

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

May 8

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The City of Cortland Planning, Zoning & Building Commission met on Monday, May 8, 2017 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, Vice Chairman Sally Lane, Don Bell, Donald Fatobene and Jim Bradley. Also present were Mayor Jim Woofter, Law Director Patrick Wilson and the following individuals:

Laura Loverme	193 W. Main St.	Cortland
Lawrence Loverme	193 W. Main St.	Cortland
Patricia Powers	195 Heritage Lane	Cortland

Curt Moll: Good evening. It is 7:00 p.m., Monday, May 8, 2017. I'd like to call to order the regular meeting of the Planning, Zoning & Building Commission of the City of Cortland. Can we have roll call please?

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

Curt Moll: The first item of business – I would like a motion for approval of commission minutes for April 10, 2017 regular meeting. **Don Bell made a motion to approve April 10, 2017 meeting minutes, seconded by Sally Lane.**

Curt Moll: Any discussion, corrections, or additions to the minutes? Can we have a roll call please?

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

Curt Moll: There is no old business, so I will move right on to new business. The first item of new business is **05-17 –193 W Main St. – Papa’s Book Shoppe – antiquarian book store.** Can I have a motion for approval of this item? **Don Bell made a motion for approval of 05-17, seconded by Donald Fatobene.**

Curt Moll: Who is here to represent Papa’s Book store? Can you stand at the podium and speak into the microphone and give us your name and address and what you are here to talk about?

Lawrence Loverme: My name is Larry Loverme. I live at 193 W Main St. in Cortland. My wife Laura is also here and my daughter, Patty Powers, who lives on Heritage Lane is also here. We are here to talk about Papa’s Book Shoppe. We are progressing on the work in the carriage house. Laura and I met with Dan Jaros from the Fire Department today. He came by actually and he tried to get the Knox Box open which he couldn’t do but we will work on that. We have to get that squared away.

Curt Moll: But you do have one?

Lawrence Loverme: We do have one. That is correct. So we are endeavoring to open – we are setting a goal for September. We have contractors helping us and we are pretty excited about it. We are very thankful for all of the support. We are excited to use the – a similar setup as before – to just simplify – cause we knew if you liked the way it was done before you would probably like the way it was done now. Are there any questions about it?

Curt Moll: Is there any question about the parking? Don is not here.

Mayor Woofter: Well it is downtown so it is really not much of an issue is there?

Sally Lane: And the bank... There is a parking lot right next to them.

Curt Moll: Have you talked to the bank at all about using that?

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Lawrence Loverme: I have not. I certainly can do that. I guess that would probably be good protocol.

Curt Moll: I don't know – I am sure that if people come to your book store they will park there.

Lawrence Loverme: Or on the street. So they wouldn't be allowed to park in the driveway as far as I understand. Correct?

Curt Moll: I don't know how they could if they wanted to get in and out. That is not a parking place.

Lawrence Loverme: No, that is correct. But it is for us.

Curt Moll: I am just concerned – it wouldn't hurt to have a good relationship with the bank.

Lawrence Loverme: We already pretty much do, they have our mortgage.
(Laughter)

Curt Moll: That is a good start. Any other questions?

Mayor Woofter: Just don't assume that it is okay to park there since it is their property.

Lawrence Loverme: We will make sure that that is not an issue.

Curt Moll: Any other questions? Can we have a vote on 05-17?

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

Curt Moll: So 05-17 passes. We need a motion for **06-17 – New Sign at 193 W Main St.** – It is a wall sign that is 12 sq. ft. with no lighting. **Don Bell made a motion for approval of 04-17, seconded by Sally Lane.**

Curt Moll: Can you talk about the sign a little bit?

Lawrence Loverme: Well it is – do you have pictures? We plan on using an old script – we looked at an Old English typeset but the “p” wasn't that clear but we will work on something so that it looks antiquarian but it is still readable. It will probably be black and white – Does it matter?

Mayor Woofter: No.

Curt Moll: It doesn't make any difference. It does say black lettering with white background on the drawing but I am sure you could use any color you wanted to.

Lawrence Loverme: And some kind of a little stack of books there or something along those lines.

Curt Moll: Are they going to get in by going through the front porch?

Lawrence Loverme: No, they would go in through the carriage house.

Mayor Woofter: And it is only the carriage house part that is being used for the store?

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Lawrence Loverme: Well we considered using the downstairs to some degree. After talking with the fire department actually if we wanted to lock doors within to separate the store from the house – In case of a fire that might be an issue. So we are rethinking that through and will probably put the lock right between the carriage house and the house itself. We do have visitors at our house. Is there any reservations about us using that?

