

MINUTES

CITY OF WOOSTER BOARD OF BUILDING & ZONING APPEALS

November 7, 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 Martha Bollinger, Stewart Fitz Gibbon, Ben Gunn, Mark Reynolds, and Jennifer Shatzer were present. Board members Jason Anderson and Jeff Battig 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 October 3, 2024, meeting of the Board of Building and Zoning Appeals. Jennifer Shatzer seconded the motion. The motion carried unanimously 5-0.

III. APPLICATIONS

BZA-24-21.

Adam Schwieterman requested an area variance from 1115.03(a) to allow an addition to a single-family detached dwelling within the required side setback at 620 Glenn Avenue with permanent parcel number 64-02712.000, in an R-T (Traditional Residential) zoning district.

Adam Schwieterman, 1447 Cleveland Road, stated that the house was purchased with the intention of remodeling and was non-compliant with the modern zoning code, with setback variances needed on the east and west sides. Mr. Schwieterman explained that the house was in dire need of repair, and we gutted the house and have been remodeling it. The necessary change was to move the entrance off the front of the house, where the door couldn't even open without hitting the gutter because a standard door did not fit. Mr. Schwieterman continued that he proposed an entrance on the west side of the house, and with the house not meeting the setback requirements, I am requesting the variance to be allowed to put a non-attached staircase exterior door and deck on the west side of the house. Mr. Schwieterman stated that he also owned the house on the west side, and the lot was not large enough to build a house on, so I can assure you there won't be any neighbors that the addition will bother.

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-24-21 as presented. Ben Gunn seconded the motion.

Mark Reynolds voted yes and stated that the application meets the criteria. With the house being so tight on the property and the slope falling off very dramatically to the west, there are few options for other solutions.

Ben Gunn voted yes and stated that he felt the application met all of the criteria for the safety of the occupants.

Jennifer Shatzer voted yes and stated that this is the minimum required to make the property work.

Martha Bollinger voted yes for reasons cited by the Board.

Stewart Fitz Gibbon voted yes for the reasons cited by the Board and stated that this was a unique situation. The fact that the applicant also owns the lot next door makes this reasonable.

The motion passed unanimously, 5-0.

BZA-24-22.

J. Douglas Drushal, representing the property owner, requested an area variance from section 1115.03(a) to allow a single-family detached dwelling within the required rear setback at 1131 East Bowman Street, with permanent parcel numbers 65-00662.000, 65-00660.000, and 65-00661.000, in an R-T (Traditional Residential) zoning district.

Doug Drushal, 225 North Market Street, stated that the aerial photo from the Wayne County Auditors website shows the area. Mr. Drushal explained that the new lot meets all requirements. Mr. Drushal continued that the mobile home was on the lot, and they were not allowed anymore; it was a separate property. Mr. Drushal stated that there are three lots, and the apartment building is right down the middle of two lots to the east, and then the third was a vacant lot. Mr. Drushal explained that there was plenty of room, but it was oddly laid out, so the request to create a new lot, the distance between the existing building and the back of the lot is slightly under the code setback requirement. Mr. Drushal continued that the lots would be replatted into one new lot due to the narrow shape of the lot. Mr. Drushal stated that there was a current curb cut with a drive that comes in that exits either on Bowman or Palmer Streets.

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.

Ben Gunn made a motion to approve applications BZ-24-22 as presented. Martha Bollinger seconded the motion.

Ben Gunn voted yes and stated that combining multiple lots into one makes this an odd situation with the shape of the lot, but it will not change the character of the neighborhood; this will improve the neighborhood.

Martha Bollinger voted yes for reasons cited by the Board.

Jennifer Shatzer voted yes for reasons cited by the Board.

Mark Reynolds voted yes based on the cited reasons and that the new house met applicable design standards.

Stewart Fitz Gibbon voted yes and said this improved over the less attractive prior situation.

The motion passed unanimously, 5-0.

BZA-24-23.

Brandon Thomas requested a Use variance from Planning and Zoning Code Section 1109.02(d) to allow an indoor Recreational Use in a C-4 (Central Business) zoning district at 135 South Market Street with parcel number 64-01398.000.

