

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON APRIL 27, 2016 AT 5:00 P.M.

Mayor Kevin Gilmore called the April 27, 2016 meeting of the Ottawa Hills Zoning Commission to order at 5:03 PM.

Roll was taken with Sam Zyndorf, Zac Isaac, Kathrine O'Connell, and Mayor Kevin Gilmore present. Paul Bishop was not in attendance but was expected momentarily.

Also in attendance were Sarah McHugh, Marc Thompson, Kevin and Sandra Diesen, Jonnie Hodges, Yarko Kuk, Todd Kime and Nasrin Afjeh.

Mrs. O'Connell made a motion to approve the minutes of the April 6, 2016 meeting of the Zoning Commission. Mr. Zyndorf seconded the motion and the motion was approved.

Mr. Bishop entered the meeting at this time.

Mr. Thompson provided a report related to the first item on the agenda which was a side yard variance request submitted by Kevin and Sandra Diesen of 4930 West Dauber Dr. Mr. Thompson reported that the Diesen family purchased a home in January and is undertaking major renovations including the removal of a large indoor pool which was attached to the home, the removal of a very large complex deck, and the removal of a nearly full-size concrete basketball court at the rear of the property. They wish to add an attached one car garage. If the proposed garage is constructed the home will have a much smaller footprint than existed prior to the remodeling but the home will be wider which necessitates the requested variance. Thompson reviewed zoning code section 8.1 dealing with side yards and the specifics as they relate to the Diesen request.

Todd Kime, representing the applicants said that a master plan had been developed for the property including a master landscape plan. He commented that the lot had a beautiful view of the river except for the obstruction from the pool house which has been removed. The home currently has a rather small two-car garage and there is need for additional space for storage and vehicle parking. The applicants recognize that this will reduce the side yard to approximately 8'7". An alternative would be to consider a detached garage in the rear yard. Mr. Kime said that a detached garage would be detrimental to the Diesen property and the neighboring property.

Mr. Kime stated that the neighboring property owners were in agreement with the proposal.

Mr. Zyndorf said that his only concern was the neighbors on the affected side of the property.

Mrs. O'Connell stated that the proposal seems like a logical solution and wished to confirm that the height of the proposed addition would be lower than the height of the main part of the home.

Mr. Kime stated that the heights of the addition would be approximately 15 feet, and would be very close to or match the height of the existing mudroom on that side of the home. It will be substantially lower than the ridge of the main part of the home.

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON APRIL 27, 2016 AT 5:00 P.M.

Mr. Bishop commented that the neighboring property also has the garage and driveway on that side of the property so that the driveways and garages adjoin each other.

Mr. Isaac commented that with a side yard of less than 9 feet the applicants should consider additional landscaping to buffer the side of the garage.

Mr. Diesen said that they would do whatever landscaping was necessary in order to screen the side of the garage.

Mayor Gilmore said that he had no problem with the proposed variance.

Mr. Isaac then made a motion to approve the requested variance at 4930 West Dauber Dr. which would result in a side yard of 8'7" and a total side yard of 31'8" with the provision that additional landscaping would be placed on the east side of the property screening the garage addition from the neighboring property.

Mrs. O'Connell seconded the motion and upon called roll the motion passed unanimously.

Mayor Gilmore then elected to change the order of the items considered by the Zoning Commission because the discussion regarding privacy screens would have a direct impact on the variance application at 3418 Kirkwall Rd.

At the previous meeting, recommendations were made regarding proposed amendments to the fence code which would allow for privacy screens with specific restrictions. The Zoning Commission had been provided with a draft of possible amendments to the proposed fence code. After substantial discussion it was agreed that privacy screens would comply with the 50% open requirement and would be limited to 12 feet in length. Heights would be limited to 6 feet and there would be a specific encouragement for inclusion of an architectural feature in any such privacy screen. The location of the screen would not be between the house and the lot line and would be further restricted to be adjacent to patios, porches or decks with one end of the screen immediately adjacent to the primary structure.

It was recognized that variance requests from recent meetings would not meet these requirements and that those items will be brought back to the Zoning Commission for consideration since they had been tabled at a previous meeting.

Mr. Bishop made a motion to include these requirements in the proposed amendment to the zoning code regarding fences. That amendment will be forwarded to the Village Council for their consideration. Mrs. O'Connell seconded the motion which passed unanimously.

Attention then turned to the variance request at 3418 Kirkwall Rd.

Mr. Thompson reported that the applicants were new residents in Ottawa Hills and wish to erect a section of fencing about 12 to 15 feet long and approximately 7 feet tall. The fencing would be approximately 15 feet from the property line and would be within the outer limits of the side walls of the home. It would be intended to provide privacy and block vision from

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON APRIL 27, 2016 AT 5:00 P.M.

the rear yard of neighboring properties into their rear yard. The Zoning Commission was provided with 2 photographs of potential privacy screens proposed by the Hodges family.

Mrs. Hodges provided some background regarding the request and confirmed, in response to a question from Mrs. O'Connell, that the proposed privacy screen would be made of wood.

After brief additional discussion Mrs. O'Connell made a motion to approve the request of the Hodges family to allow a privacy screen 12 feet long, 7 feet tall with a 50% open requirement, an architectural feature, with the further requirement that the structure be made of wood.

Mr. Isaac seconded the motion and upon called roll the motion was carried unanimously.

Attention then turned to a discussion regarding plat restrictions in the Hasty Plat. Mr. Thompson provided some background and Solicitor McHugh provided some detail related to an assignment of plat restrictions accepted by the Village of Ottawa Hills from the Westgate Development Company. This assignment involves Plats 1, 2, 3, 4, and 6 in the Hasty Hill Farms Subdivision.

Some of the specifics of the plat restrictions are different than and sometimes in contradiction to the Zoning Code.

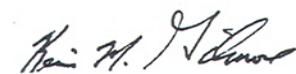
Mr. Thompson stated that this issue came to light recently when he issued a permit consistent with the zoning code which allowed for the placement of a storage shed. However, issuance of the permit was inconsistent with the plat restrictions.

Discussion followed regarding the best approach to take for the Village as it relates to the assignment of the plat restrictions. It was agreed that the Village would comply with the contents of Ordinance 86-33 in which the Village agreed to accept the assignment of the several instruments called plat restrictions establishing plats 1,2,3,4 and 6 of the Hasty Hill Farms subdivision in the Village of Ottawa Hills.

Solicitor McHugh suggested that staff could provide to the Zoning Commission some of the highlights of these restrictions that have been assigned to the Village. This would be a topic for discussion at the next meeting.

It was agreed that the next meeting of the Zoning Commission would be at 5 pm on May 19.

There being no further business, the meeting was adjourned at 5:58 PM.



---

Kevin M. Gilmore, Mayor