



# CITY OF BROADVIEW HEIGHTS PLANNING COMMISSION MEETING MINUTES

April 26, 2023

Editor's Note: These minutes are not an actual verbatim transcript of the meetings, but merely intended to be a detailed synopsis of the discussion and decisions that took place during the meeting. Upon acceptance of the minutes by the Planning Commission, these written minutes will become the official minutes of the meeting. All recordings are kept and disposed of according to the Public Records Schedule of the State of Ohio.

The **April 26, 2023** meeting of the Planning Commission was called to order by Chairman Kenneth Emling at 7:00 p.m.

## ROLL CALL

### **PC MEMBERS**

- |   |   |
|---|---|
| ✓ Kenneth Emling, Chairman                            | ✓ Brian Culley (alternate)                      |
| <input type="checkbox"/> Bill Ridgeway, Vice Chairman | <input type="checkbox"/> John Tamer (alternate) |
| ✓ Meredith Davis                                      | <input type="checkbox"/> Vacant (alternate)     |
| ✓ Andrea Staruch                                      |   |

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### **COUNCIL & CITY OFFICIAL MEMBERS present**

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|---|---|
| ✓ Joe Mandato (Building Official)                                     | <input type="checkbox"/> Jeff Hajek (Fire Chief)            |
| ✓ Gina Zdanowicz (BZA/PC/Bldg. Dept. Admin. Assist.)                  | <input type="checkbox"/> Joe Fleming (Assistant Fire Chief) |
| <input type="checkbox"/> Gary Yelenosky, PE (City Engineer)           | ✓ Robert Boldt (Council Rep.)                               |
| <input type="checkbox"/> Richard Pignatiello (Assistant Law Director) | ✓ Tom Pavlica (Council Rep. Alternate)                      |

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### **Additional CITY OFFICIALS present**

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| <input type="checkbox"/> Sam Alai (Mayor)                      | <input type="checkbox"/> George Stelmaschuk (City Council) |
| <input type="checkbox"/> David Schroedel (Service Director)    | ✓ Glenn Goodwin (City Council)                             |
| <input type="checkbox"/> Vince Ruffa (Law Director)            | ✓ Brian Wolf (City Council)                                |
| ✓ Joe Grandinetti (Assistant Law Director)                     | <input type="checkbox"/> Jennifer Mahnic (City Council)    |
| <input type="checkbox"/> Dean DePiero (Assistant Law Director) | ✓ Joe Price (City Council)                                 |
| <input type="checkbox"/> Steven Raiff (Police Chief)           |  |

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Kenneth Emling: Opened up the Broadview Heights Planning Commission meeting for Wednesday April 26, 2023, at 7:00 p.m., and had roll call.

### **CASE #2023-07 – Agile Sign and Lighting Maintenance Inc., for Gold & Glory Gaming**

Mr. Emling asked for an update from Building Department.

Mr. Mandato reported that the matter under discussion is at the request of Agile Sign and Lighting Maintenance Inc., to install a 13'4" x 1'9" wall sign totally 23.3 sq. ft. This will require a variance for a 3.7 sq. ft. to be granted by Planning Commission. Ordinance 1329.09(A) table allows 1 sq. ft. per linear ft. of building/unit frontage. Unit frontage is 18' 6". Mr. Mandato stated that there were no comments from Building or Engineering.

The applicant, Iliana Kazandjieff, Vice President, Sales for Agile Sign and Lighting Maintenance, Inc., sent an email dated Tuesday, April 25, 2023, that they would not be able to attend the meeting, and gave us the approval to proceed with the meeting as scheduled.

Mr. Emling wanted to make sure there was no one in attendance for this case, and there was not. He then opened it up to the audience for any comments or questions, and there were none.

Mr. Emling opened up the discussion up to the Board.

Mr. Cully suggested that when it came time for the vote, that they approve it with both lighting and without lighting. Mr. Emling agreed, stating there are documents that show both.

Ms. Staruch felt the sign was proportionate to the other signs that are there.

Mr. Emling moved to approve PC Case #2023-07 as submitted, amending the approval to be with or without lighting.

