

**CITY OF HIGHLAND HEIGHTS
REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
HELD: FEBRUARY 24, 2020 8:00 PM**

Chair of Commission Adamus presiding.

PRESENT: Commissioners Adamus, Becka, DiLalla, Urban, Warner;
Recording Clerk Olson; Building Commissioner Grabfelder; Law Director Paluf

ABSENT: None

MOTION ON THE MINUTES: The reading of the minutes of the regular meeting held February 10, 2020 was dispensed with. Mr. Warner moved to accept the minutes as written; seconded by Mr. Urban.

FURTHER DISCUSSION: None.

VOTE: Ayes all; motion carried.

**SUBJECT: DAVID DALPIAZ, 302 MINER ROAD
PZ20002 VARIANCE TO MINIMUM LOT FRONTAGE REQUIREMENT**

The public hearing for David Dalpiaz, homeowner, residing at 873 Rose Boulevard, Highland Heights, Ohio 44143, was held prior to this regular meeting and then tabled for the next meeting to be held March 9, 2020 to allow time for Mr. Dalpiaz's pending purchase agreement to be finalized for the lot at 302 Miner Road, Highland Heights, Ohio 44143.

**SUBJECT: POKE FRESH, 6319 WILSON MILLS ROAD
PZ20004 APPROVAL OF SOUTHERLY BUILDING WALL AND FRONT DOOR
SIGNS**

Michelle Miller, Akers Signs, 1670 Salway Avenue SW, North Canton, Ohio, appeared before the Commission for approval of the proposed southerly building wall sign and front door sign facing Wilson Mills Road at the new Poke Fresh restaurant (formerly Qdoba), located at 6319 Wilson Mills Road, Highland Heights, Ohio 44143.

The building signs for the former Qdoba restaurant have been removed. The Poke Fresh proposed southerly building wall sign facing Wilson Mills Road is 65 square feet and the proposed front door sign is two square feet, for a total signage of 67 square feet (Code allows 200 square feet). Sign letter height is 36 inches (Code allows 48 inches). Building Commissioner Grabfelder said the signs are smaller than the former Qdoba signs and that no variances are required. He said the City ARB approved the signs earlier today.

MOTION: A motion was made by Mr. Urban to grant approval for the proposed southerly building wall sign and front door sign at Poke Fresh restaurant, located at 6319 Wilson Mills Road, Highland Heights, Ohio 44143, per the drawings dated January 16, 2020; seconded by Mr. Warner.

FURTHER DISCUSSION: None.

VOTE: Ayes all; motion carried.

**SUBJECT: OMNI ASSISTED LIVING, BISHOP ROAD, PERMANENT PARCELS
821-05-007, -008, -009, -011, -018
PZ20005 DISCUSSION REGARDING LOT CONSOLIDATION**

Gary Biales, Vice President of Development, OMNI Senior Living, 23205 Mercantile Boulevard, Beachwood, Ohio 44122, appeared before the Commission for information on the City's progress with addressing the consolidation plan he submitted on February 5, 2020. He said he is eager to obtain lot consolidation and final plan approvals from the Commission.

On November 11, 2019, the Commission granted preliminary site plan approval for the proposed OMNI Vitalia assisted living facility, on property located on Bishop Road, Highland Heights, Ohio 44143, permanent parcels 821-05-007, 821-05-008, 821-05-009, 821-05-011 and 821-05-018, a P-C-M District. Mr. Biales said he is awaiting comments from the City on a consolidation plat he submitted in early February. Building Commissioner Grabfelder replied the City Engineer reviewed the consolidation plan and has four or five concerns. He said the plan must also be reviewed by stormwater personnel to address wetland issues. Mr. Biales said the parcels cannot be consolidated until he owns the land, and that he will not purchase the property until he has final site plan approval from the Commission for the assisted living project. The Commission can approve the lot consolidation prior to ownership of the lots by Mr. Biales because the plat will not be filed and recorded with the County until he obtains ownership.

