

**MINUTES
BOARD OF BUILDING AND ZONING APPEALS**

December 3, 2015

MEMBERS PRESENT: Ken Suchan, Doug MacMillan, Lukas Gaffey, Stewart Fitz Gibbon (arrived at 6:20 p.m.) and Tate Emerson

MEMBERS ABSENT: Gregg McIlvaine

STAFF PRESENT: Andrew Dutton

I. MINUTES

Ken Suchan moved to approve the Minutes of August 6, 2015 as received. Lukas Gaffey seconded the motion. Motion carried by a 4-0 vote.

Ken Suchan moved to approve the Minutes of November 5, 2015 as received. Lukas Gaffey seconded the motion. Motion carried by a 4-0-1 vote, Tate Emerson abstaining since he was not present for the meeting.

II. PUBLIC HEARINGS

Appeal #2015-35. Chris Butdorf of LetterGraphics, representing Storck Film Design, requesting an area variance from Planning and Zoning Code Section 1171.04(c)(1) to allow more than one freestanding sign on a single lot and to allow a freestanding sign closer than permitted from a side property line at 406 North Market Street in a C-1 (Office and Institutional) District.

Chris Butdorf, LetterGraphics, representing Storck Film Design, stated an additional small, freestanding sign was proposed in an existing landscaped area for Storck Film Design at 406 North Market Street. Mr. Butdorf stated the door which would be used by Storck Film Design was not visible from the vast majority of traffic for deliveries, clients, etc. Mr. Butdorf stated as a result, people would continue to use the front door of Ross Law Offices before being directed to the correct door along the walkway.

Mr. Suchan stated he felt the sign proposed was more like a directional sign. Mr. Dutton stated his interpretation was that it was directional if the directional portion was larger than the advertising portion.

Mr. Emerson noted there were two variances: One variance was to allow more than one freestanding sign. Mr. Butdorf stated he did not believe that sign area was an issue with both the existing Ross Law Office sign and the proposed sign. Mr. Butdorf noted that the sign would face the street/was one sided. Mr. Gaffey also noted that the second variance related to the setback of the proposed sign to the property line.

Mr. Emerson questioned if the sign was for a new business. Mr. Butdorf stated the business was new business to the building and that it was previously located in the downtown. Mr.

Emerson questioned if there had always been a business to the rear of the building. Mr. Butdorf stated no.

Mr. Emerson questioned if there were plans to change signage for Ross Law Offices. Mr. Butdorf stated the sign would remain but there would be a name change from "Ross Law Offices" to "Ross & Storck".

Mr. Suchan questioned the amount of sign square footage allowed on the site. Mr. Dutton stated 30-sq. ft. but all on one sign.

Mr. Emerson questioned the side setback requirement. Mr. Dutton stated 10'.

Mr. Emerson questioned if information could be added to the main sign. Mr. Butdorf stated it was not a desire to add information to that sign as it was very specific in its purpose, was very small and its size was all that could be put on the existing pole to support the sign. Mr. Butdorf stated they were trying very hard to stay away from altering the existing freestanding sign for the law firm.

Mr. Emerson opened the hearing for public comment.

Doug MacMillan moved to accept the variance request as presented. Ken Suchan seconded the motion.

Ken Suchan voted yes. Mr. Suchan stated he felt it was the minimal amount that fit the purpose and was a unique situation to identify the entrance. Mr. Suchan stated he did not feel the sign proposed set a precedent.

Doug MacMillan voted yes because of the uniqueness of the entrances and because the sign requested was "very small".

Lukas Gaffey voted yes, agreeing with the other Board members.

Tate Emerson voted yes for the same reason.

Motion carried by a 4-0 vote.

Appeal #2015-36. Craig Sherman of Wooster Community Hospital requesting an area variance from Planning and Zoning Code Sections 1131.04(a)(3) and 1141.04(b)(3) to allow a building within the required side setback, Section 1165.06(a)(2) to allow parking rows longer than 100 ft. without a landscaped island and Section 1169.12(a) to allow parking spaces less than 10 ft. in width at 1761 Beall Avenue in C-3 (Community Commercial) and CF (Community Facilities) Districts.

Craig Sherman, representing Wooster Community Hospital, and Mike Serafin, Hasenstab Architects, were present.

Mr. Serafin stated three variances were being requested: One to allow the addition onto the existing hospital to be built over the property line; a variance to allow 9' wide parking spaces (in lieu of 10' as required); and a variance to eliminate parking islands at 100'

intervals. Mr. Serafin stated fewer landscape islands were proposed in order to help with the overall layout and ease with snow removal.

Mr. MacMillan stated he was struggling with the variance relating to the width of the parking spaces and questioned how many spaces were being added. Mr. Serafin stated 122 spaces were being added. Mr. Suchan noted that the other spaces on the hospital's property were 10' x 20' and questioned what made this area different. Mr. Serafin stated the addition would be used more as an outpatient facility. Mr. Suchan stated in the past, if parking were being used by employees, he could see the argument for the smaller width since people would be there all day and only had one opportunity to "bang the doors". Mr. Suchan stated the constant in/out of a vehicle exasperated the potential to damage other vehicles.

Mr. Sherron noted that the existing parking areas on the hospital's property were challenging to plow due to the landscape islands. Mr. Emerson noted that the purpose of the parking lot was to provide parking and not for ease of plowing snow. Mr. Emerson stated the Board had looked at other variances when there was not enough room on the lot to create the required amount of parking spaces, but that was not the case with the parking lot in question.

Mr. Emerson questioned the difference in the number of parking spaces which would be provided if the landscaped islands were not installed. Mr. Sherron stated the hospital gained 10-12 parking spaces with the layout proposed over putting in the islands and widening the spaces.

