

MINUTES

CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

November 3, 2022

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 Jason Anderson, Jeff Battig, Martha Bollinger, Stewart Fitz Gibbon, Mark Reynolds, and Ken Suchan were present at the meeting. Board Member Ben Gunn was absent. Vincent Marion, Planning and Zoning Manager, represented the City of Wooster.

II. APPROVAL OF MINUTES

Martha Bollinger made a motion to approve the minutes of the October 6, 2022, meeting of the Board of Building and Zoning Appeals. Jason Anderson seconded the motion. The motion carried unanimously 6-0.

III. APPLICATIONS

BZA-22-24.

Kathryn Knackstedt requesting Area Variances from Planning and Zoning Code Sections 1113.01(b)(2) and 1113.01(d)(3) to allow an accessory structure on a lot without a principal structure and in the established front yard at 916 North Grant Street in an R-2 (Single-Family Residential) zoning district.

Kathryn Knackstedt, 916 North Grant Street, stated that the variances she needed were due to the geography of the landscape of the backyard. Ms. Knackstedt explained that the property has a substantial slope into the golf course, making it difficult to put a shed in the backyard without large earth moving and outside the scope of what we planned. Ms. Knackstedt continued that the front yard was primarily flat, and found an appropriate area. Ms. Knackstedt stated that the site has gravel away from the property lines. Ms. Knackstedt explained that she wanted the shed far from the road and not in front of the central part of the house. Ms. Knackstedt continued that this was the secondary lot; it had to have a variance because there was no primary structure. Ms. Knackstedt stated that the property consisted of two parcels and owned both lots. Ms. Knackstedt explained that the longer side of the shed would face the driveway leaving the smaller side facing toward the road.

Mr. Fitz Gibbon asked if anyone from the public would like to address the Board regarding the application. Mr. Fitz Gibbon closed the public hearing.

Mark Reynolds made a motion to approve application BZA-22-24 as presented. Jason Anderson seconded the motion. The motion carried unanimously 6-0.

Mark Reynolds voted yes and stated that the application meets many of the criteria and special conditions for the land or structure with the slope of the land for the front yard setback. He also said the house sits back farther than many other houses on the street.

Jason Anderson voted yes for reasons cited by the Board.

Jeff Battig voted yes for reasons cited by the Board.

Martha Bollinger voted yes and stated this was an alternative due to the uniqueness of the lot's shape and slope.

Ken Suchan voted yes and stated that there was a peculiar lot situation.

Stewart Fitz Gibbon voted yes for the reasons cited by the Board and stated that this was a unique lot and situation.

BZA-22-26.

J. Douglas Drushal requesting two Use Variances from Planning and Zoning Code Section 1109.02 to allow six Attached Single-Family Dwellings for a total of twelve dwelling units and a Personal Service Establishment and an Area Variance from Planning and Zoning Code Section 1125(b)(5) to allow a parking lot within the required setback at 1007 Rebecca Street, parcel 65-01492.000 in an R-T (Traditional Residential) zoning district.

Debra Catlett, Executive Director of Wayne Metropolitan Housing Authority, 345 North Market Street, stated that the twelve units of permanent supportive housing were designed to help a person change their identity. Ms. Catlett explained that the campus setting provides wraparound services with direct services from One Eighty. Ms. Catlett continues that the facility will provide services from the Getting Ahead Program from Community Action, the Forward Programs classes from Goodwill, and ANAZAO will provide prevention and intervention for a modern continuum of care. Ms. Catlett stated that residents would learn to take care of themselves and find employment to move out and live independently through the program.

Douglas Drushal, 225 North Market Street, stated that the applicant was a governmental unit Wayne Metropolitan Housing Authority is a political subdivision of the State of Ohio. Mr. Drushal explained that the law requires that they go through this process, collaborate with the City, and get the City's input to see what exceptions were needed. Mr. Drushal continued that the plan received Preliminary Development approval from the Planning Commission earlier this evening. Mr. Drushal stated that the project would need Final Development Plan approval once the architect and planning work out the other conditions. Mr. Drushal explained that the use variance was for the R-T zoned property, the existing building, and the use of the proposed residential units. Mr. Drushal reviewed the conditions and criteria of the application. Mr. Drushal stated that the current building was for on-site services to the residential units and the essential use was residential. Mr. Drushal explained that the area variance was needed for the location of the parking on the site and buffered from the adjoining properties. Mr. Drushal continued that the property had a unique shape with residential use in a residential zone. Mr. Drushal stated that the parking buffer would include a fence and landscaping buffer with a hedge row. Mr. Drushal explained that the parking could be reconfigured because the architect's design was the most efficient and appropriate use of the space.

