

MINUTES

CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

October 5, 2023

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, Martha Bollinger, Stewart Fitz Gibbon, Mark Reynolds, and Jennifer Shatzer were present at the meeting. Board members Jeff Battig and Ben Gunn were absent. Vincent Marion, Planning and Zoning Manager represented the City of Wooster.

II. APPROVAL OF MINUTES

Jason Anderson made a motion to approve the minutes of the August 3, 2023, meeting of the Board of Building and Zoning Appeals. Martha Bollinger seconded the motion. The motion carried unanimously 5-0.

III. APPLICATIONS

BZA-23-12.

Bill Whyte requested an Area Variance from Planning and Zoning Code Section 1117.02 to allow development within the riparian buffer setback on a property with Parcel Number 67-03019.000 located on the east side of Melrose Drive in an R-2 (Single-Family Residential) zoning district.

John Long, Shafer, Johnson, Lichenwalter, 3477 Commerce Parkway, stated that there is a wetland on the property to the south of the Woodcrest Estates subdivision. Mr. Long explained that as a part of the development, a part of the outlet of the basin discharges near the property line. Mr. Long continued that the buffer for the wetland is a 25-foot buffer that extends up to the Woodcrest property, and as Part of best management practices for the stormwater controls, there is a level spreader. Mr. Long stated that the level spreader is a rock berm or check dam outside the outlet of the basin that intends to bring water back to the level as opposed to concentrated flow, more of an even flow across the length of the level spreader. Mr. Long explained that we were not permitted to cut water off from discharging to wetlands as Part of developing this property. Therefore, we have the rock outlet protection, which helps slow the velocity. Mr. Long continued to install the level spreader, and we would be into the 25-foot riparian buffer setback upwards of 5 to 7 feet over the length of about 18 to 20 feet. Mr. Long stated that this proposal has been before the City Engineers Office, and they have approved it pending the Planning Commission's approval. Mr. Long explained that the level spreaders are not 100 percent necessary, and we proposed removing that, and the City Engineers Office recommended this variance. Mr. Long noted that the proposal was the minimum required request. Mr. Long stated that there were three retention basins on the development.

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

Rod Morrison, 8994 Eby Road, Smithville, stated that he owned 30 acres of the property north of the development and voiced concerns about dirt going onto his property. Mr. Morrison's concerns were addressed.

Mr. Fitz Gibbon closed the public hearing.

Martha Bollinger made a motion to approve applications BZA-23-12 as presented. Mark Reynolds seconded the motion.

Martha Bollinger voted yes and stated the circumstances of the land and structure involved and the minimum necessary to use the land and protect the wetlands reasonably.

Mark Reynolds voted yes and stated that this would help the adjoining properties by spreading the flow of water and having less for the retention basins.

Jason Anderson voted yes.

Jennifer Shatzer voted yes for reasons cited by the Board.

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

The motion passed unanimously, 5-0.

BZA-23-14.

Brent Rozar requested an area variance from Planning and Zoning Code Section 1127.10(c)(3) to allow a building sign above the roofline and 1127.10(e)(4) to allow driveway signs that exceed the permitted area and height at 3401 Old Airport Road (Parcel Number 67-02100.000) in an I-2 (General Industrial) zoning district.

Katrina Goham, 2555 Wadsworth Road, Norton, stated that the variance is for a rooftop sign and two location identification and directional signs for trucks and vehicles. Ms. Goham explained that the pylons they install will be identical to the current signs. Ms. Goham continued that the rooftop sign is on the new 89,000-square-foot expansion. The building is about 450 feet from 585 and complies with the size. Ms. Goham stated that the sign is the most prominent visual identifying feature of all Schaeffler locations. Ms. Goham explained that the sign shows visitors and customers from afar where they are located and blends in with other architectural elements to retain its signal effect. Ms. Goham continued that they must represent a common branding approach for our customers and global Schaeffler employees who visit the Wooster location. Ms. Goham stated that about 95 percent of the Schaeffler locations have the rooftop sign. Ms. Goham noted that the sign is illuminated and 5 feet by 45 feet.

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-23-14. He split the application into Parts A and B, Part A for the directional (ground) sign and Part B for the rooftop sign.

