building is constructed or new use established;

1149.05 SCHEDULE OF REQUIRED OFF-STREET PARKING.

(d) Business.

- | | | |
|-----|--|---|
| (1) | Gasoline service stations | 1 space per 2 gas pumps plus 2 spaces per bay |
| (2) | Medical and dental offices and clinics | 1 space per 200 sq. ft. floor area |
| (3) | Retail stores, banks, other office buildings, service establishments and auto repair shops | 1 space per 250 square feet gross floor area of ground floor; 1 space per 300 sq. ft. of other floors |
| (4) | Eating places, bars, taverns | 1 space per 100 square feet gross floor area |
| (5) | Marinas | 2 spaces per 3 boat slips |

(c) Amusement and Assembly.

- | | | |
|-----|---|--|
| (1) | Theaters, lodge halls, auditoriums, arenas, stadiums and other places of assembly | 1 space per 4 seats in building |
| (2) | Dance halls, skating rinks, swimming pools and arcades | 1 space per 50 sq. ft. of area used for dancing, skating or swimming |
| (3) | Bowling alleys | 7 spaces per alley |
| (4) | Mortuaries | 1 space per 40 sq. ft. of assembly room, or 1 space for each 4 seats, whichever requires the greater |
| (5) | Outdoor amusements | 1 space per 1,000 sq. ft. of lot area used for amusement purposes |

(a) Residential

- | | | |
|-----|---|--|
| (1) | One-family dwelling | 2 spaces/dwelling unit |
| (2) | Two-family dwelling | 2 spaces/dwelling unit |
| (3) | Rooming house, rented rooms | 1 space per roomer plus space for the resident family |
| (4) | Row dwelling or apartment | 1-1/2 spaces per dwelling unit |
| (5) | Hotels, motels, tourist homes | 1 space per guest room or suite plus parking for restaurant if any |
| (6) | Group homes | 1 space per two rooms, plus 1 space per staff person |
| (7) | Physician's office in private residence | Minimum 3 spaces |

1149.09 SURFACE IMPROVEMENTS OF PARKING AREAS.

(..)

(b) Landscaping shall be required for all surface parking lots along the sides immediately adjacent and parallel to streets, sidewalks, alleys, lawns, and adjoining surface parking lots. Landscape shall include a combination of hardy canopy trees, shrubbery, and ground cover as follows:

SUPPLEMENTAL NOTES / PLANNING DIVISION COMMENTS

After further analysis, staff feels that there is not a unit of measurement for parking requirements specific to this application.

Each RV site has parking for 1-2 vehicles. Staff opinion is this is sufficient parking for park customers and visitors. Short term parking is provided for the bath house, whose only users will be current customers of the RV park. Staff feels this is adequate for the site as proposed.

Landscaping has been added per staff comments during preliminary review. Additional landscaping is not required by the code since there is no consolidated parking area exceeding 25 spaces.

DETAILS ADDED SINCE 12/22/21 PRELIMINARY REVIEW MEETING

- Updated landscape plan
- Dumpster location
- Traffic flow and entry sequence
- Removal of 7 RV sites to accommodate nearby residential setback recommendations
- Topography & preliminary storm water plan
- Lighting specifications
- Parking details
- Expanded entry-drive shoulder at First Street

OTHER DEPARTMENT COMMENTS

Engineering Staff:

The Engineering Department looks forward to detailed plans including:

1. Civil plans (water/sewer), Storm generally looks OK.
2. Signage plan
3. Floodplain permit (and building plans) for bath house structure
4. Stormwater Pollution Prevention Plan (SWPPP)

Otherwise, Engineering Department's preliminary comments have been addressed.

Building Staff:

No objections. Additional submittals showing compliance with Ohio Building Code & ADA codes will be required.

Police Department:

No concerns have been received as of the writing of this report

Fire Department:

No concerns have been received as of the writing of this report

CONCLUSION/RECOMMENDATION

Staff recommends the approval of the proposed site plan at 2701 Cleveland Rd. Parcel: (57-01824.004) with the following conditions:

1. All applicable permits are obtained through the Building Department, Engineering Department, and any other applicable agency.



PLANNING COMMISSION

Application for Site Plan Approval

Department of Planning

240 Columbus Ave

Sandusky, Ohio 44870

419.627.5891

www.cityofsandusky.com

APPLICANT/AGENT INFORMATION:

Property Owner Name:

Cross View Bay, Ltd

Property Owner Address:

5003 Milan Road

Sandusky OH 44870

Property Owner Telephone:

419.609.7000

Property Owner Email:

jm@hoty.com

Authorized Agent Name:

John M. Hoty

Authorized Agent Address:

5003 Milan Road

Sandusky OH 44870

Authorized Agent Telephone:

419.609.7000

Authorized Agent Email:

jm@hoty.com

LOCATION AND DESCRIPTION OF PROPERTY:

Municipal Street Address:

1231 First Street, Sandusky OH 44870

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

Exhibits attached

Parcel Number:

Exhibit attached

Zoning District:

CR

DETAILED SITE INFORMATION:

Land Area of Property: 19 acres +/- (sq. ft. or acres)

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

Building #1: 93,600 (in sq. ft.)

Building #2: _____

Building #3: _____

Additional: _____

Total Building Coverage (as % of lot area): 12%

Gross Floor Area of Building(s) on Property (separate out the square footage of different uses – for example, 800 sq. ft. is retail space and 500 sq. ft. is storage space: 93,600 storage

Proposed Building Height (for any new construction): 25'

Number of Dwelling Units (if applicable): 57 mobile units

Number of Off-Street Parking Spaces Provided: 85

Parking Area Coverage (including driveways): 153,400 (in sq. ft.)
66,051 sq. ft. new coverage

Landscaped Area: 87,000 (in sq. ft.)

