



ZONING COMMISSION AGENDA

December 9, 2025 5:00 PM

Mayor Marc Thompson
Chad Carter, Susan Assi, Letitia Marth, Heather Phillips

- I. Call to Order
- II. Minutes from:
 - September 18, 2025
 - September 23, 2025
 - November 11, 2025
- III. Administration of Oath
- IV. Requests/Action items

ADDRESS:	2805 Westchester
APPLICANT:	William & Tenley Yark
ZONING DISTRICT:	A-12
REQUEST:	Accessory Structure Variance
NOTICES:	15 (November 24, 2025)

- V. Next meeting date
- VI. Adjournment

NOTE TO VISITORS

Anyone who provides testimony before the Zoning Commission will be required to take an oath which confirms that they will swear or affirm to tell the truth, the whole truth, and nothing but the truth.

The typical sequence of hearing each variance request is as follows:

- 1) Staff report
- 2) Presentation by applicant
- 3) Visitor comments/questions
- 4) Consideration by Zoning Commission

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MEETING MINUTES**

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Call to Order – Mayor Thompson

2:00 PM

Village & Zoning Representatives in Attendance

Mayor Marc Thompson

Councilwoman Heather Phillips

Zoning Member Letita Marth

Zoning Member Chad Carter

Solicitor Kati Tharp

Village Administrator April McDonald

Citizen Attendees

Nasrin Afjeh

Rich Effler

Todd Kime

Citizen Comments

Mrs. Afjeh stated that at the last meeting, citizen comments were not listed.

Zoning Code Discussion

- a) **Prior Zoning Code Discussion Review** - Mayor Thompson opened the discussion by stating it was a continuation of the previous meeting's topics. Mrs. Tharp reported that she had reviewed all items from the last meeting and incorporated relevant changes. She added definitions related to privacy screening, utility screening, and invisible fences, suggesting that these new elements be placed in the appropriate section of the zoning code. Mayor Thompson recommended that members take the document home to review and return with feedback. He stated this topic should be placed on the next meeting's agenda.

Mrs. Tharp presented two options for regulating invisible fences, one of which included geo-fencing technology that uses a virtual boundary mapped on a mobile device. She added a provision found in other municipalities prohibiting containment systems on properties adjacent to parks or public walkways, although she acknowledged this had not yet been discussed by the group. She also included a requirement for signage or flags to indicate the presence of an invisible fence, noting that while many municipalities require the flags to be removed, having a sign could be useful. Mr. Carter agreed, stating that signage is helpful for awareness.

Mr. Kime distributed a visual interpretation of the current fence code to clarify confusion regarding the requirement that fences be at least 50% open. He explained the ambiguity in how openness is calculated, as it could be based on the space between pickets or include horizontal support rails. Depending on the method used, the calculated openness percentage can vary significantly. He suggested the intent of the code should guide interpretation, specifically, that fences be “more open than closed” while maintaining structural integrity. His visuals covered multiple fence types, including vertical and

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horizontal pickets, lattice, and split rail with 19-gauge mesh. He noted that lattice designs are more difficult to quantify in terms of openness and should be defined more clearly. Mr. Kime emphasized that making the code more visual could improve both compliance and enforcement.

Mrs. Tharp questioned whether the code should include a specific list of approved fence materials or simply define them. She also reiterated that she moved the section on privacy screens to the end of the document and added a definition to clarify openness. Regarding non-conforming fences, she stated the current understanding is that such fences can be replaced with identical ones but may not be expanded. She also drafted preliminary language for privacy and utility screens, suggesting the group review the language to ensure all necessary restrictions are included.

Mrs. Tharp discussed her research into pool fencing regulations, noting that she reviewed examples from multiple municipalities. While some codes were brief and others extensive, all included an exemption for spas and hot tubs with a lockable safety cover that meets ASTM F1346 standards. She recommended including that same exemption in the village code.

She then presented two attachments related to rental housing and short-term rentals. One was a 14-page draft focused solely on transient rental properties, while the other was a 5-page draft that incorporated short-term rentals into a broader rental dwelling code. Mrs. Tharp initially began editing the longer document but felt it didn't fit well with the village's existing zoning code. Ultimately, she preferred the shorter draft, which includes licensing requirements for all rental dwellings, not just short-term units. It defines short-term rentals as any rental under 29 days, requires the property owner to reside in Lucas County or an adjacent county, and mandates that a local representative be available within an hour. The draft also includes extermination requirements, particularly for bed bugs, which Mrs. Tharp did not see as an immediate issue but considered beneficial to address. Mayor Thompson confirmed that both sample codes addressed short-term rentals. Ms. McDonald asked about stays via platforms like Airbnb and whether they would require a minimum stay of longer than one night. Mrs. Tharp confirmed that the draft required stays to be longer than 29 days. Ms. Phillips recalled prior discussion in which the group agreed that 1–2 week stays were too short, aligning with the 29-day minimum.

Mayor Thompson asked Mr. Kime to explain his fence diagrams further. Mr. Kime reviewed the visuals he prepared, which attempted to clarify the existing code and illustrate how different openness calculations could result in varying percentages. He emphasized the need to determine whether the code's focus should be on spacing between pickets alone or include supporting rails. He stated that in his view, the main goal is for fences to be more open than closed while maintaining necessary strength. He proposed limiting post sizes to 6x6 inches and noted the option for residents to use brick piers, though these might require separate guidelines. He also discussed how vertical or horizontal rail spacing should relate to the picket width, and that lattice fences should

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meet a 50% openness standard in terms of open air. Mr. Kime concluded by reiterating the value of visual examples in the code to simplify interpretation and decision-making.

Mayor Thompson asked if anyone was familiar with 19-gauge wire. Mr. Carter explained it is similar to farm fencing rather than chain link. Mayor Thompson stated that the intent is to allow farm-style fencing but not chain link, and Mr. Effler suggested the code could explicitly prohibit chain link fences. From a zoning perspective, Mr. Effler stated that relying on the intent of the fence design rather than a strict percentage calculation could make approvals smoother, especially when supported by clear visuals. Ms. Phillips added that residents choosing new fences would also benefit from these visuals, as they would make compliance easier to understand.

- b) **Accessory Structure** – Ms. McDonald initiated a discussion regarding the ambiguity in the current zoning code surrounding accessory structures, stating that this is one of the most common permit categories she processes, including sheds and detached garages. She noted the need for a clearer definition, especially when classifying items such as playground equipment, small fountains, or even air conditioning units. She expressed concern that something as simple as a Little Tikes slide could technically fall under the accessory structure category, despite being easily movable. She also mentioned a recent permit submitted for an air conditioner replacement, which required county approval but was still listed in the village code, causing confusion. She emphasized the importance of updating the code to clearly define what qualifies as an accessory structure.

Mayor Thompson referenced a recent request involving a small fountain in the front yard and highlighted the need for clarity in defining whether such items are accessory structures or landscape features. Ms. McDonald added that gazebo requests are common and pose a challenge when residents plan to move them around during the summer and store them in the winter. Although gazebos are listed as accessory structures, their temporary nature complicates enforcement. Ms. Phillips pointed out that the existing definition of "structure" refers to permanent attachment and location, but this language is not carried over to "accessory structure," resulting in a lack of consistency.

Mayor Thompson asked whether the commission believed air conditioning and condensing units should be excluded from the accessory structure definition. Mr. Kime and Mr. Effler both agreed and proposed that generators, air conditioners, mini splits, and other mechanical equipment be reclassified under a separate "utility structure" category. Ms. Phillips supported the suggestion and emphasized the need for proper screening or fencing for such equipment, with clear code language to guide enforcement. Mrs. Tharp inquired whether the placement requirements for utility structures should match those for accessory structures. Mayor Thompson clarified that utility equipment should not be allowed in front yards without a variance, though rear and side yard placement would be acceptable. Mr. Carter added that many existing utility units are located in side yards, and Mr. Kime stressed that front yard placement should be limited to unique situations with a variance and appropriate screening.

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The commission then discussed the screening requirements for utility equipment. Mr. Effler stated that while screening should be encouraged, it should not be mandated in all cases. Mr. Carter responded that screening will likely be necessary in most situations, and any screening used would not be classified as a fence. Mrs. Tharp asked if the screening language should mimic that of an accessory structures. Mayor Thompson summarized that current regulations require accessory structures to be placed in rear yards, while utility structures may be allowed in rear or side yards with proper screening, and front yard placement would only be allowed through a variance process. Mr. Effler stated screening should be encouraged rather than required, while Mr. Carter emphasized that applicants should expect to provide screening in most cases.

Mayor Thompson provided background on the purpose of regulating accessory structures, noting that in the past, residents have placed structures in locations that may be convenient for them but are disruptive to neighbors. The intent of the zoning code, he stated, is to ensure that structures do not negatively impact adjacent properties. Mrs. Tharp suggested revisiting the structure definition from page 3 of the code to serve as a foundation for updating the accessory structure definition. Ms. Phillips proposed dividing accessory structures into "major" and "minor" categories to allow for more specific regulations based on size and permanence. Mrs. Tharp suggested first identifying the different types of accessory structures before finalizing the definition.

The group discussed whether swimming pools should be considered accessory structures. Mayor Thompson asked if pools should be categorized separately. Mr. Effler agreed, stating that pools should be excluded from the accessory structure definition, though related items like pool houses could be included. Mr. Kime raised the question of whether screens should be included, and Mr. Effler suggested that permanent playhouses and structures like treehouses may qualify as accessory structures if they meet certain criteria. Mrs. Tharp proposed a standard where any improvement exceeding 200 square feet in footprint, eight feet in height, or enclosed by two or more walls would qualify as an accessory structure. Mr. Effler felt that threshold might be too high, and Mr. Kime noted that many sheds are 8x12 and would be included. Mayor Thompson agreed the threshold seems appropriate and stated that a structure that doesn't clearly fit into a listed category but meets the size criteria would still be regulated as an accessory structure. Mr. Effler added that such a standard would help capture substantial playhouses or enclosed equipment.

Further discussion addressed potential issues with the wall-based definition. Mr. Kime noted that carports, for example, may be four posts with a roof and no walls but should still be considered accessory structures. Mr. Effler agreed and noted that the definition should be flexible enough to include such structures. Mrs. Tharp listed detached garages, carports, sheds, and gazebos as examples, while Ms. McDonald noted that temporary gazebos often fall outside of seasonal limitations. Mayor Thompson pointed out that permanence and attachment to the ground are key criteria in determining whether a structure qualifies under the code. Ms. Phillips stated temporary items like tents or moveable gazebos may fall outside the definition if not permanently attached.

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Pergolas were discussed, with Ms. McDonald describing them as four-post structures, often with slats on top and sometimes attached to the house. Mr. Kime asked whether pergolas should be included under accessory structures. Mrs. Tharp noted they are not currently listed, and Mayor Thompson said their inclusion was under consideration. Ms. McDonald stated some pergolas are quite large, and Mrs. Tharp recommended excluding pergolas as a specific category and allowing large ones to be captured under broader definitions. Ms. Phillips added that the code already includes language about openness to the sky for yard requirements. Discussion also included utility screens, which Mrs. Tharp clarified referred to screening for generators rather than physical fence screens.

