



The Perchie Press 35cents

Volume I, Number 8

Covering the World from Kelleys Island, Ohio ©

August 30, 1991

November Races Draw a Crowd

Things changed quickly in the last several days before the filing deadline for the November elections. For a while it appeared that Don Haas might run unopposed for the Mayor's position, but in the waning moments four other candidates made their move and filed for the Mayor's position.

Early in the political season, Jake Martin and Ken Neuffer expressed interest in running for the position. However, they both decided against seeking the office and Don Haas entered the race. No one else would definitely commit to the campaign for Mayor until the last minute.

Two persons who filed petitions for Mayor by the August 22 deadline were considering running for Council. Chris Yako, of the Cricket Hollow Bed and Breakfast, and Kyle Paine, proprietor of Craft's, both entered the Mayoral race.

Ted Terry, of Sunrise Point, is also a candidate. Ted has recently been in the news because of his dispute with Kellstone Quarry.

The fifth candidate seeking the Mayor's position is the incumbent Rob McCullagh.

The contest for the two Council seats to be elected in November posted six entrants by the filing deadline. One of the incumbents, Chuck Herndon, is seeking reelection, while the other incumbent, Bob Gruly is not. Other seeking the positions on Council are Roger Carroll, Ila

Dick, Marcy Mielke, Ken Neuffer, and Buddy Yoscovits.

Jean Kuyoth, who was appointed in May as Village Clerk, will run unopposed for the newly combined position of Clerk-Treasurer.

In the school district election, half of the candidates will be victorious as four individuals seek the two positions up for election. The two incumbents of school board seats, Jessie Martin and Pat Haig, are both seeking another term. They are being challenged by Pam Betzenheimer and Nancy Stoup.

The race for the two openings on the Board of Public Affairs will have only three contestants. Dave Phinney, current President of the organization which administers the Village Water Utility, is seeking reelection. Bea Matso, a current appointed member of the BPA, is seeking a full term. The third challenger for the BPA is Donna Farmer.

There will be one issue on the November ballot. That will be a request for renewal of a 4.6 mill levy for another five years.

As of the filing deadline for candidates and issues, there were 320 registered voters according to list obtained from the County Election office. There have been rumors that some of the individuals on the roster of voters will be challenged as was done several years ago.

Voter registration cards may be obtained from the Village Clerk.

Shore District Zoning Sinks at First Launch

The rollout of the first version of the shoreline zoning ordinance stalled at the low water mark when it was brought up for its first discussion at a public hearing on August 22. The 11 page document is a spin-off of the Master Port Plan and is to be incorporated in the Village Zoning Ordinance. Funding for the Port Plan was provided by a grant of \$45,000 from the Ohio Department of Transportation, while the matching funds required of the Village were provided via the KI Chamber of Commerce through a Community Development study fund from GTE.

Chuck Herndon, chairman of the Planning Commission, ran into to stiff opposition from the audience when he attempted to bring the draft proposal to its first reading. More significantly, there were strong words and stiff opposition from other members of the Planning Commission, Ramie Dick and Marcy Mielke.

One of the inadequacies of the current zoning law is that it only went to the waterline, according to Chuck Herndon who conducted the hearing as Chairman of the Planning Commission. The proposed ordinance will remedy that situation by extending zoning 900 feet into the water to the Village Harbor Line.

The tone and general theme of the hearing was set early with a complaint by

Planning Commission member Ramie Dick that he had not had the opportunity to review the document in its current form. Herndon replied that the modifications that have been made to the document since the preliminary version were minor and had been discussed at the Planning Commission meeting.

The most recent draft of the proposed ordinance was not received from the Poggemeyer Design Group until two days before the hearing, and the only available copies were given to the Council members.

Ramie said "What's the big rush? What we are going to do here is going to affect Kelleys Island for generations. There is nothing wrong with getting the material printed up and distributed and let the people look at it, study it and talk about it over the winter and come back next spring" and act upon it.

Continued on page 2

Public Meeting on Assessed Water Line

The Board of Public Affairs will hold a public meeting on August 30, 1991 at 7:00 P.M. in the Village Office. The purpose of the meeting will be to discuss easements and assessments for the new water line. This concerns the assessed portion of the construction only.

Shoreline Zoning from Page 1

Herndon responded that he realized the timing left a little to be desired, but that he wanted to start the process while a lot of the weekend population was still on the island.

This was to be the first of the required three reading of the ordinance which would keep the process active for at least three months.

Councilman Don Haas objected to the inclusion in the ordinance of a provision allowing a private dock owner to rent a maximum of two slips. He said that constituted, in his opinion, a commercial usage and should not be allowed, or at least not mentioned. Once again the Mayor and Herndon argued that since no zoning was in effect on the water at present, that provision was more restrictive than what can, and does, happen today. They characterized the renting of dock space by an individual as being no different than renting out one's house.

Discussion then turned to the purpose of the ordinance, the content of which was read by Herndon at Mielke's request. The first item enumerated dominating discussion for the remainder of the hearing. ("a. Exercise local regulation of shoreline in regard to placing of unlawful encroachments therein. In no way shall these regulation interfere with the opportunity with the opportunity for water related commerce, navigation, fishing, and public

access to Lake Erie."). Items specifically discussed included the meaning of commercial development in the shore area and the right of public access.

The final arguments of the hearing involved Mayor McCullagh, Herndon, Mielke and Dick, all of whom are members of the Planning Commission.

Complaints were voiced about the content of the document by Mielke and Dick, saying that their input as members of the Planning Commission was not adequately reflected in the final form of the document. When Herndon responded that all of the issues in the ordinance were voted on by the Planning Commission, Dick questioned the legality of Herndon voting on matters as Chairman of the five member commission except to break a tie. Both the Mayor and Herndon insisted that the chairman can vote on all matters.

The Mayor expressed his dissatisfaction that two members of the Planning Commission, who had every opportunity to know the content of the ordinance, were now arguing they were excluded from the discussions.

It was finally agreed that additional time for consideration of the ordinance was needed and to allow members of the Planning Commission to reach a new consensus on some of the issues involved. Written comments were requested, and copies of the document were offered for sale. The Ordinance is printed in its entirety beginning on page 10.

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**Other Minutes
Other Meetings**

August, 1971

Mr. Cole reported that insurance on the Pavillion toilets would have to be a separate item. It was approved that an insurance policy in the amount of \$2,000 would be purchased to provide coverage on the toilets.



