

**BUILDING & BUILDING CODES COMMITTEE MINUTES
JUNE 16, 2015**

The Building & Building Codes Committee meeting was held on June 16, 2015, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:40 p.m.

PRESENT: Committee Members: Chair John Nickell, Vice Chair Dan Kasaris, Larry Antoskiewicz; Council: Gary Petrusky, Dan Langshaw, Paul Marnecheck, Steve Muller; Administration: Mayor Robert Stefanik; Building Commissioner Dan Kulchytsky, Service Director Nick Cinquepalmi; Other: Lou Krzepina.

APPROVAL OF MINUTES

Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **approve the May 19, 2015 minutes** as received. Yeas: 3. Nays: 0. **Motion carried.**

UNFINISHED BUSINESS

1. City Hall update/project

No update.

2. Daycare/Childcare Facility Zoning

Mr. Kulchytsky said that based on the discussion at the last meeting, he has prepared two definitions for inclusion in our zoning code; one is for adult day care centers and the other is for child day care centers. He said that he has also provided recommendations for which districts these uses would be appropriate (see attached). Mr. Kasaris asked if a child day care center would be permitted in a residential area. Mr. Kulchytsky said that this would fall under what the state terms as a Type A or Type B Residential Day Care and these are permitted by the state through their licensing process. Mr. Kasaris asked if we need to define residential day care facilities. Mr. Kulchytsky said that we don't need to define it because it is covered under state law. What we are proposing limits larger day care centers to the appropriate zoning district. Mr. Antoskiewicz asked where we currently permit child day care centers. Mr. Kulchytsky said that we currently permit this in Public Facility zoning. Mr. Kasaris asked if this is a mandatory referral to the Planning Commission. Mr. Kelly said yes, the Charter requires that this be sent to the Planning Commission.

NEW BUSINESS

1. Advertising Feather Flag

Mr. Nickell said that he doesn't have a problem with the actual flags but he has noticed that some of them are encroaching on the line of sight when pulling out of a driveway. He asked if there are any regulations regarding these flags and their placement. Mr. Kulchytsky said that the Mayor has asked him to compile a list of notices that need to be sent out to various establishments within the city regarding these flags. He has personally gone through the entire city and found over 21 locations that have put up these flags. He said that these are considered signs and we have codes that require permits to be secured. We have already drafted and sent some letters out and we are continuing to draft more since there are so many. He said by the strictest interpretation of the sign ordinance, these flags would not be permitted because we have a temporary signage ordinance that allows for an establishment to have temporary signage with a permit for up to 90 days. This temporary signage cannot exceed 20% of the permitted signage on the building and is to be located on the building itself, on the door or in a window. These flags fall out of those parameters. He said that we could amend the description to include these sail or feather flags and provide for language as to their limitations if Council so desires. Mr. Antoskiewicz said that if every business on Rt. 82 were to install these signs, it would create a very carnival type atmosphere and this is not the look we want on the main street of our city. He understands that the business want to advertise in order to make money, but we also have the responsibility of maintaining the image we want our city to portray. Mayor Stefanik said that he drives around the city on the weekends and he currently has 10-15 signs in the back of his car because everybody just throws signs up. He said that we have become more lenient with the type of signs we allow

