

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

June 9

14

The City of Cortland Planning, Zoning & Building Commission met on Monday, June 9, 2014 at 6:45 P. M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Bill Sasse, Vice Chairman Charles Peck, Sally Lane, James Chubb, and John Picuri. Also present were Mayor Curt Moll, Service Director Don Wittman, Law Director Patrick Wilson and the following individuals:

Jo Morrison	95 Adams Ct.	Cortland
Jim Drapcho	181 Elizabeth Ct.	Cortland
Mary Sims	2037 Timber Creek	Cortland
Alicia Thomas	171 Elizabeth Ct.	Cortland
Joey Ferenchak	120 Adams Ct.	Cortland
Fred Thomas	171 Elizabeth Ct.	Cortland
Peggy Ferenchak	120 Adams Ct.	Cortland
Wanda Hanlon	311 Michaels Ct.	Cortland
Cara DeToro	240 Michaels Ct.	Cortland
Michael DeToro	240 Michaels Ct.	Cortland
Mathis Cavaliere	301 Michaels Ct.	Cortland
Hayley Skladanek	301 Michaels Ct.	Cortland
J Lowther	90 Adams Ct.	Cortland
Bill Lowther	90 Adams Ct.	Cortland
Betty Kerner	55 Adams Ct.	Cortland
Tony Kerner	55 Adams Ct.	Cortland
Ron Baldwin	136 Elizabeth Ct.	Cortland
Jim DiGiacobbe	290 S High St.	Cortland
David Oravec	291 Michaels Ct.	Cortland
Keith Denman	201 Elizabeth Ct.	Cortland
Marisa DiGiacobbe	230 Michaels Ct.	Cortland
Andre Williamson	75 Adams Ct.	Cortland
Andrea Adkins	115 Adams Ct.	Cortland
Ronald Baldwin III	136 Elizabeth Ct.	Cortland
Shayle Williamson	75 Adams Ct.	Cortland
Mike Hillman	55 Adams Ct.	Cortland

**Bill Sasse:** Good evening. It is 6:45, Monday, June 9, 2014. I would like to call to order the Cortland Planning, Zoning and Building Commission for Public Hearing 09-14. The purpose of the public hearing is to consider a zone change request for various parcels with an Industrial, I-1 or mix Residential, RM / Industrial, I-1 designation in Custer Estates (aka the Highlands Ridge Subdivision) and 5 adjacent parcels with a RM / I-1 designation. Request to change to RM, Residential Multi Family.

**Bill Sasse:** You will be given an opportunity to speak for or against the Zoning Change Request. We just ask that all speakers step up to the podium and state your name and address. The Commission will be voting during our regular meeting on whether to approve this request and send it to City Council. I would like to ask Don Wittman, the City of Cortland Service Director, to speak on behalf of the city and the zoning request.

**Don Wittman:** Thank you, Chairman. As we have identified areas on the zoning map that need to be updated so that the use meets the designation, the Highlands Ridge subdivision and adjacent parcels was identified as an area that needs a new zoning designation. The entire subdivision is zoned I-1, Industrial. This was allowed back in 1995 to develop single family or multi-family within an I-1 designation. Since 1995's adoption of the zoning code, the use must meet the class so you can no longer build single family residential or plat land or develop land for a single family residential use within an industrial area. But over those years I have still issued zoning permits for homes in that subdivision being that is what is intended for, that was the purpose. In effect, it was creating a pre-existing non-conforming use. In hindsight, I probably should

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

June 9

14

have not issued those, and zoning permits should not have been issued until a zone change was requested by the property owner. But through 10 years no one ever came before this board or City Council to seek a zoning designation. In undertaking the zone change and updating the map, we have gone through and identified areas that had designations that did not exist anymore – Agricultural and Non-taxable. Those 47 or so parcels we were able to fix. Highlands Ridge Subdivision and the adjacent parcels on High St. were the next area. When we are proposing a designation – first it has to be consistent with the use as well as comport with the zoning of the surrounding areas. So that is why the Residential Multi-family designation was selected - this best meets the use of that property as far as setbacks and lot restrictions. RM, Residential Multi-family covers approximately half of the city – many single family developments such as Deer Creek and Shepherd’s Hill all have RM designations even though they are single family residential. This subdivision – even though it would be a RM designation, it would still only be permitted to have single family homes built on it based on the lot width. The lots are not of a sufficient enough size to support any duplex development. The matter before the board this evening only encompasses the zone change for the Highlands Ridge Subdivision as well as parcels along High Street that had a partial 10-15 ft. of their rear yard zoned industrial.

