

## MINUTES

### CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

July 7, 2016

#### I. MEETING CALLED TO ORDER AND ROLL CALL

Tate Emerson, Chairman of the Board of Building and Zoning Appeals, called the meeting to order. Board members Tate Emerson, Lukas Gaffey, Gregg McIlvaine, and Doug MacMillan were present at the meeting. Board member Stewart Fitz Gibbon and Ken Suchan were absent. Andrew Dutton, Planning and Zoning Manager, was present representing the City of Wooster.

#### II. APPROVAL OF MINUTES

Lukas Gaffey moved to approve the June 2, 2016 minutes. Doug MacMillan seconded the motion. The motion passed unanimously, 4-0.

Dick Benson introduced Linda Applebaum as the new Law Director of the City of Wooster.

#### III. PUBLIC HEARINGS

##### Appeal #2016-16.

Madelaine Dwier of the Salvation Army requested an area variance from Planning and Zoning Code Section 1169.04 to allow fewer off-street parking spaces than required at 437 South Market Street in a C-4 (Central Business) District.

Madelaine Dwier gave a brief overview of the application. Mrs. Dwier stated the Salvation Army had 24 parking spaces on the west side of the building and 16 parking spaces on the south side of the building, across Spruce Street. She continued that the Salvation Army would like to remove 14 of the spaces to the west of the building and build a playground. Mrs. Dwier stated the Salvation Army had after-school and summer programs. Mrs. Dwier indicated that 35 to 40 children attended the summer program Monday thru Friday. Mrs. Dwier noted that the proposal would reduce the number of parking spaces to 26. She also stated that signed agreements from Wooster Glass and Bob Summeral tire would provide 22 additional spaces after 5 pm and 35 additional spaces after 5:30 pm, respectively.

Mrs. Dwier said that a study from January 2016 to July 9, 2016 showed there were 142 adults with children and 23 vehicles reported. Mrs. Dwier continued that out of the 23 vehicles, 8 were asked to park on the street due to lack of insurance. Mrs. Dwier stated that a study from June 1 to July 9, 2016 showed there were 23 residents that were sheltered, 7 of which had vehicles and 3 of which were required to park on the street due to lack of insurance, registration or a drivers license. Mrs. Dwier stated that all residents would now be permitted to park in the parking lot regardless of insurance, registration and driver licenses.

Mrs. Dwier stated the south parking lot across the street was not big enough to make more parking available.

Lukas Gaffey asked if the larger programs were conducted after 5 and 5:30. Mrs. Dwier responded that, other than the daytime soup kitchen, all programs were evening hours. Mrs. Dwier explained the soup kitchen was open for an hour and people would come and go.

Mr. Emerson asked how many came for the soup kitchen and how many vehicles were generated. Mrs. Dwier replied that about 13 parking spaces during the lunch hour were used.

Mrs. Dwier indicated 16 children were staying in the shelter and 12 of them were under the age of 10. She stated that the parking lot was not safe and the goal was to provide a safe place for the children to play outside. Mrs. Dwier stated that there were 74 participating in the Family Life Center Programs, 63 of which were children living within a three-mile radius of the facility. Mrs. Dwier stated that the Women's Auxiliary was funding the playground and was present if anyone had questions for Mrs. Thiel.

Mr. Emerson asked if there was an increase in parking at the end of the month and if there would be an increase during the colder months. Mrs. Dwier responded that parking increased in summer months.

Beverly Thiel, 2231 Cleveland Road, President of the Woman's Auxiliary, stated that 20,000 dollars was committed to the playground project with funds coming from the Salvation Army and various other organizations.

Doug MacMillan moved to approve the application as presented. Lukas Gaffey seconded the motion. The motion passed unanimously, 4-0.

***Appeal #2016-21.***

Tim Pence of Archer Sign representing Best Western requested an area variance from Planning and Zoning Code Section 1171.04(c)(1)A. to allow a freestanding sign taller than permitted and a freestanding sign closer than 3 ft. from the right of way and section 1171.04(c)(4) to allow freestanding signs separated by less than 200 ft. at 243 East Liberty Street in a C-4 (Central Business) District.

