

**THE CITY OF HIGHLAND HEIGHTS, OHIO
PLANNING AND ZONING COMMISSION
REGULAR MEETING
JUNE 26, 2023 - MINUTES**

PRESENT: Commissioners Vince Adamus, Brad Hull, Joe Mercurio, Bill Urban; Recording Clerk Susan Olson; Building Commissioner Dale Grabfelder; Assistant Law Director Timothy Paluf

ABSENT: Commissioner Sean Milroy (City Council Representative)

Chairman Adamus called the regular meeting to order at 7:09 p.m.

MOTION ON THE MINUTES: The Commission dispensed with a reading of the minutes of the regular meeting held June 12, 2023. Mr. Mercurio moved to accept the minutes as written; seconded by Mr. Hull.

FURTHER DISCUSSION: None.

VOTE: Ayes Adamus, Hull, Mercurio; abstain Urban. Motion carried.

MOTION ON THE MINUTES: The Commission dispensed with a reading of the minutes of the public hearing for Lester Miller held June 12, 2023. Mr. Mercurio moved to accept the minutes as written; seconded by Mr. Hull.

FURTHER DISCUSSION: None.

VOTE: Ayes Adamus, Hull, Mercurio; abstain Urban. Motion carried.

MOTION ON THE MINUTES: The Commission dispensed with a reading of the minutes of the public hearing for Mike Rossi held June 12, 2023. Mr. Mercurio moved to accept the minutes as written; seconded by Mr. Hull.

FURTHER DISCUSSION: None.

VOTE: Ayes Adamus, Hull, Mercurio; abstain Urban. Motion carried.

CHANGE TO THE AGENDA: Mr. Adamus said that agenda item number 2, public hearing for Shawn Carter, 219 Legacy Drive, Highland Heights, Ohio, is canceled for tonight's meeting because the Maypine Farms HOA has not submitted their opinion in this matter, as requested by the Commission at the meeting held June 12, 2023. Mr. Adamus stated that a second matter that was considered at the Commission meeting held June 12, 2023 for Michael Diasio has been resolved and a public hearing is no longer necessary. He apprised the Commission that Building Inspector Drazetic visited the property of Mr. Diasio, 605 DeWitt Drive, who has agreed to locate his proposed shed behind the lines of the house.

**SUBJECT: ALEXANDER KERR, 5891 HIGHLAND ROAD
PZ23015 VARIANCE TO EXCEED MAXIMUM AREA ALLOWED FOR
PROPOSED DRIVEWAY TURNAROUND EXTENSION**

Holly Kerr, representing Alexander Kerr, homeowner, 5891 Highland Road, Highland Heights, Ohio 44143, appeared before the Commission to obtain a variance to exceed the maximum area allowed by Code for an extension to the existing driveway turnaround, on property located at 5891 Highland Road. The public hearing was held immediately prior to this regular meeting.

Mr. Adamus informed the applicant that only four of the five Commissioners were present and extended the option to defer the public hearing until such time when all Commissioners would be present because three affirmative votes are required to grant a variance. The applicant chose to proceed. The applicant chose to waive the right to be represented by an attorney as indicated in the Planning and Zoning Commission hearing application dated May 19, 2023.

MOTION: A motion was made by Mr. Mercurio to grant Alexander Kerr, on property located at 5891 Highland Road, Highland Heights, Ohio 44143, a variance of 168 square feet from HHCO Section 1323.03 Turnaround Driveways, which allows a maximum turnaround area of 16 feet by 16 feet for a total of 256 square feet, to allow a driveway turnaround area of 424 square feet; seconded by Mr. Urban.

FURTHER DISCUSSION: Mr. Mercurio said the proposed extended driveway turnaround will be hidden from the street with no significant change to the character of the neighborhood. Mr. Adamus said that widening the driveway, in lieu of expanding the driveway turnaround, is not a practical option due to the bridge that crosses a drainage creek culvert with a one to two foot drop-off at the lower end of the driveway near Highland Road.

VOTE: Ayes all; motion carried.

Mr. Adamus requested the Clerk poll the Commissioners in the majority for their reasoning in the manner in which they voted. The consensus of the Commission for granting the variance is that the single-lane driveway is narrow and cannot be widened due to the bridge that crosses a drainage creek culvert with a one to two foot drop-off at the lower end of the driveway near Highland Road; an extended driveway turnaround provides a significant safety benefit rather than a detriment; a larger driveway turnaround is necessary to safely back out during busy times onto Highland Road which is a main street in the City; the larger turnaround will improve sight lines to be able to see walkers and bikers on the public sidewalk when backing out; the proposed extended driveway turnaround will be hidden from the street; there will be no significant change to the character of the neighborhood; and there are no objections from adjacent property owners or the City.