**Bill Sasse:** Thank you, Don. Is there anyone here to speak FOR the zoning change request?

**Bill Sasse:** Seeing none, is there anyone here to speak AGAINST the zoning change request?

**David Oravec:** My name is David Oravec. I live at 291 Michaels Ct. I have a petition to rezone our neighborhood as R-15 or R-12, Single Family Residential. We feel that is the best protection in the future for our neighborhood and it also reflects what is currently back there. I have 47 signatures of property owners basically that is all but about 3 homes that weren’t home. Every single person that we have knocked on their door has said we are totally against multi-family rezoning of the neighborhood. We feel that could open up the possibility for land to be developed not only for duplexes, low-income housing. Whatever happens with that RM, we want to state that we are against it and we would like you to consider it single family rezoning.

**Bill Sasse:** Thank you, next.

**Hayley Skladanek:** My name is Hayley Skladanek. I live at 301 Michaels Ct. Because there is already so much Residential Multi-family in Cortland and most of the map does reflect that is exactly why this little section – this little bastion of single family development doesn’t need to be multi-family. There is plenty of that available in the City of Cortland. This is also the last place for single family homes for the school district – so that is a huge issue for voting for school levies, families to be able to move into Cortland, to add to the tax base and to participate in the school program. The state funding that you are talking about there is a whole lot of issues here besides just multi-family, not multi-family. That is something I think the Board really needs to consider when they are talking about the future of Cortland. The future of Cortland is the families and the children. I have a question – Does it or does it not based on what you just said about the houses on High Street with their rear or back yards that would be changing – Does it or does it not include Mr. DiGiacobbe’s property behind our houses?

**Don Wittman:** The vacant property to the north that would be accessible through the paper street is not included in the zone change. That would remain Industrial.

**Hayley Skladanek:** For how long, I am curious.

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

June 9

14

**Don Wittman**: For as long as there is not a request for it to be changed. Right now it is vacant property so you do not have a use that is inconsistent with the zoning designation. Whereas in Highlands Ridge or Custer Estates there is a use which is inconsistent with the zoning designation.

**Hayley Skladanek**: Alright. I have a question though to that. Based on that, would we also all get letters if that was coming up for rezoning?

**Curt Moll**: Not all, just the adjacent property owners. The people along the northern edge of the subdivision would. I would like to clarify something I think needs to be clarified. There seems to be a lot of disturbance here about an issue that maybe isn't required. This zoning change is one that was undertaken by the city, to really adjust our zoning. If you look at the lots along the street, the 43, 44, 45, 46, 47, 48, 49 are currently multi-family and the real reason for saying let's make it all multi-family. We are doing this at our expense basically. We paid for all of the expenses. You are perfectly okay to come in at any time and request a zoning change for your property which you would need to take on the expenses involved with doing that. We are not doing anything today which would preclude you from doing that at some later time.

**Hayley Skladanek**: Right. That is why we are all here though today because we understand that it is at your expense and it is a lot easier to sell these people to be here today.

**Mayor Moll**: We can't change what is being decided at this point, can we?

**Patrick Wilson**: What the Mayor is saying, I believe, is the action in front of this board is a request to rezone it to RM designation. The board is not going to vote to change it to single family based on this petition. If you want to file a formal application with the city to rezone it to a specific single family residential zoning you are free to do that.

**Hayley Skladanek**: I would like to also just say one more thing. As a realtor, property values are finally on the rise and particularly in this area and we are up 11% just from last month. So that is something for not only the people who live in this neighborhood to be concerned with and want to protect and to make sure it continues to grow, but all of Cortland. And so I would hope that you would all consider that too when considering rezoning.

**Don Wittman**: That is why..

**Hayley Skladanek**: I do understand that, absolutely.

**Don Wittman**: It is zoned Industrial. When we get calls from appraisers asking what is it zoned and we say Industrial – 9 times out of 10 – Industrial? How is there a single family home? And we go through the whole schpiel about the prior to...

