

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

September 10, 18

The City of Cortland Planning, Zoning & Building Commission met on Monday, September 10, 2018 at 7:00 P. M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Curt Moll, Don Bell, Donald Fatobene, and Jim Bradley. Also present were Mayor Jim Woofter, Law Director Patrick Wilson, Service Director Don Wittman and the following individuals:

Mark Brown	3284 Niles Cortland Rd	Cortland
Bob Woofter	3284 Niles Cortland Rd	Cortland
Lee Mellott	156 Diamond Way	Cortland

Curt Moll: I'd like to call to order the Cortland Planning & Zoning Commission, it's September 10, 2018, 7:00. I need roll call please.

Roll Call: Jim Bradley, here; Sally Lane, absent; Curt Moll, here; Don Bell, here; Donald Fatobene, here.

Curt Moll: The first item on the agenda is approval of Commission Minutes for August 13, 2018, regular meeting. Can I have a motion?

Donald Fatobene made a motion to approve August 13, 2018 regular meeting minutes, seconded by Don Bell.

Curt Moll: Any discussion, corrections, changes to the minutes? Everything look good? I need a roll call please.

Donald Fatobene, yes; Jim Bradley, yes; Curt Moll, yes; Don Bell, yes. MOTION APPROVED.

Curt Moll: There is no old business, let's go to new business. **35-18 Replat** – A replat of lots 103 & 104 – Walnut Run Estates Phase 3 Plat Volume 48, pages 15 & 16. Can I have a m....

Don Wittman: Mister Chairman, it doesn't appear as if our representative is here at this time. You may want to circle back around.

Curt Moll: Okay, we don't need a motion. We will move on to item **36-18 New Business** – 3284 Niles Cortland Rd. – Homestead Trophy, Mark's Signs, and Dead Dale's Comics. Can I have a motion please?

Don Bell made a motion for approval of 36-18, seconded by Jim Bradley.

Curt Moll: Do you want to tell us about this business, Sir? State your name and address please.

Mark Brown: Mark Brown, Mark Signs, 3284 Niles Cortland Rd. The sign out front of 3284 is..

Curt Moll: Not the sign, the business we are talking about. What are you going to do there?

Mark Brown: Signs, comics, trophies, and transfers.

Don Bell: Transfers as in..?

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Mark Brown: Videos and pictures; VHS to flash drives or CDs.

Curt Moll: Okay, is everything ok with parking Don?

Don Wittman: Yes, we have a parking plan there. Essentially there are six spots, it's not a heavy retail area where we have to have strict adherence to parking regulations. There is room for improvements, it is asphalt surfacing already. The hard surface repair is complied with. A lot of these are probably by appointment only.

Mark Brown: Not a whole bunch of people come at one time.

Curt Moll: In your assessment, the parking is adequate?

Don Wittman: Yes.

Curt Moll: Thank you. Any questions for them? I guess we need a roll call.

Roll Call: Curt Moll, yes; Don Bell, yes; Donald Fatobene, yes; Jim Bradley, yes. MOTION APPROVED.

Curt Moll: The next item of business is **37-18 Ground Mounted Sign** – 3284 Niles Cortland Rd. – 30 sq. ft., 7.5ft high, LED lighting. I need a motion.

Don Bell motioned for approval of **37-18** and **Don Fatobebe** seconded.

Curt Moll: Thank you. Now you can start with the sign.

Mark Brown: It's a double faced sign. It's 6' by 5' high, 2' off the ground. There is a changeable copy on the bottom but, it's a nice changeable copy. It's not one of those mobile signs that you just stick in the ground.

Don Wittman: The question we were kicking around, is it going to be mounted on 4x4 posts on either side?

Mark Brown: No, it's going to be on an 8 inch steel pole, cemented.

Don Wittman: It's only going to be 18 inches off of the ground?

Mark Brown: Two foot. I think that I put 18 (on the sign application) but I changed it.

Curt Moll: Is it internally lit?

Mark Brown: Yes, LED lighting.

Curt Moll: Okay, questions for Mark? Who is making the sign?

Laughter.

Mayor Woofter: Coincidentally, it is the same guy that is making the new city sign.

Curt Moll: Can we have a roll call please?

Roll Call: Curt Moll, yes; Donald Fatobene, yes; Don Bell, yes; Jim Bradley, yes. MOTION APPROVED.

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Curt Moll: The next item is **38-18 New Business** – 301 S. High St. – Byerly Insurance Brokers Inc. Can I have a motion please?

Don Bell motioned for approval of **38-18** and **Don Fatobebe** seconded.

Mark Brown: She does insurance, Medicare riders, and she helps people pick out the best plans for whatever their needs are. That's about all I know, but that's pretty much what she does.

