



Agenda for the Board of Building and Zoning Appeals
Regular Meeting- Huron City Hall – Council Chambers
December 11, 2023 5:30p.m.

- I. **Call to Order**
- II. **Roll Call**
- III. **Adoption of the Minutes- 8-14-23 & 9-11-23**
- IV. **Swearing in of those testifying before the Board**
*When testifying before the board, please step to the podium, **sign in**, and state your name and address for the record.
- V. **New Business**

PPN42-02043.002	2455 Sawmill Parkway (Stride Mobility)	Variance to Sign Code
PPN45-00319.000	209 Toledo Ave (Richter Residence)	Front Yard Setback
PPN42-01972.007	909 University Drive (Tiburon Holdings LLC)	Use and Area Variances
- VI. **Adjournment**



TO: Chairman Kath and Board Members
FROM: Erik Engle, Planning Director
RE: 2455 Sawmill Parkway- Stride Mobility Signage
DATE: December 11, 2023

Current Zoning District: I-1 Light Industrial

Parcel No.: 42-02043.002

Existing Land Use: Commercial/Retail

Property Size: 3.19 acres

Traffic Considerations: Located within Sawmill Parkway, Route 2 Corridor

Project Description- Area Variance – Signage Code

Applicant is asking consideration for variances relative to Chapter 1129-Sign Regulations, to allow for external/off premises businesses to advertise on their existing digital ground sign along Route 2. The applicant has included several letters of support for this proposed advertising which has been included in the application: BGSU Firelands, Breckenridge Kitchen Equipment & Design, Cornerstone Cabinets, Law Brothers Autobody, NorthCoast, PropTech, Huron Salvation Army, Shoreline Contractors, and Simply Better Realty.

Since the proposed variance falls under the “area variance” category, the following criteria should be examined in order to establish if there are practical difficulties in the use of the property (The Seven (7) Way Test-Duncan vs The Village of Middlefield):

- 1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.*
- 2. Whether the variance is substantial.*
- 3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.*
- 4. Whether the variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).*
- 5. Whether the property owner purchased the property with knowledge of the zoning restriction or if the need for the variance is “self-imposed”. (The owner created the situation)*
- 6. Whether the property owner’s predicament feasibly can be obviated through some method other than a variance.*
- 7. Whether the spirit and intent behind the zoning requirement would be observed substantial justice done by granting the variance.*

Staff Analysis:

As you will recall, the existing digital ground sign received multiple variances to allow for its size, height, setback, and most impacting, its digital message board which was strictly prohibited by Section. 1129.10(i). The BZA granted the following variances on June 14, 2021:

- 173 sf size variance for a single use sign
- 10 ft height variance
- 10 ft Route 2 ROW setback variance
- Use variance for moving/scrolling lit message board with the condition that the messaging does not change more than x1 per 30 seconds.

The city was recently contacted and met with owners & representatives of Stride Mobility regarding their interest in having external/off- premises businesses advertise on their digital signage. Staff advised the code strictly prohibits off-premises advertising for any business, prohibits billboards and requires Planning Commission and staff reviews and approvals of commercial signage; the applicant wished to pursue consideration for variances to allow for this.

The following code sections apply (attached):

1129.10 State Route 2 Corridor Sign Regulations (b) (c) (d)

1129.06 Design and Construction Standards (q)

1129.11- Administrative Procedures.

If granted, the request would effectively deny the city's ability to apply, regulate, and enforce the signage code. In addition to the prohibition of off-premises signage and billboards pursuant to Sections 1129.10 and 1129.06, both the Planning Commission and Planning & Zoning staff are required to follow the process required by Section 1129.11:

- 1) Applications are submitted to the Planning & Zoning Department and reviewed for compliance. If the proposed sign is not compliant, the applicant is advised to either revise the plan or have the option of application to the BZA for consideration of a variance. If the application is compliant,
- 2) Application is taken before the Planning Commission/DRB for design approval.
- 3) Upon design approval, the Planning & Zoning Department issues the corresponding Sign Permit.

That being said, the city would no longer have oversight of design review, zoning compliance, zoning permit issuance of advertising on this private sign.

Motion Examples

[PLEASE STATE WHY YOU ARE APPROVING OR DENYING FOR THE RECORD]

Motion to **APPROVE** the variance request:

I make the motion to **approve** the request for variances to Sections 1129.10, 1129.06 and 1129.11 to allow for external/off-premises advertising on a digital ground sign owned and operated by Stride Mobility located at 2455 Sawmill Parkway, as submitted. The testimony presented in this public hearing has shown that the granting of this variance is not significant, will not adversely affect the public health, safety, or welfare; will not alter the essential character of the neighborhood; will not cause a hazard or a nuisance to the public; and will serve the spirit and intent of the zoning regulations.

OR

Motion to **DENY** the variance request:

I make the motion to **deny** the request for variances to Sections 1129.10, 1129.06 and 1129.11 to allow for external/off-premises advertising on a digital ground sign owned and operated by Stride Mobility located at 2455 Sawmill Parkway as submitted, as sufficient testimony has **not** been presented in this public hearing that the requested variance meets the criteria set forth in the seven-way test as the project:

(Choose one or more appropriate finding(s) and specific items based on the seven-way test)

- Variance hardship is self-imposed
- Can be feasibly obviated through some other method other than a variance(s)
- Will adversely affect the public health, safety, and welfare.
- Will alter the essential character of the neighborhood.
- Will cause a hazard or a nuisance to the public.
- Will be contrary to the public interest.

1129.10 STATE ROUTE 2 CORRIDOR SIGN REGULATIONS.

This section has been established to recognize that many corporations and businesses choose to locate within the State Route 2 Corridor due to the availability of highway visibility, and therefore additional free-standing signs are permitted on the side of the building or parcel adjacent to Ohio State Route 2. Notwithstanding signage otherwise permitted within this Chapter, Ohio State Route 2 Corridor signage is subject to the following regulations:

- (a) The State Route 2 Corridor encompasses the parcels included within the boundaries as shown on Appendix B: State Route 2 Corridor Map. .
- (b) Only properties within the State Route 2 Corridor are able to place additional signage in accordance with the section.
- (c) Developments, uses, or principal buildings that are detached or stand alone in nature, and are the only principal use on a specific parcel are permitted to have their own respective sign. The sign must be placed on the same parcel as the principal building or use.
- (d) Development or principal buildings that incorporate multiple uses or tenants within may only use one sign that includes space for each use or tenant within the development.
- (e) Signs shall be a minimum of twenty (20) feet from the right of way along State Route 2.
- (f) Signs used within this district shall be designed in accordance with schedule 1129.10(f):
Schedule 1129.10(f)

Number of Uses Per Sign	Minimum Setback	Maximum Height	Maximum Display Area
Single Use	40 ft.	20 ft.	80 sq. ft.
2-4 Uses	40 ft.	25 ft.	150 sq. ft.
5-7 Uses	50 ft.	30 ft.	180 sq. ft.
8+ Uses	50 ft.	35 ft.	200 sq. ft.
Temporary Real Estate Signs	10 ft.	15 ft.	40 sq. ft.

*Sign height measured from the natural grade elevation

- (g) Signs shall be placed at a minimum distance equal to the height of the sign from any adjacent lot line of a residentially zoned parcel.
- (h) Signs shall be placed and oriented so that its message area is clearly and continuously visible from at least one direction of travel along State Route 2 for at least five (5) seconds for a motorist traveling at the maximum allowable speed.
- (i) Under no circumstance shall any type of on-premises sign allowable under this section contain a message or display that appears to flash, undulate, pulse, move, scroll, portray explosions, fireworks, flashes, blinking or flashing light, appear to move toward or away from view, expand or contract, rotate, twist or display any other comparable movements that may distract drivers.
- (j) The base of any sign shall be landscaped in accordance with Section 1129.05(d)(iv).
- (k) Signs subject to this section shall be erected and maintained in accordance with all Federal and State regulations regarding highway commercial signage.
(Ord. 2015-8. Passed 8-25-15.)

1129.06 DESIGN AND CONSTRUCTION STANDARDS.

In addition to assuring compliance with the numerical standards of these regulations, the Planning Commission, when approving signs, shall consider the proposed general design, arrangement, texture, material, colors, lighting placement and the appropriateness of the proposed sign in relationship to other signs and the other structures both on the premises and in the surrounding areas, and only approve signs which are consistent with the intent, purposes, standards and criteria of the sign regulations. Specific standards for determining the appropriateness of the sign shall include, but not be limited to the following conditions:

- (a) The lettering shall be large enough to be easily read from the public street but not out of scale with the building, site or streetscape.
- (b) The number of items (letters, symbols, shapes) shall be consistent with the amount of information which can be comprehended by the viewer, reflect simplicity, avoid visual clutter and improve legibility.
- (c) The shape of the sign shall not create visual clutter.
- (d) Signs shall have an appropriate contrast and be designed with a limited number of, and with the harmonious use of, colors. Signs and awnings, if seen in series, shall have a continuity of design with the style of sign generally consistent throughout the building or block. Continuity of design means uniformity of background colors or harmonious use of a limited range of complementary background colors.
- (e) The size, style and location of the sign shall be appropriate to the activity of the site as prescribed elsewhere in these regulations.
- (f) The sign shall complement the building and adjacent buildings by being designed and placed to enhance the architecture. The sign shall reflect the primary purpose of identifying the name and type of establishment.
- (g) The sign should be consolidated into a minimum number of elements.
- (h) Instructional signs shall contain the minimum information and the minimum area necessary to convey the message and instruct the viewer in the safe and efficient use of the facility.
- (i) A sign should be constructed with a minimum of different types of material so as to provide a consistent overall appearance.
- (j) All signs in business and industrial districts may be illuminated provided that light sources to illuminate such signs shall be shielded from all adjacent residential buildings and streets, and shall not be of such brightness so as to cause glare hazardous to pedestrians or motorists, or as to cause reasonable objection from adjacent residential districts.
- (k) No flashing or moving parts shall be permitted for any sign or advertising display within the City.
- (l) No paper or similarly pliable material posters shall be applied directly to the wall, building or pole or other support. Letters or pictures in the form of advertising that are printed or painted directly on the wall of a building are prohibited, except for window signs pursuant to this chapter and conditionally permitted murals.
- (m) No sign shall be erected, located or maintained in a location where it interferes with free vision of traffic approaching any intersection of streets, roads, alleys, private drives or other vehicular ways; not where it may interfere with, obstruct the view, or be confused with an authorized traffic sign or safety device. No sign or advertising device shall be permitted which, by color, location or design, resembles or conflicts with traffic control signs or devices.
- (n) No signs shall be placed, erected or maintained so as to obstruct, in any manner, any fire escape or window, door, exit or entrance to or from any building, or otherwise be placed in the City's right-of-way.
- (o) No sign shall be placed, erected or maintained in a manner which will interfere with the proper and convenient protection of property by the Division of Fire.
- (p) Pennants, banners, streamers, whirligig devices, balloons, inflatable devices, and other similar devices are prohibited except for banners and pennants when part of public information signs installed by the City.
- (q) Billboards and other off-premise signs are prohibited.
- (r) Signs of any type may not be affixed or attached to any utility infrastructure or public infrastructure within the public right-of-way.
- (s) All signs shall be designed, constructed, and erected in a professional and workmanlike manner, in conformance with all applicable building codes, and with materials which are durable for the intended life of the sign. Signs shall be designed, constructed, fastened or anchored to withstand various weather elements.
- (t) For any sign which projects above a public right-of-way, the sign owner shall obtain and maintain in force liability insurance for such sign in such form and in such amount as the Law Director may reasonably determine. Proof of such insurance shall be required prior to obtaining a permit.

