

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO, HELD ON SEPTEMBER 19, 2019 AT 4:30 P.M. IN THE JEAN W. YOUNGEN MUNICIPAL BUILDING

Mayor Kevin Gilmore called to order the September 19, 2019 meeting of the Ottawa Hills Zoning Commission at 4:30 pm.

Roll was taken with Commission members Todd Seifried, Katherine O'Connell, Paul Bishop, Patricia Koury, and Mayor Kevin Gilmore present.

Also in attendance representing the Village was John Wenzlick.

In the audience were JoAnn Smith, James Wolfe, Sherry Brancatto, Jim Walter, Nasrin Afjeh, Yarko Kuk, Pastor Kevin Maxey, Ali & Reitham Ismail, and Nancy Schiciano.

Mr. Bishop made a motion to approve the minutes from the August 28, 2019, meeting. Mrs. O'Connell seconded the motion, which passed unanimously.

The oath was administered to JoAnn Smith, James Wolfe, Sherry Brancatto, Jim Walter, Pastor Kevin Maxey, Ali and Reitham Ismail, Nancy Schiciano, and John Wenzlick

----

Mr. Wenzlick provided a report on the first item on the agenda which was a request for a variance for paved area at 3904 W. Bancroft. Mr. Wenzlick explained that the homeowner, Mr. Ismail, wanted to increase his paved area to install a circular driveway in the front yard of his house. It was further noted that a letter of opposition was received by the village from Mr. James Wolfe, who expressed concern over the loss of greenspace, additional water runoff, and that approval would lead to more requests that are similar in nature.

Mr. Ismail explained to the Commission that he would like a circular driveway for the safety of his family; it is difficult to back out of his current driveway, and he is near the curve on Bancroft.

Mr. Wolfe described current flooding issues on Bancroft during rain, and also the significant, current runoff the road receives. Mr. Wolfe said that he understands why Mr. Ismail wants the variance, but believes it will set a precedent for other residents that want to make the same request.

Mr. Wolfe next expressed his desire to install roundabouts at Brookside and Bancroft, Richards and Talmadge, and also Richards and Talmadge.

Mrs. Ismail reiterated her husband's concerns of living near the Bancroft curve, and the difficulty of backing out because of it.

Mr. Bishop asked Chief Wenzlick if there were records of accidents on Bancroft. Chief Wenzlick stated that he did not have Bancroft Street accident records with him, but the area at the curve is prone to an increased number of accidents.

Mrs. O'Connell discussed that she was familiar with the issues of living on Bancroft and the challenges of backing onto the road. Mrs. O'Connell was in favor of granting the request, but also noted that she was not aware of runoff concerns in the area and wanted to make sure the issue was explored.

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO, HELD ON SEPTEMBER 19, 2019 AT 4:30 P.M. IN THE JEAN W. YOUNGEN MUNICIPAL BUILDING

Mrs. Koury noted that she lived on Bancroft, next to Mrs. Afjeh, and that she received a variance for a circular driveway. Mrs. Koury believes it is a safety issue. Mrs. Koury said that sometimes they would park on Bancroft before the circular driveway was installed and that mirrors were often lost.

Mr. Wolfe again expressed his concern about water runoff, and that the drain near the curve would become overwhelmed during heavy rains. Mr. Wolfe also suggested, as an alternative, that a turn-around be installed at the end of the driveway.

Village Solicitor Sarah McHugh entered the meeting at this time.

Mr. Bishop expressed his approval for the request, but also wanted to make sure runoff issues were considered.

Mr. Bishop made a motion to approve the request for a variance at 3904 W. Bancroft for an increase in paved area from its current 5% to 11% of the lot area, due to safety concerns near the curve, as well as the de minimis increase in paved area coverage. Mrs. O'Connell seconded the motion and, upon call of the roll, the motion passed unanimously.

----

The next item considered was an accessory structure location variance for a proposed gazebo at 4334 Forestview Road.

Mr. Wenzlick explained that Ms. JoAnn Smith would like to install a 12' x 12' cedar gazebo with an aluminum roof. Mr. Wenzlick stated that Ms. Smith's garage extends to the rear of her property, past the living area of her residence. The proposed location would be behind the living area of the house, but not behind the attached garage.

Ms. Smith told the Commission that the gazebo is aesthetically pleasing, would not be very visible, and would help her enjoy the neighborhood. Mr. Wenzlick added that a letter of support was received by the Village from the residents at 4345 Forestview.

Mr. Seifried asked if the structure would be anchored, and Ms. Smith stated it would be anchored onto the existing concrete patio with bolts. Mrs. O'Connell said that she visited the site, believes it won't be visible from the front of the house, and that she is in favor of the request.

Mrs. O'Connell made a motion to approve the accessory structure location variance for 4334 Forestview for a 12' x 12' gazebo, as submitted to the Commission. Mr. Seifried seconded the motion and, upon call of the roll, the motion passed unanimously.

