

## MINUTES

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

April 1, 2021

#### 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, Ben Gunn, Doug MacMillan, Gregg McIlvaine, Mark Reynolds, and Ken Suchan were present. Andrew Dutton, Planning and Zoning Manager, was present representing the City of Wooster.

#### II. APPROVAL OF MINUTES

Greg McIlvaine made a motion to approve the March 4, 2021, regular meeting minutes. Doug MacMillan seconded the motion. The motion passed unanimously 6-0.

#### III. PUBLIC HEARINGS

##### Application #BZA-21-03.

Cynthia Swinehart requested a Use Variance from Planning and Zoning Code Section 1109.02(d) to allow an automotive service station at 630 Palmer Street an R-2 (Single-Family Residential) zoning district.

Cynthia Swinehart, 4400 Melrose Drive, Lot 281, stated that the proposal was for a small automotive business. Mrs. Swinehart explained that there would be no bodywork or painting.

Gregg McIlvaine asked if cars would be stored on-site and would there be any lights on the premises. Ms. Swinehart stated that there would only be two to three cars parked on-site at a time, and the cars would be inside. Mrs. Swinehart explained that there would be no bright lights to disturb the neighbors. Mrs. Swinehart stated that the business would close by 7 pm or 8 pm every night. She stated that there would initially be one to three employees, but more could be added. Mrs. Swinehart stated that if the business grew, they would have a drop yard for car storage, if needed.

Mr. Reynolds stated that the Board must make sure that the characteristics of the neighborhood were not changed and there would not be a lot of cars parked on the site. Mrs. Swinehart stated that the most at any time would be a few cars parked on the site for a short period of time.

Mr. Fitz Gibbon asked if anyone from the public would like to address the Board regarding the application. Hearing no comments, Mr. Fitz Gibbon closed the public hearing.

Gregg McIlvaine made a motion to approve application BZA-21-03 Section 1109.02(d), as presented. Ben Gunn seconded the motion.

Gregg McIlvaine voted yes and stated that it was an appropriate use for the property and the applicant stated that there only would only be vehicles on the property for employees and customers, with no long-term parking or storage.

Ben Gunn voted yes and stated that the characteristics of the property would not allow it to be used as a residence.

Ken Suchan voted yes for reasons cited by the Board and stated he did not believe that the use would alter the character of the neighborhood. He noted that there were existing commercial uses in the area and the proposed use was appropriate.

Doug MacMillan voted yes and stated that there was truck traffic across the street and the use was appropriate for that part of the neighborhood.

Mark Reynolds voted yes and stated that the use would not change the character of the neighborhood and noted that the applicant had stated there would not be storage of damaged vehicles in the parking lot.

Stewart Fitz Gibbon voted yes for reasons cited by the Board and stated that the location was a transition between commercial and residential uses. He stated the approval was contingent on the parking lot being managed properly.

The motion denied unanimously, 6-0.

***Application #BZA-21-05.***

Matt Long requested an Area Variance from Planning and Zoning Code Section 1115.04(a) to allow a smaller lot size and width than permitted, Section 1125.03(b)(5) to allow parking within the required side setback and Section 1129.06(a)(4) to allow to a lot with an average depth more than two and one-half times its average width on the west side of Venture Blvd. with Parcel Number 68-01409.004 in an I-2 (General Industrial) zoning district.

Matt Long, 225 North Market Street, stated that the Board had previously approved the split of this property back in 2019. He explained that there had been some minor changes made to the subdivision of the lot. Mr. Long stated that the property was a leftover piece of land from the surrounding industrial development and contained a wooded area. Mr. Long explained that the purpose of the subdivision was to develop separate lots and preserve wooded areas. Mr. Long continued that there were some significant easements that ran through the property.

Mr. Long stated that the lots had flipped from the previous proposal, with Lot A being the larger lot and Lot B being the smaller lot. He continued that it made more sense for the development to flip, given the topographic features that were present.

Mr. Fitz Gibbon asked if anyone from the public would like to address the Board regarding the application. Hearing no comments, Mr. Fitz Gibbon closed the public hearing.

Gregg McIlvaine made a motion to approve application BZA-21-05 code Section 1115.04(a), Section 1125.03(b)(5), and Section 1129.06(a)(4), as presented. Ken Suchan seconded the motion.

Gregg McIlvaine voted yes and stated that the proposal was a small change to what was previously approved by the Board.

Ken Suchan voted yes and stated that the previous approval noted the difficulties in developing the site and he indicated the proposal was a minor change.

Ben Gunn voted yes or reasons cited by the Board and stated that the property was in an industrial zoning district and the proposal would provide development opportunities.

Doug MacMillan voted yes for reasons cited by the Board.

Mark Reynolds voted yes and stated the land was unique and had special conditions. He added that the proposal was reasonable for the property.

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

The motion passed unanimously, 6-0.

***Application #BZA-21-06.***

Jacob Holdeman requested an Area Variance from Planning and Zoning Code Section 1113.01(e)(13)(D.) to allow more of a site to be utilized for outdoor storage than permitted on the north side of Daisy Way and west of North Geyers Chapel Road with Parcel Numbers 51-00137.000 and 53-01011.000 in an I-2 (General Industrial) zoning district.

Jacob Holdeman, 8801 River Crossing Blvd., Indianapolis, Indiana, stated that the proposal was to build a 198,000 warehouse and distribution center. Mr. Holdeman explained that the variance was to build an outdoor storage parking area for trailers, which was larger than what was allowed in the zoning code. Mr. Holdeman continued that the proposed use fit with the character of the neighborhood. Mr. Holdeman stated that there would be future industrial-type uses neighboring the site.

Mr. Suchan asked the zoning status of the property. Mr. Dutton responded that the site was pending a rezoning to I-2. He noted that there had been a clerical error, which had resulted in the application being reheard by the Planning Commission and City Council.

Mr. Fitz Gibbon asked if anyone from the public would like to address the Board regarding the application. Hearing no comments, Mr. Fitz Gibbon closed the public hearing.

Mark Reynolds made a motion to approve application BZA-21-06 code Section 1113.01(e)(13)(D.), as presented. Gregg McIlvaine seconded the motion.

Gregg McIlvaine voted yes and stated that the location was good for the business and appropriate for the area.

Mark Reynolds voted yes and stated the location was a great spot for the facility and matched the characteristics of the neighborhood.

Ben Gunn voted yes and stated that the project was compatible with the surrounding area. He noted that the application specifically met variance review criteria section h.

Ken Suchan voted yes and noted the location was much more appropriate than the previous location.

Doug MacMillan voted agreed with Mr. Suchan and noted there were few neighbors to disturb.

Stewart Fitz Gibbon voted yes for reasons cited by the Board. He indicated that the location was a much better fit.

**IV. ADJOURNMENT**

Ben Gunn made a motion to adjourn. Ken Suchan 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**