- (u) Freestanding signs shall be designed and located so as not to obstruct a driver's visibility entering or exiting property or to be a safety hazard to pedestrians or vehicles, and shall comply with the requirements set forth by the Chief of Police for maintaining clear sight at an intersection.
- (v) "Feather Signs" are prohibited.
- (w) The City Council has full review and approval authority for any sign erected in the median of State Route 6 between the walk-over bridge and Williams Street.
(Ord. 2021-36. Passed 10-26-21.)

1129.11 ADMINISTRATIVE PROCEDURES.

Subject to the exceptions noted herein, no sign shall be erected, placed or maintained within the City limits without first obtaining a sign permit from the Zoning Inspector, upon review by the Zoning Inspector and approval from the Planning Commission, and paying the required fee. Signs containing electrical components also shall be subject to the provisions of the City Electrical Code and the permit fees required thereunder.

- (a) Compliance with this Section. No person shall erect, locate, move, alter, or replace any sign or cause a sign to be located or maintained, unless all provisions of this Chapter have been met and all proper permits have been obtained.
 - (b) Application for Sign Permit. Any application for a sign permit shall be submitted to the City and include the following information or exhibits:
 - (1) A site drawing and measurements, depicting a rendition of the proposed sign, the specific location of intended posting in relation to all existing buildings and site amenities, the immediately surrounding area, and other required information which demonstrates compliance with all provisions concerning such signs, such landscape provisions, design specifications, and construction specifications.
 - (2) Name, address, and contact information of the applicant.
 - (3) Any required electrical permit.
 - (c) Permit Issuance. The Zoning Inspector shall review the permit application and related documents, and shall examine the proposed site of erection. If he finds that the requirements of this section have been met, and that the proposed sign is appropriate to its proposed setting, he shall forward the application to the Planning Commission for final approval. Upon review and issuance of a sign permit, and the work authorized under the permit is not completed within six (6) months of its issuance, the permit shall become null and void.
 - (d) A permit shall not be required for the following signs when such signs are in full compliance with these sign regulations:
 - (1) A safety/security sign in a residential district
 - (2) A building identification sign in any district
 - (3) House identification, real estate, contractor sign, or political signs not exceeding nine square feet in area and located on the appropriate privately owned property or project area
 - (4) Any changes to the message display area of a previously approved bulletin or changeable copy type sign
 - (5) Holiday themed decorations
 - (e) A permit shall be required for the following signs:
 - (1) Multiple-family and conditional uses in residential districts.
 - A. Residential or institutional identification signs;
 - B. Instructional and directional signs that are within five (5) feet of the public right of way;
 - C. All permanent signs that exceed two (2) square feet in area.
 - (2) Business, Industrial, Parking and Park districts.
 - A. Freestanding signs, ground signs, and monument signs (when permitted);
 - B. Projecting, canopy signs, awning signs, and marque signs;
 - C. Wall signs, professional occupation signs, roof signs, and suspended signs;
 - D. Changeable copy, time and temperature signs, and electronic message board signs;
 - E. Illuminated or flashing signs;
 - F. Instructional and directional that are within five (5) feet of the public right of way; and,
 - G. Permanent window signs including any elements that are painted on the window.
 - (e) Existing signs. Signs not conforming to this section but which were legal when erected may be continued in use under a special nonconforming permit. This authorization shall not extend beyond the time that the sign requires removal, replacement, relocation or major repair or renovation costing at least half the amount required for a new sign of similar size and construction. Nonconforming signs that are being brought into compliance are subject to the application review process as described in this Code.
 - (f) Inspection, correction and removal. If the Zoning Inspector finds that any sign is unsafe or insecure or not maintained in accordance with the requirements of this section, he shall issue written notice to the permit holder directing its correction or removal. If the notice is not complied with within three (3) days of receipt, the Zoning Inspector shall initiate legal process to remove the sign or to enforce compliance. If the sign presents an immediate peril to persons or property, the requirement of notice is waived and the sign may be summarily removed.
 - (g) Fees. Fees for all signs, including temporary and portable, shall be that prescribed by the City Council in Section 1321.12 of the Codified Ordinances.
- (Ord. 2021-36. Passed 10-26-21.)



June 16, 2021

Yellow Dog LTD
Mark Schnieders
513 ½ Cleveland Road West
Huron, OH 44839

**BEFORE THE BOARD OF BUILDING AND ZONING APPEALS
OF THE CITY OF HURON, OHIO**

IN THE MATTER OF:

Parcel No.: 42-02043.002 Address: 2455 Sawmill Parkway, Huron, OH 44839

Project Description:

The applicant proposed commercial pylon signage along Route 2. As proposed, the signage required four variances:

- 173 sf size variance for a single use sign (Maximum 80 sf per 1129.10(f) in the Sign Regulations)
- 10 ft height variance (Maximum height 20 ft per Schedule 1129.10(f) in the Sign Regulations)
- 10 ft Route 2 ROW setback variance (Minimum 20 ft – 8 ft. per Schedule 1129.05(d) in the Sign Regulations)
- Use variance for moving/scrolling lit message board (Prohibited under Section 1129.10(i))

Upon evidence presented at a public hearing held in the Council Chambers at Huron City Hall, 417 Main Street, Huron, OH 44839 at 6:30p.m. on Monday, June 14, 2021, the BZA Board:

Granted the following variances:

- 173 sf size variance for a single use sign
- 10 ft height variance
- 10 ft Route 2 ROW setback variance
- Use variance for moving/scrolling lit message board **with the condition that the messaging does not change more than x1 per 30 seconds.**

Erik Engle, Planning & Zoning Manager



THE BOARD OF BUILDING AND ZONING APPEALS

APPLICATION PACKET 2023

Submitted: November 1, 2023

2023 BZA Meeting Date: December 11, 2023

Attachments:

- Exhibit A Appeals Application Form
- Exhibit B Information Requested for Application
- Exhibit C Community Support Letters

Information Requested:

- A completed & signed Appeals application.
 - Exhibit: A1 – A3
- A legal survey or plat of the property.
 - Exhibit: B5 – B10
- A complete plot plan of the subject property drawn to scale on an 8.5" x 11" paper, showing the location of all existing and proposed buildings and structures on the property, the distances between each and their distances to all property lines.
 - Exhibit: B10
- Note the total square footage and height of any proposed additions.
 - N/A
- Aerial photo of the property.
 - Exhibit: B2 – B3
- Photos of the existing property & sketch or elevations of the proposed project.
 - Exhibit: B1 & B10
- Proposed area for any structures/additions must be staked out for site visit.
 - N/A
- A complete listing of property owners and addresses within 100' of the parcel.
 - Exhibit: B4
- \$150.00 non-refundable filing fee made payable to the City of Huron.
 - Submitted November 1, 2023
- Examples of Current On-Premise Announcements/Marketing
 - Exhibit: B11 – B12
- Examples of Off-Premise Announcements/Marketing
 - Exhibit: B13 – B14

Respectfully submitted:
Mark Schnieders, Yellow Dog, LTD
Managing Member

EXHIBIT - A

Appeals Application Form



CITY OF HURON
Planning & Zoning Department
417 MAIN STREET, HURON, OH 44839

THE BOARD OF BUILDING AND ZONING APPEALS APPLICATION
Completion of all applicable sections required. Incomplete applications will not be accepted.

We, the undersigned represent that we are the title owners of the following described property situated in the City of Huron, OH:

Applicant's Name Yellow Dog LTD (Mark Schnieders, Managing Member)

Property Owners' Name: Yellow Dog LTD (Mark Schnieders, Managing Member)

Address: 2455 Sawmill Parkway

City, State, Zip: Huron, OH 44839

Phone Number 419-616-6017

Email: mark@stridemobility.net

Location of Project:

Lot/Parcel #: 42-02043.002 Zoning District: I-1 Light Industrial

Address: 2455 Sawmill Pkwy Huron, OH 44839.

Year purchased: 2020. Year the existing structure was constructed: 2021

Single Story Home: Two Story Home:

Provide a brief summary of your proposed project:

Permit outside entities to advertise content on digital billboard located on parcel # 42-02043.002 to enhance awareness of their business / services / job postings / community events. The area is experiencing significant growth, and advertising on the sign would provide an opportunity & cost-effective tool for businesses to attract the millions of travelers passing east & west on State Route 2 corridor (~45K impressions daily at this location). Utilizing current space will be advantageous to many businesses with limited capital as well as maintain the aesthetics of the corridor. Participating entities would be subject to all other existing ordinances and previously approved variances governing signage content.

Type:

- **Area Variance:** Subdivision Regulations Parking Setbacks
Height Size Flood Plain Sign Regulations X
- **Use Variance:**

Conditionally Permitted Use:

We request a Hearing before the Board of Building and Zoning Appeals of the City of Huron, Ohio, on the following question: *(State the specific details of the variance being requested. Example: Area variance- 1' side setback variance is required for the proposed addition; Use Variance- State the type of use; or Conditionally Permitted Use approval)*

- 1) Area Variance – per 1129.06(q) to allow off-premise signage
- 2) Area Variance – per 1129.10(c)-(f) to allow sign to display 8+ off-premise uses

Conditionally Permitted Use Approval

The following uses shall be permitted only if authorized by the Board of Building & Zoning Appeals in accordance with the provisions of Section 1139.02. State the type of use being proposed and the applicable code section:

Code Section: _____
(skip to Page 7, Sign and Date Application)

Use and/or Area Variance Questionnaire

1. The property in question **will** yield a reasonable return and there **can** be a beneficial use of the property without the variance because:

The property is currently a viable business however this variance will benefit surrounding enterprise and the community by giving businesses access to the corridor who wouldn't otherwise be able to, at a fraction of the cost.