Jack Terry and Dave Phinney have a discussion over which program works better - Ultra Slim Fast or Weight Watchers.

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Village Gets Volunteer Help

The nice bright white paint job on the "fire shed" behind the old Village Hall was a volunteer effort from youngsters of the Sandusky YMCA. Eleven members under the skilled direction of John Mack, son of John and Nadine Mack, managed to paint not only the shed but a good part of themselves on Saturday, August 17. The group was to have used the Old Village Hall as a campsite, but a potential conflict with the need for the Hall by the Landowners Association for Homecoming, forced the kids to stay at the residence of the Macks where they had the lake as their sleeping companion.

Earlier in the month a group of individuals did clean of work at the Village Cemetery as part of their community service requirements received for various offenses, such as impaired driving.

Police Activity

The police activities for the first half of August included 20 arrests according to Chief Schnittker. In his report to Council, broke that number down as follows: four for open container, one for underage consumption, four traffic citations and ten parking tickets.

An increase in the number of patrols in the downtown area was instituted at the request of several Village officials. Numerous violations, such as open container, were allegedly occurring with regularity. The extra police presence will ease this situation.

The 911 system activity has been put on hold for a while, at least until after Labor Day. The countywide system has been scheduled to begin operation around the middle of December. Addresses for all homes on the island will have to be established, as will the marking of street numbers on houses will have to

be instituted for the efficient operation of the 911 system. Watch for updates in the Perchie Press about this matter.

The Village still has only one operational police cruiser. The blue Police car will be prohibitively expensive to repair, while the Green cruiser has an accumulation of oil in its cooling system. Talks have been conducted with Erie County sheriff John Magnuson concerning purchasing several of their vehicles.

Boat Noise Ordinance?

The subject of noise from boats, especially those characterized as Cigarette boats, was the subject of discussion at the August 22 Council meeting. It was reported that the subject of instituting a noise restriction as part of the shore district zoning

was being considered. This would require purchase of a decible meter in order to objectively single out violators.

Singled out for criticism was "Jaws", which was on the cover of the August 16th Perchie Press. The boat, owned by Dennis Kaiser, one of the owners of the Casino, is a high powered Express catamaran.

Butterfly Festival Set For September 14

The annual Butterfly festival, sponsored by the Kelleys Island Historical Society and celebrating the migration of the Monarch butterfly, will be held Sept 14.

The list of activities for the day long event, which include the tagging of Monarchs, will be included in the Perchie Press edition scheduled for September 13.



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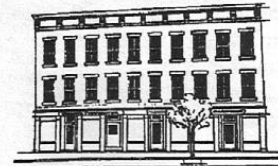
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Port Master Plan Public Hearing

The public hearing on the Port Master Plan on Saturday August 24, 1991 drew a crowd of around 85 individuals. The meeting was conducted at the Old Village Hall by Chuck Herndon and representatives of the Poggemeyer Design Group, consultants from Bowling Green who prepared the study.

In contrast to many recent meetings, this one stayed quite orderly and proceeded according to the plan.

A summary of the project, and the supporting document, was delivered by Mary Bielan. Questions from the audience were then fielded by Bielan, Herndon and Charlene Kerr, also from Poggemeyer.

Questions and comments ranged from criticism of the Chamber of Commerce and their advertising campaign to the cost of sewers.

The criticism of the Chamber was that they should restrict their advertising so that no more tourists will come to the island and disrupt things by increasing the need for services, and burdening the homeowner with the cost of the tourist while the business community reaped the benefits.

The question on sewers also was slanted at the cost, or accelerated future cost, of installing sewers because of increased demand as a result of increased growth. Charlene pointed out that even with no growth the potential exists that changes in regulations might require installation of sanitary sewers.

Another member of the audience voiced concern over how the roads could be maintained with all the heavy traffic that is now using them, such as gravel and cement trucks. Also mentioned was the increase in vehicle traffic that might be

associated with the new ferry line and the construction of the boat launch facility at the State Park. This drew a response that Poggemeyer had recently assisted the Village in the completion of application for Issue II grants, which are intended for repair and reconstruction of eh infrastructure.

Several residents of Addison Rd. voiced their objections to the proposed routing of State Park traffic from the new ferry along Addison to Church to Division Street.

Several others in attendance questioned the advisability of the tourist vistas, and challenged the item in the report that shows the end of Woodford road as Village property. The response from Herndon was that the Village could not construct the vistas on private property without permission of the land owner, who might be able to take certain tax advantages from allowing the use.

In response to others questions, Charlene Kerr said that a "no growth" plan is not legal. However the island has some unique devices most other communities do not possess to strictly control growth. The presence of flood plains, erosion area, wetlands, endangered species habitat, and historic assets all can be used in a coordinate program to severely restrict undesirable growth.

Copies of the entire Master Port Plan are available for review at the Village Offices and at the Library. The Village is also getting extra copies that will be available for sale to the citizens.

Over the coming months the Perchie Press will publish most of the information in the plan, as well as any comments on or changes made to it.

Dr. Boker Back from North Dakota

Dr. Heinz Boker will be back on the Island this weekend from his summer trip to Williston, North Dakota. For the past several years, Dr. Boker has donated his time to work with people who need medical care, and this year's trip was to a Chippewa Indian reservation. In a letter to Kit Moore, Dr. Boker described the area as being "real buffalo-type country—low flat-topped hills with valleys and gorges and almost no trees." One of Dr. Boker's previous trips was to Africa.

OOPS

A couple of last names got us in trouble in our last issue. Actually it was a couple of maiden names that got us in trouble. First in the

article on the November elections, Marcy Mielke was referred to by her maiden name. Ditto in the "Quick Quip Quote" where we put Mary Leszczynski in as her maiden name of Navorska. We do regret the oversights.

Also in the Classified Advertising section we referred to the Kelleys Island Historical Association as the Kelleys Island Histical Society

Water Truck to Spray Harbor Lane

The Kellstone Quarry has consented to provided the services of their water truck to apply water to Harbor Lane in an effort to control dust.

Jake Martin, Streets and Sidewalks Chairman, should be contracted about getting the road doused.



