

MINUTES

CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

September 7, 2017

I. MEETING CALLED TO ORDER AND ROLL CALL

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

II. APPROVAL OF MINUTES

Stewart Fitz Gibbon moved to approve the August 3, 2017, regular meeting minutes. Ken Suchan seconded the motion. The motion passed, 4-0-1 with Brad Gowins abstaining.

III. PUBLIC HEARINGS

Application #BZA-17-38.

Shayne Glass of Curry Lumber representing Louis Czibor requested an area variance from Planning and Zoning Code Section 1133.03(c) to exceed the maximum building and lot coverage and Section 1133.04(c) to allow a reduced side building setback at 635 North Buckeye Street in an R-2 (Single Family Residential) District.

Joe Fineman, 331 West Henry Street, stated that there was an overhanging porch on the house that would be removed. Mr. Fineman explained that an additional 12 feet would be added to the previous porch area. Mr. Gaffey noted that the old porch was coming off, which would be replaced with the larger new addition.

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

Louis Czibor, 635 North Buckeye Street, stated that the addition would include a bedroom and a bathroom onto the back of the house. Mr. Czibor explained that his father-in-law could use the bedroom and the addition would make the neighborhood look a little nicer.

Stewart Fitz Gibbon made a motion to approve the variance as presented. Ken Suchan seconded the motion.

Stewart Fitz Gibbon voted yes and stated that there was a letter in support from the neighbors. He also noted the uniqueness of the lot configuration.

Brad Gowins voted yes for the same reasons cited.

Greg Taylor voted yes.

Ken Suchan voted yes and stated that the addition coincided with a standard bedroom and bathroom size and was reasonable.

Lukas Gaffey voted yes based on what the members mentioned and noted that the request was in line with other properties area which also had lot size and coverage problems.

The motion unanimously passed, 5-0.

Application #BZA-17-39.

Lynn Snyder of Engineering Associates representing LUK USA LLC requested an area variance from Planning and Zoning Code Section 1125.09(c) to allow a lot without frontage on a right of way and Section 1143.03(a) to allow a lot smaller and narrower than required at 2782 Akron Road in an M-4 (Open Space/Heavy Manufacturing) District.

Doug Drushal, 225 North Market Street, stated that Lynn Snyder was present to answer any technical questions. Mr. Drushal explained that the lot would facilitate a new AEP substation. He stated that AEP wanted ownership of a separate lot for the substation. Mr. Drushal explained the lot only needed to be the sized for a substation and with a small perimeter area. He continued that an easement would allow access to Akron Road via a small driveway. Mr. Drushal stated that creating a bigger lot would cause difficulty for LUK's proposed expansion plans. Mr. Drushal continued that the substation was consistent with the zoning code and this impacted no other services.

Harald Koeninger, 3401 Old Airport Road, stated that LUK had been growing since 2006 and was running out of electric power. Mr. Koeninger explained that AEP would provide more electricity with the addition of the substation. Mr. Koeninger continued that LUK was adding machinery that needed more power and the plant would need more power as it grew.

Stewart Fitz Gibbon asked how long the substation would take care of the anticipated needs for the facility. Mr. Koeninger answered that the substation would produce 6 or 7 times more power than what the plant needs right now and the substation would be good for the next 15 to 20 years. Greg Taylor asked if there were other options for the location on the lot. Mr. Koeninger stated that as production grew in the future, the plant would expand to the east.

Mr. Gaffey 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.

Ken Suchan asked about the proposed 76 feet lot line from the existing property line.

Lynn Snyder, 1935 Eagle Pass, stated that there were plans for improvements in the 76 feet between the property lines.

Brad Gowins made a motion to approve the variance as presented. Ken Suchan seconded the motion.

Greg Taylor voted yes.

Ken Suchan voted yes.

Stewart Fitz Gibbon voted yes and stated that the situation was unique and the business would ultimately need the facility.

Brad Gowins voted yes and stated that the overall development plan made sense for the company.

Lukas Gaffey voted yes and stated that the uniqueness of the circumstances compared with other building requests warranted special consideration.

The motion unanimously passed, 5-0.

Application #BZA-17-40.