Regarding pet runs, Mayor Thompson stated that it is not possible to draft code language that anticipates every possible request, and some level of administrative discretion is necessary. Mr. Effler agreed, stating the code should reflect current trends rather than outdated practices. Ms. McDonald expressed interest in having language added to the code to grant the Zoning Administrator discretionary authority. Mayor Thompson noted that some codes include a preamble to outline the intent of regulations, such as protecting neighborhood character, which could guide discretionary decisions. Ms. Phillips asked whether the code should include a timeframe for temporary structures, such as those installed for the summer months. Ms. McDonald stated that the current temporary structure limit is 45 days. Mr. Kime supported maintaining a short timeframe and allowing discretion or neighbor approval in cases where extensions may be reasonable.

Mayor Thompson asked whether the current limit of one accessory structure per lot should remain. The commission agreed it should, with variances available for additional structures. Mrs. Marth suggested allowing one or two accessory structures depending on lot size. Ms. Phillips proposed using a percentage of the lot or a ratio based on the main structure. Mr. Carter supported a flexible approach that would allow the zoning administrator to make quicker decisions and reduce unnecessary variance applications. Ms. Phillips noted that this conversation ties into impervious surface coverage and the cumulative impact of structures and driveways. Mr. Effler added that while increasing the number of permitted accessory structures is possible, each case should still be discussed. Mrs. Marth emphasized the need for written guidelines to support consistent decision-making. Mayor Thompson noted that the code currently allows a maximum accessory structure size of 24x24 feet (576 square feet) and suggested allowing either one structure of that size or two structures with a combined footprint not exceeding 576 square feet. He asked Mrs. Tharp to prepare a few options for review.

The commission concluded that the goal of the accessory structure regulations is to maintain neighborhood character and prevent visual clutter, especially for neighboring properties. Mr. Carter noted the importance of preserving yard space while allowing some flexibility. The group supported an approach that allows exceptions based on lot size and keeps the code from becoming overly restrictive. Mr. Kime added that many jurisdictions have similar lot-based maximums. Mayor Thompson acknowledged that

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impervious surface coverage is an important factor and should be reviewed as part of the broader conversation.

- c) **Pavement/Impervious Surfaces** - Mr. Effler proposed considering separate limits for driveway-specific and non-driveway impervious surfaces. He noted that if all impervious surfaces are required to direct water into an approved drainage system, then a driveway should not be treated differently than a backyard patio. Mr. Kime asked for clarification on whether new construction required drainage plans, compared to smaller projects like patios. Mr. Effler confirmed that drainage plans are required for new construction, but there are currently no restrictions on the percentage of the lot that can be covered by patios or similar features; only driveways count toward paved surface coverage.

Ms. McDonald recalled a previous situation involving a pickleball court that functioned as a driveway for most of the year, illustrating the challenge of defining and enforcing these surfaces appropriately. Ms. Phillips pointed out that many properties likely already exceed allowable impervious surface limits, and while it may not be feasible to apply restrictions retroactively, the code should require review when new structures or surfaces are proposed. She emphasized the importance of managing runoff to protect waterways, ensuring proper drainage and filtration before water reaches the river.

Mr. Kime stated that the issue is more about stormwater control than aesthetics and noted that wildlife maintenance also factors into the equation. He explained that the 10% paved surface limit can be reached quickly, particularly when large homes and circular driveways are present. He cautioned that allowing additional features like pools with concrete decking could lead to excessive lot coverage, undermining the original purpose of the regulation. Mr. Effler suggested keeping the regulation as it currently stands, with the drainage plan requirement serving as an effective control measure. Mayor Thompson agreed, noting that properly designed drainage plans theoretically prevent additional stormwater burden.

Mr. Kime added that current drainage requirements such as on-site retention and underground tanks already place limitations on homeowners and may naturally restrict what can be added. Mayor Thompson brought up the issue of pavers and questioned whether they should be counted as impervious surfaces, depending on how closely they are spaced. Mr. Kime noted that this often depends on the specific product used and should be evaluated case by case. Ms. Phillips referenced previous ditch petition data, noting that property owners' paved surfaces were assessed individually. She suggested that existing data might be helpful in future decisions.

Mayor Thompson stated that the discussion involved both a definition question, what constitutes "paved" and a numerical question regarding allowable percentages. Mr. Kime supported the 10% maximum paved area limit, stating that it has proven sufficient in past cases, with only occasional allowances up to 11% or 12%. He saw no justification for significantly higher limits. Ms. Phillips added that in Zoning District A-17, maximum lot coverage is already 55% building coverage plus 10% paved area, for a total of 65% lot

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coverage. Mr. Kime noted that A-17 applies to the Stableside area, where homes are relatively small.

Mayor Thompson asked whether the Commission wanted to distinguish driveways specifically, since current paved area regulations focus solely on driveways. Mr. Effler suggested that if that is the case, the term should be updated to "driveway paved area maximum" for clarity. Mr. Carter expressed concern that using such a narrow definition would open the door for residents to circumvent regulations by installing courts or other paved features that function as driveways. Mr. Kime added that game courts should be subject to drainage plan requirements. Mr. Effler asked whether the Commission was effectively saying that all impervious surface coverage not just driveways should be regulated. Mr. Kime replied that if proper drainage is provided, particularly on larger lots, additional coverage might be permissible.

Ms. Phillips emphasized that drainage should always be directed away from neighboring properties and noted that screening may also be necessary. Mr. Effler pointed out that dual-use features, such as game courts that also serve as parking areas, could create enforcement issues. Ms. Phillips agreed and recommended that the game court regulations previously agreed upon be formally incorporated into the zoning code.

- d) **Building Materials** – Ms. McDonald stated that Section A6 of the zoning code refers to building materials, which are currently required to be primarily clad in wood, masonry, stucco, or materials that simulate those finishes. Mr. Effler noted that while the code expresses the village's intent, the approval of specific brand-name products could be problematic and may require revision in the future. Ms. Phillips suggested maintaining a list of previously approved materials on the village website. This list would serve as a reference for future approvals and would eliminate the need to bring the same materials before the zoning commission multiple times. Ms. McDonald inquired whether this would function like an addendum. Mayor Thompson cautioned that, with zoning commission approval, any material approved once could set a precedent, so they must be cautious in future decisions. Mr. Effler added that once a material is approved, Ms. McDonald could then approve it administratively for future requests.

Mr. Kime raised the question of whether materials like vinyl and aluminum, which have been used in past property renovations, could be considered as simulating wood. He noted that some homes have had vinyl siding replaced without issue, while others were denied approval. Ms. Phillips asked if this could be treated similarly to the fence policy, where replacing existing materials is more lenient. Mr. Kime clarified that many residents switch from wood due to maintenance concerns, and that vinyl is not always considered an acceptable alternative under deed restrictions. He acknowledged that the code as written is vague and that there are high-quality vinyl products available that closely resemble wood. Ms. McDonald pointed out the difficulty in identifying or cataloging past material approvals since they often come in as physical samples with no documentation.

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Mayor Thompson emphasized the importance of better documentation going forward, including photographing approved materials for future reference. He noted that some vinyl products are indistinguishable from wood unless closely inspected. Mr. Kime agreed, stating that while vinyl is generally viewed as a lower-end material, some high-end vinyl options are visually comparable to wood, including vinyl planks and shakes. However, he warned that approving vinyl materials is a slippery slope, and that any approval would require clear guidelines regarding the grade or quality.

Mr. Carter cautioned against publishing a list of approved products, as it may be interpreted as an endorsement. Mrs. Tharp added that it is not advisable to reference specific products in the zoning code, but rather to maintain an internal catalog for administrative use. Mr. Effler suggested a visual reference guide instead of a product list, which Ms. McDonald agreed would be helpful. Mrs. Tharp proposed language that would allow Ms. McDonald to approve materials based on prior zoning commission approval. Mrs. Marth supported the idea of keeping the language flexible, allowing new materials to be considered as long as they simulate wood, masonry, or stucco and are then added to the internal reference list. Discussion continued on the possibility of including defining characteristics for approved materials, but Mr. Kime pointed out that the current requirement to “simulate wood” already implies certain standards. Mayor Thompson stressed the need for consistency and clear administrative guidelines.

Mayor Thompson asking everyone to review the materials Mrs. Tharp had previously provided. Ms. McDonald agreed to send out a Doodle poll to schedule the next meeting and determine which items will be discussed further.

Next Meeting Date
September 23, 2025

Adjournment
3:05 PM

Mayor Marc Thompson

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Call to Order – Mayor Thompson

5:00 PM

Village & Zoning Representatives in Attendance

Mayor Marc Thompson
Zoning Member Susan Assi
Zoning Member Chad Carter
Village Administrator April McDonald

Councilwoman Heather Phillips
Zoning Member Letita Marth
Solicitor Kati Tharp

Citizen Attendees

Nasrin Afjeh
Todd Kime
Laura Mitchell
Brian Chapman

John C. Thomas
Tom Walter
Laurence Mitchell
John Melick

Minutes

A motion was made by Ms. Phillips to approve the minutes, from the August 12, 2025 meeting, and Mr. Carter seconded the motion. The motion passed unanimously.

Administration of Oath – Mayor Thompson

Mayor Thompson administered the oath to the citizen attendees, Mrs. Tharp and Ms. McDonald.

2630 Falmouth Rd.

Ms. McDonald stated the property owners of 2630 Falmouth Road are requesting a variance consideration. They would like to connect the detached garage to the home with a new mudroom/kitchen. The proposed addition connection will sit directly behind the home but would need a variance for the side yard setback as it would no longer be labeled as an accessory structure per the code.

According to our Zoning Code:

1. Side Yard Setback

- a. The required aggregate side yard setback would be approximately 18' since the garage will now become part of the home as one structure. The proposed plan would have an aggregate side yard setback of 4' due to the current placement of existing garage.

To date, the Village has received one email and one phone call from residents in support of the variance request.

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Mr. Kime stated the Melick's are in the process of purchasing the property located at 2630 Falmouth. He explained that the current homeowners, who acquired the property in 2002, had previously converted the original attached garage into part of the home and added a detached garage. The Melick's now propose to construct an addition at the rear of the house, which would connect the existing detached garage to the home, creating an attached garage structure. Mr. Kime stated that the house is in need of updates, and this addition would enhance both the functionality and value of the property.

Ms. Phillips asked whether a drainage plan would be required for the project, to which Mayor Thompson confirmed that it would be, if approved. Mayor Thompson also inquired about the exterior materials, asking if the brick on the addition would match the existing home. Mr. Kime confirmed that it would, adding that siding would also be incorporated to help lighten the overall appearance. Mayor Thompson further asked for clarification on the site plan, noting that it shows a portion of Lot 14. Mr. Kime explained that the end section of Lot 14 is now part of the property. He stated that the right side of the property line has minimal clearance, but there is at least 50 feet of setback on the left side.

Ms. Phillips noted that the property appears larger on the site plan than it does when viewing it in person. Mr. Kime pointed out a small wedge-shaped section at the back of the lot, calling it a valuable asset. Ms. Phillips also asked whether there was a ravine behind the property, which Mr. Kime confirmed. Mr. Carter inquired whether there had been any similar variance cases recently, and Mayor Thompson responded that while he could not recall a specific instance, it likely had occurred in the past.

Mayor Thompson observed that the addition would not be easily visible from the street and that one would need to be at a specific angle to see it. Ms. Phillips noted that a large, established hedge on the property line would also help conceal the addition from neighboring homes. Mr. Kime added that the neighbor to the south had submitted an email in support of the proposed project. Mayor Thompson emphasized that the garage was not originally constructed with the intention of circumventing zoning regulations. When Mr. Carter asked what the standard setback would be for a new garage, Ms. McDonald responded that the requirement is typically 18 feet. Ms. Phillips expressed her support, stating that she was comfortable with the request since the garage already exists and the addition is simply to connect it to the home.