**Mayor Moll**: And that will tend to depress appraisals.

**Hayley Skladanek**: And I do understand that is why rezoning is happening. Our interest is just – and now I am glad to understand that.

**Terri Barnovsky**: If you look at the map – Monte Lane is R-M except for the back portion so those parcels are already RM.

**Dave Oravec**: Your letter states that this is going to start the formal adoption – it is not saying it is going to make it Multi-family. This is saying that the most appropriate zoning classification according to your thoughts are RM but this meeting today is to start

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

June 9

14

formal adoption so technically we could start the formal adoption of a single family neighborhood.

**Patrick Wilson**: The idea for you folks is to ask this board to vote this proposal down. The city is asking for it, it has to pass this board's approval. It would then have to go on to City Council and that board would have to approve it as well – so there's two levels. If this board votes in favor of what the city wants to do then there will be a public hearing in front of city council at which time that board would be asked to approve this request. So if this request is voted down you would be free to come in tonight and submit an application for your lots to be rezoned.

**Mayor Moll**: Although they would all need to be rezoned at some point. The issue there is you would have to get all of your neighbors to agree to a zoning classification and apply for that. Otherwise we are going to come back at some later time for the ones that are still Industrial and make those RM.

**Dave Oravec**: I have a question. You said the lot size must have a 100 ft width. So the homes back there that have a 100 feet width today – if that is zoned multi-family then I could turn that into a duplex technically, correct?

**Mayor Moll**: Are there any that are that big?

**Hayley Skladanek**: There are lots that are right next to each other and that is what I was curious.

**Mayor Moll**: You would have to get it replatted.

**Hayley Skladanek**: So the answer to the question is yes.

**Don Wittman**: There is nothing that would stop them from doing that now. You could do that now if you wanted to. If you have 100' you can put up a wall in between and make a duplex. Not that anyone is going to do that. You also have deed restrictions which are enforceable by homeowners.

**Hayley Skladanek**: Well here is our concern. We are not here because we want to cause trouble or that we are upset with any one person or anybody in particular. We are protecting our property values and I think that is fair. We just want to understand it. We are here because we don't understand it. The letter was more than vague.

**Mayor Moll**: We are doing what, we are trying to do is the most expeditious manner we can and then if individuals want to come up with different zoning then they are going to have to come back. Like we said earlier, if you want to do something different and you can all agree on that, there is absolutely no problem in doing that.

**Hayley Skladanek**: Okay and that is all we want. Just to participate in that.

**Mayor Moll**: We can't change what are doing here now.

**Bill Lowther**: My name is Bill Lowther and I live at 90 Adams Ct. and I am a little confused as to why this wasn't chosen to begin with. There are single family homes there, why do we need more R-2 classifications. That is what I don't understand. Why wasn't it just automatically assumed – you are finally building \$230-250,000 homes in this town. Why would you do anything to disrupt that?

**Mayor Moll**: We are not trying to rezone that subdivision – what we are trying to do is eliminate the industrial

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

June 9

14

**Bill Lowther**: I understand and that's great. But why didn't we just go R-1 or R whatever it is to only allow single family homes? Why did we have to cause the confusion? That is what I don't understand.

**Don Wittman**: The R-M is consistent with all the parcels around

**Bill Lowther**: Right and everywhere I go in this town, there are duplexes mixed in with houses. Why isn't that going to happen here and why should these homes on this street be R-2 so we got duplexes here?

**Don Wittman**: It is not going to happen because there are not any 100 ft. lots that can support a duplex.

**Bill Lowther**: Well you have a huge piece of property over here that could someday go for sale. The lady is eighty something years old. It will someday go for sale.

**Don Wittman**: That lady is standing right behind you.

**Bill Lowther**: That's fine. And she may disagree with me. No not the DiGiacobbe's – the one behind mine next to the day care center. She has been approached many, many times by people who want to build condos or duplexes and that is the property –

**Don Wittman**: The parcel is currently zoned Residential Multi-family.

**Bill Lowther**: That is what I am saying. Why is all of that zoned multi-family? Protect these houses in this development.

