

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

July 8,

19

The City of Cortland Planning, Zoning & Building Commission met on Monday, July 8, 2019 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 and Donald Fatobene. Also present were Mayor Jim Woofter, Law Director Patrick Wilson, Service Director Donald Wittman and the following individuals:

Laura Petrocco	669 Cedar Dr.	Cortland
Susan Penwell	Western Reserve Realty	Girard
Harold Penwell	Western Reserve Realty	Girard
Patrick Pettrella	218 A S. High St.	Cortland

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

A motion to approve **Commission Minutes from the June 10, 2019** regular meeting was made by **Donald Bell** and seconded by **Donald Fatobene**. **Roll Call:** Donald Fatobene, yes; Curt Moll, yes; Don Bell, yes. **MOTION APPROVED.**

Curt Moll: Having no old business, we will move onto new business. **16-19 Replat** – A replat of Cortland City Lot No.55 Plat Volume 5, page 24, f.k.a. Lot No.s 49 & 50 and Part of Lot No.48 in Lattins Addition to Baconsburg Plat Volume “A”, Page 115 City Of Cortland Trumbull County, Ohio. Can I have a motion please.

A motion was made for 16-19 Replat by **Don Bell** and seconded by **Donald Fatobene**.

Curt Moll: Could you come to the podium please and tell us what you are going to do? Do we have anyone to speak for that? Don, do you want to explain that?

Don Wittman: This was brought to me by Gessner & Platt Law Office. There is a garage with an encroachment on the rear property line on Market Street. This is a corrective plat for the garage encroachment.

Curt Moll: We are moving from the dotted line to the dark line. (referencing the packet drawing)

Mayor Woofter: This is Jeff Ainsley’s property?

Curt Moll: Yes.

Mayor Woofter: Okay.

Patrick Wilson: On whose behalf are they requesting the replat?

Mayor Woofter: It’s on the Ainsley’s behalf. They want to extend their line because their garage is right on the property line. I think that it’s a 10 foot easement, right?

Don Wittman: It’s not an easement. They are actually moving their property line.

Mayor Woofter: They are going to extend their property line.

Patrick Wilson: It is not an easement.

Curt Moll: They are buying a piece of property, width of the lot is 10’ wide... any questions? It’s pretty straight forward what they want, as long as they do it right. It certainly doesn’t violate any of our regulations.

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Mayor Woofter: This has gone through Gessner & Platt Office?

Don Wittman: Yes, they dropped it off and we put it on the agenda. I think that the original signature by the surveyor is several years old. The original dates are 2010.

Patrick Wilson: Those surveyors have retired from this area.

Curt Moll: Can we have a roll call please.

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

Curt Moll: Next item on the agenda **17-19 Replat** – A replat of Out Lot 1A Part of Out Lot No.1 Plat Volume 5, Page 24 City of Cortland County of Trumbull State of Ohio.

A motion was made for 17-19 Replat by **Don Bell** and seconded by **Donald Fatobene.**

Curt Moll: This is yours, North Bank Street. What are we trying to do here?

Susan Penwell: I'm Susan Penwell with Western Reserve Realty. We received an email from Federal Home Loan Mortgage's attorney. That would be Freddie Mac's attorney, John Wilson. He said that someone should be here. Freddie Mac had sold this property, the foreclosure deed was stamped that it needed a new survey, the survey was provided by Todd Blazsek. They went to record and were told that they couldn't because it had to be approved by you folks. We are here after the fact because the email said that we had to be here.

Don Wittman: I had talked to someone from the title company in Columbus. Essentially this deed was flagged by the Trumbull County Auditors so that if any transfer of these two parcels were to come forth, it was to be re-recorded and platted together. There was a potential to create a landlocked parcel on the back side of 270 if they were not conveyed together.

Curt Moll: So that is why we are here.

Don Wittman: They were conveyed together, now the Trumbull County Recorder's Office is requiring these to be combined. Even though they have already gone through closing someone missed it, and the property has transferred and they can't record it.

Mayor Woofter: Are you the owners?

Susan Penwell: No, we are Western Reserve Realty, we represented Freddie Mac in the sale.

Don Wittman: So you were the seller's agent.

Susan Penwell: Correct.

Don Wittman: I talked to the appraiser and he was going to tell Mary, the buyer's agent, that it was okay. We got half of the parties right.

Susan Penwell: I know that Mary called and spoke to Harold, that's my husband Harold. He is also one of the listing agents. The deed said that it needed a survey, I'm not sure who missed what. We got an email and it said, you need to go to the meeting. We had nothing better to do tonight.

