

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

May 8, 23

The City of Cortland Planning, Zoning & Building Commission met on Monday, May 8, 2023 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, Sally Lane, Don Bell, Don Fatobene, and Brian Hodor. Also present were Mayor Deidre Petrosky, Law Director Patrick Wilson, Service Director Kim Blasco and the following individuals:

Jerry & Karen Sanford	9615 King Graves Rd	Warren
Alex Ashiolas	520 Trumbull	Cortland
Illana Kasandchiev	35280 Lakeland Blvd.	Eastlake

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

Curt Moll: The first item is Approval of Commission Minutes for April 10, 2023 regular meeting.

A motion was made by Don Fatobene and seconded by Sally Lane.

Roll Call: Don Fatobene, yes; Sally Lane, yes; Brian Hodor, yes; Curt Moll, yes; and Don Bell, yes.

Curt Moll: Under Old Business we have 23-23 – New Sign – Pole sign, 16’8” high, 55 sq.ft. internally lit – 650 S. High St. Do we have someone here today to represent? Yes, good. Can I have a motion for this please?

A motion was made for 23-23 by Don Fatobene and seconded by Sally Lane.

Illiana Kasandchiev: 35280 Lakeland Blvd., Eastlake, Ohio with Agile Sign. We are proposing a complete...BP is moving in and Valley View is going bye. Everything will be replaced with new BP signage including gas pumps, gas canopy, pole sign and the building sign.

Curt Moll: Right now, we are just considering the pole sign. The pole sign is a direct replacement, is that correct?

Illiana Kasandchiev: Yes.

Curt Moll: That sign is over height. There is a variance in place for that sign at that height. The main reason behind that variance was that we felt like the line of sight for cars would be obstructed if it were any lower. We felt like that was the minimum height that we could have in that situation. Let that go into the record that there is a variance in place so we don’t have to reconsider that at this time. It is basically a panel replacement?

Illiana Kasandchiev: It’s a new cabinet, we will remove the existing and put a new cabinet on; same size.

Patrick Wilson: You are a different sign company than who applied.

Illiana Kasandchiev: Yes, I’m doing it on behalf of them. I’m permitting on behalf of Total Images.

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Curt Moll: Any questions on that sign? Can we have a roll call please?

Roll Call: Sally Lane, yes; Brian Hodor, yes; Don Fatobene, yes; Curt Moll, yes; and Don Bell, yes.

Curt Moll: The next item is **24-23 – New Sign** – Wall (canopy) signs, 10.5 sq.ft. each, internally lit – 650 S. High St. Motion please.

A motion was made for 24-23 by **Don Bell** and seconded by **Don Fatobene**.

Illiana Kasandchiev: The sign now is red, not illuminated, metal facia around the gas canopy. They are proposing to install illuminated light bars with the BP logos on all four sides.

Curt Moll: Are those internally lit with LEDs?

Illiana Kasandchiev: Yes.

Curt Moll: They don't flash, blink, or anything else?

Illiana Kasandchiev: No. We are going to paint the poles.

Curt Moll: Maybe new pumps?

Illiana Kasandchiev: Yes.

Curt Moll: Everything will be green. Any questions? Hearing none, roll call please.

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

Curt Moll: moving on to New Business **25-23 – New Sign** – Wall (building) sign, 10.33 sq.ft., LED – 650 S. High St.

A motion was made for 25-23 by **Don Fatobene** and seconded by **Don Bell**.

Illiana Kasandchiev: It's the little 2' x 4' sign above the entrance.

Curt Moll: This one will be lit as well. Any questions about that one? Roll call please.

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

Curt Moll: Thank you, we appreciate you coming over for this. Next on the agenda is **26-23 – Plat Approval** – K.&W. Sandford Plat No. 1, part of Great Lots 27 & 28, City of Cortland, Trumbull Co., Ohio.

A motion was made 26-23 by **Don Bell** and seconded by **Don Fatobene**.

Curt Moll: Please come up to the podium, state your name and address, and tell us what you are going to do.

Jerry Sanford: Jerry Sanford, 9615 King Graves Rd.

Curt Moll: You are separating one parcel, right?

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Jerry Sanford: We are going to split the plat into two different pieces.

Kim Blasco: He is creating a lot on the north parcel. Plat #1 deals with the north parcel. He is creating a right of way and creating one lot located on that right of way.

Curt Moll: The right of way only continues on to the end of this parcel?

Kim Blasco: It has changed a couple of times. Is that correct? (asking Mr. Sanford)

Patrick Wilson: It looks like it on the diagram. Is that true?

Kim Blasco: The one that you have is the current one.

Jerry Sanford: Yes, for now, it would be.

Curt Moll: You have the right to extend it as far as you need to until you get to Rte 11, I guess. Your intent with this property is to...

