

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON APRIL 11, 2018 AT 5:00 P.M.

The April 11, 2018 meeting of the Ottawa Hills Zoning Commission was called to order at 5 pm by Mayor Kevin Gilmore. Roll was taken with members Katherine O'Connell, Paul Bishop, Sam Zyndorf, and Mayor Kevin Gilmore present. Village Solicitor Sarah McHugh and Village Manager Marc Thompson were also present. Commissioner Zac Isaac was not in attendance and not expected.

In the audience were Spencer Stone, Yarko Kuk, Joe Torok, Craig Hagenbuch, Todd Kime, and Dr. Zafar.

Mr. Bishop made a motion to approve the minutes of the March 1, 2018 meeting. Mrs. O'Connell seconded the motion which was unanimously approved.

Mayor Gilmore then administered the oath to Craig Hagenbuch, Dr. Zafar, Joe Torok, Todd Kime, Spencer Stone, and Marc Thompson.

Mayor Gilmore stated that he had a conflict with the first two items on the agenda and, noting the absence of Mr. Isaac, said that it would require an affirmative vote from all three remaining members of the Zoning Commission in order for the requested variances to be granted.

Mr. Thompson provided a report on the first variance which involved lots 19 Stableside and 20 Stableside. He reported that this was a somewhat unusual request which would allow the Zafar family to expand their existing home currently located on lot 20 onto vacant lot 19, which they also own. Under normal circumstances the applicants would be required to join the two lots into one before such an expansion would occur. However the applicants wish to keep the two lots separate so that, at some future date, they might reconfigure the proposed structure into two separate dwelling units on the two separate lots.

Therefore, variances needed related to lot coverage and minimum side yard on lot 20 and minimum side yard and garage size on lot 19.

Mr. Kime then addressed the Zoning Commission stating that this unusual request was to allow creation of an "in law suite" that eventually could evolve into a separate single-family home on lot 19. The proposed expansion will be built with a breezeway connecting the dwelling units with the potential for splitting the structure into two separate units at some future date. Removal of the connecting breezeway would occur as part of the separation. Mr. Kime stated that the second home would be substantial in size, consistent with many of the homes in the subdivision.

Mr. Hagenbuch stated that he was representing the homeowners association and that there was no opposition to the proposal. They looked at this as more of a new home than an addition to the existing home. Mr. Hagenbuch also addressed the opposition expressed by Mr. White in a letter to the Zoning Commission. He spoke with Mr. White and confirmed that the new home would be approximately 2700 ft.<sup>2</sup> and that the proposed second structure would be larger than some of the existing structures in the subdivision. Based on that discussion, Mr. Hagenbuch said that Mr. White no longer had any objection.

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON APRIL 11, 2018 AT 5:00 P.M.

Mr. Bishop noted that it would be smaller than the structures on either side of lot 19. He confirmed that Mr. Hagenbuch had addressed the concern expressed by Mr. White regarding the size of the proposed second dwelling unit.

Mr. Hagenbuch said that the architectural review board has no issue with the proposal.

Brief discussion followed regarding the location of the future second separate home on the lot. Mr. Kime stated that if it were to be built separately initially it might be slightly different, but the location would not be dramatically different than as proposed.

Mrs. O'Connell stated that she walked on the site and thought that it was a good plan. She asked about deed restrictions or some type of assurance that the breezeway would be removed at an appropriate time. She also commented that there was substantial screening on the property.

Mr. Zyndorf stated that he thought that would be a self-correcting issue and had no problem with the proposed variance.

Mr. Bishop made a motion to grant the lot coverage variance on lot 20 to a maximum of 26%, to grant the side yard variance allowing a side yard of 0 feet on lot 20, to grant a variance allowing a side yard of 0 feet on lot 19 and to allow the maximum number of garage spaces to be five cars for the proposed combined structure.