A motion was made and approved the variance for the property at 2630 Falmouth, allowing a side yard setback variance to permit the construction of the proposed garage addition that will connect the existing garage to the residence.

Motion – Ms. Phillips
Second – Mrs. Assi
Yeas (4) – Mayor Thompson
Ms. Phillips
Mrs. Assi
Mr. Carter
Nays (0) –

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3788 Hillandale Rd.

Ms. McDonald stated Mr. Chapman is requesting variance consideration for his property at 3788 Hillandale Road. If approved, the variance would allow the construction of additional paved surface on the lot. The paved area maximum would be greater than the 10% permitted by the Zoning Code, and the additional driveway would add approximately 847 sq. ft. of paved area. The current paved area is 11.5%, which was grandfathered prior to the current code. The homeowner is requesting all proposed areas to be considered but has given other options in the attached calculations page.

Current

Paved Area = 2,210 sq. ft.

Lot Coverage = 11.50%

Proposed

Paved Area = 3,057 sq. ft.

Lot Coverage = 15.91%

To date, the Village has received two emails in support of the variance.

Mr. Chapman shared he has three teenage sons, one of whom is currently driving, with the others soon to follow. He explained that his primary request is to add a “bump out” area in front of the home to create additional parking space and allow for recreational use, such as installing a basketball hoop. Mr. Chapman emphasized that this area is well screened from the street by existing oak trees and fencing. His second priority is to widen the inner circle of the driveway to improve maneuverability and safety when parking or backing out. The third and least important area is a narrow strip along the garage, currently covered with ground vegetation, which he noted would simply create a cleaner space near the trash bins but is not essential. Mr. Chapman acknowledged that his request exceeds the 10% allowable impervious surface and presented the three areas as options, with a clear preference for prioritizing the bump out first.

Mayor Thompson confirmed that any addition exceeding 200 square feet would require a drainage analysis to ensure water does not run off onto neighboring properties. Mr. Chapman responded that he is aware the request exceeds that threshold and is willing to obtain a drainage analysis from Feller Finch or another source if needed. He also shared that the existing driveway is closer to 12 feet wide and he is requesting an increase closer to 20 feet to allow vehicles to pass safely without encroaching onto village-owned property. Ms. Phillips asked for clarification on which areas were included in the proposal, noting that the small strip by the house had not been clearly identified in the original submission. Mr. Chapman reiterated that the bump out is the highest priority, followed by the inner circle, and lastly the strip by the house.

Mrs. Assi asked if the narrow strip currently serves as a flower bed, to which Mr. Chapman responded that it has vegetative ground cover and is used to roll garbage cans through. He noted that paving it would be nice but is not essential. Mayor Thompson summarized the priorities, confirming with Mr. Chapman that the bump out (Area 3) is the top choice, followed by the

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inner circle (Area 1), and lastly the narrow strip (Area 2). Mr. Chapman added that the bump out area is fairly hidden from view, and he had previously adjusted his fence line in anticipation of this improvement. Ms. Phillips asked if the zoning code required vegetative screening for additional pavement; Mrs. Tharp confirmed that the requirement applies only to structures. Ms. Phillips stated she would be supportive of approving the bump out.

Ms. McDonald noted that two letters of support had been received from neighbors the Novak's and the Harding's. Mr. Chapman added that the Feniger's also live nearby and that his neighbors are pleased with the improvements he has made to the home. Mr. Carter emphasized the importance of minimizing the variance and ensuring that any drainage concerns are addressed. Mayor Thompson noted that Area 3 (the bump out) is 128 square feet, which is below the 200 square foot threshold for a required drainage analysis. Ms. Phillips and Mr. Carter both expressed support for allowing the bump out while keeping the total additional impervious surface area as limited as possible.

A motion was made to partially approve the variance for the property located at 3788 Hillandale to allow for increase the maximum paved area to include the proposed bump out of the additional 368 square feet, this variance would not include the addition of the circle driveway or the small strip along the home.

Ms. McDonald stated we will need a drainage plan along with a new permit with the actual numbers for the approved area.

Motion – Mr. Carter
Second – Ms. Phillips
Yeas (4) – Mayor Thompson
 Ms. Phillips
 Mrs. Assi
 Mr. Carter

Nays (0) –

3510 Indian Rd.

Ms. McDonald stated Mr. Mitchell is requesting variance consideration for his property at 3510 Indian Rd. If approved, the applicant is seeking permission to install a 4' wooden privacy fence on the property for a total length of 62'. The fence would be located on the back side of his property between his back yard and the Hempstead neighbors.

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Ottawa Hills Zoning Code

[Fences shall] be at least 50% OPEN for the free passage of light and air.
[Ordinance 2002-08; 8.7(b)(5)]

To date, the Village has not received feedback related to this request.

Mr. Mitchell explained that the proposed fence would be located behind his garage and that the current chain-link fence on the property would remain. He clarified that the property is not a corner lot and that he owns three parcels, with the home spanning all three. Mr. Mitchell emphasized the purpose of the fence is to provide privacy for his family and to contain his dogs. He noted that the fence would be mostly obscured from public view due to existing structures and landscaping, including garages, evergreen bushes, and a large telephone pole, and that the fence would butt up to the Isabell property. He stated that similar fences exist throughout the neighborhood, including along Brookside, Indian Road, Manchester, and Hempstead, and provided photos taken earlier that day as examples.

Mayor Thompson expressed concern about the location of the proposed fence, noting the lack of clear property lines on the provided images and questioning whether the fence would run the full length of lot 278. Mr. Mitchell confirmed that it would and pointed out the exact location on the photograph. Discussion followed regarding the visibility of the fence and whether it complied with existing zoning ordinances, which currently prohibit solid fences unless specific hardship criteria are met. Ms. Phillips and Mr. Carter reiterated that while similar fences do exist, many were grandfathered in under previous regulations, and that privacy alone is not typically considered a valid hardship for a variance.

Mr. Thomas, a neighbor who lives on the corner, voiced opposition to the solid fence, stating he would object to any solid fencing being installed behind his home and advocated for a design that met the current zoning requirement of 50% openness. He acknowledged that, based on what was described, the fence would stop at the Isabell's lot, not directly behind his own, but still expressed a preference for zoning compliance. Mrs. Tharp asked whether a 50% open fence design could be considered, to which Mr. Mitchell responded that his entire yard is already fenced with solid materials and that he is not interested in a split rail or open fence, as it does not meet his need for privacy or noise reduction. He emphasized that no one, other than himself and his wife, would be able to see the proposed fence and argued that it would not negatively impact the aesthetic of the neighborhood.

Mrs. Assi suggested the use of evergreen plantings or a split rail fence to address privacy concerns. Mr. Mitchell responded that evergreen trees already exist but do not adequately

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address noise, especially with his pets and visiting grandchildren. He reiterated that his request is consistent with the look and function of other fences in the neighborhood and that the fence would be largely hidden from public view.

Mayor Thompson and Mr. Carter emphasized that variances are only granted in cases of demonstrable hardship, such as proximity to commercial properties, railroads, or other non-residential uses. Mr. Carter noted that, based on the current request, he could not identify a hardship that would justify approving the variance and expressed concern about setting a precedent. Mayor Thompson advised that if the variance is formally denied, Mr. Mitchell would not be permitted to reapply for one year. However, he stated that applicants sometimes choose to withdraw their request in order to revise and resubmit it later without triggering the one-year restriction.

Mr. Mitchell reiterated that the proposed fence is consistent with existing neighborhood fences, would not impact the view of any neighbors, and would provide needed privacy for his family. He stated that the Isabell family, whose property adjoins his, supports the fence, although it was confirmed that no official communication had been received from them.

A motion was made to deny the variance request for the property located at 3510 Indian requesting a 62 foot long four-foot privacy fence.

Motion – Ms. Phillips
Second – Mr. Carter

Yeas (0) –

Nays (4) – Mayor Thompson
Ms. Phillips
Mrs. Assi
Mr. Carter

Discussion

No discussion

Next Meeting Date

N/A

Adjournment

6:07 PM

Mayor Marc Thompson

**OTTAWA HILLS ZONING COMMISSION
MEETING MINUTES**

November 10, 2025 1:00 PM

Call to Order – Mayor Thompson

1:00 PM

Village & Zoning Representatives in Attendance

Mayor Marc Thompson
Zoning Member Chad Carter
Village Administrator April McDonald

Councilwoman Heather Phillips
Solicitor Kati Tharp

Citizen Attendees

Nasrin Afjeh
Todd Kime

Rich Effler

Citizen Comments

No comments

Zoning Code Discussion

Mayor Thompson reported that he spoke with Mrs. Tharp the previous day regarding a potential change in the approach to the zoning code update. He stated that while the Commission will follow the agenda as presented for the current meeting, future meetings may begin at page one of the code and proceed sequentially. Mayor Thompson explained stated there seems to be some overlapping issues that appear elsewhere in the code. To address this more efficiently, the Commission will review the red-lined draft prepared by Mrs. Tharp and, moving forward, work from the beginning of the document to ensure that definitions and related sections are handled in a logical, consistent manner.

a) Prior Zoning Code Discussion Review

Starting with Section 8.7, number 5, regarding open space in fencing, Mr. Kime recalled that the intent was to measure the vertical components rather than only the rails. Mr. Carter noted that the support structure should not be included in the calculation, and Mr. Effler suggested specifying that posts be excluded. Mr. Carter agreed, stating the definition should simply add “excluding vertical posts.” Ms. Phillips commented that excluding posts would make the orientation horizontal or vertical irrelevant. Ms. Phillips asked whether a diagram should be referenced in the code. Mr. Effler suggested using the word “post” instead of “between two rails.” Mayor Thompson stated that the same concept would apply to horizontal fencing elements, and Mr. Kime agreed.

Mrs. Tharp reviewed Section 8.7, number 8, noting that the wording states: “All gates shall be constructed and maintained so that they do not open into the public right-of-way or encroach upon Village-owned property,” and Mr. Kime confirmed this was accurate. She explained that privacy screening had been removed from this section because it had been added elsewhere. Under subsection C, Mrs. Tharp noted that the definition for the listed materials and products had not yet been finalized. Mr. Carter agreed and stated he would be addressing that as a separate task. Mr. Kime raised the broader question of whether PVC fencing, including white vinyl, would be permitted, and Mr. Carter

**OTTAWA HILLS ZONING COMMISSION
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acknowledged that this would need to be clearly defined. Mr. Kime added that large white stockade fences would not meet the 50% open requirement regardless. Mrs. Tharp then reviewed Section 8.7(E) regarding fence replacement and asked whether the language reflected prior discussions. Mr. Kime confirmed that it did, explaining that a damaged portion of a fence may be replaced, but the section does not allow the extension of a non-conforming fence.

Ms. Phillips noted that the next page of the document uses different titles: Village Manager, Zoning Administrator, and Village Administrator, and requested that one consistent title be used throughout the code.

