



City of Highland

Building and Zoning

Combined Planning & Zoning Board Agenda Virtual Meeting October 7, 2020 7:00 P.M.

1. Call to Order
2. Roll Call
3. General Business:
Approval of the September 2, 2020 Minutes
4. Public Comment Section
Persons who wish to address the Combined Planning and Zoning Board regarding items not on the agenda may do so at this time. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney. Any presentation is for informational purposes only. No action will be taken.
5. Public Hearings and Items Listed on the Agenda
Persons wishing to address the Combined Planning and Zoning Board regarding items on the agenda may do so after the Chairperson opens the agenda item for public hearing or for public comment. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney.
6. New Business
 - a) Monica Lange (1606 Oak Street) is requesting a variance to Section 90-74-A of the City of Highland Municipal Code to allow for a detached garage to occupy 12.6% of the lot rather than the maximum 10% at 1606 Oak Street.
 - b) Monica Lange (1606 Oak Street) is requesting a variance to Section 90-74-B of the City of Highland Municipal Code to allow for a detached garage (900 sq ft) to have a gross floor area greater than the floor area of the principal structure (716 sq ft) at 1606 Oak Street.
 - c) Richard Schuck (2003 Zschokke) is requesting a Special Use Permit to allow for apartments within the C-2 district at 708 Laurel Street.
 - d) The City of Highland (1115 Broadway) is requesting a text amendment to Article I of the Municipal Code to allow for short-term rentals.
 - e) The City of Highland (1115 Broadway) is requesting a text amendment to Article III of the Municipal Code to allow for short-term rentals.
 - f) The City of Highland (1115 Broadway) is requesting a text amendment to Article IV of the Municipal Code to allow for short-term rentals.
7. Calendar
 - a) November 4, 2020– Combined Planning and Zoning Board Meeting
 - b) Adjournment

NOTICE: The October 7th CPZB meeting at 7:00pm will be conducted virtually. To monitor the meeting, call 618-882-4358 and use conference ID# 267091. To have a comment read into the meeting minutes, email your comment to kkilcauski@highlandil.gov or submit it through our Citizen Request portal on our website.

Anyone requiring ADA accommodations to attend this public meeting, please contact Breann Speraneo, ADA Coordinator, at 618-654-7115.



City of Highland Building and Zoning

Meeting Date: October 7, 2020

From: Breann Speraneo, Director of Community Development

Location: 1606 Oak Street

Zoning Request: Variances

Description: Lot coverage variance & floor area variance to allow for a detached garage

Proposal Summary

The applicant and property owner for this case is Monica Lange. The applicant of this case is requesting the following variance to Section 90-74-A and Section 90-74-B of the City of Highland Municipal Code:

- a) Detached garage to occupy 12.6% of the lot rather than the maximum 10%
- b) Detached garage(900 sq ft) to have a gross floor area greater than the floor area of the principle structure (716 sq ft)

The purpose of the request is to replace a one car detached garage that was destroyed during a storm two years ago with a two car detached garage.

In order for the applicants to be granted variance approval, the request must first be reviewed and approved by the CPZB as per 90-93 ‘Variances – Public hearing and notice requirements’ of the Zoning Code.

Section 90-74 of the City of Highland Municipal Code

(a) No single detached building, structure or use accessory to any residential use shall occupy more than ten percent of the total area of the zoning lot. This includes, but is not limited to driveways, patios, decks, pools and detached garages.

(b) A detached garage shall have a gross floor area of no more than the floor area of the principal structure.

Land Use and Surrounding Properties

Direction	Land Use	Zoning
North	Single-Family Residence	R-1-D
South	Single-Family Residence	R-1-D
East	Baseball Diamonds	R-1-A
West	Single-Family Residence	R-1-D



City of Highland Building and Zoning

Standards of Review for Variances

Below are the seven (7) consideration items listed in Section 90-94, Section (1) Item (b) of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a variance.

1. The applicant acquired his property in good faith and where by reason of exceptional narrowness, shallowness or shape of his specific piece of property at the time of the effective date of this code, or where by reasons of exceptional topographical conditions or other extraordinary circumstances, that the strict application of the terms of the zoning regulations actually prohibit the use of this property in the manner similar to that of other property in the zoning district where it is located;

The need for a variance is the result of the addition of an accessory structure to the property.

