

**MINUTES
BOARD OF BUILDING AND ZONING APPEALS**

July 9, 2015

MEMBERS PRESENT: Ken Suchan, Gregg McIlvaine, Doug MacMillan, Lukas Gaffey and Tate Emerson

MEMBERS ABSENT: Adrian Eriksen and Stewart Fitz Gibbon

STAFF PRESENT: Andrew Dutton

I. MINUTES

Doug MacMillan moved, Lukas Gaffey seconded, to approve the Minutes of June 4, 2015 as received. Motion carried by a 4-0-1 vote, Tate Emerson abstaining.

II. PUBLIC HEARINGS

Appeal #2015-19. Matt Long of Critchfield, Critchfield and Johnston, Ltd., representing Habitat for Humanity in Wayne County, Inc., requesting an area variance from Planning and Zoning Code Sections 1133.03(a) and 1133.03(c)(1) to allow a reduced minimum lot size at 665 North Bever Street in an R-2 (Single Family Residential) District.

Dan Calvin, Critchfield Law Firm, representing Habitat for Humanity of Wayne County, indicated Habitat owned the property at 665 North Bever Street. Mr. Calvin stated the minimum lot size in the R-2 District was 6,500-sq. ft., and the property in question was comprised of 12,959.8-sq. ft. Mr. Calvin stated Habitat would like to subdivide the lot into two lots, each measuring 6,479.9-sq. ft. which was approximately 20-sq. ft. short of the minimum lot size requirement, or a deviation of .3%. Mr. Calvin stated smaller lots were better for Habitat families as sometimes they struggled to maintain a larger lot. Mr. Calvin stated by the Board granting the variance, Habitat would be able to provide housing for two families as opposed to one.

Mr. McIlvaine questioned what Habitat's intentions were when they purchased the property. Beth Weaver, Habitat for Humanity, stated the lot was donated to them by the Jones Foundation.

Mr. Suchan questioned the previous use of the lot. Ms. Weaver stated it was a "very large house", but she was not certain how many families resided in the home. Mr. Calvin stated he was not sure how many units existed, but that it was a multi-family house.

Mr. McIlvaine questioned if the proposed homes would meet all of the Zoning Code regulations. Mr. Calvin stated the proposed homes should fit within the building envelope of the district.

Mr. Suchan questioned if the homes would be single or two story. Ms. Weaver stated Habitat always tried to fit into neighborhoods and thought it was likely they would construct 2-story homes. Mr. MacMillan questioned if garages were planned. Ms. Weaver stated yes—at least a single car garage.

Terry Sears, owner of the property at 657 North Bever Street (adjacent to the land in question), stated he was happy to see the home that had existed on the lot demolished, but he was concerned with how much of a mess he would have to clean up once the new homes were constructed. Mr. Sears stated he had a good group of renters in his home, and they were concerned with traffic. Mr. Sears stated he was concerned with the distances to the property lines, especially with the location of the driveway and how they would fit two homes on the property. Mr. Suchan noted that the homes would be owned by the people who would live there and would not be rentals; the Habitat homes were well maintained. Mr. MacMillan noted there would also be fewer people living in the homes than what had existed with the prior multi-family use of the property. Mr. Suchan questioned the use of Mr. Sears' home. Mr. Sears noted it was a duplex. Mr. McIlvaine stated he felt the proposal would be a big improvement to what had previously existed on the property. Mr. Sears expressed concern with the location of the driveways. Mr. Suchan noted that the location of the driveways was not something the Board had to review. Mr. Suchan noted that typical lots in the area were 4,500 to 5,000-sq. ft. in size, and some had duplexes on them.

Rebecca Hemming, 711 North Bever Street, expressed support for Habitat's goals and the families they served. Ms. Hemming further stated she was in support of the lot being subdivided because it was a very large lot and felt the lot would be easier to maintain if they were subdivided. Ms. Hemming stated she was concerned that Habitat might construct a single story house on one of the lots as there were only two ranch homes within a 3-block radius of the entire property and felt a ranch home would "stick out like a sore thumb".

Ken Suchan moved to grant the request of Habitat for Humanity. Doug MacMillan seconded the motion.

Ken Suchan voted yes. Mr. Suchan stated two, single family homes on a lot that had been used as a multi-family use was a big improvement to the neighborhood and added home ownership within the central city was a goal in the City's Comprehensive Plan. Mr. Suchan stated the amount of the requested variance was meniscal.

Gregg McIlvaine voted yes. Mr. McIlvaine stated the variance was very close to the required square footage, and he was confident that Habitat would construct homes which would be a big improvement to what was there and also something that would be an improvement to the neighborhood.