**Mayor Moll**: Those lots were there a long time –

**Bill Lowther**: I understand that but we are now trying to change things to make it better. Why wouldn't we have changed it to make it right? Why are we going to bring in duplexes and apartments and condos or PUD? homes into an area that doesn't need to have that? We should be trying to encourage the 200 and something thousand dollar homes that is your tax base for the City of Cortland that will save the schools. Those low income houses and apartments do not. People who live in apartment buildings and duplexes do not pay taxes and they don't care. We need to protect the homes that are being finally built in this town. My property value is finally going back up along with everybody else's here. A couple of years ago I couldn't even get asking price for what I paid for it back in 1995. Finally going back up and then we are going to do something silly like this. R-1, single family homes for that whole area is the only way it should have gone. Any other way is silly. Just another example of why we are not getting anywhere in this town.

**Mayor Moll**: If you want zoning to be R-10 or R-12 or R-15 you are going to need to initiate it yourself.

**Bill Lowther**: Well that is fine, but why wouldn't have any of this been brought up to us before you guys finalize something? Bring the community in –

**Patrick Wilson**: Hang on a second. Nothing is finalized. The whole purpose of this public hearing is exactly what's going on tonight, for you to be educated and for this board to be educated as to your opinion.

**Bill Lowther**: Did you really think anyone in that development would vote for anything other than single family homes? Did you really?

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

June 9

14

**Mayor Moll**: I don't know about the people along High Street which were also affected by that though.

**Bill Lowther**: I don't think they would really want to have an apartment or duplex

**Mayor Moll**: I don't think you should speak for them.

**Bill Lowther**: I can't speak for them. But, I don't think it is beneficial to have apartments or duplexes built next to their house. It ain't going to help their value either.

**Don Wittman**: This zone change is not going to bring the doom and gloom that you're professing. This is simply creating a zoning designation for Custer Estates which will protect the property values, allow for homes to continue to be built – single family homes, and will clear up confusion as far as the zoning and the use of that property. There is no plans for any low income housing – we are not changing any property that is going to bring this blight of low income housing stock to the city.

**Bill Lowther**: I get that. Today you are all in agreement for that. I understand that. The property is still there ten years from now, fifteen years from now and a different group of people are sitting here. A different proposal comes to you. You have to protect the neighborhood that is being built there.

**Mayor Moll**: But if those people along High Street, the ones with the large lots that are large enough to build apartment buildings don't want to be zoned R-15 or R-10 – they aren't going to do it. They are not going to come in and request that zoning. It is already RM.

**Bill Lowther**: Okay, again – You are throwing something on us assuming we would want to have this change but we are not allowed to have that choice but you are going to say I can't speak for them.

**Mayor Moll**: I am saying they are responsible for rezoning their own property to the zoning classification they would like. What we are doing here is eliminating a zoning classification that doesn't fit the use.

**Bill Lowther**: I still think this is a mixture of words. I don't understand why and I don't think anybody here is anymore happy about this choice.

**Mayor Moll**: We are trying to get things consistent with zoning in town which was messed up twenty years ago.

**Bill Lowther**: I get that. It is messed up and we need to get that corrected. I don't think making another section of the town multi-housing is the answer. We have enough of it.

**Mayor Moll**: There are a number of subdivisions if you look at the full zoning map where people have come in as a community, as a neighborhood, as a block or whatever and requested zoning changes for their neighborhood and received those.

**Bill Lowther**: We will probably do the same thing if we have to. What I don't understand is why it wasn't this way first. As a taxpayer, you may have already technically paid for it, but guess what - I paid for it already.

**Mayor Moll**: There is no adjacent property R anything, other than RM to this property. That is why. There is none and we need to be consistent in our zoning. That's why we did it that way.

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

June 9

14

**Bill Lowther**: But once you convert us to R – Single family then you would have that adjacent to it.

**Mayor Moll**: No that logic would not hold.

**Patrick Wilson**: But there was not a request for that to happen.

**Bill Lowther**: Technically there wasn't a request for this either because nobody knew we had to.

**Patrick Wilson**: Well, there's a couple of ways zoning can get changed in the city and one is by application of the city itself or by the homeowner themselves. This happens to have been initiated by the city. Whether the board agrees with it or not, we don't know yet. So you have done what you are supposed to do.