SUBJECT: LARRY AND DENISE LEWIS, 5445 KENBRIDGE DRIVE
PZ23017 VARIANCE TO ALLOW PROPOSED REPLACEMENT FENCE TO
EXTEND FORWARD OF THE REAR BUILDING LINE OF THE HOUSE

Larry and Denise Lewis, homeowners, 5445 Kenbridge Drive, Highland Heights, Ohio 44143, appeared before the Commission to request a variance to allow a proposed replacement fence to extend forward of the rear building line of the house, on property located at 5445 Kenbridge Drive.

Mr. Lewis said the previous owner of the house legally installed the existing split-rail fence that began at the northeast corner of the rear building of the house, then extending east to meet the easterly side lot line, then extending north to the rear lot line. The fence remained in compliance with Code until 2005, when the previous homeowner added a sunroom to the northeast rear of the house, resulting in the fence extending forward of the new rear building line of the house by a length of 18 feet. The applicants are proposing to replace the existing, deteriorating split-rail fence with a vinyl combination fence consisting of a five foot high solid fence topped with a one foot high lattice top, and in the same location as the existing fence. A variance is required to

allow the proposed fence to extend 18 feet forward of the northeast rear building line of the house.

Mr. Lewis gave the following reasons for wanting to keep the same location for the replacement fence: the location is uniform with the existing fence on the westerly side lot line; the fence will enclose the sunroom to provide security and privacy; a sizable tree and bush will have to be removed if the fence cannot remain in the same location; the usable rear yard area will be significantly decreased if the fence has to be located behind the lines of the house rather than on the side lot line. The applicants stated the fence is located behind existing landscaping and will be an improvement to the property.

Mr. Adamus advised a public hearing will be held July 10, 2023.

SUBJECT: PLANNED RESIDENTIAL DEVELOPMENT (PRD) ZONING
PZ23013 DISCUSSION OF GUIDELINES FOR PRD ZONING

The Commission continued the discussion regarding Code guidelines for Planned Residential Development (PRD) zoning in Highland Heights. The information will be presented to Mr. Milroy who will submit a list of the Commission's recommendations to City Council.

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. Urban to adjourn the meeting; seconded by Mr. Hull. Ayes all; motion carried. Mr. Adamus declared the meeting adjourned at 8:02 p.m.

Susan M. Olson, *Recording Clerk*

Vince A. Adamus, *Chair*

**THE CITY OF HIGHLAND HEIGHTS, OHIO
PLANNING AND ZONING COMMISSION
PUBLIC HEARING PZ23015 – ALEXANDER KERR
JUNE 26, 2023 - MINUTES**

PRESENT: Commissioners Vince Adamus, Brad Hull, Joe Mercurio, Bill Urban; Recording Clerk Susan Olson; Building Commissioner Dale Grabfelder; Assistant Law Director Timothy Paluf

ABSENT: Commissioner Sean Milroy (City Council Representative)

**SUBJECT: ALEXANDER KERR, 5891 HIGHLAND ROAD
PZ23015 VARIANCE TO EXCEED MAXIMUM AREA ALLOWED FOR
PROPOSED DRIVEWAY TURNAROUND EXTENSION**

Chairman Adamus called the public hearing to order at 7:02 p.m. Notices of this hearing were mailed in accordance with HHCO Section 1113.04. Variance appeared as follows:

1. Variance of 168 square feet from HHCO Section 1323.03 Turnaround Driveways, which allows a maximum turnaround area of 16 feet by 16 feet for a total of 256 square feet, to allow a driveway turnaround area of 424 square feet.

Holly Kerr, representing Alexander Kerr, homeowner, 5891 Highland Road, Highland Heights, Ohio 44143, appeared before the Commission to obtain a variance to exceed the maximum area allowed by Code for an extension to the existing driveway turnaround, on property located at 5891 Highland Road.

Ms. Kerr said they are proposing to extend the existing driveway turnaround because the house sits on a main road, resulting in difficulty backing out during busy times and seeing walkers and bikers on the public sidewalk, due to limited sight lines. She said the driveway is single-lane and cannot be made larger due to the bridge that crosses a drainage creek culvert with a one to two foot drop-off at the lower end of the driveway near Highland Road. She added that the existing 84 square-foot turnaround is too small to be able to turn around when another vehicle is in the driveway. According to the site plan submitted, the proposal is to add a 6-foot by 14-foot (84 square feet) section to the east side of the existing turnaround and a 16-foot by 16-foot (256 square feet) section to the north end of the existing turnaround, for a total proposed addition of 330 square feet. The 330 square foot addition plus the 84 square foot existing turnaround is a combined total of 424 square feet. Code allows a maximum turnaround area of 16 feet by 16 feet for a total of 256 square feet, with a four inch curb along its rear.

Public hearing opened to the public. No one spoke nor was any correspondence received from the public on this matter. Public hearing closed at 7:07 p.m.

Susan M. Olson, *Recording Clerk*

Vince A. Adamus, *Chair*