2. The variance is **substantial** because:

At the end of the day this remains a single physical sign, however the variance is substantial because the current language in the relevant code section is explicit and unequivocal in that any off-premise content is prohibited.

3. The essential character of the neighborhood **would not** be substantially altered or adjoining properties **would not** suffer a substantial detriment as a result of the variance because:

This is a single physical sign that already exists, hence the character and aesthetics of the neighborhood, an industrial parkway located adjacent to a highway, would be unaffected by granting this variance. Conversely, granting this variance has the potential to preserve the aesthetic and visibility of surrounding businesses by granting them the visibility of a sign without the cost or clutter of erecting their own.

4. The variance **would not** adversely affect the delivery of governmental services, (e.g., water, sewer, garbage)

This variance does not require any physical change to the property or surrounding infrastructure.

5. The applicant purchased the property **with** knowledge of the zoning restriction. Year the property was purchased: 2020. Year the structure(s) was constructed: 2021 (building) / 2022 (pylon sign)

6. The applicant's predicament feasibly cannot be resolved through some method other than a variance.
7. The spirit and intent behind the zoning requirement would be observed and, substantial justice done by granting the variance because

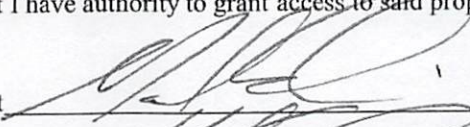
Our interpretation of the zoning requirement's "spirit and intent" is that it aims to preserve the "cleanliness" and aesthetic of the corridor by limiting signage to property owners and tenants physically situated in the corridor. We feel that this variance complies with that while simultaneously affording access to surrounding businesses and showcasing the commerce and attractions the City of Huron has to offer.

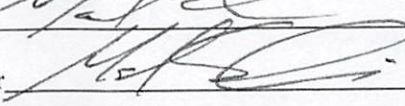
8. We believe the request should be granted due to the following hardship which is created by the property: (explain the hardship that exists *pursuant to the code*)

The digital billboard currently in place offers a portal for the area to reach an estimated annual audience of >20 million people traversing the Rt 2 corridor. The current zoning law imposes hardship by denying anyone other than businesses with frontage along the corridor access to this audience. To further illustrate this fact, adjacent property owners have been supportive of our request for this variance, and we have received interest from numerous outside entities in utilizing the billboard to advertise since the day it was constructed.

I hereby certify that I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/or I have been authorized to make this application as an authorized agent and agree to conform to all applicable laws, regulations, and ordinances of the city. I certify all information contained within this application and supplemental documents are true and accurate to the best of my knowledge and belief.

In addition, I, the undersigned responsible party (owner, occupant, tenant, or agent for the property owner) of the property described herein, do hereby consent to entry upon said property, at a reasonable time and to the extent necessary, by the City of Huron and its officers, employees, and/or agents for the purpose of inspecting said property for compliance with the City's Zoning and/or Building Codes. I further certify that I have authority to grant access to said property.

Date: 10/31/23 Signed Applicant 

Date: 10/31/23 Signed Property Owner 

(REQUIRED)

ZONING DEPT. USE ONLY

Date received: 11-1-23 Application Complete ☒

\$150 filing fee receipted: ☒ OK # 1104

Comments _____ Hearing Date 12-11-23

EXHIBIT - B

Information Requested



Yellow Dog, LTD

Mark Schnieders

(Stride Mobility &
Safe Harbor Insurance
Agency)

Location of Pylon Sign ★

Board approved: June 14, 2021

Sign Installed: June 29, 2022

Aerial View of 2455 & 2451 Sawmill Parkway



★ Location of
Digital Sign

Aerial View of 2455 & 2451 Sawmill Parkway



Location of
Digital Sign

PROPERTY OWNERS within 100 ft. of Parcel: 42-02043.002

- EASTERN Parcel: 42-00475.000
 - Buccaneer Holding
 - 1901 Sawmill Parkway
 - Owner: Buccaneer Holdings, LLC
- WESTERN PARCEL: 42-02043.005
 - Sawmill Parkway
 - Owner: 5 Crooks LLC
- SOUTHERN PARCEL: 42-020403.001
 - 2401 Sawmill Parkway
 - Owner: 2401 Sawmill Properties LTD

Parcel ID - 42-02043.002 – Yellow Dog, LTD Stride Mobility & Safe Harbor Insurance



Results:

Parcel ID - 42-02043.002
 Alt Id - 360818
 Address - 2455 SAWMILL PARKWAY
 Owner - YELLOW DOG LTD (Owner Address)
 YELLOW DOG LTD (Tax Payer Address)
 Acres - 3.1994
 View:
[Report](#) | [NearMap](#) | [Levies](#) | [Tax Distribution](#) | [Google Maps](#)

Parcel ID - 42-00475.000
 Alt Id - 42179377003
 Address - 1901 SAWMILL
 Owner - BUCCANEER HOLDINGS LLC (Owner Address)
 BUCCANEER HOLDINGS LTD (Tax Payer Address)
 Acres - 3.0004
 View:
[Report](#) | [NearMap](#) | [Levies](#) | [Tax Distribution](#) | [Google Maps](#)

Parcel ID	42-02043.002	Acreage	3.1994	Last 2 Sales	Date	Price	Vol/Page
Owner	YELLOW DOG LTD (Owner Address)						
	YELLOW DOG LTD (Tax Payer Address)						
Property Address	2455 SAWMILL PARKWAY HURON						
					9/17/2020	\$150000	202008429 /
					8/17/2020		202007209 /

Property Owner - East of Parcel ID - 42-02043.002



Results:

Parcel ID - 42-00475.000
Alt Id - 42179377003
Address - 1901 SAWMILL
Owner - BUCCANEER
HOLDINGS LLC (Owner
Address)
BUCCANEER HOLDINGS
LTD (Tax Payer Address)
Acres - 3.0004
View:
[Report](#) | [NearMap](#) | [Levies](#) | [Tax
Distribution](#) | [Google Maps](#)

Parcel ID - 42-02021.000
Alt Id - 42180251001
Address - 1608 SAWMILL
PARKWAY
Owner - ARDAGH METAL
BEVERAGE USA INC (Owner
Address)
ARDAGH METAL BEVERAGE
USA (Tax Payer Address)
Acres - 69.4862
View:
[Report](#) | [NearMap](#) | [Levies](#) | [Tax](#)

Property Owner to the West of Parcel ID - 42-02043.002



42-02043.005
 5 CROOKS LLC (Owner Address)
 5 CROOKS LLC (Tax Payer Address)
 SAWMILL PARKWAY
 2.00 Acres Value \$66,880
[View: Report](#) | [NearMap](#) | [Levies](#) | [Tax Distribution](#) | [Google Maps](#)

Results:
 Parcel ID - 42-02043.005
 Alt Id - 42179352004
 Address - SAWMILL PARKWAY
 Owner - 5 CROOKS LLC (Owner Address)
 5 CROOKS LLC (Tax Payer Address)
 Acres - 2.0
 View: [Report](#) | [NearMap](#) | [Levies](#) | [Tax Distribution](#) | [Google Maps](#)

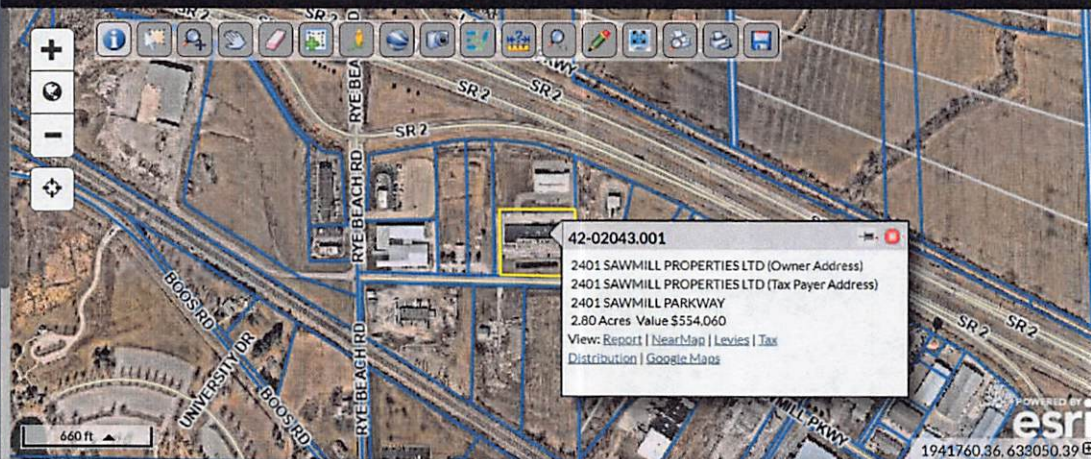
Parcel ID	42-02043.005	Acreage	2.0	Last 2 Sales	Date	Price	Vol/Page
Owner	5 CROOKS LLC (Owner Address)				9/15/2017		201708429 /
	5 CROOKS LLC (Tax Payer Address)				7/5/2005	\$213700	
Property Address	SAWMILL PARKWAY						

Property Owners South of Parcel ID - 42-02043.002

H. Jeffrey
DIRECTOR | ERIE COUNTY, OHIO

[Log In](#) [Search](#) search...

