

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

September 13,

21

The City of Cortland Planning, Zoning & Building Commission met on Monday, September 13, 2021 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 Don Fatobene. Also present were Law Director Patrick Wilson, Service Director Kim Blasco and the following individuals:

James B Westbay	1440 Millers Landing	Cortland
James M Westbay	1438 Millers Landing	Cortland
Doug Ross	1124 Niles-Cortland Rd	Warren
Bob Huff	305 Golf Dr.	Cortland
Brandon Byler	4747 Warren Rd. NE(Rte 5)	Cortland
James Scher, Esq	2317 High St. NW	Warren
Matthew Franta	222 5 th St.	Canton

Curt Moll: It is 7:00, Monday, September 13, 2021. I'd like to call to order the regular meeting of the City of Cortland Planning, Zoning & Building Commission. Can we have a roll call please?

Roll Call: Brian Hodor, absent; Sally Lane, absent; Curt Moll, here; Don Bell, here; Don Fatobene, here.

A motion to approve **Commission Minutes from the August 9, 2021** regular meeting was made by **Don Fatobene** and seconded by **Don Bell**.

Curt Moll: Any discussion or corrections to the minutes? Hearing none, can I have a roll call please?

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

Curt Moll: Okay, no old business so we will run right into new business, **25-21 Set Public Hearing-** The purpose of this hearing is to consider a variance request at 123 N. High St. to allow the encroachment of the 10 foot side set back requirement. Hearing to be set for October 11th, 2021 at 6:50 p.m.

A motion to approve **25-21** was made by **Don Fatobene** and seconded by **Don Bell**.

Curt Moll: Any discussion? With that I would like to have a roll call please.

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

Curt Moll: Next item on the agenda is **26-21 – Final Development Plan re-approval – Bayview Condos.** Can I have a motion please?

Don Bell made a motion for 26-21, seconded by **Don Fatobene**.

Curt Moll: Thank you. Would you like to tell us what you are doing here Mr. Westbay?

James Westbay: We're going to build another 3-unit condo in there, same as I did on the other one. Identically the same.

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Curt Moll: This is the same plat that we have been working off all along. Any questions, comments?

Kim Blasco: The two years expired so this is just continuing what he started and the two years starts again with the approval.

Curt Moll: Thank you. Can I have a roll call please.

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

Curt Moll: The next item on the agenda is **26A-21 - Zoning Permit Approval – Triplex 7, 8, 9 Bayview Circle – Bayview, Ltd.** – James Westbay.

Don Bell made a motion for 26A-21, seconded by **Don Fatobene**.

Curt Moll: Would you like to speak to this one Sir?

James Westbay: 3 the same that I just did to the 2 other ones.

Curt Moll: It's the same design. The other ones that you have are sold then.

James Westbay: Yes.

Curt Moll: Any questions?

Kim Blasco: No, it's fine. The units are all the same that he already has out there.

Curt Moll: We approved these units in the past, two car garages.

Kim Blasco: Correct, full basements.

Patrick Wilson: Based on that submission and this new one, you are comfortable with the issue?

Kim Blasco: I am.

Curt Moll: Everything meets our requirements. Roll call please.

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

Curt Moll: The next item on the agenda is **27-21 - Replat** – Lot 8 - Copperlake Plat No. 1, corrective plat volume 54, pg 133 City of Cortland, Trumbull Co., Ohio. We need a motion for this please.

A motion was made for 27-21 by **Don Bell** and seconded by **Don Fatobene**.

James Scher: I'm Attorney Jim Scher on behalf of Frances Black. Actually, the next two motions are the same thing. Frances Black owns the 25 acres around her particular lot. She is just increasing the size of her existing platted lot. Her neighbor across the street, the same thing which is Lot 9. They are going to add to their lots is all.

Curt Moll: The land across the street comes from Mrs. Black.

James Scher: Correct, she owns land on both sides of the street.

Patrick Wilson: You are not changing ownership, just identifying.

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James Scher: Well, not necessarily. The lot that is next to Mrs. Steinberg; Ms. Black is going to end up transferring that portion to her. That little piece is going to transfer some ownership because she obviously can't ... (inaudible)

Curt Moll: Right. Any questions or concerns? Can we have a roll call please.