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Letters to the Editor

Thanks very much for the Perchie Press. Your style is entertaining and informative—I really appreciate the way you show/tell both sides of the issues and don't seem to editorialize all the time.

John Blatt
Put-in-Bay

Dear Perchie Press:

Idon't believe people would be so upset about the dump availability fee if it meant that the dump was available on any kind of regular basis. For the third time this year, I got to the dump during what would be presumably its "prime time" and it was closed each time. To make it even more aggravating, the winter hours are posted, but there is absolutely no indication of when the transfer station is open—at least not at the dump. (I understand, however, that the hours are posted at the Municipal Building—which I suppose makes as much sense as going to the dump to find out when the first day of school is).

I am not opposed to paying my \$85 per year, and I don't even complain that much about the 50 cents per bag, but it seems to me that people ought to be able to get rid of their garbage any time on Sunday, which is when most

of the cottagers leave. I have heard that people leave their trash outside the gates, and while that is tempting, it hardly seems fair to the poor guy who has to pick it up. He probably doesn't even know the hours either, except on a day-to-day basis.

Why aren't the dump hours posted at the dump, or published in your paper? It seems reasonable to expect that they would be.

Debbie Anello
Sheffield Lake

We agree that the subject of the hours of availability should get more widely distributed. But we have been just as surprised as you to go there several times only to find it closed.

We have worked hard at presenting an even handed treatment of the plight of the transfer station and would have loved to publish the hours when they changed. But we were remiss and missed the change in schedule also. We would have hoped someone would have contacted us.

We have attempted to publish information of importance to residents, no matter that they be lengthy and less than exciting. Witness the entire ordinance in this issue.

We will publish the hours from now on..

I just had to subscribe—must find out why Dick Navorska is upset with the Village.

Dave and Prindle LaBarge
Livonia MI

Sorry but you are going to have to wait one more issue for that one. See previous comment for what happen to all the space in this issue.

Dear Perchie Press People:

I really like the name of your paper. It's much more "classy" than the Smelt Sun Times or the Carp Chronicle. I tend to shudder whenever I think of anyone starting up a new publication. We've been at it since March of 1989 and are still only two weeks away from eating cat food if something should really go wrong. It's difficult to get a tow in the door, to say the least, especially in our area. You will see by our paper that we are sort of an alternative paper, rather than a "hard news" one. The other dailies and weeklies that surround us take care of all the raping, pillaging, mud, blood and gore quite nicely. Our only aim (besides hoping that sometime in the not-too-distant future we might be able to take a paycheck for ourselves) is to bring a chuckle or two into our readers' day.

I hope you are doing this as a part-time venture or, at least, have a couple of hundred thou behind you to get you through the hard times—and there are plenty of those. In other words, don't quit your day job! A friend of ours in Bluffton SC has been publishing a weekly for the past few years and recently announced that he was going to

The Perchie Press

PO Box 472
Kelleys Island, Oh 43438
419-746-2361

PUBLISHERS

Tim & Vicki Sullivan



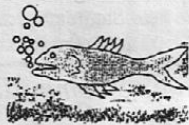
The Perchie Press is published twice monthly during the good old summertime; half that amount during the cold months. All rights reserved. No parts of this publication may be reproduced without the permission of the publisher, although we cant imagine why anybody would want to.

have to fold, the advertising and support just hasn't been enough for him to turn the corner into the black. We haven't as yet either. Our advertising base is beginning to grow as we finally have a couple of sales people out there and our territory is expanding further out from the Central UP and we have subscribers in most of the states.

We'll try to answer any questions you might have or steer you through some of the potholes of publishing. Best wishes and good luck. (Hey, at least you live on an island and have a captive audience.)

Yours in all my editorial regalness and splendor,

Judy Van Den Branden
Editor, Supreme Allied Commander
Porcupine Press
Trenary MI (in the middle of the Upper Peninsula)



THE PERCHIE PRESS
PO Box 472
KELLEYS ISLAND, OH 43438

NAME _____

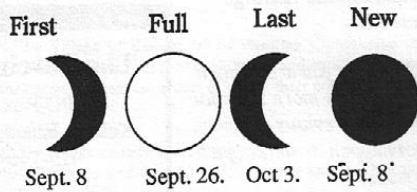
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Next Edition Scheduled for September 13, 1991

SUBSCRIPTION INFORMATION

Yearly subscription to the Perchie Press is \$15 for a planned 18 issues (twice monthly May-Sept, Monthly Oct- April). Simply fill out coupon at left and send to address shown.



A happy 30th wedding anniversary wish has been earned by June and Dick Navorska. They were wed on Sept. 9 1961 in St. Michael's Church here on the island by Rev. Gilbert Stopko. They then went on a 28 state tour for their honeymoon.

Ronnie Beatty is off traveling to celebrate his 57th birthday. He will be in Portland, Maine attending a service reunion with L. J. Greek.

Sandy Alexander was the victim of a surprise 50th birthday party at the home of Penny Kyle. Her only consolation was the many fifths of forgetting juice given her and the pleasure that she was one of the youngest in attendance.

Pat Johnson received a one caret diamond ring that she had been waiting for twenty years for at a suprise birthday party for her repeat 39th birthday.

Barb Shock announces the August 21, 1991 engagement of here daughter, Suzanne to Michael Daniel. The wedding is planned for June of 1993.

Miss Shock attends Bowling Green University and Mr. Daniel works for Kellstone.

Pat Haig report that Ken Haig is doing much better in the Hospital. Ken was burned by gasoline and taken off the island, but later released. He subsequently had to be hositalized with an infection.

And a sign at the Casino originally read "In Memory of Gorbeshhev, White and Black Russian Specials." Obviously atune to changing events, the "In Memory of " was crossed out and replaced with ""Welcome Back..."

Photo Contest Reminder

Time is running short for photographers to pick their best shots for the first Kelleys Island Photo Contest. The contest, sponsored by the KI Chamber of Commerce, has a top prize of \$50 (or two \$50 prizes, if more than fifty photos are entered. All photos become property of KICC and will be used in future advertising for the Island, so this is an opportunity for photographers to get their work in front of a large audience.

Contact Pat or Lori Hayes at 746-2258 or the Chamber at 746-2360 for details.

News from the Chamber of Commerce

The regular business meeting of the KI Chamber of Commerce was held on August 6, with several items discussed that that will be of interest to Island businesses.