Jerry Sanford: My daughter to build on.

Curt Moll: Any questions from the Board? Ok, we have discussed this in a number of different ways and this is the way that we can make this accessible from the roadway and allow it to be sold independently later on. I imagine that it helps with financing as well.

Don Fatobene: Yes.

Patrick Wilson: You have to have access.

Curt Moll: And you have to have a single parcel. Any questions from the Board? Kim?

Kim Blasco: Did you speak to your...

Jerry Sanford: Yeah, Kathy said that it's not a problem, not an issue.

Kim Blasco: Not an issue? You don't need frontage to...

Jerry Sanford: That's what she told me, she didn't call you today? I tried to explain that to her and she said that she didn't see a problem at all. She said that she could talk to you.

Kim Blasco: Okay, I thought that you had said previously that that had been part of the problem. That they wouldn't loan on a house that wasn't on it's own lot.

Jerry Sanford: I talked to her after you and I talked and she said that she didn't see it being an issue. But that she would call down here and explain that it wasn't an issue.

Kim Blasco: It still comes down to, we can't put more than one house on a property. We have to figure out a way to create a property; one house on the one property. Creating a right of way creates that. It gives you frontage, something to work with. I know what you are trying to do, but just to be in compliance with all of our zoning ordinances... Creating this right of way; it opens up whatever you might want to do back there, add lots or whatever you want to do in regards to more people building.

Jerry Sanford: My question is, we spoke about this. With it being a public right of way, it gives people the right to walk back on my property.

Curt Moll: Well, not on your property, on that right of way. It wouldn't give them anymore access to your property than a road would.

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Jerry Sanford: I know but, to come back a thousand feet through the woods where my drive is...

Kim Blasco: You asked the question about gating that. I talked to Patrick earlier and he said that you couldn't gate that. Because it is a public right of way, you'd have to gate your driveway.

Jerry Sanford: If that was deeded a different plat; that whole right of way...

Kim Blasco: A right of way is public.

Jerry Sanford: It's public but I have to maintain it.

Kim Blasco: Until such a time that you develop that to City standards then we would maintain it at that point. When you develop an area, you put in roads, utilities, everything that a home or a group of homes would need to live. When you do that, the city reviews it when it's done and they will accept it at city standards; if it meets all of our standards. Even gravel is not city approved. Something the city would maintain and plow, and the public could travel on would have to have a base, an intermediate course of asphalt, it has to have a surface of asphalt, it has to have regular drainage. There is a lot that goes into a standard road before a city will approve and accept it as its own for maintenance.

Jerry Sanford: I'm not expecting Cortland to take care of my driveway. My problem was that a few months back, friends saw a gentleman walking back there. They said that's private property and he said no, this is a public right of way, I can go back there whenever I want. That gentleman lives right across the street from that basically. My daughter and my three little grandkids will be back there and it bothered me that she would be sitting back there and somebody like him just decided to go gendering back there.

Patrick Wilson: You could put a gate on your own or her driveway and restrict access to the property but you can't restrict access to the right of way.

Jerry Sanford: But the right of way goes right through her driveway.

Curt Moll: They are not allowed to come onto your property.

Jerry Sanford: No but, if they are going to travel 1,000 or 2,000 feet back on this right of way that ends at her driveway. They can stand there and stare at my grandkids whenever they want. I'm not saying that is going to happen but that guy particularly bothered me. It bothered me that he can do that and now, I guess that he can.

Patrick Wilson: The bottom line is that you cannot restrict the right of way. If you plan to build and create a right of way, which you need, to build a house; it has to be open.

Kim Blasco: You can probably make it work with 2 properties but you can't make it work with a third. Of the two properties that you have now, the one to the north, leave as is and extend the right of way maybe 100 feet just to give yourself access to a right of way and that would create two different pieces. But if your son wants to build back there at some point, there is no more right of way left, it would landlock a parcel. Again, you need it's own property to build a home. Right now you have two, so you can build two homes and you can work with what you have. To build a third would not work.

Jerry Sanford: If I understand, the one parcel to the north is one property and the other 60 acres is the other piece of property.

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Kim Blasco: Correct. So, if you extended that right of way even 100 feet, that would still give you access to that right of way to get off of Blake. In other words, extend Blake Blvd just enough to give yourself access because right now that parcel is landlocked. Your access is on the south off of Carl St., you don't even have any frontage off of Blake, all of it is on that north parcel. Even extending it just enough to give yourself access to some kind of frontage of a future Blake that you create; that would be the only way to do it. But like I said, you couldn't do beyond two properties. Keeping in mind that your son might want to build in the future, that's when it gets complicated. You are trying to create a third parcel off of 2 properties that you already have. Other than creating a right of way to get back there, I don't know how else to tell you to do it.

