

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON MAY 4, 2017 AT 5:00 P.M.

Mayor Kevin Gilmore called the May 4, 2017 meeting of the Ottawa Hills Zoning Commission to order at 5 pm. Roll was taken with Sam Zyndorf, Katherine O'Connell, Paul Bishop, and Mayor Kevin Gilmore present. Commission member Zac Isaac was not present and not expected. Also present representing the Village were Village Solicitor Sarah McHugh and Village Manager Marc Thompson.

Members of the audience included Gi Yuan Chow, his wife and son, Bob Knowles, Jeff Ruch, Philip Tipton, Bill Roush, Peter Machin, Ryan Wharry, Laura Wharry, Yarko Kuk, Craig Hagenbuch, Neo Longoria, Todd Kime, Rex Decker and Margot Estes.

The oath was administered by Mayor Gilmore and taken by Mr. Chow, Philip Tipton, Peter Machin, Ryan Wharry, Craig Hagenbuch, Margot Estes, and Marc Thompson.

Mr. Bishop made a motion to approve the minutes from the March 16, 2017 meeting. Mr. Zyndorf seconded the motion which passed unanimously.

Mayor Gilmore asked Mr. Thompson to provide a report related to the proposed variance at 11 Stableside.

Mr. Thompson reported that the applicants propose a new home at this location which would require three variances in order to allow the proposed home to proceed. A height variance, a lot coverage variance and a garage location variance are necessary. He also reviewed that some of the homes in the subdivision have been built prior to the most recent 2002 amendments to the zoning code. Those which were built after those amendments have received the necessary variances.

Mr. Chow indicated that he had nothing to add to the comments previously provided except that his builder was on his way to the meeting but stopped in traffic and was therefore running late.

Mr. Hagenbuch, the president of the homeowners association reminded the Commission that a letter had been provided from the homeowners association describing their general approval of the variances that were suggested. The letter also indicated that there were unresolved items related to color schemes, and some material-related issues that are of concern to the homeowners association.

Margot Estes said that she owned lot number 12 and that she had concern about the removal of all the trees on lot 11. She also said that the tree removal operation did damage to her property next door.

Mrs. O'Connell stated that she was concerned and disappointed about the tree removal. She was appreciative of the approval of the architectural review committee and suggested that there may be provisions in future discussions regarding replacement trees.

Mr. Zyndorf stated that he had no issues with the proposal.

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Mr. Bishop stated that based on the association's position he will support the proposed variance.

Mrs. O'Connell then made a motion to approve the proposed variance at 11 Stableside related to the maximum height of the structure, lot coverage at 23 ½% and the garage in front of the house as identified in the February 2 plans, subject to the signoff by the architectural review committee. Her motion included recognition that the proposed variances are all minimal in nature. Mr. Zyndorf seconded the motion and upon call of the roll the motion passed unanimously.

Zach Hubbell entered the meeting at this time apologizing for being late and stating that he was the builder on the home proposed at 11 Stableside. He described that his company does approximately \$2 to \$3 million in business per year and has built 15 homes and has 23 homes underway. He said that they are members of the Home Builders Association of Greater Toledo and were recognized as one of the best builders in Toledo by the HBA.

Mr. Thompson stated that there will be a preconstruction meeting with the interested parties prior to the issuance of the zoning permit to make certain that there are clear understandings regarding expectations of the homeowners association and the Village of Ottawa Hills related to this coming project.

Attention then turned to the special use request for Epworth United Methodist Church located at 4855 West Central Ave. Mr. Thompson described the special use process indicating that it involved a public hearing before the Zoning Commission and then action by the Village Council. The Council action takes the form of legislation.

Mr. Thompson also described that the Village has retained the services of a civil engineering firm to review the proposed site plan focusing on storm water runoff and traffic flow. Brief discussion then followed regarding the proposed expansion with Mr. Thompson describing that the church building would expand to the south on what is now parking lot and that the parking lot would be moved further south toward the south property line.

Church Representative Peter Machin then introduced Philip Tipton of the McKnight Group. Mr. Tipton is the architect on the project who provided a presentation.

Mr. Tipton emphasized that based on recent discussions with the adjoining property owner to the south, a new option entitled Option "C" had been developed and that is the proposal preferred by the church and should be the focal point of the discussion. The primary difference between Option "C" and the other options is moving the mounding along the south property line and extending it the length of the property. He also mentioned that substantial evergreen landscaping will be placed for the entire length of the property and that parking lot lighting would be revised with a photometric plan so that no light would shine on the neighboring properties. He indicated that these changes were in response to concerns expressed by Mr. Wharry, the adjoining property owner to the south.