business to have, but he does not like these feather/pole signs. He would like to get rid of them. He asked Council to discuss this and reach a resolution. He said that the center of our town is finally starting to take shape, we are pricing a fence for in front of the cemetery, we have new buildings being constructed and to allow these carnival looking signs go up is not what we want to have in the city. Mr. Kasaris said if they are currently prohibited, they should be removed. Mayor Stefanik said that all of these types of signs are prohibited, including smaller signs that advertise special hours, sales, etc. Mayor Stefanik asked Mr. Kulchytsky if a business can apply for an exception. Mr. Kulchytsky said that they could apply for a temporary sign permit from the Building Department. Mr. Antoskiewicz said that these signs are usually seasonal for spring and summer and the current code that allows for 90 days would cover the majority of this time frame. Mr. Kulchytsky said there are limitations that can be placed on the permit by the Building Department such as allowing a sign for 30 days with an extension as required. These are typically new stores that don't yet have permanent signage or establishments that are having a sale. Mr. Langshaw said that he feels that our business owners need to be better educated on what our sign codes are so that they can avoid being cited. He agrees that it is taking away from what we want the image of our city to be. Mayor Stefanik said that he feels most of the business owners know that these are not permitted. Mr. Kulchytsky said that the reason the businesses use these pole/feather signs is due to the visibility because if they adhered to our codes the sign would have to be on the building and it would not be as visible. Mr. Muller asked what other communities around us have in their code. He said that to an extent, he feels they make it look like there is something going on in the town center district. When there is no signage and with some of the buildings being set way back, it looks like there is nothing there. He said that he too ran into an instance where his line of sight was obstructed, but he can see these being beneficial for a 90 day period to showcase something new or special. Mr. Kulchytsky said that he does not see many of these signs in other communities because they are usually cited and then don't reappear. He said he has not seen any in Brecksville or Broadview Hts. Mr. Kulchytsky said he can check surrounding communities to see what their code says. Mr. Muller said he would like to see if other cities permit these and for what period of time. He feels that a business owners puts in so much to open a business in our community, they may want some type of temporary signage to let people know they are there. He admits that these signs are awkward at times. Mayor Stefanik said that we are looking to put pennants on the telephone poles in the city that say Welcome to North Royalton. We don't know yet if we are going to work with a company that sells advertising on them as well. He said that some places have a special every month and he does not want to see these old beat up signs all the time. He said if there is a legitimate grand opening that would be one thing, but 6 or 7 signs up at one business is unacceptable. Mr. Kasaris said that we have an ordinance and it should be enforced. He said that there is a process if someone disagrees with the enforcement and they can come to the BZA. Mayor Stefanik asked how we determine what sign is important; is it a Grand Opening or a new honey mustard sandwich. Which one should we allow and who should we be to judge that. Mr. Nickell asked if these are becoming more prevalent because somewhere in the US someone took someone to court over their first amendment rights. Mr. Kelly said that this is always a possibility but we have some regulatory authority. He said in defense of the Building Department, we are a complaint driven operation and they have enough to keep them busy without going out hunting for things. Mr. Nickell said Council should notify the Building Department if they see something wrong or if a resident complains about a sign. He asked if they are warned or cited. Mr. Kulchytsky said that in this instance they would receive a notice of nonconformance and if they do not comply they will be cited to court. He said that he will complete the notices to the rest of the 21 establishments and should Council choose, we can explore looking at their future legality. Mr. Antoskiewicz said that he has spoken with some business owners and they told him they put up the signs because they saw that others had them. If we continue to allow them, we are going to see more and more. Mr. Langshaw said he trusts that the Building Department will enforce the law as they are charged to do. He felt that regarding temporary signs, maybe we need to further define or even narrow what is allowed. Mr. Nickell summed up by stating that we have legislation in place, it is just a matter of enforcement.

2. **Ols Agricultural District**

Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **recommend approval of this application.**

Yeas: 3. Nays: 0. **Motion carried.**

MISCELLANEOUS

Mr. Kasaris said that someone was selling Cavs merchandise on the corner of Rt. 82 and State Road at the Sunoco Station. Mr. Petrusky said that are doing this at State and Wallings as well. Mr. Kasaris felt that this blocked the line of sight and asked what we do about these situations. Mr. Kulchytsky said that he looked at the code today and this would fall under Outdoor Sales which are prohibited at both of those locations. He said that we will send a letter to the property owners informing them of the rights and requirements are of their properties. Mr. Kasaris agreed that giving notice to the property owners is the way to control this.

Mr. Nickell asked if hotels or motels are permitted in North Royalton. Mr. Kulchytsky said that they are permitted in Motor Services District. The only Motor Services District we have in the city is the Speedway property at Rt. 82 and York Road. He doubts that there will be a hotel there anytime soon. Mr. Kasaris said that we permitted a bed and breakfast on State Road.

ADJOURNMENT

Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz **to adjourn the June 16, 2015 meeting.** Yeas: 3. Nays: 0. **Motion carried.**

Meeting adjourned at 7:14 p.m.