

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO, HELD ON JANUARY 17, 2019 AT 4:30 P.M. IN THE JEAN W. YOUNGEN MUNICIPAL BUILDING

Mayor Kevin Gilmore called the January 17, 2019, meeting of the Ottawa Hills Zoning Commission to order at 4:30 pm. Roll was taken with members Todd Seifried, Katherine O'Connell, Paul Bishop, Zac Isaac, and Mayor Kevin Gilmore present.

Also representing the Village of Ottawa Hills were Village Solicitor Sarah McHugh and Village Manager Marc Thompson.

Citizens present included Tom Timmers, Ryan and Laura Wharry, Dave Richardson, Peter Machin, Gary Wilson and Yarko Kuk.

Mrs. O'Connell made a motion to approve the minutes from the December 12, 2018 meeting. Mr. Bishop seconded the motion which passed unanimously.

Mayor Gilmore welcomed everyone to the meeting explaining the purpose of the meeting was to engage in an informal discussion regarding the special use permit granted in 2017 to Epworth United Methodist Church. He emphasized that no action would be taken at this meeting and commented that this was the only item on the agenda.

Commission member Isaac stated that although he would participate in the discussion, he would not participate in any decision-making since he was a member of Epworth Church and the chair of their building committee.

Since this was a discussion and since there was no formal action on the agenda for consideration by the Zoning Commission, the normal administration of the oath did not occur.

Mayor Gilmore commented that the mound along the south side of the Epworth property did not appear to be 3 to 4 feet in height as was his understanding from the discussions which occurred at the initial public hearing for the special use permit in early 2017.

After brief discussion regarding the height of the mound Peter Machin, representing Epworth Church, spoke stating that the initial purpose for the mound was to provide a protection from groundwater leaving the church property and flowing onto the Wharry property to the south. He said the mound also served as part of the screen and the foundation for additional vegetative screening for lights from the parking lot.

Mr. Machin stated that the church hopes to have some discussion regarding the potential for placing a temporary, 95% opaque fabric screen at the south side of the mound for distance of 75 to 125 feet. The height of the proposed screen would be between four and six feet. Mr. Machin provided a package of information related to the proposed screen. He continued by stating that the screening would be anchored to 4 x 4 posts with heavy gauge wire running through the grommets on the screening.

Mr. Machin provided samples of the proposed screening material for review by Zoning Commission members. He said the temporary nature of the screening was to allow time for the existing evergreens to fill in the gaps and increase in height. Once that was achieved the

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screening fabric would be removed. He estimated that the screening would be in place for a period of 3 to 5 years. Substantial discussion followed regarding the proposal.

Attorney Tom Timmers representing the Wharry family addressed the Zoning Commission and provided a package of information for their consideration. Mr. Timmers reviewed some of the history stating that he listened to the transcript from the 2017 public hearing. He stated that the transcript emphasized a dense vegetative screen and a 15 to 20 foot evergreen barrier. He said that nowhere in the transcript was there any mention of a fabric screen or a fence.

He also mentioned that nowhere does the transcript indicate that the vegetative screen would require 3 -5 years to be dense enough to effectively shield the neighboring property from the lights from the parking lot.

The package provided by Mr. Timmers included portions of transcribed testimony from the 2017 public hearing. He read the motion made by Mr. Bishop which resulted in the recommendation by the Zoning Commission for approval of the requested special use.

Substantial discussion occurred regarding screening, location of the screening, growth rate of trees, additional trees, the testimony which occurred at the initial public hearing in 2017, and various related topics.

Laura Wharry questioned the location of the proposed temporary fence, suggesting that it would be less effective at the proposed location than if located closer to the parking lot.

During the discussion of additional vegetative screening, Mr. Machin mentioned the potential cost of planting additional trees. Mayor Gilmore commented that additional costs may be necessary for the church to fulfill their obligations related to the special use permit.

Mayor Gilmore reminded everyone present of the initial objection to the special use expressed by the Wharry family and their subsequent support of the request based upon representations made by Epworth Church at the public hearing. He continued by stating that the eventual granting of the special use was based upon those representations and he felt strongly that it was the obligation of the Village to assure that those commitments were fulfilled, or to explore the possibility of revoking the special use permit.

After additional discussion it was agreed that Solicitor McHugh and Mr. Thompson would meet with the church representatives and the Wharry family in an attempt to reach a solution which would be satisfactory to all parties.

After additional discussion it was agreed that the Zoning Commission would meet again on February 28 at 4:30 pm. There being no further business the meeting was adjourned at approximately 5:20 pm.



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Mayor Kevin Gilmore