PROPOSED DEVELOPMENT (check those that apply):

- ☒ **New Construction (new building(s))**
☐ **Addition to Existing Building(s)**
☐ **Change of Use in Existing Building(s)**

Description of Proposed Development (Describe in detail your development plans, for example – proposed use, size of building or proposed addition, hours of operation, days of operation, seating capacity, etc.):

Attached Exhibit B

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

1-11-22

Date

PERMISSION TO ACT AS AUTHORIZED AGENT:

As owner of 1231 First Street (municipal street address of property), I hereby authorize Todd Hart, Kula Lynch to act on my behalf during the Planning Commission approval process.



Signature of Property Owner

1-11-22

Date

REQUIRED SUBMITTALS:

15 copies of a site plan/off-street parking plan for property
\$25.00 application fee

APPLICATION MUST BE FILLED OUT COMPLETELY

STAFF USE ONLY:

Date Application Accepted: _____ Permit Number: _____

Date of Planning Commission Meeting: _____

Planning Commission File Number: _____

SITE PLAN/OFF-STREET PARKING PLAN REQUIREMENTS

Site plan/off-street parking approval is required whenever a building is constructed or a new use is established; whenever an existing building is altered and there is an increase in the number of dwelling units, seating capacity, or floor areas of buildings; and whenever the use of an existing building is changed (Section 1149.02 of the Sandusky Zoning Code).

All plans submitted to the Planning Commission must be met, concise, accurate, complete and must be drawn to scale. Any plans submitted that are not drawn to scale will not be processed.

The following details are to be shown on the site plan/off street parking plan:

General Requirements

- A key plan showing the location of the property relative to the surrounding area (should include closest major streets).
- The plan must be drawn to a scale not smaller than 1" to 100'. An engineering scale must be used (for example, 1" = 10" or 1" = 20').
- All plans must show date of preparation and dates indicating any revisions to plans.
- All plans must include a north arrow oriented to the top of the page.
- A legend, in chart form, to include the following where applicable:
 - 1) Lot area
 - 2) Building coverage
 - 3) Total floor area
 - 4) Area of addition
 - 5) Building height
 - 6) Landscaped area
 - 7) Number of parking spaces provided

Design Details

- **Property Description:** The site plan should accurately reflect the size and shape of the property.
- **Buildings:** All buildings should be shown on the site plan indicating setbacks from all lot lines, distance between buildings, dimensions of all buildings,

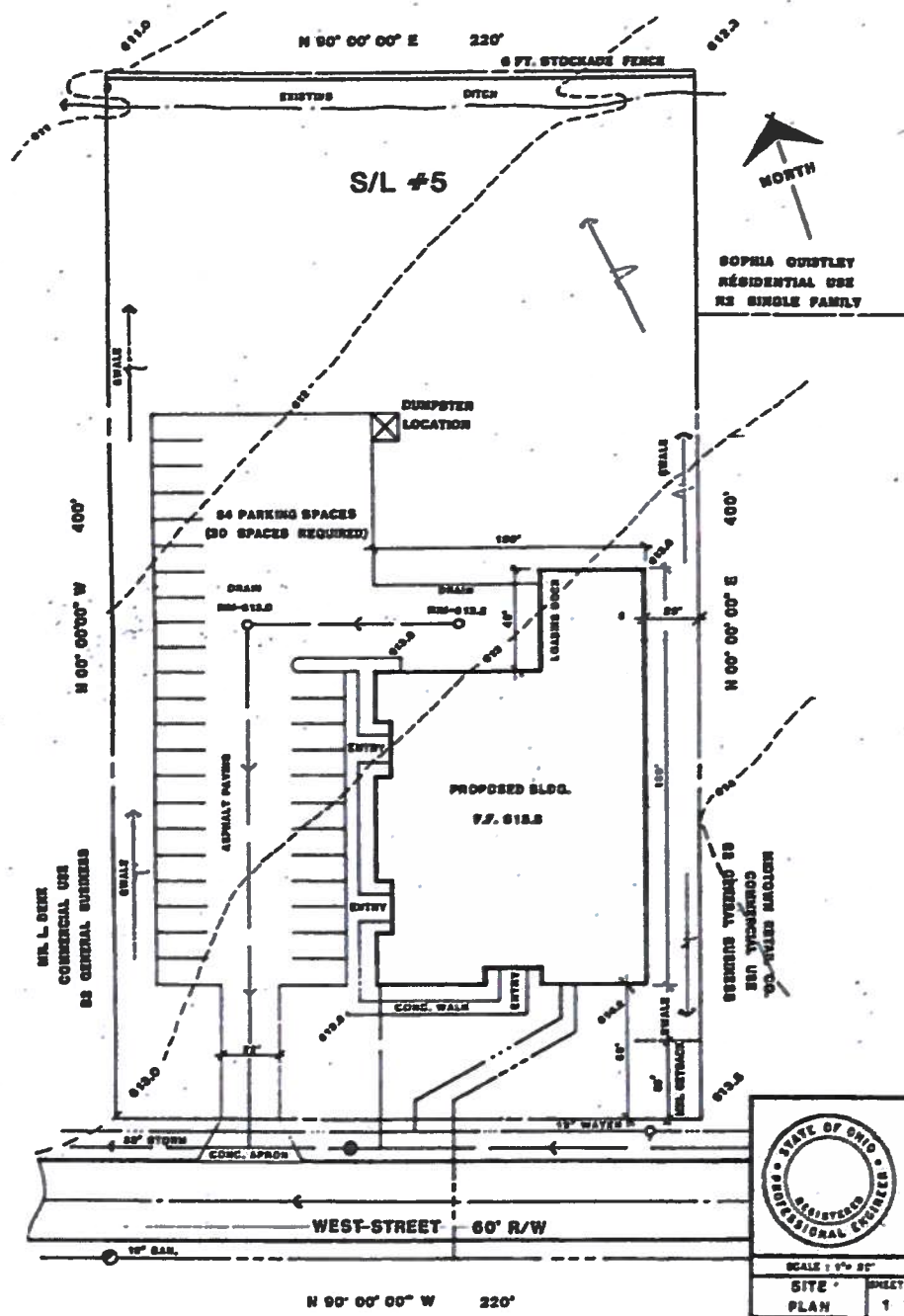
identification by type of each building and number of stories, and distances between buildings on adjacent properties.

