

# City of Canal Fulton

## MINUTES OF THE HPC/PLANNING COMMISSION MEETING

Thursday, March 18, 2004

Mr. Clayton Hopper called the meeting to order at 7:30 P.M.

### Present:

#### HPC:

Clayton Hopper  
Rochelle Rossi  
Sandra Hayes  
Bill Dorman  
Diane Downing

#### Planning Commission:

Clayton Hopper  
Diane Downing  
John Grogan

### HISTORIC PRESERVATION COMMISSION:

#### Item 1: Approval of Minutes

Mrs. Rossi made a motion to approve the minutes of the February 19, 2004 meeting of the Historic Preservation Commission. Mrs. Downing seconded the motion. Roll: Yes – ALL.

#### Certificate of Appropriateness, John R. Tichon, 224 High St. NE, Above Ground Pool.

Mr. Hopper asked if Mr. Tichon had any photographs or brochures with him. Mr. Tichon said he has supplied the Commission with a sketch. He said it is a basic fifteen-foot round above ground pool.

Mr. Hopper made a motion to grant the Certificate of Appropriateness. Mrs. Rossi seconded the motion. Roll: Yes – ALL.

#### Certificate of Appropriateness, Kerry Ball dba Robert Michela Salon, 239 N. Canal Street, Outdoor Sign.

Mrs. Rossi recused herself from this portion of the meeting because of a conflict of interest.

Mr. Hopper said this concerns a sign on the side of the Warehouse on the Canal. A rendering of the sign was distributed. Mr. Hopper stated that the City Zoning Code only permits one building sign per business. He said if the building is capable of housing several businesses, the signage should be handled the way it is handled in a strip mall or a multi-business establishment, which would be a standard marquee sign listing all the businesses.

Mr. Roberts said he has estimated that approximately 25 businesses could go into the Warehouse. He said a marquee sign takes away from the individuality of the businesses.

Mr. Roberts said if he had 400 square feet on the side of the building, he would come back with the dimensions.

Mr. Ball cited 1181 (e) of the Code, assuring the property and rights of individuals are honored and observed. He said Mr. Roberts has his businesses in the Warehouse and Mr. Ball has his business. He said he has renters rights.

Mr. Hopper said the Commission would need to see his concept for the marquee sign, which they have not seen yet, along with individual applications. Mr. Hopper said what this could mean is that they could end up with 25 separate applications and 25 separate signs hanging all over the side of that building. He said the marquee type sign is Mr. Roberts responsibility as a landlord.

Further discussion followed.

Mr. Roberts said part of the problem is that they do not know how many tenants will come to the building. He said he has to make a guess. He said he would like a designated square footage to be able to tell his prospective tenants what they can do.

Mr. Dorman said he has two offices with marquees. He said he is limited to the color of the sign in Green. He said he can't, however, have a font or style that would identify his business uniquely. He suggested establishing what the size of the overall marquee would be, then it could be partitioned.

Mr. Hopper said Mr. Roberts should go to a sign company and ask for several renderings based on, for example, a fifteen square foot limitation.

Mr. Ball stated that the State Board of Cosmetology requires he has an exterior sign. He said the Chamber of Commerce received a conditional one-year sign and he is asking the Commission to grant his business the same consideration until this is resolved. He said his business is suffering because he does not have a sign.

Mr. Hopper said he views the Chamber of Commerce as a service oriented institution and a nonprofit organization. He asked Mr. Ball if he was operating for nonprofit. Mr. Ball said he pays employees who pay income tax to this City.

Mr. Hopper told Mr. Ball that Mr. Roberts is his landlord. Mr. Hopper said Mr. Roberts is responsible for Mr. Ball's signage.

Mr. Ball said he still did not understand why a temporary sign was granted to one organization but this Commission is refusing to do the same for him.

Mr. Ball said he feels like this Commission is using him to get to Mr. Roberts about a marquee. Mr. Ball said this Commission has the right to grant him a temporary sign. Mr. Hopper said no, they did not.

Mr. Hopper made a motion to deny the Certificate of Appropriateness for a temporary sign. There was no second to the motion.

Mr. Roberts said he was told he has one year to come up with a sign. He said he felt the job of this Commission is to assist business owners in bringing business to town. He asked why a business can't have a temporary sign until they come up with a permanent sign. He said give Mr. Ball a fighting chance. Mr. Roberts said if they are going to deny Mr. Ball, then he wants the Chamber to take their sign down.

Mrs. Hayes said she really sympathizes with Mr. Ball. She said she had been hoping to see something from Mr. Roberts regarding a marquee sign.

Mayor Grogan asked Mr. Ball what would happen if he does not comply with the State law regarding a Cosmetology sign being on the outside of the building. Mr. Ball said he wasn't sure. The Mayor asked if his license could be revoked. Mr. Ball said he imagined they can because it's within the rules. He said there is a grace period which he has already exceeded. The Mayor said he would feel uncomfortable to see a business being drummed out because they need to adhere to State obligations.

Further discussion about marquee signs followed.

Mr. Hopper said the only square footage he can specifically give Mr. Roberts is what is in the Code now, which is fifteen square feet. He said that can be adjusted through a recommendation of this Commission to City Council to change the ordinance.