Mrs. Tharp then asked whether Section 8.7(G) clearly defines privacy screens and the restrictions for privacy screens, utility screens, and pool fences. Mr. Kime stated that the code allows privacy screens up to six feet in height, and Ms. Phillips added that utility screens may not exceed the height of the screened equipment by more than two feet unless approved by the Zoning Administrator. Mayor Thompson noted the six-foot limit and referenced the rule limiting privacy screens to 12 linear feet per lot, which Ms. McDonald confirmed has not created issues. Mayor Thompson described privacy screens as features attached to the home that cannot extend beyond the side walls, and Mr. Effler added that they may extend only outward from the structure. Mrs. Tharp confirmed that no openness requirement applies. Ms. Phillips noted that placing screens on both sides of a home would limit each to six feet. Mr. Effler questioned whether a six-foot white stockade fence could qualify as a privacy screen; Mr. Kime responded that although privacy screens may be solid, they are intended to function as architectural extensions of the home, especially in close-set neighborhoods. Mrs. Tharp added that they should visually match the home, and Mr. Carter noted that poor-quality plastic materials would not meet code.

Mayor Thompson reviewed the statement that privacy screens must comply with all of Section 8.7 except subsections (b)(2) and (b)(7), and he recommended adding subsection (b)(5) as an exception while removing (b)(7). Discussion then shifted to utility screens. Mr. Kime questioned whether a six-foot height limit was appropriate for utility screens, while Mr. Effler disagreed. Mr. Carter noted that some HVAC units can be nearly five feet tall. Mrs. Tharp explained that the existing code allows screens to exceed the equipment height by up to two feet and stated that equipment taller than four feet would require a variance. She also expressed concern about allowing the administrator to approve screens up to six feet or screens significantly taller than the equipment without review from the commission. Mr. Effler pointed out that an administrator could approve any screen up to six feet as long as it is not more than two feet taller than the equipment. Mrs. Tharp noted that this could allow, for example, a five-foot screen for a two-foot unit without zoning review, which she questioned whether the commission wanted to permit. Mayor Thompson asked how often screens taller than six feet come up, and Mrs. Tharp responded that it is rare. Mr. Kime asked how often screening is requested in general. Mayor Thompson stated that condenser unit screening is typically done for the benefit of neighbors and should not be made more difficult than necessary. He expressed support

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for giving the administrator discretion in such cases. Mr. Effler concluded that screens taller than six feet should still require a variance, but administrative discretion could be allowed for screens six feet or under.

Mrs. Tharp stated that the Village did not previously have any written provisions for pool fences and that she drafted the current language herself. Ms. Phillips noted that the pool ordinance allows hot tubs with lockable covers as an alternative to fencing, and Mr. Kime read the clause stating that spas or hot tubs with ASTM F1346-compliant lockable safety covers are exempt from fencing requirements.

Mr. Kime asked about height requirements, and Ms. Phillips clarified that pools are limited to one foot above grade. Mr. Kime also read the provision requiring fences or barriers to completely surround the pool and deck unless the pool is an above-ground model with 48-inch sides and controlled access, though Mrs. Tharp noted that the Village does not have above-ground pools. Mayor Thompson referenced the requirement that pool fences be at least 48 inches in height and noted that historically this has been the minimum, though the fence code currently sets 48 inches as the maximum. Mr. Kime recalled an example involving an infinity-edge pool built over a ravine where a variance was granted.

Ms. Phillips referenced the gate requirement stating that the latch must be positioned on the pool side at least 54 inches above grade or otherwise inaccessible to children. Mr. Kime explained that these latches typically sit on top of the fence in a cylinder with a pull button to prevent young children from opening them. Ms. Phillips added that several older chain-link pool fences exist in the Village that were grandfathered in and asked whether the Village should encourage residents to upgrade them for safety.

Mr. Kime suggested clarifying that when a pool fence is repaired or replaced, it must be brought up to current code rather than remaining nonconforming. Mr. Carter recommended excluding pool fences from the general repair/replacement allowance in the fence code so that nonconforming pool fences cannot simply be replaced in-kind. Mr. Kime noted that residents may install fencing around the pool perimeter or the entire property, but a 48-inch split-rail fence without a compliant 54-inch self-latching gate would not satisfy the pool ordinance. Mr. Carter stated that self-latching mechanisms are available for split-rail fences and that they would also require wire mesh.

Mayor Thompson then discussed situations where homeowners connect their pool fence to a neighbor's fence. He explained that historically the Village required pool owners to install fencing entirely on their own property, though that sometimes results in two parallel fences. Mr. Carter stated that a pool owner may connect to a neighbor's fence but remains responsible for maintaining compliant fencing if the neighbor later removes their fence. Mr. Effler noted that this effectively makes the pool owner responsible for the portion of fence belonging to the neighbor, and Mrs. Tharp agreed that responsibility defaults to the pool owner because they are the party requiring the fence. Mr. Kime added

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MEETING MINUTES**

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that the neighbor's fence must meet pool-fence standards to count, and Mr. Carter confirmed that a fence shorter than 48 inches would not qualify.

Mrs. Tharp stated that the first page includes a definition for invisible and electric fences with two alternative versions. Ms. Phillips said she preferred the second option, and Mr. Kime agreed, noting that it includes more possibilities. Mrs. Tharp then asked members to review the definitions of privacy screens and utility screens, though no changes were suggested. She continued by summarizing the requirements for invisible/electric fences on the last page, which include visible signage and a boundary no less than three feet from the property line, as well as a restriction preventing the fence from abutting any public park or walkway other than a sidewalk running parallel to the street. She noted that she added the entirety of Section 3 based on language from other municipalities, though it was not discussed.

Ms. Phillips asked whether the boundary for invisible fences must follow the same restrictions as physical fences, limiting them to side and rear yards. Mr. Carter responded that many residents want invisible fences in the front yard, and Ms. Phillips noted that this raises concerns for pedestrians and dogs passing by. Mayor Thompson pointed out that the requirement states a minimum of three feet from the property line, while Mr. Carter added that the Village should avoid allowing the boundary to extend up to the edge of the sidewalk. Mr. Kime observed that in estate areas a dog could still run a large distance before reaching an invisible boundary placed only three feet from the sidewalk, whereas on streets such as Manchester the property line often sits only a foot behind the sidewalk. Mayor Thompson emphasized that the Village has not previously required permits for invisible fences and said the first step is clarifying that they are required.

Mrs. Tharp asked whether permits would also be needed for geo-fences, such as app-based virtual boundaries used with certain dog collars, because no physical installation exists on the property. She noted that requiring permits for invisible fences would likely require separating the definitions of in-ground systems and geo-fences. Mr. Kime suggested that a guideline requiring invisible boundaries to be set back at least ten feet from the road might be necessary. Mrs. Tharp questioned whether the Village could regulate geo-fences at all. Mr. Kime asked whether diagrams would be helpful, and Ms. Phillips agreed. Mr. Effler stated that guidelines may be sufficient and that the key concern is establishing boundary requirements, such as the three-foot setback. Ms. Phillips said complaints commonly come from people who encounter dogs charging toward them without realizing an invisible fence is present. Mr. Effler stated the issue primarily concerns front yards, and Ms. Phillips agreed, adding that boundaries should be limited as much as possible for public safety.

Mr. Effler commented that geo-fences are nearly impossible to enforce because the Village cannot access or modify an owner's app-based boundary; compliance relies on residents acting responsibly. Mr. Kime said that if a problematic situation arises, the Village could instruct the dog owner to adjust their digital boundary. Ms. Phillips noted that even if signs are placed correctly, an owner could still set the geo-fence boundary

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elsewhere. Mr. Effler said this gray area makes requiring permits impractical, and the most useful step is to provide clear guidelines supported by visuals in the code. Mr. Carter added that once the code is established, a simplified user guide could be created. Mayor Thompson suggested simplifying the setback by requiring invisible fences to be placed a fixed distance such as 18 feet from the edge of pavement, which would account for properties both with and without sidewalks. He stated that the goal is to protect pedestrians from being attacked or startled, whether through distance or clear signage. Mrs. Tharp summarized that the group agreed on a three-foot setback on three sides but remained undecided on the appropriate setback from the street, and Mr. Effler confirmed this.

Mrs. Tharp then asked whether Section 3 of the invisible fence requirements applies anywhere in the Village. Mr. Carter said it pertains to sidewalks or pedestrian cut-through paths. Mr. Kime asked whether most of those areas are already screened, and Mr. Carter confirmed they are. Mrs. Tharp suggested eliminating Section 3, and Mr. Carter agreed, stating that its intent is already addressed under Section 2.

Mrs. Tharp stated that the next set of redlines dated September 18th include a definition of “accessory structure” on the second page reflecting the group’s prior discussions. Mr. Kime stated the definition looked good and properly removed pools from the list, which now have their own section. Ms. McDonald raised concern about including playground equipment as an accessory structure, noting that small, temporary plastic items should not qualify. Ms. Phillips suggested distinguishing permanent, foundation-based structures from temporary items. Mayor Thompson agreed that the Village should avoid being overly restrictive regarding playground equipment. Ms. Phillips said that even if such items are not included in the code, the Village website could clarify that trampolines or small play structures generally do not require permits. Mr. Effler asked whether playground equipment should be removed from the accessory structure definition entirely or retained with the understanding that the category includes a wide range of items.

Mrs. Tharp stated that on page nine she added Section 8.5 addressing accessory structures, explaining that larger lots might allow for larger structures. Mr. Kime asked whether the group had discussed allowing larger structures or allowing more structures per lot. Both Mr. Effler and Mr. Carter stated they believed it was intended to be both. Mrs. Tharp noted that she had not included specific numbers and asked if wording should be added to allow additional accessory structures based on lot size. Mr. Carter recommended adding both quantity and maximum area to the exception. Mr. Kime asked how the Village would define a larger lot. Mayor Thompson stated that a pool and a pool house would be considered one accessory structure, but features such as a fountain and playground equipment would count as two separate structures, potentially requiring a variance. Mr. Kime noted that the goal is to limit unnecessary variances while protecting the integrity of the Village. Mayor Thompson asked whether an accessory structure was defined as something permanently fixed to the ground; Ms. Phillips confirmed that the definition with some repetition states that a structure requires a permanent location on the soil.

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Ms. McDonald shared that many residents request to add a play structure after already having a shed, and the code offers no size guidance. Ms. Phillips suggested using a percentage of lot area, similar to impervious surface calculations, to determine when structures exceed an acceptable threshold. Mrs. Tharp asked if that approach was comparable to impervious-surface rules; Ms. Phillips responded that it was conceptually similar. Mr. Kime noted that a play structure would not meaningfully increase surface coverage. He suggested giving playground equipment its own category and leaving it to the administrator to determine approval. Mrs. Tharp asked whether she should separate it into its own section, and Mr. Kime said yes. Mr. Carter suggested identifying the largest common retail play structure and using that as a benchmark for when approval is required, particularly for structures that require installation.

Mayor Thompson suggested addressing playground equipment within the code because it should not be located in front yards, but clarifying that acceptable playground equipment does not count as an accessory structure. Mr. Effler recommended removing playground equipment from the accessory-structure list, while Mr. Kime suggested creating a separate line or definition. Mr. Effler supported creating a standalone definition for “playground structure,” noting that “equipment” could include items as simple as ropes between trees. Mr. Carter said small items like Little Tikes slides should not be regulated. Mr. Kime suggested requiring administrative approval and limiting playground structures to rear yards. Mrs. Tharp stated she would add a separate section after 8.6 addressing playground structures at the discretion of the administrator, and Mr. Effler reiterated that they should be limited to rear yards. He also suggested using the term “playground structure” to distinguish larger installations from simple equipment. Ms. McDonald said she would assume such structures must be set back from property lines and placed in rear yards, with some cases falling under accessory-structure rules. Mr. Effler stated that playground structures must be located in rear yards and should not count as accessory structures. Mrs. Tharp asked whether language should express a preference for placement out of neighbors’ views. Mayor Thompson agreed, stating that some discretion for the administrator is appropriate, similar to the approach used for storage sheds. Mr. Effler concluded that playground structures should follow the rules applicable to accessory structures but not be counted toward the total number of accessory structures permitted.