Brandon Thomas, 581 West Wayne Avenue, stated that he and two other businessmen have purchased City News downtown along with the building and are looking at some options to help the business. Mr. Thomas explained that they would like to add a golf simulator, which is currently not allowed in the zoning district. Mr. Thomas continued that they talked to Mainstreet Wooster and were behind more entertainment in downtown Wooster. Mr. Thomas stated that Wooster Country Club supports the business and would help us with the simulator. Mr. Thomas explained that they are still looking at simulators but wanted to add a top-of-the-line simulator for any age. Mr. Thomas noted that the business hours would typically be open until 11:00 pm. Mr. Thomas stated that his wife was working on something for a sound-deafening system. Mr. Thomas explained that they would have music playing and TVs that may be loud, but we are working on that, and currently, there is nothing upstairs in the building.

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-24-23 as presented. Jennifer Shatzer seconded the motion.

Mark Reynolds voted yes and stated that the application is consistent with the general spirit and intent of the code. The current code is a bit conflicting and will be amended.

Jennifer Shatzer voted yes for the reasons cited by the Board and stated that this was the second time this has come up and has been approved in the past.

Ben Gunn voted yes for reasons cited by the Board.

Martha Bollinger 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-24-24.

Kathy Clarke, on behalf of the property owner, requested area variances from Planning and Zoning Code Section 1127.09(c)(1)(b), (c) and (d) to allow a freestanding electronic message center that exceeds the permitted size and area dedicated to changeable copy at 4497 Melrose Drive (Parcel Number 71-00235.000) in an R-1 (Suburban Single-Family) zoning district.

Zac Pyers, 1218 West Highland Avenue, stated that our current sign hangs over the sidewalk with the new construction and additional sidewalk on Melrose; we began looking for a new sign. Mr. Pyers explained that a new electronic sign was purchased. The permit was supposed to have been applied for by the sign manufacturer. Mr. Pyers continued that we spent 24,000 dollars on a new electronic sign that had been built and was waiting to be installed. Mr. Pyers stated that the sign would be installed 100 feet from any home and would be in compliance with the zoning code. Mr. Pyers explained that the sign was a four-by-eight sign with 18 inches at the top with the church's name. Mr. Pyers continued that the sign would be cut off during specified times. Mr. Pyers stated that the sign would have church hours and promote different activities at the church. Mr. Pyers noted that the sign would turn off around 10 pm and be installed closer to the church than the current sign. Mr. Pyers explained that the sign could be scaled down to meet the code's requirements.

Scott Brown of Axe Signs and Wayfinding Services, 1375 E 9th St, 12th Floor, Cleveland, Ohio, was also present at the meeting.

Mr. Marion noted that electronic signs in residential areas must be off between 12 a.m. and 6 a.m. and that messages can change once every three seconds.

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. It was mentioned that two letters were received and will be entered into the record.

Mark Reynolds made a motion to approve applications BZ-24-24 as presented. Ben Gunn seconded the motion.

Mark Reynolds voted yes and stated that electronic signs were new technology that most businesses in the City don't have installed yet. We are seeing more of these types of applications. I think there is a ton of road frontage, and there are no neighbors directly on either side, but because of the way the sign faces, there should not be that much light exposure to the east and west. Mr. Reynolds stated that the ability to dim and control these remotely to make them as functional as possible meets the requirements of the spirit of the code.

Ben Gunn voted yes and stated that due to the addition of the sidewalk and how the change to the property affects the current sign.

Martha Bollinger voted yes for reasons cited by the Board and stated that it does make a big difference if you reach out to the neighbors and explain the circumstances.

Jennifer Shatzer voted yes for reasons cited by the Board.

Stewart Fitz Gibbon voted yes and stated that it was unfortunate that the vendors did not do their job and research that they were selling you something that would fit within the code. Now you are here after you have already spent the money for the sign, which is a hardship to deny. Mr. Fitz Gibbon explained that you should talk to the neighbors and see how to configure this sign to make it agreeable to them and still meet your needs.

The motion passed unanimously, 5-0.

IV. ADJOURNMENT

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

Stewart Fitz Gibbon, Board of Building and Zoning Appeals Chairman

Carla Jessie, Administrative Assistant