PLANNING AND ZONING COMMISSION MEETING CITY OF MAPLE HEIGHTS

Maple Heights City Hall, Council Chambers

April 10, 2023

Caucus Meeting: 6:00 PM **Public Hearing:** 6:30 PM

Public Meeting: Immediately following the Public Hearing

CALL TO ORDER:

ROLL CALL: ARNOLD, JAMES, MARBURY, SANDERS & OGLESBY

PUBLIC HEARING

This Public Hearing is called according to Section 1262.03 of the Codified Ordinances of the City of Maple Heights. If you are an Applicant, please **REMAIN PRESENT** until you are called during the Public Meeting, which begins after the Public Hearing, to discuss your application. The Public Hearing is to permit the public to speak in favor or in opposition of the case(s) on the meeting agenda.

<u>2023-PZ-14</u> An application from Mel Byler of Alron Homes LLC requesting approval of the following: 1) a Variance of 1,400 sq. ft. from the requirements of Sect. 1272.05(A) of the MH Codified Ordinances regarding minimum lot size and 2) a Variance of 20 ft. from the requirements of Sect. 1272.05(A) of the MH Codified Ordinances regarding minimum lot width for property located in a Residential Single Family- Medium Density (RSF-M) Zoning District at 5165 Clement Street, Maple Heights, Ohio.

<u>2023-PZ-15</u> An application from The City of Maple Heights requesting approval of a Lot Consolidation of two (2) residential parcels (**PPN 782-06-062 and 782-06-063**) as required under Sect. 1226.02(c) of the MH Codified Ordinances for property located in a Residential Single Family-Medium Density (RSF-M) Zoning District at 18680 Nitra Avenue, Maple Heights, Ohio.

2023-PZ-16 An application from Tara Hill requesting approval of a Conditional Use Permit under Sect. 1278.04(P) of the MH Codified Ordinances to open a Professional Office for counseling in a Neighborhood Commercial (NC) Zoning District at 5310 Warrensville Center Road, Maple Heights, Ohio.

<u>2023-PZ-17</u> An application from Antonio Golston requesting approval of a Conditional Use Permit under Sect. 1282.04(C) of the MH Codified Ordinances to operate a Bar in the Central Business District (CBD) Zoning District at 16939-41 Broadway Avenue, Maple Heights, Ohio.

2023-PZ-18 An application from Michelle Affronti of AMAROK, LLC requesting relief under Sect. 1262.03(E) and Sect. 1440.24 of the MH Codified Ordinances from the decision of the Chief Building Official under Sect. 1298.19(D)(3)(F) of the MH Codified Ordinances denying Applicant's request to install a 10' tall 12v/dc battery sensor (electrified) perimeter security

system, 4"- 8" behind the existing perimeter fence on property located in the Central Business District (CBD) Zoning District at 16008 Libby Road, Maple Heights, Ohio.

2023-PZ-19 An application from Tonya Nettles of A Taste of Kingston requesting approval of a Conditional Use Permit under Sect. 1278.04(V) of the MH Codified Ordinances to operate a Fast Food/Take-Out Restaurant in a Neighborhood Commercial (NC) Zoning District at 6172 Dunham Road, Maple Heights, Ohio.

2023-PZ-20 An application from Chivon Hunt requesting approval of a Three (3) Year Conditional Use Permit under Sects. 1298.22 and 1298.28(A) through (G) excluding Subsection (D) of the MH Codified Ordinances to operate a Type A child day care as a home occupation business in a Residential Single Family-Medium Density (RSF-M) Zoning District at 15329 Longvale Avenue, Maple Heights, Ohio.

The Public Hearing was closed at

PUBLIC MEETING

CALL TO ORDER:

ROLL CALL: ARNOLD, JAMES, MARBURY, SANDERS & OGLESBY

MINUTES: There are no minutes for review at tonight's meeting.

OLD BUSINESS:

2023-PZ-10 An application from Michelle Beden-Payne of Shell's Learning Center LLC requesting approval of a Conditional Use permit under Sects. 1278.04(H) and 1298.28(G) of the MH Codified Ordinances to operate a Child Day Care Center located in a Neighborhood Commercial (NC) Zoning District at 5310.5 Warrensville Center Road, Maple Heights, Ohio.

On a Motion to Return Case No. 2023-PZ-10 to the Planning and Zoning Commission for consideration of new evidence presented by the Applicant that was passed by Council at the April 5, 2023 Regular Meeting of Council.