2. The proposed variance is consistent with the general purpose of this chapter, Section 90-1;

It is consistent.

3. Strict application of this chapter of which the variance is requested would constitute unnecessary hardship upon the property owner represented in the application;

If a variance is not granted, the applicant will be unable to build the 900 sq ft detached garage.

4. The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship and allow a reasonable return on the property;

It is the minimum deviation.

5. The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or applicant;

The size of the lot does not allow for a detached garage greater than 716 sq ft without a variance.

6. The peculiar circumstances engendering the variance request are not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning); and

The variance is a more appropriate remedy than an amendment to the zoning code.

7. The variance, if granted, will not alter the essential character of the area where the premises in question are located, nor materially frustrate implementation of this city's comprehensive plan.

The variance will not alter the essential character of the area.

In granting a variance, the board may impose such conditions, safeguards and restrictions upon the premises benefited by the variance as may be necessary to reduce or minimize any potentially injurious effect of such variance upon other property in the neighborhood, and to carry out the general purpose and intent of these regulations.

Staff Discussion

Staff does not usually recommend allowing a detached structure to be larger than the principal structure. However, it should be taken into consideration that the principal structure is only 768 sq ft on a 7156 sq ft lot. Without a lot coverage variance for a detached structure, the largest the garage can be is 716 sq ft.

If the applicant does build an addition onto the home, a lot coverage variance to Section 90-74-A for a detached structure will still be needed. A floor area variance to Section 90-74-B would no longer be needed.

The applicant has been advised of accessory structure setbacks and is not requesting a setback variance.

2019 Aerial Photograph



Site Photos



RECEIVED

EXHIBIT "A"
Variance Application

AUG 17 2020

Return Form To:
Administrative Official
City of Highland
2610 Plaza Drive
Highland, IL 62249
(618) 654-7115
(618) 654-1901 (fax)

For Office Use Only
Date Submitted: 8-17-20
Filing Fees: \$200
Date Paid: 8-17-20
Date Advertised: 9-10-20 + 9-17-20
Date Notices Sent: _____
Public Hearing Date: 10-7-20
Zoning File #: _____

APPLICANT INFORMATION:

Applicant: Monica Lange Phone: 618-407-3393
Address: 11606 Oak St. Zip: 62249
Email Address: monicallange@gmail.com
Owner: same as above Phone: _____
Address: _____ Zip: _____
Email Address: _____

PROPERTY INFORMATION:

Street Address of Parcel ID of Property: 11606 Oak St.
Present Use of Property: home owner / live on property
Proposed Use of Property: same

Variance Requested: To be able to build my garage larger than the total S.F. of home. Want my garage to be functional in so many ways & in no way will it affect the surrounding homes & lots. It doesn't affect the alley way & stays within the property lines. My future plan is to add S.F. to the home allowing more S.F. to the property.
Code Section: _____

I am only trying to improve my property & make it more livable & functional!
* SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	<u>SF residence</u>	<u>R-1-D</u>
South	<u>SF residence</u>	<u>R-1-D</u>
East	<u>baseball diamonds</u>	<u>R-1-A</u>
West	<u>SF residence</u>	<u>R-1-D</u>

<i>The Combined Planning and Zoning Board shall not grant any zoning variance unless, based upon the evidence presented to them, they determine that:</i>	Yes	No
1. <u>Property Acquisition:</u> The property was acquired in good faith and strict application of the terms of the Zoning regulations would prohibit the use of the property.	✓	
2. <u>Zoning Code Compliance:</u> The granting of the variance desired will not be opposed to the general spirit and intent of the zoning regulations.	✓	
3. <u>Hardship:</u> Strict application of this Chapter of which the variance is requested would constitute unnecessary hardship upon the property owner represented in the application;	✓	
4. <u>Minimal Deviation:</u> The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship and allow a reasonable return on the property;	✓	
5. <u>Uniqueness:</u> The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or applicant.	✓	
6. <u>Public Interest:</u> The variance is not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning), and	✓	
7. <u>Comprehensive Plan Compliance:</u> The variance, if granted, will not alter the essential character of the area where the premises in question are located, nor materially frustrate the implementation of this City's comprehensive plan.	✓	

