**MINUTES**

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

**December 2, 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. **APPROVAL OF MINUTES**

Mark Reynolds made a motion to approve the minutes of November 4, 2021, and November 22, 2021, meeting of the Board of Building and Zoning Appeals. Doug MacMillan seconded the motion. The motion carried unanimously 6-0.

1. **PUBLIC HEARINGS**

***Application #BZA-21-34.***

Margie Ashcraft requested an Area Variance from Planning and Zoning Code Section 1113.01 (b)(9)(A) for more than two accessory buildings on a lot at 366 Bardon Street in an R-T (Traditional Residential) Zoning District.

 Margie Ashcraft, 366 Bardon Street, stated that she applied for a zoning permit for a chicken coop, and she currently has two accessory buildings on her property. Ms. Ashcraft explained that she has two lots, one with a garage. Ms. Ashcraft continued that she received a letter from the City of Wooster saying that the chicken coop exceeds the number of allowed accessory structures on the property. Ms. Ashcraft stated that she had four chickens. Ms. Ashcraft explained that the second garage does not have electricity or water for the chickens.

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

Brad Gowins, 529 Woodland Avenue, stated that he wanted to speak in favor of the variance. Mr. Gowins explained that the property's uniqueness is twice the size of a typical lot in the neighborhood. Mr. Gowins continued that the building fits into the spirit and intent of the zoning code.

Mr. Fitz Gibbon closed the public hearing.

Ben Gunn made a motion to approve application BZA-21-34 as presented. Ken Suchan seconded the motion.

Ben Gunn voted yes and stated that it is a double lot and the second garage was already present makes the application unique enough that the lot size was doubled. Mr. Gunn noted that the chicken coop looked like an addition to the garage.

Ken Suchan voted yes and stated that the unique circumstances with the lot size primarily and the building was the minimum necessary and did not alter the neighborhood's character.

Mark Reynolds voted yes and stated that there were enough special conditions with the lot size and two garages on the property.

Doug MacMillan voted yes for the reasons cited by the Board, and he stated that the color scheme matched the home.

Joel Gray voted yes for the reasons cited by the Board and was not a permanent structure.

Stewart Fitz Gibbon voted yes for the reasons cited by the Board and stated that the double lot situation was unique for the neighborhood.

The motion passed unanimously, 6-0.

***Application #BZA-21-35.***

Joseph Jorge requested an Area Variance from Planning and Zoning Code Section 1123.05(b)(6)(C) to permit an interior parking lot without landscaping at 3185 Melrose Drive in an I-1 and I-2 (Industrial) Zoning District.

Joseph Jorge, 2800 Corporate Exchange Drive, Columbus, stated that the proposal was for an area variance for interior landscaping. Mr. Jorge explained that on the site plan on the west side of the proposed structure, a parking lot is designated for van parking and storage for the distribution center. Mr. Jorge continued that the request was not to have the parking lot islands break up this parking area for circulation and safety reasons. Mr. Jorge stated that in previous locations, van drivers had hit landscaping islands and other obstructions within the

designated parking lot. The vans run into these obstructions during operations. Mr. Jorge explained that the plan has a parking lot on the north side of the building for employee and associate parking lot and abiding by the code requirements for that parking area. Mr. Jorge continued that some slopes would face Melrose Drive and a detention pond to buffer the street. Mr. Jorge stated that an existing mound along Melrose Drive would not be disturbed. Mr. Jorge explained that all access to the property would be off of Old Airport Road.

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.

Doug MacMillan moved to adjourn to Executive Session. Joel Gray seconded the motion. The motion passes unanimously, 6-0.

Ken Suchan moved to come out of Executive Session. Ben Gunn seconded the motion. The motion passed unanimously, 6-0.

Robbie McAtee, Setzer Properties, 354 Waller Ave, Lexington, Kentucky, stated that the facility could operate 24 hours a day, seven days a week. Mr. McAtee explained that the facility models the lighting and would not disrupt the neighbors to the west. Mr. McAtee continued that the facility would run the minimum requirement at the property boundary, and at the perimeter, the lighting tapers off. On the development plan, Mr. McAtee stated that sound walls would be on the south and southwest to accommodate the noise levels.

Mr. Jorge stated a proposed grade change on the west side directly west of the parking lot and the sound walls would make landscaping difficult immediately adjacent to the parking lot.

Joel Gray made a motion to approve application BZA-21-35 as presented with the condition that the screening between the parking lot and Melrose Drive would not be disturbed and add substitute landscaping in other areas. Mark Reynolds seconded the motion.

 Joel Gray voted yes.

Mark Reynolds voted yes and stated with the condition that the existing natural buffer remains on the west end of the property and it would be replaced with similar natural offerings to reduce noise or light if it were removed.

Ken Suchan voted yes for reasons cited by the Board.

Ben Gunn voted yes and stated that with the vans going in and out and the safety concerns required for a facility of this type, I think taking the island out for personnel is reasonable. The natural buffer would not impact the industrial park.

Doug MacMillan voted yes for reasons cited by the Board and stated that.

Stewart Fitz Gibbon voted yes for reasons cited by the Board, and as applications go

The motion passed unanimously, 6-0.

1. **MEETINGS SCHEDULE AND CHAIR/VICE-CHAIR SELECTIONS FOR 2022**

Mark Reynolds made a motion to accept the 2022 meeting schedule calendar as proposed until further discussion with the new Planning and Zoning Manager. Doug MacMillan seconded the motion. The motion passed unanimously, 6-0.

Ben Gunn nominated Stewart Fitz Gibbon to be the Chairman and Mark Reynolds to be the Vice-Chairman. Doug MacMillan seconded the motion. The motion passed unanimously, 6-0.

1. **ADJOURNMENT**

Ben Gunn made a motion to adjourn. Mark Reynolds 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**