

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

July 11

16

The City of Cortland Planning, Zoning & Building Commission met on Monday, July 11, 2016 at 7:00 P. M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Sally Lane, Bill Sasse, Don Bell, Donald Fatobene, and Curt Moll. Also present were Mayor Jim Woofter, Service Director Don Wittman, Law Director Patrick Wilson and the following individuals:

Joe Steines	520 S Main	Akron
Rodwell King	520 S Main	Akron
Traci Cooper	134 N High St.	Cortland

Sally Lane: Good evening. It is 7:00, Monday, July 11, 2016. 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; Curt Moll, here; Don Bell, here; Donald Fatobene, here.

Sally Lane: May I have a motion for approval of commission minutes for June 13, 2016 regular meeting?

Don Bell made a motion to approve June 13, 2016 meeting minutes, seconded by **Donald Fatobene**.

Roll Call: Donald Fatobene, yes; Sally Lane, yes; Bill Sasse, abstain; Curt Moll, yes; Don Bell, yes. **MOTION APPROVED.**

Sally Lane: Seeing no old business, we will move to new business. May I have a motion to approve **17-16 New Building, 640 Wakefield Dr.,** Lakeview School District – 132,000 Sq. Ft. – School in R-10 Single Family District?

Bill Sasse made a motion for approval of 17-16, seconded by **Curt Moll**.

Sally Lane: Is there someone here to speak about this project?

Rodwell King: This is kind of the same drawing that we presented at the public hearing. We added some dimensions on. We didn't change the design or anything – We added dimensions to show distance from the property lines. ... This is from the property line to the side. We considered the impact on neighbors. We had a community meeting. You have seen this one before – the rendering of the building.

Patrick Wilson: Can you show me which one of those windows is my wife's? (Laughter) C'mon, Joe.

Rodwell King: What does she teach?

Patrick Wilson: 7th grade English and reading.

Rodwell King: Should be about here. West side is kindergarten and 1st on the first floor and 3rd and 4th on the second floor. The other side has fifth and sixth on the first floor and 7th and 8th on the 2nd floor.

Mayor Woofter: Awesome. Nice building. That is going to be a really nice feature to have in our city.

Rodwell King: I think it will also go very well with your public library.

Mayor Woofter: Absolutely.

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Don Wittman: As Rodwell mentioned, the public hearing that we had at the previous meeting was to approve the use of a school in an area zoned R-10. Included in your packet, is the zoning ordinance requirements regarding a non-residential structure in an R-10 designated area. The minimum building size is 1200 sq. ft. I think we are going to meet that. (Laughter) The height limitation of 40 ft. will be adhered to – maybe/maybe not with the cupola. The front setbacks are going to be adhered to. The biggest thing is the rear setback of 30 feet and 60 feet is being provided. There is no buffer requirement adjacent to other residential districts.

Sally Lane: Any there any other questions or comments? Seeing none, can we have a vote on 17-16?

Roll Call: **Sally Lane, yes; Bill Sasse, yes; Donald Fatobene, yes; Curt Moll, yes; Don Bell, yes. MOTION PASSED.**

Sally Lane: Can I have a motion to approve 18-16 New Business – 134 N High St. – Cooper’s Cycle & Fitness?

Curt Moll made a motion for approval of 18-16, seconded by **Donald Fatobene.**

Sally Lane: Who is here to speak about this?

Traci Cooper: Hi, Traci Cooper. We are not really a new business, we are just moving.

Don Wittman: Correct, but it is still a new business at that location.

Patrick Wilson: Just give us a brief summary.

Traci Cooper: Of what we do? That’s easy. We have a bike shop in the center. We are opening a coffee shop to the right, each will have its own door. The door to the left, which is 160, is already a spinning room. The other building, 124, where Quilter’s Fancy is, that is our fitness room. We have taken all of the rest of the plaza.

Sally Lane: That is going to be a nice complex.

Curt Moll: So the coffee shop winds up kind of in the middle?

Traci Cooper: Yes. We want to put in a little half door.

Sally Lane: When are you going to open there?

Traci Cooper: He has been working tirelessly. We are hoping August 1st which is our goal right now.

Mayor Woofter: C’mon, Jeff. I need coffee.

Sally Lane: Are there any other questions or comments? Don, do you have anything?