Lukas Gaffey agreed with the statements of Mr. Suchan and Mr. McIlvaine and voted yes. Mr. Gaffey stated he felt what Habitat was doing was great and hoped that they would take into consideration that the houses that they would place on the lots would fit in with the homes in the area.

Doug MacMillan voted yes based on Mr. Suchan and Mr. McIlvaine's comments. Mr. MacMillan stated he felt Habitat should consider constructing 2-story homes on the properties.

Tate Emerson voted yes. Mr. Emerson stated he felt it would be a big improvement from what existed previously, and he encouraged Habitat to maintain the architecture of the surrounding houses.

Motion carried by a 5-0 vote.

Appeal #2015-20. Randy Robinson of Bogner Construction Co., representing REA and Associates, Inc., requesting an area variance from Planning and Zoning Code Section 1165.06(a)(2) to allow a reduced minimum landscape island width and Section 1169.12 to allow reduced parking space dimensions at 545 North Market Street in a C-1 (Office and Institutional) District.

Randy Robinson, Bogner Construction Company, stated the variances requested related to island width and parking space width. Mr. Robinson stated as the lot was currently configured, there were 26 spaces, nose to nose. Mr. Robinson noted that the eastern-most spaces were on the alley, and there were safety issues with having to back out onto the alley. Mr. Robinson stated changes to the curbs were proposed as well and islands would be removed. Mr. Robinson stated the existing spaces were 9' in width (10' in width was required), and REA wished to maintain the 9' width so that they could provide 26 spaces as opposed to 18 spaces with the 10' width. Mr. Robinson stated the north lot was higher in elevation, so when it rained/snowed it drained towards the front door of the building. Over the years, a trench drain was added, in addition to a drain which was tied into the storm, to try and eliminate that; there was an awning/canopy put over the door as well. Mr. Robinson stated it was still an issue when it rained. Mr. Robinson stated to help with the drainage issues, a new curb/sidewalk and a step was added to the entrance; a new sidewalk would be added to the side for handicapped access.

Mr. Emerson questioned why the minimum island width requirements could not be met. Mr. Robinson stated the island width would move parking spaces around which would also reduce parking. Mr. Robinson noted vegetation/shade trees had been added as requested by the Planning Staff.

Mr. Suchan noted that including parking in the northern lot, the number of parking spaces which would be provided was 47. Mr. Suchan questioned the number of required parking spaces for the business. Mr. Dutton stated 20 spaces. Mr. Emerson noted that the variance for the island width would not be needed if parking were eliminated. Mr. Suchan noted that in looking at other parking lots in the area, the lot in question was the only one which was landscaped.

Mr. McIlvaine questioned if other layouts were looked at in order to meet the 10' width. Mr. Robinson stated when he was designing the plan, he wanted to try and maintain the number of spaces as clients did not necessarily use the upper lot.

Mr. Emerson stated he was struggling with the reduction in the islands, especially since there was more parking than required for the business.

Mr. Suchan questioned if the islands along the alley would be landscaped. Mr. Robinson stated yes.

Gene Spittle, REA and Associates, stated there were 11 other REA offices across the state, and Wooster was the hub. Mr. Spittle stated corporate meetings and training were held at the Wooster location, so the northern lot was getting used more than they had anticipated. Mr. Spittle stated the plan would eliminate some of the safety concerns relating to drainage on the property.

Mr. Suchan stated he was not as concerned with the 9' spaces noting that the Board had granted a similar variance to the former Lincoln Way Elementary school (on Pittsburgh Avenue).

Hugh Hothem, owner of the McSweeney building and the Tyler-Kinder House, stated he was in support of the proposal. Mr. Hothem noted that REA and Associates maintained their property and were good neighbors.

Tate Emerson moved to vote in the affirmative on Appeal #2015-20 with the condition that the appellant install an equivalent square footage of landscaping somewhere to what was not being put in by the islands. Lukas Gaffey seconded the motion.

Lukas Gaffey voted yes. Mr. Gaffey stated he felt it would be an improvement to the parking lot relating to safety and landscaping.

Doug MacMillan voted yes based on safety/water issues.

Ken Suchan voted yes, primarily because backing into the alley was an untenable situation. Mr. Suchan commended REA and Associates for their existing landscaping and the fact that the property stood out.

Gregg McIlvaine voted yes.

Tate Emerson voted yes.

Motion carried by a 5-0 vote.

Meeting adjourned at 6:21 p.m.

Tate Emerson, Chairman

Laurie Hart, Administrative Assistant