**Bill Lowther**: I am just going to tell you that there are over 50 taxpayers that are probably not going to be very happy after today.

**Bill Sasse**: Is there anyone else here to speak against this zoning change?

**Dave Oravec**: Can I say something else if there's not anybody else? (Inaudible) to adopt the change not to say that you have already decided what the change should be and we are going to have to come back and fight it. If we are going to make it appropriate, we have 47 signatures of homeowners in Highlands Ridge.

**Mayor Moll**: What we have heard today is this you are not happy with this zoning classification. These guys are going to have to review that and decide if they want to go against all of your opinion or do something different.

**Don Wittman**: The next stop of the process is if they vote for the zoning change there will be a recommendation to Council and Council would have a public hearing and they would need to have adopted in Council through three readings.

**Mayor Moll**: Where you would be able to come back and complain again.

**Don Wittman**: This is a six month process of adopting this.

**Dave Oravec**: So I think everyone in this room is in agreement that we don't want Industrial – we don't want anyone popping a gas station right next to (inaudible) – Why not just save everyone some time and just rezone it for single family homes?

**Don Wittman**: We cannot make that determination tonight to go to a R-10 designation off the cuff.

**Hayley Skladanek**: I think we get it now. We appreciate that, we understand it. I think we are just still – the letter was vague and was upsetting for all of the things it didn't say and all of the questions it left for us. I am sharing with you that is how it left us so now having been here and having a better understanding of it all I can appreciate the process and I respect the process. As citizens of this lovely town I also would hope the board respects the idea this is what makes the process work – people coming in and sharing with you this is how we feel about it. This is hope people get elected, this is how levies get passed and how communities continue to grow.

**Don Wittman**: Well there's two ways that this will come out when we close this public hearing and it goes before the board this evening. They have to vote it up or down one way or the other. Tabling it, I don't think Patrick would allow us to adopt a different zone change.

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

June 9

14

**Patrick Wilson:** No.

**Don Wittman:** So I would request them to vote it up or down. That's going to restart the process – This is June, that puts in July setting the public hearing for August if we have the petition to zone plus the fee.

**Hayley Skladanek:** We spent more than that for the petition letters.

**Don Wittman:** I am just going through the procedural process. The city would need to receive that with the entire subdivision being rezoned to that. There would be an August hearing so you are going to lose two months of the process.

**Mayor Moll:** Plus you are also going to need to resolve what is going to happen with the industrial piece that is left on the R-M. We still have to deal with that.

**Hayley Skladanek:** Right and this is a big deal and you guys have put a lot of time into this.

**Don Wittman:** Right with the homes on High Street. Unfortunately there wasn't any dialogue and that it probably my fault. When we had the work session months ago, we didn't advertise that. We weren't getting any feedback from other residents like Huntington Acres when we changed that from agricultural to R-15.

**Hayley Skladanek:** Well, but R-15 is what we want.

**Don Wittman:** R-15 is the most appropriate there because that was passed – single family two acres or larger when that subdivision was passed. For this subdivision the lot size cannot support R-15 nor R-12. You have 80 foot wide lots – It is either R-10 or RM. And the difference between R-10 and RM is miniscule. Actually if you go R-10 you have more stringent setbacks as far as corner lots. RM you could put a house side setback on a corner lot at 20 feet as opposed to 25. So I don't even know if certain homes on a corner would meet that setback requirement. So there is a lot of issues that would have to be investigated to see that. I know for sure that it supports an RM and I can say with 100% certainty that duplexes would not be allowed.

**Dave Oravec:** Once the zoning is changed it makes it more difficult to fight as long as it meets the zoning requirements, correct? (Inaudible) protects the homeowner.

**Mayor Moll:** And if there isn't a requirement for a zone change there is no public hearing process so you are right there is not as much exposure if there is not a required zone change. But in this case it wouldn't be possible anyway.

**Patrick Wilson:** But he brings up a good point – if this were to pass through tonight and then eventually through council you could all still approach the city and say we now want to change the R-M zoning designation to R-10. You might face legally more obstacles, I suppose, I don't know.

