

**City of Norton**  
**PLANNING COMMISSION**  
**Tuesday, June 10, 2008**

The Planning Commission (PC) of the City of Norton, Ohio, convened for a public meeting in Council Chambers of the Safety Administration Building. Chairman Mark Spisak called the meeting to order at 6:00 p.m.

**I. ATTENDANCE:**

**PRESENT:** Mark Spisak, Todd Houser, Janet Jacobs, John Conklin, Ralph Dowling

**ALSO PRESENT:** Jeff Pritchard, Director of Planning & Community Development  
Pat Ryan, Zoning Inspector

**II. PUBLIC APPLICATIONS:**

None

**III. OLD BUSINESS:**

Chairman Spisak asked for an update on Zoning Districts and Area Dimensions. Ms. Pat Ryan, Zoning Inspector, said she distributed updated pictures of several zoning districts to the Board. She said the updated pictures were from Bath, Fairlawn, Twinsburg Corporate Parkway and Macedonia Commons. She said these pictures concentrate on landscaping, signage and frontages. She said pictures include streetscapes that would help reference setback distances. Mr. Ralph Dowling said he was in the Fairlawn area on the road that runs behind State Route 18 and Montrose Ford. He said there were a lot of low small signs in that area, plus freestanding signs. He said some of the small signs were only giving directions with arrows. He said these small signs looked bad when placed in the devil strip. He said he noticed many were only temporary signs, but the signs had been in place for a very long time.

Ms. Ryan said she would have the matrix Chairman Spisak requested at the next meeting. She asked members to hand in their Zoning Code CD's for updates. She said the matrix and additional pictures would be updated on the Zoning Code CD for distribution at the next meeting.

Chairman Spisak asked when the Zoning Code information was complete, would the Board view the Ordinance, then only be able to change dimensions and paragraphs. He asked if the Board would be rewriting the information. Mr. Jeff Pritchard, Director of Planning & Community Development, said anything and everything would be under discussion at that point. He said if the Board would see something they would like and the matrix is complete, a comparison could be done. He said certain areas would need more flexibility just because of size constraints. He said the City should not limit themselves. Ms. Ryan suggested creating a model and modify the model each time, instead of rewriting the information each time. Mr. Todd Houser said he noticed the information showed a lot of groomed lawns. He said he noticed this looks more escetic when driving around a community. He said Broadview Heights has a minimum landscape area of 20%. He said this looks good from the curb and is something that should be considered as a baseline. Mr. Pritchard said this also goes back to a comprehensive plan, to try to maintain some type of suburban feel. He said if this requirement was eliminated it could change the perception and image of the community.

Chairman Spisak asked for an update on Parks. Mr. Pritchard said he spoke with Mark Majewski from Northstar Planning and Design. He said information and modifications were reviewed and would be ready for the next meeting on June 24, 2008. He said things were moving very well. He said additional parks have been added that were not on the original list. He said additional language would also be added for the two parks in the town center. He said if the Cleveland-Massillon Road Widening Project would modify the parks, the impact would be softened. Mr. Pritchard said language would be taken out to keep the project from impacting Lake Dorothy. He said in the future if Lake Dorothy would become involved, language would be ready for insertion. He said there could be discussion of Park Zoning and then transition into the Central Core District and Zoning.

Chairman Spisak asked if negotiations were on hold for Lake Dorothy. Mr. Pritchard said funds were limited and the project had been placed on hold until funding was available. Mr. Conklin asked by removing Lake Dorothy from the recreational regulations, were we allowing something to possibly happen that we would prefer not to happen. Mr. Pritchard said language would continue to be created for the Lake Dorothy Project if an agreement would take place. He said it would not be incorporated into the new Parks Zoning. He said the requirement from Pittsburg Plate & Glass (PPG) for Park Zoning to be developed would be in place. He said if the Lake Dorothy project were successful, the language would be in place and ready to be inserted into the documentation.

Chairman Spisak asked for an update on the Topia Center. He asked if anything was happening with this project. Mr. Pritchard said financial issues were to be in order by May 2008. Chairman Spisak asked if there was a time limit on the permit or construction of the project. He asked if this was something in the City Ordinances. Mr. Pritchard stated he would need to discuss the issue with Russ Arters, Superintendent of Building and Zoning. He said the plans were reviewed and approved and a permit issued. He said he did not know how long the permit issued was good for. Mr. Conklin said he ran into the gentleman constructing Topia last week and got the same answer on the finance issue. He said the gentleman told him financing was already in place and ready to be started. Mr. Pritchard said the City had heard this from him for quite some time now. Mr. Dowling stated he has had several complaints on the site. He said the site was a mess with trucks and construction equipment lying around. He said this site does not represent the City well. He said he was surprised a lot of vandalism had not happened at the site. Mr. Pritchard said he agreed. Mr. Dowling said it seemed the Topia project had been in the construction stages for close to three years. Mr. Pritchard read aloud Zoning Code Section 1252.02(d), Expiration of a Zoning or Building Permit. (see attached). Ms. Ryan stated if this site plan were revoked, the Zoning Code would force Topia to go through another site plan review. Mr. Conklin stated as far as the Board was concerned, the building permit has expired. Chairman Spisak said he also thought the permit should have expired by now. He said the timing of several issues would need to be considered with Topia. He said if Topia had a week before the permit expired, they possibly could do some construction to extend the permit. He said this would be an issue between Mr. Arters and the developer. Mr. Dowling said this might be a sensitive subject, but it still needs to be investigated. Chairman Spisak said he did see tall weeds being cut down at the site. Mr. Pritchard said there had been some landscaping done, but the work was very limited.

