

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON AUGUST 27, 2014 AT 5:00 P.M.

The August 27th meeting of the Ottawa Hills Zoning Commission was called to order at 5:00 p.m. In the absence of Mayor Gilmore, Council Member Katherine O'Connell chaired the meeting. Roll was taken with Zoning Commission members Sam Zyndorf, Paul Bishop, Zac Isaac, and Katherine O'Connell present. Mayor Gilmore was absent from the meeting. Also in attendance representing the Village of Ottawa Hills were Village Solicitor Sarah McHugh and Village Manager Marc Thompson.

Members of the audience included David Kelley, Richard Ankenbrandt, Karl Wright, Yarko Kuk, Cindy Niggemyer, Nasrin Afjeh and Dr. & Mrs. Kenneth Brochin.

Mrs. O'Connell administered the oath to Mr. Kelley, Dr. Brochin, Mr. Ankenbrandt, Mr. Wright and Marc Thompson.

Mr. Isaac made a motion to approve the minutes from the August 19, 2014 meeting. Mr. Bishop seconded the motion which passed unanimously.

Mr. Kime entered the meeting at this time

The first item on the agenda was a request for a fence location variance at 4718 Brittany Road. Mr. Thompson reported that St. Michael's Church wishes to place a split rail fence along the front of the memorial gardens. The church has recently done a substantial amount of clean up and removal of brush from the site. The proposed split rail fence would be 48 inches in height and would be parallel to Underhill Road.

Since the proposed fence is in front of the building setback line of the church a variance is needed for the location.

There was no one in attendance representing the church.

Dr. Brochin stated that he lives across the street from the location and was hoping to learn what the church's long range plans were for the site. Previously looking from the front yard of the Brochin property one saw rather dense woods and foliage. Now, according to Dr. Brochin, the area is open and there is a substantial amount of dirt which erodes during heavy rains. He expressed the opinion that the property looked better before the church undertook their recent efforts. He expressed no objection to the proposed fence.

Mrs. O'Connell stated she is a member of the St. Michael's Church and will recuse herself from voting. She said it was her understanding that the church was trying to preserve the large old trees that are on the site and to eliminate invasive species and competition for those trees.

Mr. Bishop stated that he lives on Edgehill Road very close to this site and agreed that the appearance has gotten worse. He expressed hope that the church has plans for creating vegetative screening so that the site could be more attractive from the street and perhaps nicer for visitors to the memorial gardens.

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Mr. Zyndorf stated that he had an issue with a fence that was that close to the street but since there was no representative to address those concerns he thought it might be appropriate to table the proposal.

Mr. Bishop then made a motion to table the request since there was no representative from the church in attendance. Mr. Isaac seconded the motion which passed unanimously.

Mr. Bishop commented that erosion may be a concern and it is a greater concern because the property sits higher than the street.

The next item was a request for variances related to a proposed new home at 4143 Brookside Road.

Mr. Thompson reported that the Kelleys have purchased the vacant lot at 4143 Brookside Road and hope to build a new home. He reminded the Zoning Commission that this lot had been the topic of zoning requests recently and the Zoning Commission had granted variances which would allow for the construction of a new home. Those owners changed their mind and have sold the lot to the Kelleys.

Mr. Thompson reported that variances were being sought for height, front setback, side yard setback, a front loading garage and a garage which is in front of the main part of the home.

Mr. Kime then took the oath.

He informed the Zoning Commission that the Kelleys and their children hope to move into the Village in a new home constructed on the lot. He stated that this house is 6 feet less in depth and 2 feet less wide than the home previously approved. He reminded the Zoning Commission that the lot tapers as it goes to the rear which creates the need for the side yard variance. He also mentioned that the front corner of the home is designed with a 50 foot setback which would match the neighbor's house, but the slight curve in the street creates the front setback actually at 49 feet.

Mr. Kime continued by stating that the height is 33 feet on the west side and although the ridgeline of the roof is level the ground slopes away so that the height is about 38 feet on the east side. This is similar to the Harmon variance that was granted some time ago.

Mr. Kime stated that there were 11 front load garages on the street and 6 of those garages project out beyond the front of the home. He commented that the shape of the lot and the desire to keep the rear of the lot open resulted the garage being placed in front.

Mr. Kime informed the Zoning Commission that the entire home would be made of brick and while smaller than the Harmon proposal, it would be very fitting in the neighborhood.

Mr. Thompson provided photos of the 6 garages which have projections beyond the front of the home.

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Mr. Zyndorf stated that he didn't have many issues with the proposal stating specifically that the one foot height variance is not of concern nor is the side yard. He commented that the front loading garage was not something he preferred but there were already several examples on the street.

Mr. Bishop concurred with Mr. Zyndorf commenting that the pie shaped lot makes the side yard variance necessary.

Mr. Zyndorf stated that he thought this home was a better fit on the lot than the prior home proposal and appreciated the commitment that it will be an all brick home.

Mrs. O'Connell stated that she did not care for the garage in front of the house but realized that the lot creates some limitations. She suggested that instead of one large garage door perhaps there could be 2 smaller garage doors which will lessen the visual impact.

Mr. Kelley stated that their original design had two smaller garage doors with a pillar in between but changed to the single large door because it might be more practical particularly as he is going to have several young drivers in his near future. He also commented that some of the newer garage doors can be designed so that one large garage door looks like two small garage doors.