CASE NO. 2023-PZ-10

Application: PLANNING & ZONING

Property: 5310.5 Warrenville Center Road

Applicant: Michelle Beden-Payne of Shell's Learning Center LLC

Request: Approval of a Conditional Use permit under Sects. 1278.04(H) and

1298.28(G) of the MH Codified Ordinances to operate a Child Day Care

Center

Zoned: Neighborhood Commercial (NC) Zoning District Codes: Chapters 1278; 1278.04(H); 1298.28(G); 1262.12

Planning and Zoning must take action by April 14, 2023

EW BUSINESS: ASE NO. 2023-PZ		KJ	TM	VS		AO	
ASE NO. 2023-PZ-	1.4						
	1.4						
Application	<u>-14</u>						
Application: Property: Applicant: Request: Zoned: Codes:	5165 Clem Mel Byler Approval or requirement regarding to requirement regarding to Residentia	of Alron Home of the following the following minimum lot so that of Sect. 127 minimum lot will Single Family 272; 1272.05(A)	es LLC g: 1) a Varia 72.05(A) of t ize and 2) a V 72.05(A) of t vidth y- Medium I	he MH Codif Variance of 20 he MH Codif	ied Ordina 0 ft. from t ied Ordina	nces he nces	
	Planning a	nd Zoning mus	st take action	by June 9, 2	023		
				MVD_	SEC	AA	
	GA	KJ	TM	VS		AO	
ASE NO. 2023-PZ	<u>-15</u>						
Application: Property: Applicant: Request: Zoned: Codes:	18680 Nitr City of Ma Approval of (PPN 782- the MH Co Residentia	IG & ZONING a Avenue aple Heights of a Lot Conso and 78 odified Ordinard Single Family ticle XVI, Sec	lidation of tv 8 2-06-063) a nces y- Medium I	s required und Density (RSF-	der Sect. 12 -M) Zoning	226.02(c)	
	Planning and Zoning must take action by June 9, 2023						
				_MVD	SEC	AA	
	GA	KJ	ТМ	VS		40	

Application: PLANNING & ZONING
Property: 5310 Warrensville Center

	Applicant: Request: Zoned: Codes:	Approval of a Conditional Use Permit under Sect. 1278.04(P) of the MH Codified Ordinances to open a Professional Office for counseling services Neighborhood Commercial (NC) Zoning District Chapters 1278;1278.04(P); 1290.06; 1262.12 Planning and Zoning must take action by June 9, 2023							
					_MVD	SEC	AA		
		GA	KJ	TM	VS		_AO		
CASE	NO. 2023-PZ	<u>-17</u>							
	Application: Property: Applicant: Request: Zoned: Codes:	Antonio Gol Approval of Codified Or Central Busi	f a Conditionardinances to opiness District 82; 1282.02(N	nue Il Use Perm perate a Bar (CBD) Zoni	ng District	· ·	C) of the MH .10(B)(4);		
		Planning and Zoning must take action by June 9, 2023							
					_MVD	SEC	AA		
		_GA	KJ	TM	VS		_AO		
CASE	NO. 2023-PZ	<u>-18</u>							
	Application: Property: Applicant: Request: Zoned: Codes:	16008 Libby Michelle Af Relief under Ordinances 1298.19(D)(request to in security syst Central Busi	G & ZONING y Road fronti of AMA r Sect. 1262.0 from the decis (3)(F) of the M astall a 10' tall tem, 4"- 8" be iness District 82; 1298.19(I	AROK, LLC 3(E) and Sesion of the C MH Codified 1 12v/dc batt shind the exi (CBD) Zoni	ct. 1440.24 of Chief Building I Ordinances tery sensor (el sting perimet ing District	g Official denying A lectrified) er fence	under Sect. Applicant's		
		Planning and	d Zoning mus	t take actior	by June 9, 2	023			
					MVD	SEC	AA		

Application Property: Applicant:	6172 Dunl Tonya Net	6172 Dunham Road Tonya Nettles of A Taste of Kingston							
Request: Zoned: Codes:	Codified (Neighborh	Approval of a Conditional Use Permit under Sect. 1278.04(V) of the MF Codified Ordinances to operate a Fast Food/Take-Out Restaurant Neighborhood Commercial (NC) Zoning District Chapters 1278; 1278.04(V); 1290.06; 1262.12							
Codes.	•		st take action by		23				
			M	VD	_SEC	AA			
	GA	KJ	TM	VS		AO			
CASE NO. 2023-	<u>PZ-20</u>								
Application Property: Applicant: Request:	15329 Lor Chivon Hu Approval and 1298.2 Ordinance	of a Three (3) 28(A) through	Year Conditiona (G) excluding So Type A child	ubsection (D) of the	MH Codifie			
Zoned: Codes:		1272; 1298.22;	y-Medium Dens 1298.28 (4); 12	• \	, .				
	Planning a	and Zoning mus	st take action by	June 9, 20	023				
			M	VD	_SEC	AA			
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