

CITY OF KIRTLAND
PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING
AUGUST 10, 2020

The meeting was called to order by Chairman Michael Denk at 7:05 p.m. Due to the current state of emergency regarding COVID-19, the meeting was held virtually via Zoom. Present were Commission members Richard Blum, Richard DeMarco, Michael Denk, Rick Loconti and Joseph Vinciguerra.

Also present were Mayor Kevin Potter, Law Director Matthew Lallo, City Engineer Douglas Courtney, Service Director Joseph Fornaro, Zoning Inspector Wayne Baumgart, Councilman Joseph Smolic and Economic Development Manager Monica Drake.

MINUTES OF THE JUNE 24, 2020 SPECIAL WORK SESSION

Mr. Blum moved to approve the minutes as presented, with the second by Mr. DeMarco. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Loconti, Vinciguerra and Denk; Nays – None).

MINUTES OF THE JULY 7, 2020 SPECIAL MEETING

Mr. Vinciguerra moved to approve the minutes as presented, with the second by Mr. Blum. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Loconti, Vinciguerra and Denk; Nays – None).

MINUTES OF THE JULY 15, 2020 MEETING

Mr. Vinciguerra moved to approve the minutes as presented, with the second by Mr. DeMarco. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Loconti, Vinciguerra and Denk; Nays – None).

PUBLIC SESSION:

PUBLIC REQUESTS

FastSigns – Proposed Building Sign at 9183 Chillicothe Road (Molly Maid)

Kim Hoffman of FastSigns was present in this regard. It was noted that the proposed building sign is 9.4 sq. ft.; the sign will be formed plastic letters. She advised that the font matches the business logo.

There were no public comments or questions regarding the proposal. The Commission noted that the proposed sign is in compliance with the sign ordinance. Mr. Vinciguerra moved to approve the proposed building sign at 9183 Chillicothe Road, as submitted. Mr. DeMarco provided the second. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Loconti, Vinciguerra and Denk; Nays – None).

Joseph Bork – Proposed Accessory Building at 10415 Wisner Road

Chairman Denk acknowledged receipt of the City Engineer’s plot plan review dated August 5, 2020. Mr. Courtney stated he prepared the checklist, which the Clerk sent to the applicant. The initial site plan did not have contours or data relating to how the water will flow. The applicant re-submitted, with a copy of the site plan with the contours and more information. Mr. Courtney stated that his approval of the site plan contains an “as noted” comment that silt fence be added in the existing swale so that sediment does not wash into the pond, and the setback dimensions are shown for the benefit of the Commission.

Joseph Bork confirmed that the accessory building will be on his property with his residence. Mr. Bork noted there will be gutters on the structure; on the right side it will discharge at the back and follow the natural swale of the back yard to the gravel swale leading to the pond. On the left side, by the hill, it will dump towards the driveway, it will flow to the culvert to the existing swale. Mr. Bork stated the swale on the north side of the building will run alongside the building, so water will run from the downspout into the swale. For the south side, Mr. Bork stated his back yard has a natural flow of water down the middle of the yard; he noted there is a gravel wash swale that drains to the pond. He confirmed that the water will head towards the pond.

Answering Mr. Denk, Mr. Bork stated his house is not easily seen from the road, and the accessory building would not be visible from the road. Mr. Bork confirmed there will be no sanitary or plumbing in the building. He stated it will be used for storage of a truck and trailer, and other personal items.

Mr. Blum inquired about exterior lighting. Mr. Bork stated it would be similar to the lighting on the back of his house, sconce-type lighting. Mr. Denk noted that the light cannot trespass onto other properties. Mr. Bork noted that due to the hill, the only other yard that can be seen is at the southwest corner.

Answering Mr. Denk, Mr. Bork stated that the floor of the building will eventually be concrete, but it will be a gravel floor for now.

There were no comments or questions from the public. Mr. DeMarco moved to approve the proposed accessory building, in accordance with the site plan marked “approved as noted” by the City Engineer. Mr. Vinciguerra provided the second. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Loconti, Vinciguerra and Denk; Nays – None).

TABLED REQUESTS

Andrew Loncar, Loncar Quality Construction – Application for Conditional Use Permit for Streambank Stabilization at 9199 Chillicothe Road

The matter remains tabled.

Lynn Zivko – Preliminary Grading Plan for 8588 Billings Road

Chairman Denk acknowledged receipt of a letter dated July 24, 2020 from Lynn Zivko, withdrawing her application for grading permit. Mr. Blum moved to remove the matter from the table, with the second by Mr. DeMarco. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Loconti,

Vinciguerra and Denk; Nays – None). It was noted that Mrs. Zivko owns the vacant property on Billings Road, and there has been no recent update regarding this matter. Upon the applicant's withdrawal, the matter was removed from the agenda.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

WORK SESSION:

Communications and Bills

1. Board of Zoning Appeals Notice of Decision – Appeal Nos. 20-5, 20-6 and 20-7.
2. Board of Zoning Appeals Minutes of June 10, 2020.
3. Zoning Permits Report – July 1, 2020 to July 31, 2020.

Old Business

1. Sign Ordinance – Temporary Signs

Mr. Denk noted that prohibited signs were discussed at the last meeting; and temporary signs will be discussed at tonight's meeting. He noted that a document has been prepared summarizing the discussions relating to the sign ordinance, and it will be updated regularly. Mr. Denk noted that he would like to have some recommended changes put together by the end of the year to send to Council.

Mr. Denk noted he provided a document that highlighted all references to temporary signs in the sign ordinance. The Commission reviewed each instance of temporary sign references throughout the document, including definitions of ideological signs, temporary signs and permanent signs.

The Commission reviewed the regulations for temporary signs in residential districts in Section 1286.08. In review of Section 1268.08(c), it was noted that while signs advertising a specific event shall be erected no earlier than 30 days before and removed within 7 days after the event, some temporary signs, including some for non-residential uses, are permitted for an unspecified time. There was discussion regarding providing a time limit for these signs.

The Commission reviewed the regulations for temporary signs in business and industrial districts in Section 1286.09. It was noted in discussion that paragraph (5) can be added to Section 1286.09(f) to address temporary construction signs.

There was discussion regarding inconsistencies between the sign regulations in residential districts and in business and industrial districts. It was noted that paragraph (4) of Section 1286.09(f) states that temporary signs announcing a specific event shall be removed within 7 days after the event, but does not mention that it can be erected no earlier than 30 days before,

as is stated for residential districts. Discussion ensued regarding seasonal signs, such as sports sign-ups, holiday events, etc. Upon input from the Law Director, it was agreed that it would be appropriate for seasonal signs to be reviewed and approved by the Planning and Zoning Commission.

There was discussion regarding Section 1268.08(c)(3) relating to temporary signs on vacant parcels in residential districts, which states that the maximum area shall be not more than 4 square feet for every 200 feet of lot frontage or fraction thereof, provided the sign shall not exceed 16 square feet. No changes were recommended.

Section 1268.09(i) was discussed, and it was noted that the language is confusing. The Commission members agreed this may need to be revised.

There was brief discussion regarding multi-tenant signs; it was agreed that this should be reviewed at the next meeting. Mr. Denk stated he will also look at some other key items that need to be reviewed.

New Business

None.

Adjournment

There was no further business before the Commission, and Mr. DeMarco moved to adjourn. Mr. Vinciguerra provided the second, and the motion passed upon unanimous vote. The meeting adjourned at 9:06 p.m.

CHAIRMAN

SECRETARY