

MINUTES

CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

March 1, 2018

I. MEETING CALLED TO ORDER AND ROLL CALL

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

II. APPROVAL OF MINUTES

Greg Taylor made a motion to approve February 1, 2018, regular meeting minutes. Brad Gowins seconded the motion. The motion passed unanimously, 5-0.

III. PUBLIC HEARINGS

Application #BZA-18-11.

Matt Long of Critchfield, Critchfield & Johnston requested an area variance from Planning and Zoning Code Section 1133.07(h)(4) to allow fencing with different styles and colors at 600 Oakley Road in an R-1 (Suburban Single Family Residential) District.

Matt Long, 225 North Market Street, of Critchfield, Critchfield & Johnston stated that the applicant would like to request the tabling of the application until the April meeting.

Brad Gowins made a motion to table application BZA-18-11 until the April meeting. Doug MacMillan seconded the motion.

The motion passed unanimously, 5-0.

Application #BZA-18-03.

Robert Reynolds of Reynolds Law Office requested a use variance from Planning and Zoning Code Section 1143.02(d) to allow an expansion of a retail drive-thru use and an area variance from Section 1143.04(b) to allow an addition within a required setback at 815 West Old Lincoln Way in an M-2 (General Manufacturing) District.

Robert Reynolds, 839 Forest, of Reynolds Law Office stated that the drive-thru had been located on the site for a long time. Mr. Reynolds explained that the applicant wanted to add a 40 feet by 16 feet addition on the back of the building for more coolers. Mr. Reynolds continued that the existing building was 24 feet by 60 feet. Mr. Reynolds stated that the site was in a M-2 district, which prohibited retail use. Mr. Reynolds explained that the number of uses permissible on the property was very limited due to the small lot size. Mr. Reynolds stated that the applicant proposed to continue to use the lot and the building as a retail drive-thru. Mr. Reynolds continued that the area variance was for the setback from the property line along the alley.

Mike Steiner asked how long the building had been a drive-thru. Mr. Reynolds stated that the drive-thru was there for 37 plus years.

Mr. Fitz Gibbon asked if anyone from the public would like to address the Board regarding the application.

Bret Definbaugh, 4595 Wells Road, Shreve, stated that Friends of the Fair and other property owners were happy that money was spent on the building and were in support of the addition.

Brad Gowins made a motion to approve the application BZA-18-03, as presented. Doug MacMillan seconded the motion.

Brad Gowins voted yes and stated that the use was not changing and the area variance was obviously needed.

Doug MacMillan voted yes and stated that the drive-thru fit in with the area.

Greg Taylor voted yes.

Ken Suchan voted yes and stated that the small section of M-2 should be attached to the C-2, which would be consistent with future changes.

Stewart Fitz Gibbon voted yes and stated that he agreed with the other Board members. He noted that the lot had a unique set of circumstances as it had an odd shape and was located between two districts.

The motion passed unanimously, 5-0.

Application #BZA-18-07.

Krishna Chauhan requested a use variance from Planning and Zoning Code Section 1143.02(d) to allow a motor vehicle rental use at 310 South Market Street in a C-4 (Central Business) District.

Krishna Chauhan, 310 South Market Street, stated that he rented U-Haul trucks and trailers from the station, which had recently changed management. Mr. Chauhan explained that he wanted to continue to rent trucks and trailers for the business. He indicated that the trucks and trailers were stored behind the building.

Brad Gowins asked if he was asking for the same approval to lease and store u-hauls on the site that was approved in 2014. Mr. Gowins noted that the approval included conditions that the variance would expire two years from the approval date, all U-Haul parking must be to the rear of the building, and no major washing of the vehicles would occur on the site. Mr. Chauhan stated that he wanted to continue to have the vehicles for rental and stated that he was not the owner of the business and needed the extra income.

Stewart Fitz Gibbon asked why the approval was for only two years. Mr. Dutton stated that the Board approved the application for two years to make sure there were no concerns or problems.

Mr. Fitz Gibbon asked if anyone from the public would like to address the Board regarding the application. No one from the public was present to address the application.

Brad Gowins made a motion to approve application BZA-18-07, as presented adding the conditions that no major washing of the vehicles occurred on the site and that vehicles must be parked to the rear of the building. Doug MacMillan seconded the motion.

Greg Taylor voted yes.

Ken Suchan voted yes and stated that the use was in existence for two years and there were no complaints.

Brad Gowins voted yes and stated that there were no issues or complaints and the use was appropriate for the area.

Doug MacMillan voted yes.

Stewart Fitz Gibbon voted yes and stated that the use was consistent with other developments on South Market Street.

The motion passed unanimously, 5-0.

Application #BZA-18-08.

Rohan Hofmeyer requested an area variance from Planning and Zoning Code Section 1125.08(a) to allow trailer parking within the required side setback at 2140 Melanie Drive in an R-2 (Single Family Residential) District.