**Don Wittman:** This board typically has acquiesced to the request of the property owners. The Spring Creek was in response to a duplex being built on a 100 ft. wide lot. There's no vacant lots

**Dave Oravec:** There are two lots next to my house.

**Hayley Skladanek:** And you could replat it and you could do that then and it is within the regulations and then you've got a fair housing fight on your hands.



PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

June 9

14

**Don Wittman**: You would have to have a replat. Typically when they have a replat they are coming through with the purpose of why they want to do that and if it is in contravention of the subdivision covenants and deed restrictions – the board can't enforce those but that can go into their decision making process.

**Hayley Skladanek**: For us that is an awful lot of ifs.

**Don Wittman**: It is not going to happen. It will not happen.

**Hayley Skladanek**: That is the thing. For us, it is an awful lot of ifs and that is where we are respectfully requesting for you to vote it down so that we can have a chance to review all of this new information that we have, to reconvene and come back to you with something that makes sense. Let us sit and talk with each other and decide what really does make sense. Let us go away from here.

**Don Wittman**: But here again, what if you decide to not come back. I mean there has been ten years of silence from the subdivision.

**Hayley Skladanek**: There has been 10 years of silence from the city. We just got this letter and I am going to be honest now – this letter was sneaky at best. This letter – people threw away because what does it say – if you are in agreement, no further action is required. Well they didn't even understand what it meant – they had no idea it meant it was being rezoned and the potential consequences.

**Andrea Adkins**: My name is Andrea Adkins. We have had several different builders come in to this neighborhood and they have gone bankrupt. And several builders have started to build and have not followed through with it. From the very beginning this is what happened to this area, to this neighborhood we live in. That may have been 10 years ago, we were uninformed of any building that was going to occur over there. We knew at some point in time that it could occur but we did not know it was apt to. We have had several different builders in different homes. (Inaudible)

**Don Wittman**: That's how it has been – the same owner has been there since 2004 since they bought it out of bankruptcy since he was the biggest lienholder – Palotta Development. He doesn't build houses – he was selling to Hentosh, he sells to now Neopart LLC, a (inaudible) home was out there, and Bartholomew Builders. So the developer and the owner is the same. He is doing a good job of protecting the residents. However, he has signed this and I don't think he understands that if this doesn't go forward, there's not going to be any more zoning permits issued for new construction until this gets resolved.

**Hayley Skladanek**: Well here's what that sounds like a little bit – It sounds a little bit like a threat and it's a fact – I don't disagree with you it's a fact.

**Don Wittman**: I have issued zoning permits for single family homes and probably shouldn't. If I am opening the city to some liability then I need to confer with the law director and see that. It is a possibility at this point because there has been so much discussion about this. So I am exposing myself to some increased liability.

**Hayley Skladanek**: Well it sounds like you already have if you have already made those choices in all fairness. Again, I am just going to respectfully request you guys give us the time that we need to consider what the consequences for our property values, for our children who live there, for our children who ride their bikes around that circle safely because it is a cul-de-sac circle before we go changing things. This is not just a right now situation and we understand that. This is not June through August problem of oh gosh we are going to have to do this all over again. I can't imagine the work that goes on behind the scenes for you guys, the nights you aren't home doing what you want to do, enjoying

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

June 9

14

your evenings. I am sure it is frustrating. This is why you wanted this fun job, right? This is what it is all about. Mr. Sasse did it for the money, I'm sure. (laughter).

**Don Wittman**: My concern is just that if there is not a consensus and this group doesn't come back we are going to lose a lot of time. I'm going to recommend the board approve this and we go to council. That is not going to preclude this group from coming back and making the zone change request they feel is more appropriate.

**Hayley Skladanek**: Okay. So now you had your minute so I am going to ask you to listen to what you just said and let me repeat it back to you the way I want to. You are talking about a whole lot of ifs and a whole lot of time spent. We have a whole lot of time spent too in making our homes beautiful and putting in land and yards and raising families. It is a lot more time that whatever time it took you guys to come to this conclusion. So for 16 to 20 years we have been back there developing and participating and paying taxes in this community and so what I am asking on behalf of everyone here and everyone that signed the petition and people that aren't here is that you give us a little more time to discuss this among ourselves. Let us explain it to everyone who doesn't fully understand it. There's people probably sitting here whose head is spinning right now. This is a lot of information. So as citizens of the city of Cortland we are asking you for that consideration. I don't think it is too much to ask. I think it is fair and I think it is the only right thing to do. This is what the city of Cortland – You want us to participate, you want us to vote for things – the people to vote to support the city and this is what it looks like. So please don't discourage us, thank you.

