

RESOLUTION NO. 18-2021

**IN THE MATTER OF APPLICATION BY PATRICK AND LINDA WATERS FOR
PLACEMENT OF SHORELINE PROTECTION AT 527 E. MAIN STREET AND
DECLARING AN EMERGENCY**

WHEREAS Patrick and Linda Waters, Village of Marblehead, Ottawa County, Ohio, have submitted a request for placement of shoreline protection for the upland property located at 527 E. Main Street; and

WHEREAS, said improvement would take place in submerged lands in Lake Erie, under the jurisdiction of the Village of Marblehead; and

WHEREAS, the Village of Marblehead has jurisdiction pursuant to R.C. 1506.11, and has established a waterfront plan pursuant to Village Ordinance 3, 2006 and codified as §151.01 et seq. of the Marblehead Codified Ordinances and this shoreline protection is in keeping with that plan; and

WHEREAS, Village of Marblehead Planning Commission has reviewed the application and recommends adoption; and

WHEREAS, it is determined by the Council of the Village of Marblehead, Ottawa County, Ohio that the submerged lands in question are not necessary for the construction, maintenance, or operation by the municipal corporation, county, or port authority of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements, and marginal highways in aid of navigation and water commerce and that the land uses specified in the application comply with the regulation of permissible land use under the waterfront plan of the local authority.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE
VILLAGE OF MARBLEHEAD, OTTAWA COUNTY, OHIO AS FOLLOWS:**

SECTION 1: That the application of Patrick and Linda Waters for placement of shoreline protection is granted conditioned upon all other permits and leases being obtained. This Resolution shall take effect and be in full force and effect at the earliest period allowed by law.

SECTION 2: This Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of Council, and of its committees, which result in formal action, were taken in full compliance with the applicable legal requirements.

SECTION 3: This Resolution is hereby declared an emergency measure for the immediate preservation of the public peace, health, and safety of the Village of Marblehead, and for the further reason that the Waters need to complete the work immediately to prevent further shoreline damage. and therefore this Resolution shall go into immediate effect.

Approved: Dec. 8, 2021

Jacqueline A. Bird
Jacqueline A. Bird, Mayor

Attest:

Rhonda J. Sowers
Rhonda Botti Sowers, Fiscal Officer

Dated: Dec. 8, 2021