ADJOURNMENT: A motion to adjourn the meeting was made by Mr. Warner. Said meeting adjourned at 8:40 p.m.

Susan M. Olson, Recording Clerk

Vince A. Adamus, Chair

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HELD: FEBRUARY 24, 2020 8:00 PM

Chair of Commission Adamus presiding.

PRESENT: Commissioners Adamus, Becka, DiLalla, Urban, Warner;
Recording Clerk Olson; Building Commissioner Grabfelder; Law Director Paluf

ABSENT: None

SUBJECT: DAVID DALPIAZ, 302 MINER ROAD
PZ20002 VARIANCE TO MINIMUM LOT FRONTAGE REQUIREMENT

Public hearing was called to order at 8:02 p.m. Notices of this hearing were mailed in accordance with HHCO 1113.04. Variance appeared as follows:

1. Variance of 56 feet from HHCO 1123.08: “AREA, YARD AND HEIGHT REGULATIONS”, that requires a minimum lot width at building line of 125 feet, to allow a lot width at building line of 69 feet.

David Dalpiaz, homeowner, residing at 873 Rose Boulevard, Highland Heights, Ohio 44143, has a pending purchase agreement for the single lot at 302 Miner Road, Highland Heights, Ohio 44143, parcel 821-10-006. He plans to reappear before the Commission when the purchase agreement is finalized for approval to split the property into two buildable lots. As the first step in this process, he is appearing before the Commission tonight to obtain a variance to the minimum frontage requirement for each of the proposed newly reconfigured lots.

Mr. Dalpiaz said the purchase agreement for the lot is pending. It was the opinion of the majority of Commissioners to delay considering this variance request until Mr. Dalpiaz has ownership of the property. Law Director Paluf agreed it is appropriate to wait until the applicant has ownership of the property and added the Commission also has the option to grant approval for the variance tonight contingent on ownership of the property by Mr. Dalpiaz. Mr. Adamus stated this hearing will be continued at the meeting on March 9, 2020.

Each of the two newly reconfigured lots will have a frontage of 69 feet (Code requires 125 feet). Lot regulation requirements have evolved over the years resulting in lot regulations becoming larger due to the fact that the permissible minimum lot size has increased. The Commission established precedent by granting frontage variances in the past at 459 Lynden Drive and 462 Miner Road when taking into consideration the frontages of surrounding lots. There is a diversity of frontages in the general area at 302 Miner Road and the two southerly adjacent lots to the subject property each have frontages of 69 feet.

Mr. Dalpiaz proposes to demolish the existing derelict house and other structures on the property and then build a home on each of the two lots that will be distinct from each other and will face Miner Road. Mr. Urban expressed concern as to the location of the proposed homes on the narrow lots and the style of the houses. Mr. Dalpiaz replied the houses will be similar to those at 306 and 312 Miner Road that have lots with 69’ building line widths. The homes will have an

area between 3,200 to 3,400 square feet each. The majority of Commissioners stated they are not amenable to approving any additional variances for the homes and lots. Mr. Dalpiaz replied he understands no additional variances will be granted.

Public hearing opened to the public.

Kristen Newberry, homeowner, 294 Miner Road, Highland Heights, Ohio 44143, adjacent property to the north of the subject property, stated she is ecstatic the lot at 302 Miner Road will be redeveloped; however, she is concerned as to the location of the new house on the lot and its proximity to her house. Building Commissioner Grabfelder replied the minimum side yard setback is ten feet from the lot line and the front yard setback is sixty feet from the public sidewalk. Ms. Newberry stated she would like the existing large trees located in the front yard directly on the shared lot line to remain. Mr. Adamus replied that issue can be addressed when Mr. Dalpiaz appears before the Commission for site plan approval.

No one else spoke nor was any additional correspondence received from the public in this matter.

Public hearing closed at 8:24 p.m.

Susan M. Olson, Recording Clerk

Vince A. Adamus, Chair