Curt Moll: Do you think the parking is going to be adequate for that, Don? Is it by appointment?

Mark Brown: Yeah, there is room for about three cars and that's about it.

Mayor Woofter: To interject here, the location where Mark was, next to the post office, he is moving out of there and down the road. This is where Tammi is going. I wanted to make sure that everyone knew that.

Don Wittman: Where is she currently operating, do you know?

Mark Brown: Indiana. She has actually already moved here and is pretty much established. She just wants to start there.

Curt Moll: Any more questions? Roll call please.

Roll Call: Jim Bradley, yes; Don Bell, yes; Don Fatobene, yes; Curt Moll, yes.
MOTION PASSED.

Curt Moll: **39-18 Ground Mounted Sign-** 301 S. High St. – 16 sq. ft, 6 ft high, LED lighting. I need a motion.

Don Fatobebe motioned for approval of **39-18** and **Jim Bradley** seconded.

Mark Brown: It's just a 4x4 sign with posts and it's externally lit with LED, solar powered, flood lights.

Curt Moll: Very good, any questions? Roll call please.

Roll Call: Jim Bradley, yes; Curt Moll, yes; Don Bell, yes; Donald Fatobene, yes.
MOTION PASSED.

Curt Moll: The next item of business is **40-18 Set Public Hearing** - The purpose of the hearing is to consider a request to change the zoning of Lots 6 & 7 of Cortland Courts from R-M, Residential Multi-family to S-1, Service District. Hearing to be set for October 8, 2018 at 6:45 p.m. Can I have a motion please?

Don Bell motioned for approval of **40-18** and **Don Fatobebe** seconded.

Curt Moll: Any questions about this?

Don Bell: Where is Cortland Courts?

Don Wittman: It's on Maplewood.

Don Bell: Okay.

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Don Wittman: It would be the vacant area along the wood line adjacent to Mr. Daffron's house. Several years ago, Tony Petrocco had come in with a plan. Those two separate lots had two separate ownerships, nothing really could be built on them. He had come in with a plan for a 6-plex or something with combining those two lots, but the deal fell through for selling that properties. Now Mr. Petrocco is selling the property to Equity Management who is the ownership for all of those Cortland Court Apartments, as well as the 6-plex. I talked to Mr. Larney and he expressed that he'd need to have individual storage units for the residents back there. However, he does not want to limit it to just those residents. It's going to be available to other people.

Curt Moll: It's not an accessory use.

Don Wittman: It's not, correct. I told him, if he were to combine these lots with a 6-plex, he could do storage units that would be an accessory use to those apartments. However, since it's going to be standalone.... But it's probably going to be taken care of by the resident managers of Cortland Court Apartments.

Curt Moll: It's intended use is for storage units?

Don Wittman: That is correct, so that would have to be rezoned from R-M to S-1 Service District.

Curt Moll: Do we have any requirements for construction of storage units, county building regulations?

Don Wittman: County building regulation. It's not going to be an outdoor storage.

Curt Moll: I just worry about the appearance of something like that. Okay, roll call please.

Roll Call: Donald Fatobene, yes; Jim Bradley, yes; Curt Moll, yes; Don Bell, yes. **MOTION APPROVED.**

Curt Moll: Next item of business is **41-18 Commercial Accessory Building** - 246 N. High St. – Campbell Carpets – 37' x 36' garage addition to existing out buildings. We need a motion please.

Don Bell motioned for approval of **41-18** and **Don Fatobebe** seconded.

Curt Moll: Mr. Mellott, you want to state your name and address please?

Lee Mellott: Lee Mellott, 156 Diamond Way. John at Campbell Carpet wants to build an addition to his existing realities there. (laughter) It's about 35' by 39'ish, over the existing pad. He has a concrete pad that he cuts carpet on right now. He is out of space, that's what this building is for. He gets giant rolls of carpet in, he unloads them out of the weather. He cuts them into room sizes for the installers. It's not for the public to go back in, it's just for John.

Mayor Woofter: Is this a pole building?

Lee Mellott: No. It would be conventional, with a foundation.

Mayor Woofter: Concrete?

Lee Mellott: Concrete pad, yes.

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Don Bell: What about the side yard setback?

Curt Moll: There is tons of room back there.

Don Wittman: The new building will not violate the side setback. It's being constructed with the 10 foot side yard setback. That existing pad is 25 feet from the property line. On the sketch, the existing accessory building with the hash around the boarder, that's the existing building. Where it's cross hashed through, that is the existing concrete pad that will be enclosed with this building.

Curt Moll: Any questions? Don, any comments that you want to make?