THE FOLLOWING ITEMS MUST ACCOMPANY YOUR APPLICATION:

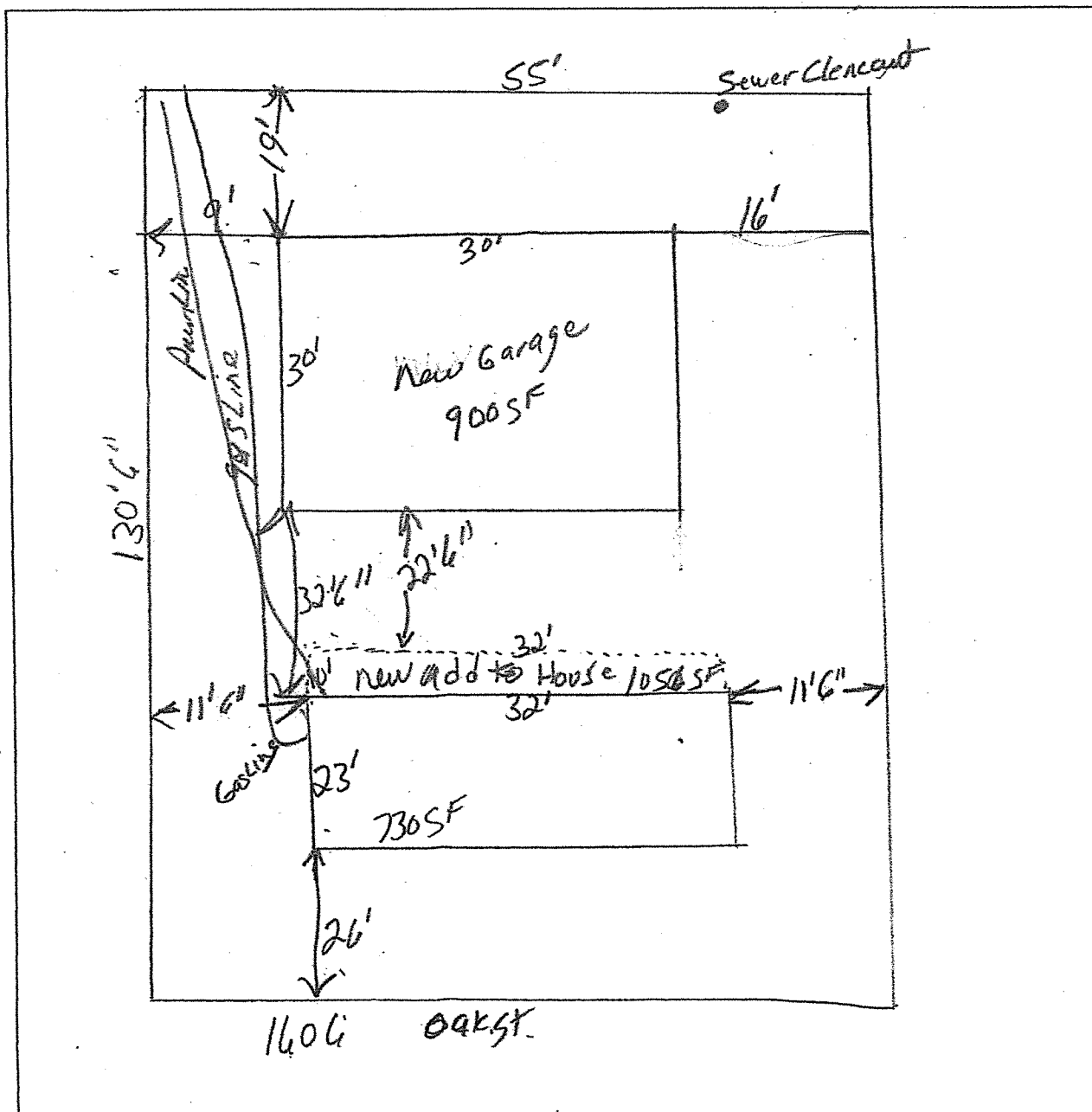
1. One copy of a legal description AND warranty deed of the property. If the applicant is not the property owner, a notarized letter from the property owner granting the applicant permission to apply for the request will be required.
2. A current plat, site plan, survey, or other professional illustration.
3. One copy of a narrative statement describing the impact of the proposed change, including the purpose of the request, the desired land use, any traffic conditions that may result, how the proposed change may affect the character of the surrounding properties, and how the proposed change will benefit the City of Highland.
4. Application fee.
5. A stamped copy from the Madison County Maps and Plats Department identifying all property owners within 250 feet of the subject property (see Exhibit "B").
6. Any other information required by planning staff (i.e. landscaping plan, elevation plan, exterior lighting plan, etc).