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Mayor Woofter: This is that big, old house that...

Susan Penwell: No, this is the wee, little ranch next to that big, old house. It kind of sticks out because I think it was built in the 70s and it's in between two big ones.

Patrick Wilson: There is now a new owner?

Susan Penwell: Correct.

Patrick Wilson: And who is that new owner?

Susan Penwell: I don't know their name off the top of my head, Mary Simms sold it.

Curt Moll: They own multiple properties in town.

Susan Penwell: Yes, he is an investor and they have already put a lot of money into the property. From my understanding, they are repairing it.

Curt Moll: Ok, great. Thank you for coming, we appreciate that. It's helpful to know what the background is. We are taking a piece of property that was floating in the middle and combining them so, that's great. I need a roll call please.

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

Curt Moll: Thank you, you don't even have to stay if you don't want to.

Susan Penwell: Do we have to come back next week?

Mayor Woofter: No.

Susan Penwell: Thank you Gentlemen, it was a pleasure to meet you.

Donald Fatobene: Take care guys.

Curt Moll: Next item on the agenda is **18-19 Wall Sign** – 218 S High St. #A – 3' x 8' vinyl – Maximum Auto Group II, Inc. We do need a motion.

A motion for 18-19 was made by **Don Fatobene** and seconded by **Don Bell**.

Patrick Pettrella: I put a sign up and I was told that I needed a permit.

Mayor Woofter: You have 2 signs. Two 3' x 8' vinyl signs on each side of the building.

Patrick Pettrella: Right, so people can see it coming down, so I don't look like a parking lot for the body shop. I guess you can't put up a pole sign. Someone told me that I couldn't put a street sign up.

Curt Moll: You would have to talk to Don about the regulations.

Mayor Woofter: I think you could but...

Curt Moll: It's a multiple use building. Two tenants?

Patrick Pettrella: Three.

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Mayor Woofter: There is a sign out there for Payne's, you could probably add on to that sign.

Curt Moll: You can't have two pole signs for one building but, there are other options.

Mayor Woofter: Is this vinyl sign a temporary sign?

Patrick Pettrella: Yes. I'm only on a one year lease; I'm actually trying to find a building to buy. I've been in business for 21 years in Cleveland and I have properties in Cleveland. I relocated to Cortland so that's why I opened a car lot, so I don't have to keep driving back and forth to Cleveland. I'm just trying to get some people to distinguish me from the body shop; so it doesn't look like an overgrown parking lot for the body shop.

Curt Moll: Does this meet our regulations Don? Two wall signs?

Don Wittman: No, only one wall sign is allowed without a variance.

Curt Moll: He's going to have to take down one of them.

Don Wittman: Yes, that's why we are having this discussion. One of those would have to be removed to fall in line with the sign ordinance.

Patrick Pettrella: I'll remove the one on the front?

Mayor Woofter: First of all, thank you for bringing your business to Cortland. We appreciate that and I want you to know that. Just as a suggestion; is there a way that you can wrap the one sign on the corner of the building?

Patrick Pettrella: I've got one above the door because the door entrance is sideways. I have one on the glass but, with cars parked in front of it, you really can't see it so, I just put one right above it.

Curt Moll: Okay, I was going to say that you could put one in the window.

Mayor Woofter: He could ask for a variance. You'd have to come back.

Don Wittman: Whether it falls under the temporary sign which is allowed to be displayed 30 days, 4 times a year... We appreciate the frugality of not investing in a big sign on a one year lease but, at the same time, we have to follow our ordinances thus; we're not doing our jobs.

Curt Moll: The motion for this evening; we will approve one of the signs and the other sign, you will have to figure out what Don wants you to with that. Whether you want to go after a variance; which will have an additional cost for one year possibly, it might not be the best thing to do.

Don Wittman: That is what I talked to him about. At one time, Mayflower-Wollam tried to get a second sign on the side of their building but that was a permanent one. The Board had voted it down. As opposed to having Walgreens and Speedway with frontage on two main roadways; they have always been more apt to grant the variance.

Curt Moll: We'd have more of a reason to grant the variance for a pole sign at the other end of the building, than we would to grant one for the second sign on the building.

Patrick Pettrella: Alright, I can take the one off the front and leave the one on side.

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Mayor Woofter: Whichever, it doesn't matter. As long as one of them come down.

Don Wittman: Once that one gets faded, you can swap them out.

(laughter)

Patrick Pettrella: I'll take the one off the front in a couple of days. I've got to get somebody over there with a ladder.