[Search](#) [Comp Search](#) [Sales Search](#) [Sales List](#) [Results](#) [Report](#) [NearMap](#) [Home](#) [Tax Estimator](#) [Comp Results](#) [Sales Results](#) [Levies](#) [More](#) ▾

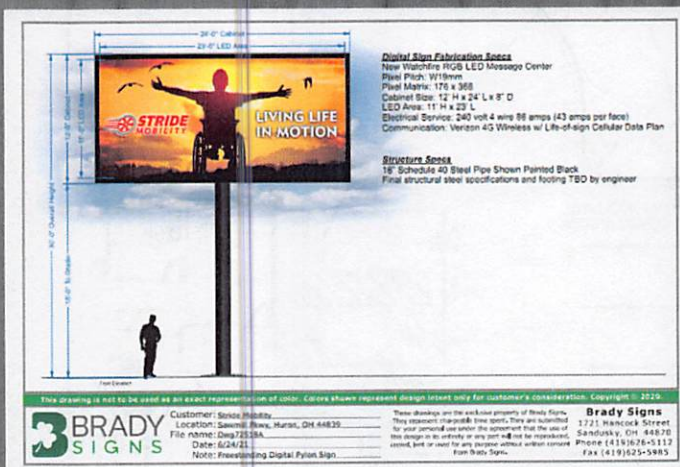


Results:

Parcel ID - 42-02043.001
Alt Id - 44469
Address - 2401 SAWMILL PARKWAY
Owner - 2401 SAWMILL PROPERTIES LTD (Owner Address)
2401 SAWMILL PROPERTIES LTD (Tax Payer Address)
Acres - 2.8006
View: [Report](#) | [NearMap](#) | [Levies](#) | [Tax Distribution](#) | [Google Maps](#)

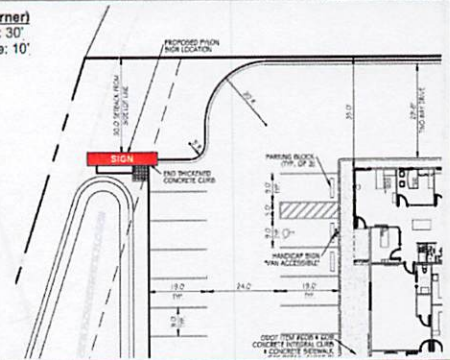
Parcel ID	42-02043.001	Acreage	2.8006	Last 2 Sales	Date	Price	Vol/Page
Owner	2401 SAWMILL PROPERTIES LTD (Owner Address) 2401 SAWMILL PROPERTIES LTD (Tax Payer Address)				8/17/2020		202007209 /
Property Address	2401 SAWMILL PARKWAY HURON				6/27/2013	\$654974	

Site Plan



Site Plan (Zoomed NE Corner)

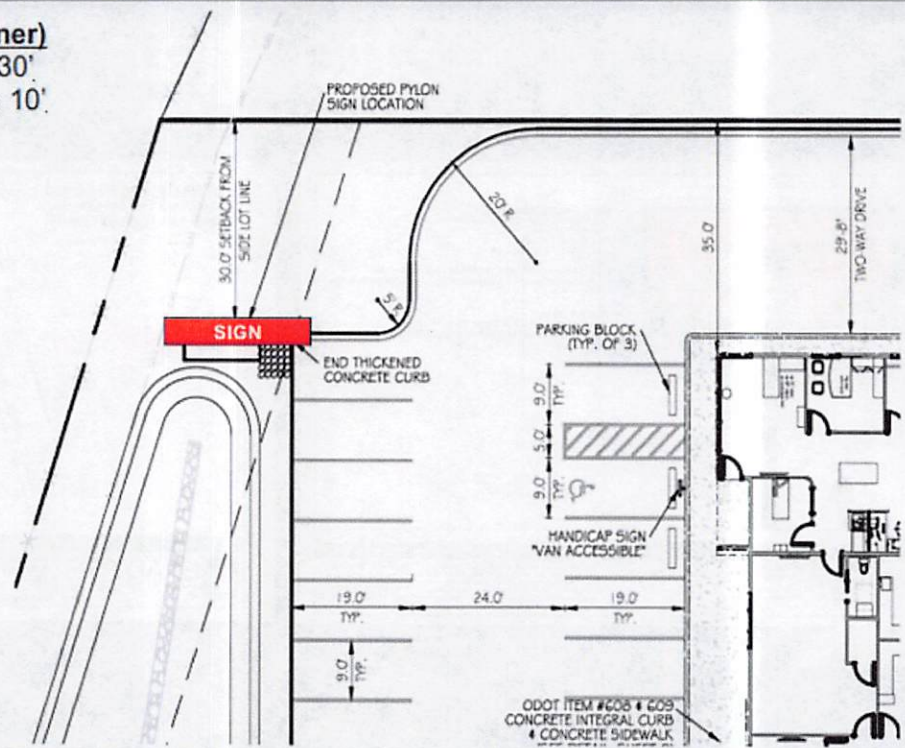
Setback from East Lot Line: 30'
 Setback from North Lot Line: 10'



Site Plan (Zoomed NE Corner)

Setback from East Lot Line: 30'

Setback from North Lot Line: 10'



Acknowledgements
for Huron Board of
Education & The City
of Huron Events
(2022 – 2023)

- Farmers Market – 2022 & 2023
- Board of Education – Students of the Month 2023
- Cinco De Mayo 2023
- Fire Safety Week 2023
- Seussical the Musical 2023
- Huron Chamber Fund Raiser / Golf Outing
- Huron Ice Cream Social

2022- 2023 Board of Education & City of Huron Digital Announcements



OPEN HOUSE @ HURON FIRE DEPT.
OCT. 14
1:00 PM TO 3:00 PM



CONGRATULATIONS
MAX WASINIAR
D2 STATE DIVING
CHAMPION!




Letters of
Support from
Businesses
Requesting the
Opportunity to
Advertise

- BGSU/Firelands – Robert Drapcho, Director, Enrollment Mgmt.
- Breckenridge Kitchen Equipment and Design, Inc. – Richard M. Pohl, President
- Cornerstone Cabinets, Inc. – Ron Michel, President
- Law Brothers Autobody Inc. – Randall R. Law, Owner / President
- NorthCoast Prop Tech – Raymond Treudler/ Owner
- Salvation Army – Huron Chapter – Lori Yutzy /Huron Chapter
- Shoreline Contractors – Clint Pelfrey, Board Treasurer / Partner
- Simply Better Realty, LLC. – Kerri Hensel / Principal Broker

<p>BUYING a Home SELLING a Home</p>  <p>Simply Better REALTY Lighthouse REAL ESTATE GROUP</p>	<p>THE SALVATION ARMY</p> <p>GAS CARDS - SCHOOL SUPPLIES</p> <p>HURON UNIT NEEDS YOUR HELP</p> <p>820 Cleveland Rd. East 419-366-1721</p>	<p>LAW BROTHERS AUTO BODY INC</p>  <p>Auto Body Shop</p> <p>419 - 433 - 7800</p>
<p>B Breckenridge Kitchen Equipment & Design</p>  <p>Planning Design Equipment</p>	<p>LAW BROTHERS AUTO BODY INC</p>  <p>Auto Body Shop</p> <p>419-433-7800</p>	<p>Cornerstone Cabinets</p>  <p>Visit our Showroom 1811 Sawmill Parkway</p>
<p>North Coast PRO-TECH</p>  <p>Prop Scans Deckside Diagnostics Propeller Repair Sales</p>	<p>Quality Marine Construction Marina's & Underwater Operations</p>  <p>Shoreline CENTRAL MARINE, INC. Marine Construction</p>	<p>BGSU Firelands</p>  <p>September 21 FALL PREVIEW DAY REGISTER @ fireadm@bgsu.edu 419-433-5560</p>

Interest in Advertising on Yellow Dog, LTD, Digital Sign

- Example of Current Challenges



EXHIBIT - C

Letters of Support

Office of Admissions & Financial Aid

103 Foundation Hall
Huron, OH 44839
419-372-0607

To: City of Huron
Re: Stride Mobility Partnership Opportunity

September 27, 2023

Please accept this letter as a sign of support from BGSU Firelands for Stride Mobility's request for a variance that allows for Stride Mobility to partner with other entities regarding content on its digital signboard.

BGSU Firelands, as one of Bowling Green State University's seven undergraduate academic colleges and its role regional campus in Huron, is a driver of economic development for its region by producing career-ready graduates that fill key workforce needs.

In addition to our academic programs, the campus is host to a number of community resources, ranging from being home to the McBride Arboretum, the Firelands Symphony Orchestra, and a lifelong learning institute for area residents, among others.

This opportunity for BGSU Firelands to partner with Stride Mobility to display content related to our campus, including important upcoming dates and program offerings, would positively impact the community by offering its residents—the campus' neighbors—a resource for accessing the campus' offerings.

We're appreciative for your consideration of this request, and we're grateful for the opportunity to help advance our region together.

Cordially,



Robert Drapcho
Director, Enrollment Management
BGSU Firelands



2401 Sawmill Parkway, Suite 7
PO Box 327
Huron, Ohio 44839
Ph 419-433-5915
Fax 419-433-6616
www.breckenridgekitchen.com
richard@breckenridgekitchen.com

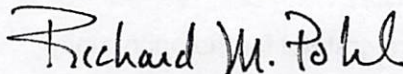
October 17, 2023

Matt Lasko,
City Manager
City of Huron
417 Main Street
Huron, OH 44839

Mr. Lasko,

We at Breckenridge Kitchen Equipment & Design were notified of the variance request from Stride Mobility. The variance would allow the use of their sign facing Route 2 to advertise for other businesses off property. We are in full support of this option for them and do not foresee any negative issues for our business or the surrounding area because of their request.

Sincerely,

A handwritten signature in black ink that reads 'Richard M. Pohl'.

Richard M. Pohl, President
Breckenridge Kitchen Equipment & Design, Inc.
RMP/ch



1811 Sawmill Parkway. Huron, OH 44839. 419-433-7810

To: City of Huron

October 19, 2023

Please accept this letter as a gesture of support from Cornerstone Cabinets Inc. regarding Stride Mobility's request to allow other entities to partner with Stride Mobility for digital content on their signboard.

As a small local business, we appreciate any opportunity to be able to be seen and have a better reach for our customers. The benefits of such advertising can have a great impact on businesses throughout the community. Cornerstone

Cornerstone is most definitely in favor of Stride Mobility's request to allow other businesses to advertise on their sign. We would like to investigate the opportunity to advertise our business with Stride Mobility's sign if this does go through. We greatly appreciate your consideration in this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Ron Michel", with a stylized flourish at the end.

Ron Michel

President of Cornerstone Cabinets Inc.



**LAW BROTHERS AUTO
BODY INC**

Auto Body Shop

419-433-7800

October 17, 2023

City of Huron

Planning and Zoning Department

417 Main Street

Huron, Ohio 44839

We At Law Bros Autobody Inc have been made aware of the variance request from

Stride Mobility. The variance would allow the use of their sign facing Route 2 to advertise
for

other businesses off property. We are in full support of this. We look forward to the
business

opportunity to advertise with them.

Sincerely,

A handwritten signature in black ink, appearing to read "Randall R. Law".

Randall R. Law, Owner / President

Law Brothers Autobody Inc.



2401 Sawmill Pkwy. Ste. 1 Huron, Ohio 44839 Phone: 419-433-9550

Sept 29, 2023

Mary Weir-Boylan, MMG, BS, RT(T)(R)
Healthcare Executive
MWB Healthcare Consulting, LLC
Stride Mobility
mary@stridemobility.net
(216) 410-0097

Dear Mary,

I wanted to reach out to you to let you know how impressive your sign looks for your business. I have often thought that if more of us could advertise with such a sign, how much more business we could bring in, not to mention how much easier it would be for our customers to find us. I believe all the local businesses could benefit from such advertising and I would be in favor of the city allowing this type of advertising.

Respectfully,

Raymond Treudler

Raymond Treudler
NorthCoast Prop Tech



The Salvation Army Huron Unit

Dear Friend,

Thank You for your generous support. With the town contributing to the recognition of what The Huron Salvation Army does allows us to continue the work we do. Any sharing of projects or needs brings light to the work needed to be done.