- **Parking Areas:** Designated as to garages, carports, or open parking; with all spaces numbered and a typical parking stall dimensioned, poured concrete curbing (to be indicated by double lines) or bumper blocks pegged in place and surfacing material indicated (asphalt, paving stones, or concrete). If parking is underground, the extent of the underground garage and the location of ramps should be indicated.
- **Driveways and Ramps:** With dimensions, indicating vehicular circulation (if one way) and curbs (to be indicated by a double line). Show curve radii of curbs at all street access and driveway intersections.
- **Landscaping:** Location and identification of all landscaping features including planting beds, sodded areas, treatment of garbage collection areas and fencing including privacy fencing or screening. The type and location of lighting should also be included where appropriate.
- **Other Features:** With dimensions: retaining walls, protective railings, walks (indicating material), areas of recreation, play lots or areas to be landscaped, service and delivery access, outside garbage areas (to be screened on all sides), loading zones, road right-of-ways and easements (if any), and location of sewer and water lines. All property lines and public grounds on or adjacent to the subject site should also be indicated on the site plan.

An example of a site plan/off-street parking plan is attached.

It is noted that additional plans (drainage, landscaping, lighting, etc.) may be required by the Planning Commission and/or City Departments prior to the issuance of any building permits.

FIGURE 1
SITE PLAN



Parcel Numbers

1231 First Street

Known as Parcel 1

57-01436.000

57-01436.001

Known as Parcel 2

57-01437.000

57-01438.000

Known as Parcel 3

57-05975.003

Parcel 57-01435.000

1221 First Street

Parcel 57-01762.000

Transferred
 In Compliance with sections
 319-202 and 322-02 of the
 Ohio Revised Code

FEE \$ 100.00
 Exempt: None

R.E. TRANSFER:
 \$ 2075.00
 Richard W. Jeffrey
 Erie County Auditor

Trans. Fees: \$ 0
 Date: 3/11/16

Per O.R. 319.203

Erie County Auditor's Engineer
 Date

Barbara A. Seasier
 County Recorder, Erie County OH
 201806520 Total Pages: 3
 08/01/2016 02:00:52 PM Fees: \$36.00

Richard W. Jeffrey

QUIT CLAIM DEED

KNOW ALL PEOPLE BY THESE PRESENTS:

That **SANDUSKY BAY INVESTMENT COMPANY, LTD.**, an Ohio Limited Partnership,
 the Grantor,
 which claims title through documents recorded in
 Office, for valuable consideration received to its full satisfaction of: RN 9908360, Erie County Recorder's
CROSS VIEW BAY, LTD., an Ohio limited liability company,
 the Grantee,

whose Tax Mailing Address will be: 4918 Milan Road
 Sandusky, OH 44870

does give, grant, bargain, sell and convey unto the said Grantee and its successors and assigns, the premises
 (herein called "Premises") situated in the City of Sandusky, County of Erie and State of Ohio and more fully
 described on Exhibit A which is attached hereto and incorporated herein by reference.

To have and to hold the Premises with the appurtenances thereunto belonging, unto the said Grantee and its
 successors and assigns, so that neither the said Grantor, nor its successors and assigns, nor any other person or
 entity claiming title through or under it, shall or will hereafter claim or demand any right or title to the Premises
 or any part thereof; but they and every one of them shall by these presents be excluded and forever barred.

EXECUTED this 1 day of August, 2016.

HARTUNG TITLE ORDER # 537748

Writing Must Not Exceed Box Boundaries

SANDUSKY BAY INVESTMENT COMPANY, LTD.
 By: Sandusky Bay Development Company, its General Partner
Paula J. Rengel
 By: Paula J. Rengel, President

STATE OF OHIO

COUNTY OF ERIE

)
) SS:
)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named Sandusky Bay Investment Company, Ltd. by Sandusky Bay Development Company, its General Partner, by and through Paula J. Rengel, its duly authorized President, who acknowledged that she did sign the foregoing warranty deed and that the same is her free act and deed individually and as such officer and the free act and deed of said Company. I hereby state that either: (i) Paula J. Rengel is personally known to me or (ii) provided sufficient identification (driver's license, passport, etc.) to me.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Sandusky, Ohio, this
1 day of August, 2016.

Writing and Seal Must Not Exceed Box Boundaries



SALLY A. CROW
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES
JANUARY 25, 2019

This Instrument Prepared By:
Attorney John D. Frankel
WICKENS, HERZER, PANZA,
COOK & BATISTA CO.
414 Wayne Street
Sandusky, OH 44870-2709
14008-208\1457962\bas

Title to the real estate described herein has not been examined by Wickens, Herzer, Panza, Cook & Batista Co. and Wickens, Herzer, Panza, Cook & Batista Co. makes no warranty, representation or opinion (either express or implied) as to the marketability or condition of the title to the subject real estate, the quantity of lands included therein, the location of the boundaries thereof, the existence of liens, unpaid taxes or encumbrances, or the conformity of this deed to agreements between the Grantor and Grantee.