----

The next item on the agenda was a fence height and openness variance request for 2340 Manchester.

Mr. Wenzlick explained that Mr. and Mrs. Brancatto were requesting a variance to install a fence 72" in height, as well as a variance to install a shadowbox style fence with 0%

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO, HELD ON SEPTEMBER 19, 2019 AT 4:30 P.M. IN THE JEAN W. YOUNGEN MUNICIPAL BUILDING

openness. Mr. Wenzlick noted that the request stems from a neighbor removing shrubbery at the back of his yard, thereby making the neighbors completely visible to each other.

Mrs. Brancatto provided “before” pictures that showed shrubbery and 16 evergreens that shielded the two properties. Mrs. Brancatto stated that the rear yards are small, and the neighbor removed the trees to gain useable rear yard area for his children. Mrs. Brancatto then showed “after” pictures, which showed a clear line of sight from the back of each home.

Mrs. Brancatto showed the Commission that there are currently three different fence types at the back of their lot. The fences are from three different neighbors that abut their property.

Discussion ensued regarding the temporary fence placed by Mrs. Brancatto’s rear neighbor. Mr. Bishop asked Solicitor McHugh if temporary fencing exemptions were permitted in our current code, to which she replied no such exemptions from the normal fence code existed.

Mrs. McHugh asked Mrs. Brancatto to clarify the requested fence location, as well as to confirm that none of the current fences at the rear of the property are theirs.

Mrs. Koury stated that she used to live on Kirkwall, and understands the limited privacy issues in that area. Mrs. Koury said that she visited the Brancatto’s property earlier in the day.

Mr. Seifried discussed that he understands the privacy concerns, but also noted the reasons for the current ordinance.

Mr. Bishop noted that the current ordinance was put into place to have clearer site lines in the neighborhood and that greenery is a good solution for privacy. Mr. Bishop stated he is not in favor of the requested variance.

Mrs. O’Connell stated that the Commission has consistently denied 6’ fence variances, except on occasion to properties that back up to Central Avenue, the school path, and the school. Mrs. O’Connell said that requests for 6’ privacy fences between residences are generally denied. Mrs. O’Connell expressed her support of using greenery to create privacy. Mrs. Brancatto said that she plans to plant greenery, but wanted the 6’ fence as a backdrop.

After hearing discussion from the Commission, and prior to a vote, Mrs. Brancatto withdrew her requests for the two variances.

----

The final item on the agenda was the request by Hope Lutheran Church at 2201 Secor Road for a variance to use color on their electronic sign.

Mayor Gilmore asked of Mr. Walter what he wanted to accomplish at the present meeting; Mayor Gilmore noted that the request was temporarily tabled at the last meeting, and that the Zoning Commission was considering a recommendation for possible changes to the zoning code.

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO, HELD ON SEPTEMBER 19, 2019 AT 4:30 P.M. IN THE JEAN W. YOUNGEN MUNICIPAL BUILDING

Solicitor McHugh reported that potential language to the zoning code could require any modification to an existing sign, or installation of a new sign on church or school property would require a special use permit. Mayor Gilmore noted that the Commission wanted to also discuss electronic signage generally.

Pastor Maxey told the Commission that the request has been pending for some time, and he was hoping for a resolution. Mayor Gilmore noted that a vote today would most likely be a no vote, and that they are considering a change in the process for such requests.

Mr. Bishop indicated that he felt the Commission might consider loosening the color restrictions on signs, which would negate the need for a variance for Hope Church.

Mr. Walter stated that he wanted to report back to the Commission in regard to the brightness of the sign. Mr. Walter said the sign comes with a photocell that adjusts the brightness of the sign based on the brightness outside. Mr. Walter said the sign came set at 100% brightness, and has since been lowered to 30%.

Mr. Bishop requested that Solicitor McHugh provide the Commission with language to allow for flexibility with colors on electronic signs. Mrs. O'Connell expressed concern with the use of some colors, as they may be overly bright.

Mr. Wolfe told the Commission he is opposed to "Tijuana color" signs in front of the church. Mr. Wolfe continued by noting he has previously favored a prohibition on all yard signs. Mr. Wolfe provided the Commission a three-page proposal to "Eliminate signs of All Types in Ottawa Hills, Ohio."

Mayor Gilmore asked Solicitor McHugh to research the legality of Mr. Wolfe's proposal.

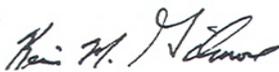
Mayor Gilmore then suggested that the Hope Church request be a topic for the next Commission meeting so that the Commission can further discuss electronic signs. Any potential legislation recommendation would be forwarded to Council for approval.

Members of the Commission gave Hope Church permission to continue using color on their electronic sign while potential legislative modifications are considered.

----

It was agreed that the next meeting of the Zoning Commission would be at 5:00 pm on October 10.

There was no further business and the meeting was adjourned.



---

Mayor Kevin Gilmore