We want to ask you to consider continuing to partner with us throughout the year allowing any material needed to be posted on sign allowed. The Salvation Army works year round serving the needs of our community. Many of our neighbors are struggling to just meet the bare minimums. By your continued support, we can keep families in their homes, keep water, light and heat on, and put gas in their car so they can get to work. Working together we can make Huron a better community for all involved.

Sincerely,

Your Huron Salvation Army Friends

October 17, 2023

City of Huron
Planning and Zoning Department
417 Main Street
Huron, Ohio 44839

RE: Billboard Advertising Variance

Dear Representative of the Planning and Zoning Department,

I am submitting this letter on behalf of my self and my business partners; Tom Mitchell, CEO and Scott Mitchell, President. We are the owners of the property located at 1901 Sawmill Parkway in Huron. Our business, Shoreline Contractors, Inc., maintains our primary workshop on that property as well as an additional building that we lease to another local business.

It has been brought to our attention that Mr. Mark Schnieders, owner of the businesses located at 2455 Sawmill Parkway (Stride Mobility and Safe Harbor Insurance), and the owner of the recently constructed digital billboard on that property, will be seeking a variance for off-site advertising on their sign. My partners and I wish to acknowledge our full and total support for granting of that variance by the City.

We at Shoreline Contractors are actively working to expand our marine construction operations along the Lake Erie shoreline in Huron, throughout Erie County and beyond. We are anticipating staffing a full-time crew, machinery and equipment in the area in 2024 and expanding our use of the Sawmill Parkway property as well. In order for us to accomplish our future goals, we believe we would be benefited by being able to utilize the billboard to market our expanding business and services.

I have come to know Mark and his wife Julie to be outstanding people and excellent representatives of the Huron business community. Their businesses, as is ours, are thriving and we believe an expanded use of their billboard could help support future growth and development in the City of Huron and throughout Erie County.

Shoreline Contractors hopes you will recognize the potential benefits to the local business community and agree to support the variance the Schnieders and their businesses are seeking. Should you have any questions or need any further information, my contact information is highlighted below.

Thank you for your consideration.

Sincerely,

Clint Pelfrey
Board Treasurer/Partner
clintpelfrey@shorelinecontractors.com
440-258-1301

SIMPLY BETTER REALTY, LLC

50 Cleveland Rd. E.

Huron, OH 44839

October 12, 2023

To Whom it May Concern,

As a small real estate brokerage in Huron, we are competing against many larger brokerages outside of our area. Simply Better Realty is made up of agents who all live in Huron and are raising their families here. We are continually looking for opportunities to increase our visibility and promote our brand. We hope that when people in Huron need help to buy or sell real estate, they think of us and our agents. Staying top of mind is truly crucial to our success. With that in mind, we would love the opportunity to promote our brokerage on the large, digital billboard that is owned by Stride Mobility & Safe Harbor Insurance. Its prime location on the main corridor going in and out of Huron would give us the opportunity to remind our community that we here, and ready to serve their real estate needs. We hope that a variance would be granted so that we, and other local businesses, could utilize that digital billboard to help us grow and succeed in an extremely competitive environment.

Respectfully,

Kerri Hensel

Kerri Hensel | Principal Broker

Mobile 614.937.3490 | Office 419.433.1010

SERVING CENTRAL AND NORTHERN OHIO

www.SimplyBetterRealty.com

October 17, 2023



RECEIVED
OCT 30 2023

City of Huron
Planning and Zoning Department
417 Main Street
Huron, Ohio 44839

BY: CMG

RE: Billboard Advertising Variance

Dear Representative of the Planning and Zoning Department,

I am submitting this letter on behalf of myself and my business partners, Tom Mitchell, CEO and Scott Mitchell, President. We are the owners of the property located at 1901 Sawmill Parkway in Huron. Our business, Shoreline Contractors, Inc., maintains our primary workshop on that property as well as an additional building that we lease to another local business.

It has been brought to our attention that Mr. Mark Schnieders, owner of the businesses located at 2455 Sawmill Parkway (Stride Mobility and Safe Harbor Insurance), and owner of the recently constructed digital billboard on that property, will be seeking a variance for off-site advertising on their sign. My partners and I wish to acknowledge our full and total support for granting of that variance by the City.

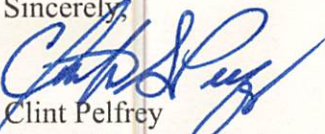
We at Shoreline Contractors are actively working to expand our marine construction operations along the Lake Erie shoreline in Huron, throughout Erie County and beyond. We are anticipating staffing a full-time crew, machinery, and equipment in the area in 2024 and expanding our use of the Sawmill Parkway property as well. For us to accomplish our future goals, we believe we would benefit by being able to utilize the billboard to market our expanding business and services.

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Shoreline Contractors hopes you will recognize the potential benefits to the local business community and agree to support the variance the Schnieders and their businesses are seeking. Should you have any questions or need any further information, my contact information is highlighted below.

Thank you for your consideration.

Sincerely,


Clint Pelfrey
Board Treasurer/Partner
440-258-1301


Tom Mitchell
CEO/Partner


Scott Mitchell
President/Partner



TO: Chairman Kath and Board Members
FROM: Erik Engle, Planning Director
RE: 209 Toledo Ave- Richter Residence
DATE: December 11, 2023

Current Zoning District: R-1 **Parcel No.:** 45-00319.000

Existing Land Use: Single Family Residential

Property Size: 2.690 Acres

Traffic Considerations: Parcel fronts Toledo Ave, Cleveland Road West and Cleveland Ave

Project Description- Detached Accessory Structure

The applicant is proposing to construct an accessory structure to be used as a pool/beach house. The parcel being surrounded by three (3) roadways (Toledo, Cleveland Road West, Cleveland Ave) creates front yard setbacks on three sides and the positioning of the home on the parcel creates unique issues as well. As proposed, the owner would like to demolish the existing shed on the northeast portion of the parcel and build a detached accessory structure in the location. The proposed placement of the structure would require a "front yard" setback of 12' from Cleveland Avenue. All other setbacks and height are compliant.

Since the proposed variance falls under the "area variance" category, the following criteria should be examined in order to establish if there are practical difficulties in the use of the property (The Seven (7) Way Test-Duncan vs The Village of Middlefield):

- 1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.*
- 2. Whether the variance is substantial.*
- 3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.*
- 4. Whether the variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).*
- 5. Whether the property owner purchased the property with knowledge of the zoning restriction or if the need for the variance is "self-imposed". (The owner created the situation)*
- 6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.*
- 7. Whether the spirit and intent behind the zoning requirement would be observed substantial justice done by granting the variance.*

Staff Analysis:

As noted, the parcel is unique in that while it is a large, there are 3 front yard setbacks to be considered; 30' front yard setbacks required in an R-1. Further, the home is positioned facing Cleveland Road West, but the driveway and address is on Toledo Avenue, so the rear yard could be considered the north of the home or the east of the home. The proposed 520sf pool/beach house would be located to the northeast of the home. There is currently a small shed in this location which will be demolished. As proposed, the new structure would be 18' from the property line, this will require a 12' front yard setback from Cleveland Ave. All other setbacks, height and build out thresholds meet regulations.

It is important to note, that the accessory structure will not be allowed to have a kitchen included in the design plan as this would create two residential structures on one parcel which is not compliant with R-1 Zoning. This has been expressed to the applicant, and if the variance is granted, the subsequent applications and building plans will be reviewed for compliance.

Motion Examples

[PLEASE STATE WHY YOU ARE APPROVING OR DENYING FOR THE RECORD]

Motion to **APPROVE** the variance request:

I make the motion to **approve** the request for a 12' front yard setback variance from Cleveland Ave for a detached accessory structure at 209 Toledo Ave as submitted. The testimony presented in this public hearing has shown that the granting of this variance is not significant, will not adversely affect the public health, safety, or welfare; will not alter the essential character of the neighborhood; will not cause a hazard or a nuisance to the public; and will serve the spirit and intent of the zoning regulations.

OR

Motion to **DENY** the variance request:

I make the motion to **deny** the request for a 12' front yard setback variance from Cleveland Ave for a detached accessory structure at 209 Toledo Ave, as sufficient testimony has **not** been presented in this public hearing that the requested variance meets the criteria set forth in the seven-way test as the project:

(Choose one or more appropriate finding(s) and specific items based on the seven-way test)

- Variance hardship is self-imposed
- Can be feasibly obviated through some other method other than a variance(s)
- Will adversely affect the public health, safety, and welfare.
- Will alter the essential character of the neighborhood.
- Will cause a hazard or a nuisance to the public.
- Will be contrary to the public interest.



CITY OF HURON
Planning & Zoning Department
417 MAIN STREET, HURON, OH 44839

THE BOARD OF BUILDING AND ZONING APPEALS APPLICATION
Completion of all applicable sections required. Incomplete applications will not be accepted.

We, the undersigned represent that we are the title owners of the following described property situated in the City of Huron, OH:

Applicant's Name SCOTT RICHTER

Property Owners' Name: SCOTT RICHTER

Address: 209 TOLEDO AVE.

City, State, Zip: HURON OH 44839

Phone Number (440) 823-6421 CELL

Email: SRICHTER@VALUEPOINT-LLC.COM

Location of Project:

Lot/Parcel #: 45-00319 Zoning District: R-1

Address: 209 TOLEDO AVE Huron, OH 44839.

Year purchased: 2020 Year the existing structure was constructed: _____

Single Story Home: _____ Two Story Home: ☒

Provide a brief summary of your proposed project:

DEMOLITION OF EXISTING DETACHED
STORAGE BUILDING AND CONSTRUCTION OF A
NEW BEACH HOUSE IN SAME LOCATION

Type:

- Area Variance: Subdivision Regulations _____ Parking _____ Setbacks ☒
Height _____ Size _____ Flood Plain _____
- Use Variance: _____

Conditionally Permitted Use: _____

We request a Hearing before the Board of Building and Zoning Appeals of the City of Huron, Ohio, on the following question: (State the specific details of the variance being requested. Example: Area variance- 1' side setback variance is required for the proposed addition; Use Variance- State the type of use; or Conditionally Permitted Use approval)

12' YARD VARIANCE TO ALLOW STRUCTURE TO BE CONSTRUCTED IN SAME LOCATION AS EXISTING SHED TO BE REMOLISHED

Conditionally Permitted Use Approval

The following uses shall be permitted only if authorized by the Board of Building & Zoning Appeals in accordance with the provisions of Section 1139.02. State the type of use being proposed and the applicable code section:

Code Section: _____

(skip to Page 7, Sign and Date Application)

Use and/or Area Variance Questionnaire

1. The property in question [will/will not] yield a reasonable return and there [can/ cannot] be a beneficial use of the property without the variance because:
A BEACH HOUSE IS A REASONABLE USE AND BENEFICIAL AMENITY FOR A LAKEFRONT PROPERTY
2. The variance is [substantial/insubstantial] because:
NEW BUILDING PROPOSED TO BE CONSTRUCTED IN SAME LOCATION AS AN EXISTING ACCESSORY BUILDING TO BE REMOVED.
3. The essential character of the neighborhood [would/would not] be substantially altered or adjoining properties [would/would not] suffer a substantial detriment as a result of the variance because:
SEE RESPONSE ABOVE.
4. The variance [would/would not] adversely affect the delivery of governmental services, (e.g., water, sewer, garbage)
NO EFFECT ON SERVICES
5. The applicant purchased the property [with/without] knowledge of the zoning restriction. Year the property was purchased: 2020 Year the structure(s) was constructed: _____.

