

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

August 14,

23

**The City of Cortland Planning, Zoning & Building Commission met on Monday, August 14, 2023 at 6:50 P.M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Curt Moll, Don Fatobene, Brian Hodor and Frank Daugherty. Also present were Mayor Deidre Petrosky, Law Director Patrick Wilson, Service Director Kim Blasco and the following individuals:**

<b>Tom Nadar</b>	<b>7011 E Main</b>	<b>Warren</b>
<b>Rick Fabian</b>	<b>136 St. Andrews</b>	<b>Cortland</b>
<b>Brenda Pyle</b>	<b>136 St. Andrews</b>	“
<b>Norm Cox</b>	<b>176 St. Andrews</b>	“
<b>Ed Delahunty</b>	<b>203 Golf Dr.</b>	“
<b>Brian Fiest</b>	<b>525 Sycamore</b>	“
<b>Jerry Carlton</b>	<b>306 Golf Dr.</b>	“
<b>Joseph Palombi</b>	<b>140 St. Andrews</b>	“
<b>Harry King</b>	<b>179 St. Andrews</b>	“
<b>Bob Huff</b>	<b>205 Golf Dr.</b>	“
<b>Richard McClain</b>	<b>309 Copperlake East</b>	“
<b>Scott Rowley</b>	<b>142 Turquoise Dr.</b>	“

**Mayor Petrosky** swore in new Commission member **Frank Daugherty** before the meeting.

Curt Moll called to order **Public Hearing 34-23** -The purpose of the hearing is for a Zone Change request of 17.32 acres of Walnut Run Resources; part of Lot 59 former Fowler Twp. from Service to part R-M and part R-15. (Known as Phase 1 of the proposed Rock Springs Reserve.) People will have the opportunity to speak for or against this and I ask that you come up to the microphone because then we can hear you much better. The Commission will be voting on this during the regular meeting.

**Tom Nadar:** Thank you Mr. Chairman, I’m Tom Nadar the attorney for Walnut Resources. The Zone Change request is part of the old Walnut run Golf Course, which is currently zoned Service, which is Cortland’s version on Commercial zoning. We are reducing the burden on the land by seeking residential. As the preliminary plat has already been reviewed by City Officials regarding sewer and water and the type of roadway, that will be put in pursuant to the ordinances of the city. This is a continuation of developing this land for single family homes. We indicated green (looking at drawings presented to the Board.) for the areas that would be zoned **R-12**, single-family home lots and a bordering in yellow which is R-M. This would allow for some condominiums. The basis for that is, under planning standards, it is basically a buffer for busier roads; Everett Hull Rd. and Route 11. The backyards are noisier because of the traffic from the roads and studies have shown that condominium users are a little more indoor users. The backyards are not as important to them as the structures themselves so they tend to be used as buffers between single family homes and roads. This is what Walnut Recourses’ planning professionals have laid out and are asking the City of Cortland to approve. They will be built pursuant to the standards of the city. One item that may raise questions; why is the roadway entrance to Everett Hull where it is? Because we can’t get the Department of Transportation to return a phone call. We’ve tried to make the road a little more centralized, but it is a limited access highway right now and that is the point of access that has been approved by ODOT.

**Curt Moll:** That is where the old sign for the Walnut Run was? It is west of the house. Along Everette Hull, beyond the entrance to the golf course.

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**Tom Nadar:** That is correct. The goal of Walnut Resources is to have home buyers, not apartments. They don't believe that it is consistent with what is there. Trying to sell single family homes in front of apartments just doesn't work. They are looking for single family ownership with condominiums and trying to go for empty nesters, the traditional condo buyer. The single-family residences will be built by spec by anyone who wants to build their own home. We have heard about the shortage of housing around the country and it is true of Trumbull County. Walnut Resources is trying to address that and reduce the burden on this land and not putting anything Commercial or Service orientated on this land and building some homes.

**Mayor Petrosky:** Can I clarify one thing? I believe that at the beginning of your presentation, a couple of times that you said R-12. I want to clarify for the record that it is R-15.

