

**THE CITY OF HIGHLAND HEIGHTS, OHIO
PLANNING AND ZONING COMMISSION
REGULAR MEETING
AUGUST 14, 2023 - MINUTES**

PRESENT: Commissioners Vince Adamus, Brad Hull, Joe Mercurio, Bill Urban, Sean Milroy (City Council Representative); Recording Clerk Susan Olson; Assistant Building Commissioner Charlie Drazetic; Law Director Michael Lograsso

ABSENT: None

Chairman Adamus called the regular meeting to order at 7:00 p.m.

MOTION ON THE MINUTES: The Commission dispensed with a reading of the minutes of the regular meeting held July 10, 2023. Mr. Milroy moved to accept the minutes as written; seconded by Mr. Mercurio.

VOTE: Ayes all; motion carried.

MOTION ON THE MINUTES: The Commission dispensed with a reading of the minutes of the public hearing for Larry Lewis held July 10, 2023. Mr. Urban moved to accept the minutes as written; seconded by Mr. Hull.

VOTE: Ayes all; motion carried.

**SUBJECT: JANET NAGEL, 1022 WEST MILL DRIVE
PZ23018 VARIANCE TO LOCATE PROPOSED SHED OUTSIDE THE LINES OF THE HOUSE**

Janet Nagel, homeowner, 1022 West Mill Drive, Highland Heights, Ohio 44143, appeared before the Commission to request a variance to allow a proposed shed to be located outside the lines of the house, on property located at 1022 West Mill Drive. The foundation for the shed is partially installed. Ms. Nagel was advised by the Building Department that she must obtain a variance before proceeding.

Ms. Nagel is proposing to install an 8-foot by 10-foot shed in the rear yard. She said she chose the location in the southwest corner of the rear yard because that corner of the yard is higher than the rest of the yard and gets less flooding. She said this is the only location where trees would not need to be removed. She stated that only a portion of the shed will be visible from the street. A variance is required because a portion of the shed will extend outside the lines of the house. Ms. Nagel was uncertain as to the variance amount. Mr. Adamus advised her to report the amount of the variance to the Building Department by Wednesday, August 12, 2023.

Mr. Adamus advised a public hearing will be held August 28, 2023.

SUBJECT: BODYCOTE, 5475 AVION PARK DRIVE
PZ23019 APPROVAL OF PROPOSED MONUMENT SIGN

James Mason, Signature Sign Company, 1776 East 43rd Street, Cleveland, Ohio 44103, appeared before the Commission to request approval for a proposed monument sign, to be installed on property owned by Bodycote, 5475 Avion Park Drive, Highland Heights, Ohio 44143.

The proposed monument sign will be located in the southeast corner of the front yard at Bodycote. The sign measures 8'W x 30"H x 12"D and is 20 square feet. The sign is double-sided, non-illuminated, no exterior lighting, with flat, cutout acrylic letter-shapes painted satin black and a painted red "furnace" square. No variances are needed. The City ARB approved the sign on August 14, 2023.

MOTION: A motion was made by Mr. Milroy to grant approval for a new monument sign to be installed at Bodycote, 5475 Avion Park Drive, Highland Heights, Ohio 44143, per the plans dated July 24, 2023; seconded by Mr. Mercurio.

FURTHER DISCUSSION: None.

VOTE: Ayes all; motion carried.

SUBJECT: DOG TRAINING ELITE, 6119 HIGHLAND ROAD;
SAIBREAS WEALTH ADVISORS, 6119 HIGHLAND ROAD
PZ23020 APPROVAL OF PROPOSED BUILDING WALL SIGN AND FRONT
DOOR SIGNAGE

Kevin Johnson, Dog Training Elite, 6119 Highland Road, Highland Heights, Ohio 44141, and Michael Conley, Saibreas Wealth Advisors, 6119 Highland Road, Highland Heights, Ohio 44143, located in the plaza at the northwest corner of Highland Road and Miner Road, appeared before the Commission to request approval for proposed signage at 6119 Highland Road.

Mr. Johnson said he is leasing space at 6119 Highland Road and sharing a portion of the space with Mr. Conley. There is a separate front door entrance for each of the businesses. Mr. Johnson is requesting approval for an exterior building wall sign to be affixed to the brick façade above the front door, consistent with the location of the building sign at Mulligan's, the adjacent storefront. The non-illuminated building sign, "DOG TRAINING ELITE", measures 22"H x 16'3"W. The applicants are also requesting approval for signage on both front doors consisting of vinyl letters. Variances are not needed for the proposed signage.

MOTION: A motion was made by Mr. Mercurio to grant approval for a proposed building wall sign for Dog Training Elite, 6119 Highland Road, Highland Heights, Ohio 44143, per the plans dated July 7, 2023, and approval for vinyl lettering signage on each of the two front door entrances for Dog Training Elite and Saibreas Wealth Advisors, 6119 Highland Road, Highland Heights, Ohio 44143, per the plans dated July 17, 2023; seconded by Mr. Milroy.

