

MINUTES OF THE MEETING OF THE ZONING COMMISSION OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD ON MAY 28, 2009 AT 5:00 P.M.

The May 28 meeting of the Ottawa Hills Zoning Commission was called to order at 5:10 p.m. In attendance were Commission members Sam Zyndorf, Katherine O'Connell and Zac Isaac. Mayor Gilmore was not in attendance but was expected momentarily. Also attending were Village Solicitor Sarah McHugh, Village Manager Marc Thompson, Mike DeVolder and Nasrin Afjeh. Commission member Jack Straub was absent from the meeting. Mrs. O'Connell made a motion to approve the minutes from the April 23, 2009 meeting. Mr. Isaac seconded the motion which passed unanimously.

Village Solicitor Sarah McHugh then administered the Oath to Mr. DeVolder and Mr. Thompson.

Mr. Thompson provided a report regarding the variance request submitted by Robert and Patricia Levy of 2585 Olde Brookside Rd. This is a fence height variance with the applicants requesting authorization to place six foot high privacy fence in two different locations on their property. The need for the fence arises out of the applicants' desire for privacy. The privacy had previously been provided by rows of arborvitae which had been satisfactory for years. However, the deer have eaten the arborvitae to a point where they are no longer providing the privacy that they once did.

Photographs have been provided of the location of the proposed fence and the condition of the arborvitae, etc.

Mike DeVolder then addressed the Zoning Commission. Mr. DeVolder is the brother of Patricia Levy. Mr. & Mrs. Levy were out of town and unable to be present. Mr. DeVolder commented that the request occurs due to the substantial amount of damage done by deer in the area.

Because of the damage done by the deer the privacy that the Levy family has enjoyed for many years has been destroyed. Mr. DeVolder stated that the original plan showed a stockade fence but the family wishes to have a "dog ear" fence which may be slightly more attractive. He indicated that the intention was to paint the fence green and have it be located in those areas where the arborvitae has been damaged. It would be as close as possible to the arborvitae in hopes of providing some screening as well as have it be unobtrusive.

Mayor Gilmore entered the meeting at this time.

Mr. Zyndorf confirmed that the fence would be on the inside of the arborvitae near the driveway and on the outside of the arborvitae near the swimming pool.

Mrs. O'Connell stated that she did not think a six foot fence was the proper answer stating that replacing damaged arborvitae with a permanent wood fence was not the right reaction to the problem.

Mr. Zyndorf stated that he was more concerned about the fence that was on the outside of the bushes near the swimming pool.

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Mayor Gilmore mentioned that a meeting was scheduled for June 29 to deal with the issue of thinning the deer herd. He suggested that a continuance of this variance request might be appropriate to determine if the Council was going to take action regarding thinning the herd.

Mr. DeVolder stated that his brother-in-law Bob Levy has lived in the community his entire life and is approaching the Zoning Commission looking for help. His property has been devastated by the deer overpopulation and wishes to take some type of action to address the problem.

Mr. Isaac stated that stockade fences have not typically been approved except in very select circumstances such as along the railroad tracks or Secor Rd. Mr. Isaac commented that placing the fencing as proposed would not stop the deer from continuing to graze and therefore he wasn't sure that a problem was being solved.

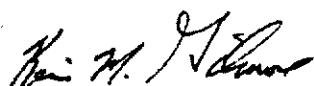
Mr. DeVolder stated that he realized the fence placement wouldn't stop the deer from additional damage to the arborvitae but would help create a screen.

Mr. Isaac suggested that he did not think the issue would get approved and further suggested that it may be appropriate to wait until after the Services & Environment Committee meeting dealing with deer before further consideration.

Mrs. O'Connell suggested that it might be appropriate to review the deer fence ordinance.

After brief discussion Mr. Isaac made a motion to table the request for a variance at 2585 Olde Brookside Rd. Mr. O'Connell seconded the motion. Upon call of the roll all members voted in favor of the motion.

It was agreed that the next meeting of the Zoning Commission will be on June 25 at 5:00 p.m.



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Mayor Kevin M Gilmore