Rohan Hofmeyer, 2140 Melanie Drive, stated that he bought the house in November and the trailer needed to be parked on concrete and not on the lawn. Mr. Hofmeyer continued that he did not know about the zoning rules when he initially parked the trailer. Mr. Hofmeyer stated that a concrete pad beside the garage was the only place the trailer could sit due to the shape of the lot. Mr. Hofmeyer stated that the only complication was that the property line was 13 feet from the garage and he needed the concrete to be 8 feet wide, resulting in a parking space 5 feet from the property line. Mr. Hofmeyer explained that he talked to the neighbors and they were fine with the concrete pad. Mr. Hofmeyer stated that the concrete pad measured 8 feet by 43 feet. Mr. Hofmeyer explained the pad would run from the sidewalk along the drive and beside the garage area.

Stewart Fitz Gibbon asked for clarification of the code, regarding the parking of a trailer outside for more than 72 hours. Mr. Dutton stated that if the trailer was parked for over 72 hours, it would be subject to the regulations.

Mr. Fitz Gibbon asked if anyone from the public would like to address the Board regarding the application.

Don Fisher, 2184 Melanie Drive, stated that he lived two house away from the applicant. Mr. Fisher stated he was not in favor of the drive because the trailer with the blue tarp was an eyesore and would lead to other things.

Scott Quattrocchi, 2147 Melanie Drive, stated that he lived directly across the street from the applicant. Mr. Quattrocchi stated he was concerned that the applicant could park different kinds of trailers or something else in that space.

Ken Suchan moved to adjourn to Executive Session. Brad Gowins seconded the motion. The motion passed unanimously 5-0 at 6:14 pm.

Doug MacMillan moved to come out of Executive Session. Greg Taylor seconded the motion. The motion passed unanimously 5-0 at 6:22 pm.

Brad Gowins made a motion to approve application BZA-18-08, as presented. Doug MacMillan seconded the motion.

Brad Gowins voted yes and stated that he appreciated the neighbor's concerns. Mr. Gowins stated that he felt that the homeowner had presented a plan that was a reasonable request with minimum necessary effects.

Doug MacMillan voted yes.

Greg Taylor voted yes.

Ken Suchan voted yes and stated that the applicant attempted to meet the code by getting the trailer off the grass.

Stewart Fitz Gibbon voted yes for reasons cited by the Board.

The motion passed unanimously, 5-0.

Application #BZA-18-09.

James Neville of RDL Architects requested an area variance from Planning and Zoning Code Section 1143.05(a) to allow a building taller than permitted at 2845 Benden Drive in an M-1 (Office/Limited Manufacturing) District.

Matthew Long, 225 North Market Street, stated that James Neville, Kevin Day, President and CEO of Western Reserve Group, and Ted Bogner of Bogner Construction Company were also present at the meeting. Mr. Long explained that the application was a variance to Section 1143.05(a) regarding building height in an M-1 District. Mr. Long continued that the code section called for a 45 feet average height and the subject building was 59 feet in height. Mr. Long explained that if the building was on the neighboring property, the building would be permitted to be 60 feet in height.

James Neville, 16102 Chagrin Blvd, Shaker Heights, stated that he was the architect for the project. Mr. Neville explained that the land dropped off twenty feet in the area where the building was proposed. Mr. Neville stated that the new building would have an increased setback from the street. Mr. Neville stated that both buildings would look the same height as viewed from the primary access points. Mr. Neville stated that the building was situated on the west side of the property to preserve the land on the east side for future development. Mr. Neville continued that the new building would connect to the existing building by a covered walkway.

Ken Suchan asked how many employees Western Reserve Group would have for the two buildings.

Kevin Day, 1685 Cleveland Road, stated that the business started in 1906. Mr. Day continued that Western Reserve Group operated two locations in Wooster and the Cleveland Road location was the current corporate headquarters. Mr. Day stated that in 2007, renovations were made to the Cleveland Road location and a new building was built on Benden Drive. Mr. Day stated that they had outgrown both locations and currently employ about 300 employees and consultants. Mr. Day continued that the Benden Drive location would be the corporate headquarters with a campus-like atmosphere.

Stewart Fitz Gibbon asked if the third building was down the slope of the other two buildings. Mr. Day stated that the third building was projected in 10 to 15 years.

Mr. Fitz Gibbon asked if anyone from the public would like to address the Board regarding the application. No one from the public was present to address the application.

Brad Gowins made a motion to approve application BZA-18-09, as presented. Ken Suchan seconded the motion.

Brad Gowins voted yes and stated that he agreed the changing elevation was a factor and noted the proposed building would be consistent with the existing building.

Doug MacMillan voted yes and stated that he agreed with the height due to the elevation change.

Ken Suchan voted yes for the same reasons cited by the Board.

Greg Taylor voted yes.

Stewart Fitz Gibbon voted yes and stated that the plan presented was consistent with the use of the area, well thought out and included unique circumstances.

The motion passed unanimously, 5-0.

IV. APPLICATIONS CONTINUED TO BE TABLED
Applications #2016-19 and #2016-20.

V. ADJOURNMENT

Greg Taylor made a motion to adjourn. Ken Suchan seconded the motion. The motion passed unanimously, 5-0.

Lukas Gaffey, Chairman

Carla Jessie, Administrative Assistant