Mr. Hopper said he is asking for a concept – forget about the word “marquee” or “collage”.

The Mayor asked why a frame couldn't be painted on the side of the building and then additional painting could be done to frame out each square footage area.

Mr. Hopper said he had made a call to the Law Director and that there is no provision in the Code to issue a temporary conditional use certificate.

The Mayor asked if there was anything that would prohibit this Commission from re-visiting that same situation. He asked the Commission if they felt they would be serving a greater good for the time being, allowing the business to attract customers until they had a better grasp on this.

Mr. Roberts asked for a compromise and give Mr. Ball three months for a temporary sign and he would get with Mr. Belford with some ideas on a permanent sign.

Mr. Belford suggested that Mr. Ball's application be tabled until the April meeting, if Mr. Roberts can have conceptual drawings by the April meeting for this Commission to look at.

Mrs. Hayes asked if there was anything they could do for that one-month time period where he could display something to advertise his business.

The Mayor said he feels they are trying to attract businesses that are going to stay. Mr. Hopper said he agreed that they need to attract businesses and try to work with them. But, he said, they also have to deal with the citizens of the City of Canal Fulton who approved the Historic District to begin with by popular vote. He said they expect HPC to abide by the Code.

Mr. Hopper said since they are now in a new quarter, the Zoning Inspector could authorize a new temporary thirty day sign. Mr. Ball said that is not what he is asking for. He said he is asking for the same thing the Chamber got.

Mr. Ball said he would like to put his sign up and then when Mr. Roberts comes up with a permanent design, move his sign to the appropriate place in whatever Mr. Roberts comes up with.

Mr. Ball described his sign. He said it would take thirty days to construct the sign.

Mr. Hopper said the Zoning Inspector could grant that the temporary sign that was used before can be used again in this new quarter – a temporary sign for 30 days. Or they could allow him to function with the signage he has visible through the window in the front of the building in hopes that Mr. Roberts would come in with something faster than the 30 days.

Mrs. Downing said Mr. Ball has to follow State standards and has to have a sign up there.

The Mayor said if they granted for the Chamber of Commerce which is supposed to represent businesses he feels that they should allow for an aligned up amount of time for Mr. Ball. He said he realizes the Law Director has rendered his opinion and the Mayor said it is just that – an opinion. He said when it comes to erring on the side of a person's ability to make a living, he is uncomfortable not allowing something in place so that they can continue to be in business.

Mr. Hopper asked Mr. Roberts to give him a date as to when he can return with drawings from sign companies. Mr. Roberts said he is going to try to get with Mr. Belford next week.

Mr. Roberts said he is going on record saying that if this Commission grants Mr. Ball his sign through January, he will not do any other requests from any other businesses until he gets final approval on the permanent sign.

Mr. Dorman made a suggestion to allow the temporary sign, similar for what they did for the Chamber, but have the deadline July 1, 2004.

Mr. Dorman made a motion to grant a temporary sign Certificate of Appropriateness until July 1, 2004 to Mr. Ball. Mrs. Hayes seconded the motion. Roll: Yes – 4. Mr. Hopper voted No based on the Law Director's recommendation.

Mr. Roberts said he would go along with that July 1<sup>st</sup> deadline for his sign.

Certificate of Appropriateness, Bud Graham, 216 W. Market St., Renovation of Existing Building.

Mr. Hopper stated they were discussing a structure which is presently owned by Marvin Hardgrove and is across the street from the Feed Mill. Mr. Hopper said Mr. Graham is looking at purchasing the building, remodeling it and putting on an addition.

Mr. Hopper said from what he has read, the use of the property would be in line with the Historic portion of the Code. He said the Planning portion of the Code is that he is remodeling and putting up a 32 x 32 foot addition in a B-2 Zone. He said there are certain parameters that have to be conformed with. He said Stark County would be issuing the approval for the new addition.

Mr. Dorman said the building is currently tied into the water line. Mr. Belford said he has already put Mr. Graham in touch with the Stark County Building Department and they have given him the parameters. He said it will also have to be a fire proof building because of the type of operation.

Mr. Hopper said if the County says they will put up with port-a-pots until the sewer line is put in, he doesn't have a problem with it. However, he didn't know whether the EPA would have a problem with it.

It was noted that this will be an art glass factory.

Mr. Graham said for the addition they would be using a narrow lap vinyl that would look period.

Mr. Hopper said conceptually, he sees no problem with anything Mr. Graham has presented. Mr. Hopper said that if they were to grant a Certificate of Appropriateness for the structure, in order to do that, they would need written statements of color of siding, conceptual drawings or pictures of the exterior of the building.

Mrs. Hayes said that back in September Jeff Winstel talked to them about the CLG grant. She said it has been approved and they are in the process of working on the heritage tourism brochure. She passed out materials for their review. She said they are in the process of taking and gathering pictures. She said the brochure should be ready by the end of July.

The Historic Preservation Commission meeting was adjourned.

**PLANNING COMMISSION:**

No Planning Commission business.

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Clayton Hopper, Chair