Exhibit 'A'
DEED LEGAL

Situated in the City of Sandusky, County of Erie and State of Ohio:
Situated in the Second Ward of the City of Sandusky, Erie County, Ohio and being part of
Lots 35 and 36, Darlings Survey East of Sycamore Line, and being part of that parcel of
land conveyed by Consolidated Rail Corporation to Sandusky Bay Realty, Inc., D.V. 526,
Pg. 388 more particularly described as follows:

Beginning for reference, at a cross cut found in the concrete sidewalk in the north Right of
Way line of First Street (50' in width) at the east line of said Lot 35, said point also being
the southeast corner of lands owned by Nancy Sharpe, D.V. 506, Pg. 714 and O.R. 101, Pg.
348, thence upon the east line of said tract, North $10^{\circ} 14' 34''$ East, 103.15 feet to a point
in the southerly line of the old pier track Right of Way, thence upon said Right of Way line
and with said lands of Nancy M. Sharpe and with lands of Robert C. Rengel Sr. and
LaDonna J. Rengel, D.V. 512, Pg 586, D.V. 513, Pg. 596 and D.V. 523 Pg. 996, North
 $46^{\circ} 45' 57''$ West, 414.22 feet to a 1" iron pipe found and the true point of beginning;

Thence continuing upon said Right of Way line and with lands of Sandusky Bay
Investment Company, Ltd., O.R. 292, Pg. 53, Parcel 2, North $46^{\circ} 45' 57''$ West, 377.74
feet to a 5/8" iron rod found in the west line of Lot 35 at the northeast corner of lands of
Sandusky Bay Investment Company, Ltd., O.R. 292, Pg. 53, Parcel 2;

Thence upon the west line of said Lot 35, South $10^{\circ} 15' 26''$ West, 35.78 feet to a 5/8" iron
rod found;

Thence North $46^{\circ} 45' 57''$ West, 17.71 feet to a 1/2" iron rod set in the east line of Brown
and McEwen Subdivision, P.V. 1, Pg. 69;

Thence upon said line and the northerly projection thereof, North $10^{\circ} 15' 43''$ East, 119.21
feet to a 1/2" iron rod set in the northerly line of said old pier track Right of Way and in the
southerly line of lands of Sandusky Bay Investment Company, Ltd., O.R. 292, Pg. 53,
Parcel 1;

Thence upon said line, South $46^{\circ} 45' 57''$ East, 17.83 feet to a 1/2" iron rod set in the west
line of Lot 35;

Thence upon said line, South $10^{\circ} 15' 43''$ West, 35.74 feet to a 3/4" iron pipe found;

Thence continuing upon said Right of Way line with said lands of Sandusky Bay
Investment Company, Ltd., O.R. 292, Pg. 53, Parcel 1, South $46^{\circ} 45' 57''$ East, 179.10 feet
to a 3/4" iron pipe found;

Thence continuing with said lands, North $10^{\circ} 17' 19''$ East, 35.73 feet to a 1/2" iron rod set;

Thence continuing upon the northerly line of said old pier track Right of Way and with
lands of Sandusky bay Investment Company, Ltd., South $46^{\circ} 45' 57''$ East, 243.91 feet to a
1/2" iron rod set;

Thence through the aforementioned lands of Sandusky Bay Realty, Inc., D.V. 526, Pg. 388,
South $43^{\circ} 14' 03''$ West, 70.00 feet to the point of beginning, containing 0.5609 acres,
more or less, subject to any easements, rights-of-way or restrictions of record.

This description was prepared by James A. Faetanini, P.S. Ohio R.L.S. 7379, from an
actual survey of the premises. Bearings herein are based upon an existing record bearing of
North $46^{\circ} 45' 57''$ West for the old Right of Way line of the railroad. *JAF*

End of Exhibit 'A' - Page 1 of 1

First American Title Insurance Company

OWNERS POLICY

Schedule A Continued

File No. E-27274SC

Policy No. 5011439-0162899e

4. Description Continued:

PARCEL NO. 1:

Situated in the Second Ward of the City of Sandusky, County of Erie and State of Ohio and being part of Lots 35 and 36 Darling's Survey East of Sycamore Line, City of Sandusky, County of Erie and State of Ohio and being more particularly described as follows:

Beginning at an iron pin set marking the intersection of the east line of McEwen Street with the north line of the Old New York Central Railroad Co. Right of Way as recorded in Deed Volume 38 page 28, Volume 30, pages 177 and 337 Erie County Deed Records said point being north $10^{\circ} 15' 43''$ east, 493.54 feet; thence north $46^{\circ} 45' 57''$ west, 157.57 feet from the southeast corner of lot 2 Brown's Subdivision Plat Volume 1 page 69 Erie County Plat Records; thence north $10^{\circ} 15' 43''$ east, along the projection of the east line of McEwen Street 60.17 feet to the low water mark of Sandusky Bay; thence north $36^{\circ} 39' 49''$ east, along the low water mark of Sandusky Bay, 189.52 feet to a point; thence north $67^{\circ} 46' 24''$ east, along the low water mark of Sandusky Bay, 98.30 feet to an assumed fill line; thence south $78^{\circ} 34' 39''$ east, along the assumed fill line, 614.19 feet to the low water mark of Sandusky Bay; thence south $47^{\circ} 21' 11''$ east, along the low water mark, 14.48 feet to the west line of Cellulo Co. as recorded in Deed Volume 122 page 534 Erie County Deed Records and an iron pin set; thence south $10^{\circ} 14' 34''$ west, along the west, line of Cellulo Co. 760.21 feet to an iron pin set; thence south $79^{\circ} 35' 46''$ east, along the south line of said Cellulo Co. 17.60 feet to the east line of Lot 35 and an iron pin set; thence south $10^{\circ} 14' 34''$ west, along the east line of said Lot 35, 28.60 feet to the north line of the Old New York Central Railroad Co. Right of Way and an iron pin set; thence north $46^{\circ} 45' 57''$ west, along the north line of the Old New York Central Railroad Co. Right of Way, 612.71 feet to a point and R-R Spike set; thence south $10^{\circ} 17' 19''$ west, along the north line of the Old New York Central Railroad Co. Right of Way, 35.78 feet to an iron pin found; thence north $46^{\circ} 45' 57''$ west, along the north line of the Old New York Central Railroad Co. Right of Way, 179.10 feet to an iron pin found; thence north $10^{\circ} 15' 43''$ east, along the north line of the Old New York Central Railroad Co. Right of Way, 35.78 feet to an iron pin set; thence north $46^{\circ} 45' 57''$ west along the north line of the Old New York Central Railroad Co. Right of Way, 175.28 feet to the point of beginning, containing 9.5643 acres more or less, but subject to all legal rights of way and easements of record.

