**MINUTES**

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

**November 22, 2021**

1. **MEETING CALLED TO ORDER AND ROLL CALL**

Stewart Fitz Gibbon, Chairman of the Board of Building and Zoning Appeals, called the meeting to order. Board members Stewart Fitz Gibbon, Joel Gray, Ben Gunn, Doug MacMillan, Mark Reynolds, and Ken Suchan were present. Board member Gregg McIlvaine was absent. Tim Monea, Chief Building Official, was present representing the City of Wooster.

1. **PUBLIC HEARINGS**

***Application #BZA-21-33.***

J. Douglas Drushal requested a Use Variance from Planning and Zoning Code Section 1109.02(d)(2) to allow 3-family dwelling units in the R-3 (Attached Residential) Zoning District with parcel number 67-02221.008 on Albern Drive.

Doug Drushal, 225 North Market Street, stated that the R3 zoning district does not permit a triplex as a permitted use. The request was for a use variance allowing up to five 3-family buildings, which was the need for the variance. Mr. Drushal noted that the area in question is zoned R-3, allowing 2-family but not 3-family dwellings. Mr. Drushal explained that the property has a private street, and there are five separate building lots for future construction. Mr. Drushal continued that one of the buildings was a fourplex, and the far building lot was the same size lot. Mr. Drushal stated that the application meets the criteria of being consistent with the spirit of the zoning code and the impact on the neighborhood. Mr. Drushal explained that there was a combination of duplexes and four-plexes on the private street. Mr. Drushal stated that it was hard to build a duplex that was economically viable with construction costs. Mr. Drushal explained that triplexes were required to make the area economically feasible due to high construction costs. Mr. Drushal continued that the site could fit five triplexes with zero impact on city services.

Mr. Drushal stated that the triplex would have basements, one car garage with parking in the driveways, and a deck in the back. Mr. Drushal explained that the property was surrounded by a wooded area and a ravine on the other side with green space. Mr. Monea stated that the site needed to be divided into equal parcels. The Engineering and City Planning Department will look at the replated property and ensure that the lots meet all the access, frontage, and setback criteria.

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 comment on the application, and Mr. Fitz Gibbon closed the public hearing.

Stewart Fitz Gibbon made a motion to approve application BZA-21-33, as presented with the condition that the property is surveyed and replated. Once the city signs off on the subdivision, the development can move forward. Mark Reynolds seconded the motion.

Joel Gray voted yes.

Mark Reynolds voted yes and stated under the condition that they reconfigure the lots to meet the density requirements. Mr. Reynolds noted that the current configuration could lead to more density issues and not a precedent the Board wants to set.

Ken Suchan voted no and stated that he doesn’t believe the property was not economically viable under any of the permitted uses in the R-2 zoning district and felt the criteria were not met.

Ben Gunn voted no and stated that the reasoning for the higher building costs at this time does not meet the requirements as presented in the application. He noted that prices fluctuate and the property has been owned for a long time, and just because construction costs were up right now doesn’t mean the cost won’t come back down in the future.

Doug MacMillan voted yes for the reasons cited by the Board.

Stewart Fitz Gibbon voted yes for the reasons cited by the Board, and he thought that replating the property would solve the density issue. The property was a unique situation with unused land at the end of the private street and did meet a need for affordable housing in the city.

The motion passed, 4-2.

1. **ADJOURNMENT**

Ken Suchan made a motion to adjourn. Ben Gunn seconded the motion. The motion passed unanimously, 6-0.

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**Stewart Fitz Gibbon, Board of Building and Zoning Appeals Chairman**

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**Carla Jessie, Administrative Assistant**