Mark Reynolds made a motion to approve application BZA-23-14 for Part A, the directional signage. Martha Bollinger seconded the motion.

Mark Reynolds voted yes and stated that due to the amount of traffic going into the drive and the fact that it is mixed-use traffic of personal vehicles and semi-trailers and needing the ability to direct the traffic in the right direction and not having semis going into the vehicle parking lot is necessary will avoid confusion into a high traffic area makes sense.

Martha Bollinger voted yes for the reasons cited by the Board.

Jason Anderson voted yes for the reasons cited by the Board.

Jennifer Shatzer voted yes for the reasons cited by the Board.

Stewart Fitz Gibbon voted yes for reasons cited by the Board and given the traffic on 585.

The motion passed unanimously, 5-0.

Martha Bollinger made a motion to approve application BZA-23-14 for Part B, the rooftop sign. Jason Anderson seconded the motion.

Martha Bollinger voted no and stated that the sign would set a precedent, and I am not aware of any other buildings with rooftop signage.

Jason Anderson voted yes and stated that he thinks the interpretation can be looked into with this application. Schaeffler puts money into the community and does not think the rooftop sign is evasive.

Mark Reynolds voted no and stated that he understands the fact that Schaeffler wants similar lettering everywhere but thinks that their desire to have all of their locations worldwide match is enough for us to grant a variance for the zoning code and most of the pictures that were submitted on office buildings with windows. You could not adhere to the signage on the face of the building. They could hang the sign below the roof line because it doesn't meet enough criteria.

Jennifer Shatzer voted no for reasons cited by the Board.

Stewart Fitz Gibbon voted no and stated that we risk setting a precedent where there is inadequate support for making a change that would change the entire community driving through the Old Airport Road area. Everyone else's signs comply with monument signs that are ground level and building signage within the code. I think the existing Schaeffler signage works very well within this area.

The motion was denied, 4-1.

BZA-23-15.

Paul Arnold requested two area variance(s) from Planning and Zoning Code Section 1115.03(a) to allow for a structure within the required setback and exceeding maximum lot coverage at 1177 Hedgecliff Drive in an R-1 (Suburban Single-Family Residential) zoning district.

Paul Arnold, 1177 Hedgecliff Drive, stated that the proposal was for adding onto his existing deck at the back of the house. Mr. Arnold explained that there is an existing 12 X 12 deck and no room to sit outside with a table and chairs. Mr. Arnold continued that he would like to add 6 feet onto the deck, which does not extend towards the lot line to the back but does extend 6 feet closer to the neighbor's house. Mr. Arnold stated that if the application were denied, he would have to tear off the existing deck and make a patio that you would have to go up and down steps.

Bill Arnold, 1653 East Smithville Western Road, stated that the neighborhood is zoned R-1 and is 25 to 30 years old, and most homes do not meet the rear setback. Mr. Arnold explained that the rear setback is typically 10 to 15 feet from the property line, and the HOA owns the lot directly behind the house. Mr. Arnold continued that lot coverage is about 12 percent over the allowable amount, and the 72-square-foot addition to the deck increases the lot coverage by another 1 percent. Mr. Arnold stated that this was the only outdoor space on the property where you could sit and enjoy the outdoors. Mr. Arnold explained that they plan on putting up some lattus on the one side for privacy. Mr. Arnold continued that several more extensive decks in the neighborhood encroach on the same setbacks. Mr. Arnold noted six acres of green space directly behind the home.

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.

Jason Anderson made a motion to approve applications BZA-23-15 as presented. Jennifer Shatzer seconded the motion.

Jason Anderson voted yes and stated that special conditions and circumstances exist and that the spirit and intent were observed by granting the variances.

Jennifer Shatzer voted yes and stated that the property was unique and would work for the neighbors and those whom it would impact the most.

Mark Reynolds voted yes and stated that the request was minimal variance and not past the corner of the house, and I don't think it makes that much of a difference.

Martha Bollinger voted yes and stated that the lot was unique and narrow. Also, you cannot see the back of the house from the road to see the extension, which does not significantly impact the other residences.