North is based on the east line of Lot 35 bearing north $10^{\circ} 14' 34''$ east.

The above description is based on an actual survey in January of 1987 by Carl M. Feick, P.S. #7035 and revised February 25, 1988.

EXCEPTING THEREFROM the following described real estate as set forth in Deed Volume 379, Page 234:

(For Description of PARCEL NO. 1 see Schedule A Continued attached hereto and made a part hereof.)

First American Title Insurance Company
OWNERS POLICY
Schedule A Continued

File No. E-27274SC

Policy No. 5011439-0162899e

4. Description Continued:

PARCEL NO. 1 CONTINUED:

Being situated in the State of Ohio, County of Erie, Sandusky City, Second Ward, Part of OL #36 and further described as follows:

Beginning at a point marking the intersection of the east line of McEwen Street produced with the north line of the New York Central Railroad Company; thence S 47 ° 06' E along said north line of the New York Central Railroad Company a distance of 157.21' to a point; thence N 10 ° 00' E a distance of 357.12' to the low water mark of Sandusky Bay; thence continuing along said low water mark of Sandusky Bay S 73 ° 51' W a distance of 80.15' to a point; thence S 36 ° 01' W a distance of 138.30' to a point marking the intersection of the east line of McEwen Street produced with the low water mark of Sandusky Bay; thence S 10 ° 00' W along said east line of McEwen Street produced a distance of 111.60' to the point of beginning. Containing 0.789 acres more or less, but subject to all legal highways.

JS/ML

PARCEL NO. 2:

Situated in the Second Ward of the City of Sandusky, County of Erie and State of Ohio and being part of Lots 35 and 36 Darling's Survey East of Sycamore Line, City of Sandusky, County of Erie and State of Ohio and being more particularly described as follows:

Beginning at an iron pin set in the southeast corner of Lot number 2 McEwen Street (Brown's Subdivision Plat Volume 1 page 69, Erie County Plat Records); thence north 10 ° 15' 43" east, along the east line of Brown's Subdivision, 374.30 feet to the south line of the Old New York Central Railroad Co. Right of Way as recorded in Deed Volume 38 page 28, Volume 30 pages 177 and 337 Erie County Deed Records and an iron pin set; thence south 46 ° 45' 57" east, along the south line of the Old New York Central Railroad Co. Right of Way, 17.71 feet to an iron pin found; thence north 10 ° 15' 43" east along the south line of the Old New York Central Railroad Co. Right of Way, 35.78 feet to an iron pin found; thence south 46 ° 45' 57" east, along the south line of the Old New York Central Railroad Co. Right of Way, 377.73 feet to the west line of lands in the name of Robert Rengle Deed Volume 512 page 586, Volume 512 page 588, Volume 513 page 596 and Volume 523, page 996 Erie County Deed Records and an iron pin found; thence south 10 ° 24' 4" west, along the west line of the said Rengle lands, 327.68 feet to the north line of First Street and an iron pin found; thence north 79 ° 35' 46" west, along the north line of First Street, 166.02 feet to the east line of lands in the name of Thomas Lamarca Deed Volume 474 page 945 Erie County Deed Records and an iron pin found; thence north 10 ° 17' 19" east, along the east line of said Lamarca lands, 132.00 feet to an iron pin found; thence north 79 ° 35' 46" west, along the north line of said Lamarca lands and the lands of T. Ball and E. Ebeling Deed Volume 422 Page 9 and 378 page 445 respectively, 165.00 feet to the point of beginning, containing 2.7969 acres more or less but subject to all legal rights of way and easements of record.

North is based on the east line of Lot 35 bearing north 10 ° 14' 34" east.

The above description is based on an actual survey in January of 1987 by Carl M. Feick, P.S. #7035 and revised February 25, 1988.

(For Description of PARCEL NO. 3 see Schedule A Continued attached hereto and made a part hereof.)

First American Title Insurance Company
OWNERS POLICY
Schedule A Continued

File No. E-27274SC

Policy No. 5011439-0162899e

4. Description Continued:

PARCEL NO. 3:

Situated in the City of Sandusky, County of Erie and State of Ohio:

Situated in the Second Ward of the City of Sandusky, Erie County, Ohio and being part of Lots 35 and 36, Darlings Survey East of Sycamore Line, and being part of that parcel of land conveyed by Consolidated Rail Corporation to Sandusky Bay Realty, Inc., D.V. 526, Pg. 388 more particularly described as follows:

Beginning for reference, at a cross cut found in the concrete sidewalk in the north Right of Way line of First Street (50' in width) at the east line of said Lot 35, said point also being the southeast corner of lands owned by Nancy Sharpe, D.V. 506, Pg. 714 and O.R. 101, Pg. 348, thence upon the east line of said tract, North 10 ° 14' 34" East, 103.15 feet to a point in the southerly line of the old pier track Right of Way, thence upon said Right of Way line and with said lands of Nancy M. Sharpe and with lands of Robert C. Rengel Sr. and LaDonna J. Rengel, D.V. 512, Pg. 586, D.V. 513, Pg. 596 and D.V. 523 Pg. 996, North 46 ° 45' 57" West, 414.22 feet to a 1" iron pipe found and the true point of beginning;

Thence continuing upon said Right of Way line and with lands of Sandusky Bay Investment Company, Ltd., O.R. 292, Pg. 53, Parcel 2, North 46 ° 45' 57" West, 377.74 feet to a 5/8" iron rod found in the west line of Lot 35 at the northeast corner of lands of Sandusky Bay Investment Company, Ltd., O.R. 292, Pg. 53, Parcel 2;

Thence upon the west line of said Lot 35, South 10 ° 15' 26" West, 35.78 feet to a 5/8" iron rod found;

