

**CITY OF HIGHLAND HEIGHTS
REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
HELD: DECEMBER 11, 2006**

PRESENT: Commissioners Kerr, Knezevic, Mastrangelo, Pilla, Urban;
Recording Clerk Olson

ABSENT: Interim Building Commissioner Jamieson

MOTION ON THE MINUTES: The reading of the Minutes of the regular meeting held November 27, 2006 was dispensed with. Mr. Kerr moved to accept the Minutes as written; seconded by Mr. Urban. Ayes all; motion carried.

The reading of the Minutes of the Public Hearing for Riaz Ahmad held November 27, 2006 was dispensed with. Mr. Pilla moved to accept the Minutes as written; seconded by Mr. Kerr. Ayes all; motion carried.

The reading of the Minutes of the Public Hearing for DiStefano Deli/Bakery held November 27, 2006 was dispensed with. Mr. Pilla moved to accept the Minutes as written; seconded by Mr. Kerr. Ayes all; motion carried.

APPOINTMENT OF RECORDING CLERK FOR THE YEAR 2007: **MOTION:** A motion was made by Mr. Knezevic to appoint Susan Olson as Recording Clerk of the Planning and Zoning Commission for the year 2007; seconded by Mr. Kerr. Ayes all; motion carried.

**SUBJECT: CDT HOMES, 329 EAST EDINBURGH DRIVE, S/L 23, ABERDEEN
AREA "H"
PZ01009-1 FINAL HOME APPROVAL**

Joe Tracz, CDT Custom Homes, P.O. Box 43350, Highland Heights, Ohio 44143, appeared before the Commission to obtain final home approval for the proposed home to be located at 329 East Edinburgh Drive, S/L 23, Aberdeen Area "H".

Chairman Mastrangelo advised the applicant that the proposed driveway threshold of 34'8" for the three-car garage exceeds the 32' maximum driveway threshold established by code. (Note: The proposed driveway was configured to extend approximately 3' beyond the single bay garage door in order to abut a man-door adjacent to the garage door at the corner of the house. The section of driveway with a width of 34'8" extends for approximately 20'.) Chairman Mastrangelo recommended that the threshold be reduced to comply with code and that a concrete pad be added in front of the man-door. Mr. Tracz agreed. Chairman Mastrangelo advised the applicant to indicate the revised driveway threshold on the drawings and resubmit them to the City.

Chairman Mastrangelo noted that the City Engineer's signature does not appear on the required signature approval sheet.

MOTION: A motion was made by Mr. Urban to grant final home approval to CDT Homes on property located at 329 East Edinburgh Drive, S/L 23, Aberdeen Area “H”, contingent on final approval from the City Engineer and the driveway threshold being reduced to a maximum width of 32’; seconded by Mr. Kerr. Roll call on the motion. Ayes Mastrangelo, Pilla, Urban, Kerr, Knezevic. Ayes all; motion carried.

Chairman Mastrangelo presented the original signature approval sheet to Mr. Tracz in order for him to obtain signatures from the City Engineer and Building Commissioner. Chairman Mastrangelo stated that he will sign the sheet after the aforementioned signatures are obtained.

SUBJECT: **HIGHLAND WELLNESS CENTER, 840 BRAINARD ROAD**
PZ06022 **FINAL SIGN AND LANDSCAPE APPROVALS**

Dr. Daniel Duffy, representing Highland Wellness Center, 840 Brainard Road, appeared before the Commission to obtain final sign and landscape approval for the proposed ground sign at 840 Brainard Road. (Note: The Commission had granted variances for the proposed ground sign at a Public Hearing held on November 13, 2006.)

Dr. Duffy had submitted a final drawing of the proposed sign prior to this meeting. He received ARB approval earlier in the day for the new two-sided, internally lit ground sign. The dimensions of the main sign are 5’ high by 7’ wide. The dimensions of the sign base are 1’ high by 6’ wide. The total area of the sign is 41 square feet, with a total height of 6’.

Chairman Mastrangelo noted that a landscape plan was not included on the final sign drawing. Dr. Duffy agreed to either plant a small bush on each end of the sign or to plant a bed of flowers around the base of the sign. In response to Dr. Duffy’s inquiry if he could erect the sign on top of a mound of dirt, Chairman Mastrangelo replied no.