**Tom Nadar:** Yes, R-15. Thank you.

**Curt Moll:** Which is in conformance with the rest of the development.

**Patrick Wilson:** Yes, that is what your application says.

**Tom Nadar:** That is the width of the lots; we want to make them bigger. We want to be consistent with what is on St. Andrews and not squeeze homes on lots, make it a nicer, larger lot.

**Curt Moll:** R-15 is consistent to the rest of the housing out there now?

**Kim Blasco:** St. Andrews is R-12 actually.

**Curt Moll:** This is a little more restrictive zoning then.

**Tom Nadar:** They want it a little bigger and to not squeeze anything in there.

**Curt Moll:** Okay, would anyone like to speak for this request other than the presenter?

**Rick Fabian:** Rick Fabian, 136 St. Andrews. I'm against this latest proposal. Most of the homes along St. Andrews have been designed on the golf course so there is not a whole lot of space in this latest proposal. The way that things are laid out right now, behind my house would be Lot 8, if somebody decided to put up a fence or a shed back there, I'll have a fence not even 10 feet from the back of my house. So, there is no room back there. I think that the residents along St. Andrews would take into consideration a no space easement or an undeveloped open space along the existing properties. Just to prevent that from happening, to uphold our terms, our resale values, our property values and to prevent our views out our back windows from being obstructed by a fence or a shed that is only 10 feet away from the back of our homes. My main concern is having these new lots coming past the natural buffers that are already there that separated the homes from the golf course. These lots are coming right up against the back of our homes on St. Andrews. There is no space, if they put up a fence or a shed, that's going to kill our property values. And that is why I am against this latest proposal. Thank you.

**Curt Moll:** Is there a problem with setbacks there?

**Kim Blasco:** We have a thirty-foot setback rule for any houses that are built so I would assume that would have held true for anything along St. Andrews. I don't know what your setback is or how far away your house is from the back property line as it sits now but I would imagine that there is more than 10 foot in your back yard.

**Curt Moll:** There should be.

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**Rick Fabian**: There is about 10 feet from the patio so it could be maybe 20 feet or so. There is not much back there because the homes were designed and built around the golf course.

**Curt Moll**: The golf course is no longer with us.

**Rick Fabian**: Right but, they were designed and built around the golf course that was supposed to be there forever. That's the problem right now.

**Curt Moll**: I'm sorry about that. I wish that there was something that we could do about that. Anyone else like to speak either for or against? No. Any questions from the administration? Seeing none, I ask for a motion to close the Public Hearing.

A motion was made to close the **34-23 Public Hearing** by **Don Fatobene** and seconded by **Frank Daugherty**.

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The City of Cortland Planning, Zoning & Building Commission met on Monday, August 14, 2023 at 7:00 P.M. for the regular meeting at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Curt Moll, Don Fatobene, Brian Hodor and Frank Daugherty. Also present were Mayor Deidre Petrosky, Law Director Patrick Wilson, Service Director Kim Blasco and the following individuals:

<b>Tom Nadar</b>	<b>7011 E Main</b>	<b>Warren</b>
<b>Rick Fabian</b>	<b>136 St. Andrews</b>	<b>Cortland</b>
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Chairman Curt Moll calls to order the regular meeting.

**Roll Call:** Brian Hodor, here; Sally Lane, absent; Curt Moll, here; Frank Daugherty, here; and Don Fatobene, here.

**Curt Moll:** The first item is **Approval of Commission Minutes for June 12, 2023 regular meeting.**

A motion was made by **Don Fatobene** and seconded by **Brian Hodor.**

**Roll Call:** Don Fatobene, yes; Frank Daugherty, abstain; Curt Moll, yes; Brian Hodor, abstain. **MOTION APPROVED.**

**Curt Moll:** **35-23 – Zone Change** request of 17.32 acres of Walnut Run Resources; part of Lot 59 former Fowler Twp. from Service to part R-M and part R-15. (Known as Phase 1 of the proposed Rock Springs Reserve.) Can I have a motion please.