Curt Moll: No. No with the sign on the house I just wasn't clear where they would go in.

Mayor Woofter: You will probably have an entry sign or something small – enter here or entrance?

Lawrence Loverme: We can do something like that. I am thinking after some time and we finish the inside and start working and cleaning up the outside.

Mayor Woofter: Where is the door to the carriage house?

Lawrence Loverme: It is right in front – right off the driveway.

Mayor Woofter: So that will be pretty obvious for them.

Lawrence Loverme: It will be.

Curt Moll: You can use those sign boards – A-framed things.

Mayor Woofter: The sandwich boards if you wanted to put out front. Those would be put out and then taken back daily. Not left there.

Lawrence Loverme: Actually, I did have a question. You notice in the picture there, they have like two open signs – that the antique place used before. So we probably wouldn't use one on the left hand side as you face the house since we want to direct people to the right side so they come in that way. Are there any reservations about using an open sign on the right hand side and then also I think there is a place to mount it right by the door to the carriage house. I was thinking possibly putting it on the right side of the porch area and on the carriage house.

Curt Moll: We don't really get involved with that. That is more of an issue to take up with Don Wittman, the Service Director, and he is not here tonight. Banners and temporary signs for openings and things like that – he gives you permits for those without our approval. And I am not sure exactly what the regulations are.

Terri Barnovsky: He was a little hesitant since we don't allow flag signs. His recommendation when I talked him today was to use more of a sandwich board type sign.

Mayor Woofter: Banners are pretty well restricted in town.

Lawrence Loverme: Okay I will talk with him.

Curt Moll: Just discuss it with Don and see what he would suggest. If you are opening a new business there are some rules that apply to that where you can get temporary sign permits for special signs.

Mayor Woofter: For like 30 days or something.

Don Bell: How is the sign going to hang? Is it going to be from a chain?

Lawrence Loverme: There is a metal eyehook on the sign itself.

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Don Bell: Right there underneath the porch over the top of the banister?

Lawrence Loverme: That is correct.

Mayor Woofter: The previous business that was in there had one...

Lawrence Loverme: We are using the Lovejoy sign – I physically have it. So when we actually finish it though, you want to see it, right?

Several: No.

Mayor Woofter: We will see it on the building. As long as you within your space, you can do whatever. I should have asked you this before, but aside from books – I have heard different things that you are going to do there. Are you doing a coffee shop?

Lawrence Loverme: We are looking into the coffee shop. I talked with Dan Jaros again and if you use the kitchen for cooking of any sort then you have to have a hood fan and will need to contact the health department. I know a lot of things are involved. Most people who like books like to sit down and enjoy a cup of coffee or something else – I mean it just kind of goes with the territory.

Mayor Woofter: And you don't need a hood for that.

Lawrence Loverme: Right. Those are things I am going to investigate. How do you guys feel about that kind of stuff?

Mayor Woofter: It's great. There is a lot of stuff you can do there without becoming a full-fledged kitchen restaurant type thing and having to install the hood. I might direct you to the Trumbull County Health Department. You can do a lot of pre-made stuff.

Lawrence Loverme: I think if it is pre-packaged, it is the handling of food,

Curt Moll: You can do microwave I think, but you can't do stove kind of things.

Jim Bradley: That is actually all on their website, too. You won't even have to call. You can go through the ordinances on the health department's website and it will call out what you can do and what license or permit you may need to do, X Y and Z.

Lawrence Loverme: As far as other things, we are considering doing music, bringing in authors to do book signings and considering possibly some other items. My wife does crafts. She does tatting and lace and Patty does some crochet. I am not sure – is there restrictions on what I sell?

Curt Moll: No.

Jim Woofter: No, I was just curious.

Curt Moll: No, in this area I think we are okay. Any other questions? Can we have a vote on 06-17?

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

Curt Moll: Next, **07-17 Set Public Hearing** – The hearing is to consider a variance request to allow an electronically variable message sign, in the form of a price panel, and to allow a sign area of 70 sq. ft. which exceeds the 32 sq. ft. maximum and the 17' height

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which exceeds the 12' maximum. **Hearing to be set for May 22, 2017 at 6:45 p.m.**

Donald Fatobene made a motion for approval of 07-17, seconded by Don Bell.

Curt Moll: We need a vote.