The Erie County Visitors and Convention Bureau sent a new publication, "The Shore Line," which targets group tours and highlights places and events that appeal to that audience. Businesses and organizations are encouraged to contact Joan Van Offeran if they have an event coming up, or would like to increase the business they do with tour groups.

Islandfest '91 had a number of violations, according to Karen Cote of the Erie County Health Department, and she would like to work with the businesses for Islandfest '92 to insure that all are in compliance next year. A specific change for next year's festival is that restaurants will be responsible for their own food permits and for meeting all health requirements. It was also suggested that restaurants pay a booth fee next year to help offset the cost of the entertainment.

The Chamber received a complaint letter regarding State Park conditions, which it is forwarding to the Governor, ODOT, the State Park, and the Erie County Visitors and Convention Bureau.

The Chamber also contacted ten banks in the local area to ask them to consider putting an automated teller machine on the Island. First National Bank of Port Clinton responded with an explanation that it was impossible for them to place a machine here because of the problems of replenishing the cash supply on a daily basis,



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vault storage of extra cash, and service response in the event of equipment malfunctions. The 1992 edition of the Fun Finder will make it clear to tourists that they should plan to bring enough cash to the Island with them.

Upcoming KICC events include Treasure Island Day, a photography contest, and a clam bake. Details for all these events are elsewhere in this edition of The Perchie Press.

The next KICC meeting will be Saturday, September 14, at the Pavillion; officers for 1992 will be elected at that meeting. All current and prospective members are encouraged to attend. The last Chamber meeting of the year will be held Saturday, October 5, at 11:00 at the Pavillion.

Planning Commisison Meeting

The next meeting of the Village Planning Commission has been scheduled for Saturday August 7 1991 at the Village Building on Addison

Centerfold Maps Current and Future Land Uses

The usual Perchie map of the island has been replaced this issue with two maps from the Poggemeyer presentation for the Port Plan. The first one, on page 8, is their depiction of current land use.

The current land use is not a zoning map in that it shows the actual type of land usage across the island. In many cases this will not be the same as the underlying zoning. For example, numerous acres on the island have parkland or recreation areas as their usage, even though their zoning is residential. Also shown are areas such as airport usage, Village usage and Marina usage.

From the analysis of current land use, and input from various sources such as the Planning Commission and the Woolpert study, recommended future land use is proposed. The graphic representation of those future usage goals is shown in the map on page nine.

The most obvious change between the two maps involves the reclassification of the usage category of vacant land to a new zoning classification that would require a minimum lot size of one acre. The tracts recommended to be rezoned to this new classification (RIA) are generally those that have not been subdivided at the present time.

Present zoning law requires, in general, a minimum lot size of 15,000 sq. ft. for building. That is roughly one third of an acre. The recommendation for nearly tripling the required lot size for new subdivisions is rationalized, according to the report, on various inputs. The most substantial of these is the effect that high density building would have on the capacity of the physical attributes of the island to deal with the burdens of

population. The reason Kelleys is still an island, in large measure, reflects its geological strength of rock in the face of advancing glaciers. The rock that underlies most of the island at shallow depth, however, makes tough work for the control of waste and sewage from population. The installation of septic systems is now required as a prerequisite for building. The effective disposal of waste is hampered by this rock. Also, large areas of the island with adequate soil experience a high water table (especially during the spring) which also hampers filtration.

Other reasons given for a desirability of one acre lots include maintaining the residential character of the island, and alleviating traffic problems associated with high density housing development.

The one figure that is suspect in the arguments for increasing the lot size, is the often used figure that the potential for 6,000 new houses exist on the island. This number was arrived at by taking the total size of the island (in rough numbers) and subtracting out the land owned by the State, Village, and Cleveland Museum and assume that the remainder could be built on. Left out of this equation were the facts that streets and roads, quarries and ponds, existing homes, utility easements already exist. Naturally any future subdivisions would also have to allow for these losses of buildable acreage.

Another suggested zoning classification is that of a Planned Unit Development. This is a concept that whereby a developer can conceive of a plan that will meet the density requirement of, say, one dwelling per acre for the

whole development, but could cluster population closer than that in the development. This would allow, for example, the development of 15 closely spaced dwellings sitting on a 15 acre site. The remaining space could be devoted to open space, or common areas.

Other suggested changes would adopt several new zoning classifications to deal with park and preservation areas. These areas are currently zoned residential and could, conceivably, be sold off for that purpose. Specifically included in this category are the lands held by the Ohio Department of Natural Resources, the holdings of the Cleveland Museum of Natural History, Camp Patmos and the 4 H Camp. The two private parks and the State Campground would adopt a classification of Parks/Campgrounds in an effort to retain their character as this type of property in future years. The remaining State property and the Museum holdings would take on the character of a more restrictive Preservation/Memorial classification under the designs of the Port Plan.

Another new land use, and something of a departure from current land use, is the creation of an airport zoning classification. This would allow for the establishing of certain commercial operations with direct ties to aviation in the designated area around the current airport. Examples of these types of operations would be hangars, airplane service and related services, hotels, etc.

The designation of a similar classification having to do with water related commerce is also championed in the report. This classification would restrict development in those areas to commercial docks (ferries e.g.) industrial docks, or commercial marinas.

An enlargement of C2 Commercial zoning is recommended for the area on the northeast side of Cameron road.

Additional features of the Island's environment are also invoked for the future use and control of land use. Among these are the historic character of the island, and the existence, protection, and control of floodplains, wetlands, and erosion areas. And, as reported elsewhere, the future use of the shoreline is a subject of a separate zoning thrust.

EMT's Looking for New Members

The EMT's are hoping to graduate a new class this year to bolster their ranks on the island. At present there are only six EMT's to provide coverage. If anyone is interested in the program, contact an EMT or Russ Matso, Village Councilman.

Quick Quip Quote:

This little section reserved for the best quip or the most outrageous comment of the period as heard at public meetings. This issue we have a tie for the best, but they are sort of inter-related. One was spoken at the August 22 Council meeting and the other can be found on page VI-6 of the Port Master Plan. See if you can figure the common thread (or lack thereof).

1. From a east shore resident, whose name we can't remember, complaining that a couple making love on her beach should have to pay something. "They should have to pay a tariff for the territory they use..."

