

MINUTES

CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

July 11, 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 Jeff Battig, Stewart Fitz Gibbon, Ben Gunn, Mark Reynolds, and Jennifer Shatzer were present. Board members Jason Anderson and Martha Bollinger were absent. Vincent Marion, Planning and Zoning Manager, represented the City of Wooster.

II. APPROVAL OF MINUTES

Mark Reynolds made a motion to approve the minutes of the June 6, 2024, meeting of the Board of Building and Zoning Appeals. Jennifer Shatzer seconded the motion. The motion carried unanimously 5-0.

III. APPLICATIONS

BZA-24-11.

Tim Tomic requested Area Variances from Planning and Zoning Code Section 1113.01(b)(8) to allow an accessory structure to exceed the maximum height of 20 feet and section 1125.03(h)(3) to allow a non-hard surface (gravel) parking and drive area on Gyers Chapel Road (parcel 65-01766.000) in an R-1 (Suburban Single-Family) zoning district.

Tim Tomic, 9284 Baer Road, Marshallville, planned to build a house and accessory structure on the thirteen acres. He explained that he farms the land, and the house and shed would be 850 feet down Gyers Chapel against the woods. Mr. Tomic wanted to install a gravel driveway around the house and shed. He stated that a gravel drive goes 850 feet back to where the house and shed would be located. Mr. Tomic noted that he was building a two-story house, plus the peak would be 23 – 25 feet and comparable to the shed. Mr. Tomic explained that Gyers Chapel was the high elevation and then went down. Mr. Tomic continued that he was surrounded by I-2 and the railroad tracks on the other side, a rural, remote R-1 zoning.

Mr. Marion stated that the code allows agricultural use in an R-1 zoning district but not associated buildings. Mr. Marion explained that the structure will be an accessory structure to the home. Mr. Marion noted that accessory structures are capped at 20 feet regardless of how tall the house is, but they cannot exceed the height of the house.

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 the application BZA-24-11 as presented. Ben Gunn seconded the motion.

Mark Reynolds voted yes and stated that this meets many of the criteria. The 800-foot driveway is already gravel and allowed to be gravel, which is a reasonable request. He said he set off the road with the height and the land elevations.

Ben Gunn voted yes for reasons cited by the Board. The land will hide most of the house or a decent amount of it, so the extra five feet and the gravel driveway will remain the same as the neighborhood's characteristics and will be minimally necessary.

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

Jeff Battig voted yes and stated that it is agriculture and keeps the equipment off the road.

Stewart Fitz Gibbon voted yes for the reason cited by the Board. This is a unique circumstance where you have one type of zoning and a change of another kind that doesn't reflect the diversity of the uses in the area.

The motion passed unanimously, 5-0.

BZA-24-12.

Adams Sign, on behalf of the Downtown Arts Theater, requested Area Variances from Planning and Zoning Code Section 1127.10(c)(3) to allow a building sign above the roofline, Sections 1127.10(c)(8)(B), and 1127.10(d) to allow an electronic message center on a wall marquee that exceeds the permitted size and Section 1127.10(d)(3)(A) to allow an electronic message center in a C-4 (Central Business) zoning district at 116 East South Street (Parcel Number 64-02235.000).

Rick Cane, Adams Signs, 1100 Industrial Avenue, Massillon, stated that for the Lyric sign that extends two feet above the roof, the eleven-inch letters are routed push-through acrylic, and only the letter will be illuminated. Mr. Cane explained that the digital sign has static and stationary messages with slides. Mr. Cane continued that the sign was photocell and would adjust itself at night automatically according to the ambient light and go off. Mr. Cane stated that the Lyric sign would be illuminated with LED lighting.

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

Brigit O'Connor, 143 South Market Street, stated that she was a neighbor across the street who favored the project. Ms. O'Connor asked how bright the sign was and if the white line was illuminated.

Jermey Thomas, Managing Director of The Lyric, 116 East South Street, stated that the idea was to get as much on the sign as possible so that it would not have to be rotated,

potentially two or three slides, depending on what we have. Mr. Thomas explained that the sign would not be flashing; it would be the same font and color, and then it may change to what is coming next week, with no video.

Mr. Fitz Gibbon closed the public hearing.

Mark Reynolds made a motion to approve the application BZA-24-12 as presented. Jeff Battig seconded the motion.

Mark Reynolds voted yes and stated that the first part of the variance request about the sign above the roofline makes sense from a spacing standpoint. It is the minimum necessary as presented. The marquee sign's intended use was allowed.

Jeff Battig voted yes and stated that I thought it was a nice-looking sign that fit in the Art District. Moving forward, we will probably have more people from the Art District before us, which is great for the downtown area.

Ben Gunn voted yes and stated that he liked the look of the sign, how it fits into the neighborhood, and the fact that a neighboring business comes with some clarity about the actual lighting. He also likes how it will fit into the neighborhood and comply. The sign will not change the characteristics of the neighborhood.

Jennifer Shatzer voted yes and thanked the neighboring business for their comments and clarity. It is an excellent addition to the area, and I don't think it is overdoing it and promoting the business.

Stewart Fitz Gibbon voted yes for reasons cited by the Board and stated that there had been much thought and effort and that the Design and Review Board approved the sign.

The motion passed unanimously, 5-0.

IV. ADJOURNMENT

Ben Gunn moved to adjourn. Jennifer Shatzer seconded the motion. The motion passed unanimously, 5-0.

Stewart Fitz Gibbon, Board of Building and Zoning Appeals Chairman

Carla Jessie, Administrative Assistant