Jim Woofter: Let me make some comments on this beforehand. This is over twice the size of what we allow in the city. Both Don and I have met with the owner of the business. I have warned him that if he brought this to you guys that there is a good chance that it wouldn't pass. I have suggested to him that he reconsider the size of the sign to stay within the dimensions – the one that is there now is oversized, probably 50 some square feet. It is over the size but it is already there – it is existing, and I have suggested to him on several occasions. I have had calls from Dan Polivka, the County Commissioner, on his behalf for us to allow the 70 sq. ft. and I have told Dan the same thing, that I can't speak for the commission, but if it comes to the commission they probably wouldn't allow this. But if they would stay within the perimeters of the sign that is already there – even though it is larger – if nobody spoke against it at the hearing that it would probably be allowed.

Curt Moll: But that is not what he has brought to us though.

Jim Woofter: No, that is not what he has brought to us. I talked to Mahoning Lighting, who is actually going to be doing the sign, last week. I reiterated that information to him. I called him about another reason and we talked about this project as well. I suggested that he try to talk Mr. Isaac into going with a smaller sign. So there is a possibility that this hearing he could come in – he might downsize this at that time.

Curt Moll: Just a couple of other comments. The board has approved the electronic price panels which allow numbers only and not flashing or anything like that in two other cases. I think it would be unusual to not pass it for this gas station as well. But, the sign, I guess I would reinforce what Jim said – to go outside of what was there before – I am not sure what the purpose of that would be. And I think we have to have a purpose for a variance, right Patrick?

Patrick Wilson: That is correct, yes.

Curt Moll: So there needs to be a reason for them to go that much...

Patrick Wilson: A reason for them to vary from the regulation.

Curt Moll: The variance for the price panel – we almost intentionally built into the legislation when I was Mayor. We wanted to have some review of those kinds of things. We said we won't just allow it and we will then have people come in for variances if they won't to do that kind of thing and that way we won't get TV's on posts in town which is kind of what we are guarding against. I think that would be my position. Unfortunately, I am not going to be able to be at that meeting. Can we have a vote on 07-17?

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

Curt Moll: **08-17 Set Date & Time for Special Meeting – Meeting to be set for May 22, 2017 at 7 p.m.** I might say that we used to have two meetings a month. We had stopped doing that during the recession and downturn of building in town because we didn't see a reason to have two meetings and just approve the minutes of the previous meeting as the only item of business. So I don't know whether you call it a special meeting even.

Patrick Wilson: It is under the current format.

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Curt Moll: It is under the current format. We used to do it regularly every month. That is my discussion for that one. Can I have a motion?

Donald Fatobene made a motion for approval of 08-17, seconded by **Don Bell**.

Curt Moll: Can we have a roll call?

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

Jim Woofter: Aside from Curt not being able to be here are the other four of you going to be?

All: Yes.

Curt Moll: You could have the public hearing with one or two here, right?

Patrick Wilson: Yes.

Curt Moll: You don't need a quorum for the public hearing.

Patrick Wilson: That is correct, because no decisions are made.

Curt Moll: So if something comes up we could still have the public hearing and vote on it at the next meeting. But it would help the process along.

Jim Woofter: You don't have to have a quorum for the hearing, but the meeting following 15 minutes later we have to have a quorum for that. And the whole purpose of this is to help move his business along so he can get the sign made.

Curt Moll: But if something happens, we should still have the public hearing and we could then vote on it at the next meeting.

Curt Moll: Next. **09-17 Set Public Hearing** – The hearing is to consider a variance request to allow a garage addition to encroach on the 30' front setback requirement by up to 5 ft. **Public Hearing to be set for June 12th at 6:50 p.m.**

Don Bell made a motion for approval of 09-17, seconded by **Sally Lane**.

Curt Moll: Any discussion? Can we have a vote on 09-17?

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

Curt Moll: Anything else to be brought before the board this evening?

Donald Fatobene: The one question I have and this is in regards to 09-17 - if we know if the owner has actually gone to the Homeowner's Association to get their approval. Because I would think that would need to happen.

Jim Woofter: I wondered that same question too and obviously maybe he wanted the approval of...

Curt Moll: He would need the variance before he could even go to the homeowner's association. He will have to go there. And in those cases, there will probably be additional maintenance responsibilities for him because of the addition.

Don Bell: His HOA fee will probably go up.

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Curt Moll: Either that or it will be his responsibility to maintain that part of the building. So if they come in to reside it or reroof it whatever, he will be responsible for a percentage of those things. That is not our problem. Anything else? Very good, I need a motion for adjournment.

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

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

Meeting Adjourned: **7:22 pm.**

Chairman

Date

Secretary