

**CITY OF HIGHLAND HEIGHTS  
REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION  
HELD REMOTELY VIA ZOOM TELECONFERENCE ONLY  
JANUARY 25, 2021                      7:00 PM**

Chair of Commission Adamus presiding.

IN ATTENDANCE FROM REMOTE LOCATION VIA ZOOM: Commissioners Adamus, Becka, DiLalla, Mercurio, Urban; Recording Clerk Olson; Building Commissioner Grabfelder; Law Director Paluf

ABSENT: None

**MOTION ON THE MINUTES:** The reading of the minutes of the regular meeting held January 11, 2021 was dispensed with. Mr. Urban moved to accept the minutes as written; seconded by Mr. DiLalla.

**FURTHER DISCUSSION:** None.

**VOTE:** Ayes all; motion carried.

**SUBJECT:    RICHARD CHILSON, 542 MINER ROAD  
PZ21002        VARIANCE TO EXCEED MAXIMUM ALLOWABLE SHED AREA**

Richard Chilson, homeowner, 542 Miner Road, Highland Heights, Ohio 44143, appeared via Zoom teleconference to request a variance to allow a proposed oversized shed measuring 22 feet (north-south) by 10 feet (east-west), for a total of 220 square feet, to be constructed on property located at 542 Miner Road.

Mr. Chilson stated he proposes to demolish the existing dilapidated shed, built in 1945, located in the rear yard. He said the structure poses a safety issue because the cinderblock walls are cracked, the roof is rotten with mold and the foundation is six inches below grade causing flooding. He proposes to demolish the shed, keep the footers, pour a concrete slab and construct a wooden, exact-size replacement of the existing legal, nonconforming shed, that will be located in the same location behind the lines of the house. He said the shed is necessary to store swimming pool supplies and patio furniture.

A variance of 45 square feet from HHCO 1123.05(e)(1) is required to allow a 22-foot by 10-foot shed with an area of 220 square feet (Code allows a maximum shed area of 175 square feet on this 17,500 square foot lot).

Mr. Urban requested that the applicant modify the application he submitted to the Building Department that incorrectly lists the shed size as 20 feet by 10 feet. The applicant agreed.

Mr. Adamus stated a public hearing will be held February 8, 2021.

**SUBJECT: OMNI SENIOR LIVING FACILITY, BISHOP ROAD; PERMANENT  
PARCELS 821-05-007, -008, -009, -011, -018  
PZ21003 DISCUSSION - LOT CONSOLIDATION**

Mr. Adamus requested that the matter of the lot consolidation of parcels 821-05-007, -008, -009, -011 and -018 for the Omni Senior Living facility be added as a topic of discussion at tonight's meeting. The 17+ acres of land are generally undeveloped upon which a 170,000 square-foot Omni Senior Living assisted living facility will be constructed.

Gary Biales, Vice President of Development, Omni Senior Living, 33095 Bainbridge Road, Solon, Ohio 44139, attended tonight's meeting via Zoom teleconference. Mr. Biales previously appeared before the Commission on February 24, 2020 to request lot consolidation approval; however, this action did not occur. Mr. Biales has submitted to the Building Department the metes and bounds dated January 13, 2021 for the five parcels and a lot consolidation plat dated January 4, 2020.

Mr. Biales said he anticipates that transfer of parcel ownership from existing landowners to Omni will occur before February 10, 2021, which is the deadline set by the Commission that would allow a three-month extension to two previously granted variances (PZ21001). Mr. Adamus stated there is precedent set by the Commission for approving lot consolidations with a condition that property ownership would have to transfer first because the City does not have authority to grant approval that impacts parcel characteristics if somebody does not own it. He said once the Commission approves the consolidation, there are steps that must be taken by the City before it goes to the County for final approval. Mr. Adamus recommended the lot consolidation be considered for approval by the Commission at the next regular meeting on February 8, 2021.

*Omni – Planning and Zoning Commission timeline:*

- 7/22/19 First appearance by OMNI at Planning and Zoning meeting (PZ19012)
- 8/26/19 Commission granted a conditional use permit pursuant to HHCO 1109.03(d) to operate an assisted living facility in a P-C-M District (PZ19012)
- 8/26/19 Commission granted a variance of 8 feet from HHCO 1143.04 to allow a building height of 43 feet (Code allows a maximum building height of 35 feet) (PZ19012)
- 8/26/19 Commission granted a variance from HHCO 1143.03(a) to allow employee parking in the front yard and set a 50-parking space maximum in the front yard parking area to prevent its expansion (PZ19012)
- 11/11/19 Commission granted preliminary site plan approval (PZ19023)
- 2/24/20 Discussion on lot consolidation of parcels 821-05-007,-008,-009,-011,-018 (PZ20025)
- 8/10/20 Commission ruled the conditional use permit granted 8/26/19 continues to be valid even though work has not begun on the project; the permit does not require an extension because, although the permit was "granted" in 2019, it has not yet been "issued" (PZ20021)
- 8/10/20 Commission extends the expiration date by six months, from 8/26/20 to 2/26/21, for the two variances granted on 8/26/19 (PZ20021)
- 9/28/20 Commission granted final plan approval (PZ20026)

1/11/21 Commission extends the expiration date by three months, from 2/26/21 to 5/26/21, for the two variances granted on 8/26/19 (PZ21001), contingent on transfer of property ownership to Omni by February 10, 2021

**SUBJECT: 2021 PLANNING AND ZONING CODE REVIEW**  
**PZ21004 DISCUSSION**

Mr. Adamus requested that an agenda item “2021 Planning and Zoning Code Review and Recommendations” be added for the meeting to be held February 8, 2021 and that the Commissioners come prepared with ideas for discussion regarding Code recommendations or any strategic issues that would make sense from the City’s perspective.

**ADJOURNMENT:** There being no further business before the Commission, Mr. Adamus asked if anyone wished to make a motion to adjourn the meeting. A motion was made by Mr. Mercurio to adjourn the meeting; seconded by Mr. Urban. Ayes all; motion carried. Mr. Adamus declared the meeting adjourned at 7:15 p.m.

Mr. Adamus stated the Commission meetings will be held in-person at the Community Center with a Zoom option for those wishing to participate from a remote location beginning with the next regular meeting on February 8, 2021.

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Susan M. Olson, *Recording Clerk*

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Vince A. Adamus, *Chair*