Thence North 46 ° 45' 57" West, 17.71 feet to a 1/2" iron rod set in the east line of Brown and McEwen Subdivision, P.V. 1, Pg. 69;

Thence upon said line and the northerly projection thereof, North 10 ° 15' 43" East, 119.21 feet to a 1/2" iron rod set in the northerly line of said old pier track Right of Way and in the southerly line of lands of Sandusky Bay Investment Company, Ltd., O.R. 292, Pg. 53, Parcel 1;

Thence upon said line, South 46 ° 45' 57" East, 17.83 feet to a 1/2" iron rod set in the west line of Lot 35;

Thence upon said line, South 10 ° 15' 43" West, 35.74 feet to a 3/4" iron pipe found;

Thence continuing upon said Right of Way line with said lands of Sandusky Bay Investment Company, Ltd., O.R. 292, Pg. 53, Parcel 1, South 46 ° 45' 57" East, 179.10 feet to a 3/4" iron pipe found;

Thence continuing with said lands, North 10 ° 17' 19" East, 35.73 feet to a 1/2" iron rod set;

Thence continuing upon the northerly line of said old pier track Right of Way and with lands of Sandusky Bay Investment Company, Ltd., South 46 ° 45' 57" East, 243.91 feet to a 1/2" iron rod set;

Thence through the aforementioned lands of Sandusky Bay Realty, Inc., D.V. 525, Pg. 388, South 43 ° 14' 03" West, 70.00 feet to the point of beginning, containing 0.5609 acres, more or less, subject to any easements, rights-of-way or restrictions of record.

This description was prepared by James A. Faetanini, P.S. Ohio R.L.S. 7379, from an actual survey of the premises. Bearings herein are based upon an existing record bearing of North 46 ° 45' 57" West for the old Right of Way line of the railroad. ~~78, 1411~~

For Assign, See Lease Vol. 43-Pg. 420-
See Right of Assign, see Lease Vol. 43-Pg. 688

Approval of
Assigns see
Lease Vol. 43
Pg. 690.

Assign to:
Dorsey Brown, Inc.
OR Book 7 Pg. 817

Assign changing
Assign to:
Sand Bay Park
see OR Book 4
Pg. 232.

Assign to
Sandusky Bay
Investment Co., Inc.
OR Book 292 Pg. 59.

025 104

LAND LEASE

WHEREAS, on April 2, 1965 pursuant to Section 123.031, Revised Code, a Finding and Recommendation to James A. Rhodes, Governor of the State of Ohio, was made by Alfred C. Glenow, Director of Public Works, pursuant to the application of the Farrell-Cheek Steel Company of Sandusky, Ohio received February 11, 1965 for the perpetual lease of Lake Erie submerged land, and

WHEREAS, under date of April 16, 1965, James A. Rhodes, the Governor of the State of Ohio, requested the Auditor of State by letter to proceed with a preparation of the draft of the lease carrying out the recommendations of the Director of Public Works;

NOW, THEREFORE, pursuant to the provisions of Section 123.031 of the Revised Code of Ohio, this lease is prepared for execution and delivery in accordance with Section 5301.13 of the Revised Code of Ohio and I, James A. Rhodes, Governor of the State of Ohio as lessor, for the consideration of \$10.00 having been paid to the City of Sandusky, the receipt of which is hereby acknowledged, does hereby grant and lease to The Farrell-Cheek Steel Company, as lessee, Sandusky, Ohio, in perpetuity for a permanent industrial improvement on the following described submerged lands:

Being in the City of Sandusky in Erie County, Ohio, northerly of First Street, between McEwen Street on the west and the northerly extension of Arthur Street on the east and commencing at the intersection of the northerly line of the New York Central Railroad Company right-of-way with the easterly line of Outlot No. 35; thence in a generally northwesterly direction, in the northerly line of said railroad right-of-way to the intersection thereof with the westerly line of the easement from First Street granted to the Cellulo Company by deed dated June 3, 1924 and recorded in Volume 122, page 534, said point of intersection being the point of beginning; thence in a generally northerly direction, in the westerly line of said easement and in the westerly line of the real estate conveyed in fee simple to the Cellulo Company in the last mentioned deed, to the present low water mark of Sandusky Bay; and thence continuing in the same course to within one foot of the dock line of the City of Sandusky, which dock line is approximately 1100 feet from the northerly line of First Street; thence in a generally westerly direction, parallel to the northerly line of First Street a distance of approximately 645 feet to the intersection of the northerly extension of the westerly line of Outlot No. 35; thence in a generally southerly direction in the westerly line of Outlot No. 35 a distance of approximately 800 feet to the northerly line of the aforesaid railroad right-of-way; thence in a generally

southeasterly direction, in the northerly line of such railroad right-of-way to the place of beginning, EXCEPTING therefrom that part thereof that lies southerly of the original shore line of Sandusky Bay, containing, exclusive of such exception, approximately 10.98 acres.

025 MAR 105

THIS LEASE IS GRANTED UNDER THE FOLLOWING TERMS AND CONDITIONS

- 1 - That the said lease shall be subject to assignment or transfer upon the approval of the Director of Public Works in each case.
- 2 - That the consideration for said lease shall be Ten Dollars (\$10.00) per year, payable to the City of Sandusky, Ohio, at such time and in such manner as may be prescribed by the City of Sandusky.
- 3 - This lease reserves to the State all mineral rights as required by Section 155.01 Revised Code, except that the removal of any such minerals shall be conducted in such a manner as not to damage any improvements placed by the littoral owner or lessee on such leased land.
- 4 - That the lessee and its assignees and transferees will comply with all state and local laws and ordinances in its use of the leased premises.
- 5 - Any violation of the terms and conditions of this lease by the lessee shall constitute grounds for the cancellation thereof at the option of the lessor.

IN TESTIMONY, I, JAMES A. RHODES, GOVERNOR, for and in the name of the State of Ohio, have signed this lease at Columbus, Ohio, and have caused the same to be countersigned by the Secretary of State, and the Great Seal

105

of the State of Ohio to be hereunto affixed this 26th day of April,
in the year of Our Lord, One Thousand Nine Hundred and Sixty-five.