Mr. Isaac asked if the same footprint of the home would work with two smaller garage doors. Mr. Kime confirmed that the same footprint would work.

Cindy Niggemyer stated that she lives across the street from the proposed home and has no problem with the variances requested but would like an attractive garage door since it is going to be so visible.

She also commented that there were some drainage issues with catch basins in the street in front of this home that needed to be addressed. The drainage issues seemed to have developed very recently and probably relate to some kind of a plug in the line. She concluded her comments by saying that she thought it was a beautiful home.

Mrs. O'Connell stated she felt strongly about having two garage doors. Even though the photographs shown of existing homes on the street do not show two garage doors, that does not mean that the Zoning Commission could not create a requirement that there be two small garage doors.

After brief additional discussion Mr. Isaac made a motion to approve the variances at 4143 Brookside Road as follows:

1. Height 33 feet on west side of the home and 38 feet on the east side
2. Front setback 50 feet on the east corner of the property diminishing to 49 feet due to the curvature of the road
3. Side yard 12 feet on the west side 16 feet 2 inches on the east side
4. Front load garage with the condition that 2 single garage doors be installed in place of the proposed 1 large garage door
5. Garage in front of the main part of the house

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He commented that all variances would be as shown on the exhibit with the exception of the 2 garage doors. Mr. Zyndorf seconded the motion upon the call of the roll the motion was passed unanimously.

Next on the agenda was the request for a variance related to structures in the front yard of 2407 Edgehill Road. The applicant, Alice Resnick was represented by Richard Ankenbrandt at the meeting.

Since this item had been tabled at the last meeting Mr. Isaac made a motion to bring the issue back before the Zoning Commission. Mr. Bishop seconded the motion which passed unanimously.

Mr. Ankenbrandt addressed the Zoning Commission stating that they did not build a mockup of the proposed structure because upon further review the applicant concluded it was too large. As a result, they have scaled down the proposal and provided a drawing of the proposed columns which would be 5 feet 10 inches in height to the top, 28 inches square at the base and 33 feet from the center line of Edgehill Road.

Discussion then focused on the number of columns with Mr. Ankenbrandt confirming that the request was for 2 columns at each driveway entrance for a total of 4 columns.

Mr. Zyndorf stated that he did not have an issue with the proposal at the last meeting and still has no problem with the proposal.

Mr. Bishop confirmed that the existing yard lights would be removed if the variances were granted and the structures were constructed. He stated he liked the new design particularly because this would lower the light from its existing height.

Mr. Ankenbrandt stated that the two driveway entrances were very far apart and that the four columns would not look overly crowded because of the distance.

Mr. Bishop stated he had no objection to four columns.

Mr. Isaac then made a motion to approve the requested variance at 2407 Edgehill Road with the conditions that the structure would be at least 33 feet from the center line of the street, they would be no greater than 28 inches square and no greater in height than 5 feet 10 inches to the top. A condition of the proposed approval would be removal of the existing yard lights and conformance with the plan dated 8/23/14 with materials as shown. Mr. Bishop seconded the motion and upon call of the roll the motion was adopted unanimously.

The next item on the agenda was reconsideration of an item that was tabled at the most recent Zoning Commission meeting. Mr. Isaac made a motion to bring back to the table the request for a variance at 2234 Talmadge Road. Mr. Bishop seconded the motion which passed unanimously.

This request involved two proposed variances both related to placement of a storage shed on the property owned by Karl & Susan Wright. One variance was for lot coverage and the

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second is related to the portion of the code that states "accessory structure shall compliment the style and material of the main structure". Mr. Wright proposes to have a shed made of polyvinyl chloride.

Mr. Wright asked if the issue could be broken into two questions, the lot coverage question and the material question. Mr. Zyndorf stated he had no issue with the lot coverage requirement but was concerned about the proposed material.

Mr. Wright stated that there were other plastic sheds in the Village.

Substantial discussion followed regarding the specific proposal that Mr. Wright was making. He asked if he built a shed with vinyl siding would that require a variance? Close reading of the zoning code indicated that vinyl siding would seemingly compliment the material of the main structure and therefore would not seem to require a variance.

Solicitor McHugh asked if that was Mr. Wright's specific proposal and if so, it needed to be identified as such and perhaps be put in writing.

Mr. Wright then asked if he could use the proposed plastic shed and simply attach vinyl siding to it in order to gain compliance. Substantial discussion followed regarding advisability and practicality of such an effort. Ms. McHugh stated again that if Mr. Wright wished to amend his request then it needed to be done in a formal fashion.

Mr. Isaac commented that he would be comfortable approving the lot coverage variance but would not be willing to approve the request related to the type of materials.


After brief additional discussion Mr. Bishop made a motion to approve the lot coverage variance at 2234 Talmadge Road so that the total lot coverage on the property would be 2,477 square feet. Mr. Isaac seconded the motion which passed unanimously.

Immediately after, Mr. Wright withdrew his request for a variance related to the materials.

Mr. Thompson then sought guidance regarding a rear yard issue related to a hypothetical u-shaped house and a request for a swimming pool. It was the general consensus of the Zoning Commission that a variance should be sought by the homeowners and that the Zoning Commission would be willing to consider such a variance at its next meeting.

It was agreed the next meeting of the Zoning Commission would be on September 30th at 5:00 p.m.

There being no further business the meeting was adjourned at 6:22 p.m.


Katherine O'Connell