Don Wittman: Is the parking lot going to be striped?

Traci Cooper: We are going to eventually stripe it, but not top priority right now. There is a lot going on.

Don Wittman: Right, I understand. It seems that would help with traffic flow in and out.

Curt Moll: We did a striping plan.

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Don Wittman: I don't think we ever did for that one. There has always been a hodgepodge of businesses in there. There is definitely enough area for parking for the use. The number of employees shows zero – is there anyone else other than you two?

Traci Cooper: We have instructors that come in and out. Our class times are so staggered that we haven't really had any problems with parking. But we don't know yet - when the coffee shop opens obviously we can't foresee what's going to happen.

Don Wittman: Right and that may just put more emphasis on maximizing the area there with a striping plan.

Mayor Woofter: I think you do have a striping plan, don't you?

Traci Cooper: We have a couple of them.

Don Wittman: If you want some free advice bring it up here and I will offer my two cents.

Traci Cooper: Thank you.

Bill Sasse: Will you have any outdoor seating?

Traci Cooper: Yes, but not this year.

Bill Sasse: Where will that be located?

Traci Cooper: In between the two buildings – where the coffee shop is on the end unit, there is a door that goes outside. So we hope to clear that overlook and will have the outdoor seating there. There will be no cars or traffic.

Curt Moll: So that parking back there won't be used?

Traci Cooper: No. It is already not being utilized except for my husband and myself.

Sally Lane: Okay if no further questions, may I have a vote on 18-16?

Roll Call: **Curt Moll, yes; Don Bell, yes; Sally Lane, yes; Donald Fatobene, yes; Bill Sasse, yes. MOTION PASSED.**

Sally Lane: Okay now we are moving on to the new sign. Can I have a motion to approve 19-16 – New Sign – 134 N High St. – Cooper's Cycle & Fitness – Ground Mounted Sign – 24 Sq. Ft.

Curt Moll made a motion for approval of 19-16, seconded by Donald Fatobene.

Sally Lane: Can you tell us about that?

Traci Cooper: We basically moved the sign from the old location. My husband built a pedestal for the sign to sit out front. The reason it is where we placed it, is because it needs to have electricity run to it. That is the only place where we could run electricity from the building to the sign that is why we placed it there. There is a sign on the building too, that we are trying to purchase.

Multiple: That will be the next item.

Mayor Woofter: I saw that you had removed the "Coffee Shop" sign. That is not going to be on your sign at all?

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Traci Cooper: Eventually we want to put a sign up for Quilter's Fancy on top of ours so we didn't want to use the coffee shop sign, but will put it in the window.

Sally Lane: May we have a vote on 19-16?

Roll Call: **Curt Moll, yes; Donald Fatobene, yes; Sally Lane, yes; Don Bell, yes; Bill Sasse, yes. MOTION PASSED.**

Sally Lane: Can I have a motion to approve 20-16 – New Sign - 134 N High St. – Cooper's Cycle & Fitness – Wall Mounted Sign – 21 sq. ft.

Don Bell made a motion for approval of 20-16, seconded by **Donald Fatobene.**

Sally Lane: Can you give us the basics for that?

Traci Cooper: Right now, it is over 160. We want to move it over the bike shop which is right in the center of the building. It is lit. We haven't purchased the sign yet, but if we do we want to move it there. If not, we will have the exact same size made but it won't be lit.

Don Wittman: When you say you haven't purchased the sign, are you meaning the...

Traci Cooper: Sophi's still owns the sign. We just found that out this week.

Curt Moll: So you found out the sign wasn't part of the building.

Traci Cooper: Exactly. If we can get approval, we can negotiate with her and purchase the sign.

Curt Moll: So you are just going to move it as is?

Traci Cooper: Right – we are going to have a Cooper's plate made and put in there but basically just moving it to the center of the building.

Sally Lane: Can I have a vote on 20-16?

Roll Call: **Bill Sasse, yes; Sally Lane, yes; Don Bell, yes; Donald Fatobene, yes; Curt Moll, yes. MOTION PASSED.**

Sally Lane: Can I have a motion to approve 21-16 Set Public Hearing – The purpose of the public hearing is to consider a variance request. The variance would allow the creation of lots that do not meet the minimum setbacks, lot width, depth and area requirements for RM, Residential Multi-Family. The variance is necessary to permit the re-plat of parcel 34-031150 with two homes known as 196 Grove St., and 129 South Bank St. Public Hearing to be set for August 8, 2016 at 6:50 p.m.

