

MINUTES

CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

June 7, 2018

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

II. APPROVAL OF MINUTES

Ken Suchan made a motion to approve the May 3, 2018, regular meeting minutes. Gregg McIlvaine seconded the motion. The motion passed unanimously, 4-0.

III. PUBLIC HEARINGS

Application #BZA-18-18.

Debra Merillat requested an area variance from Planning and Zoning Code Section 1141.06(a) to allow parking within side and rear setbacks and Section 1169.10(d) to allow parking without direct access to an aisle at 230 South Market Street in the C-4 (Central Business) District.

Debra Merillat, 2607 Timothy Place, stated that her barn had burned down in December. Mrs. Merillat explained that the barn had been removed and her tenants did not have a place to park. Mrs. Merillat continued that the tenants previously parked inside of the barn. Mrs. Merillat explained that the lot was too small to build another building within the required setbacks and she would like to maintain the parking pad for her tenants. Mrs. Merillat stated that the entire property was 14 feet by 44 feet.

Mr. Gaffey stated that the parking was stacked before the building was destroyed. Mrs. Merillat stated that there was blacktop from the parking lot next door that connected to the parking pad.

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.

Gregg McIlvaine made a motion to approve application BZA-18-18, as presented. Doug MacMillan seconded the motion.

Doug MacMillan voted yes and stated that he recommended that the applicant install signage to help with the parking situation.

Ken Suchan voted yes and stated that there would not be a detriment to the neighborhood with cars backing out into the alley.

Gregg McIlvaine voted yes and stated he felt there was not a better use for the parking area.

Doug MacMillan voted yes for reason cited by the Board. He stated that he felt that parking was a better solution.

Lukas Gaffey voted yes and stated that he felt that the parking was no different than the previous situation, just without the building.

The motion carried unanimously, 4-0.

Application #BZA-18-19.

Robert Reynolds of Reynolds Law Office requested an area variance from Planning and Zoning Code Sections 1125.08(a) and 1133.07(b)(5) to allow recreational vehicle within the required side setback and on a gravel parking surface and Section 1169.15(b) to allow gravel drives and parking areas at 1141 Billiar Street in an R-T (Traditional Residential) District.

Robert Reynolds, 839 Forest Drive, stated that the proposal was for a gravel parking area and a carport. Mr. Reynolds explained that the carport was enclosed on three sides. Mr. Reynolds continued that the carport needed to be 10 feet away from the property line if the carport was not being used for recreational vehicles. Mr. Reynolds stated that the request was for the carport to be located 5 feet away from the property line and to allow the parking area to remain gravel.

Mr. Reynolds stated that the carport was angled with the opening facing toward the street. Mr. Reynolds stated that the driveway to the carport was gravel and several drives in the neighborhood were gravel.

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

Bret Defibaugh, 4595 Well Road, Shreve, stated that he owned the three properties across the street and he felt that it was nice to see a resident investing in the neighborhood.

Dave Barnett, 1148 Billiar Street, stated that he lived next to the property and Mr. Walter had done a great job keeping the property well kept.

Stan Ewan, 203 Palmer Street, stated that Mr. Walter had done a tremendous job cleaning up his part of the neighborhood and there were several other residents that needed to clean up their properties.

Gregg McIlvaine made a motion to approve application BZA-18-19, as presented. Doug MacMillan seconded the motion.

Ken Suchan voted yes and stated that the lots needed to be combined and gravel appeared to be common in the neighborhood. He continued that he felt that gravel was not an issue since there was an existing gravel driveway.

Gregg McIlvaine voted yes.

Doug MacMillan voted yes and stated that he appreciated the neighbors' support of the appeal. He stated that he wanted to see the lots combined as a part of the appeal. He noted that the opening faced away from the neighbors and the many of the neighbors had gravel driveways.

Lukas Gaffey voted yes and stated that as long as the properties were joined, some of the issues concerning the property would be addressed.

The motion carried unanimously, 4-0.

Application #BZA-18-20.

Melissa Olson of M+A Architects requested an area variance from Planning and Zoning Code Section 1165.06(a)(2) to allow parking lot islands with a reduced width and Section 1169.12 to allow parking lot drive aisles with a reduced width at 1715 Mechanicsburg Road in a CF (Communities Facilities) District.

Donald Battershell, 331 Lake Crest Street, NW, Canton, stated that the proposed application requested a reduced parking island width to provide more parking closer to the wellness building entrance. Mr. Battershell explained that a shorter entry was a safety concern for the elderly population. Mr. Battershell continued that the plan included more landscaping than required. Mr. Battershell stated that the existing driveway was 20 feet wide and the intent was to keep the proposed parking area consistent with the existing parking areas.

Mr. McIlvaine asked if the plan was in compliance with larger parking areas. Mr. Gaffey stated that the code required additional landscaping barriers adjoining neighboring properties. Mr. Gaffey explained that the landscaping was important to screen and buffer the area.

Mr. Dutton stated that the parking spaces met the required code. Mr. Dutton explained that the width of the proposed northwest driveway would continue the existing 20 feet wide drive. Mr. Suchan stated that the interior islands appeared to be the same size as the ones previously there. Mr. Dutton stated that islands were not as wide as required.

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.

Gregg McIlvaine made a motion to approve application BZA-18-20, as presented. Doug MacMillan seconded the motion.

Ken Suchan voted yes and stated that the reduction in the width of the roadway seemed to be justified as a continuation of the existing 20 foot wide. He continued that the enhanced landscaping would make up for the smaller island widths.

Gregg McIlvaine voted yes.

Doug MacMillan voted yes and stated that the request kept seniors in closer proximity and the added landscaping would enhance the area.

Lukas Gaffey voted yes. He stated that the request was not in excess of what was already there.

The motion carried unanimously, 4-0.

Application #BZA-18-21.

Anthony Erb requested an area variance from Planning and Zoning Code Section 1133.07(b)(6) to allow a swimming pool in the side yard at 2339 East Smithville Western Road in an R-1 (Suburban Single Family Residential) District.

Anthony Erb, 2339 East Smithville Western Road, stated that he wanted to install a pool in the side yard next to his home because he didn't have room in the rear yard. Mr. Erb explained that he talked to the neighbors and they supported his proposal.

Mr. Gaffey asked how much space was between the house and the edge of the driveway. Mr. Erb stated that the pool was 4 feet from the side of the house and 27 feet in diameter. Mr. Erb stated that he was installing an above ground pool and there would be 6 feet between the outside edge of the pool and the driveway.

Mr. McIlvaine asked if the proposal included any fencing around the pool. Mr. Erb stated that a 6 foot fence was required, but he wanted to request an 8 foot fence. Mr. Gaffey noted that an 8 foot fence would be taller than permitted and would require a separate variance application.

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.

Ken Suchan made a motion to approve application BZA-18-21, as presented. Doug MacMillan seconded the motion.

Ken Suchan voted yes and stated that the request was reasonable as there was limited space for the pool on the lot.

Gregg McIlvaine voted yes and stated that the side yard was the best location for the pool.

Doug MacMillan voted yes and stated that the request was reasonable because the lot was large and the pool would have a substantial setback from the road.

Lukas Gaffey voted yes and stated that the distance from the road and size of the lot were special circumstances.

The motion carried unanimously, 4-0.

IV. APPLICATIONS CONTINUED TO BE TABLED
Applications #2016-19 and #2016-20.

V. ADJOURNMENT

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

Lukas Gaffey, Chairman

Carla Jessie, Administrative Assistant