And the quote from print was in the definition of a bed and breakfast as an "owner occupied home which contains from one to four (sic) guest (sic) rooms for hire or for lodging". So they get the tariff either way (sick).

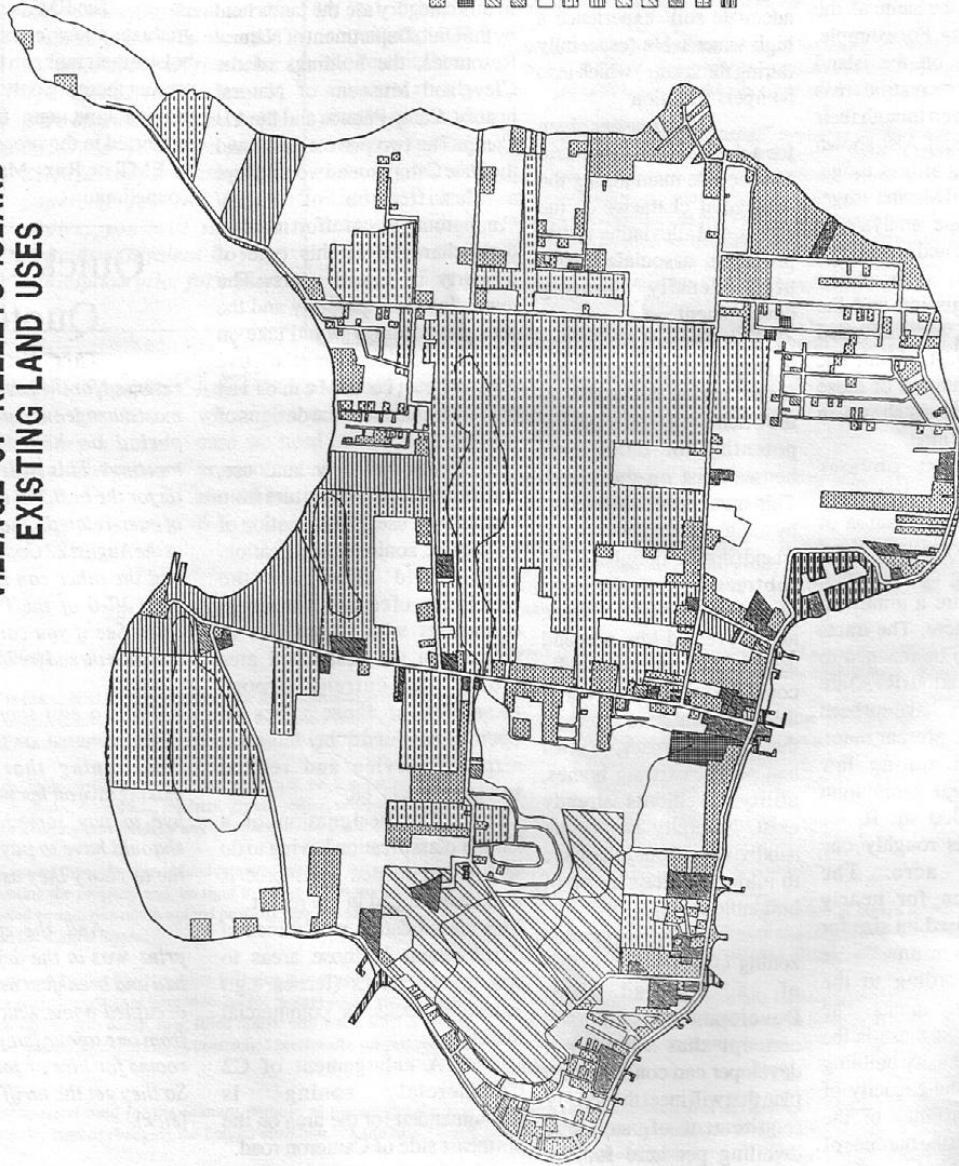
VILLAGE OF KELLEYS ISLAND EXISTING LAND USES



SCALE: 1" = 1500' ±

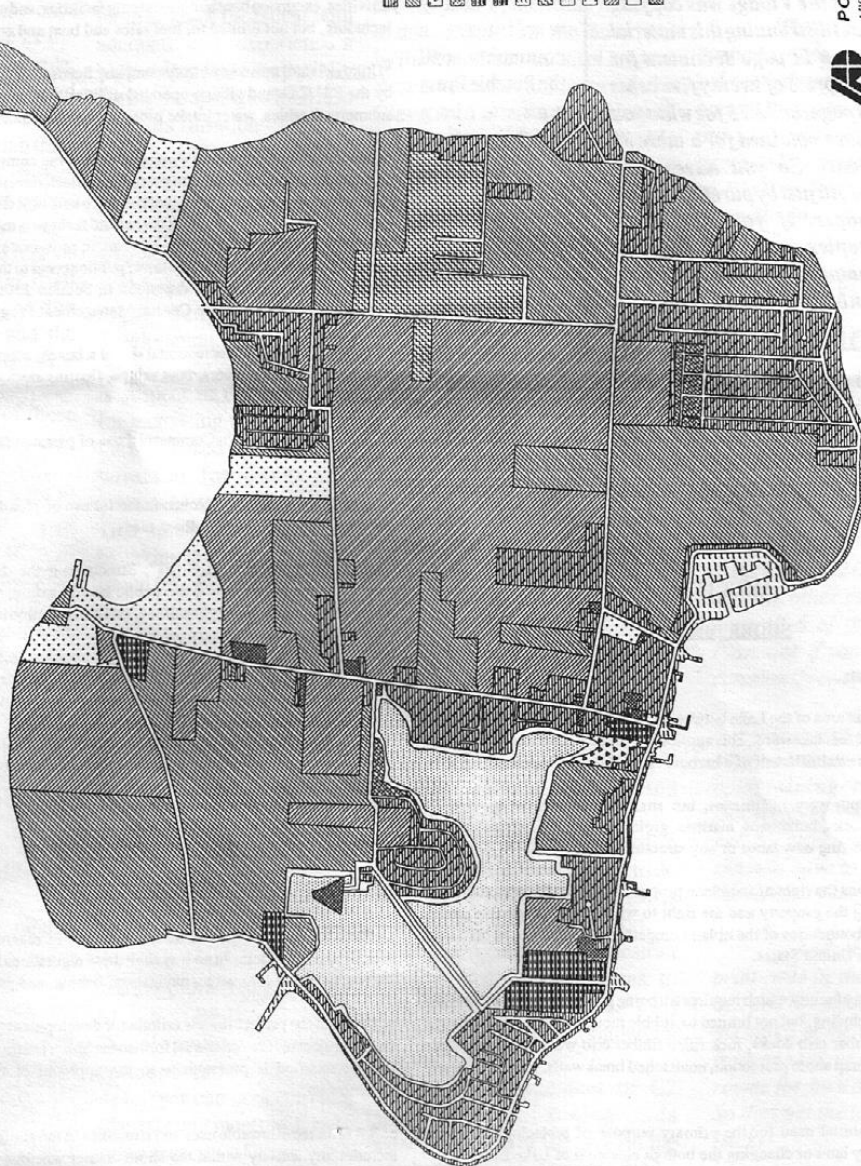
LEGEND

- S/F RESIDENTIAL
- M/F RESIDENTIAL
- TRAILER AREAS
- COMMERCIAL/LODGING
- VACANT/OPEN SPACE
- PRESERVATION AREAS
- PARKS/CAMPGROUNDS/BEACHES
- HISTORIC LANDMARKS/MEMORIALS
- QUARRY/MANUFACTURING
- INSTITUTIONAL/CHURCHES/VILLAGE PROPERTIES/UTILITIES
- AIRPORT
- MARINA/PORT FACILITY



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ARCHITECTS + ENGINEERS + PLANNERS
BOWLING GREEN, OHIO

VILLAGE OF KELLEYS ISLAND
FUTURE LAND USE PLAN



SCALE: 1"=1500'±

LEGEND

- RESIDENTIAL (R-1)
- RESIDENTIAL (R-1A)
- MULTI-FAMILY (R-3)
- TRAILER AREAS
- COMMERCIAL (C-1)
- COMMERCIAL (C-2)
- PORT
- AIRPORT
- INDUSTRIAL / QUARRYING
- PARKS / CAMPGROUNDS
- PRESERVATION / MEMORIALS
- BUFFER AREAS
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Shore District Zoning

The following draft consists of the entire contents of the new proposed draft of the shoreline zoning. This is to be inserted into the current zoning Ordinance, Ordinance 303. This material is subject to change and modification, in that it has

been brought to its official first reading as an ordinance. Public input was originally request to be submitted in writing prior to the end of August. But at the request of the Perchie Press, the comment period has been extended for a week until September 7th to allow readers

We would like to point out that the Village was copying and distributing this material as an 11 page document for the price of twenty five cents a page, or \$2.75 for what you have obtained for a mere 35 cents. So you have saved \$2.40 just by purchasing this paper. If you will buy 6 copies, you will save an amount equivalent to your subscription price for a year.

and recipient of this paper to read and absorb the material, and formulate comments. Written comments should be addressed to Chuck Herndon, chairman of the Planning Commission, and sent to P.O. 789 Kelleys Island.

If the hour is late or the lack of a stamp prevents you from making written comments, call the Perchie Press answering machine and leave your view (419-746-2361) We will transcribe and deliver to the Planning Commission on your behalf. Please leave you

name and a phone number where you can be reached in case we need clarification on your comments. All comments should reach us by September 6.

ARTICLE XVI SHORE DISTRICT

Sec. 1601 Definitions

"Shore District" is that area of the Lake between the natural shoreline or high water mark to a distance 900 feet lakeward. This applies to the entire shoreline of the Island and is Pursuant to the establishment of a harbor line by Village Ordinance No. 514.

"Development or Improvement" means, but shall not be limited to, wharfs, breakwaters, piers, docks, bulkheads, marinas, groins, jetties, revetments, and fill for the purpose of creating new lands or any structure of any kind.

