

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON SEPTEMBER 20, 2018 AT 5:00 P.M.

The September 20, 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, Todd Seifried, and Mayor Kevin Gilmore present. Village Solicitor Sarah McHugh and Finance Director Karen Urbanik were also present. Commissioner Zac Isaac was not in attendance but was expected.

In the audience were Jennifer Seifried, Yarko Kuk, Ronald Stevens, Sue Hague-Rogers, Gary Harrell, and Nasrin Afjeh.

Mr. Bishop made a motion to approve the minutes of the August 29, 2018 meeting. Mrs. O'Connell seconded the motion which was unanimously approved.

Mayor Gilmore then administered the oath to Jennifer Seifried, Ronald Stevens, Gary Harrell and Karen Urbanik.

Mr. Isaac entered the meeting.

Mrs. Urbanik provided a report on the first variance which was a request by Jenny and Todd Seifried for a variance to construct 2 stone structures at the end of their driveway at their home under construction at 2636 Underhill. This is a variance for placing structures in the front yard. She reported that the two posts are proposed to be 2 feet square and 48 inches high with a light on top and that they would be located 26 feet from the edge of the pavement. She also noted that a stone mailbox structure is proposed, much closer to the home. As stated in the zoning memo, the Zoning Commission has not typically reviewed mailbox installations, which must meet USPS requirements.

Mr. Seifried stated that he would abstain from the discussion and voting as a member of the Zoning Commission because the variance request was for his home. Mrs. Seifried was in the audience and available to answer any questions.

Discussion took place about other similar structures in the neighborhood. Sarah McHugh indicated that the Zoning Commission had approved posts at other locations.

Mrs. O'Connell reviewed the height of the posts and lights, which was indicated on the attached drawing. She stated that she did not have an objection and felt that the size of the lights was in keeping with the scale of the posts.

Mrs. Afjeh asked a question about the mailbox. The Zoning Commission indicated that it was not necessary to review the mailbox installation with this variance.

Mr. Bishop and Mr. Isaac indicated that they did not have an objection to the variance request.

Mr. Bishop made a motion to approve a variance for 2 stone structures consistent with the plans provided, not located in the public right-of-way, which would be 2 feet square and 48 inches in height with lights installed on the top.

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Mrs. O'Connell seconded the motion.

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

The next item on the agenda was a request for an electronic sign variance for the Ottawa Hills High School (OHHS). Mrs. Urbanik indicated that the Ottawa Hills school system wishes to replace their changeable letter sign with an electronic/digital sign. As noted in the memo to the Zoning Commission, this request is being considered as a variance, not a special use. The structure is in the same location, of the same size and the use will remain the same. OHHS is requesting a variance from items 6 through 12 of the electronic sign section, Section 4, of the zoning code. The variances requested address the location of the sign being less than 100 feet from residential properties, not having frontage on Secor or Central, and the appearance/function of the sign, including color and transitions.

Donnie Stevens, representing OHHS, described the need for the new sign. The structure itself is in bad repair and the school system desires a more modern sign that can be updated by the secretary from inside the building. The proposed sign would still turn off at night – it is on a photocell. The desire for color relates to the student of the month which is posted on the school sign. The new sign would accommodate pictures of the students. There are 3 students honored, so the pictures would need to transition. The sign will not use TV or video.

Mr. Bishop asked whether the current sign was back lit.

Mr. Stevens responded that it was. He noted that there was an old concrete pad in front of the sign that related to a previous light for the sign. It is grown over, but that pad will be removed during the sign installation.

Mrs. O'Connell reminded the Zoning Commission that they had put a lot of thought and discussion into the electronic sign regulations. She did not have a problem with the school using color, because of the application, but she was worried about blinking, scrolling and flashing. She requested more clarification.

Mr. Stevens indicated that the school, in requesting the variances, wanted to assure that their usage of the sign would be in compliance with what the Commission approved. There was some uncertainty about how the zoning regulations discussing movement, blinking, flashing etc. would address this application.

Mr. Harrell who represented the sign company, indicated that there is software to control the sign which allows for softer transitions.

Donnie Stevens indicated that the intention was to use the sign for the same purposes as the current sign, but to be able to make changes more easily and add the photos. He confirmed that the size of the sign would be the same and the bottom message would be static.

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Mr. Isaac stated that they had been tough on signage at other locations, but noted that the school was a unique situation.

Mayor Gilmore expressed concern about setting a precedent and was worried about signs in residential areas.

Mr. Stevens said that the school is a focal point in the Village and a central hub for the community. He reiterated that the sign will continue to be turned off at 10 pm and would not be any brighter than the existing sign.

Mrs. Afjeh asked whether the zoning code allowed for an electronic sign at a residence.

Mrs. McHugh noted that the zoning code restricts these signs to commercial property only.

Mayor Gilmore indicated that he had safety concerns about the distraction of the sign in an area with lots of traffic and children.

Solicitor McHugh was asked whether approving these variances for the school sign would make it more difficult to regulate other signs in the Village.

Sarah McHugh said that while each case would need to be reviewed individually, the end user being the school system was unique, along with the location, and she felt that could be differentiated from other potential requests. She also asked whether a demonstration of the sign would be helpful.

Gary Harrell noted that there are several nearby examples of this type of sign. He differentiated between some examples along Monroe Street. The Marco's Pizza sign shows motion with video. Across the street is a sign for the restaurant Bar 145 which just shows messages, no motion, and it moves from one piece of information to another.

The mayor led an extensive discussion of the items under the electronic sign portion of the zoning code from which the school was requesting variance. As they discussed the application proposed by the school, it was determined that the sign would not require a variance related to being static, would not blink, flash, move or scroll or include effects of movement, automation or similar effects, and therefore variances from items 7, 9, 10 and 11 were not required.

Mayor Gilmore then asked Mr. Stevens if he desired to change the request for variance.

Mr. Stevens modified the proposal to request variances from items 6, 8 and 12 under the electronic/digital sign regulations found in Section 4 of the zoning code. Mayor Gilmore clarified that the school was no longer requesting variances from items 7, 9, 10 and 11.

Mr. Isaac made a motion to approve the new electronic sign at the Ottawa Hills High School, providing variance to allow the sign to be less than 100 feet from residential properties (item 6), variance from the background and light color, not to exceed 500 nits (item 8) and a

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variance that allows for the location near the corner of Evergreen and Osborne Roads, utilizing the location of the existing sign (item 12).

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

There was no need for an executive session.

It was agreed that the next meeting would be on November 1 at 5 pm.

There being no further business the meeting was adjourned at 5:45 pm.



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Mayor Kevin Gilmore