

MINUTES

CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

February 2, 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 Ken Suchan, Stewart Fitz Gibbon, Brad Gowins, Lukas Gaffey, Greg Taylor, and Doug MacMillan were present at the meeting. Board member Gregg McIlvaine was absent. Andrew Dutton, Planning and Zoning Manager, was present representing the City of Wooster.

II. APPROVAL OF MINUTES

Brad Gowins moved to approve the January 5, 2017, regular meeting minutes. Ken Suchan seconded the motion. The motion passed 5-0-1. Greg Taylor abstained.

III. PUBLIC HEARINGS

Appeal #BZA-17-03.

Michael Kolbert of The Memmer Homes Group LLC representing the Gilcrest Center requested an area variance from Planning and Zoning Code Section 1141.09(b)(3) to allow a fence taller than permitted in a required setback from the right of way at 2375 Benden Drive in a C-5 (General Commercial) District.

Annette Saeger, 2375 Benden Drive, of the Gilcrest Center stated that Mark Memmer of The Memmer Homes Group could not be in attendance. Mrs. Saeger stated that the property was an adult day care center and the group was proposing a variance for fencing. Mrs. Saeger explained that the code required a fence of no more than four feet height and they were proposing for a six-foot tall vinyl privacy fence. Mrs. Saeger continued that the center dealt with patients with dementia and socialization issue. Mrs. Saeger stated that a four-foot gap fence would not offer enough privacy and some of dementia and Alzheimer patients could climb the fence. Mrs. Saeger continued the property was adjacent to Weaver Construction, which included heavy equipment on the site. Mrs. Saeger explained that if a four-foot fence was required, heavy equipment traffic in the afternoon would be a concern.

Stewart Fitz Gibbon asked what the hours of operation were for the day care. Mrs. Saeger stated that the hours were from 6 am to 4 pm. Mrs. Saeger explained that transportation services were from 6 am to 6 pm and day care services were from 7 am to 4 pm. Mrs. Saeger stated the day care could house about 60 patients on average, per day. Mrs. Saeger noted that only six patients would be out in the fenced area at a time.

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.

Brad Gowins made a motion to approve the variance as presented. Doug MacMillian seconded the motion.

Greg Taylor voted yes.

Ken Suchan voted yes and stated that safety issues made the application a unique situation.

Doug MacMillian voted yes and stated the location was a small area at the end of the street, which didn't look like it would affect anyone else.

Stewart Fitz Gibbon voted yes.

Brad Gowins voted yes.

Lukas Gaffey voted yes.

The motion passed unanimously, 6-0.

Appeal #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.

Appeal #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. ADJOURNMENT

Stewart Fitz Gibbon made a motion to adjourn. Greg Taylor seconded the motion. The motion passed unanimously, 6-0.

Lukas Gaffey, Chairman

Carla Jessie, Administrative Assistant