Mrs. Tharp explained that she created a new definition for utility structures, separating them from accessory structures, and confirmed that this relates to screening. Ms. Phillips asked if mini-splits are considered condensers, and Mr. Effler confirmed they are. Discussion followed on whether screening is required in the side yard, with Ms. Phillips noting it is not currently mandated, while Ms. McDonald pointed out that previous rules required screening in that location. Mr. Kime stated that side-yard equipment should be screened, and Mrs. Tharp noted the wording needs clarification. Mr. Carter asked about requiring vegetation if no other screening is used, and Mr. Kime said some landscaping should be provided when multiple units are placed in the side yard. Mr. Effler added that replacements have not required screening, and Mayor Thompson stated existing units would be considered non-conforming. Ms. McDonald asked about choosing between vegetative or structural screening,

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MEETING MINUTES**

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and Mr. Effler clarified that “utility structures” refer to the equipment itself, while screening may be vegetative or a hard structure. Mr. Effler recommended replacing the term “utility structure” with “utility equipment” or “mechanical equipment” and adjusting the definition for clarity, and Mayor Thompson confirmed utility equipment may be placed in the side or rear yard.

Mrs. Tharp stated that in Section 8.6 she added a section for listed materials. Mr. Kime clarified that this section would identify approved material types. Ms. Phillips recalled earlier discussions suggesting a list could not be created, but Mr. Kime noted that while specific product brands cannot be named, general categories such as cement board or fiber siding can be. Mrs. Tharp added that the definition can direct homeowners to the website for approved products. Ms. Phillips said this is also where examples or diagrams should be referenced. Mayor Thompson stated that approved materials would not be fully listed in the code itself but on a separate list, and asked whether examples could be provided to homeowners. Mr. Carter suggested identifying top suppliers and noting materials that have been approved previously. Mayor Thompson said homeowners could also bring a comparable sample for review. Mr. Effler supported offering examples of previously approved materials. Mrs. Tharp cautioned that this may lead homeowners to question why a material shown on the website is not accepted in a specific case.

b) Game Court

Ms. McDonald noted that game courts are not currently listed in the zoning code and referenced Section 2(c), which requires zoning commission approval for any game court located over or on top of a private dwelling, and Section 3(c), which includes a \$50 permit fee. Mr. Effler asked if game courts should be added to the zoning code, and Mrs. Tharp confirmed. Mayor Thompson explained the history behind the existing language, noting past issues with a tennis court constructed on a property line that caused drainage problems, emphasizing the need to protect neighbors. Mr. Kime stated that enclosure rules must be unique to game courts, especially given the increasing popularity of pickleball. Ms. Phillips added that lighting must be addressed due to prior concerns. Mayor Thompson noted that the 10-foot setback is consistent with pool regulations. Mr. Carter questioned the listed hour restrictions, comparing them to permitted power tool use. Mr. Effler recommended removing the penalty and fee sections and incorporating the remaining language into the zoning code. Discussion followed on whether game courts should require permits, neighbor notification, or commission approval. Mayor Thompson expressed concern that notifying neighbors for a permitted use might imply they could block a project, while Ms. Phillips suggested notification could be justified due to potential noise impacts. Mr. Carter noted that neighbor opposition does not mean a court would be denied, though strong opposition would require consideration. Mrs. Tharp explained that under current language, game courts already require commission approval similar to a variance, allowing neighbors an opportunity to be heard. Mayor Thompson suggested options ranging from requiring variances to prohibiting game courts unless a variance is granted, but Mrs. Tharp preferred keeping approval within the zoning rules to retain control over issues such as lighting. Ms. McDonald asked whether adopting the new zoning language would eliminate the existing legislation, and Mayor Thompson confirmed that it would be repealed once incorporated.

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Mr. Kime asked why the Village does not charge zoning fees, noting that other municipalities collect significant fees, especially for variance requests. Mayor Thompson stated it may be time to reconsider the policy, explaining that historically the Village avoided dealing with cash and also wanted to encourage property investment by keeping costs low. Ms. McDonald asked whether an applicant would still be charged if a variance were denied, and Mr. Kime confirmed that they would.

Next Meeting Date

TBD

Adjournment

2:30 PM

Mayor Marc Thompson



2125 Richards Road
Ottawa Hills, Ohio 43606

Phone: 419.536.1111

Fax: 419.535.3550

ottawahills.org

TO: Zoning Commission
FROM: April McDonald
DATE: December 5, 2025
RE: December 9, 2025 Meeting

ADDRESS: **2805 Westchester**
APPLICANT: William & Tenley Yark
ZONING DISTRICT: A-12
REQUEST(S): Accessory Structure Variances
NOTICES SENT: 15 (November 24, 2025)

Mr. & Mrs. Yark are requesting variance consideration for their property at 2805 Westchester Rd. The variances, if approved, would allow for construction of a detached structure functioning as a garage and pool house. Plans were approved previously, but since the initial approval, plans have changed per the attached letter from Valle Homes:

ZONING NOTES:			
	ALLOWED	11/01/25 PROPOSED	12/13/24 PROPOSED
• LOT AREA	42,600 SF		
• ALLOWABLE COVERAGE @ 13%	5,538 SF	5,221 SF	4,991 SF
• ALLOWABLE HEIGHT @ ACCESSORY	15 FT	21.17 FT	16.78 FT
• SIDEYARD SETBACK @ ACCESSORY	5 FT	15.33 FT	9 FT
• REAR YARD SETBACK @ ACCESSORY	5 FT	59.00 FT	64.6 FT
• ACCESSORY MAX AREA	576 SF	1,500 SF	1,270 SF
• ACCESSORY MAX LENGTH	26 FT	62 FT	58 FT
• ALLOWABLE PAVED AREA 10%	4,260 SF	3,334 SF	3,295 SF

To date, the Village has not received feedback related to this request.

** prior minutes of the initial approval are included in this memo packet **

VALLE HOMES

Rich Effler

VALLE HOMES

4730 W. BANCROFT, #10
TOLEDO, OH 43615
419.536.8454
rich@vallehomes.com

Zoning Commission Members

OTTAWA HILLS ZONING COMMISSION
2115 RICHARDS RD.
TOLEDO, OH 43606

11/12/25

Dear Zoning Commission Members,

In December 2024 plans were approved for a detached accessory structure for Billy & Tenley Yark on their property at 2805 Westchester in Ottawa Hills.

The project, initially targeted for 2025 construction, moved to a spring 2026 groundbreaking. In the meantime, there have been a few updates to the originally approved set of plans. While these changes are largely refinements of the interior layout, the footprint and roofline have in turn been modified thus impacting the variances approved by zoning commission in December 2024.

This lot is in Ottawa Hills Zoning District A12. The variances that were approved in 2024 were related to the allowable size of a detached structure defined in Paragraph 8.5E. Please see the chart below noting the 12/31/24 PROPOSED (Approved) alongside the 11/1/25 PROPOSED.

ZONING NOTES:			
	ALLOWED	11/01/25 PROPOSED	12/13/24 PROPOSED
• LOT AREA	42,600 SF		
• ALLOWABLE COVERAGE @ 13%	5,538 SF	5,221 SF	4,991 SF
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While the footprint is slightly larger and the roofline slightly taller, the positioning has shifted off of the north property line creating more space for ground contouring and vegetative screening. This shift has added nominally to the paved driveway surface, but has not impacted the originally designed placement of the pool and surrounding landscape/hardscape.

Please note that we have engaged a licensed Civil Engineer to design and engineer a storm water site drainage system. An engineered drainage plan that properly handles all site drainage on property will be presented prior to ground breaking. The Yarks are also committed to providing tasteful vegetative/landscape screening for neighboring properties.

We appreciate your consideration of this matter. Please feel free to contact me directly with any questions.

