

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

January 13, 20

The City of Cortland Planning, Zoning & Building Commission met on Monday, January 13, 2020 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 John Picuri. Also present were Mayor Deidre Petrosky, Law Director Patrick Wilson, Service Director Donald Wittman and the following individual:

Ryan Franklin **295 Harmon Ave. NW** **Warren, OH**

Roll Call: Curt Moll, here; Don Bell, here; Sally Lane, here; Donald Fatobene, here; John Picuri, here.

A motion to approve **Commission Minutes from the December 9, 2019** regular meeting was made by **Donald Fatobene** and seconded by **Sally Lane**.

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

Curt Moll: We have no old business, so we will move on to new business. Can I have a motion for **01-20 – Property Split – Parcel 34-003105** situated in the State of Ohio, County of Trumbull, City of Cortland, and formerly being part of Lot No. 33 in the Original Survey of Bazetta Township.

A motion was made for 01-20 by **Don Bell** and seconded by **Sally Lane**.

Curt Moll: Who do we have to speak about this? Could you explain what you are doing here?

Ryan Franklin: I'm from Title Professionals. We communicated with you folks after your December 9th meeting; with Don and Christine. I have a copy of five parcels and some other exhibits.

Curt Moll: Yes, we have copies of those.

Ryan Franklin: We are taking these five parcels that you have there and creating two. One parcel being 2.075 acres and the other being 1.188 acres. I have two deeds here that they told me would be stamped by you folks if you approve.

Curt Moll: Right. Basically, there is a house and three parcels, that are being combined to form one of the two parcels. A house and two or three parcels that form the other one.

Ryan Franklin: Yes Sir, that middle parcel, that's being split.

Curt Moll: Yes. That was separate ownership and now we are splitting it. Any questions from the board?

Don Wittman: All five parcels listed are owned by LMD Properties. It is my understanding that there is a contemplation of a sale of the houses associated with parcel 34-000300 and 34-000700. The adjacent parcels to which the primary dwelling sits are going to be combined. What we are looking at here is the lot split of parcel 34-003105 which is in the middle of the two primary dwellings. LMD has sale agreements in place and he's cleaning up the property that he split between the two. It will be two separate entities purchasing what will be Parcel #1 and what will be Parcel #2.

Curt Moll: It's odd that they own Second Street (looking at exhibit packet).

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Don Wittman: That is just showing the property description, they probably owned that property before Second Street was put in.

Patrick Wilson: Second Street right-of-way would override that.

Don Wittman: As well as the highway right-of-way on Niles-Ashtabula Road. It looks as if the plat just went up to the property that was a metes and bounds description which will become part of Parcel #1.

Curt Moll: Okay, very good. Any questions?

Patrick Wilson: No, I think that Don explained it well, as did Title Professionals.

Don Wittman: In this instance, and which has been in past practice, whenever we are splitting an unbuildable lot and the two adjacent properties, that they are already in the metes and bounds description, we've just allowed them to revise the deed to reflect that and record it. This will not go to council since it is not a replat.

Curt Moll: Very good, roll call please.

Roll Call: John Picuri, yes; Sally Lane, yes; Don Bell, yes; Don Fatobene, yes; Curt Moll, yes. **MOTION APPROVED.**

Ryan Franklin: Thanks for making that very easy.

Curt Moll: You bet. Next item on the agenda is the discussion of Subdivision Regulations & Planning and Zoning Code which was requested by Don. He sent us copies of it. Don, what do you want to do with this?

Don Wittman: I think I'm going to defer to the Mayor because it was her suggestion that we possibly revisit these. This was something that I had prepared when I was a consultant prior to coming to the City. I had actually made a joint presentation to Council and Planning and Zoning Board at the time. It was required because it wasn't a strict adherence to the subdivision processes as well as an understanding of the difference between the zoning code and subdivision regulations. With recent complaints we are receiving with some development in the City, the response tried to differentiate between the two. Without putting any words into the Mayor's mouth, she thought it may be time to revisit this and provide the information to the Planning and Zoning Commission and possibly review it again.

Curt Moll: Has anything come up differently? Was it the understanding of the residents of our processes?

Mayor Petrosky: It was lack of understanding on the residents' part but also, everyone on council has come and gone. Even though I understand, and you probably understand very well...

Curt Moll: I wasn't here for this presentation. That was before my time.

Patrick Wilson: There was a lot of activity back then so, it was very timely.

Mayor Petrosky: There hasn't been review of this especially with council. I am going to leave this up to you and your board to decide whether you would like to join council in a review of this.

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Curt Moll: What do you think? Everyone is shaking their heads yes. I think it wouldn't hurt. It's definitely a complicated process and this would really help to understand 1 – what it's supposed to be and 2 – how we are dealing with it now. We haven't deviated from the procedure, that I know of but, because the time frame is often off, it gets disjointed. When you have a plat for something and 15 years later they start building lots; it could be a little complicated.

Patrick Wilson: I think that was the gist of Don's summary after issues were raised a month or two ago. This has been adhered to but it's a complicated document. You have to work your way through it and the city does; and does it well.

Curt Moll: The issue is that some things change over a long period of time like that. We have situations like that. I'm talking about the Maplewood area.

Patrick Wilson: It's a good recommendation. Maybe a joint work session?

Curt Moll: I think that we'll do that.

Don Wittman: Within Maplewood; the final plat and the roadway dedication would have been 2007, 2008. The lots at the end of the cul-de-sac were platted after all of the improvements were in and accepted.

Curt Moll: That was just before the downturn of the economy that squelched all of the building. It just sat there.

Don Wittman: It may have been 2011; regardless, it was several years ago. The adjacent property was left in acreage even though it was bisected by a dedicated city roadway. So, it provided flexibility to meet market demands per lot size as well as not being taxed as a buildable lot. The single-family south of the Robbies Run receiving stream has been platted off and single-family homes were built. There have been buyers for the duplexes. He is following the plan as intended, as approved. Moving forward, if you review this and have questions of what's the difference between a minor sub-division, a major sub-division, when is a performance bond required as opposed to a maintenance bond...

Curt Moll: ...and what's the purpose of that. It's all useful information. Would you propose setting a date to council and we will piggy back on that? Maybe before or after a council meeting?

Don Wittman: If this board wanted to invite council to have a work session to review it, as opposed to...

Don Fatobene: Yes, with our agendas being as light as they have been, that would make sense.

Don Wittman: Whereas, if this board doesn't feel that it needs a work session, then we could just go right to council.

Curt Moll: Yes, I don't think that it would hurt to be exposed to that again.

Patrick Wilson: I like setting it here and inviting council to attend here; a work session.

Curt Moll: Council has more people working now. If it would work out; the next meeting would be fine.

Mayor Petrosky: Okay, at the February meeting, 6:00? Would that be enough time for you, what do you think?

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Don Wittman: I think that we'd want to do it after because of Parks Board beforehand, we may be hard pressed.

Don Fatobene: That way, we aren't rushed.

Curt Moll: 7:15 is probably our usual end time. We aren't going to ask anyone to come sit through a long meeting.

Don Wittman: It's probably something that we would want to adjourn and then have a work session so that we are not typing up verbatim notes.

Curt Moll: Right, sounds good. Anything else to come before the board? I would like to ask for a motion to adjourn.

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

Roll Call: John Picuri, yes; Sally Lane, yes; Curt Moll, yes; Don Bell, yes; Don Fatobene, yes; **MOTION APPROVED.**

Meeting Adjourned: 7:16 pm

Chairman

Date

Secretary