I HAVE READ AND UNDERSTAND THE ABOVE CITY OF HIGHLAND PETITION TO THE COMBINED PLANNING & ZONING BOARD REQUIREMENTS.

Monica Gandy
Applicant's Signature

August, 2020
Date

SITE/LAYOUT PLAN



Include the following information:

- | | |
|----------------------------------------------------------|-----------------------------------|
| 1. North Arrow | 4. Location and Name of Street(s) |
| 2. Dimensions of Lot | 5. Location of all utilities |
| 3. Footprint of structure & distance from property lines | 6. Erosion control placement |

We need the OFF Set For Property Lines

----- Forwarded message -----

From: **monica lange** < >
Date: Sat, Jul 25, 2020, 1:07 PM
Subject: Garage Build @ 1606 Oak Stree
To: < >

To Whom It May Concern,

I am writing this letter in reference to building/replacing my garage that was destroyed June 2018 in a storm that rolled thru our town. My neighbors tree fell and landed on top of my 1 car garage. Since then due to finances, I have not been able to rebuild. I am now ready to do so. I want to build a 2 car garage in place of the one car. I am aware of the square footage rules (home to detached building) and hoping you will take into consideration and make an acceptance for me to do so. I am also wanting to add on to the back of the house which will add square footage to the home and allowing for more square footage for the new garage.

I would like to add on to the back of the home, 10' out and across the entire rear making it an addition of 10' x 32'. Doing this addition to the home would give me a total of 1088 square feet for the home. The garage will be a total of 900sf. I want to make my home more livable & spacious with it being such a small home. Making these changes and improvements only adds value to the property.

I want to start with the garage first with all the improvements so I can get the vehicles under cover again and also put things back into a garage and not in my yard, also getting things out of storage.

So with that all being said, I would also like to know my set back lines from the property lines. I have had my property surveyed so I know where my property corners are located. Knowing these parameters we could make small adjustments to allow for all the work to be done.

With the sketch I have provided to you where we would like to position the garage, if we can get closer to the property line, we would also like to do that. We can also adjust a bit closer to the alley to allow more space between the home & garage if need be.

I am wanting to make these changes & improvements to the property because this is where I want to continue to live for a long time, love the location and quiet area. Please take into consideration the improvements and allow me to make my little dream home come alive.

Very Respectfully,

Monica Lange



City of Highland Building and Zoning

Meeting Date: October 7, 2020

From: Breann Speraneo, Director of Community Development

Location: 708 Laurel St

Zoning Request: Special Use Permit

Description: SUP to allow for apartments within the C-2 district

Proposal Summary

The applicant and property owner is Richard Schuck. The applicant of this case is requesting the following Special Use Permit to comply with Table 3.1 of Section 90-201 of the City of Highland Municipal Code (hereafter known as the “zoning matrix”):

- a) Richard Schuck (20037 Zschokke St) is requesting a Special Use Permit to allow for apartments within the C-2 district at 708 Laurel St.

The zoning matrix identifies “apartments” as a Special Use within the C-2 central business district.

Comprehensive Plan Consideration

The subject property is denoted as downtown on the Comprehensive Plan’s Future Land Use Map. An apartment is an appropriate Special Use for the downtown area.