A motion was made for 35-23 by **Don Fatobene** and seconded by **Brian Hodor.**

**Tom Nadar:** Thank you Mr. Chairman. Again, I’m Tom Nadar attorney for Walnut Resources who own the land and is the developer. A zone request for some R-15, which is highlighted in green and some R-M, which is highlighted in yellow along Everette Hull and State Route 11. The condominium request is proposed because of the frontage on bordering these lands on public highways. That is the R-M zoning request. Regarding the R-15, it is a larger zoning under Cortland, which is their goal. I recognize the dismay of people that wish that there was still a golf course there; there isn’t. Walnut Resources were not the only interested party in buying that land. There were people talking about commercial development, nursing home development, multi-family home development. Liking that Service and trying to get it down to something less burdensome from Service, but still more burdensome than R-15. Part of the layout is because of the access point of Everette Hull. What the planners tried to do was to angle that road in and away from St. Andrews. To create a few lots that are deeper that back up to the neighbors on St. Andrews. To try to address the concern that I know that anyone would have when they are going from a golf course to a residential development. Some of the lots are larger, trying to address some of the wetland issues that are there, drainage issues, and also

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trying to put less of a burden on the neighbors of St. Andrews. Walnut Resources understand that these people bought their homes to back up to a golf course. The owner of the golf course wanted to sell his land and he did. We are trying to do a development there that is consistent with that neighborhood. To enhance the neighborhood and advance the tax dollars for the school system, and to bring more families into the City of Cortland. Again, in that layout, they tried to address and create a little buffer along the lands of the residents of St. Andrews within reason. You can't build a 5-acre lot and expect to sell it for \$40,000, there is some economic reality here in the cost of the roads and the infrastructure which Walnut Resources is going to be investing into. So, trying to create a little bigger lots to soften the impact that it may have on their neighbors to the rear. Regarding how someone else has built their home on St. Andrews, I can't address whether or not they are in the setbacks or the rear building lines of the city, I don't know. Walnut Resources will have the rear setback lines that are required by the city and will have to comply with all of the zoning.

**Curt Moll:** Is there any hope for that driveway or is it over?

**Tom Nadar:** Right now a lot of money is being invested in the infrastructure. A lot of engineering has gone into drainage, sewer, waterlines, so that door is probably shut. It's not for the lack of trying, ODOT has come to a whole new level of not returning a phone call.

**Curt Moll:** It's nothing new. Anyone from the Board have a question?

**Brian Hodor:** Just addressing Mr. Fabian's concerns, is there any kind of way to put that into; for these specific lots that border the back, that they can't go a certain distance from the property line?

**Patrick Wilson:** No, those setbacks are set forth in the zoning ordinances.

**Curt Moll:** R-15 does give you the biggest allowance.

**Brian Hodor:** Right, but I understand his concerns. I was just trying to figure a way, to have a deed...

**Don Fatobene:** That wouldn't change a fence which was part of the concern, more than the house itself.

**Curt Moll:** ...short of selling pieces of that property to the owners along St. Andrews. That would be the only other alternative.

**Brian Hodor:** I was thinking more along the lines of a deed restriction.

**Kim Blasco:** Cortland won't enforce a deed restriction.

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**Curt Moll:** Right, you would have to rely on a Homeowners Association. Any questions, concerns?

**Roll Call:** Don Fatobene, yes; Brian Hodor, yes; Curt Moll, yes; and Frank Daugherty, yes.

Curt Moll asked for a motion for **36-23 – Replat** – Lot 185- Heritage Plat 10, Plat Volume 39, Pg 35 and Lot 155- Heritage Heights Plat No. 8, Plat Volume 37, Pg 94 Cortland City, Trumbull Co., Ohio.

A motion was made by **Don Fatobene** and seconded by **Brian Hodor**.

**Brian Fiest:** I'll give you the cliff notes version. About 8 years ago I had the property surveyed for a completely different reason; the creek in the back. What it unveiled was the irregularity of those lots on the curve, it put our front properties on top of each other. The previous owner of our property put a small patio and fence. Things that need updated and expanded on and it's encroaching on my neighbor. My neighbor doesn't care about that little piece that he has, it's a tiny sliver. He said that if I want to replat it, that I could have it. We are literally only moving it 6 feet at the most, a tiny little sliver. It doesn't affect any other neighbor, it's been resurveyed, the last step is a quick claim deed to submit to the county then it will be complete.

