

COUNCIL CHAMBER

VILLAGE OF KELLEYS ISLAND, OHIO

RESOLUTION NO. 2022 – O - 03

INTRODUCED BY: MAYOR RONALD E EHRBAR

A RESOLUTION DECLARING THAT CERTAIN LANDS KNOWN AS 201 LAKESHORE DRIVE WEST, KELLEYS ISLAND, OHIO, UNDERLYING LAKE ERIE AND LOCATED WITHIN THE TERRITORIAL LIMITS OF THE VILLAGE OF KELLEYS ISLAND, OHIO, ARE NOT NEEDED FOR DEVELOPMENT OR IMPROVEMENT.

WHEREAS, Zachary Zettler is making application to the Ohio Department of Natural Resources for a permit to perform certain construction in certain territory being a parcel of land in Lake Erie, known as 201 Lakeshore Drive West, Kelleys Island, Ohio, underlying Lake Erie and more fully described hereinafter; and

WHEREAS, the aforesaid Zachary Zettler is making application to the Ohio Department of Natural Resources for a lease of certain Lake Erie submerged land contained within the property hereinafter described; and

WHEREAS, pursuant to Ohio Revised Code 1506.11, the Council of the Village of Kelleys Island, Ohio, has determined that the lands underlying the waters of Lake Erie contained within the property hereinafter described are not necessary or required by the Village of Kelleys Island, Ohio, for the construction, maintenance, or operation by the Village of Kelleys Island, Ohio, of breakwaters, piers, docks, wharfs, bulkheads, connecting ways, water terminal facilities, and improvements and marginal highways in aid of navigation water commerce; and

WHEREAS, it is deemed necessary for the immediate preservation of public health, safety, convenience, comfort, and general welfare of the community, the Village Council finds that an emergency now exists regarding the aforesaid and that it is deemed advisable to declare this Resolution to be an emergency measure to take effect immediately upon its adoption and due authentication by the Mayor and Clerk respectively.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF KELLEYS ISLAND, COUNTY OF ERIE AND STATE OF OHIO AS FOLLOWS:**

**SECTION 1.** That it is hereby found and determined that the submerged lake land underlying Lake Erie within the territorial jurisdiction of the Village of Kelleys Island, Ohio, known as 201 Lakeshore Drive West, Kelleys Island, Ohio, which is contained in the description on Exhibit "A", attached hereto and made a part hereof, is not needed or required by the Village of Kelley Island, Ohio, for construction, maintenance, or operation by the Village of Kelleys Island, Ohio, of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements and marginal highways in aid of navigation and water commerce.

**SECTION 2.** That the Village of Kelleys, Ohio, does currently have in effect a Shoreline Ordinance regulating land uses along the water, including piers, the proposed structure to be constructed herein. Therefore, it is hereby found that the construction of a pier, relative to the submerged lands known as 201 Lakeshore Drive West, Kelleys Island, Ohio, as more specifically described herein, does not conflict with said Shoreline Zoning Ordinance.

**SECTION 3.** That it is found and determined that all formal actions of the Council of Kelleys Island concerning and relating to the adoption of this Resolution were

adopted in an open meeting of such body, and that all deliberations of the Council of the Village of Kelleys Island and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 4.** That this Resolution shall be in effect from and after the earliest period allowed by law.

**DATED THIS 12th DAY OF MAY, 2022.**

  
\_\_\_\_\_  
**MAYOR RONALD E EHRBAR**

**ATTEST:**

  
\_\_\_\_\_  
**LISA M. KLONARIS, Clerk-Treasurer**