PC MOTION BY: Kenneth Emling SECOND BY: Meredith Davis

**VOTING:**

	<u>YES</u>	<u>NO</u>	<u>RECUSE</u>		<u>YES</u>	<u>NO</u>	<u>RECUSE</u>
Kenneth Emling	✓	<input type="checkbox"/>	<input type="checkbox"/>	Brian Culley	✓	<input type="checkbox"/>	<input type="checkbox"/>
Bill Ridgeway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	John Tamer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Meredith Davis	✓	<input type="checkbox"/>	<input type="checkbox"/>	Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Andrea Staruch	✓	<input type="checkbox"/>	<input type="checkbox"/>				

**✓ APPROVED**     DENIED     POSTPONED     TABLED     REMOVED

**CASE #2023-08 – Cassidy Awad 8160 Joyce Road**

Mr. Emling asked for an update from Building Department.

Mr. Mandato reported that the matter under discussion is at the request of Cassidy Awad at 8160 Joyce Road for a conditional use permit to allow a Short-term Rental per ordinance 850. If approved by Planning Commission all sections of Ord. 850.01-850.99 will be implemented before any tenant occupies the residence. Mr. Mandato stated that there were no comments from Engineering, and that he would hold his comments for during the meeting.

Mr. Emling asked if Mr. Mandato, would like to make any comments regarding the emails, and documents that were received from various neighbors. Mr. Mandato stated that we received six or seven emails against the ordinance, and also received a petition with over 58 signatures that were all against the short term rental.

Mr. Emling asked the applicant to come forward. Cassidy Awad spoke to the Board. Ms. Awad stated that she grew up in Broadview Heights, and bought this residence in May of 2020. She went on to explain, that it was the ugliest house on the street, and smelled of urine and feces when she bought it. She put her heart and soul into making the house a home, and went on to buy four more houses since then, but said that this will always be her home. She stated that her and her husband grow businesses for a living. She currently works for Ch. 5 in Cleveland, and her husband is the publisher of Brecksville Living. They have been dedicated to helping their community flourish, as long as they have been working adults. Ms. Awad, went on to explain, that she understood the many concerns that people had about their intentions for their house, because it is everyone’s home as well. She stated that she knew there have been problems with other cities and communities, but when they decided to do this, they put together a strict set of rules. They verify identification, as well as intentions. The quiet hours are at 8:00 p.m. The minimum age is 25, and there are no parties allowed. Ms. Awad explained that their intention was never to upset anyone, but simply to make things easier for their family during a very difficult time. Ms. Awad went on to state that her mother was diagnosed with

Stage 4 Cancer, and lives in Tennessee, and they spend most of their time there. They wanted to be able to afford to keep their home, as well as be with her mother, and work as much as possible. She stated that she knew this is the first consideration for our town, and she would be happy to answer any questions. She would like to be a part of setting a high standard of operation while also allowing themselves, and future residents, the flexibility to change the use of their home as they see fit in their lives.

Mr. Emling opened up the discussion to the audience.

**Brian Wolf, Councilman Ward 2, 4802 Westminster Lane, Broadview Heights.**

Mr. Wolf stated that he represented most of the people that were here this evening, and as a City, we know, or are friends with most of our neighbors. Mr. Wolf stated that the residents want to keep a sense of knowing who their neighbors are on a regular basis. He went on to go over some facts and some opinions. Some of the facts were, that there was a garbage issue and the garbage was there for a long time, and was not taken care of. The residents don't feel safe, because there are people coming and going. There were parking issues. There were no citations written for anyone who has been at this property. Mr. Wolf went on to state that there was a possibility of a repeat of the Seven Hills issue in 2018, which was a concern, and that is why we had a moratorium over this back in 2020. There is also a petition of residents that do not want this to happen. Mr. Wolf went on to state that there are opinions for and against this, but they are still neighbors, and need to live next to each other.

**Mardell Weiss, 8170 Joyce Road**

Ms. Weiss explained to the Board that she has lived in her home for 58 years, and raised her family there. It has been a quiet safe residential neighborhood. She is elderly, has health issues, and lives alone. She and her family are concerned about the possibility of a business right next door to her, because that is what an Airbnb is. Ms. Weiss stated that it has been said that there are numerous cars that have been coming and going, and after the St. Patrick's Day guests left, she was picking up trash in her yard for a couple of days, and the trash sat outside for three weeks. She is also apprehensive about the possibility of vandalism that could happen. She felt the application for this was vague. If it is a short term rental, it is considered an Airbnb, she would think, and it is not owner occupied. Ms. Weiss felt that it would set a precedent for Broadview Heights, and anybody could wake up with one next door to them at any time. She also felt, that it would lower the value of their homes.