Mr. Emerson questioned what the issue was in replatting the property into one parcel. Mr. Suchan stated it was his understanding that the Hospital Board represented other political entities as well, so any change relating to ownership, would have to go to the "Board of the people of all of the townships and entities".

Mr. Suchan noted that the landscaped islands on the ends were larger to make up for there being no interior islands. Mr. Serafin stated there would be no loss of landscaping with the proposal.

Mr. Suchan noted there was land to the north yet to be developed and questioned the master plan for the property. Mr. Serafin stated there was nothing concrete planned for the property at the present time.

Mr. MacMillan questioned lighting for the parking area. Mr. Serafin stated lighting for the parking lot was along the west side of the drive which ran north/south; the fixtures would face west and would have a cut-off feature to them so that it did not protrude back into the adjacent properties. Mr. Searfin noted that down the middle of the new parking lot there would be lighting in each direction.

Mr. Emerson stated he struggled with parking because there did not seem to be a reason for it other than just a desire for it to be more open and have more spaces. Mr. Sherron stated the hospital ran out of parking now especially with the primary parking spaces close to the building and service locations. Mr. Sherron stated because of that struggle, the hospital was trying to create added parking as they continued to build and was trying to maximize parking on the site.

Tate Emerson moved to adjourn to Executive Session. Doug MacMillan seconded the motion.

Ken Suchan voted yes.

Doug MacMillan voted yes.

Lukas Gaffey voted yes.

Tate Emerson voted yes.

Motion carried by a 4-0 vote.

Ken Suchan moved to come back into session. Lukas Gaffey seconded the motion.

Ken Suchan voted yes.

Doug MacMillan voted yes.

Stewart Fitz Gibbon voted yes.

Lukas Gaffey voted yes.

Tate Emerson voted yes

Motion carried by a 5-0 vote.

Mr. Emerson asked if there was any additional testimony for the Board to consider.

Mr. Sherron stated the new addition would have a high demand, would be very unique and was in connection with some of the hospital's OSU partners. Mr. Sherron stated patients would not have to go to Columbus for their care and it would save a lot of traveling for patients.

Mr. Emerson stated the reason handicapped spaces were larger was because you needed the additional space to get in/out of your vehicle, and he would anticipate that with hospital parking, it would be helpful to have the wider spaces for that reason. Mr. Sherron stated there would be a canopy on the building where patients could be dropped off and then the driver could park the vehicle.

Mr. Emerson opened the hearing for public comment.

Lukas Gaffey moved to approve variances to allow buildings within the required side setbacks—Zoning Code Sections 1131.04(a)(3) and 1141.04(b)(3). Doug MacMillan seconded the motion.

Ken Suchan voted yes because of the difficulty in combining the lots and felt it met the standards for the granting of a variance.

Doug MacMillan voted yes because of the difficulty of ownership.

Stewart Fitz Gibbon voted yes for the reasons previously cited.

Lukas Gaffey voted yes because of the reasons previously cited by other members.

Tate Emerson voted yes. Mr. Emerson stated it was a unique situation and was the minimum required.

Motion carried by a 5-0 vote.

Ken Suchan moved to grant the variance from Section 1165.06(a)(2) to allow parking rows longer than 100' without landscaping islands. Doug MacMillan seconded the motion.

Stewart Fitz Gibbon voted yes.

Lukas Gaffey voted yes.

Ken Suchan voted yes. Mr. Suchan stated there was some benefit to the larger landscaped areas at the ends of the isles that made up for the lack of landscaping in the interior.

Doug MacMillan voted yes.

Tate Emerson voted yes. Mr. Emerson noted there would be more landscaping in less areas.

Motion carried by a 5-0 vote.

Stewart Fitz Gibbon moved to grant the variance from Section 1169.12(a) to allow parking spaces less than 10' in width. Lukas Gaffey seconded the motion.

Stewart Fitz Gibbon voted yes. Mr. Fitz Gibbon stated the argument in having the drop-off area and the potential demand for the facility justified the case.

Lukas Gaffey voted yes, for the reasons cited by Mr. Fitz Gibbon.

Ken Suchan voted no. Mr. Suchan stated he believed the 10' standard was still the standard for most parking situations unless there were very, very unique circumstance to the lot.

Doug MacMillan voted no. Mr. MacMillan stated he felt that patients would drive themselves to the facility.

Tate Emerson voted no. Mr. Emerson stated he did not see any circumstances that required the Board to grant the variance, and he felt it would set a standard that would be hard for the Board to deny subsequent requests.

Motion failed due to lack of majority by a 2-3 vote, Ken Suchan, Doug MacMillan and Tate Emerson voting negatively.

III. MISCELLANEOUS

Meeting Dates. The setting of Board of Building and Zoning Appeals meeting dates for 2016, per the proposed schedule.

Stewart Fitz Gibbon moved to adopt the proposed schedule as submitted (see attached).
Lukas Gaffey seconded the motion.

Stewart Fitz Gibbon voted yes.

Lukas Gaffey voted yes.

Ken Suchan voted yes.

Doug MacMillan voted yes.

Tate Emerson voted yes.

Motion carried by a 5-0 vote.

Board Elections. The election of chairman and vice chairman of the Board of Building and Zoning Appeals for 2016.

Ken Suchan moved that the present officers continue in 2016 (Tate Emerson, Chairman; Lukas Gaffey, Vice Chairman). Doug MacMillan seconded the motion.

Ken Suchan voted yes.

Doug MacMillan voted yes.

Stewart Fitz Gibbon voted yes.

Lukas Gaffey voted yes.

Tate Emerson voted yes.

Motion carried by a 5-0 vote.

Meeting adjourned at 6:30 p.m.

Tate Emerson, Chairman

Laurie Hart, Administrative Assistant