

City of Canal Fulton

HPC and PLANNING COMMISSION MEETING MINUTES Thursday – October 20, 2005

Mr. Clayton Hopper called the October 20, 2005 joint Historic Preservation Commission and Planning Commission meetings to order at 7:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL - PRESENT

HPC

Clayton Hopper
Bill Dorman
Chell Rossi
John Workman
Diane Downing
Sandra Hayes

Absent: Dennis Browne

Planning Commission

Clayton Hopper
John Workman
Don Schwendiman
Diane Downing
Mayor John Grogan

Others in Attendance

Johnson Belford, Zoning Inspector; Council President, Chell Rossi, HPC; Richard T. Kiko, Jr., CEO Russ Kiko Auction & Real Estate Co. (Canton)

HISTORIC PRESERVATION COMMISSION

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

Mr. Workman made a motion to accept the September 15, 2005 HPC meeting minutes; seconded by Mrs. Hayes. Correction: **ROLL CALL: Yes – 5 Abstained – 1 (Mrs. Downing)**

PRESERVATION BUSINESS & CERTIFICATES OF APPROPRIATENESS

Certificate of Appropriateness

NEW BUSINESS – No New Business

ADJOURNMENT OF HISTORIC PRESERVATION COMMISSION

Mr. Hopper adjourned the HPC portion of the meeting.

PLANNING COMMISSION

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

Mr. Workman made a motion to accept the August 18, 2005 and the September 15, 2005 Planning meeting minutes; seconded by Mr. Schwendiman. **ROLL CALL: (August 18, 2005 meeting) YES – All (September 15, 2005 meeting) Yes – 5 Abstained – 1 (Mrs. Downing)**

NEW BUSINESS

Mr. Richard Kiko, Representing Russ Kiko & Associates, Inc. (Request that the Planning Commission Consider Revising the Sign Ordinance to Permit Off-Premises Signs): Mr. Kiko said he was visiting all communities that have restrictions to auction signs, stating signs are mostly how people know about their auctions and are typically put up three weeks prior to the auctions/taken down the day the auction is over. He said the signs are for exposure and directions, and a few Townships (including Jackson and Lexington) in the past have recognized the need for restrictive zoning for just auction signs. Mr. Kiko said this is a request to help the community, auctions are growing in popularity, more homes are sold for private owners than ever before, and

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their number one reason is timing. His request is Planning review/adapt something similar to Jackson's ordinance (up to three off-premise; one on-premise sign). Mr. Belford explained the sign ordinance. Mr. Workman said his problem with creating a sign for auctions is that it has a possibility for turning a temporary sign into a permanent sign. It was said Canal Fulton has had previous problems with businesses that are "off the beaten path" that want a sign "on the beaten path" to direct them to their business, and it wouldn't be fair to give Kiko's that opportunity as it would open a "Pandora's box of signs." Mr. Hopper agreed, and said Canal Fulton has some things that the other Townships don't, and they've already been presented with several problems from the other concerns and had to deal with them. Mr. Kiko said property values could potentially be affected by the Canal Fulton's signage ordinance. Mrs. Downing brought up Skipco's signage, but Mr. Workman said Skipco's was different because they have a lot of employees and pay a lot of taxes in this town. Also, the community is very sensitive to signage, and signage is a constant battle. Planning will review what Mr. Kiko has submitted. (Clayton Hopper noted the Mayor's arrival.)

OLD BUSINESS

Bill Dorman, City Engineer (Proposed Design Standards for Private Streets): Mr. Dorman had minor revisions to the proposed ordinance. Mr. Hopper said it will be given to the Law Director for correction and wants added to "declare it as an emergency," and noted it's going through three readings plus a Public Hearing, and there is not normally a meeting in December. Mr. Dorman said he added a section 117.19 Private Streets to the code; because several issues concerned the Planning Commission. One was protection for the city in the event that the home Owner's Association was unable to keep up with the required maintenance; what he added is very comparable with the neighboring communities. Secondly, storm water drainage; Canal Fulton allows an inverted crown where all the water drains to the center, that he changed to the same standard as public streets; the only "relaxation" is a proposed roll-type curb that doesn't have to be cut that is easily mounted to driveways and the catch basin would be flat. Third, as far as construction, this ordinance requires inspection of the work by the City Engineer so we can have assurance that it's constructed according to our code. Mayor Grogan asked about 117.19 (f) what's to enforce that the Homeowner Association is in place and will the other private developments be grandfathered prior to this. Mr. Dorman said fortunately the developer did build private streets, did form an association, and is in existence; the concern with how viable associations are. The ordinance strengthens that requirement and requires membership to pass down from owner to owner. Mr. Schwendiman brought up for discussion the 23' streets versus the 20' streets they talked about during the workshop on same. Mr. Belford said there is no requirement for sidewalks for the developers, so they are retaining that property, because if you make the developer make sidewalks it decreases the number of units they can build. Chief Green also has concerns about safety equipment access. Mr. Hopper said this is going to only affect new developers. Mr. Dorman said the required right of way is 50' for a public road.

Mr. Workman questioned the verbiage where it says (Page 1, after, 2 just before a) the following standards also belong to public streets, and Mr. Dorman said that verbiage can be replaced by "the following standards apply." Mr. Workman also said (Page 2, at the bottom) the word "defend" in the clause (the homeowners association shall indemnify, defend, and hold harmless all government bodies) should be removed (a standard clause); Mayor Grogan said he didn't think it reads as Mr. Workman interpreted the verbiage. Mr. Belford will advise the Law Director of needed interpretations/changes. Mayor Grogan asked Mr. Belford to relate Mr. Workman's story surrounding the word "defend."

Mr. Hopper made a motion that after the Law Director is through with the modifications of this ordinance it gets forwarded directly to Council for them to hold their three readings and their Public Hearing, and then pass it under emergency; seconded by Mrs. Downing. **ROLL CALL: Yes - ALL**

CONDITIONAL USE: No Issues to Discuss

SHADE TREE BUSINESS: No Issues to Discuss

ADJOURNMENT

Mr. Workman made a motion to adjourn the meeting. Mr. Hopper adjourned the Planning Commission meeting.

Clayton Hopper, Chair