**Jennifer Polcar, 8190 Joyce Road**

Ms. Polcar stated that they live in a close knit neighborhood. People on her street talk on a regular basis, and they keep a close eye on the neighborhood, especially the elderly, and the ones that live alone. She stated that Ms. Awad's dog was on her deck one day, and her husband went over there to address the situation, as was told that it wouldn't be a problem, because they were moving to North Royalton. Since the house was rented prior to that, she assumed the house would either be rented again or sold. She stated when she was on line looking for Wi-Fi, an Airbnb for Broadview Heights popped up, which was strange, and some of the neighbors started to look into it. The property was on Vrbo, Expedia, Booking.com and Evolve, as a nightly private home rental. Ms. Polcar went on to say, that on February 7, 2023, she emailed the Building Department, and asked if they would provide her with a copy of the ordinance, and if Airbnb's were allowed. There were multiple emails sent back and forth, and she was told that it should not be occupied, and as a short term rental it means that she and her husband would be living there when guests are staying. When there were different cars there on multiple days, she was told on one occasion, it was her mother that was in town from West Virginia. Unless she had a lot of family members coming in from out of town from February thru April, they were never the homeowners. Ms. Polcar stated that Broadview Heights does not have a hotel, so why would she want one on her street. Letters went out

within 1000 ft. of the property, but she reached out to people outside of that area, and had an updated list of over seventy people. Out of the seventy, only three people didn't want to get involved. It sets a precedent, and there are already a lot of issues being close to I 77. They are a family friendly neighborhood, and would gladly accept a registered rental property on a yearly basis. She went on to say, who is going to stop what is going on right now, because the rules haven't been followed since it's been reported.

**Peggy Bowman, 8167 Joyce Road**

Ms. Bowman stated that Ms. Awad hasn't lived in the residence for quite a while. The garbage situation from March 19, 2023 thru April 4, 2023 are in the pictures that the Board received. When Mr. Love came to pick the trash up, he took the bags that were on the ground and threw them in the recycle bin, and put it out for the trash. Four of the neighbors were picking up trash from a bag that was torn open by animals. Ms. Bowman explained that it is a quiet residential area, and as a single person who lives there, she doesn't feel safe having strangers coming and going. She went on to say that the rental sites that listed her property, have not been taken down or updated to show that they are living there, and you cannot rent the full home. According to 850.04(g) they have to have one bathroom for every two bedrooms, and according to 850.04(a) only 50% of the home can be available to the renter at any given time. She would like to see these concerns addressed, and because people are coming and going there, she has no reason to believe that any of these things will be followed in the future.

**Cindy Darrow, 8220 Joyce Road**

Ms. Darrow has lived in the residence for 30 years, she and her husband bought the house because they loved it, and it was a wholesome family neighborhood. They raised their daughter there, and it was the best experience imaginable. The neighborhood has gone thru changes over the years, as every neighborhood does. It's nice to see young families moving in to raise their families as the older residents move on. As a whole, it is her experience that the residents have always come together for each other, and for the good of the neighborhood. Having an absentee owner of a short term rental, is not in the best interest of our neighborhood or Broadview Heights, it will forever change the dynamics of the City. Ms. Darrow stated that she has reviewed Cassidy's application, and there are many discrepancies on it. The address is wrong, they live on Patricia Drive in North Royalton, it was advertised as a four bedroom with eight people for the rental, but the ordinance says it can only be three bedrooms and six people. It also said that it had to be 50% of the house. It has to be owner occupied, and it is not. It is being advertised as a whole house short term rental, before being permitted. The insurance policy that was submitted with the application was incorrect, it says a non-owner occupied full time rental home. According to the ordinance, it has to be a commercial general liability, limited liability policy, because it is a business. It has an inadequate amount of smoke detectors according to the photos that are on the advertisement for the property, it should be in every guest room, and there is one in the house. She is using the contact list check in as it is advertised, and she doesn't meet with the person renting the house, so she doesn't really know who has the code to go in. Ms. Darrow stated that they didn't invest in their home 30 years ago to live down the street from a transient hotel. The monthly rent may not be as much as it can possibly be with an Airbnb, you can substantially make more money. She ended with a quote from Jim Carrey "the most valuable form of currency you will ever have in this world is the effect you have on people", and then Ms. Darrow said, "think about it".