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Mr. Tipton also stated that although the parking lot changes in its location and configuration, the number of proposed parking spaces is virtually the same as the existing parking. He also stated that the amount of seating in the sanctuary is unchanged.

Mr. Wharry then addressed the Commission stating that he did not have objection to the overall concept of the expansion but did have concerns about lighting, screening and storm water runoff. Mr. Wharry had provided a detailed communication to the Zoning Commission earlier describing his concerns.

Mr. Wharry said that he was pleased with the proposal by the church to extend the mound the entire length of the property line. He described the current situation as it relates to water flow across his property from the church property during times of heavy rain and believed that the mounding would divert that water off of his property toward the river. He talked about the height of the mound as it relates to blocking automobile and truck headlights from the parking lot directed towards his home. The proposal shows a 3 foot mound and Mr. Wharry was seeking a 4 foot mound. Substantial discussion followed regarding the height of the mound and the proposed vegetative planting.

Mr. Machin expressed concern about the additional cost of increasing the height of the mound and the desire to have the mound be of a slope to allow it to be easily maintained.

After additional discussion Mr. Bishop made a motion to recommend to the Village Council approval of a special use permit consistent with Option "C" subject to review of the final plans by the engineering firm working on behalf of the Village, and with the mound being the full length and 4 feet in height, or having sufficient screening to assure that the neighbor to the south is not adversely impacted by the proposed location of the parking lot.

Mayor Gilmore stated that it was the Village's obligation to make sure that the adjoining neighbor was properly protected and either a 4 foot mound or a 3 foot mound and a combination of a thick evergreen barrier would be appropriate.

Mrs. O'Connell seconded the motion and upon call of the roll the motion was approved.

It was confirmed that a report from the Zoning Commission would be drafted and forwarded to the Village Council for their consideration at their June 5 meeting.

The next item on the agenda was a continuation of a discussion related to a variance requested at 3873 Sulphur Spring Rd. Mrs. O'Connell made a motion to reopen the discussion. Mr. Zyndorf seconded the motion which passed unanimously. This item had been tabled several months ago.

The applicant, Rick Brunner had entered the meeting sometime after its commencement and had not taken the oath, so the oath was administered by Mayor Gilmore to Mr. Brunner.

Mayor Gilmore said that he had a conflict on this item and would not be able to vote.

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Mr. Brunner addressed the Zoning Commission stating that his understanding was that a walker along Brookside Road had been the only person who expressed concern about the privacy screen/fence that he had erected. He said that his neighbors have had no problem with it and that he did not consider it a fence.

Mr. Zyndorf stated that he did not have an issue with the section of fencing because of the depth of the Brunner lot.

Mrs. O'Connell stated that she struggled with this issue and stated that she would not have approved this had it been brought to the Zoning Commission for a variance before it was constructed. She was primarily concerned about the height of the section of fence.

Mr. Bishop confirmed that the issue before the Zoning Commission was the height of the section of fence, not its location. Mr. Thompson confirmed that the location is consistent with our zoning code.

Substantial discussion followed regarding the proposed zoning code changes related to fencing and whether or not this constituted a fence or some other type of structure.

After additional discussion, Mrs. O'Connell made a motion to approve the variance request for a privacy screen as specifically built in this location and as currently installed. Mr. Zyndorf seconded the motion and upon call of role the motion was approved by Commission members O'Connell, Zyndorf, and Bishop. Mayor Gilmore abstained.

The final item on the agenda was a discussion of proposed revisions to the zoning code that would incorporate a planned unit development section of the code. Discussion followed being led by Jim Houk and Justin Robbins of OHM Advisors.

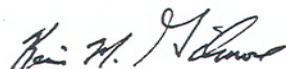
OHM Advisors had previously helped the Village develop a visioning plan. Development of the proposed amendments to the zoning code is the next logical step and substantial discussion followed regarding the concept of a planned unit development.

Mr. Houk stated that the primary goal was to foster redevelopment of portions of the community while giving flexibility to the Zoning Commission and encouraging creativity on the part of proposed investors and developers.

Mr. Houk stated that this was simply an introductory meeting and that there were no specific proposals for consideration by the Zoning Commission. He and Mr. Robbins will work on specific language for a proposed amendment to the zoning code and return when such language is developed.

The concept was met with enthusiasm by the Zoning Commission.

There being no further business the meeting was adjourned at 7:10 pm.



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Mayor Kevin Gilmore