

MINUTES

CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

October 3, 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, Martha Bollinger, Stewart Fitz Gibbon, Ben Gunn, Mark Reynolds, and Jennifer Shatzer were present. Board member Jeff Battig was absent. Vincent Marion, Planning and Zoning Manager represented the City of Wooster.

II. APPROVAL OF MINUTES

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

III. APPLICATIONS

BZA-24-20.

John Long requested an Area Variance from Planning and Zoning Code Section 1113.01(e)(7)(A)(i) to allow an audible electronic device within the required minimum distance from a residential dwelling unit at 2003-2033 Portage Road (parcel 67-02314.001) in a C-2 (Community Commercial) zoning district.

John Long, 3477 Commerce Parkway, stated that the minimum required setback from a residential dwelling unit was 250 feet, and we are proposing 217 feet, which was the minimum necessary to allow for two cars between the order kiosk and the window. Mr. Long explained that this allows workers to take the order and then make it before the car gets to the window. Mr. Long continued that we feel this is the minimum variance necessary and the zoning district to the south was a C-2 but there is a residential dwelling as a non conforming use in that C-2 zoning district. Mr. Long stated that we feel that we comply with the criteria stated within. Mr. Long noted that they reached out to the property owner and not heard any response back about the residential dwelling that is a rental unit. Mr. Long explained that the hours of operation will be 6 am to 8 pm.

Scott Simms, franchise owner of Biggby Coffee.

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 BZ-24-20 as presented. Martha Bollinger seconded the motion.

Mark Reynolds voted yes and stated that the application meets the criteria including the existence of the house in the C-3 zoning district which is unique to the property and also

think that moving the building north would not make it safer and keeps it back away from the drive.

Martha Bollinger voted yes and stated that in the spirit of the code perserved and this is the minimum request required.

Jason Anderson voted yes for reasons cited by the Board.

Jennifer Shatzer voted yes for reasons cited by the Board.

Ben Gunn voted yes and stated that the variance is the minimum needed or required to approve.

Stewart Fitz Gibbon voted yes for reasons cited by the Board and stated that this was a resonable accomodation given the situation.

The motion passed unanimously, 6-0.

IV. ADJOURNMENT

Ben Gunn moved to adjourn. Jennifer Shatzer seconded the motion. The motion passed unanimously, 6-0.

Stewart Fitz Gibbon, Board of Building and Zoning Appeals Chairman

Carla Jessie, Administrative Assistant