Chairman Spisak asked if there was any other old business; there was none.

#### **IV. NEW BUSINESS:**

Chairman Spisak asked if there was any new business; there was none.

#### **V. CONSIDERATION OF MINUTES:**

Minutes of Tuesday, May 13, 2008 were considered.

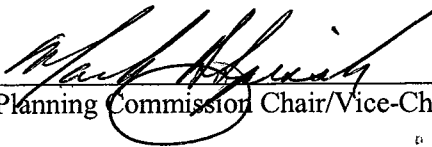
**Mr. Houser moved to accept Tuesday, May 13, 2008 minutes with minor corrections. Seconded by Ms. Jacobs. ROLL CALL: Mr. Houser-Yes, Ms. Janet Jacobs-Yes, Mr. Conklin-Yes, Mr. Dowling-Yes, Mr. Spisak-Yes. Motion passed 5-0. The minutes were signed and processed accordingly.**

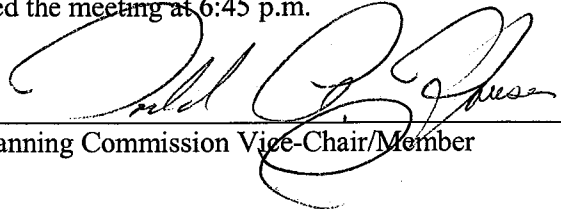
Minutes of Wednesday, May 28, 2008 were considered.

**Ms. Jacobs moved to accept Wednesday, May 28, 2008 minutes with minor corrections. Seconded by Mr. Houser. ROLL CALL: Ms. Jacobs-Yes, Mr. Houser-Yes, Mr. Conklin-Yes, Mr. Dowling-Abstain, Mr. Spisak-Yes. Motion passed 4-0. The minutes were signed and processed accordingly.**

**VI. ADJOURNMENT:**

Chairman Spisak announced that the next meeting was scheduled for Tuesday, June 24, 2008 at 6:00 p.m. With no further business coming before the Commission, Chairman Spisak adjourned the meeting at 6:45 p.m.

  
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Planning Commission Chair/Vice-Chair

  
\_\_\_\_\_  
Planning Commission Vice-Chair/Member

6/24/08  
Date

application within three months shall be presumptive evidence that the property was in conforming use at the time of the enactment or amendment of this Zoning Code.

- (3) No permit for the erection, alteration, moving or repair of any building shall be issued until an application has been made for a certificate of occupancy, and the certificate shall be issued in conformity with the provisions of this Zoning Code upon completion of the work.
- (4) A temporary certificate of occupancy may be issued by the Building and Zoning Inspectors for a period not exceeding six months during alterations or partial occupancy of a building pending its completion, provided that such temporary certificate may include such conditions and safeguards as will protect the safety of the occupants and the public.
- (5) The Building and Zoning Inspectors shall maintain a record of all certificates of occupancy, and a copy shall be furnished, if requested.
- (6) Failure to obtain a certificate of occupancy shall be a violation of this Zoning Code and punishable under Section 1252.99.

(d) Expiration of a Zoning or Building Permit. Any permit issued hereunder shall become invalid unless the work authorized by it shall have been commenced within thirty days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced, provided that, for good cause, extensions of time not to exceed three in number, for periods not exceeding thirty days each, may be allowed, in writing, by the Building and Zoning Inspectors, when applied for by the person to whom the permit was issued.

If the work described in any zoning or building permit has not been substantially completed within two years of the date of issuance thereof, said permit shall expire and be cancelled by the Building and Zoning Inspectors, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new zoning or building permit has been obtained.

(e) Construction and Use to be as Provided in Applications, Plans, Permits and Certificates of Occupancy. Building permits or certificates of occupancy issued on the basis of plans and applications approved by the Building and Zoning Inspectors, authorize only the use, arrangement and construction set forth in such approved plans and applications and no other use, arrangement or construction. Use, arrangement or construction at variance with that authorized shall be deemed a violation of this Zoning Code, and punishable under Section 1252.99.  
(Ord. 1-1988. Passed 4-11-88.)

