

MINUTES

CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

January 3, 2019

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

II. APPROVAL OF MINUTES

Brad Gowins made a motion to approve the December 6, 2018, regular meeting minutes. Stewart Fitz Gibbon seconded the motion. The motion passed, 4-0.

III. PUBLIC HEARINGS

Application #BZA-19-01.

Christian Barbera requested an area variance from Planning and Zoning Code Table 1115-1 to allow a building within the minimum front yard setback, Section 1113.01(e)(15) to allow a patio within the minimum front yard setback, Section 1119.03 to allow a structure without the required architectural features, Section 1123.04(b) to allow fewer street trees than required, and Table 1123-2 to allow fewer frontage trees than required on Lucca Street with Parcel Number 65-00321.000 in an R-T (Traditional Residential) District.

Christian Barbera, 221 1/2 North Bever Street, stated that he would plant trees required by the code. Mr. Barbera explained that he was working with a local architect to comply with the aesthetic standards and the code. Mr. Barbera continued that he would supply a detailed plan of the proposal in the future.

Mr. Gaffey stated that if the applicant had additional information that he wanted to submit, he could either move forward with a vote on the application or request a tabling to the next month's meeting so updated information could be submitted.

Mr. Barbera requested that the Board table the application to next month's meeting.

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.

Stewart Fitz Gibbon made a motion to table application BZA-19-01 until the February meeting. Brad Gowins seconded the motion.

Ken Suchan voted yes.

Stewart Fitz Gibbon voted yes.

Brad Gowins voted yes.

Lukas Gaffey voted yes.

The motion to table passed unanimously, 4-0.

Application #BZA-19-02.

David Knapp requested a use variance from Planning and Zoning Code Table 1109-1 to allow a mixed use building and an area variance from Section 1109.03(f)(7)(D.) (ii.) to allow an ambulance service use within the required setback from a residential lot and Section 1123.06 to allow a nonresidential use without buffering or screening at 433 East Highland Avenue an R-1 (Suburban Single-Family Residential) District.

David Knapp, 3194 Evergreen Drive, stated that he was working on renovations to the former Wooster Fire Station on Highland Avenue. Mr. Knapp explained that he was approached by American EMS to locate a private ambulance service. Mr. Knapp continued that John Glass was the Director and he was present to answer questions for the Board regarding the operation of the business.

Mr. Knapp stated that American EMS would like to lease the east side of the building. He stated the business would include 2 ambulance vehicles, which would be parked inside the garage, and 1 wheelchair vehicle parked to the rear of the building. Mr. Knapp explained that employees at the location would use 6 of the 10 rear parking spaces. Mr. Knapp continued that the service was a local company which provided emergency and nonemergency services.

Brad Gowins asked why a new use was being submitted for the property. Mr. Knapp stated that he had been working on the renovations and running into roadblocks. Mr. Knapp explained that it took 2 months to get an official floor plan and he had not been able to find a plumber.

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

Robert Lackey, 2413 Graustark Path, asked if ambulances would be going in and out of the lot. Mr. Lackey also asked if lights and sirens would be on when the ambulance exited the facility.

John Glass, 1512 Woodlawn Avenue, NW, Canton, stated that he was the Director of Operations for Stark Summit American EMS. Mr. Glass explained that staff would typically have shifts of 9 am to 9 pm and 8 pm to midnight. Mr. Glass stated that the business would not be staffed overnight, but staffing times could change in the future. Mr. Glass explained that the staff may stop back in 2 to 3 times per day, depending on their schedule.

Mr. Glass stated that the company had operated in residential areas before and had a policy that the ambulances would not operate the lights and sirens until they arrived at a controlled intersection. He noted that the closest controlled intersection to the subject site was at Burbank Road. Mr. Glass continued that there were not a lot of emergency calls and most of the business's calls were nonemergency interfacility transports.

Brad Gowins moved to adjourn to Executive Session. Stewart Fitz Gibbon seconded the motion. The motion passed unanimously 4-0 at 5:50 pm.

Stewart Fitz Gibbon moved to come out of Executive Session. Brad Gowins seconded the motion. The motion passed unanimously 4-0 at 6:05 pm.

Stewart Fitz Gibbon made a motion to approve application BZA-19-02, as presented. Brad Gowins seconded the motion.

Stewart Fitz Gibbon voted no and stated that the prior variance, which was granted for a limited multi-family use, made sense in the single-family residential area. He stated that the use needed to be no more intensive than the prior approval.

Brad Gowins voted no and stated that the previously approved variance allowed the property to be economically viable. He explained that the code was clear that variances were not intended for removing inconveniences or financial burdens.

Ken Suchan voted no and stated that the last variance that was granted to allow multi-family maintained the integrity of the residential neighborhood.

Lukas Gaffey voted no for reasons cited by the Board.

The motion was denied unanimously, 0-4.

IV. ADJOURNMENT

Ken Suchan made a motion to adjourn. Brad Gowins seconded the motion. The motion passed unanimously, 4-0.

Lukas Gaffey, Chairman

Carla Jessie, Administrative Assistant