6. The applicant's predicament feasibly [can/cannot] be resolved through some method other than a variance.
7. The spirit and intent behind the zoning requirement [would/would not] be observed and substantial justice [done/not done] by granting the variance because
MAINTAIN SINGLE FAMILY RESIDENTIAL USE
OF PROPERTY. "ALLOW FOR ACCESSORY BUILDING
IN "BACKYARD"

8. We believe the request should be granted due to the following hardship which is created by the property: (explain the hardship that exists pursuant to the code)
ALLOW FOR REASONABLE USE OF A UNIQUE PARCEL
THAT HAS 3 FRONT YARDS, 2 OF WHICH FRONT
ON PRIVATE, ONE-WAY DRIVES!

I hereby certify that I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/or I have been authorized to make this application as an authorized agent and agree to conform to all applicable laws, regulations, and ordinances of the city. I certify all information contained within this application and supplemental documents are true and accurate to the best of my knowledge and belief.

In addition, I, the undersigned responsible party (owner, occupant, tenant, or agent for the property owner) of the property described herein, do hereby consent to entry upon said property, at a reasonable time and to the extent necessary, by the City of Huron and its officers, employees, and/or agents for the purpose of inspecting said property for compliance with the City's Zoning and/or Building Codes. I further certify that I have authority to grant access to said property.

Date: 10/26/23 Signed Applicant

Date: 10/26/23 Signed Property Owner

(REQUIRED)

ZONING DEPT. USE ONLY

Date received: _____ Application Complete _____

\$150 filing fee receipted: _____

Comments _____ Hearing Date _____



DANIEL FREDERICK ARCHITECTS, LLC

30 PARK STREET • ON THE SQUARE
POST OFFICE BOX 10
MILAN, OHIO 44846
TEL: 419.499.3242 • FAX: 419.499.2213
www.daniefrederickarchitects.com

RICHTER RESIDENCE

209 TOLEDO AVENUE, HURON
OCTOBER 31, 2023

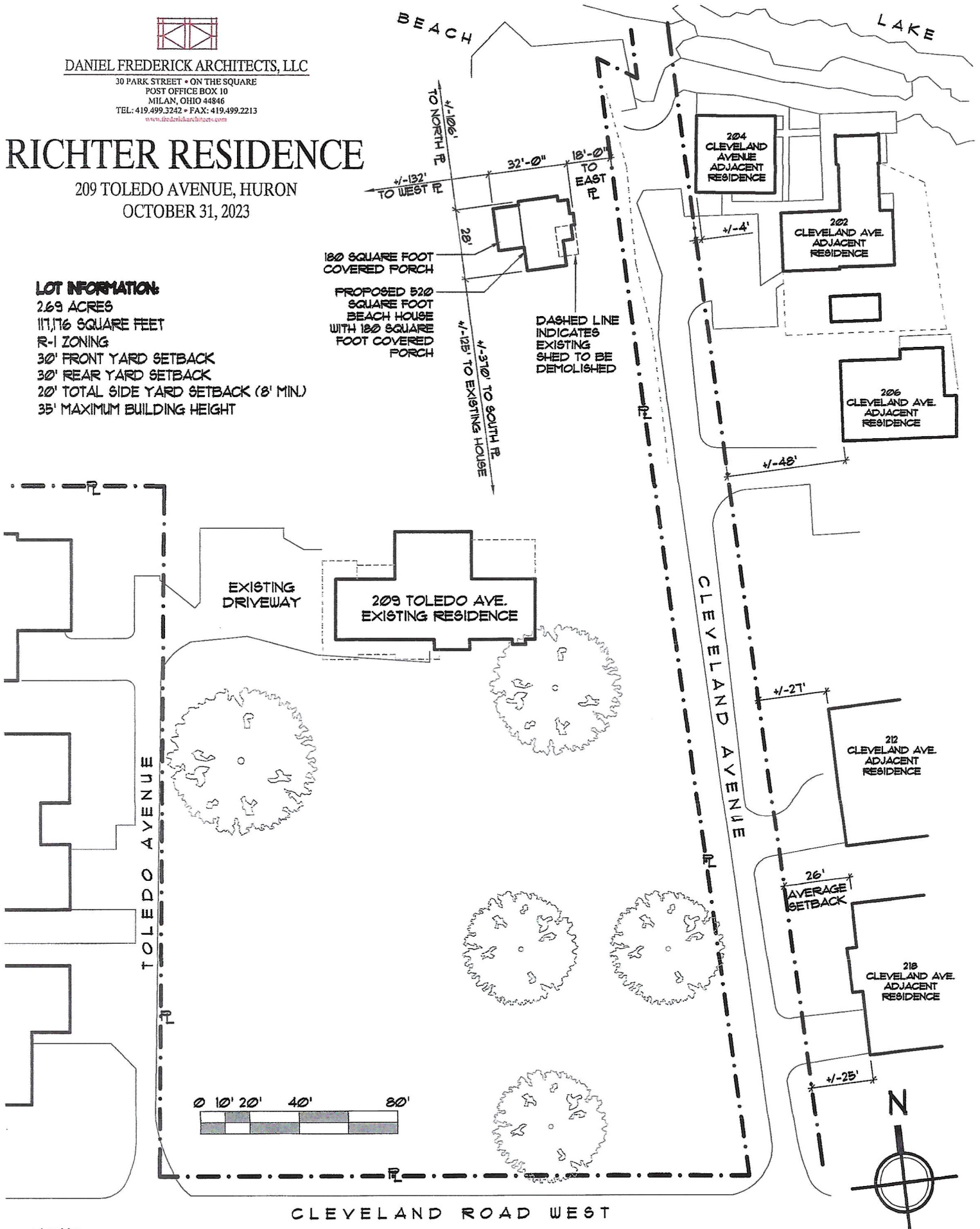
LOT INFORMATION:

2.69 ACRES
117,176 SQUARE FEET
R-1 ZONING
30' FRONT YARD SETBACK
30' REAR YARD SETBACK
20' TOTAL SIDE YARD SETBACK (8' MIN.)
35' MAXIMUM BUILDING HEIGHT

180 SQUARE FOOT
COVERED PORCH

PROPOSED 520
SQUARE FOOT
BEACH HOUSE
WITH 180 SQUARE
FOOT COVERED
PORCH

DASHED LINE
INDICATES
EXISTING
SHED TO BE
DEMOLISHED



NOTE:

THIS SITE LAYOUT IS BASED ON INFORMATION PROVIDED IN A SURVEY DATED OCTOBER 2023 BY DANIEL E. HARTUNG JR. PE, PS. AND IS INTENDED TO DETERMINE ZONING COMPLIANCE ONLY.

SITE PLAN

1"=50'



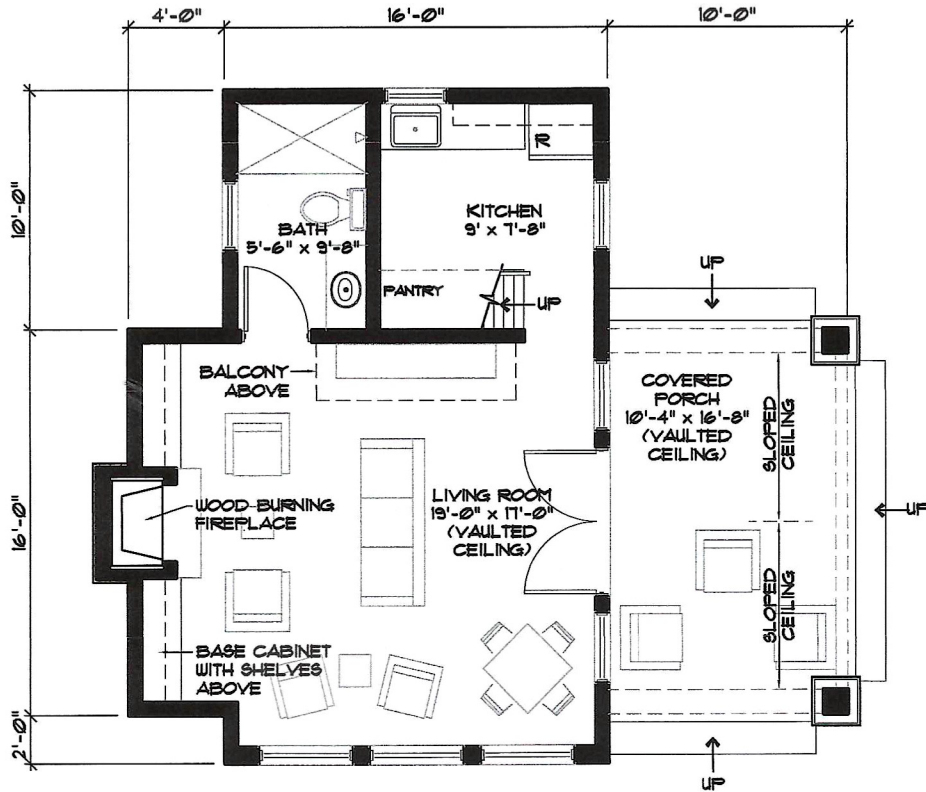
DANIEL FREDERICK ARCHITECTS, LLC

30 PARK STREET • ON THE SQUARE
POST OFFICE BOX 10
MILAN, OHIO 44846
TEL: 419.499.3242 • FAX: 419.499.2213
www.fredrickarchitects.com