**Jeff Hutchinson, 8275 Creekside Trace**

Mr. Hutchinson stated that this case is precedent setting, and he was not sure legally, what happens when you set that precedent. If going forward, you must then grant, in the same manner, that you have granted in this case. His concern was that he moved into this community because it is a quiet community. He doesn't know if you can turn back if the choice is made, and that was a concern for him. He has seen communities that previously

have a one-month minimum on all rental property, they changed that, and did away with it, and the community was strongly impacted, traffic, and the influx of people from outside was strongly impacted. This is not a small decision. He was here tonight to ask the Board to be really careful, because their decision could change this community in a way that is unforeseen or anticipated now. He urged everyone to take this seriously, and weigh all the facts, because it has not been done before, and the Board has the power to do it or not.

**Bob Scaccia, 8175 Joyce Road**

Mr. Scaccia lived on Joyce Road for 34 years. He stated that he had a few comments, one being you can do the best you can with screening people that will be staying at your residence, but you're not going to be perfect at it. You will find that people will lie, and people will misrepresent their character. Having a large amount of uncertainty on a regular basis of potentially new temporary people, 25 and older, taking up residence for short periods of time, in a private neighborhood with children, feels very unsafe. He also felt that it is precedent setting. He has seen Airbnb's in a very private area with just a few houses, but this is a neighborhood. At the end of the day, it would be concerning and less relaxing being in our homes, not knowing who is there or who will be there, and what they will be doing. It would be a poor precedent to make a decision to allow it within the City limits.

**Halle Darrow, 8220 Marianna Boulevard**

Ms. Darrow stated that she mainly has some safety concerns. She bought her house in 2020, and lives there alone. She has lived in this neighborhood her whole life, and it has always been safe. It is a residential neighborhood, and she doesn't understand why there needs to be a short term rental in a neighborhood like this. She stated that long term rentals are completely fine, there have been long term rentals in her neighborhood, and there have been zero issues. She would like to turn her home into a long term rental, once she chooses to leave it. She didn't understand why there have been laws put in place, to prevent something like this from happening, and they are not being enforced. She too, felt we would be setting a precedent, and it makes everyone lose trust in the people who are supposed to be leading us. Ms. Darrow stated, that if Ms. Awad wants to rent her house out, that is totally fine, but sign a lease, and do it long term. The extra income is great, but there are rules for a reason, and they need to be followed, because that is the standard for everyone, and we shouldn't be making exceptions to that rule.

**Charlene Scaccia, 8175 Joyce Road**

Ms. Scaccia stated that we have met a lot of people on Joyce Road tonight, and they are a really weird neighborhood. Everyone knows everybody on the street. If you have a problem, you go to Jennifer or Cindy and it will be handled. She felt that if someone wanted to do this, they should have asked the neighbors, before they were all here tonight together. If they asked everyone, they would have known that no one was in favor of it, and they wouldn't have had to sit thru everyone's speeches. Ms. Scaccia stated that it isn't Geneva on the Lake or Cedar Point, it is Joyce Road in Broadview Heights.

**Ashraf Awad, 8324 Glenn Oak Drive**

Mr. Awad stated that he is Cassidy's father. He is very proud of her, and what she is trying to do, being the first one in Broadview Heights, and starting a business like this. He has been a Broadview Heights resident for a long time, and he doesn't know half the people on his street, and he has been there for a long time. He felt, why not try it, give this kid a chance to be the first person to try this. Either way, short term or long term, or not at all, there is going to be another person that will try the same thing. Eventually down the line if you pass it or not, eventually you will have to. Airbnb's are taking over the U.S., they are in every residential area.

**Tyler Tomaszewski, 3500 Lenwood Road**

Mr. Tomaszewski stated, why would we grant someone who broke an ordinance, set a precedent, and get rewarded for it. To him, someone who had the chance, should have done it the proper way. Mr. Tomaszewski asked, are we going to grant this exception to someone who so conveniently skirted the law, and did not do what was required.

