

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

July 14

14

The City of Cortland Planning, Zoning & Building Commission met on Monday, July 14, 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, 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:

<b>Rosalie Mayernik</b>	<b>481 Champion E</b>	<b>Warren</b>
<b>Scott Rowley</b>	<b>259 Whitetail Run</b>	<b>Cortland</b>
<b>Lee Mellott</b>	<b>156 Diamond Way</b>	<b>Cortland</b>

**Bill Sasse:** It is 7:00, Monday, July 14, 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 June 9, 2014 meeting?

**Jim Chubb** made a motion to approve June 9, 2014 meeting minutes, seconded by **John Picuri.**

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

**Bill Sasse:** Seeing no Old Business, let's move on to New Business. Can I have a motion for approval of **11-14 New Sign – Dr. Montgomery, 148 W Main St.** Pole Mounted Sign, 38" x 80", with Indirect Lighting?

**Charles Peck** made a motion to approve 11-14, seconded by **Sally Lane.**

**Bill Sasse:** Is there anybody here to speak for the sign? Can you step up to the podium and give us an overview of the sign? We have pictures here available.

**Rosalie Mayernik:** It is almost the same sign they currently have, only this is going to be made out of aluminum with vinyl and will also have PVC covered posts. It is going to have a high-density urethane foam which is a sign making material that looks like wood and it will be painted to match the sign.

**Bill Sasse:** Done anyone have any questions?

**Mayor Moll:** Is it going to be in the same place as the current sign?

**Rosalie Mayernik:** Yes.

**Charles Peck:** Same place, same size?

**Rosalie Mayernik:** Same size but it is a little tiny bit taller.

**Don Wittman:** Yes, just for clarification, Chairman. This is consistent with our policy of what is the difference between a maintenance versus a new sign. This is going to have a new name which typically if a business is going to a new name, it is not just dressing up the existing sign and therefore we are treating it as a new sign. As opposed to just an aesthetic change or a change to a new logo which would not require them to come before this board.

**Bill Sasse:** Is there anyone to speak against the sign? Can we have a vote on 11-14?

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

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**Bill Sasse**: Can I have a motion for approval of **12-14 Accessory Use Permit: Garage** – Lakeview High School – 300 Hillman Dr. – 24' x 32' x 8'?

**Sally Lane** made a motion to approve 12-14, seconded by **Jim Chubb**.

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

**Lee Mellott**: Here is a picture of the building and you can see where it is going. It is a 24' x 32' like-residential frame construction building. They are using it for storage, for field equipment and what have you.

**Bill Sasse**: It is basically going to be used just for storage?

**Lee Mellott**: Yes.

**Mayor Moll**: Will there be electricity to it?

**Lee Mellott**: No electric, no drywall or insulation. Just frame, vinyl siding, concrete floor, shingle roof.

**Mayor Moll**: Don, would you like to explain to the members of the board why this is coming to the zoning board?

**Don Wittman**: Certainly, Mayor. This is an accessory use within a commercial setting – it is something that comes before this board's review because it is not just a single family house. I only have the authority to issue zoning permits for single family homes. Anything other than a single family home has to come before this board. So obviously fence permits, shed permits with a residential setting I issue those; swimming pool permits, what not. If you get above a single family home, or you get into a commercial addition, a commercial accessory use, I bring it before this board. This is consistent with when Wollam was seeking to build a storage facility on their property. So that is why this is coming before this board, because of the accessory use within a commercial setting.

**Mayor Moll**: Thanks, Don. I just wanted to make sure you understood that, because we haven't had very many of these lately. Hopefully, we will have a lot more of them.

**Bill Sasse**: I did not know that, Don, about your not being able to issue those.

**Don Wittman**: Right. The only way I would be able to issue a permit for a duplex would be if it was in an integrated residential development, condo situation. If someone wanted to build a duplex on an existing single family lot or a single lot already developed in the city, they would have to come before this board. We haven't had many of those. I think the last one would have been over on Maplewood Drive when Petrocco built that. I did discuss this with the Superintendent to make sure this isn't being built over the top of the newly constructed irrigation system going to the athletic field or to make sure they are aware of that. And this is not a school project, this is an Athletic Booster project. This building is primarily going to be used for storage of track equipment during the off season and probably whatever other team finds space available.