Mr. Pence stated the primary sign at the parking lot entrance, a sign at registration and a wall sign were being changed. Mr. Pence indicated the primary sign was the largest sign at approximately ten feet tall, with a message board. He further indicated that the proposal was to remove the message board portion of the sign and move the sign down to 7 ft. 1 in. Mr. Pence also stated the secondary sign was only slightly different and added that both signs would use existing sign foundations.

Gregg McIlvaine made a motion to approve the application. Doug MacMillan seconded the motion. The motion passed unanimously, 4-0.

***Appeal #2016-22.***

Jerry Baker of Snyder Baker Ltd. requested an area variance from Planning and Zoning Code Section 1171.04(c)(1)D. to allow more than one freestanding sign on a lot and to allow freestanding signs larger than permitted and Section 1171.04(c)(4) to allow freestanding signs separated by less than 200 ft. at 4094 Burbank Road in a C-5 (General Commercial) District.

Mr. Dutton indicated he spoke with the applicant, Jerry Baker, who stated he would like to withdraw the application. Mr. Dutton stated that no action was needed by the Board.

***Appeal #2016-23.***

Dennis Tafoya of Muddy's requested an area variance from Planning and Zoning Code Section 1141(b)(3) to allow a fence in the front of a building taller than permitted at 335 East Liberty Street in a C-4 (Central Business) District.

Mr. Tafoya stated the request for the area variance was for a fence which was 6 inches taller than permitted. Mr. Tafoya stated the patio was the first one on Liberty Street and had a rustic feel. Mr. Tafoya noted that Wayne County was mostly agriculture and he wanted to make the fence fun and inviting to the community.

Lukas Gaffey made a motion to approve the application. Doug MacMillan seconded the motion. The motion passed unanimously, 4-0.

***Appeal #2016-19. (Application Requested to be Tabled by the Applicant)***

Doug Drushal of Critchfield, Critchfield and Johnson, Ltd. represented Renner Development Company Ltd. requested a use variance from Planning and Zoning Code Section 1143.02(d)(2)G. to allow a prohibited use for the outdoor storage of materials at 1055 East Henry Street in an M-1 (Office/Limited Manufacturing) District.

***Appeal #2016-20. (Application Requested to be Tabled by the Applicant)***

Doug Drushal of Critchfield, Critchfield and Johnston, Ltd. representing Renner Development Company Ltd. requesting an area variance from Planning and Zoning Code Section 1143.07(a)(2) to allow the bulk outdoor storage of materials without an means to effectively prevent spreading, Section 1143.07(d) to store outdoor materials on a surface which is not asphalt or concrete, Section 1143.07(e) to store outdoor materials without the required screening, Section 1165.07 to allow a non-residential development without the required buffer yard, and Section 1169.15(b) to allow gravel access drives at 1055 East Henry Street in an M-1 (Office/Limited Manufacturing) District.

Lukas Gaffey made a motion to table the applications. Doug MacMillan seconded the motion. The motion passed unanimously, 4-0.

**IV. MISCELLANEOUS**

Tate Emerson initiated a discussion regarding changeable copy and electronic message display signs. Mr. Emerson stated he was concerned about electronic message signs in the downtown area. Mr. Emerson said the memorandum specified the following possible changes regarding electronic message signs:

A subsection of Chapter 1171 (Sign Regulations) of the Planning and Zoning Code should be created to specifically address EMC signs.

The location of EMC signs should be limited to community-related zoning districts and EMC signs should not be located in the downtown area.

Specific restrictions on EMC signs may include limitations to size and area, distance from zoning districts which do not allow EMC signs, display time per message, maximum light output, hours of operation, and the presence of temporary signs on a property with an EMC signs.

Andrew Dutton discussed possible changes to current Planning and Zoning Code regulations regarding changeable copy and electronic message display signs. Mr. Dutton stated that he planned on updating the Planning and Zoning Code by the end of 2017. Mr. Emerson asked Mr. Dutton for direction in order to start the process of changing the code for changeable copy and electronic signs. Mr. Dutton stated that items discussed by the Board could be taken to the Planning Commission and a request could be made to initiate the Zoning Amendment process. Board members indicated that they agreed with the proposed process.

**V. ADJOURNMENT**

Gregg McIlvaine made a motion to adjourn. Lukas Gaffey seconded the motion. The motion passed unanimously, 4-0.

The meeting adjourned at 6:30 p.m.

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**Tate Emerson, Chairman**

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**Carla Jessie, Administrative Assistant**