

**CITY OF HIGHLAND HEIGHTS  
REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION  
HELD: FEBRUARY 12, 2007**

**PRESENT:** Commissioners Kerr, Knezevic, Mastrangelo, Pilla, Urban;  
Recording Clerk Olson; Building Commissioner Stouffer

**ABSENT:** None

**MOTION ON THE MINUTES:** The reading of the Minutes of the regular meeting held January 22, 2007 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 Abundant Life International Church held January 22, 2007 was dispensed with. Mr. Urban moved to accept the Minutes as written; seconded by Mr. Pilla. Ayes all; motion carried.

**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 obtain an area variance for a proposed ground sign on property located at 5942 Wilson Mills Road.

(Note: The Public Hearing was held on January 22, 2007. At that time the applicant had requested a variance of 19 square feet to allow a sign area of 35 square feet. The proposed sign was to be 6 feet in height and located 50 feet from the east property line and 75 feet from the west property line and 20 feet from the inside edge of the street sidewalk. The applicant had not submitted an accurate drawing of the sign and the Commission continued this matter until February 12, 2007 to allow the applicant time to submit an accurate drawing with actual dimensions.)

At the Public Hearing held on January 22, 2007, the adjacent property owner at 5950 Wilson Mills Road to the east of the church objected to the variance because of the proximity to her house. Mr. Carnahan stated that he is willing to move the sign 15 feet to the west, so that the sign will be located 75 feet from the edge of the east driveway and 80 feet from the edge of the west driveway and 20 feet from the inside edge of the street sidewalk. He said that the sign will be centered in the church yard.

Mr. Carnahan had submitted a drawing of the proposed sign indicating dimensions; however, the total square footage of the sign was omitted. Mr. Carnahan stated that it was his understanding from conversations with the city that the Building Department would calculate the square footage. Chairman Mastrangelo replied that the applicant should provide that information because he is requesting the variance. Chairman Mastrangelo stated that he calculated 29.2 square feet from the current drawing.

Mr. Carnahan listed the following conditions as hardships for the variance: Wilson Mills Road is five lanes wide; the speed limit on Wilson Mills Road is 35 mph; the church is situated between homes; and a former church had occupied the building for 40 years. He said that these factors seriously limit passing motorists and prospective attendees from observing the church. He stated that the line of site and recognition time warrant a sign larger than the 16 square feet allowed by code.

Building Commissioner Stouffer stated that the size of the letters on the proposed sign is within the national standard of the sign industry. Mr. Carnahan replied that he is willing to change the size of the letters if necessary.

Mr. Urban stated it is his opinion the variance is excessive and that the adjacent homeowners will experience more of a hardship than the church will experience by not having a larger sign. Mr. Pilla stated the variance is excessive and recommended that the sign height be reduced from 6 feet to 4 or 5 feet. Mr. Carnahan replied that his primary intent is to attract new members and that the sign size allowed by code is too small.

The Commission discussed options for changing the size and content of the sign to reduce the amount of the area variance. The applicant agreed to continue this matter to allow him time to redesign the sign and to calculate the square footage. The Commission recommended that the applicant obtain support from his neighbors prior to the next meeting.

The Commission is in receipt of photographs submitted by the adjacent neighbor at 5950 Wilson Mills Road: a small church sign at 5631 Ridgebury Road (Hillcrest Baptist Church); and the church sign at the corner of Ford and Ridgebury Roads which is a large corner lot (Community of Christ Church.)

**SUBJECT: HACKERS PUB, 5596 HIGHLAND ROAD**  
**PZ07001 VARIANCE TO GREENSPACE AND PARKING REQUIREMENTS TO**  
**ALLOW A PATIO AND OUTDOOR DINING**

Peter Mooney, owner, Hackers Pub, 5596 Highland Road, appeared before the Commission to review a request for variances for a proposed patio to allow outdoor dining.

Mr. Mooney had submitted a proposed site plan for a patio addition to the east of Hackers Pub for the purpose of serving food as follows: patio to be made of brick pavers; one access gate on the north side and one access gate on the south side; wooden fence on the north (front) facing Highland Road; one-half brick wall with wrought iron fence on east side; fence on south (back) side; foliage in the form of trees or bushes along the north and east sides. He said that the patio will not include a bar and that there would be no covered section.

Building Commissioner Stouffer stated that Hackers Pub and DiStefano Deli/Bakery are situated on one lot and that the parking requirement is a combination of the number of spaces required for each business. He said that the Deli/Bakery requires a minimum of 22 spaces (one space per every 200 square feet) and Hackers Pub requires a minimum of 102 spaces (one space per every 50 square feet, + 10). He stated that there are currently 72 parking spaces and that code requires

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a minimum of 124 spaces, thereby necessitating a variance of 52 parking spaces. He noted that the hours of each business are offset and that one's peak hours are the other's off hours.

Mr. Mooney stated that the north and south patio access gates would be for handicap and emergency access. Building Commissioner Stouffer advised that it is necessary to have a gate that would allow easy egress in case of emergency.

Mr. Mooney stated that a variance of 1% to the greenspace requirement of 20% is necessary.

With regard to hours of operation, Mr. Mooney replied that closing is 10 p.m. on weeknights, 1 a.m. on Fridays and Saturdays, and 8 p.m. on Sundays. He said that a band may perform outdoors but would not be too loud. The Commission noted that there are no residents adjacent to the applicant's property.

Chairman Mastrangelo advised the applicant to submit an Application for Hearing form and a drawing of the elevations and floor plan for the next meeting.

Building Commissioner Stouffer advised the applicant that he must obtain approval from the Architectural Review Board and the Fire Department.

Mr. Mooney said that he will request approval from the DiStefanos after he obtains approval from the Commission.

**ADJOURNMENT**: A motion to adjourn the meeting was made by Mr. Pilla and seconded by Mr. Urban. Said meeting adjourned at 8:50 p.m.

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Susan M. Olson, Recording Clerk

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Robert J. Mastrangelo, Chairman