THE STATE OF OHIO

BY James A. Rhodes
JAMES A. RHODES
GOVERNOR

Authorized Facsimile
(Ohio Rev. Code Sec. 107.15)

025 RE 106

APPROVED:

DATE

W. B. Saxe
WILLIAM B. SAXE
ATTORNEY GENERAL

COUNTERSIGNED

BY Ted W. Brown
TED W. BROWN
SECRETARY OF STATE

This instrument drafted
by CHESTER W. GOBLE
AUDITOR OF STATE

Recorded in the Office of the
Auditor of State, Various State
Lands Volume 4, Part 3, Page 88.

208612

FILED

1965 MAY 7 PM 3 57

CHAS. A. SPAIN
RECORDER
ERIE COUNTY AND

Recorded May 10th, 1965 in the Erie County
Index, Records, Vol. 851 Pg. 101, to 105 Incl.
Chas. A. Spain, Recorder

May 8, 1965
Charles B. Cunningham
Auditor - Fee 35¢

17
208612
May 10, 1965

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 57-01762.000

Situated in the City of Sandusky, County of Erie and State of Ohio: Being a parcel of land taken from the west part of Outlot No. 35, east of Sycamore Line and described as follows: Being 82-1/2 feet in width on First Street, next west of 12' alley located about the center of said lot, and running thence northerly at right angles to said First Street and with the same width for a distance of 132', said parcel may also be described as being Lots 62 and 63 on First Street, Sandusky, Ohio.

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ALTA Owner's Policy (08/17/2006)

AMERICAN
LAND TITLE
ASSOCIATION



Transferred	
in compliance with sections 319-322 and 322-02 of the Ohio Revised Code	
Fee \$	6.10
Receipt	
P.E. TRANSFER	
\$	201.00
Richard H. Jeffrey	
Erie County Auditor	
Trans. Fee	5.00
Date	7/16/17

Barbara A. Sessler
County Recorder, Erie County OH
281766381 Total Pages: 2
07/18/2017 11:47:20 AM Fees: \$28.00

GENERAL WARRANTY DEED

TROY D. KEEGAN, MARRIED, for valuable consideration paid, grants to
CROSS VIEW BAY, LTD., whose tax mailing address is 1221 First Street, Sandusky, Ohio
44870, the following real property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Permanent Parcel No.: 57-01782.000

Prior Deed Reference: RN200406980
Erie County, Ohio Official Records

These premises are transferred with general warranty covenants, excepting
taxes and assessments, both general and special, from the date of the recordation of this
deed and thereafter, which Grantee assumes and agrees to pay, easements, restrictions
and reservations of record and zoning ordinances, if any.

Patricia Keegan, Wife of Grantor, releases all rights of dower herein.

EXECUTED this 17th day of July, 2017.

Troy D. Keegan

Patricia Keegan

STATE OF OHIO, COUNTY OF ERIE ss

BEFORE ME, a Notary Public in and for said County and State, personally
appeared the above-named TROY D. KEEGAN AND PATRICIA KEEGAN, HUSBAND AND
WIFE, who represented to me to be said persons and who signed the foregoing instrument
and acknowledged the same as their voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at
Sandusky, Ohio, this 17th day of July, 2017.



Staci L. Mariscal
Notary Public
State of Ohio
My Commission Expires May 4, 2020

Prepared by Law Firm of TONE, GRUBBE, MCGORY & VERMEEREN, LTD., 1401 Cleveland
Road, Sandusky, Ohio 44870; Telephone: 419-528-0055.

EXHIBIT "A"