"Littoral Rights" means the right of an upland property owner to the reasonable use of the waters fronting the property and the right to wharf out to navigable waters within the projected boundaries of the upland property, subject to the rights of the State of Ohio and the United States.

"Structures" means any facility which requires fill being placed upon the submerged land of Lake Erie, including, but not limited to, rubble mound docks, rubble mound walks, rock filled timber crib docks, rock filled timber crib walls, steel sheet pile walls, revetments, riprap shore protection, unattached breakwalls, precast concrete modular structures.

"Fill" means any material used for the primary purpose of replacing Lake Erie aquatic areas with dry land or changing the bottom elevation of Lake Erie.

"Private Facilities" means docks or structures placed within the waters of Lake Erie for the sole use of the upland owner and for their personal benefit.

"Semi-Private" means any facility built within the waters of Lake Erie where the upland shoreline property is held in common ownership by a residential association or the shoreline property is commonly used by residents of a trailer park, campground, or apartment complex.

"Commercial Port Facilities" shall mean any facility built within the waters of Lake Erie for the purpose of docking ferry boats that transport persons and freight to and from the Island.

"Industrial Port Facilities" shall mean any industrial facility including, but not limited to, loading and off loading facilities, industrial water intakes and outfalls, and fill to expand upland facilities or support facilities for such use.

"Commercial Marinas": Establishments providing water-oriented services such as yachting and rowing clubs, boat rentals, storage and launching facilities, sport fishing activities, excursion boat and sightseeing facilities, and other marina-related activities, including, but not limited to, fuel sales and boat and engine repair.

"Utilities" shall mean any utility company licensed to do business in the State of Ohio by the P.U.C.O. and village-operated utilities, for the purpose of, but not limited to, submerged cables, water intake pipes, and water outfall pipes.

"Ohio Coastal Management Program" means the comprehensive action of the State and its political subdivisions to preserve, protect, develop, restore or enhance coastal area resources in accordance with established objectives, policies, standards and criteria concerning protection of the natural resources in the coastal area; management of coastal development and redevelopment; preservation and restoration of historic, cultural and aesthetic coastal features; public access to the coastal area for recreational purposes; and as otherwise described in Section 1506.01(B) and (C) of the Ohio Revised Code and the Ohio Coastal Management Program.

"Beach Recreation": Recreational use of a beach, supported by sanitation facilities, parking, picnic sites, piers, boat ramps, floating docks and platforms and mooring buoys.

"Commercial Boating": Commercial use of pleasure craft or other vessel on a body of water.

"Recreational Boating": Noncommercial use of pleasure craft on a body of water, including regattas and speedboat races.

