

MINUTES

CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

September 3, 2020

I. 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, Brad Gowins, Ben Gunn, Doug MacMillan, Mark Reynolds, and Ken Suchan were present at the meeting. Board member Gregg McIlvaine was absent. Board member Andrew Dutton, Planning and Zoning Manager, was present representing the City of Wooster.

II. APPROVAL OF MINUTES

Brad Gowins made a motion to approve the August 6, 2020, regular meeting minutes. Ken Suchan seconded the motion. The motion passed unanimously 6-0.

III. PUBLIC HEARINGS

Application #BZA-20-20.

Brent Willis requested an Area Variance to Planning and Zoning Code Section 1113.01(d)(3) to allow accessory buildings in the front yard and Section 1125.03(h)(3) to allow a stone driveway at 2101 East Smithville Western Road in an R-1 (Suburban Single-Family Residential) zoning district.

Brent Willis, 1950 Christmas Run Drive, stated that the proposal was to build a house about 350 to 400 feet from the road at the edge of a ravine. Mr. Willis explained that the outbuildings could not be built behind the house because of the ravine. Mr. Willis continued that the main outbuilding and the existing outbuildings were in front of the house, but behind neighboring homes. Mr. Willis stated that he was also proposing a stone drive that would be about 400 feet long.

Mr. Suchan stated that the lot was about 3.3 acres and larger than typical lots on Smithville Western Road.

Mr. Fitz Gibbon asked why the applicant was building the house so far back on the lot. Mr. Willis stated that he wanted to build a home with a walkout basement on the edge of the ravine. He also indicated that he wanted to be further back from Smithville Western Road, which was busy.

Mr. Gunn asked if the driveway would include access to the pole barn. Mr. Willis responded that there would not be a drive to the pole barn and the building would be used for a workshop.

Mr. MacMillan asked if Mr. Willis discussed the application with the neighbors on the west side of the property. Mr. Willis stated that he talked to the neighbors on both sides of the property and neither neighbor opposed the building of a home on the lot.

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.

Ken Suchan made a motion to approve application BZA-20-20, as presented. Doug MacMillan seconded the motion.

Ken Suchan voted yes and stated that the lot was very different from the typical lot along Smithville Western Road and larger than other lots in the area. He continued that the stone or gravel driveway was related to the size of the lot and was reasonable for a 400 foot driveway.

Doug MacMillan voted yes and stated that the lot was extra-large, the accessory buildings were behind the neighbors' homes and there was no opposition from the neighbors.

Brad Gowins voted yes and stated that the variance would not change the characteristics of the neighborhood.

Mark Reynolds voted yes for reasons cited by the Board and specifically noted the large size of the lot.

Ben Gunn voted yes for reasons cited by the Board and added that other houses in the area had stone driveways. He further noted that the application would not change the character of the neighborhood.

Stewart Fitz Gibbon voted yes for reasons cited by the Board.

The motion passed unanimously, 6-0.

Application #BZA-20-22.

Anthony Arends requested an Area Variance to Planning and Zoning Code Section 1113.01(e)(8)(D.) (ii.) to allow fencing without a unified color at 722 Quinby Avenue in an R-2 (Single-Family Residential) zoning district.

Anthony Arends, 722 Quinby Avenue, stated that he wanted to extend an existing wood fence to close off the area between the house and the garage. Mr. Arends explained that a chain-link fence was proposed on the north side of the property because the driveway was shared and the fence included gates. Mr. Arends continued that they had a good relationship with their neighbors and did not want a large wall between the homes in the middle of the driveway.

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.

Brad Gowins made a motion to approve application BZA-20-22, as presented. Doug MacMillan seconded the motion.

Brad Gowins voted yes and stated that, historically, the Board had approved similar applications if there was a separation of two different colors or styles of fences. He stated that the proposal included such a separation. Mr. Gowins added that the shared driveway made the application unique and different.

Doug MacMillan voted yes and stated that the two different fences were not well seen from the road and the lot was private and a good size.

Ken Suchan voted yes and stated that, due to the shared driveway, keeping the area open was a good feel for the neighborhood.

Mark Reynolds voted yes and stated that shared driveway was a special condition and the proposed chain link gates made sense.

Ben Gunn voted yes and cited reasons by the Board.

Stewart Fitz Gibbon voted yes and stated that there was a unique circumstance of a shared driveway. He continued that an open chain link fence would preserve visibility and noted that the neighbors had no objections to the fence.

The motion passed unanimously, 6-0.

Application #BZA-20-21.

Robert Reynolds requested an Area Variance to Planning and Zoning Code Section 1113.01(d)(8)(G.) (i. & ii.) to allow a fence taller than permitted and without openness in a side yard adjacent to a street at 928 East Wayne Avenue in an R-1 (Suburban Single-Family Residential) zoning district.

Mark Reynolds recused himself from review of the application.

Robert Reynolds, 441 W. Liberty Street, stated that the property was at the corner of East Wayne Avenue and Avalon Road and the request was to put a fence around the backyard. Mr. Reynolds explained that the house faced East Wayne Avenue and the side yard was on the corner of Avalon Road. He continued that the rear and side yards included a trampoline, above ground pool, playset, and several other items.

Mr. Reynolds continued that the proposal was for a 6 foot solid privacy fence. He noted that the variance was needed because the fence would not be 25 feet off the property line and the fence would be solid.

Mr. Reynolds stated that the property had unique characteristics as the backyard fronted on Avalon Road and there was 10 foot space between the curb line and the property line. Mr. Reynolds explained that there was an ample buffer from Avalon 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.

Brad Gowins made a motion to approve application BZA-20-21, as presented. Ken Suchan seconded the motion.

Brad Gowins voted yes and stated that the area was the property owner's backyard. He noted that the fence style was a good design and would not create safety issues at the intersection.

Ken Suchan voted yes for reasons cited by the Board. He noted an approval on Wellsley Street with a similar situation, including a corner lot and a swimming pool in the rear.

Doug MacMillan voted yes for reasons cited by the Board and stated that Avalon Road was a dead-end street that was not heavily traveled.

Ben Gunn voted yes for reasons cited by the Board and stated that the fence aligned with minimum necessary for reasonable use.

Stewart Fitz Gibbon voted yes for reasons cited by the Board and added the corner lot made the application a peculiar situation.

The motion passed unanimously, 5-0.

IV. ADJOURNMENT

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

Stewart Fitz Gibbon, Board of Building and Zoning Appeals Chairman

Carla Jessie, Administrative Assistant