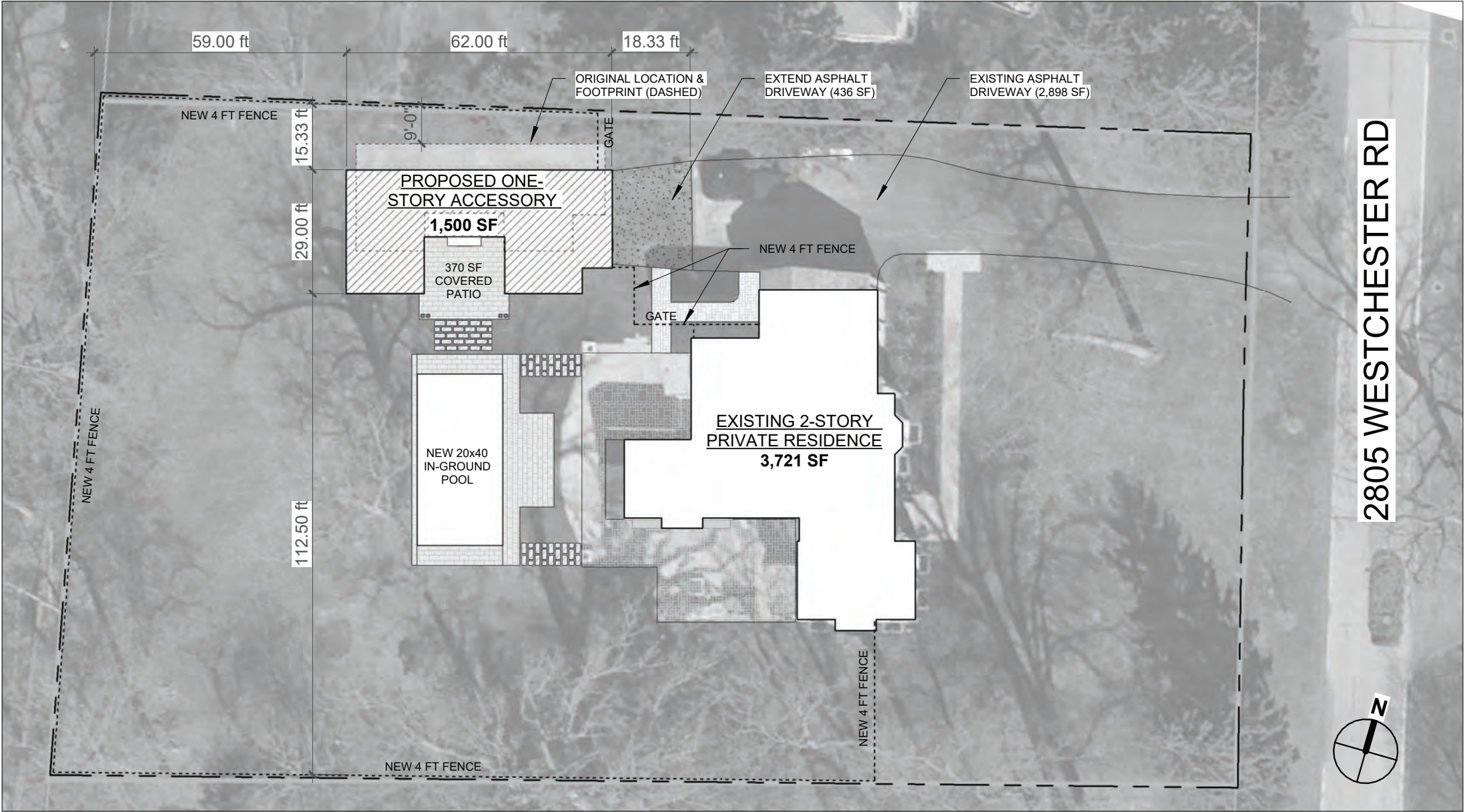
Sincerely,

Rich Effler

Valle Homes

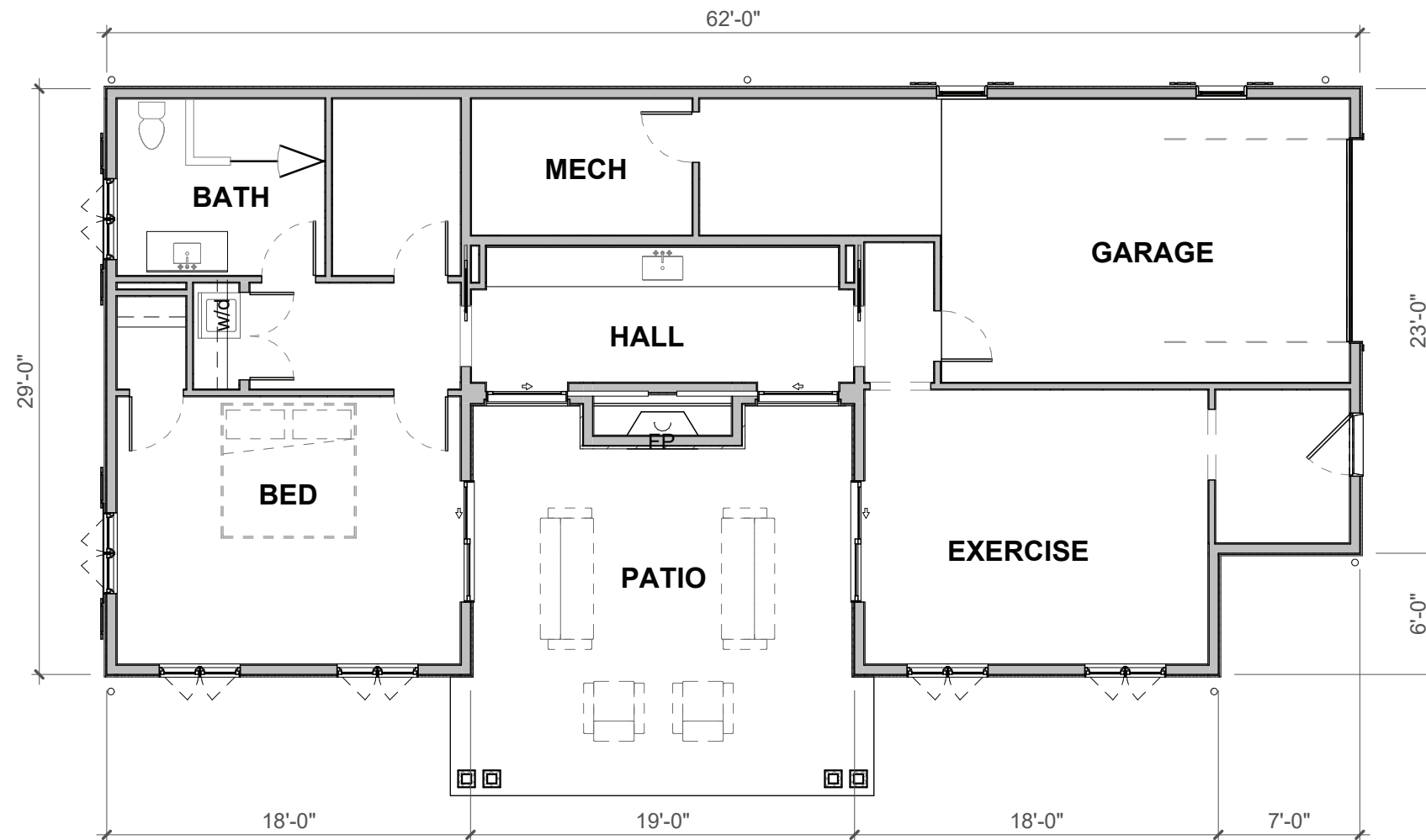
cc: Billy & Tenley Yark ; Duket Architects

ZONING NOTES:			
	ALLOWED	11/01/25 PROPOSED	12/13/24 PROPOSED
• LOT AREA	42,600 SF		
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• ALLOWABLE PAVED AREA 10%	4,260 SF	3,334 SF	3,295 SF



SITE PLAN KEY:

EXISTING	NEW	OPEN JOINT	
			PATIO PAVERS
			NEW ACCESSORY BUILDING
			NEW ASPHALT PAVEMENT
			FENCE LINE
			PROPERTY LINE
	100.00'		SURVEY SPOT ELEVATION. REFERENCE CIVIL
	0'-0"		PROJECT SPOT ELEVATION. REFERENCE BASED ON LEVEL ONE FINISHED FLOOR



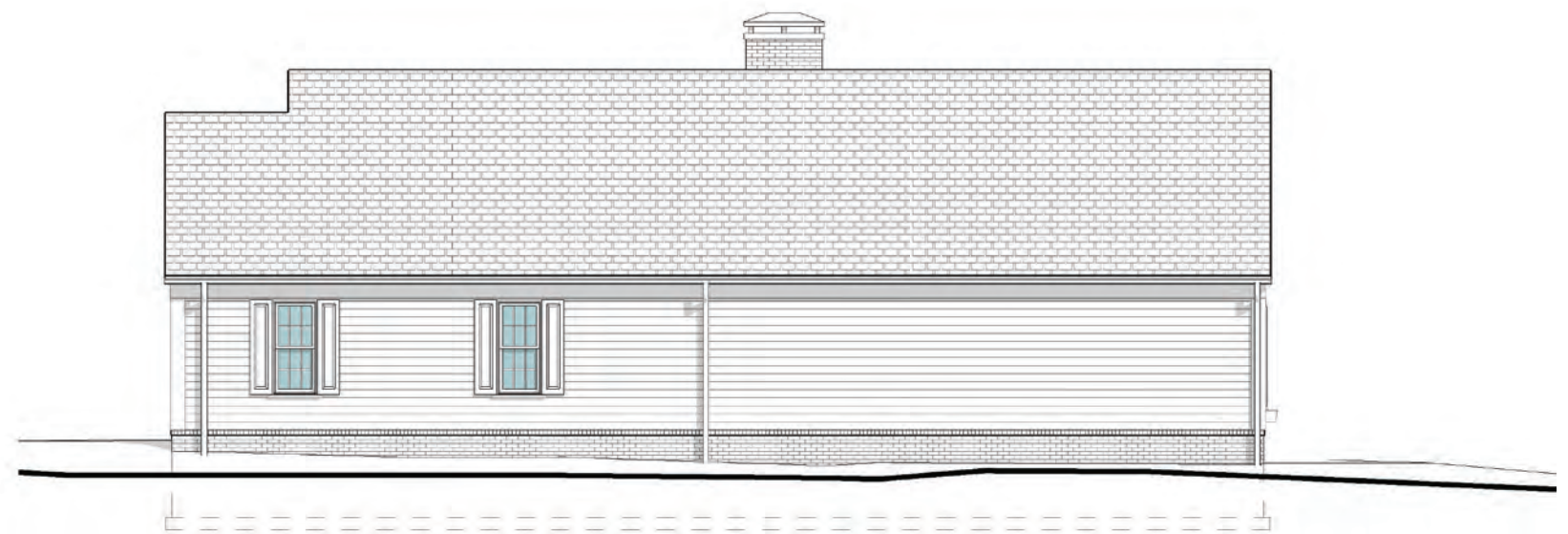
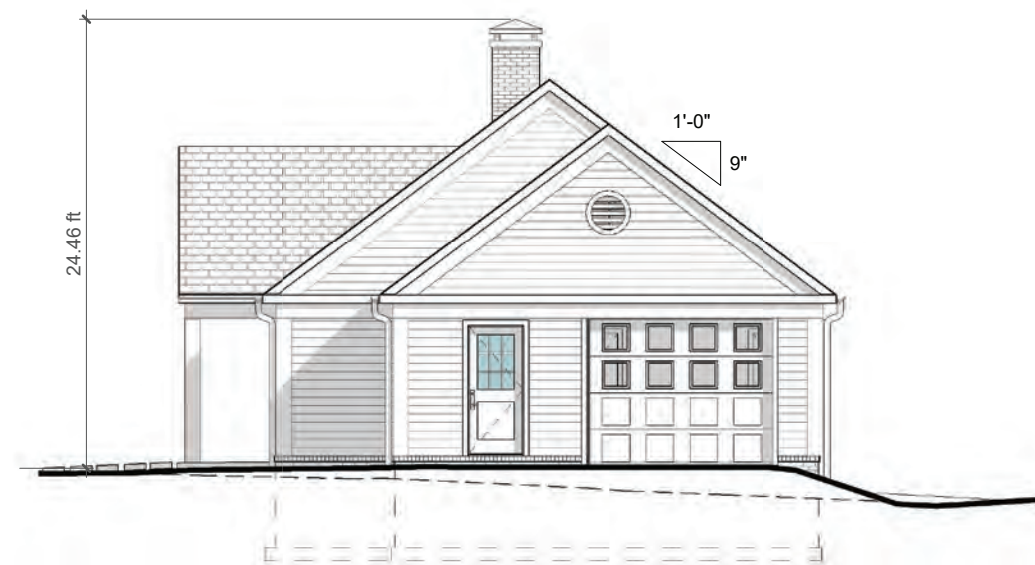
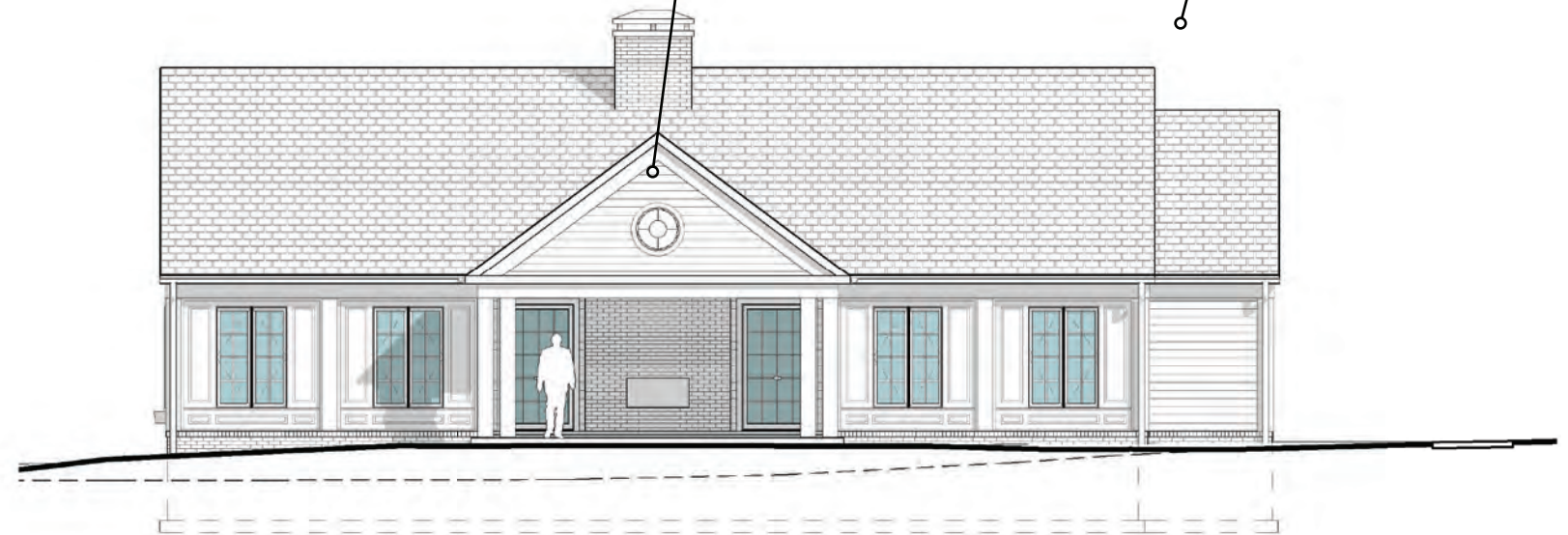