"Safety and Navigation Facilities": Structures in the shore zone or lake zone whose purpose is the protection of the public health, safety, and general welfare, such as navigational buoys, lighthouses, scientific monitoring devices, and radio communication devices.

"Water Borne Transit": Commercial use of a vessel rater by the U.S. Coast Guard for more than 30 passengers, where such passengers board and unboard at a single site.

"Shore Protection Structure": A structure specifically constructed to reduce or prevent erosion of the shore. Examples include, but are not limited to groins, jetties, seawalls, revetments, bulkheads and breakwaters.

Sec 1601-1 Purpose

The purpose of creating this ordinance is to:

- a. Exercise local regulation of the shoreline in regard to the placing of unlawful encroachments therein. In no way shall these regulations interfere with the opportunity for water-related commerce, navigation, fishing, and public access to Lake Erie.
- b. Set forth the project review criteria for development projects. Sufficient evidence that all project review criteria set forth in the Shore District Section of this Zoning Code will be satisfied is prerequisite to the approval of the project by the Planning Commission.
- c. Set forth the allowable uses and structures in the shore district. The concept of use includes any activity within the shore district whether related to land, water, air or other resources of the lake.

Continued on Page 11

7. Construction and access techniques used will minimize disturbance to the ground and vegetation.
8. The project will not adversely impact navigation or create a threat to public safety.
9. The proposed use will not interfere with the attainment of scenic vistas of Lake Erie.
10. The project will comply with the location and development standards outlined in Section 1601-6.
11. The project will not interfere with the littoral rights of adjacent property owners.

Sec. 1601-4 Permissible Uses and Structures

a. Permissible Uses — This section identifies the permissible uses in the shore district. Any uses that are incompatible with the following are prohibited.

1. Beach Recreation (where designated)
2. Commercial Boating
3. Water-borne transit (to include ferry boat, tour boat, barge and shipping activity)
4. Fishing
5. Recreational Boating
6. Industrial Barge Operations

b. Permissible Structures — The following structures shall be permitted in the shore district. Structures not listed in this section are prohibited. Shore protection structures and utilities may be permitted independent of the primary upland property use.

1. Boat Ramps
2. Piers and Docks (including Floating Docks and Platforms)
3. Mooring Buoys
4. Utility Lines
5. Safety and Navigational Facilities
6. Shore Protection Structures including Bulkheads
7. Flush mount and swivel hoists or overhead hoists in boat ports
8. Unenclosed boat port/wells
9. Gazebos and Decks

c. Structures with Designated Locations — The following facilities shall only be permitted where designated in Section 1601-6 of this ordinance.

1. Commercial Marinas
2. Commercial Port Facilities
3. Industrial Port Facilities

d. Non-Conforming Structures — If an existing non-conforming structure is voluntarily

discontinued for a period of two years, any subsequent use shall comply with the regulations set forth in Section 1601-3 of this ordinance.

Sec. 1601-5 Existing Structures

a. Applicability — Structures legally existing in the shore district prior to the effective date of this ordinance or structures legally constructed after the effective date of this ordinance are recognized as existing structures provided the structure has not been unserviceable for more than five years. Expansion and alteration to existing structures shall be subject to the project review procedure outlined in Section 1601-7(b) of this ordinance.

b. Definition of Expansion or Alteration — An expansion is defined as an increase in the size or extent, including an increase in the dimensions of a structure, change in configuration of a structure and the addition of any structure or edifice to an existing structure including floating docks. An alteration is the replacement or reconstruction of, or modification to, the members of a structure that affect the weight bearing or strength capacity of the structure.

c. Exempt Activities — Ordinary maintenance and repair which is the replacement of, or modification to parts of a structure that do not affect the dimensions, weight bearing or strength capacity of the structure shall not be subject to review and approval by the Planning Commission.

d. Abandoned Structures — Any structure in obvious need of repair or maintenance that has been neglected for more than a five-year period will be considered to be abandoned and could be subject to removal by the Village of Kelleys Island provided proper notification is given to the owner. Any costs incurred by the Village in removing a structure will be charged to the owner's tax duplicate.

Sec. 1601-6 Location and Development Standards

a. Applicability — All developments and improvements lakeward of the shoreline shall comply with the standards and provisions set forth in the Section. All expansions

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12 The Perchie Press August 30, 1991

and alterations to existing structures shall also comply with these standards and provisions.

b. **Authority** — The Village of Kelleys Island Planning Commission shall be responsible for reviewing applications for development and improvements as well as applications for expansion and alteration to assure their compliance with this section.

c. **Private Facilities** — These are defined as docks and structures placed within the waters of Lake Erie for the sole use of the upland owner and for their personal benefit.

1. Private facilities shall be located where the upland property is designated R-1 Residential and R-1A Residential in the Future Land Use Plan.
2. Docks shall have no more than five slips or spaces for five boats per residential lot with a maximum of two of those spaces to be used for rental purposes.
3. No more than one boat ramp per residential lot shall be constructed. Plans submitted with the application for a zoning certificate must demonstrate that traffic will not be impeded and that adequate parking will be provided.
4. Mooring buoys shall be restricted to two per residential lot.
5. The location of fueling facilities at private docks or boat ramps shall be prohibited.
6. For each dock or boat ramp constructed there shall be a minimum of two off street parking spaces provided.
7. Boat Port/wells shall have a roof only and shall not exceed a height of one story or 22 feet above ordinary high water provided that the height also meets the provisions of Section 401.4(h) of this Zoning Code.
8. A maximum of two covered unenclosed boat port/wells and a maximum of two out of the water lifting devices are permitted and shall be designed and constructed as a unit.
9. All of the above (1-7) shall be installed so that the boat lifted, stored, docked or moored is a minimum of ten feet from the projected boundaries of the upland property.

d. **Semi-private Facilities** — These are defined as any facility built within the waters of Lake Erie where the upland shoreline property is held in common ownership by a residential association or the shoreline property is commonly used by residents of a trailer park, campground, or apartment complex.