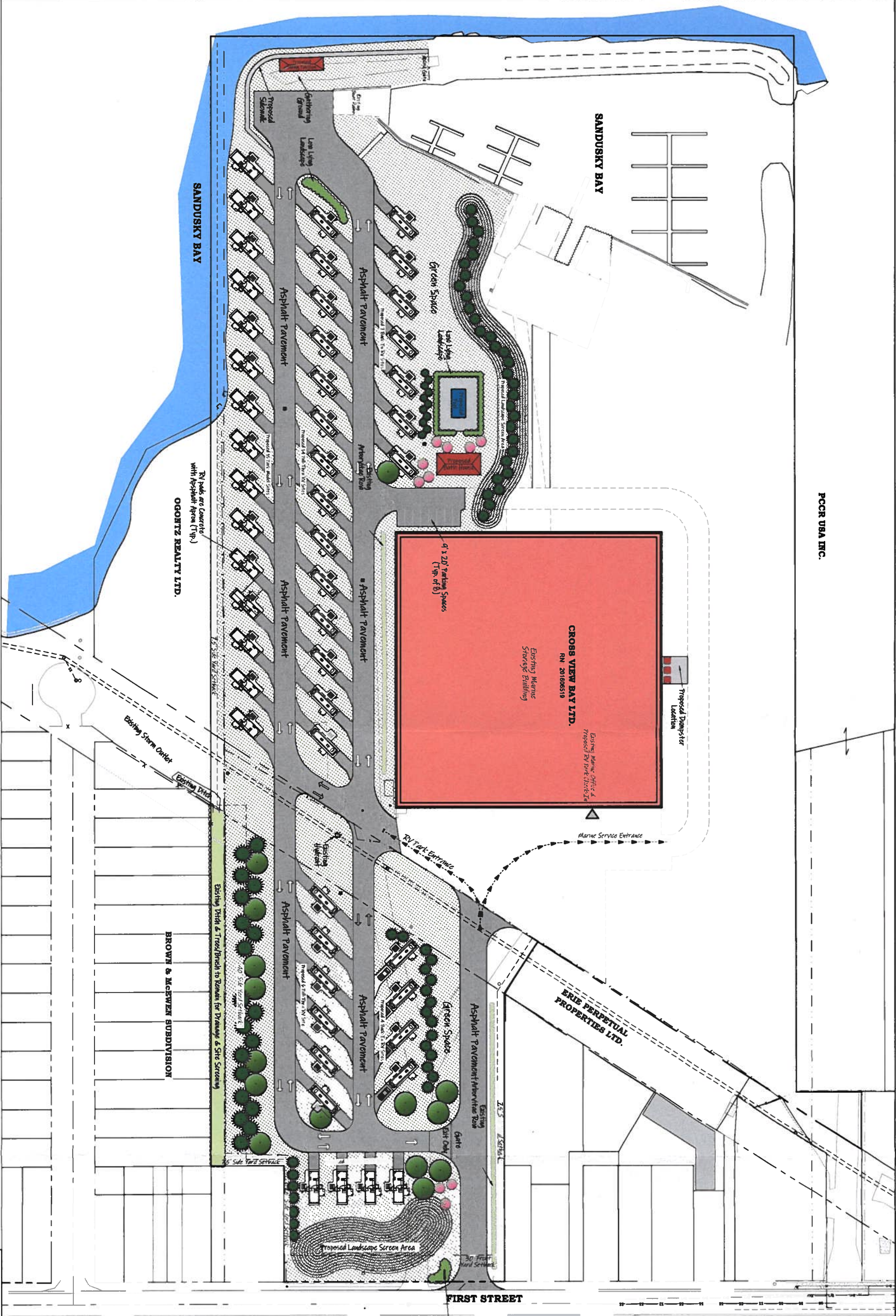
Order No.: 000171078

For APN/Parcel ID(s): 57-01762.000

Situated in the City of Sandusky, County of Erie and State of Ohio. Being a parcel of land taken from the west part of Quilt No. 35, east of Sycamore Line and described as follows: Being 82-1/2 feet in width on First Street, next west of 12' alley located about the center of said lot, and running thence northerly at right angles to said First Street and with the same width for a distance of 132', said parcel may also be described as being Lots 62 and 63 on First Street, Sandusky, Ohio.

Exhibit B

The proposed development is a luxury recreational vehicle vacation park. The park is planned as an amenity to nearby marina facilities managed by Hoty Marine Group, although the park will also be marketed to outside users if sites are available. The park is designed for clients to bring their own recreational vehicles, but there will also be park provided recreational vehicles or other manufactured movable structures that are available for transient rental. There will be no tent camping permitted. Additional amenities will include a park-like common area with view of the water, community center and outdoor pool for use by guests only. The hours of the park will be 24 hours per day, and we anticipate most of the operations being seasonal (April through October), but will likely keep the park open year round as boaters do work on their boats indoors during the winter season. Marina staff will operate the park during the daytime hours and we anticipate having an onsite resident manager for evening hours. The applicant will continue to use the existing building for winter storage of boats and this use will be buffered from the park by landscaping possibly fencing.



PCCR USA INC.

- LEGEND**
- Deciduous Trees
 - Ornamental Trees
 - Evergreen Trees
 - Grass
 - Asphalt Pavement
 - Concrete Pavement



CROSSVIEW BAYFRONT RESORT
WARD 2, CITY OF SANDUSKY, ERIE COUNTY, OHIO
LANDSCAPE PLAN



NO SITE LIGHTING TO BE ADDED
GROUND LIGHTING AT EACH PAD TO BE
PROVIDED BY INDIVIDUAL POWER
FEEDSTALK.

CONTRACTORS
DESIGN ENGINEERING
CONSULTING ENGINEERS & SURVEYORS
NORWALK, OHIO

SCALE: 1" = 50'
DATE: JANUARY 11, 2023
DWG: 21-417

PROJECT NO: 21-417

50 KV PADB

ZONING CLASSIFICATION:

Commercial Recreation District (CRD)

ZONING REGULATIONS:

Minimum Lot Frontage:	66 feet
Minimum Front Yard Setback:	30 feet
Minimum Rear Yard Setback:	15 feet
Minimum Side Yard Setback:	15 feet (Total Width of 2 Side Yards)
Maximum Building Height:	40 feet (Adjoining Residential)

NO SITE LIGHTING TO BE ADDED.
GROUND LIGHTING AT EACH PAD TO BE
PROVIDED BY INDIVIDUAL POWER
PEDSTALS.

CROSSVIEW BAYFRONT RESORT
WARD 2, CITY OF SANDUSKY, ERIE COUNTY, OHIO

PRELIMINARY SITE PLAN

SCALE: 1" = 50'		DATE: JANUARY 11, 2022		CDR. BY:	AGE
DR.	DMM			REV'D	
BY:				BY:	


SCALE:	DATE: JANUARY 11, 2022	C.U. BY:	ABE	PROJECT NO:
1" = 50'	DR. BY:	DMM	REVO BY:	21-417



ZONING INFORMATION	
ZONING CLASSIFICATION:	Commercial Recreation District (C9)
ZONING REGULATIONS:	<ul style="list-style-type: none"> Merriman Land Pooling: 65 feet Merriman Yard: 39 feet Merriman Rear Yard Setback: 15 feet Merriman Side Yard Setback: 15 feet (Front Width of 2 Sides Yards) Merriman Side Yard Setback: 40 feet (Adjoining Residential) Merriman Building Height: 40 feet

**NO SITE LIGHTING TO BE ADDED.
GROUND LIGHTING AT EACH PAD TO BE
PROVIDED BY INDIVIDUAL POWER
PEDISTALS.**

CROSSVIEW BAYFRONT RESORT
WARD 2, CITY OF SANDUSKY, ERIE COUNTY, OHIO
PRELIMINARY SITE PLAN



DESIGN ENGINEERING
CONSULTING ENGINEERS & SURVEYORS
NORWALK, OHIO

CONTRACTORS

SCALE	DATE	BY	CHK'D	REV'D	PROJECT NO.
1" = 50'	04.1 JANUARY 11, 2012	DAI	MMM	ABE	21-417

