

MINUTES

CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

April 4, 2024

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, and Mark Reynolds were present. Board members Ben Gunn and Jennifer Shatzer were 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 March 7, 2024, meeting of the Board of Building and Zoning Appeals. Jason Anderson seconded the motion. The motion carried unanimously 5-0.

III. APPLICATIONS

BZA-24-6.

J. Douglas Drushal requested a Use Variance from Planning and Zoning Code Section 1109.02(d) to allow a multi-family dwelling in an R-T (Traditional Residential) zoning district at 231 Mulberry Street with parcel number 64-0083.000.

Doug Drushal, 225 North Market Street, stated that the property had been a triplex for several years and was divided up in that manner. Mr. Drushal explained that the house was in reasonable shape, but inside, a fire caused substantial damage and could not be occupied. Mr. Drushal continued that the code normally would allow continued grandfathered use as a triplex. However, the code has a provision that says if the repair cost exceeds 50 percent of the value of the structure, then we have to get the Board of Building and Zoning Appeals approval to rebuild and repair the interior. Mr. Drushal stated that the repairs are about 66 percent and over 50 percent of the value. Mr. Drushal explained that the only permitted use of the home was for a single family and that it was not economically viable to convert the house back into a single-family because of how the home was divided up. Mr. Drushal continued that the goal was to fix the property up repair and get it back to what it was, which is a triplex. Mr. Drushal stated that the property was residential and would remain a triplex without impacting the adjoining property owners. Mr. Drushal explained that the cost of restoring the property to a single-family is prohibited, and the reality is that the house will be abandoned and slowly deteriorate. Mr. Drushal continued that there is a severe housing shortage in Wooster, especially for affordable housing. Mr. Drushal stated that the City of Wooster has 2700 housing units, which is short of what is ideal.

Atlee Coblentz, 634 South Kohler Road, Orrville, stated that the property had a fire, that we have some rentals, and that converting the house into a single-family is costly. Mr. Coblentz explained that he was buying the property from his brother and then repairing it for use to

rent the property. Mr. Coblenz continued that there was not an interior staircase in the home. Mr. Coblenz stated that to turn the house into a single-family home, many walls would need to be removed, costing much money. Mr. Coblenz explained that he could not sell the home as a single-family home and make a profit. Mr. Coblenz noted that all three units were rented at the time of the fire.

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

Lukas Gaffey, 438 North Buckeye Street, stated that he lives in the R-T zoning district and that this was a non-conforming property. Mr. Gaffey explained that part of the 50 percent was to encourage non-conforming properties when damaged beyond a certain point to come into conformance with the current code. Mr. Gaffey continued that converting this back into a single-family residence is challenging for a property like this but brings them back into compliance with the current zoning.

David Griffith, 411 North Buckeye Street, stated that I volunteered to improve the area, and one of the things I did was work with properties that had been damaged by fire and properties that were found non-conforming. Mr. Griffith explained that if a vacant property for more than a year is non-conforming in the R-T zoning district rules, they will be conformity by having them become single-family homes again. Mr. Griffith continued that twenty years ago, most people probably wouldn't even want to walk down Buckeye Street at night. Mr. Griffith stated there were guns, drugs, crime, and difficulties. Mr. Griffith explained that Buckeye Street is a lot better today, but there is a lot more tax income and revenue, and we have taken several homes back to single-family homes. Mr. Griffith continued that single-family homes were carved up into apartments and are now back into single-family homes again. Mr. Griffith stated that this allowed families to buy and fix a house. Mr. Griffith explained that a great example of 529 Buckeye was a triplex, which was not a family apartment. Mr. Griffith stated that Wooster has a housing problem for families being allowed to return to a single-family home, allowing working-class families to own that home. Mr. Griffith explained that the R-T gently put these carved-up homes back into some conformity. Mr. Griffith continued that many things come up before the Board that we are unaware of and don't know about. Mr. Griffith asked the Board of Building and Zoning Appeals members to be advocates for the City of Wooster Ordinances.

Wendy Bowman, 216 North Market Street, stated that in 1107.05, the R-T (Traditional Residential) zoning district was established to preserve and protect neighborhoods with traditional urban character as outlined in the Wooster Comprehensive Plan; traditional residential development will encourage historic preservation and construction, a reconstruction that is similar in nature to the established patterned and character of development with a focus on single-family development and conversions of multi-family dwellings back to their original single-family uses. Ms. Bowman explained that it is essential to see that one of the goals is to convert the multi-family dwellings back into single-family homes. Ms. Bowman continued that she has seen a lot of small towns. The ones that are thriving are the ones that have residential areas downtown that are healthy and safe and

bring in revenue for people who want to live there. Ms. Bowman stated that the single-family R-T district is an excellent goal to try to achieve. Ms. Bowman explained that she looked at the neighborhood and some of the homes around there; most were single-family homes, and it makes sense to convert the home back to single-family. Ms. Bowman continued that this home is not a giant home at 1674 square feet and a very nice lot of almost a quarter of an acre. A house that compares to this sold in June 2023 for \$125,000 with 1376 square feet, three bedrooms, and a .153 acre lot.

Mr. Drushal stated that we want to follow the code. The code has variance criteria, and everyone has been met. Mr. Drushal explained that the speculation on what might be able to be done is countered by actual testimony under oath of the reality of this particular property.

Mr. Fitz Gibbon closed the public hearing.

Mark Reynolds made a motion to approve the application BZA-24-6 as presented. Jason Anderson seconded the motion.

Mark Reynolds voted yes and stated that he agreed that the purpose of the 50 percent rule is to restore properties like this to the original use for a single-family home and the best-case scenario for a situation like this. He said that the worst-case scenario is for this property to remain vacant, sit empty, and become an eyesore for everyone.

Jason Anderson voted yes and stated that the repair cost is an amount willing to be invested in this property to restore it.

Jeff Battig voted yes and stated that the property could not be put to any economically viable use and that the applicant's actions did not create this hardship.

Martha Bollinger voted yes and stated that a fire caused this issue and left three families or units. People need housing, whether they are a family or a single person. She said the fire left three vacancies, and if the fire hadn't happened, it would still be a triplex and not before the Board. And I believe the circumstances that didn't stem from the applicant's issue and maintained as a triplex.

Stewart Fitz Gibbon voted yes and stated that I understood the intent of the code and that what we are trying to do makes a great deal of sense, but if it weren't for the fire, this would still be a triplex and fact, the fire may be an opportunity to make this a better triplex. He said the work required to turn it back into a single-family does not make sense.

The motion passed unanimously, 5-0.

IV. ADJOURNMENT

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

Stewart Fitz Gibbon, Board of Building and Zoning Appeals Chairman

Carla Jessie, Administrative Assistant