1. Semi-private facilities shall be located where the upland property is designated R-3 Residential, or Parks/Campgrounds in the Future Land Use Plan.
2. In the case of lots where the shoreline area is commonly owned or commonly used, docks shall have no more than one slip per residential unit. When the shoreline area of the lot is for the use of visitors, e.g. campgrounds and motels, docks may be constructed with no more than one slip for every four visitor units. If seven or more slips are contained on one dock, the facility shall be subject to state regulations regarding marina operations.
3. No more than one boat ramp per lot shall be constructed. Plans submitted with the application for a zoning certificate must demonstrate that traffic will not be impeded and that adequate parking will be provided.
4. Mooring buoys shall be restricted to two per lot.
5. The location of fueling facilities at semi-private docks or boat ramps shall be prohibited.
6. For each dock or boat ramp constructed there shall be a minimum of two off-street parking spaces provided.
7. Boat port/wells shall have a roof only and shall not exceed a height of one story or 22 feet above ordinary high water provided that the height also meets the provisions of Section 401.4(h) of this Zoning Code.
8. A maximum of two unenclosed boat port/wells and a maximum of two out

of the water lifting devices per lot are permitted and shall be designed and constructed as a unit.

9. All of the above (1-7) shall be installed so that the boat lifted, stored, docked or moored is a minimum of ten feet from the projected side lot lines.

e. **Commercial Port Facilities, Industrial Port Facilities and Commercial Marinas** — Commercial Port Facilities shall mean any facility built within the waters of Lake Erie for the purpose of docking ferry boats that transport persons and freight to and from the Island. Industrial Port Facilities shall mean any industrial facility including, but not limited to loading and off-loading facilities, industrial water intakes and outfalls, and fill to expand upland facilities of support facilities for such use. Commercial Marinas shall mean establishments providing water-oriented services such as yachting and rowing clubs, boat rentals, storage and launching facilities, sport fishing activities, excursion boat and sightseeing facilities, and other marina-related activities, including, but not limited to, fuel sales and boat and engine repair.

1. Commercial and industrial port facilities and commercial marinas shall be located in areas designated Port District in the Future Land Use Plan.
2. Marinas shall be subject to the limitations of state regulations regarding marinas.
3. At marinas, adequate parking shall be provided and is considered to be one parking space per permanent slip and one parking space for every six transient slips.
4. Moorings located at commercial port facilities shall not be permitted if they interfere with safe navigation.

f. **Shoreline Protection**

1. Shoreline protection shall be located where necessary to reduce or prevent erosion.
2. Shoreline protection structures include but are not limited to groins, jetties, seawalls, revetments, bulkheads and breakwaters.

g. **Fences**

1. Fences shall only be permitted where necessary to protect the health and safety of the general public and to protect property adjacent to public access from trespass.
2. Fences shall be so constructed as to not interfere with scenic vistas of Lake Erie.

h. **Roofs**

1. Roofs shall only be permitted on boat port/wells.
2. Roofs shall be made of non-glare materials and earthen colors.

Sec. 1601-7 **Administration**

a. **Authority** — The Village of Kelleys Island Planning Commission shall be responsible for reviewing applications for development of or improvements to permissible structures as well as expansion and alterations to existing structures in the shore district to determine if they are in accordance with the provisions of this ordinance.

b. **Project Review Procedure** — Applications for development and improvements as well as expansion and alterations shall be made in accordance with the procedure outlined in Article IX of the Zoning Code with the following exceptions:

1. When the project under review is subject to the issuance of a Submerged Lands Lease from the Ohio Department of Natural Resources Submerged Lands Coordinator and/or a Section 10 and/or Section 404 permit from the Army Corps of Engineers, a copy of the appropriate permit application(s) shall be filed with the local application. Upon receipt of the local application, the Zoning Inspector shall send a notification of the project application to all property owners within 500 feet of the project advising them of the application and their right to request a public hearing with the Planning Commission

The Kelleys Island Chamber of Commerce and The Perchie Press Say Thanks To All Who Gave Generously So That the Islandfest Fireworks Were So Great

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Continued from Page 13

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b. Project Review Procedure — Applications for development and improvements as well as expansion and alterations shall be made in accordance with the procedure outlined in Article IX of the Zoning Code with the following exceptions:

1. When the project under review is subject to the issuance of a Submerged Lands Lease from the Ohio Department of Natural Resources Submerged Lands Coordinator and/or a Section 10 and/or Section 404 permit from the Army Corps of Engineers, a copy of the appropriate permit applications(s) shall be filed with the local application. Upon receipt of the local application, the Zoning Inspector shall send a notification of the project application to all property owners within 500 feet of the project advising them of the application and their right to request a public hearing with the Planning Commission within 30 calendar days of the date of application.
2. When the project requires a Submerged Lands Lease, the Village Council must issue a resolution approving the proposed application provided the project complies with local permissible land uses. This is pursuant to Section 1506.11(B) of the Ohio Revised Code. This resolution must be sent to the Submerged Lands Coordinator and must describe the project area in metes and bounds, and state that the submerged land is not necessary or required by the Village for the construction, maintenance or operation of structures in aid of navigation or water commerce.

The resolution must also state that the land uses specified in the application comply with the regulations of permissible land uses under the Village Port Plan and this Zoning Code. The resolution shall be issued within 60 calendar days from the date of the application.

3. When a submerged Lands Lease is required, a zoning certificate shall be issued after a copy of the lease is received by the Planning Commission.
4. When a Section 10 and Section 404 permit are also required for the project, the Zoning Inspector shall not issue the zoning certificate for the project until the required permits are secured by the applicant.

Sec. 1601-8 Appeals

When an application for a zoning certificate is denied by the Planning Commission, the applicant may appeal in accordance with the procedure outlined in Article X of the Zoning Ordinance

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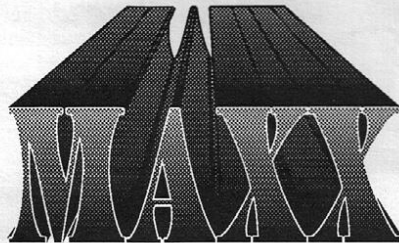
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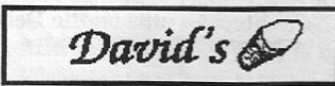
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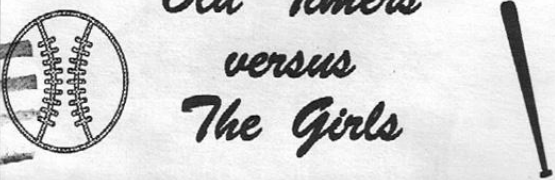
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