Mr. Marion stated that per the development standards, setbacks are 20 feet. The applicant is proposing a 5-foot setback.

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

Brad Mowrer, 7806 Fredericksburg Road, stated that he owned 148 Massaro Street, which was a rental house. Mr. Mowrer stated concerns with the sewer system. He said the sewer system would not support 12 more homes and another business on this same sewer line. Mr. Mowrer explained that the property owners in the area would have to fund the upgrades to the sewer

system. Mr. Mowrer continued that the driveway would not support the safety equipment needed for that many residents because the drive was too narrow.

Rebecca Grande, 745 Pittsburgh Avenue, stated that she felt this was not an odd-shaped lot for the neighborhood with most of the narrow and deep lots. Ms. Grande explained that the proposal was not for residential use. The development was a sober living use with residential care use for the property and not appropriate for the neighborhood. Ms. Grande continued that there was plenty of Metropolitan Housing surrounding the community, and this was a bad idea to put vulnerable people in this neighborhood. Ms. Grande stated that the residents in the area would like to see more owner-occupied single-family homes in the community.

Krista Kidney, 104 Spink Street, stated she was the current Chair of Wayne County Housing Coalition and Director of Housing Services of One Eighty. Ms. Kidney explained that she was expressing her excitement about the project. Ms. Kidney continued that Wayne County had a housing shortage, so adding the units was essential. Ms. Kidney stated that hundreds of new homes and housing units were planned across the City in the coming years, but to have some units targeted explicitly at the lower-income population was a great start to servicing the community. Ms. Kidney explained that the project comes with supportive housing and adds additional supportive services on-site for the individuals living in the units. Ms. Kidney continued that the services will enhance their ability to self-sufficiency and to become productive and contributing members of our community. Ms. Kidney stated that since the early 2000's supportive housing has become known as the best practice across the nation as an innovative and proven solution to some of the community's most challenging problems. Ms. Kidney explained that this combines affordable housing with services that help people who face complex challenges and help them live with stability and dignity. Ms. Kidney continued that the development of supportive housing has been a long-term goal of the Wayne County Housing Coalition. Ms. Kidney stated that the housing coalition would be pleased to see the project move forward as proposed under the leadership of Wayne Metropolitan Housing Authority.

Terry Carrabine, 711 Skylark Drive, stated that he owns a rental property right along the driveway going back to the property. Mr. Carrabine explained that the main driveway going back encroaches onto his property and had concerns about the amount of traffic coming back through a very narrow driveway. Mr. Carrabine continued that the area had a severe drainage issue with the water coming from the property toward Rebecca Street. Mr. Carrabine stated that several issues needed to be addressed, and people used Rebecca Street like an alleyway. Mr. Carrabine noted that he found needles, trash, and dog feces on his property. Mr. Carrabine asked how the housing authority plans to provide security with cameras or police presents. He said he sees the need for affordable housing, respects his owner-occupied neighbors, and understands the concerns.

Beverly Theil, 2231 Cleveland Road, stated that the project was in a residential neighborhood, and the existing building needed the zoning. Ms. Theil explained that the people who would have a residence at this location were already in Wooster, and some were in substandard housing and couch surfing because they couldn't get a place of their own. Ms. Theil continued that the project was a good place for people to get a good start on the rest of their life. Ms. Theil stated that she has sat on the housing coalition for many years, and we keep hearing there is no low-income housing for people with different needs. Ms. Theil explained that the project would solve the needs of some people. Ms. Theil continued that we cannot guarantee that those living in the units will have a successful life. Ms. Theil stated that the people living in these 12 units would have more supervision than their neighbors have on their teenagers. Ms. Theil explained

that the residents would have support services when problems get tough and know those services are there and accepting. Ms. Theil stated that the project was something that the City of Wooster and our citizens and families needed.

Greg Massaro, 924 Rebecca Street, stated that in the late 60s, they received a drawing of the Rebecca Street apartments and heard all the fantasy tales of how nice the development would be. Mr. Massaro explained that the apartments had been a headache for the last 54 years. Mr. Massaro continued that the fire trucks would not be able to access the units. Mr. Massaro stated that he had to break up domestic disputes in the neighborhood. Mr. Massaro noted that the area didn't need another development like this project.