**Bill Sasse**: Is there anyone else here to speak against the request?

**Wanda Hanlon**: I live at 311 Michaels Ct. My name is Wanda Hanlon. Behind me is a beautiful wooded area. This map shows a road possibly going back into that wooded area and it would go right between my house and the house next door. My question, I guess, is there any possibility that that wooded area is going to be taken for building? Because in my estimation that would be a crime. There is wildlife back there.

**Mayor Moll**: That is zoned industrial and it is going to remain zoned industrial and that really is up to the owner of the property.

**Bill Sasse**: It is up to the owner what he does with his property.

**Wanda Hamlon**: Who owns that property?

**Mayor Moll**: The guy standing on the other side of that door. Jim DiGiacobbe.

**Patrick Wilson**: In fairness to this board, that is really beyond their scope here tonight. If you would like to talk about that with the city after the meeting, you are more than welcome or approach Mr. DiGiacobbe after the meeting.

**Wanda Hamlon**: I am very concerned about that.

**Patrick Wilson**: Okay, I understand.

**Bill Sasse**: Thank you very much.

**Mary Sims**: My name is Mary Sims. I am not a resident of Highlands Ridge but I do represent the builders that have come in and started this new construction over here. We have two completed properties sold at a very nice price. I have had many homeowners call and thank us for bringing those in because it brings their values up. We have our third home under construction right now. My concern is they own – Neopart LLC owns

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

June 9

14

two more lots in there. If you're telling me this doesn't pass and they can't build a single family home back there – that is a great concern.

**Mayor Moll:** They can come in anytime and request a zone change for those lots if that becomes an issue. That has always been the case.

**Mary Sims:** Okay. Obviously, we don't want to halt this new construction.

**Mayor Moll:** I agree.

**Mary Sims:** We have two more – Bartholomew has one and an independent homeowner came in and built his own. There is a lot of new construction back there.

**Mayor Moll:** If this stops, you need to do that well in advance of when you want to start construction because this process does take a while to get the zone change.

**Mary Sims:** Okay. Thank you.

**Bill Sasse:** Is there anyone else who would to speak against the zoning change request? Seeing no further comments, I would like to ask for a motion that the public hearing be closed. **John Picuri** made a motion to close the public hearing, seconded by **Charles Peck.**

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

June 9

14

The City of Cortland Planning, Zoning & Building Commission met on Monday, June 9, 2014 at 7:00 P. M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman, Bill Sasse, Sally Lane, James Chubb, and John Picuri. Also present were Mayor Curt Moll, Service Director Don Wittman, Law Director Patrick Wilson and the following individuals:

Jo Morrison	95 Adams Ct.	Cortland
Jim Drapcho	181 Elizabeth Ct.	Cortland
Mary Sims	2037 Timber Creek	Cortland
Alicia Thomas	171 Elizabeth Ct.	Cortland
Joey Ferenczak	120 Adams Ct.	Cortland
Fred Thomas	171 Elizabeth Ct.	Cortland
Peggy Ferenczak	120 Adams Ct.	Cortland
Wanda Hanlon	311 Michaels Ct.	Cortland
Cara DeToro	240 Michaels Ct.	Cortland
Michael DeToro	240 Michaels Ct.	Cortland
Mathis Cavaliere	301 Michaels Ct.	Cortland
Hayley Skladanek	301 Michaels Ct.	Cortland
J Lowther	90 Adams Ct.	Cortland
Bill Lowther	90 Adams Ct.	Cortland
Betty Kerner	55 Adams Ct.	Cortland
Tony Kerner	55 Adams Ct.	Cortland
Ron Baldwin	136 Elizabeth Ct.	Cortland
Jim DiGiacobbe	290 S High St.	Cortland
David Oravec	291 Michaels Ct.	Cortland
Keith Denman	201 Elizabeth Ct.	Cortland
Marisa DiGiacobbe	230 Michaels Ct.	Cortland
Andre Williamson	75 Adams Ct.	Cortland
Andrea Adkins	115 Adams Ct.	Cortland
Ronald Baldwin III	136 Elizabeth Ct.	Cortland
Shayle Williamson	75 Adams Ct.	Cortland
Mike Hillman	55 Adams Ct.	Cortland
Cindy Krizinsky	Custom Signs	Grove City, PA