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

**John Picuri**: I have one question. The property lines, I see we have offsets to the fence. I assume the fence is well off of the property line.

**Don Wittman**: That is correct. This would be within the SW corner of the football stadium fence.

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**Bill Sasse:** Does anyone have any further questions? Can we have a vote on 12-14?

**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 for approval of **13-14 Set Public Hearing?** The purpose of the public hearing is to consider a zone change request for Custer Estates (aka the Highlands Ridge Subdivision) to R-10, Single Family Residential. **Public hearing to be set for August 11th at 6:30 p.m.**

**John Picuri** made a motion to approve 13-14, seconded by **Charles Peck.**

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

**Bill Sasse:** Can I have a motion for approval of **14-14 Set Public Hearing?** The purpose of the public hearing is to consider a zone change request for parcels at 453, 477, 509, and 533 N. High St. to RM, Residential Multi-Family. **Public hearing to be set for August 11th at 6:40 p.m.**

**Charles Peck** made a motion to approve 14-14, seconded by **Sally Lane.**

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

**Bill Sasse:** Can I have a motion for approval of **15-14 Set Public Hearing.** The purpose of the public hearing is to consider a zone change request for 3 parcels located at 369 and 377 N High St. to C-2, Highway Commercial District from Industrial and Residential Multi-family. **Public hearing to be set for August 11<sup>th</sup> at 6:50 p.m.**

**John Picuri** made a motion to approve 15-14, seconded by **Charles Peck.**

**Don Wittman:** Before we have a vote I would just like to make a little bit of commentary. The prior two public hearings are based on the previously submitted public hearing which there was no vote or no motion. This 15-14 is a new parcel at request of the owner, Cortland Healthcare, as well as the adjacent parcel that they have the option to purchase. So they are currently a pre-existing, non-conforming use operating a nursing home facility within a parcel zoned industrial. They would have been one that was on our radar. However, they have some plans for development in which they want to go to Highway Commercial District so that they can facilitate an expansion plan. But the other two you have seen and 15-14 will be a new zone change request.

**Bill Sasse:** Can we have a vote on 15-14, please?

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

**Bill Sasse:** I just have one question, Don. On this zoning change that is coming up on the R-10 – are all people in that subdivision signed up for that change? And if not, what happens to the ones that don't sign?

**Don Wittman:** I don't think there is 100% consent or acquiescence to the zone change. However, we have done this in the past where a whole subdivision has been rezoned without everybody's signature. They will be notified. They will be given an opportunity to come and speak against having their property rezoned to R-10.

**Bill Sasse:** Okay, that was my question.

**Mayor Moll:** Actually, they will have two opportunities to do that. Once here and once before council. The discussion I had with people who were not enthusiastic about the cause was they really didn't care that much. I think we have apathy and the other people.

**Bill Sasse:** But you do understand my question.

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**Mayor Moll**: I do understand that.

**Patrick Wilson**: The important part of that, Bill is that the notice gets handled properly. When you have your public hearing, everyone has been notified. That is the key. If they come and object we can consider their opinion. If they don't show up and we have everyone in favor that night then we don't have to worry about the 1 or 2 stragglers that didn't sign.

**Mayor Moll**: Cortland goes to an almost extreme in their process of reviewing this with the public. So I don't believe if you object to it and you get through that process that you would have any legal standing.

**Bill Sasse**: Is there any other business to be brought before the commission? Seeing none, can I have a motion for adjournment?

**Sally Lane** made a motion to adjourn the meeting, seconded by **John Picuri**.

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

**Meeting Adjourned: 7:14pm.**

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William Sasse, Chairman

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Date

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Teresa Barnovsky, Secretary