**Curt Moll:** This moves the line slightly in the front by the mailbox.

**Brian Fiest:** Yes, so my mailbox wasn't on my property. I don't plan on moving anytime soon but this would make it much cleaner for whoever buys the house.

**Curt Moll:** Oh yes. Any questions?

**Roll Call:** Brian Hodor, yes; Don Fatobene, yes; Curt Moll, yes; and Frank Daugherty, yes.

Chairman Moll asked for a motion for **37-23- Parcel Split** – Parcel 34-106999, Subdivision of Walnut Run Resources, being part of Section 10 of Bazetta Township, situated within the City of Cortland, Trumbull County, Ohio.

A motion was made by **Don Fatobene** and seconded by **Brian Hodor**.

**Tom Nadar:** This is a split of land that has frontage on Fairway Dr. It doesn't require a zone change. It is just some acreage with adequate frontage that doesn't require a replat. We are just looking for approval of this split to allow this lot to be sold and there is a buyer for it to build a home. I really shouldn't say lot, it's acreage.

**Curt Moll:** This big piece? There is a City easement on that property; a well.

**Tom Nadar:** Along the rear, yes. They are aware of their title commitment.

**Patrick Wilson:** It is one single owner?

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**Tom Nadar:** Yes, it's not multiple splits. It's all that land north of Fairway Dr.

**Curt Moll:** It is a big lot. Are we alright with the easement?

**Kim Blasco:** Which easement are you referring to?

**Curt Moll:** The well, there is a restriction of building within a certain distance of a well.

**Kim Blasco:** Yes, we can keep close tabs on that.

**Tom Nadar:** The buyers have reviewed it. It is a pretty fair-sized lot. With the fairways curving around the homes as it did, that left this piece of land. It is kind of isolated out there.

**Curt Moll:** Yes, it's huge. The new bridge isn't going to have any effect on that?

**Kim Blasco:** No, it's just going to be replaced.

**Curt Moll:** Good. If there are no further questions, can I have a roll call.

**Roll Call:** Curt Moll, yes; Frank Daugherty, yes; Don Fatobene, yes; Brian Hodor, yes.

**38-23 – Discussion regarding possible build of Barndominium** – this was tabled until the next meeting. She was unable to attend.

Curt Moll asked for a motion for **39-23 – Replat** – Replat of K. & W. Sandford Plat No. 2, part of great lot 27 & 28 City of Cortland, Trumbull Co., OH, July 2023.

A motion was made for 39-23 by **Don Fatobene** and seconded by **Frank Daugherty**.

**Kim Blasco:** You just approved this recently. They didn't realize that the size of the pond made the lot smaller than they anticipated. They just moved the east property line farther to the east to make the lot bigger. That is the only change.

**Curt Moll:** Very good. Can I have a roll call please.

**Roll Call:** Brian Hodor, yes; Frank Daugherty, yes; Don Fatobene, yes; Curt Moll, yes.

Curt Moll asked for a motion for **40-23 – Replat** – Replat of lots 2,3 & 4, Walnut Run Estates Phase 2, Volume 41, Pg 157, in Section 10 of Bazetta Township, situated within the City of Cortland, Trumbull Co, OH.

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A motion was made for 40-23 by **Don Fatobene** and seconded by **Frank Daugherty**.

**Tom Nadar**: This is a continuation of Walnut Resources trying to work with some abutting landowners regarding them buying fallow land from the golf course. This requires a replat because we are expanding the area of these three lots. Again, a replat to allow these homeowners to expand their residential lots.

**Curt Moll**: A couple of them go through a pond. Two of them will own a pond; they will have to maintain that.

**Kim Blasco**: It will be their responsibility.

**Curt Moll**: Okay, just enlarging these lots. Any questions from the Board? Roll call please.

**Roll Call: Brian Hodor, yes; Curt Moll, yes; Frank Daugherty, yes; Don Fatobene, yes. MOTION APPROVED.**

**Curt Moll**: Anything else to come before the Board? Any questions? A motion to adjourn.

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

**Roll Call: Don Fatobene, yes; Brian Hodor, yes; Curt Moll, yes; and Frank Daugherty, yes.**

**Meeting Adjourned: 7:20 pm**

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Chairman

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Date

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Secretary