Curt Moll made a motion for approval of 21-16, seconded by **Don Bell.**

Sally Lane: Is there any questions or discussion on this?

Don Wittman: Typically, we are just setting the public hearing, but since this is so unique I will entertain any questions or concerns that people may have.

Curt Moll: What would be their alternative – tear one of the houses down?

Don Wittman: The alternative would probably be to create some sort of condo documents where they could dispose of the real estate buildings – and create something along those lines like a multi-villa if it wasn't approved. It is a pre-existing, non-conforming use. However, if you look at the drawing – essentially there are two homes on Lot 83B and Lot 83A and this is just redrawing the property line. Although they wouldn't fit on newly developed property, it fits with what was done back in the 1800's.

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Curt Moll: They are fairly small homes.

Don Wittman: They are all exactly the same masonry block homes.

Patrick Wilson: They pre-existed everything pretty much.

Don Wittman: Yes, they are pre-zoning, I think they are 1920 homes.

Mayor Woofter: Don, what is their purpose for doing this? Is she intending on selling off the property?

Don Wittman: Yes, there are “For Sale” signs there. Currently two are rentals, but the 196 Grove Street and 129 South Bank Street are on the same parcel.

Curt Moll: So they are giving up part of the second line to make it big enough...

Don Wittman: to make that a little deeper and give them some backyard, correct.

Curt Moll: Is that an easement?

Don Wittman: I think that is because since it is such a wide driveway that it is going to be a shared easement – 20’ wide. Right now, there is a garage in the back for all three homes and the garage is going to go with the 84B home. There may be a new driveway going to that. Basically, they are trying to get all the properties so they can sell individually. Unless anyone wants to go in and buy them and rent them out.

Sally Lane: Do we need to vote on this tonight?

Patrick Wilson: You are just voting on setting the meeting.

Sally Lane: Can we have a vote on 21-16?

Roll Call: **Bill Sasse, yes; Sally Lane, yes; Curt Moll, yes; Don Bell, yes; Donald Fatobene, yes. MOTION PASSED.**

Bill Sasse: I have a question. I got a call from a lady over by the school about barking dogs.

Donald Fatobene: You too?

Bill Sasse: She says she has 11 dogs over there and that you had talked to her before, Don. I didn’t see any regulations on a kennel in my books.

Don Wittman: Yes, this has been asked and answered. There is no regulation of kennels. I don’t think they fall within the state’s purview of it being a kennel or dog breeder.

Bill Sasse: I didn’t know what to tell her so I thought I would bring it up here.

Mayor Woofter: Just as an FYI, one of our topics when I was in Columbus at the Mayor’s Conference was animals – chickens, dogs, whatever. One community, what they did to handle, was to set limits on how many you could have. This particular city had an ordinance that you could have no more than 5 dogs on one property. Chickens were handled a different way – you could have so many but you couldn’t sell the eggs – you had to use them.

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Bill Sasse: I was at a meeting like that where they said you could have chickens but no roosters.

Mayor Woofter: Yes in that situation that was the case – you could have chickens but no roosters. That city had an animal warden and that was who enforced it. When they set up a coop or kennel, it had to be inspected.

Bill Sasse: Well, I did what I told the lady I would do and I brought it up.

Donald Fatobene: I think in this case it is more of a noise complaint than anything.

Mayor Woofter: That would then be a police matter.

(Multiple comments).

Don Wittman: It comes back to if the complaint is about barking dogs and noise they need to contact the police. If the complaint is that someone is operating a kennel out of their home illegally, I need that complaint in writing in order to initiate an investigation. Until such time, it is a lot of hyperbole.

Sally Lane: Can I have a motion to adjourn, please?

Don Bell made a motion to adjourn the meeting, seconded by **Curt Moll**.

Roll Call: **Donald Fatobene, yes; Sally Lane, yes; Bill Sasse, yes; Curt Moll, yes; Don Bell, yes. MOTION APPROVED.**

Meeting Adjourned: 7:24 pm.

Chairman

Date

Secretary