Surrounding Uses

Direction	Land Use	Zoning
North	Schuck Massage Therapy LLC	C-2
South	Single-Family Residence	C-2
East	Single-Family Residence	C-2
West	Keith’s Automotive Center	C-2

Standards of Review for Special Use Permits

Below are the six (6) consideration items listed in Section 90-79 of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a SUP request.

1. Whether the proposed amendment or Special Use is consistent with the City's Comprehensive Plan;



City of Highland Building and Zoning

The proposed Special Use is consistent with the Comprehensive Plan.

2. The effect the proposed amendment or Special Use would have on public utilities and on traffic circulation;

The proposed Special Use would not have an adverse effect on public utilities or traffic circulation on nearby streets.

3. Whether the proposed design, location and manner of operation of the proposed Special Use will adequately protect the public health, safety and welfare, and the physical environment;

The proposed Special Use will adequately protect the public health, safety and welfare, and the physical environment.

4. The effect the proposed Special Use would have on the value of neighboring property and on this City's overall tax base;

The proposed Special Use will not have a detrimental impact on the value of neighboring property or on the City's overall tax base.

5. The effect the proposed Special Use would have on public utilities; and

The proposed Special Use will utilize public utilities.

6. Whether there are any facilities near the proposed Special Use, such as schools or hospitals that require special protection.

There are no facilities near the proposed Special Use that require the need for special protection.

Staff Discussion

This building was converted into two apartment units prior to the applicant purchasing the building. The former owner did not obtain a Special Use Permit before converting the building into apartments, meaning that the new owner must obtain the permit.

Staff has walked through the apartment units and they are finished to a high standard. The units would be registered within the Rental Program prior to being rented. Staff has no concerns.



City of Highland
Building and Zoning

2019 Aerial Photograph



Site Photo



EXHIBIT "A"
Special Use Permit Application

Return Form To:

Administrative Official
City of Highland
2610 Plaza Drive
Highland, IL 62249
(618) 654-7115
(618) 654-1901 (fax)

For Office Use Only

Date Submitted: 9-11-20
Filing Fee: \$200
Date Paid: 9-11-20
Date Advertised: 9-16 & 9-17
Date Notices Sent: 9-14-20
Public Hearing Date: 10-7-20
Zoning File #: _____

APPLICANT INFORMATION:

Applicant: Karie Schuck - Richard Phone: 6184779393
Address: 2003 Schackel St Zip: 62249
Email Address: kschuck51@gmail.com
Owner: 1 Phone: _____
Address: _____ Zip: _____
Email Address: _____

PROPERTY INFORMATION:

Street Address of Parcel ID of Property: 708 Laurel
Property is Located In (Legal Description): _____

Present Zoning Classification: G-2 Acreage: _____
Present Use of Property: VACANT
Proposed Land Use: 2 apartments

Description of proposed use and reasons for seeking a special use permit:

To have a commercial property as a residential - rental
apartment property. The property was converted
prior to current buyers -
The property will be maintained + upkeep

SURROUNDING LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>Schuck Massage</u>	<u>C-2</u>
South	<u>SF residence</u>	
East	<u>SF residence</u>	
West	<u>Keith's Automobile</u>	

Should this special use be valid only for a specific time period? Yes _____ No X

If Yes, what length of time? _____

<i>Does the proposed Special Use Permit meet the following standards? If not, attach a separate sheet explaining why.</i>	Yes	No
A. Will the proposed design, location and manner of operation of the proposed special use will adequately protect the public health, safety and welfare, and the physical environment;	✓	
B. Is the proposed special use consistent with this City's Comprehensive Plan;	✓	
C. Will the proposed special use have a minimal negative impact on the value of neighboring property and on this City's overall tax base;	✓	
D. Will the proposed special use have a minimal negative impact on public utilities and on traffic circulation on nearby streets; and	✓	
E. Will the proposed special use have a minimal impact on the facilities near the proposed special use, such as schools or hospitals require special protection?	✓	

THE FOLLOWING ITEMS MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description AND warranty deed of the property. If the applicant is not the property owner, a notarized letter from the property owner granting the applicant permission to apply for the request will be required.
2. A current plat, site plan, survey, or other professional illustration.
3. One copy of a narrative statement describing the impact of the proposed change, including the purpose of the request, the desired land use, any traffic conditions that may result, how the proposed change may affect the character of the surrounding properties, and how the proposed change will benefit the City of Highland.
4. Application fee.
5. A stamped copy from the Madison County Maps and Plats Department identifying all property owners within 250 feet of the subject property (see Exhibit "B").
6. Any other information required by planning staff (i.e. landscaping plan, elevation plan, exterior lighting plan, etc).