MOTION: A motion was made by Mr. Pilla to grant final sign approval to Highland Wellness Center, on property located at 840 Brainard Road, contingent on a landscape plan being submitted to the Building Commissioner prior to a building permit being issued; seconded by Mr. Kerr. Roll call on the motion. Ayes Mastrangelo, Pilla, Urban, Kerr, Knezevic. Ayes all; motion carried.

Chairman Mastrangelo instructed the applicant to submit a sketch of the landscape plan to the Building Department and request that a copy be given to the Commission for their records.

SUBJECT: **ABUNDANT LIFE INTERNATIONAL CHURCH, 5942 WILSON MILLS**
ROAD
PZ06027 **VARIANCE TO SIGN REQUIREMENTS**

Ronald D. Carnahan, Treasurer and Associate Pastor, Abundant Life International Church, 5942 Wilson Mills Road, appeared before the Commission to review a request for a variance for a ground sign on property located at 5942 Wilson Mills Road.

Mr. Carnahan stated that Abundant Life International Church, a four-year old congregation, has purchased the building formerly known as Church of the Nazarene located at 5942 Wilson Mills Road.

Mr. Carnahan stated that they are proposing to erect a new ground sign. The applicant had submitted a drawing of a sign with incomplete dimensions. The total area of the proposed sign was uncertain.

Chairman Mastrangelo advised the applicant to resubmit a revised drawing indicating the exact measurements of the base and main sign as well as a landscape plan. He advised the applicant that the sign should not exceed a total area of between 30 and 40 square feet. Chairman Mastrangelo advised the applicant that a Public Hearing could be scheduled for the next meeting to be held on January 8, 2007 if the revised drawing is submitted within the following week.

SUBJECT: S.R.S. CONSTRUCTION, INC., ABERDEEN AREA “H”
PZ06026 HOME BUILDER APPROVAL

Steven Small, S.R.S. Construction, Inc., 3219 Sulgrave Road, Cleveland, Ohio 44122, appeared before the Commission to obtain home builder approval in Aberdeen Area “H”.

(Note: Mr. Small had appeared at the regular meeting on November 27, 2006 to obtain home builder approval in Aberdeen Area “H”. The matter was continued to allow time for the Commission to poll several cities in which Mr. Small has built for their comments. Ron Kluchin granted builder approval on October 27, 2006 and the Highland Heights ARB granted builder approval on November 27, 2006.)

Mr. Small stated that he purchased three lots in Aberdeen Area “H” from Forest City. He said that he has no prospective buyers at this time. He presented a photo album of houses he has built and a list of customer references.

Chairman Mastrangelo stated that the City of Beachwood responded favorably to Mr. Small’s building history within their city. He said that the cities of Pepper Pike and Solon have not yet responded to his inquiry.

Mr. Knezevic recommended that the Commission defer the vote on new builder approval until the new Building Commissioner is hired to allow an opportunity for the Commission to voice their concerns with the Building Commissioner regarding the history of a house with defective construction issues built by S.R.S. Construction in the city of Highland Heights. Mr. Urban questioned whether postponing this matter poses an undue burden on Mr. Small’s ability to begin marketing his lots. Mr. Small agreed to continue the matter. Chairman Mastrangelo advised the applicant to appear at the next regular meeting on January 8, 2007.

In response to Mr. Knezevic’s inquiry if Mr. Small has operated his business under any other names, Mr. Small replied J.S. Custom Homes.

**SUBJECT: DISTEFANO DELI/BAKERY, 5600 HIGHLAND ROAD
PZ06024 FINAL PLAN APPROVAL OF BUILDING EXPANSION**

John DiStefano, DiStefano Deli/Bakery, 5600 Highland Road, and Sheldon Gross, Applebrook Design, 30275 Bainbridge Road, Building A Suite 1, Solon, Ohio 44139, appeared before the Commission to obtain final plan approval for the proposed addition to the rear of the existing delicatessen at 5600 Highland Road.

Mr. Gross stated that the DiStefano family is in the process of analyzing bids for the building expansion project. He said that the bids came in over budget; therefore, their plan is to pursue an appeal of the Commission's ruling that the existing garage located on the southwest corner of the property must be demolished by April 1, 2007, in order to allow the garage to remain as a storage facility, thereby eliminating the need to dig a basement which would result in a cost savings to the applicant.