RICHTER RESIDENCE

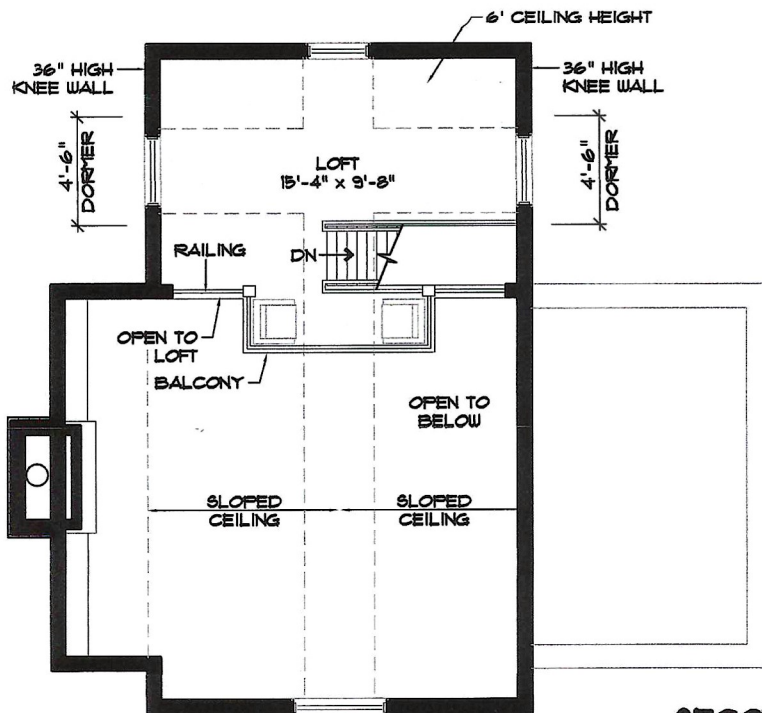
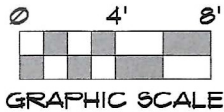
209 TOLEDO AVENUE, HURON

OCTOBER 31, 2023



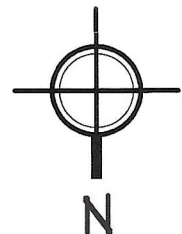
FIRST FLOOR PLAN

1/8"=1'



SECOND FLOOR PLAN

1/8"=1'





DANIEL FREDERICK ARCHITECTS, LLC

30 PARK STREET • ON THE SQUARE
POST OFFICE BOX 10
MILAN, OHIO 44846
TEL: 419.499.3242 • FAX: 419.499.2213
www.fredrickarchitects.com

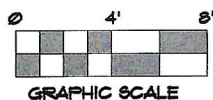
RICHTER RESIDENCE

209 TOLEDO AVENUE, HURON
OCTOBER 31, 2023



SOUTH ELEVATION

1/8"=1'



WEST ELEVATION

1/8"=1'



DANIEL FREDERICK ARCHITECTS, LLC

30 PARK STREET • ON THE SQUARE
POST OFFICE BOX 10
MILAN, OHIO 44846
TEL: 419.499.3242 • FAX: 419.499.2213
www.fredrickarchitects.com

RICHTER RESIDENCE

209 TOLEDO AVENUE, HURON

OCTOBER 31, 2023



NORTH ELEVATION

1/8"=1'



GRAPHIC SCALE

EAST ELEVATION

1/8"=1'



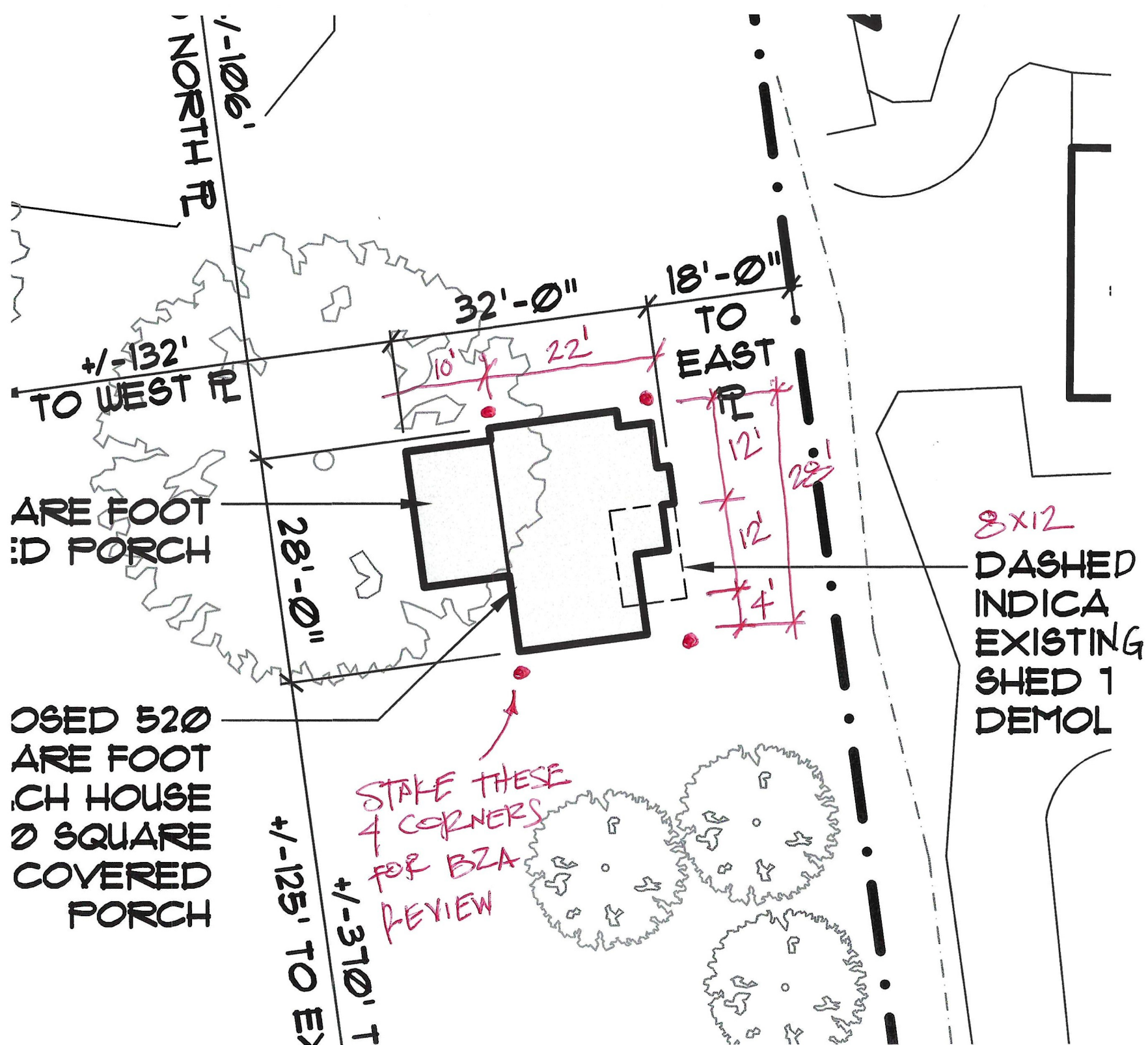
SUBLOTS 460,449,451,453 REVISED PLAT OF SECTION "C"
GRAND FOREST BEACH ALLOTMENT PLAT VOL.13 PG 9
CITY OF HURON ERIE COUNTY, OHIO
OCTOBER 2023 SCALE 1"=40'

DANIEL E. HARTUNG, JR., PE, PS



ADJACENT PROPERTY OWNERS

- 202 CLEVELAND AVE
JOFF MAJESTIC
- 206 CLEVELAND AVE
DEAN LAPP
- 212 CLEVELAND AVE
STEPHANIE. STAMM. TI
- 218 ALDRIDGE RESTORATION
CLEVELAND AVE
- 301 ORANGEWOOD
JENNIFER TELENKO
- 1410 CLEVELAND ROAD
RICHARD HUFFMAN
- 1414 CLEVELAND ROAD
DINO CAJORINI
- 221 TOLEDO AVE.
TIM LEHNER
- 219 TOLEDO AVE
MATTHEW CSEKEI
- 211 TOLEDO AVE
LARRY TINLEY
- 214 BUGYRUS AVE
JULIE SVEKRIC
- 210 BUGYRUS AVE
ROGER MUNSTERMAN
- 204 BUGYRUS AVE
LED2 LLC





TO: Chairman Kath and Board Members
FROM: Erik Engle, Planning Director
RE: 909 University Drive
DATE: December 11, 2023

Current Zoning District: I-1 Light Industrial **Parcel No.:** 42-0197.007

Existing Land Use: Commercial/Office (Formerly N2Y)

Proposed Land Use: Institutional/School (Montessori School)

Property Size: 2.0 acres

Traffic Considerations: Huron Corporate Park

Variances Requested: 1. Use variance to allow for a school in an I-1 Light Industrial Zone, and
2. Area variance to allow for a school to locate within 1000 of a marijuana dispensary

Project Description- Use and Area Variances

The parcel, located in Huron Corporate Park, was formerly the educational/commercial business known as N2Y. The property was recently purchased by Tiburon 909 University Park B Corp. Holdings, LLC (James W. Murray). Mr. Murray met with staff to discuss his proposed use for the parcel as a local non-profit education organization (Firelands Montessori Academy).

Proposing a school in this location was found non-compliant relative to allowable uses within an I-1 Light Industrial Zoning District. In addition, having a school in this location would be non-compliant with Section 1126.16 of the city ordinances relative to the distance requirement (1000 feet) mandated between parcels with schools and marijuana dispensaries in situ.

Use/Area Variances Criteria

The proposed school use variance falls under the "Use Variance" category, the following criteria should be examined for practical difficulties in the use of the property (The Seven (7) Way Test-Duncan vs The Village of Middlefield) as well as consideration of Unnecessary Hardship criteria:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
2. Whether the variance is substantial.
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
4. Whether the variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).
5. Whether the property owner purchased the property with knowledge of the zoning restriction or if the need for the variance is "self-imposed". (The owner created the situation)

6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
7. Whether the spirit and intent behind the zoning requirement would be observed substantial justice done by granting the variance.

Unnecessary Hardship

The enabling act is specific in authorizing a variance only where, owing to special conditions, a literal enforcement of the zoning resolution will result in unnecessary hardship. Under these acts, variance must be based upon evidence that literal application of zoning regulations on a specific parcel of property will result in an unnecessary hardship unique to that property, and that the granting of a variance would serve the spirit of the zoning regulation.

Through an extensive series of court cases, a set of tests has evolved to determine the presence of unnecessary hardships. These are the kinds of standards that ought to be incorporated into any zoning resolution dealing with variances.