Don Wittman: Just that, this is zoned R-M and not S-1, we did clarify that after the application was completed. Essentially, as Zoning Administrator, I can only issue zoning permits for single family constructions. I've carried that over to commercial buildings, accessory uses, because it's best to have the board review those. If I took a bright line rule, sheds would come before you because it's not a single family structure, fences, but anything above single family residential as a primary building will come before this board for review.

Curt Moll: If there are no more questions, can I have a roll call please.

Roll Call: Jim Bradley, yes; Don Fatobene, yes; Curt Moll, yes Don Bell, yes. MOTION APPROVED.

Curt Moll: We do have one other item here. We delayed the replat of Lots 103 & 104. Is that something that we need a resident here for? What exactly are they trying to do?

Don Wittman: I guess that I can represent this for Mr. Waldon.

Curt Moll: Let's do a motion for **35-18 Replat.**

Don Bell motioned for approval of **35-18** and **Don Fatobebe** seconded.

Curt Moll: State your name and address. (Laughter)

Don Wittman: Don Wittman, 400 N. High St., Cortland, OH 44410.

Curt Moll: This is two lots on Dornoch.

Don Wittman: Yes. I believe that these two lots were owned by the Trumbull Land Bank. They were purchased by Mr. Waldon and he is looking at building a house on the two lots. In order to do that, he must combine them.

Curt Moll: This is just east of the circle?

Don Wittman: Correct, north side of Dornoch, just east of the circle. Currently there is a house being constructed on lot 102.

Curt Moll: I thought that there was another combined lot there but I don't see it.

Don Wittman: They may not have those shown as such, if they pulled the original plat Volume 48, pages 15 & 16. They are just not showing the replat of those two lots.

Curt Moll: I thought it was 105 and 106 that got combined. Maybe they just didn't record it.

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Don Wittman: No, it's been recorded, it's just not showing up on this because it wasn't necessary for the replat of these two lots.

Curt Moll: Alright, any questions about this? We've done it before back there. If there aren't any objections, we'll just do a roll call please.

Roll Call: Jim Bradley, yes; Don Fatobene, yes; Curt Moll, yes Don Bell, yes.
MOTION APPROVED.

Curt Moll: Ok, anything else from the board?

Don Wittman: Along the lines of these replats, from a procedural standpoint, we are treating these lot consolidations as a platting process. We may want to look into carving out a less stringent.. 15 days prior to the meeting for combining lots. I don't think that we want to take the review away from the Planning & Zoning Commission, but I think we want to come up with some verbiage to address replats.

Patrick Wilson: It's slowing people down Don? Is that what you are running into?

Don Wittman: A little bit, yes.

Patrick Wilson: I like Don's idea. Keep it coming before your board.

Curt Moll: I do too. If you have someone who owns two properties and they want to combine them; I don't see why we should put them through any huge hoops.

Don Wittman: With any subdivision, it needs to be submitted 15 working days prior to the Planning & Zoning Commission. That's when you are taking acreage and putting in roads, water, sewer; that's when you need a time frame to get that done. Just to do a platting of property.

Curt Moll: You are saying that you don't need 15 days to deal with this kind of thing.

Don Wittman: No. No. Especially when we have an existing subdivision that has been platted, and you are just looking at a replat of property already serviced by water, sewer, roads and everything.

Curt Moll: Is that in the subdivision regulations?

Don Wittman: Yes.

Curt Moll: We would have to make an amendment to that.

Don Wittman: Yes.

Curt Moll: Can you bring a suggestion to the next meeting? We have to recommend that to council.

Don Wittman: Correct. I will get something put together. I'm sure that someone else has something out there.

Patrick Wilson: Less stringent.

Curt Moll: Anything else someone has to say?

Jim Bradley: I have a question. Do we have anything for halfway houses or three-quarter houses?

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Mayor Woofter: We do not.

Jim Bradley: I'm just going to ask that we start looking at that. I know that Warren has had some meetings on that. They are not heavily regulated. Right now they can come in to different areas that are zoned a certain way and start to operate. Maybe it's something that we want to look at so we have a heads up on that.

Patrick Wilson: You have to be careful that they are not heavily regulated. Federal law does protect a lot of their operations.

Curt Moll: I am not sure that there isn't some use restriction on that.

Mayor Woofter: That has been mentioned to us before about a year ago.

Curt Moll: We would need to have some type of legislation (inaudible)

Mayor Woofter: I think Girard or somebody has regulations on that – it was either Niles or Girard.

Curt Moll: Ok, anything else? Can I have a motion for adjournment?

Don Bell made a motion to adjourn the meeting, seconded by Donald Fatobene.

Curt Moll: Roll call please.

Roll Call: Curt Moll, yes; Don Bell, yes; Donald Fatobene, yes; Jim Bradley, yes. MOTION APPROVED.

Meeting adjourned: 7:23p.m.

Chairman

Date

Secretary