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

Curt Moll: We need a motion for **28-21 – Replat** – Lot 9 – Copperlake Plat No. 1, corrective plat volume 54, pg. 133 City of Cortland, Trumbull Co, Ohio.

A motion was made for 27-21 by **Don Bell** and seconded by **Don Fatobene**.

James Scher: Same story. (laughter) She is adding to her lot.

Curt Moll: There are no questions or anything?

Patrick Wilson: I have no questions.

Curt Moll: Roll call please.

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

James Scher: Thank you very much.

Curt Moll: Next item on the agenda is **29-21 – Subdivision of Lands** – Subdivision lands of Walnut Run Land Company Section 10, former Fowler Township, City of Cortland, Trumbull County, Ohio.

Kim Blasco: That is supposed to be Bazetta Township, it was corrected. The original should be correct, I talked to the surveyor this morning.

Curt Moll: Can I get a motion for that please?

A motion was made for 29-21 by **Don Bell** and seconded by **Don Fatobene**.

Doug Ross: Hi, Doug Ross for Walnut Run Land Company. If I can answer any questions for you, I'd be glad to.

Curt Moll: What's the underlying objective of this change?

Doug Ross: My client is contracted to sell basically the bulk of Walnut Run property to a party. We had to get new legal descriptions by Trumbull County regulations. Looking to sell most of the property to the new party. There are a couple of lots that we're parceling off, Lot 2 and Lot 6. Lot 2 is going to stay with one of the Walnut owners. Lot 6 is a very small sliver that is being transferred to a gentleman named Ainsley on State Rte 5. That is what we are looking to do with the various maps and with the legal descriptions we submitted. I think that it's only 2 lot splits for the Commission, from what I understand.

Curt Moll: Yes, we have two separate actions on this, this is the first one.

Kim Blasco: They are asking about this little section that is going to go to Ainsley (showing Atty. Ross a map from the Commission's packet).

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Doug Ross: Yes, that is going to be Lot 6. That little piece is going to be transferred to Mr. Ainsley and that is all within the city. There is a piece on the other side that we have some issues with but we will work that out when we submit that later.

Kim Blasco: Does that answer your question?

Curt Moll: I think so, we are mixing up questions between these two items. This is the one for Ainsley though.

Doug Ross: Yes Sir, Lot 6.

Curt Moll: That is the only one that we are considering at this time. Any questions from anyone?

Kim Blasco: I believe that this was for a driveway. Is that correct?

Doug Ross: I'm not sure why Mr. Ainsley is getting a piece, I just know that he is aggregating it to his existing property.

Curt Moll: Can we have a roll call please.

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

Curt Moll: Now for the other one, **30-21 – Parcel Subdivision – (creation of 5 parcels for Walnut Run Land Co.)** Subdivision of land, Parcels of Walnut Run Land Company, Part of Sections 10, 59 & 60 of Former Fowler Township, City of Cortland, Trumbull County, Ohio but it really is Bazetta Township.

Patrick Wilson: That's probably where the Fowler came from on the first map.

Curt Moll: Yes, these are in both townships. Okay, can we have a motion please?

A motion was made for 30-21 by **Don Bell** and seconded by **Don Fatobene.**

Curt Moll: Thank you. You are going to talk about this one too I assume.

Doug Ross: You are talking about all of the other lots and the split of Lot 2. These were the golf course properties; new legal descriptions, 5 separate lots because of the roadways. The only thing that we are splitting is this new Lot 2. It's going to be kept by one of the owners of Walnut.

Curt Moll: That's Parcel #4?

Doug Ross: It should be Parcel #2 I believe.

Curt Moll: Okay, what's Parcel #4? It appears to be small, it was just unplatted.

Doug Ross: This Parcel 2, by the old 3rd hole. Everything else just needed to be legal. Quite a complicated survey for Matt Hart, I understand.

(Many voices agreeing)

Doug Ross: It was quite a lot of work with Trumbull County Tax Map to get all of this approved.

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Curt Moll: It's not the first time that it's been surveyed. Do we have any questions about this? You said that the main reason for the separation of these two, Parcels 5 and 6 is because they are not adjoined?