I HAVE READ AND UNDERSTAND THE ABOVE CITY OF HIGHLAND PETITION TO THE COMBINED PLANNING & ZONING BOARD REQUIREMENTS.

David Schuck
Applicant's Signature

9.11.20
Date

708 Laurel Street
Rich and Karie Schuck

We also own 704 Laurel Street, where our business of Schuck Massage Therapy is operated. The main reason we bought said property was to lower the parking on Laurel Street and make it safer for our clients. The parking lot in front of 708 will help cutdown on the traffic and street parking for our clients. Due to said building being on the property, we would like to have the bottom portion be set as an apartment, as the upstairs is, for rental purposes. The residents will park in the rear of the building, which will also alleviate parking on Laurel Street. This will bring more revenue to the City of Highland, as the building has been vacant for approximately four years.

The previous owner had already converted said property to an apartment. That owner was unaware of the Special Permit that was to be obtained. Therefore, we are taking the necessary actions to get it corrected.

Thank you for your time and consideration.

Karie 618

MS#
19061850

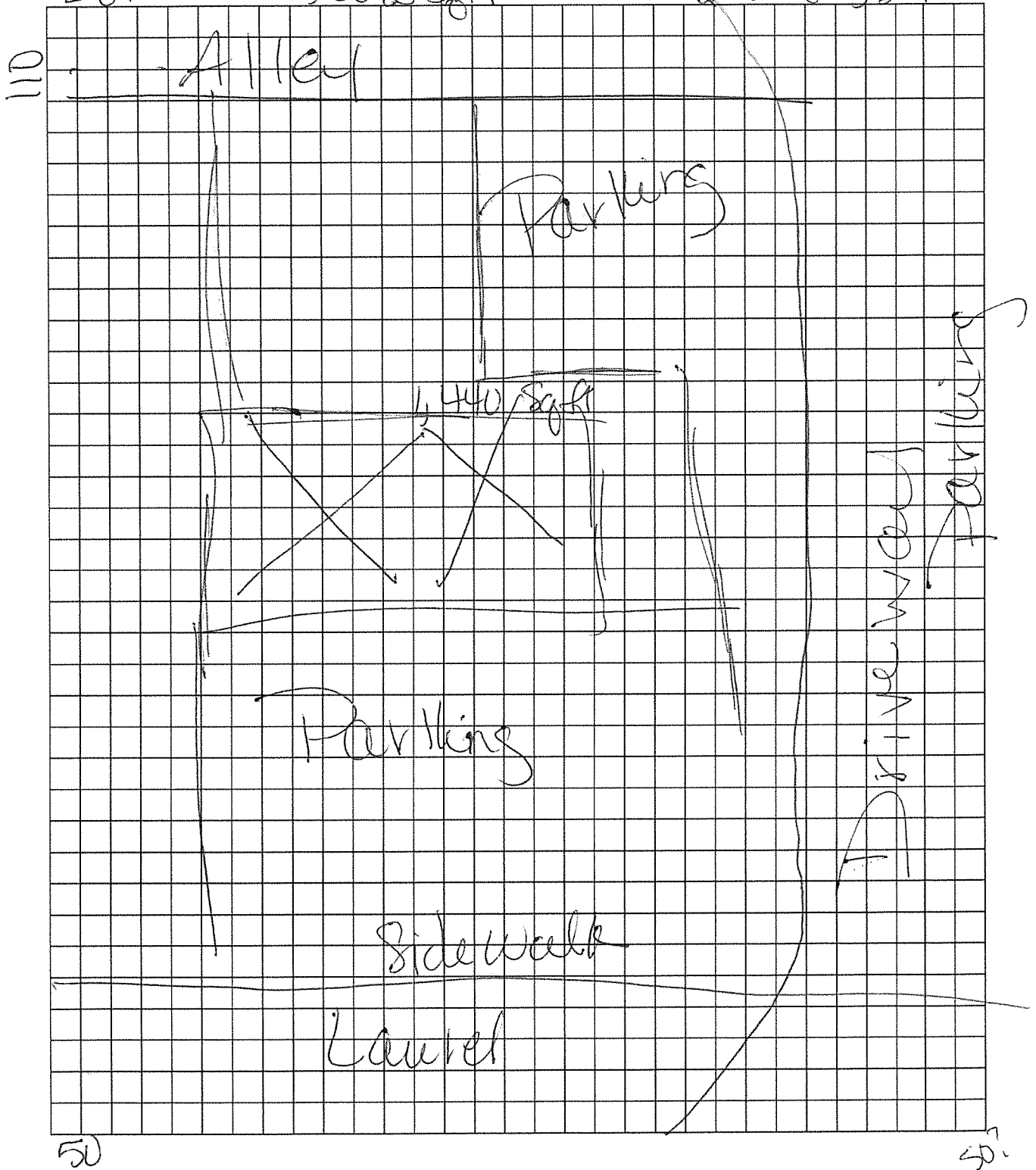


City of Highland
Building and Zoning

Koepfler Jos Add Lot 16
50x110

Lot Size 5,502 Sqft Site Plan

2-2-18-32-19-403-002



Richard K. Shuck



City of Highland

Building and Zoning

Meeting Date: October 7, 2020

From: Breann Speraneo, Director of Community Development

Text Amendment: Article I, Section 90-15 – Definitions
Article III, Districts & Zoning Map, 90-201, Table 3.1.A
Article IV, Section 90-216 – Short-Term Rentals

Description: Text amendments to allow for short-term rentals as a Special Use within the R-1-C, R-1-D, R-2-A, R-2-B, R-3, C-2 & C-3 districts

Proposal Summary

The City of Highland (1115 Broadway, Highland, IL) is requesting text amendments to Articles I, III, and IV of the Municipal Code to allow for short-term rentals as a Special Use within the R-1-C, R-1-D, R-2-A, R-2-B, R-3, C-2, & C-3 districts.

Short-term rentals are commonly referred to as AirBnBs, VRBOs, etc. City staff has received multiple requests for short-term rentals to be allowed within City limits. Staff believes that allowing short-term rentals as a Special Use is a way to ensure that each short-term rental is known by the City, registered in the Rental Program, and is submitting hotel-motel tax.

Article I, Section 90-15 – Definitions

Note: Red text is new text.

This is different than a bed and breakfast or hotel. See below definitions for reference.

