

CITY OF HIGHLAND HEIGHTS, OHIO
MINUTES OF A PLANNING AND ZONING COMMISSION REGULAR MEETING
HELD: OCTOBER 23, 2023 7:00 PM
Highland Heights City Hall Council Chamber

PRESENT: Commissioners Vince Adamus, Brad Hull, Joe Mercurio, Sean Milroy, Bill Urban;
Recording Clerk Susan Olson; Assistant Law Director Tim Paluf

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 October 9, 2023. Mr. Mercurio moved to accept the minutes as written; seconded by Mr. Urban.

FURTHER DISCUSSION: None.

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

SUBJECT: MARATHON STATION, 6295 WILSON MILLS ROAD
PZ23028 APPROVAL OF PROPOSED SIGNAGE

Cindy Vellucci, Archer Corporation, 1917 Henry Avenue SW, Canton, Ohio 44706, appeared before the Commission to request approval for proposed replacement signage at the Marathon gas station, on property located at 6295 Wilson Mills Road, Highland Heights, Ohio 44143, owned by JWW Realty LLC, located at the northeast intersection of Wilson Mills Road and Alpha Drive.

Ms. Vellucci said Marathon is requesting the proposed replacement signage for a visual re-imaging of their brand. The signage on the four sides of the fuel-pump island canopy will be replaced, and LED lighting added to the east, west and south elevations. The north elevation that faces the store will remain non-illuminated. The columns of the fuel pump canopy island will be replaced with re-designed poles. The signage on the fuel pumps will be replaced with the new branding. The poles of the fuel pumps will be redesigned and replaced. The signage on the pole sign and hi-rise sign will be replaced with the new rebranding signage. Existing signage at the store will remain as-is.

Building Commissioner Grabfelder said the drawings with dimensions and colors for all proposed signage were approved by the city ARB today, with a note that the gutters need to tie into storm sewers. He said that variances granted in the past for signage still apply for this proposed signage.

MOTION: A motion was made by Mr. Milroy to grant approval for the proposed signage at the Marathon gas station, 6295 Wilson Mills Road, Highland Heights, Ohio 44143, per the drawings submitted for the Commission meeting on October 23, 2023; seconded by Mr. Hull.

FURTHER DISCUSSION: None.

VOTE: Ayes all; motion carried.

**SUBJECT: PLANNED UNIT RESIDENTIAL DEVELOPMENT (PURD) ZONING
PZ23013 STATUS**

The Commission created and submitted recommendations to City Council that would allow the creation of a Planned Unit Residential Development (PURD) Zoning District in the city to avoid using current U-1 Single Family Residential zoning code restrictions for proposed high-density subdivisions. Planning and Zoning Commissioner Milroy, City Council representative to the Commission, reported at tonight's meeting that the city Legislative and Finance Committee met two weeks ago and quelled PURD zoning in the city. He said three of the seven Council members opposed moving forward because of the cost of putting the issue on the ballot; their opinion the city should not be responsible for creating PURD zoning regulations; and the PURD recommendations submitted by P&Z do not meet current zoning code. In response to those comments, Mr. Milroy and Assistant Law Director Paluf agreed that City Council tasked P&Z to create and submit PURD recommendations to them and that the city created the Recreation and Residential Development District prior to development of the Aberdeen high-density subdivision that did not meet existing code at the time. The Commission opined it is in the best interest of the city that PURD regulations be created by the city rather than by a developer. Mr. Milroy stated the Legislative and Finance Committee will discuss this matter again at their meeting tomorrow evening.

Mr. Adamus said that agenda item number 3 "Shawn Carter" will not be considered because no one was present to represent this matter.

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. Hull to adjourn the meeting; seconded by Mr. Mercurio. Ayes all; motion carried. Mr. Adamus declared the meeting adjourned at 7:14 p.m.

Shawn Carter entered the Council Chamber at 7:15 p.m.

MOTION TO RECONVENE: A motion was made by Mr. Hull to reconvene the meeting; seconded by Mr. Urban. Ayes all; motion carried. Mr. Adamus declared the meeting reconvened at 7:15 p.m.

**SUBJECT: SHAWN CARTER, 219 LEGACY DRIVE
PZ23029 VARIANCES FOR PROPOSED FOUR CAR DETACHED GARAGE TO
EXCEED MAXIMUM WIDTH REQUIREMENT AND TO ALLOW
FRONT ENTRY (NOT SIDE ENTRY)**

Shawn Carter, property owner, 219 Legacy Drive, Highland Heights, Ohio 44143, and Mark Maltry, Jemm Construction, 200 Blackbrook Road, Painesville Township, Ohio 44077, appeared before the Commission to discuss their proposal to build a 22 foot x 49 foot, 1,176 square foot, four car front entry detached garage at the rear of the house, on property located at 219 Legacy Drive.

This is the second time Messrs. Carter and Maltry are appearing before the Commission to request variances required to convert the existing four car attached side entry garage into an in-law suite and build a four car front entry detached garage at the rear of the house, behind and in-line with the existing garage. The applicants first appeared before the Commission on June 12, 2023 at which time a public hearing was scheduled for June 26, 2023 to consider the variances. The hearing was later canceled because the applicants did not submit proof of approval for the variances from the Maypine Farms HOA, as requested by the Commission at the meeting held June 12, 2023.

At tonight's meeting, the applicants did not submit any revisions to the site plan or preliminary plans they originally submitted on June 12, 2023. The doors of the detached garage will face west and will not be seen from the street and the detached garage will mirror the exterior details and finishes of the existing garage. There are no accessory structures on the property. The applicants did not submit plans for the conversion of the existing attached garage to living space. A variance of 5 feet 4 inches is required to allow a four car garage with a maximum width of 49 feet 4 inches. A variance is required to allow a four car front entry rather than side entry as required by code.

Mr. Carter submitted site plans of seven houses that he claims have garages larger than the 1,176 square foot garage he is proposing to build. He said the Maypine HOA approved his plans and also contacted and received support for the variances from his adjacent side neighbors. Building Commissioner Grabfelder advised the applicants they must submit a hard copy of the Maypine HOA approval letter to the Building Department prior to a public hearing for the variances.

Mr. Grabfelder recommended that the Commission require the attached garage be completely converted into living space within the required one-year time frame from when the variances are approved for building the detached garage. Assistant Law Director Paluf said a contingency should be placed on the motion for the variances for the proposed detached garage that the existing attached garage must be converted into living space within the one-year time frame. Mr. Adamus said code allows a maximum of four car garage space car. Mr. Carter said he may need up to two years to complete both projects.

Mr. Urban said he will not be present for the public hearing on November 13, 2023. Mr. Adamus advised the applicants they have the option to delay the hearing at a time when all five Commissioners will be present if they choose.

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. Hull to adjourn the meeting; seconded by Mr. Mercurio. Ayes all; motion carried. Mr. Adamus declared the meeting adjourned at 7:30 p.m.