

# **City of Canal Fulton**

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## **SPECIAL HISTORIC PRESERVATION COMMISSION / PLANNING COMMISSION MEETING MINUTES**

**Friday - September 10, 2004**

### **HISTORIC PRESERVATION COMMISSION**

Mr. Clayton Hopper called the September 10, 2004 Special Historic Preservation Commission (HPC) and Planning Commission meeting to order at 9:00 AM.

#### **ROLL CALL - PRESENT**

##### **HPC**

Rochelle Rossi  
Sandra Hayes  
Bill Dorman  
Clayton Hopper  
John Workman

##### **Planning Commission**

Clayton Hopper  
John Workman  
Mayor John Grogan  
(Diane Downing and Don Schwendiman not in attendance)

#### **Others in Attendance**

Johnson Belford, Zoning Inspector; Marge Loretto, City Manager; Rebecca Shimer, Main Street; Jeff Winstel, AICP/Planner, Ohio & Erie Canal Association; Mike Kochovski and Dan Fleishour, Canton residents; John Hatfield and Ken Roberts, Residents

**PUBLIC HEARING:** No Public Hearing.

**NEW BUSINESS** – Review Proposed Ordinance Change to the Historic Zoning Code for both HPC and Planning is in the Planning section of these minutes and copied by transcriptionist (Clerk of Council) herewith, due to this issue being referenced for both Commissions on the agenda:

#### **Review Proposed Ordinance Change to the Historic Zoning Code**

Mr. Hopper and HPC and Planning Commission members previously received a copy of a proposed amendment to Chapter 1175.05 (C) of the Historic Zoning Code.

Mr. Hopper stated there are several items that need to be addressed with the current code. One is when HPC approves a Certificate of Appropriateness, part of their duties (at this time - other than the materials, type of lettering and the color that the sign or request for certificate is being made for) should be to review the size and location of that particular sign or whatever the certificate is being applied for. Historically, they didn't do that because usually the certificate conformed to those requirements. Once that certificate was approved, then the applicant took it to the Zoning Inspector, the Zoning Inspector issued a sign certificate for it providing that it conformed to the sign ordinance as listed in code. Only recently, they had a circumstance that that did not happen. So, the Zoning Inspector couldn't issue the sign certificate even though the Certificate of Appropriateness was granted. This was because it didn't meet the current square footage requirements for the sign code. Mr. Hopper felt that should be part of Historic Preservation's review to prevent that from happening.

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Another issue is that HPC is confronted with different situations in the downtown area, especially in the Historic District, where there are several buildings that have the capability that they are utilizing now, but they do have the capability of utilizing in the future where they could house more than one type of business.

Mr. Hopper said that it would be up to both the HPC and Planning whether the changes that you make to the existing sign code allow for these for these new signs in a matter of square footage or in a form of a percentage of square footage based on the size of the building. He would rather see a specified square footage than a percentage.

Mr. Hopper said that instead of replacing the entire Code, he would rather address some of the problems they have encountered. One area that needs to be addressed right now is to change some wording surrounding the word "signs" in Section 1181.02, Sub-section B, Paragraph 1. Each paragraph started out with the word "one," and Paragraph 1 does not, and the Law Director said it should. The wording should say "one sign appropriate to." Right now it says, "signs appropriate to."

Mr. Workman made a motion to send to Council a recommendation to amend Section 1181. 02, Sub-section B, Paragraph 1 to change the first word to read "one sign;" seconded by Mayor Grogan. **ROLL CALL: Yes – ALL**

*Task Assigned:* The Planning Commission will ask the Law Director to make the change and submit it to Council for approval.

There was a lengthy discussion on the proposed changes to the signage portion of the Historic Preservation Code, as submitted by Victor Colaianni, Councilman. Citizens in attendance were given the opportunity to give their opinions regarding the changes in the current code. Mr. Jeff Winstel (Ohio & Erie Canal Association) was present and addressed the meeting on the proposed changes. The discussion took another turn to perhaps rewriting the Historic Preservation portion of the Zoning Code, and Mr. Winstel was asked to make recommendations to the Commissions. At the conclusion of Mr. Winstel's comments, no action was taken.

There was a discussion by the Commission about possibly updating the entire Zoning Code. Mrs. Loretto informed the Commission that if they are interested in doing an update on the Zoning Code or on the downtown Historic District, they need to make a recommendation to her to get into the Annual Appropriation Ordinance and she would take it to Council for their approval.

**ADJOURNMENT OF HISTORIC PRESERVATION COMMISSION**

*Mr. Hopper adjourned the HPC portion of the meeting.*

## **PLANNING COMMISSION**

### **OLD BUSINESS**

#### **Mike Kochovski dba Kochovski Construction, 5150 Foxchase Ave. (Site plan review for PT OL 157, located on S. Locust St., alongside of his current development)**

Mr. Dorman stated this was a continuation of development of Towpath Center Plaza. Mr. Kochovski purchased a parcel to the east of the existing center and is putting another strip plaza in of five possible units. It's being constructed on part of the Kroger's/Oaks Plaza area, which has common area (an out lot type building). There is an existing 60-foot common driveway easement for the purpose of ingress and egress, which provides access to that even though it doesn't have direct frontage on a public road. There's also common area language as far as parking that the tenants of this area are able to use. The biggest concerns are utility service to the site was going to be coming across the existing towpath, and he completed forms for easements to provide – if the parcel is sold off in the future – then there is an easement that he's prepared to enable the maintenance and repair of gas and water lines that currently serve this area. There's an existing sanitary sewer easement already in place alongside the driveway easement. There is no change in the drainage and grading from what's there now. There's a 2" waterline that is the only thing they are trying to resolve as far as the size of the waterline. They have two tenants with leases currently signed. The parking issue was brought up, and Mr. Workman requested parking language that protects all from future problems "down the road." The City Engineer will make that part of his requirements.

Mr. Hopper made a motion to approve the preliminary site plan based on the City Engineer's recommendations; seconded by Mayor Grogan. **ROLL CALL: Yes – ALL**

#### **Mr. Kochovski and the City Engineer met privately during the discussion surrounding Historic Zoning Code and returned to the meeting after making their own agreements, which resulted in a motion to approve a final plat plan.**

Mr. Hopper made a motion to approve a final plat plan based on the City Engineer's recommendations, subject to the Engineer's review and that the property owner conforms to all of his recommendations; seconded by Mayor Grogan. **ROLL CALL: Yes - ALL**

#### **Dan Fleishour dba Landoak LTD, 6146 Baycliff NW, Canton, Ohio (lot split with variances)**

Mr. Hopper stated this was a lot split for a parcel on Locust Street; normally lot splits are handled between the City Engineer and Mr. Hopper; however, this particular lot split – because of some existing structures - is going to need a variance for the structures that existed prior to Zoning. Mr. Dorman said there was one structure that is not in conformance; it's an existing garage and the other variance would be the length to width ratio. Mr. Hopper said that to have the City Engineer sign off and approve this lot split, these two variances need to be granted.

Mr. Workman made a motion to approve the lot split and grant the two variances; one for the garage and one for the length to width ratio; seconded by Mayor Grogan. **ROLL CALL: Yes - ALL**

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**CONDITIONAL USE:** No issues to discuss

**SHADE TREE BUSINESS:** No issues to discuss

**ADJOURNMENT**

*Mr. Hopper adjourned the Planning Commission portion of the meeting.*

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Clayton Hopper, Chair