Ryan Craig representing TK Gant Properties LLC requested a use variance from Planning and Zoning Code Section 1141.02(d) to allow a prohibited motor vehicle sales use at 329 South Market Street in a C-4 (Central Business) District.

Ryan Craig, 2256 Oak Hill Road, stated that finding a commercial property was a challenge and the property at 329 South Market Street had preliminary approval from the State of Ohio. Mr. Craig stated that he was a resident of the city and wanted the downtown to remain in its current condition. He explained that the property had been vacant for a very long time and the idea was to freshen up the area. Mr. Craig stated that, in the past, Dillon Motor was two doors down, so a downtown car dealership was not new to the area.

Lukas Gaffey asked where the service work on the vehicles would take place. Mr. Craig answered that the no service work would be done on site, just vacuuming and cleaning of the vehicles.

Stewart Fitz Gibbon asked what the State requirements were for the motor vehicle sales use. Mr. Craig explained that the lot needed a stand-alone building of 180 square feet, unless there was an attached business. Mr. Craig continued that the accompanying business had to support the vehicle sales use. Mr. Craig stated that the location downtown would be a perfect fit logistically since he lived and worked in the City. Mr. Craig continued that the repurposing of the building was in line with the plan for the downtown area.

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

Connie Kent stated that she was a resident of Wooster and employed at McClintock Electric. Mrs. Kent explained that she had known Mr. Craig for many years and he would not turn the space into a used car junkyard. Mrs. Kent stated the quality of vehicles was excellent and she hoped that the Board would give him the opportunity to start the business.

Jack Gant, 246 West Liberty Street, stated that he was the property owner. Mr. Gant explained that Mr. Craig would keep the green space and not add anymore asphalt to the property. Mr. Gant continued that the property was vacant for approximately seven years. Mr. Gant noted that he spoke to several other businesses in the area and everyone supported the business for the property.

Chad Boreman, 202 North Market Street, stated that he was the past chair of Main Street Wooster and had extensive conversations with Main Street and Wayne County Chamber of Commerce on the subject. Mr. Boreman continued that Mr. Craig had talked to the right people to make sure the business would enhance and improve the downtown area. Mr.

Boreman explained that he would love to see activity on the property and there was no opposition from either Board.

Jenny Eisenhauer, 617 Spink Street, stated that she had known Mr. Craig for about 17 years and he took pride in his home and business. Mrs. Eisenhauer noted that he helped people who could not afford higher end vehicles.

Ed Gasbarre, 401 South Market Street, stated that he owned a business on South Market Street and the business has been there since 1969. Mr. Gasbarre noted he supported Mr. Craig, wanted the business approved for security reasons and to felt the business would enhance the area.

Greg Taylor made a motion to approve the variance as presented. Brad Gowins seconded the motion.

Greg Taylor voted yes.

Ken Suchan voted no and stated that there was a reason why the C-5 District was for car sales and not the C-4.

Stewart Fitz Gibbon voted yes and stated that the business was appropriate and consistent with the downtown. Mr. Fitz Gibbon noted that the building had sat vacant without reoccupation and an appropriate alternative for the repurposing of the property had been presented.

Brad Gowins voted yes and stated that there was a buffer between the commercial and residential neighborhood.

Lukas Gaffey voted yes and noted that he agreed with the reasons cited by the Board, there was no automotive work being done on the site and the location was primarily retail.

The motion passed, 4-1.

IV. APPLICATIONS CONTINUED TO BE TABLED

Application #2016-19. (Application Continued to be Tabled by the Applicant)

Doug Drushal of Critchfield, Critchfield and Johnson, Ltd. representing 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.

Application #2016-20. (Application Continued to be Tabled by the Applicant)

Doug Drushal of Critchfield, Critchfield, and Johnston, Ltd. representing Renner Development Company Ltd. requested an area variance from Planning and Zoning Code Section 1143.07(a)(2) to allow the outdoor bulk storage of materials without a 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.

V. **ADIOURNMENT**

Stewart Fitz Gibbon made a motion to adjourn. Brad Gowins seconded the motion. The motion passed unanimously, 5-0.

Lukas Gaffey, Chairman

Carla Jessie, Administrative Assistant