**Bill Sasse:** It is Monday, June 9, 2014. I'd like to call to order the regular meeting of Cortland Planning, Zoning & Building Commission. Can we have roll call please?

**Roll Call:** Bill Sasse, here; Sally Lane, here; John Picuri, here; Charles Peck, here; Jim Chubb, here.

**Bill Sasse:** Can I have a motion for approval of commission minutes for May 12, 2014 meeting?

**Charles Peck** made a motion to approve May 12, 2014 meeting minutes, seconded by **John Picuri**.

**Roll Call:** Jim Chubb, yes; Sally Lane, yes; Bill Sasse, abstain; John Picuri, yes; Charles Peck, yes. **MOTION APPROVED.**

**Bill Sasse:** Seeing no Old Business on the agenda, we will go right into New Business. Can I have a motion for approval of **09-14: Zone Change Request**, at the request of the Service Director, for various parcels with an Industrial, I-1 or mix Residential, RM / Industrial, I-1 designation in Custer Estates (aka the Highlands Ridge Subdivision) and 5 adjacent parcels with a RM / I-1 designation. Request to change to RM, Residential Multi Family.

**Patrick Wilson:** Is there a motion to pass this proposal?

**Don Wittman:** It sounds like there isn't, Patrick.

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

June 9

14

**Patrick Wilson**: Bill, you need to canvas the board a couple of times. Ask the board if there is a motion to pass this.

**Bill Sasse**: Do we have a motion to pass this?

**Jim Chubb** made a motion for approval of 09-14.

**Bill Sasse**: Do I have a second? Can it die for no second?

**Patrick Wilson**: It can. Ask the board one more time for a second. If there is no second, the motion dies.

**Bill Sasse**: Can I have a second? Seeing no second on the motion, I guess it dies for lack of a second.

**Patrick Wilson**: That is correct.

**Bill Sasse**: Absolutely nothing happens this evening because of that.

**Patrick Wilson**: So the request for the change from Industrial to RM has in effect been denied by this board. So nothing will happen to the parcels until you folks come back to the city and ask for a rezone. I doubt the city will take it upon its own initiative again.

**Mayor Moll**: Not for these. We may for the parcels on High Street to eliminate the Industrial there.

**Bill Sasse**: Moving on, can I have a motion for approval of 10-14: **Sign – H&R Block, 164 S High St. Wall mounted sign, 24”h x 13’7 5/8” w, Indirect lighting.** **Charles Peck** made a motion for approval of 10-14, seconded by **Sally Lane**.

**Bill Sasse**: Is there anyone here to speak for the sign?

**Cindy Krizinsky**: Hello. My name is Cindy Krizinsky from Custom Signs in Grove City, PA. Basically the sign is identical to what they currently have, just more efficient.

**Bill Sasse**: More efficient, why?

**Cindy Krizinsky**: Well instead of replacing them and maintenance they are putting in LED lights now.

**Bill Sasse**: Is there anyone here to speak against the sign? Seeing none, can I have a vote on 10-14?

**Roll Call**: **John Picuri, yes; Charles Peck, yes; Sally Lane, yes; Jim Chubb, yes; Bill Sasse, yes. MOTION PASSED.**

**Bill Sasse**: Can I have a motion to adjourn?

**John Picuri** made a motion to adjourn the meeting, seconded by **Jim Chubb**.

**Roll Call**: **John Picuri, yes; Jim Chubb, yes; Sally Lane, yes; Charles Peck, yes; Bill Sasse, yes. MOTION APPROVED.**

**Meeting Adjourned: 7:25pm.**

\_\_\_\_\_  
William Sasse, Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Teresa Barnovsky, Secretary