

**CITY OF HIGHLAND HEIGHTS
PUBLIC HEARING OF THE PLANNING AND ZONING COMMISSION
HELD: JANUARY 10, 2005**

PRESENT: Commissioners Kerr, Knezevic, Mastrangelo, Murphy, Urban;
Recording Clerk Olson; Building Commissioner Jamieson

ABSENT: None

**SUBJECT: ANTHONY J. DECARLO, VARIANCE ON PROPERTY LOCATED AT
6356 HIGHLAND ROAD
PZ04027 VARIANCE TO FENCE REQUIREMENTS**

Michael A. Jiannetti, attorney, 6449 Wilson Mills Road, Mayfield Village, Ohio 44143, representing Anthony J. DeCarlo (not present), 6356 Highland Road, appeared before the Commission to obtain a variance to erect a fence on the property owned by Anthony J. DeCarlo located at 6356 Highland Road.

Note: Mr. DeCarlo had already been granted a variance at a Public Hearing held on October 25, 2004 as follows: **MOTION:** A motion was made by Mr. Silbiger to grant Anthony J. DeCarlo, on property owned by Robert Salango and located at 6364 Highland Road, a variance of twenty-two feet (22') from Section 1123.21(b)(4): "FENCES; Permitted Fences; Privacy Fences", which establishes that privacy fences are permitted only in the rear yard, to allow a six foot (6') high board-on-board privacy fence to extend twenty-two feet (22') forward of the rear building line on the westerly property line then extending westward for 8' to the existing walkway, contingent upon a recorded easement with the County being presented prior to the building permit being issued; seconded by Mr. Knezevic. Roll call on the motion. Ayes Kerr, Knezevic, Mastrangelo, Murphy, Silbiger. Ayes all; motion carried.

Note: Mr. DeCarlo amended his variance request at the Regular Meeting held December 13, 2004 for three reasons: 1) Mr. DeCarlo mistakenly reported the address of the proposed fence as 6364 Highland Road (the Salango property), and a recent survey shows that the proposed fence will actually be located on the applicant's property at 6356 Highland Road; 2) Mr. DeCarlo mistakenly requested a variance of 22 feet and is now requesting a variance of 30 feet to allow the fence to extend further forward to the second structural fence post from the front yard that is located 16 feet back from the front of his house; and 3) Mr. DeCarlo is now requesting to remove his request to extend the gate across the front of the property.

Public Hearing was called to order at 8:02 p.m. Notices of this Public Hearing were mailed in accordance with Section 1113.04.

Variance is requested as follows:

1. Variance of thirty feet (30') from Section 1123.21(b)(4): "FENCES; Permitted Fences; Privacy Fences", which establishes that privacy fences are permitted only in the rear

yard, to allow a six foot (6') high board-on-board privacy fence to extend thirty feet (30') forward of the rear building line on the easterly property line.

Mr. Jiannetti stated that the fence will provide protection from the construction equipment owned and stored by the neighbor. He said that the fence will be solely on the DeCarlo property. He said that changes from the original variance request are that the fence will be extended an additional eight feet (8') forward and that the front gate will be eliminated. He stated that Mr. DeCarlo has presented a signed letter of support dated October 17, 2004 from four (4) of the neighbors, including Robert Salango at 6364 Highland Road, Christopher Dilisi at 6348 Highland Road, Marie Connelly at 6351 Highland Road, and Kathy Graber at 6340 Highland Road.

Public Hearing opened to the public. No one spoke.

Public Hearing closed at 8:07 p.m.

Susan M. Olson, Recording Clerk

Robert J. Mastrangelo, Chairman