Bed and Breakfast: An establishment or place of business that is a private, owner-occupied residence with one to three guest rooms in which lodging and meals are provided for time-limited durations to not more than three groups of patrons in a 24-hour period.

Hotel or motel: A structure which contains rooms furnished for the purposes of providing lodging to the public as a place where sleeping accommodations are sought for pay or compensation by transient guests for periods of not more than 28 consecutive days; and having more than two bedrooms furnished for the accommodation of such guests.

Dwelling: A building or portion thereof designed exclusively for year-round residential occupancy, including one-family and two-family, but not including, manufactured homes, mobile homes, automobile house trailers, hotels, motels, boarding houses, short-term rentals, resort cabins, clubs, hospitals or similar uses.



City of Highland Building and Zoning

- (1) Multifamily (apartment): A building or portion of a building designed for or occupied by more than two families living independently of each other and being located on a single lot under common ownership.
- (2) Condominium: A single dwelling unit under individual ownership within a multifamily structure and located on a lot having common ownership. A structure containing two condominiums shall be considered a two-family dwelling and a structure with more than two condominiums shall be considered a multifamily dwelling.
- (3) Loft: A dwelling unit placed between the roof and the uppermost story of a nonresidential or mixed-use building.
- (4) Two-family (duplex): A building designed for or occupied exclusively by two families living independently of each other and being located on a single lot under single ownership. Each unit shall have direct access to the outside with no shared hallways or lobbies.
- (5) Single-family: A building designed for or occupied exclusively by one family.
- (6) Single-family attached dwelling (villa): Single-family dwellings sharing a common wall but situated on separate lots that are owned and occupied exclusively by separate parties.
 - a. The term "villa" refers to one side of a single-family attached dwelling (villa) that contains only two single-family units; and,
 - b. The term "two-villa building" refers to an entire single-family attached dwelling (villa) that contains only two single-family units with a common wall between them, which common wall is centered on the boundary line between the two lots on which the villas are respectively located.