Mr. Gross said that the City Engineer approved the site plan in a letter dated December 7, 2006 with the contingency that the owner (DiStefano) obtain the permission of the adjacent property owner to allow the installation of the silt fence along the eastern property line.

Chairman Mastrangelo stated that the Fire Department approved the expansion project in a letter dated November 21, 2006. He said that he personally spoke with Police Chief Cook who gave verbal approval for the project contingent on approval from the Fire Department.

Chairman Mastrangelo advised the applicants that they must reappear before the Commission with any exterior changes to the project. He said that eliminating the basement would not require the applicants to reappear before the Commission because the exterior of the building would not be affected.

Mr. Gross stated that there will not be any drive-thru access at the deli/bakery. He said that there will be a new customer entrance on the west side of the building to allow customers to walk in to pick up their orders.

MOTION: A motion was made by Mr. Knezevic to grant final plan approval to DiStefano Deli/Bakery for the proposed addition to the rear of the property at 5600 Highland Road; seconded by Mr. Kerr. Roll call on the motion. Ayes Mastrangelo, Pilla, Urban, Kerr, Knezevic. Ayes all; motion carried.

**SUBJECT: DISTEFANO DELI/BAKERY, 5600 HIGHLAND ROAD
PZ06024 REVIEW OF EXISTING SOUTHWEST GARAGE BUILDING**

John DiStefano, DiStefano Deli/Bakery, 5600 Highland Road, and Sheldon Gross, Applebrook Design, 30275 Bainbridge Road, Building A Suite 1, Solon, Ohio 44139, appeared before the Commission to review plans for the existing southwest garage building located behind the restaurant at 5600 Highland Road.

(Note: The applicants are appealing a ruling set by the Commission which states that the existing brick garage located on the southwest corner of the property behind the bar/restaurant at 5600 Highland Road must be demolished by April 1, 2007, according to the terms of the final plan approval granted for the bar/restaurant on February 14, 2005 as follow: **MOTION:** A motion was made by Mr. Knezevic to grant approval for the revised site plan dated January 26, 2005 to Michelino DiStefano for the renovation of the bar/restaurant located at 5596 Highland Road, contingent upon: 1) review by the Police Department of the rear driveway with regard to parking/safety issues; and 2) the existing garage on the southwest corner of the lot being removed one year after occupancy of the revised structure; seconded by Mr. Kerr. Roll call on the motion. Ayes Knezevic, Mastrangelo, Murphy, Urban, Kerr. Ayes all; motion carried.)

Mr. Gross stated that they want to keep the existing brick garage as a storage facility for bakery equipment. The garage dimensions are 30' (north-south) by 34' (east-west). He said that this storage area is needed because due to budget constraints they may not be able to dig a new basement as originally planned in the deli/bakery expansion project.

Mr. Gross gave a presentation complete with color drawings of the proposed remodeling of the existing brick garage. He said that the garage doors on the west elevation will be removed and replaced with brick and windows/dormers/shutters. He said that the north elevation will be cleaned and refurbished. He stated that the chimney and incinerator on the east elevation will be removed and replaced with a metal door. He said that all windows will be cleaned, sanded and painted. He stated that they have asked their contractor the cost to reshingle the roof.

Mr. Gross stated that the existing gravel/concrete drive in front of the garage will be torn out and replaced with two inches of topsoil and grass and three trees. He said that the first parking space behind the garage will be omitted to eliminate the blind spot issue with that parking space.

Chairman Mastrangelo stated that approval from the Police Department for the garage remodeling plan is necessary for this project to proceed. Chairman Mastrangelo and Mr. Pilla agreed that the garage shingles should be replaced.

DISCUSSION OF GAS WELLS: A short discussion was held concerning the City Council Agenda item regarding the drilling of gas wells at both the City Park and City Hall. Members were advised that the Commission would probably be required to hold a Public Hearing on these proposals as now required by the H. H. Codified Ordinances.

ADJOURNMENT: A motion to adjourn the meeting was made by Mr. Knezevic and seconded by Mr. Pilla. Said meeting adjourned at 9:06 p.m.

Susan M. Olson, Recording Clerk

Robert J. Mastrangelo, Chairman