Doug Ross: I'm not sure why Matt Hart did that. All I can tell the Commission is that 6 is going to be transferred to Ainsley and 2 is going to stay with one of the Walnut Run owners. The other parcels and legal descriptions intended to be conveyed to the buyer.

Curt Moll: 5 and 3 are the two large parcels that are left.

Kim Blasco: Right, I was told by the surveyor that a lot of it had to do with where the frontage was; the access availability to the land. One was on E. Main and the other...

Don Bell: Parcel 1 is on E. Main.

Curt Moll: Neither one is related to the house that is there.

Doug Ross: That is correct.

Curt Moll: Patrick, I am sure that you looked through all of this.

Patrick Wilson: I did, and with Doug's further explanation, it actually makes sense. Thank goodness for Matt Hart that put it all together.

Doug Ross: Yes, he knows what he's doing.

Curt Moll: Seeing no other questions, can we have a roll call please?

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

Doug Ross: Thank you. On last thing, who do I leave my originals with to get signed?

Kim Blasco: That would be me.

Curt Moll: The next item is **31-21 – Subdivision & Consolidation** - lands of Calvary Bible Church of Warren, Inc former section 10 of Bazetta Township, City of Cortland, Trumbull County, Ohio. We need a motion for that please.

A motion to approve **31-21** was made by **Don Fatobene** and seconded by **Don Bell.**

Brandon Byler: Good evening, I'm Pastor Brandon Byler on behalf of Calvary Bible Church. We have purchased the land next to us, it was brought to our attention. It's basically so that we are able to expand. The new land that you have on the plan would be for parking and some other future advancements.

Curt Moll: So your new parcel is completely surrounded by your property. There are no houses on this property?

Brandon Byler: No Sir.

Curt Moll: Any questions or concerns?

Kim Blasco: No concerns.

Curt Moll: Can we have a roll call please?

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

Curt Moll: The next item is **32-21 – New Business** – Romeo’s Pizza, 417 S. High St. We need a motion for that.

A motion to approve **32-21** was made by **Don Fatobene** and seconded by **Don Bell.**

Matthew Franta: I’m Matt with Canton Sign Company.

Curt Moll: This is for the business.

Kim Blasco: You can table it.
(They are not ready for the business to open and will return closer to opening)

Patrick Wilson: We will be with you in one moment. The first item on this issue is the approval of the new business.

Curt Moll: Ok, you want to table that. We have a motion on the floor and it has been seconded. I need a motion to table it please.

A motion was made to table 32-21 by **Don Bell** and seconded by **Don Fatobene.**

Curt Moll: And a roll call please.

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

Curt Moll: Next item is **33-21 – New Sign** – Wall mounted sign (roof), 2.25’ x 16.5’ (37 sq. ft.) LED lighting, 417 S. High St. Motion please.

A motion to approve **33-21** was made by **Don Fatobene** and seconded by **Don Bell.**

Curt Moll: Now you can come up and talk about the wall mounted sign.

Matthew Franta: Channel letters on a raceway, mounted on the store front fascia, exactly like the businesses left and right of it. Internally illuminated, LED. Easy-Peasy.

Curt Moll: This meets our requirements for square footage.

Kim Blasco: Yes, I got the frontage of the store and it totaled something like 38.5 sq. ft. that’s allowable. This is under that.

Curt Moll: Okay, and it blends in with the other signs.

Matthew Franta: Hopefully it doesn’t blend in too much. (laughter)

Curt Moll: Can we have a roll call please?

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

Curt Moll: The next item is the other sign, **34-21 – New Sign** – Marquee sign – 24” x 70.5” (12 sq. ft.) LED lighting, double-sided, 417 S. High St. This is the sign out by the road.

A motion to approve **34-21** was made by **Don Fatobene** and seconded by **Don Bell.**

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Matthew Franta: Yes, we are just replacing the panel.

Curt Moll: It's the same materials and everything?

Matthew Franta: Yes, just a different sticker.

Curt Moll: Any questions? It is obviously the same sign as they have there now. Very good, can we have a roll call please?

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

Curt Moll: That is the last item on the agenda. Is there anything else that the Board would like to bring up? Nothing, okay I will entertain an adjournment.

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

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

Meeting Adjourned: 7:18 pm

Chairman

Date

Secretary