Stewart Fitz Gibbon voted yes, stated that this was a unique situation, and applauded you for working with your neighbor to develop a solution addressing privacy concerns. Good neighbor relations involve talking to the neighbors and figuring it out.

The motion passed unanimously, 5-0.

BZA-23-16.

Andrea Uhler requested two Area Variances from Planning and Zoning Code Section 1115.04(a) to allow a building within the required setback and Section 1123.06(b) to reduce the required buffer adjacent to a residential district at 1034 Nold Avenue located on the northwest corner of the intersection of Nold and McKinley with parcel number 65-02096.000 in an I-3 (Urban Industrial) zoning district.

Martha Bollinger recused herself from the application.

Andrea Uhler, 225 North Market Street, introduced Judy Talcott, President and CEO of Goodwill Industries of Wayne and Holmes Counties, and Brett Kerr, Vice President of Industrial Services, John Long of Shaffer, Johnston, and Lichtenwalter Associates, who were all present for any questions. Ms. Uhler stated they are still working through the final plans and returning to the Planning Commission. Ms. Uhler explained that Goodwill Industries at 1034 Nold Avenue, an existing warehouse facility, plans to expand onto the back and add additional warehouse space

and workspace for the partners. Ms. Uhler continued that they take on many assembly-type projects for Wooster Brush and Schaeffler. Ms. Uhler stated that the front section is an existing building in an I-3 (Industrial Zoning District), and the left side is a Residential Zoning District. The addition to the existing building changed the variance, the setbacks, and the buffer zone. Ms. Uhler noted that the current building was used for office space and warehouse and was 3 feet off the property line under the code. The setback needed to be 25 feet from the industrial to the residential. Ms. Uhler explained that there was also a fence along the building within the buffer zones, so the second variance is permission to have a buffer zone of 6 feet versus the 10 feet required under the current code. Ms. Uhler continued that the project was unique because the existing structure took up a good portion of the lot, and wanted to expand the facility with a seven-foot space between the two buildings with a dock area. Ms. Uhler stated that overall, the request was the minimum to utilize the room due to the uniqueness of the lot and the minimum variances needed.

John Long, Shaffer, Johnston, Lichtenwalter, 3477 Commerce Parkway, stated that after the Planning Commission meeting during the engineering design of the addition, it became evident that aligning the finished floor with the existing building at the same elevation was not feasible. Mr. Long explained a 9 to 10-foot elevation change from Nold Avenue to the north side of this property. Mr. Long continued that, as a result, the finished floor of the building needed raising, and the easiest way to do that was to separate the two buildings. Mr. Long stated that your plan before you today is the plan we are taking to the Planning Commission.

Mr. Marion stated that the Planning Commission approved this site plan dependent upon receiving the necessary variances.

Judy Talcott, President and CEO of Goodwill Industries of Wayne and Holmes Counties, 841 Buchholz Street, stated that we are trying to address a need in the community with the partners we have with Wooster Brush and Schaeffler have been asking us to expand for several years. Ms. Talcott explained that the agency has very little storage space, hindering what kind of products they can do for them. Ms. Talcott continued that they have to turn down jobs because they do not have enough space to put the machine in to complete the work. Ms. Talcott stated that the addition was necessary and looked at other properties to lease or buy. Ms. Talcott noted that Goodwill Industries is a non-profit that helps people find jobs, and this facility also helps train people.

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 applications BZA-23-16 as presented. Jason Anderson seconded the motion.

Mark Reynolds voted yes and stated that because of the need to build into the hillside, the space between the buildings makes sense, and the loading docks. If you make the structure smaller, the project would not be economically feasible.

Jason Anderson voted yes for reasons cited by the Board and stated working with the spirit and intent of the code.

Jennifer Shatzer voted yes for reasons cited by the Board.

Stewart Fitz Gibbon voted yes and stated that this was a unique situation, an excellent solution to the business problem, and a great community partner. He said the non-profit does not have the resources a corporation would have to build a solution.

The motion passed unanimously, 5-0.

IV. ADJOURNMENT

Jason Anderson made a motion to adjourn. Mark Reynolds seconded the motion. The motion passed unanimously, 5-0.

Stewart Fitz Gibbon, Board of Building and Zoning Appeals Chairman

Carla Jessie, Administrative Assistant