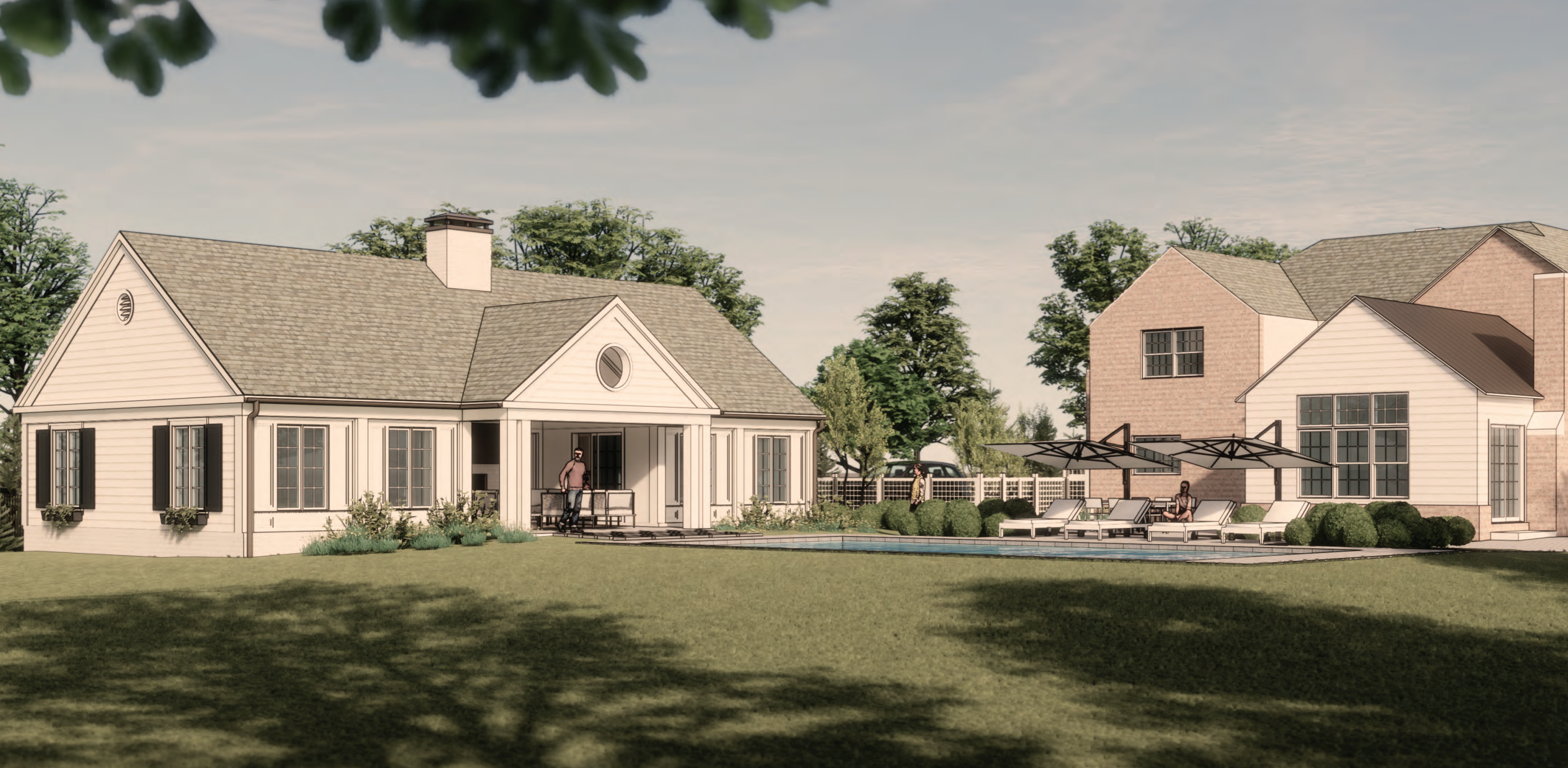
CLADDING MATERIALS TO MATCH EXISTING HOUSE

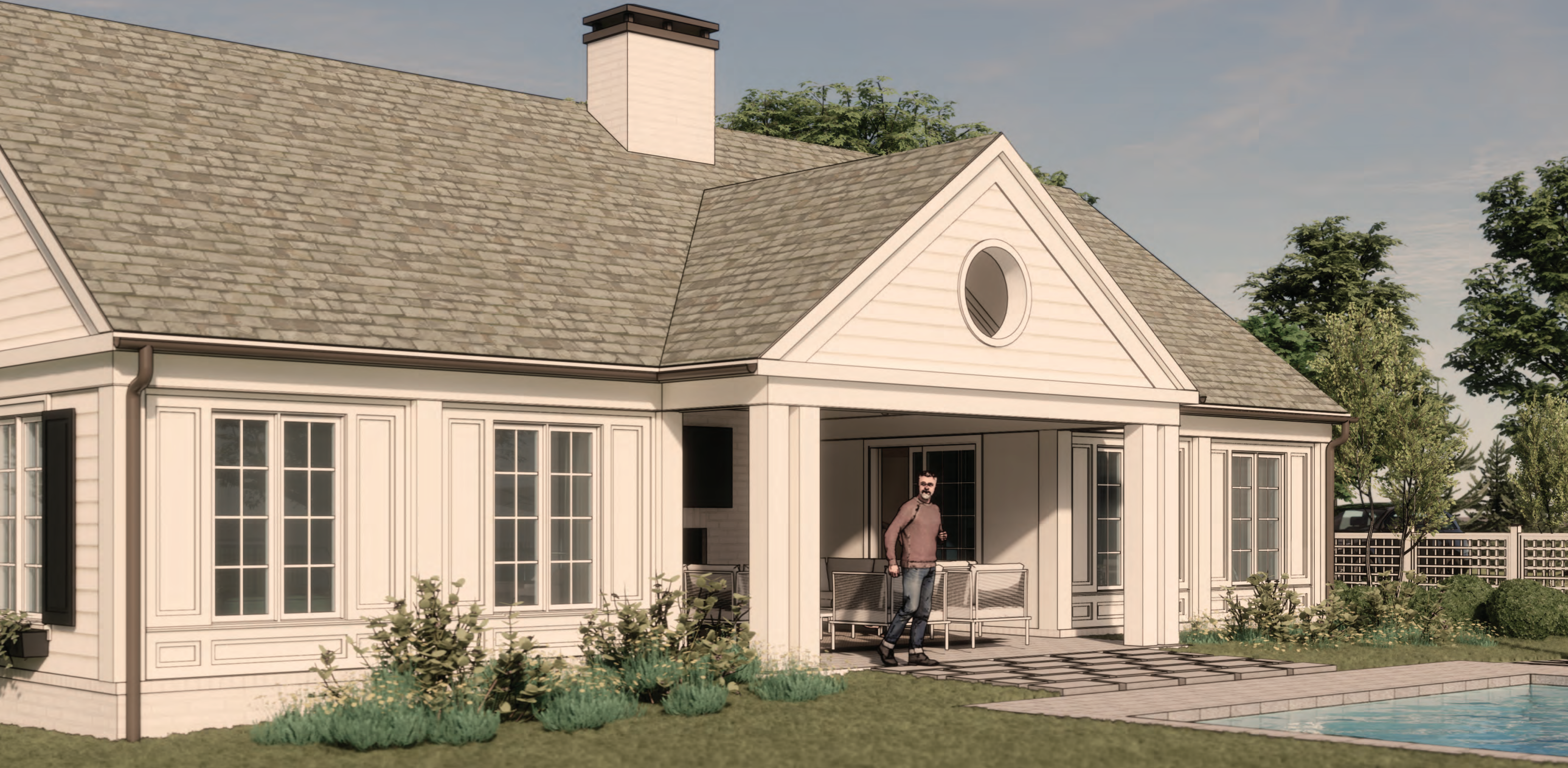
WOOD SIDING PAINTED



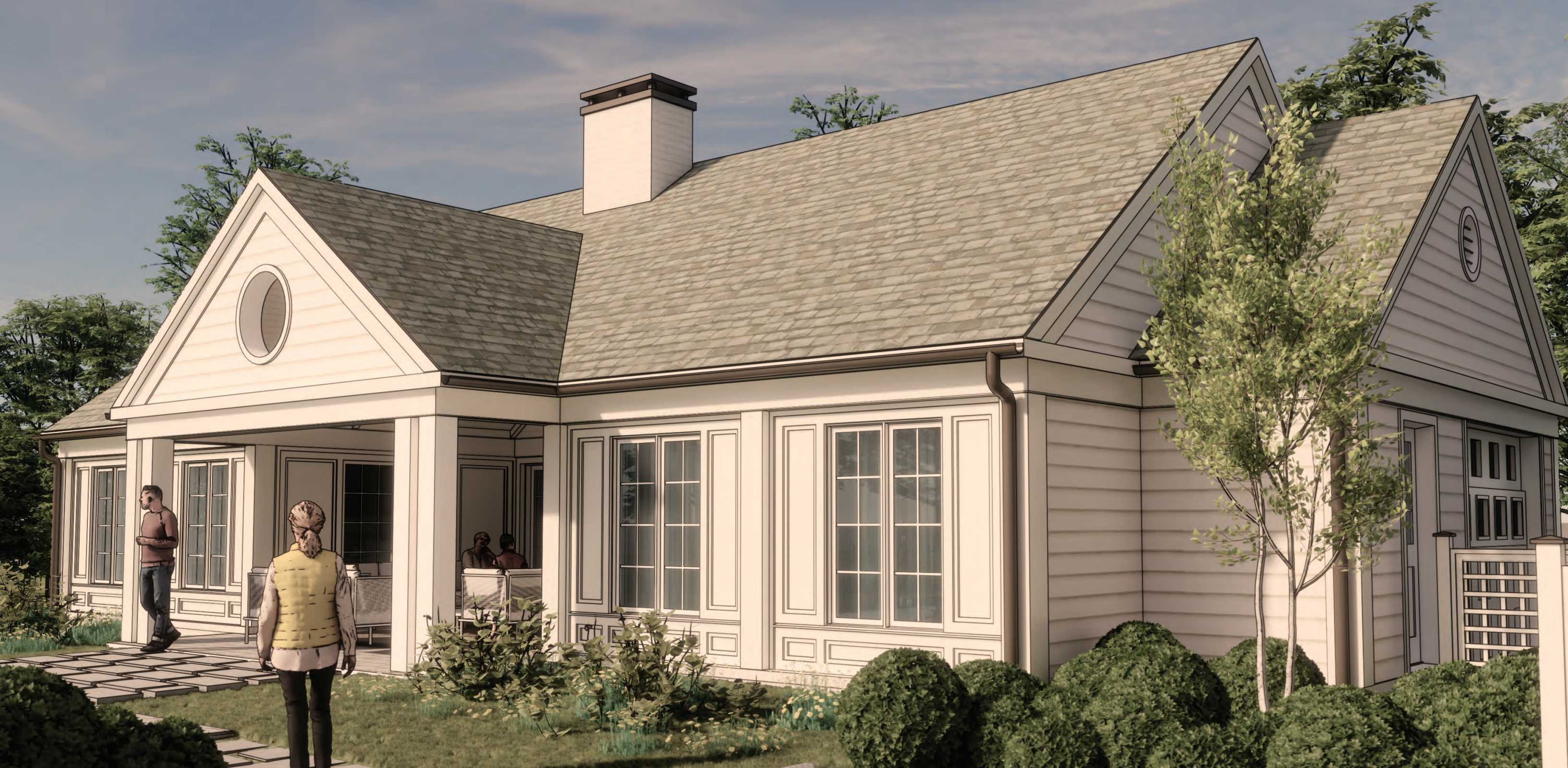
STANDING SEAM METAL ROOF

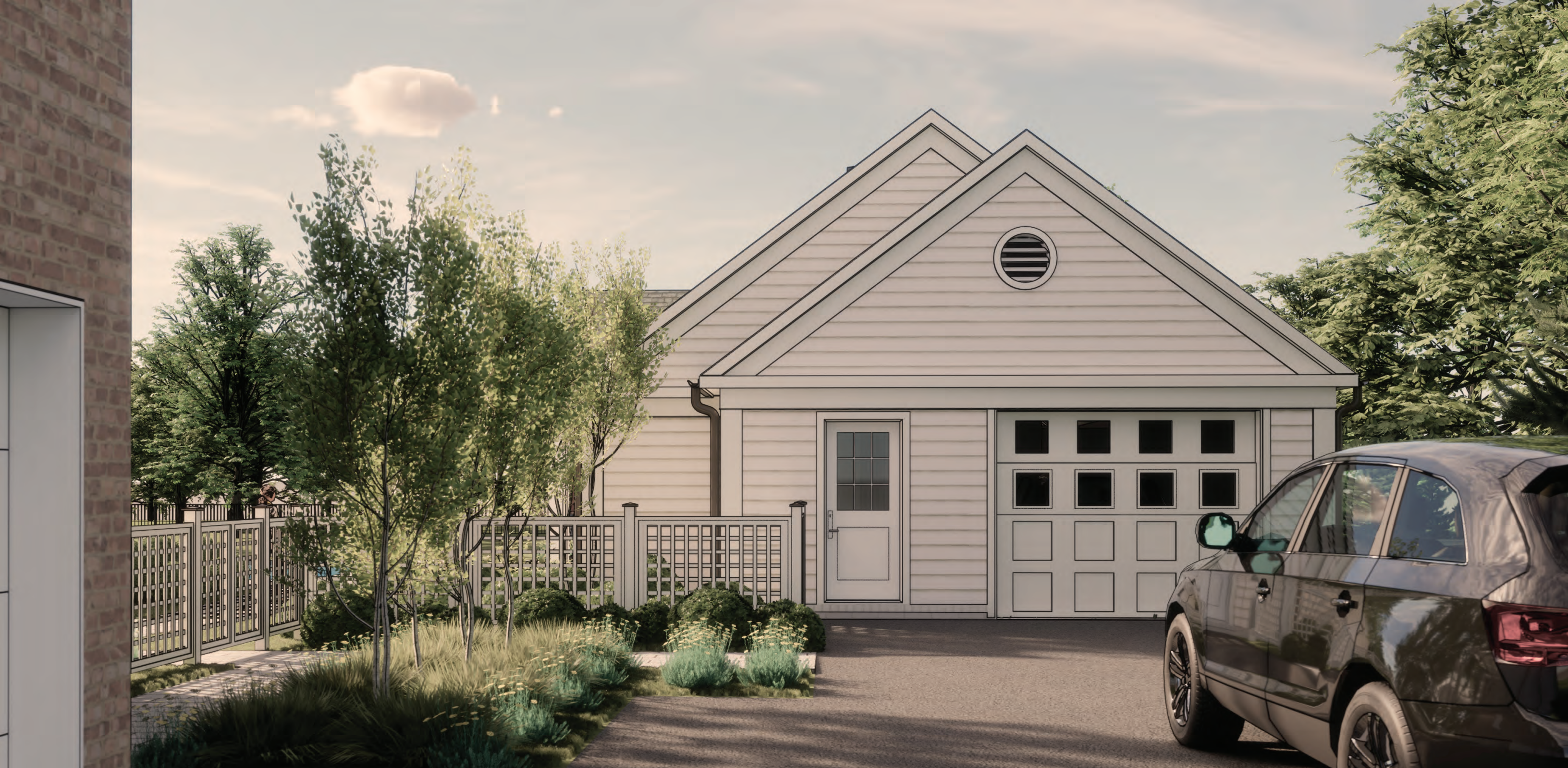














OTTAWA HILLS ZONING COMMISSION
MEETING MINUTES
January 9, 2025 5:00 PM

Call to Order – Mayor Thompson

5:00 PM

Village & Zoning Representatives in Attendance

Mayor Marc Thompson

Councilwoman Heather Phillips

Zoning Member Patty Koury

Zoning Member Chad Carter

Zoning Member Letitia Marth

Interim Village Administrator April McDonald

Citizen Attendees

Nasrin Afjeh

William and Tenley Yark

Rich Effler

Mayor Thompson introduced and welcomed Mrs. Marth to the Zoning Commission.

Minutes

A motion was made by Mr. Carter to approve the minutes, from the December 12, 2024 meeting, and Mrs. Koury seconded the motion. The motion passed unanimously.

Administration of Oath – Mayor Thompson

Mayor Thompson administered the oath to the citizen attendees and Ms. McDonald.

2805 Westchester

Ms. McDonald stated Mr. & Mrs. Yark are requesting variance consideration for their property at 2805 Westchester Rd. The variances, if approved, would allow for construction of a detached structure which would function as a garage and pool house.

As it relates to fences, the Zoning Code states:

1. Accessory structures shall not exceed 15 feet in height or the height of the nearest adjacent structure, whichever is less. *The proposed structure is 16'9" tall.*
2. Accessory structures shall not exceed 576 square feet in area. *The proposed structure is 1,270 sq ft.*
3. The dimension of the long axis of an accessory structure shall not be greater than 2 times the dimension of the short axis and the greater dimension shall not exceed 26 feet in length. *The proposed structure is 58 ft.*

To date, Ms. McDonald has not received feedback related to this request, but members of the Commission received verbal support from the direct neighbor.

**OTTAWA HILLS ZONING COMMISSION
MEETING MINUTES**

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Mr. Effler stated that Duket Architects have finished all the preliminary design work for the project. He also noted that the neighbor most affected by the proposed accessory structure agrees with the plan design. He emphasized that the vision for the Yark's house is intended to serve them for many years, as they plan to stay in the home long-term. The proposed addition will incorporate several elements of their current home design.

Mayor Thompson inquired about the materials to be used for the structure and Mr. Effler confirmed that it would feature wood siding and a standing seam metal roof. When asked if this would match the addition, Mr. Effler stated that it would align with both the previous addition and the main home. Mrs. Yark added that she is working with her decorator to incorporate window boxes that will match the design of the home. Mayor Thompson also asked if the pool would be placed lateral to the home, to which Mr. Effler affirmed that it would.

Ms. Phillips asked about the coverage area and whether it includes the pool and surrounding area. Mr. Effler explained that the pool is subject to different regulations. Mayor Thompson confirmed this, noting that the concrete around the pool is not considered part of the accessory structure. Mrs. Koury mentioned that this could change with a potential update to the Zoning Code later this year. Mayor Thompson also pointed out that for drainage calculations, the impervious surface around the pool is considered. Mr. Effler stated that they will work with Feller Finch to conduct a formal drainage study. The drainage plan will include relocating the catch basin to the back of the lot to manage the additions. Mr. Yark shared that the backyard currently experiences flooding during rainfall.