FURTHER DISCUSSION: None.

VOTE: Ayes all; motion carried.

**SUBJECT: SANCTUARY SUBDIVISION, 6099 HIGHLAND ROAD
PZ23009 VARIANCES TO MINIMUM LOT AREA AND MINIMUM YARD
DIMENSIONS FOR PROPOSED SUBDIVISION**

David Pietrantone, homeowner, 6015 Highland Road, Highland Heights, Ohio 44143, appeared before the Commission to request variances for a proposed residential subdivision at 6099 Highland Road, Highland Heights, Ohio 44143. The site is near the northwest corner of Highland Road and Miner Road, separated by one parcel west of Mulligan's Tavern. The name of the proposed subdivision is Sanctuary.

Background: Mr. Pietrantone and Robert Eppich, homeowner, 313 East Legend Court, Highland Heights, Ohio 44143, appeared before the Commission on April 10 and May 8, 2023 to discuss their proposal for the Sanctuary subdivision. Mr. Eppich is the owner of vacant parcel 821-28-005 (3.6 acres) at 6099 Highland Road and the adjacent westerly vacant parcel 821-28-004 (1.2 acres) that has never been assigned an address. The project will convert the undeveloped combined 4.8 acre parcel into a 15-sublot high density subdivision with one new cul-de-sac road with full utilities that will run from Highland Road north, approximately 325 feet, just west of Miner Road.

At tonight's meeting: Mr. Pietrantone has appeared before the Commission several times since his first appearance on April 10, 2023. The proposed 15-sublot subdivision requires significant variance amounts to the minimum lot requirements established by City Code, including lot area, lot width, side width, front depth and lot depth. The Commission and City Council have been discussing options to allow the creation of a Planned Residential Zoning (PRD) District in the City to avoid using current U-1 Single Family Residential zoning code restrictions that would result in a multitude of high variance amounts for the subdivision.

Mr. Pietrantone said he previously submitted the subdivision site plan dated April 4, 2023 to City Engineer Brian Mader. On July 10, 2023, the Commission received a copy of the letter dated June 19, 2023 from Mr. Mader to Building Commissioner Grabfelder citing many comments of his conceptual plan review on Sanctuary's roadway dimensions, area and yard variances, rear mound detention, fire lines, sanitary and storm utilities and fire circulation plan. For tonight's meeting, Mr. Pietrantone submitted a new site plan dated August 14, 2023 incorporating several changes recommended by the Commission and City Engineer, along with a list of 75 required variances. Mr. Milroy agreed that requesting variances is appropriate at this time in the hearing process and thanked Mr. Pietrantone for revising the site plan. In response to Mr. Adamus's inquiry as to the hardship for the variances, Mr. Pietrantone replied Sanctuary would be a unique subdivision in the City that would provide the option of smaller houses and yards to maintain. Mr. Hull stated the Fair Housing Act prohibits advertising to targeted groups of people. Mr. Pietrantone replied he is aware. Mr. Adamus opined the variance amounts are excessive. Mr. Urban expressed opposition to the variances knowing that City Council is considering options to allow the creation of a Planned Residential Development zoning district that is a higher density from the current U-1 Residential Zoning.

Mr. Adamus advised a public hearing will be held August 28, 2023.

**SUBJECT: PLANNED RESIDENTIAL DEVELOPMENT (PRD) ZONING
PZ23013 DISCUSSION OF PRD RECOMMENDATIONS**

The Commission has been submitting recommendations to City Council that would allow the creation of a Planned Residential Zoning (PRD) Zoning District in the City to avoid using current U-1 Single Family Residential zoning code restrictions that will result in a multitude of excessive variance amounts for proposed high-density subdivisions. Mr. Milroy, the City Council representative to the Commission, presented a summary of the Commission's recommendations to City Council for their feedback. At tonight's meeting, Mr. Milroy said Law Director Lograsso and Building Commissioner Grabfelder drafted an ordinance for a PRD Zoning District based on feedback from Council. Mr. Lograsso stated the procedure for continuing this matter is as follows: the Commission must vote to finalize their recommendations; City Council must vote to approve recommendations for an ordinance; an ordinance is then prepared by Mr. Lograsso and forwarded to the Board of Elections to appear on the March, 2024 general election ballot. The ordinance requires a vote by the people on whether to add a PRD Zoning District in the City and requires a City-wide simple majority vote of approval to pass. A ward majority vote is not required.

There was discussion as to how to inform residents of the proposed Ordinance prior to the ballot election in March, 2024. Further discussion will be held.

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. Milroy to adjourn the meeting; seconded by Mr. Urban. Ayes all; motion carried. Mr. Adamus declared the meeting adjourned at 7:43 p.m.

Susan M. Olson, *Recording Clerk*

Vince A. Adamus, *Chair*