Josh Hinkle, 345 North Market Street, stated that he represented Community Legal Aid, the legal aid provider for Wayne County. Mr. Hinkle explained that Community Legal Aid specializes in housing. Mr. Hinkle continued that the project would provide additional affordable housing for individuals in Wayne County. Mr. Hinkle stated that the national low-income housing coalition determined that Ohio was in a deficit of 150 thousand rental units. Mr. Hinkle explained that most of those were in more urban communities, such as Cleveland, Columbus, Cincinnati, Akron, and Toledo. Mr. Hinkle continued that we have been a provider of services in Wayne County since 2020; we have received 280 calls regarding housing issues in Wayne County with rental properties. Mr. Hinkle stated that many of our client's cases deal with mental health problems that lead to conditions that result in them having issues with eviction. Mr. Hinkle explained that housing like this could bridge the gap and break the cycle. Mr. Hinkle continued that this type of housing does not increase neighborhood crime or have undesirable effects due to the wraparound services.

William Rutter, 134 Catherine Street, stated that we are all here tonight not to debate whether this is a good program or a wrong program for this area. Mr. Rutter explained that he thought that Wayne Metropolitan Housing Authority and Wayne County Housing Coalition did their research; we can agree that the program was needed and people need help. Mr. Rutter continued that the real question was, is this the right area for a program like this? I don't think it is. Mr. Rutter stated that there were numerous apartments in the neighborhood.

Ray Wyant, 117 Palmer Street, stated that the privacy fence does not help the traffic and drugs that walk back through the property. Mr. Wyant explained that it was hard to describe the number of things that go on if you are not out in the neighborhood at night. Mr. Wyant continued that there were rental properties all around the community and the amount of stuff you wouldn't want around your home.

Wyn Jones, 4266 Woodlake Trail, stated that she was a member of the Wooster Homelessness Task Force, and I attended housing coalition meetings. Ms. Jones explained that she has been involved in many discussions about the project and has done personal research on problems of homelessness and permanent supportive housing problems. Ms. Jones continued that there are dozens and dozens of research about the success of this type of project. Ms. Jones stated that 86 percent of participants in this permanent supportive housing model were successfully housed and remained in that housing for many years. Ms. Jones explained that the agencies teach participants and reintroduce them to society to become valuable functioning citizens. Ms. Jones continued that the people in this project will be screened and deemed appropriate. Ms. Jones stated that the project was definitely what the community needed.

Lukas Gaffey, 438 North Buckeye Street, stated that the application was a zoning discussion and can agree that many of the issues are essential. Mr. Gaffey explained the question of

whether or not this particular facility fits the zoning and whether or not the requested variances make sense to grant. Mr. Gaffey continued that this application should be considered a private developer, and I believe the exterior aspects are weighing on people's minds. Mr. Gaffey stated that the use was not permitted within the traditional residential zoning district. Mr. Gaffey explained that the neighborhood mainly had two-story single-family and historic homes. Mr. Gaffey continued that applicants must demonstrate that the use will be compatible with the area, particularly regarding traffic circulation, parking, and appearance. Mr. Gaffey stated that the way a traditional neighborhood was laid out, parking, and traffic were not consistent with what a traditional neighborhood was. Mr. Gaffey explained that the requirements to meet the hardship conditions were the spirit and intent of the code. I live in an R-T zoning district, and for a long time, old homes were turned into multi-family units and then turned into inexpensive housing. Mr. Gaffey stated that R-T zoning was developed as a way for historic neighborhoods to have a chance to be renovated. Mr. Gaffey explained that the spirit and intent of R-T aren't just for residential housing but for preserving historic districts in the City of Wooster.

Mindy Cavin, 324 Palmer Street, stated that several of my neighbors had been involved in the Planning Commission and The Comprehensive Plan putting in much work to try to reinvest into our neighborhood and improve it. Ms. Cavin explained that churches, daycare, and school facilities are all conditional uses in the community. Ms. Cavin continued that people would benefit from those services. Ms. Cavin stated that there were 399 acres of R-T zoning and plenty of other places to put this facility. Ms. Cavin explained that this would change the character of the neighborhood. Ms. Cavin continued that this facility will hugely affect the neighborhood, not family housing. Ms. Cavin noted that the R-T (Traditional Residential) district was established to preserve and protect communities with traditional urban character and is the oldest and closest to downtown residential areas.

Dave Griffith, 411 North Buckeye Street, stated that they have tried to improve the neighborhoods with community gardens, vegetables, and cookouts. Mr. Griffith explained that the R-T district rules helped enhance the neighborhoods. Mr. Griffith continued that this would significantly allow the R-T district rules to dissolve.