Brian Hodor: Can you split the land into multiple parcels?

Kim Blasco: That's what he is doing but there is very little frontage. There is basically 70' of frontage for 80 acres.

Brian Hodor: Right, that's what I meant. If you extended it further and divided this land up even more.

Curt Moll: Then you would need access.

Kim Blasco: That is where the trouble is coming, I'd have to show you. (Kim shows the Board the large map of the property and explains the difficulty of it having such a small amount of frontage. Discussion continues.) That's the challenge, how to get the third person frontage. It just doesn't exist without creating a right of way down through here. Can't have more than 1 house on a parcel.

Curt Moll: You could put a no outlet sign there.

Kim Blasco: You could, no one has a reason to be back there.

Jerry Sanford: It's just my family back there. I understand that when I'm dead and gone and they want to develop it or sell it off; but if it's just going to be me and my kids...

Kim Blasco: The only other option was to ask for a variance from the board to build more than one house on a parcel. That would have to be something that you'd have to chance on whether or not they would be receptive to that. It's our rule.

Curt Moll: Are we ready to make a decision on this? Is there a reason not to?

Kim Blasco: (To Jerry) Do you want them to vote on this the way that we have it here as a right of way? Do you still want to consider it or they can table it and you can consider other options or a variance instead. Are you comfortable with this right of way?

Jerry Sanford: No but if that is the only way for us to get started back there.

Karen Sanford: Can we build three homes back there though? If we can't, we are wasting our time. It is for our family; two children and us.

Kim Blasco: By doing it this way with the right of way, you can.

Curt Moll: By doing this, you can actually build more houses if your kid's kids wanted to have houses back there. You own one, and you own one, and you own one now but 10 years from now, that may change. There are many reasons why that could change but we have to deal with that. We have had situations where there are waterlines running through people's houses to get to the other house because they were family. When you want to

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sell that middle house and the waterline goes through it, and there is only one meter, you have an issue and someone has to solve that.

Jerry Sanford: Sure.

Curt Moll: We have to look at if we can avoid these problems in the future.

Don Fatobene: If you tried to keep them together and ask for a variance, trying to get financing on something like that isn't going to happen.

Curt Moll: He's a banker.

Jerry Sanford: I talked to my banker and she said that's not a problem.

Don Fatobene: On this house yes, but any down the road...

Jerry Sanford: Oh yeah, I see.

Curt Moll: Any other comments? I'd like to call a roll call on this property change.

Roll Call: Curt Moll, yes; Brain Hodor, yes; Sally Lane, yes; Don Bell, yes; Don Fatobene, yes. MOTION APPROVED.

Curt Moll: Now we have the other half of that; **27-23 – Plat Approval - K.&W.** Sandford Plat No. 2, part of Great Lot 28, City of Cortland, Trumbull Co., Ohio.

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

Curt Moll: Do you want to talk about this anymore? (laughter)

Jerry Sanford: No, Kim and I have been talking a lot and she has been great.

Curt Moll: Any other questions? Roll call please.

Roll Call: Brain Hodor, yes; Sally Lane, yes; Curt Moll, yes; Don Bell, yes; Don Fatobene, yes. MOTION APPROVED.

Curt Moll: Thank you and I hope that this gets you going. Next is **28-23 – New Business – The Color Connection – 520 Trumbull Ave., beauty salon.**

A motion was made for 28-23 by **Don Fatobene** and seconded by **Don Bell.**

Alex Ashiolas: Hi, I'm Alex Ashiolas and I'm going to have a salon here in Cortland called the Color Connection. It's located right next to Vasillios in the plaza.

Curt Moll: Are you the only one that is going to be working there now?

Alex Ashiolas: Well, it's not open and running yet. Once it is I do have people that are going to rent off me. We are going to offer hair, nails, lashes, massage, facials, the whole nine.

Curt Moll: And you do not need a sign?

Alex Ashiolas: I'm going to do a window, picture sign. Not a big sign.

Curt Moll: The fire department probably has a Knox Box on there or Vasillios does. It's best if the fire department has access. You might want to check on that.

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Alex Ashiolas: When I talked to them, I think that he said that he has one for all of the...

Curt Moll: That's what I thought. I guess that they only need one for the whole building. Just make sure that you are included in that.

Roll Call: Don Fatobene, yes; Sally Lane, yes; Brian Hodor, yes; Curt Moll, yes; and Don Bell, yes.

Alex Ashiolas: Thanks Guys, Have a good night!

Curt Moll: Motion to adjourn.

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

Roll Call: Sally Lane, yes; Brian Hodor, yes; Don Fatobene, yes; Curt Moll, yes; and Don Bell, yes.

Meeting Adjourned: 7:30 pm

Chairman

Date

Secretary