**Alexander Patterson, 8257 Creekside Trace**

Mr. Patterson delivered eight sets of a packets to the Planning Commission, and he wanted to know if they had received them, for the record. He encouraged everyone to read it in its totality.

Mr. Emling stated that they received it when they sat down this evening, and asked him to summarize it for them.

Mr. Patterson stated that he cannot summarize a four-page letter and 150 pages of documents in three minutes. He was asking if it would be reviewed by the commission, because if it isn't he wanted to know.

Mr. Emling stated that he doesn't have the time to read it tonight, he was given it, when he sat down.

Mr. Culley said to Mr. Patterson, that he promised he will look thru it. Mr. Patterson encouraged him to look thru it, before they vote, to approve or deny or table the discussion.

Mr. Mandato wanted it on record, that the submission was at the end of the day yesterday, and that is the reason why the committee got it today.

**Karen Mente, 9431 Rocky Court**

Ms. Mente stated that she lives in a different part of town, and is fortunate that her neighborhood does not have an Airbnb or other short term rentals, and is hoping the City can keep it that way. When she moves, she always checks to see that there are no sex offenders registered in her neighborhood, and if Airbnb were to allow this town, with or without owners present, she would be concerned about sex offenders coming, there's no monitoring of them. She would hate to find out that a child had been molested or someone had been raped. She urged the Board not to pass any short term rentals.

Mr. Emling asked if there were any other comments or questions. Without any other comments, they will close the public portion of the meeting. He asked the applicant to come back up to the podium, and the commission members can ask any questions they may have.

Ms. Awad thanked everyone for their opinions and what they had to say. She stated that whether she is the first person to do this, or not, the City would be lucky if it was her. She stated that she heard from neighbors that she broke rules, and she doesn't owe anyone an explanation, she didn't break any rules, except for the original one, which she and her husband searched the internet to see if they needed a permit for this, and that is because they follow the rules. She stated that the second she got the notice, she was told to cancel all of the rentals. Airbnb told her that if she cancelled, even if everything was passed, she would not be able to be a host. So she contacted all of them, and let them stay there for free. She also went on to apologize for the trash in the yard, and apologized for the dog incident. Ms. Awad explained that they did buy a house in North Royalton, and they are renovating it. She also stated that it is a tight neighborhood, but she literally knows no one in her neighborhood, except for Keith and his wife. She appreciated that there is a community here, but no one actually knows her after living there for four years, yet everyone came up and gave personal details about her life,

and have no idea who she is. She felt there has been a lot of fear mongering here, Airbnb has millions of properties across the U.S. The world is changing, she will not be the last person to request something like this, but she will be the best, because she cares.

Brian Culley stated that he would like to applaud her, because everyone in his family owned businesses, and he thinks it is very important to encourage the entrepreneurial spirit that she and her husband has brought forth. He stated that in the ordinance, you have to be living in the house when you have someone come in, and asked if she was living there when she rents it out. Ms. Awad stated that they both don't occupy it at the same time, but it is their primary residence, and it is their choice to not be there, when there are other people there. That is in the code, it is her primary residence, that is where they live, but they travel a lot. She didn't realize they were the first ones to ever do this. There are neighboring cities that have this. For the people that did come, she wanted to be clear, and let them know that she did not take money from any of the renters, in hopes of saving the future. She doesn't want to hurt anyone, and she doesn't want to cause a ruckus, but she is flabbergasted by all of it. She felt that if she had come to a meeting, and tried to tell someone else what to do with their property, they should have a chance. Everyone said that we are trying to set a precedent here, but this is not going to be the last time someone requests this. She would like to be the first, because she felt that she could do a good job at it. Mr. Culley stated that when he goes to visit his daughter out of town, he stays at an Airbnb, and understood what she was saying. Mr. Culley stated that he has been on this Board for six months now, and was surprised at the passion that comes out in some of the situations that come before them, that he never thought would have. Mr. Culley asked again, when she rents the house, is she living there with the people that she is renting the house to. Ms. Awad stated, who would want to do that, to have someone stay in your house with them. There are security cameras outside, there are lights, and it is completely managed. She has had long term rentals before, and if the code states you have to be in the house with the renter, no one would ever do that.