Joel Montgomery, Director of Administration, 2037 Canterbury Lane, stated that the administration favors the proposed development. The process allows for discussion when variances are requested and, when appropriate, lead to amendments to the code. I agree with sticking to the zoning as much as possible. Mr. Montgomery continued that Wayne Metropolitan Authority has done as much as possible to arrange to meet the requirements of the variance. Mr. Montgomery stated that the City of Wooster has been involved for many years with the agencies, organizations, housing coalition, downtown businesses, and neighbors. Mr. Montgomery explained that this isn't new and is in the ten-year plan with various agencies; they have continued to follow through. Mr. Montgomery stated that the concerns with traffic and access for fire equipment and other similar items will be reviewed and addressed.

Kenneth Bowman, 923 Rebecca Street, stated that his property meets up to the parking lot and has taken care of the property for many years. Mr. Bowman explained that he has two young children and did not want this in the backyard.

Deb Catlett, 345 North Market Street, stated that the existing building would be a secure building with offices and a laundry facility, and the only people that can access that will be the residents in the back. Ms. Catlett explained that The Salvation Army would have a food pantry in the building and additional office spaces for the agencies.

Mr. Fitz Gibbon closed the public hearing.

The Board of Building and Zoning Appeals' reason for going into executive session is for discussion with the council regarding BZA-22-26.

Ken Suchan moved to adjourn to Executive Session. Jason Anderson seconded the motion. The motion passes unanimously, 7-0.

Mark Reynolds moved to come out of Executive Session. Jeff Battig seconded the motion. The motion passed unanimously, 7-0.

Mr. Marion noted that each variance must be acted upon separately. Mr. Marion clarified that the use variance for multi-family was because there was more than one structure on the parcel.

Mark Reynolds made a motion to approve the use variance to allow for 12 dwelling units in 6 attached buildings as presented. Ken Suchan seconded the motion.

Mark Reynolds voted no and stated that none of the units individually meet the criteria of an R-T district, which all lessen the burden on the variance requested. I don't think enough requirements were met to grant the variance to build single-story multi-family houses in an R-T district.

Ken Suchan voted yes and stated that if you built these six buildings on an extension of regular lots from Rebecca Street, had there been frontage, and they would have fit within the neighborhood.

Jason Anderson voted no and stated that the requirement with the R-T was set to maintain the integrity of the R-T, and I feel this will change the zoning district.

Jeff Battig voted no and stated that the development would affect the area aesthetically and not fit in the neighborhood.

Martha Bollinger voted no and stated that the general spirit of the code and respecting the R-T zoning for the area.

Stewart Fitz Gibbon voted yes and stated that he appreciated everything the group has said and the valid issues and weighing those interests. I feel the project was a viable and unique use of the property.

The motion was denied, 2-4.

Ken Suchan made a motion to approve the use variance for Personal Service Establishment use of the former Lamplighters facility as presented. Mark Reynolds seconded the motion.

Ken Suchan voted yes and stated that this use was less intense and better for the neighborhood to have that kind of use rather than a restaurant.

Mark Reynolds voted yes and stated that the use meets the criteria for using the existing building because the building cannot be made into an R-T conforming residence.

Martha Bollinger voted yes and stated that the variance request extends from a condition unique to the property and not found within the same district area of R-T.

Jeff Battig voted yes and stated that this was an excellent use for the current structure, which will benefit the community and neighborhood.

Jason Anderson voted yes and stated that there was not much more you could do with this building that would benefit the neighborhood.

Stewart Fitz Gibbon voted yes and stated that the building was a more intense use in the past, and this use would be less severe.

The motion passed unanimously, 6-0.

Martha Bollinger made a motion to approve the variance to allow a parking lot within the required setback. Jeff Battig seconded the motion.

Martha Bollinger voted no and stated that the variance does not make sense without the housing unit.

Jeff Battig voted no and stated there were no special conditions.

Jason Anderson voted no and stated that the parking area could stay near the property line.

Mark Reynolds voted no for reasons cited by the Board.

Ken Suchan voted yes and stated that they mitigated the effect of the parking lot with the fence and landscaping.

Stewart Fitz Gibbon voted no for reasons cited by the Board.

The motion was denied 1-5.

IV. ADJOURNMENT

Jason Anderson made a motion to adjourn. Martha Bollinger seconded the motion. The motion passed unanimously, 6-0.

Stewart Fitz Gibbon, Board of Building and Zoning Appeals Chairman

Carla Jessie, Administrative Assistant