Mrs. O'Connell seconded the motion with the notation that this was a unique situation and a unique variance, noting that the homeowners association is in favor and noting that the proposed new structure would be about 2700 ft.<sup>2</sup> as a stand-alone house.

Upon call of the roll, Mr. Zyndorf, Mrs. O'Connell and Mr. Bishop voted for the motion to approve the variance. Mayor Gilmore abstained.

Dr. Zafar stated that he and his family had moved to the community eight years ago with the intention of sending their children to the Ottawa Hills schools. They reconsidered and sent their children to Maumee Valley schools but continue to live in the community because they love Ottawa Hills even though they are not taking advantage of the excellent school system. He thanked the Zoning Commission for their support.

The next item on the agenda was a request for a side yard variance related to the property at 4400 Minor Rd. Mr. Thompson reported that this home was constructed before the current side yard requirements were in place and therefore constitutes a nonconforming use. The Stone family wishes to expand a portion of the home maintaining the existing side yards and therefore their request is to allow the expansion of a nonconforming use. Specifically, the variance would allow a side yard of approximately 16'7", and an aggregate side yard of 41'7". The variance request would also allow for locating a standby generator in the side yard.

Mr. Stone described that a portion of the renovation to their home would include expansion of the master suite and that it is that expansion that gives rise to the variance request. He

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON APRIL 11, 2018 AT 5:00 P.M.

commented that they have discussed the proposed expansion with both neighbors and neither neighbor has expressed objection. He confirmed that the generator location had not been discussed with the neighbors on the west side.

Mr. Torok, of the Berman Building Company, described that the natural gas service is on the west side and that is the primary reason for the proposed location of the emergency generator.

It was confirmed that neighboring property owners received notice of the initial variance request and the subsequent request related to the generator location.

After brief additional discussion, Mr. Bishop made a motion to grant the variance for a minimum side yard of 16'7", an aggregate side yard of 41'7", and location of the generator to be on the west side, in the side yard. He conditioned his motion with the understanding that the generator would be approximately 20" x 40" in size and would be properly screened.

Mr. Zyndorf seconded the motion. Commission members O'Connell, Bishop, and Zyndorf voted in favor of the motion. Mayor Gilmore abstained.

Mr. Thompson described the next requested variance at 2503 and 2509 Hempstead Rd. The variance was related to a fence request and involved openness of the fence, color and materials of the fence as well.

After brief discussion, Mrs. O'Connell made a motion to approve the variance as requested for a 4 foot tall white polyvinyl chloride privacy fence. Mr. Zyndorf seconded the motion. Upon call of the roll, commission members Bishop, Zyndorf, O'Connell and Gilmore voted against the motion.

The next item on the agenda was a request for a variance at 5054 Secretariat Rd. Mr. Thompson described that this variance was for a 6 foot tall privacy fence consistent with other fences along the rear of Secretariat Road where the lots abut the Central Avenue right-of-way.

Mrs. O'Connell made a motion to approve the variance for a 6 foot tall privacy fence between the house and Central Avenue, consistent with previous variances granted for similar fences in similar locations along Secretariat Road. Mr. Zyndorf seconded the motion. Upon call of the roll, members Zyndorf, O'Connell, Bishop and Gilmore voted in favor of the variance.

Mr. Zyndorf briefly addressed the Zoning Commission stating that he would soon be moving out of Ottawa Hills and moving to Sylvania Township. He said that he did not want to leave the Village but his family and housing needs have changed and he could not find anything in the Village which accommodated those needs. He commented that he had been on the Zoning Commission for 12 years and would be resigning in the near future once he actually moves and is no longer resident.

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON APRIL 11, 2018 AT 5:00 P.M.

Brief discussion also followed regarding who might be eligible to apply for a variance. It was agreed that only property owners could apply for a variance and that tenants or renters would not be permitted to apply for variances in the future.

It was also agreed that the next meeting would be on May 17 at 5 pm.

There being no further business the meeting was adjourned at 5:43 pm.



---

Mayor Kevin Gilmore