Mr. Grandinetti wanted to clarify what the law was as it states in Chapter 850.04(A), no more than 50% of the house floor area shall be used for such Bed and Breakfast Inn/Airbnb, which percentage of use shall include bedrooms, guest baths and the dining room. Subsection B(1) Occupation of premises by owner. The owner of a short term rental/Bed and Breakfast Inn/Airbnb shall live full time on the premises. Such owner shall be the record owner of no less than 50% interest in the property of question. Mr. Grandinetti just wanted clarify some of the statements that people are making, that is what the ordinance states.

Mr. Culley stated that it doesn't matter when the ordinance was passed, it matters that it was passed. We live by laws and ordinances in the City, and we have to follow them. Mr. Culley wanted to know, if he was incorrect by saying, that according to our ordinance she could right now live in the house, and have people in and Airbnb it.

Mr. Emling stated that it stills has to get a Conditional Use Approval from this Commission.

Mr. Mandato stated that it would check a box, yes.

Mr. Culley asked, if all the boxes were checked, she could live in the house, and she could have people come in.

Mr. Mandato states yes, if everything was checked.

Mr. Culley told Ms. Awad, that there are two things going on here. One was that if all the boxes were checked, she could do what she wants to do, but she is not checking those boxes. The other thing, is do we want Airbnb's in residential areas. We have to separate those two things

out. Mr. Culley asked Ms. Awad if she agreed that she hasn't check all of the boxes. Ms. Awad stated that he was right, but the way that the code was written, is very unrealistic. She got very emotional, and went on to explain that everyone is calling this a business, and she made this decision for personal reasons, she is having one the hardest times of her life, and she belongs with her mother. She mentioned that her mother did stay in the house, because someone made a comment that related to that earlier. She stated that luckily, the world has created a scenario where there is a way she can keep her house and also be with her mother, and potentially do this for a living. She felt that the people here tonight have judged her unfairly, and they haven't even walked in her shoes. Ms. Awad stated that no one knows the pain and suffering she has gone thru to do this, because no one knows her, or what she has been thru.

Mr. Emling asked if any other members had any comments or questions.

Meredith Davis had a question. She wanted to know why Ms. Awad hasn't considered a long term rental. Ms. Awad stated that short term rentals are a hundred percent easier on the house. Long term rentals are genuinely harder on the house, and cost more money.

Ms. Awad asked the Board, since she has not checked all the boxes, what would her next step be.

Mr. Emling stated that they would vote for Preliminary Approval, and if that moves forward, she would have the opportunity to check the rest of the boxes. Mr. Emling stated that everyone getting a chance to speak tonight, is the process, it is a public form, and they want people to engage on how the government works. The fact that this is a Conditional Use Approval means to him that it is a case by case basis. In this case Ms. Awad is asking for a short term rental on a residential street that has a lot of homes, versus someone that lives on two acres somewhere. The concern he has, if it moves forward, is does set a precedent for other people to do this on residential streets. His opinion is that it would allow other people to do that, and is that what everyone wants on their street. Mr. Emling stated that after taking a long look at this, if the Board moves forward with the vote tonight, he is going to vote no. He stated that he didn't want her to take it personally, because it is not personal. Mr. Emling stated that he appreciated what she was going thru, and was sorry about what her mom was going thru.

PC MOTION BY: Kenneth Emling SECOND BY: Meredith Davis

**VOTING:**

	<u>YES</u>	<u>NO</u>	<u>RECUSE</u>		<u>YES</u>	<u>NO</u>	<u>RECUSE</u>
Kenneth Emling	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Brian Culley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Ridgeway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	John Tamer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Meredith Davis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Andrea Staruch	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				

APPROVED     DENIED     POSTPONED     TABLED     REMOVED

**OLD BUSINESS:**

Mr. Boldt reported that the B-1 Zoning went to City Council, and will have three readings, the first reading is done. There will be a public meeting on the third reading and it will be voted on. Since that has happened, there are some B-2 zoning in the City, and it is pretty much filled up. One is in New Hampton, and the other one is on Tollis Parkway. There is nothing else out there that is B-2 zoning at this time that can be developed, except for one or two lots. B-2 has



townhouses in it, and Vince Ruffa believes we should do away with that zoning also. What will be left is A-1 Single Family Dwelling, and B-3 Rural Residential. In B-3 Rural Residential, you can still have a townhouse there, but you need 200 consecutive acres. So at this point, they are going to look to eliminate B-2 also. There are only two areas where that is at, one is completely filled and the other one has one or two lots. If they get into a court case, where they want to put a duplex, or a common wall condo or a townhouse, we will let them and grandfather them in, just on that portion.