Hotel or motel: A structure which contains rooms furnished for the purposes of providing lodging to the public as a place where sleeping accommodations are sought for pay or compensation by transient guests for periods of not more than 28 consecutive days; and having more than two bedrooms furnished for the accommodation of such guests.

Short-Term Rental: A dwelling unit or portion thereof located within the principal building and offered for rent for a period of thirty (30) consecutive days or less to any person other than a member of the owner's immediate family.

Article III, Section 90-201, Table 3.1.A

Table 3.1.A — PRINCIPAL RESIDENTIAL USES															
Use	R1A	R1B	R1 C	R1 D	R2 A	R2 B	R3	C1	C2	C3	C4	I	M	MX	Supp. Regs.
16. Special Use Permits			S	S	S	S	S		S	S					90-216



City of Highland Building and Zoning

Article IV, Section 90-216 – Short-Term Rentals

Note: This is a new section within “Supplemental Regulations”.

A. Intent

1. The purpose of this section is to protect the public health, safety, sanitation, traffic control, solid or hazardous waste control, pollution control, and other specified circumstances in relation to short-term rentals.
2. Short-term rentals are distinct from Bed and Breakfast establishments in that prepared meals are not provided and only one group of patrons in a 24-hour period shall be allowed in a short term rental.
3. Short-term rentals are distinct from Hotel or Motel establishments in that only one group of patrons in a 24-hour period shall be allowed in a short-term rental. Further, Hotel or Motel establishments are land uses allowed only in non-residential zoning districts.

B. Requirements

1. It shall be unlawful to rent, offer for rent, or advertise for rent a short-term rental without first obtaining a Special Use Permit (SUP) issued by the City of Highland for the specific location.
2. All short-term rentals shall meet the following:
 - a. No rental or advertisement for rental for a period of time shorter than twenty (20) hours.
 - b. No short-term rental may provide for food or beverage to any guests with the exception of pre-packaged food and drink items.
 - c. The SUP application shall identify what living space within the principal structure is available for short-term rental. If more than one (1) living area is offered for short-term rental, those living areas shall be specifically identified and numbered on the SUP application. While a separate SUP application is not required for each living area, the applicant shall not be allowed to exceed the maximum number of short-term rentals identified in the SUP application.
 - d. Any short-term rental shall be subject to the hotel and motel tax and associated requirements of Article II Hotel and Motel Tax (Sections 70-26 to 70-33).
 - e. Short-term rentals shall be inspected annually for compliance with the requirements of Article VII Health Safety Inspection (Sections 33-211 to 33-260).
 - f. Short-term rental owners/operators shall be required to register with the City of Highland as a landlord per the provisions of Article VI. – Landlord Registration (Sections 33-195 to 33-201).



City of Highland Building and Zoning

- g. The SUP application shall include owner and property identification information, including emergency contact and insurance information, to be provided to the City of Highland Police Department.
- h. The maximum number of overnight occupants shall not exceed that allowed per the Building Code.
- i. Off-street parking locations shall be identified on the SUP application.
- j. The applicant shall be responsible for confirming that the use of the property and structure as a short-term is allowed by any applicable covenants and restrictions. Approval of a SUP by the City of Highland shall not circumvent these covenants and restrictions.

C. SUP Criteria

In reviewing a Special Use Permit application, the Combined Planning and Zoning Board shall consider and affirmatively ascertain the following have been met:

1. The proposed short-term rental has complied with all provisions of subsection B (Short-Term Rentals – Requirements).
2. The proposed short-term rental will not cause a negative cumulative effect when considered in conjunction with the effect of other short-term rentals in the immediate neighborhood.
3. The proposed short-term rental will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining properties.
4. The proposed short-term rental will not have an adverse effect upon the public health, welfare, or safety of the community.