Curt Moll: Don can fill you in on the rest of the regulations.

Don Wittman: We'd be more than happy to work with you on a more permanent solution. We just needed to get something approved.

Patrick Pettrella: I just wanted to put something up so it doesn't look like a parking lot.

Don Wittman: Right, and we realize that with that license comes additional regulations from the state as far as separation. You can't be attached to the body shop and you need to have a fence. There was a customs shop and a ...

Patrick Pettrella: That motorcycle shop that was there had banners all down the side of the building, right above all 3 garage bays.

Curt Moll: We don't always catch everything. Can we have a roll call please.

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

Curt Moll: Thank you, appreciate you coming in. You are all set, and whatever you have to do with Don.

Don Wittman: I'll issue you a permit, we'll have to charge you \$25. I'll give you a call tomorrow.

Curt Moll: We are easy to work with and it's probably better to work with us before you spend money.

Patrick Pettrella: Sounds good, thank you very much.

Mayor Woofter: Thank you.

Curt Moll: Next item on the agenda is **19-19 Zoning Permit Approval – Duplex, 358 and 360 Maplewood Drive, Lot #6, Petrocco Plat #14, W.A.E. Corp.** Could I have a motion please.

A motion was made by **Don Bell** and seconded by **Donald Fatobene.**

Curt Moll: Let's talk about this, what are you doing here?

Laura Petrocco: We are building a beautiful duplex. This is a little oversized duplex because the customer wants a basement over on his side. Normally, we don't put basements in. To please the customer, as long as we get your approval, we'll build it. They had a big farm in Vernon at one time.

Donald Fatobene: Do they want to use this as a rental property?

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Laura Petrocco: No, they are going to be living in it. They will live in one side and their son, daughter and future grandchildren on the other.

Curt Moll: Are you putting basements in both sides?

Laura Petrocco: Yes.

Curt Moll: I'm concerned about the drainage.

Don Wittman: This is on the upper end, not the lower end where the single families are. This is north of the creek, adjacent to the wetlands. On the site plan, it shows Lot 6 and Lot 7, that was just a former site plan. Really, where that Lot 7 is, that is really not a lot, that is going to be a buffer with the wetlands. Lot 6 is actually 200 feet wide. As you are coming in it is on the east side of Maplewood. That's two lots down from the last ones that we approved there.

Curt Moll: There are condos behind it, not houses. Do those condos have basements?

Laura Petrocco: I don't know.

Don Wittman: The houses on Cedar do. I believe that the condos have basements.

Curt Moll: It looks like a nice plan, it's not 90% garage which is a plus.

Laura Petrocco: It is a beautiful plan.

Don Wittman: It does meet our parking requirement of a space and a half.

Laura Petrocco: They are oversized garages, deep. If you work it right, you could park two small cars in there.

Curt Moll: Is there anything else that you are concerned with?

Don Wittman: It's not a single family dwelling so it needed to come before the commission.

Curt Moll: It came here because it's a duplex, there are duplexes all over that area. I don't see a problem. Can I have a roll call please?

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

Curt Moll: Thank you, we appreciate the building going on.

Laura Petrocco: Thank you. We are trying, it's not easy.

Don Wittman: Just to keep this board apprised, there was some discussion with Council in response to some zoning investigations regarding on-street parking. We have gotten some complaints about cars parking on the streets. It's really not a matter of zoning that would be a mandatory referral to this Board, I just wanted to make you aware. It's in that gray area between zoning and legislative act of Council. They are looking at some sort of banning of parking from midnight to 6 a.m. People are parking their boats in the streets; it's a hazard, unattended trailers. So, if you hear anything about parking regulations, it deals with parking legally or illegally on city streets which is a police matter.

Patrick Wilson: It was brought up at Council last week.

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Don Wittman: They are calling the administration side and we kick it over to the police. They are thinking that there is some sort of regulation about parking boats and trailers. Other communities have size restrictions – what's the largest sized trailer you can have parked in a driveway.

Mayor Woofter: They are just looking at it. They don't know what they want to do, how they want to do it or if they are going to do anything.

Don Wittman: We do get complaints about people parking semis in residential lots.

Patrick Wilson: Rhonda pulled 4 or 5 sample Ordinances from neighboring communities and shared them with Council. They are looking at them with the police chief now.

Curt Moll: Anything else? A motion to adjourn.

Adjournment moved for by **Don Bell** and seconded by **Donald Fatobene**.

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

Meeting Adjourned: 7:25 pm

Chairman

Date

Secretary