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## **NEW BUSINESS**

Mr. Emling asked if there was any new business.

Brian Culley wanted to make a motion that we change the ordinance from what it states right now, so that Airbnb's cannot be in residential neighborhoods in Broadview Heights.

Mr. Emling stated that is why he ended up voting no, because the Board would have been setting a precedent. He stated that he wouldn't want one in his neighborhood, and the rest of the Board agreed that they would not want one either.

Andrea Staruch stated that a Bed & Breakfast is very different from the short term rental. Bed & Breakfast usually have the hosts there, and they provide you breakfast. In Broadview Heights, she couldn't really see that happening anyway, but they are two different things.

Mr. Emling stated that he didn't ask, but wondered who would be renting out a single family home in Broadview Heights that often.

Mr. Boldt stated that it's the new way of traveling. The only time it really happened was when they had the Republican Convention in Cleveland, everyone was doing it, because there was money to be made. He agreed with Ms. Awad, that this will start happening more and more, and how do you police it, and that will be another issue.

Mr. Cully stated that he agreed with that one hundred percent, and that is why he wants to get the ordinance changed, so that it doesn't come up again.

Ms. Davis asked if we can request that code section be re-examined, and recommend that to Council.

Mr. Grandinetti stated yes, that the Law Department is already looking at this issue.

Mr. Boldt suggested we do a vote, that way it is on record, because most of the changes in zoning, they ask Planning Commission to bring it to Council.

Mr. Grandinetti stated that in unique situations, they could go to the Board of Zoning, and ask for a variance.

Ms. Staruch stated that we could say we don't want a Bed & Breakfast in our City, but at the State of Ohio level there is a bill that is trying to say that local governments will not be able to say yes or no to this kind of thing.

Mr. Mandato stated that when this came out of moratorium, that is why this ordinance is so strong that it does need conditional approval. That was the biggest line item to check because

the Board said no, and he would imagine there are not many other situations that are different than this.

There was more discussion amongst the Board regarding Airbnb’s, Bed & Breakfasts, and short term rentals, which are already banned, unless the owner lives in the home. They also discussed it setting a precedence. Mr. Emling was in favor of voting on it, and the Board agreed.

Planning Commission moved to recommend to Council to prohibit Short Term Rentals, Bed and Breakfast Inns and Airbnb’s within the City of Broadview Heights in residential districts.

PC MOTION BY: Kenneth Emling SECOND BY: Brian Culley

**VOTING:**

	<u>YES</u>	<u>NO</u>	<u>RECUSE</u>		<u>YES</u>	<u>NO</u>	<u>RECUSE</u>
Kenneth Emling	✓	<input type="checkbox"/>	<input type="checkbox"/>	Brian Culley	✓	<input type="checkbox"/>	<input type="checkbox"/>
Bill Ridgeway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	John Tamer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Meredith Davis	✓	<input type="checkbox"/>	<input type="checkbox"/>	Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Andrea Staruch	✓	<input type="checkbox"/>	<input type="checkbox"/>				

**✓ APPROVED**    DENIED    POSTPONE    TABLED    REMOVED

**COUNCIL UPDATED**

No other update from Council.

**APPROVAL OF MINUTES:**

Mr. Emling stated that the Board did not receive the last meeting minutes of March 22, 2023, in their packet, and asked to have them emailed. They will vote on the minutes at the next Planning Commission meeting.

Mr. Emling stated that with no further business to come before the Planning Commission, he will make a motion to adjourned the meeting at 8:25 pm. All those in favor say "Aye."

**CAUCUS:** The Caucus Meeting began at 6:38 p.m. and ended at 6:51 p.m. The meeting recording is available for public inspection upon request.

\_\_\_\_\_  
Kenneth Emling, Chairman  
Planning Commission  
City of Broadview Heights

Approved Date: \_\_\_\_\_

Respectfully Submitted,

Gina Zdanowicz  
Building Administrative Assistant  
Board of Zoning & Planning Commission Secretary