Mrs. Koury referenced a previous statement from Mrs. O'Connell, explaining that the height restriction for accessory structures is in place to prevent them from exceeding the height of the main building or neighboring structures. Mayor Thompson agreed, adding that if the accessory structure were taller, the Zoning Commission would require an analysis comparing its height to nearby buildings. Generally, accessory structures should not be taller than the main structure. Mrs. Koury proposed that there should be a rule specifying that accessory structures be a certain percentage of the height of the main building. In response, Mayor Thompson explained that this is complicated by the fact that accessory structures are sometimes closer to the neighbor's home than the main building is. He also confirmed that the proposed accessory structure will be 16.9 feet tall.

Mr. Carter inquired about plans for vegetative screening, to which Mrs. Yark responded that they don't have specific plans yet but are considering flower boxes on the back of the accessory structure or possibly planting arborvitae.

Ms. Phillips asked about the cornices and eaves, specifically if they extend more than 12 inches from the building. Mr. Effler responded that they might be close to that measurement. Mayor Thompson explained that if the eaves extend 24 inches, at least one foot of that would count toward the required side yard, which in this case is five feet. He then inquired about the fencing around the pool, noting that it appeared to encircle the entire yard, and Mr. Yark confirmed this. Mayor Thompson emphasized that construction fencing will be required around the pool during

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construction. Mr. Carter asked about the history of building ratio regulations, and Mayor Thompson clarified that the purpose of these regulations is to prevent structures, like a 1-foot wide, 15-foot-tall storage shed, from being built. Ms. McDonald asked if the mechanical room would house both the pool equipment and other equipment for the structure, and Mr. Effler confirmed that it would serve both purposes. Ms. Phillips remarked that the proposed square footage exceeds the allowed limit by more than double, but it appears to be in scale with the overall design. Mrs. Koury agreed that it is too scale, and Mayor Thompson noted that any structure exceeding 576 square feet must be reviewed by the Zoning Commission.

A motion was made to approve the variance for 2805 Westchester to allow for the proposed structure, as submitted, with an approved drainage plan and approved landscaping plan to be submitted to the village prior to construction.

	Motion –	Mrs. Koury
	Second –	Mr. Carter
Yeas (5) –	Ms. Phillips	
	Mrs. Koury	
	Mr. Carter	
	Mrs. Marth	
	Mayor Thompson	
Nays (0) –		

Discussion

Mayor Thompson discussed the next steps for zoning code review, which includes gathering historical data on zoning permits and common variances. Two professional companies have provided quotes, and a meeting will be scheduled to hear presentations and decide which company to contract with. We expect the meeting to last a few hours and will hear both presentations back-to-back.


The next Zoning Commission meeting is expected to include four variance requests. They include a proposal for a new home on Edgevale, a new home on Stableside, and two on Brookside and Indian.

Next Meeting Date

TBD

Adjournment

5:35 PM



Mayor Marc Thompson