1. The courts have ruled that the required use must remove all profitable use from the land, or in other words, the applicant's supposed hardship cannot be one of economics alone.
2. The hardship must result from circumstances affecting a particular and unique piece of land, and not from a general condition throughout the neighborhood. The application should be denied on the basis that any hardship is common to the entire area and not just to the applicant's property. The hardship must be unique and not general. In this case, proper remedy was a rezoning through the regular amendment procedure.
3. A variance must not alter the essential character of a neighborhood.
4. It is not enough to show that the effects of a variance would be harmless. Real, unnecessary hardship must still be established by the applicant.
5. Any hardship must result from the requirements of the zoning resolution and not from the applicant's own actions. For instance, a variance request is properly denied when the applicant knowingly bought a piece of land too small for his intended use of the land or he created the situation.
6. A variance must not be contrary to the public interest, even if a hardship can be established.

Staff Analysis:

Huron Corporate Park is located within an I-1 Light Industrial District which prohibits schools as a use in the district:

1125.04 I-1 LIGHT INDUSTRIAL DISTRICT. (e) *Prohibited Uses. The following uses and any use which is first permitted or prohibited in the I-2 District: (1) Dwelling and residences of any kind, including motels; **also schools**, hospitals, clinics, convalescent or nursing homes, and other institutions for human care, except where incidental to a permitted principal use; provided, however, that any of the aforesaid uses legally existing in the I-1 District at the time of adoption of this Zoning Ordinance, or any amendment thereto, shall not be classified as a nonconforming use as defined in Section 1121.04 and subject to the provisions of Section 1121.07.*

Located within close proximity to the proposed school is an existing Medical Marijuana Dispensary, Firelands Scientific. Both the City and ORC mandate distances required between a marijuana dispensary and a school:

1126.16 MEDICAL MARIJUANA RETAIL DISPENSARIES. *(c) Location. The following regulations shall be used to regulate the location of medical marijuana retail dispensary facilities: (1) Medical marijuana retail dispensaries are conditionally permitted within any Industrial district within the city. In addition, no medical marijuana retail dispensary may be within **1000 ft. from any parcel on which sits a school, church, public library, public playground or public park.***

The prohibited uses for an I-1 Zoning District are clearly listed out in 1125.04 above. The impetus for most zoning regulations and subsequent case law revolve around sequestering industrial type uses with other less intense neighborhood type uses, given the potential for noxious odors, excessive noise, and land value factors.

It is unclear what the ultimate intent is for University Drive; there is no future land use map to refer to, but this stretch of properties is more commercial-business oriented than industrial, leaning more into the office park typology based on existing uses. However, this is not to say these uses will last. Since all parcels adjacent to University Drive are zoned I-1, any future uses could intensify and potentially become a nuisance to the school if located on this stretch. If approved, a more detailed look at the zoning will need to take place in consideration of a more appropriate zoning classification for the entire stretch.

Even though the regulations set in 1126.16 only speak to medical marijuana retail dispensaries, staff finds the intent of the code to be a hard buffer line between any of the incongruent uses listed in 1126.16 regardless of any of the said other uses wanting to locate near a dispensary, especially given the incompatible nature of the current zoning and proposed institutional use. Further, staff finds this would throw the dispensary (and any future dispensary expansions) out of compliance with the city's code if approved and would warrant revisions to these regulations accordingly.

According to **ORC 3796.30** (Activities prohibited near schools, churches, libraries, playgrounds or parks), a dispensary cannot locate within 500 feet of the boundaries of a parcel of real estate having situated on it a school, church, public library, public playground, or public park. Because this is a unique case where a school wants to locate within the 500 feet buffer, the rules don't apply since it only speaks to new dispensaries and where they can locate according to the Department of Commerce. Since the dispensary is already in operation, nothing can or will be done to hinder state-regulated operations of the facility or curtail any future expansion of the facility, which is currently in the works.

At staff's request, the city's legal representatives reached out to the Department of Commerce on November 13th to further discuss their stance on the proposal. Key takeaways include the following:

1. The Ohio Department of Commerce is more concerned about the placement of a dispensary within the 500 feet radius; they are less concerned about a school that wants to locate within the radius/buffer;

2. The State believes that the existing dispensary should not be threatened as the DOC will take no further action against them by virtue of the school's choice to move within the radius (the statute regulates the marijuana industry, not the school);
3. It was noted that, under the new recreational marijuana law, that the existing dispensary likely has an absolute right to also operate a recreational dispensary on the same or contiguous properties. Again, the State views this as the school's concern;
4. From the City's perspective, provided land use and zoning is appropriate for the proposed use, the DOC believes there is no further action that they will take in the event this proposed use becomes a reality, and they don't expect the dispensary to take action (at least not as stimulated by DOC)

As of today, December 4, 2023, the city has received include the one from the Firelands Montessori Academy Director, a BGSU representative, Superintendent for Huron City Schools, Dave & Jackie Clark Co-Founders of N2Y, and John Horvath of Horvath Roofing Inc.

It is unclear whether the parents of the school have been actively involved in the relocation decision-making process or if there is a majority in support for the relocation of the school into an industrial/business in close proximity to a marijuana dispensary. It should be noted that other offices type uses were discussed with the applicant including incubator space for burgeoning non-profit organizations.

Variances Requested

1. Use variance to allow for a school in an I-1 Light Industrial Zone, and
2. 800' area variance to allow for a school to locate within 1000' of a marijuana dispensary (200' from dispensary to parcel)

Motion Examples

[PLEASE STATE WHY YOU ARE APPROVING OR DENYING FOR THE RECORD]

Motion to **APPROVE** the variance request:

I make the motion to **approve** the Use Variance to allow 909 University Drive, located within an I-1 District, to be used as a school and the Area Variance of 800' to allow a reduction to the 1000' distance requirement to an existing medical marijuana dispensary as, the testimony presented in this public hearing has shown that the granting of this variance is not significant, will not adversely affect the public health, safety, or welfare; will not alter the essential character of the neighborhood; will not cause a hazard or a nuisance to the public; and will serve the spirit and intent of the zoning regulations.

OR

Motion to **DENY** the variance request:

I make the motion to **deny** the request for a Use Variance to allow 909 University Drive, located within an I-1 District, to be used as a school and the Area Variance of 800' to allow a reduction to the 1000' as submitted, as sufficient testimony has **not** been presented in this public hearing that the requested variance meets the criteria set forth in the seven-way test as the project:

(Choose one or more appropriate finding(s) and specific items based on the seven-way test)

- No hardship is evident
- Variance hardship is self-imposed
- Can be feasibly obviated through some other method other than a variance(s)
- Will adversely affect the public health, safety, and welfare.
- Will alter the essential character of the neighborhood.
- Will cause a hazard or a nuisance to the public.
- Will be contrary to the public interest.



CITY OF HURON
Planning & Zoning Department
417 MAIN STREET, HURON, OH 44839

THE BOARD OF BUILDING AND ZONING APPEALS APPLICATION
Completion of all applicable sections required. Incomplete applications will not be accepted.

We, the undersigned represent that we are the title owners of the following described property situated in the City of Huron, OH:

Applicant's Name James W. Murray
Property Owners' Name: Tiburon 909 University Park B Corp Holdings, LLC
Address: 909 University Drive S., Ste 1000
City, State, Zip: Huron, OH 44839
Phone Number (415) 640-0027
Email: jim.w.murray@gmail.com

Location of Project:

Lot/Parcel #: 42-0197.007 Zoning District: _____
Address: 909 University Drive S. Huron, OH 44839.
Year purchased: 2023 Year the existing structure was constructed: 2008
Single Story Home: _____ Two Story Home: Office Building ✓

Provide a brief summary of your proposed project:

Applicant seeks use variance to allow
a local nonprofit education organization
(FMA school) to utilize property.

Type:

- Area Variance: Subdivision Regulations _____ Parking _____ Setbacks _____
Height _____ Size _____ Flood Plain _____ Sign Regulations _____
- Use Variance: ✓

Conditionally Permitted Use: _____

We request a Hearing before the Board of Building and Zoning Appeals of the City of Huron, Ohio, on the following question: (State the specific details of the variance being requested. Example: Area variance- 1' side setback variance is required for the proposed addition; Use Variance- State the type of use; or Conditionally Permitted Use approval)

Applicant seeks use variance to allow a local nonprofit education organization (FMA School) to utilize the property (former NAY building).

Conditionally Permitted Use Approval

The following uses shall be permitted only if authorized by the Board of Building & Zoning Appeals in accordance with the provisions of Section 1139.02. State the type of use being proposed and the applicable code section:

Code Section: _____

(skip to Page 7, Sign and Date Application)

Use and/or Area Variance Questionnaire

1. The property in question [will] will not] yield a reasonable return and there [can] cannot] be a beneficial use of the property without the variance because:
there are other potential uses (e.g. offices).
However, the philanthropic intent is to continue the legacy of NAY via education uses.
2. The variance is [substantial/insubstantial] because:
the use variance will merely allow an educational organization to use the existing building.
3. The essential character of the neighborhood [would/would not] be substantially altered or adjoining properties [would/would not] suffer a substantial detriment as a result of the variance because:
the granting of the use variance will not change character (BGSU Firelands across the street) or cause any detriment to adjoining properties.
4. The variance [would/would not] adversely affect the delivery of governmental services, (e.g., water, sewer, garbage)

5. The applicant purchased the property [with/without] knowledge of the zoning restriction. Year the property was purchased: 2023. Year the structure(s) was constructed: 2008.

6. The applicant's predicament feasibly [can/cannot] be resolved through some method other than a variance.
7. The spirit and intent behind the zoning requirement [would/would not] be observed and substantial justice [done/not done] by granting the variance because the use variance and intended uses are consistent and similar to the use as offices and the building is unique asset for education.
8. We believe the request should be granted due to the following hardship which is created by the property: (explain the hardship that exists *pursuant to the code*)

The NAY building is a unique community asset that aligns with the intended continued use of education. The unique location near BGSU Firelands, size and layout is ideal for the FMA school.

I hereby certify that I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/or I have been authorized to make this application as an authorized agent and agree to conform to all applicable laws, regulations, and ordinances of the city. I certify all information contained within this application and supplemental documents are true and accurate to the best of my knowledge and belief.

In addition, I, the undersigned responsible party (owner, occupant, tenant, or agent for the property owner) of the property described herein, do hereby consent to entry upon said property, at a reasonable time and to the extent necessary, by the City of Huron and its officers, employees, and/or agents for the purpose of inspecting said property for compliance with the City's Zoning and/or Building Codes. I further certify that I have authority to grant access to said property.

Date: 11/14/23 Signed Applicant James W. Murray
 Date: 11/14/23 Signed Property Owner James W. Murray, member LLC
 (REQUIRED)

ZONING DEPT. USE ONLY

Date received: 11/14/23 Application Complete ✓

\$150 filing fee receipted: OK # 185

Comments _____ Hearing Date 12/11/23

Legal Description

Surveying Office File No. E-3227050C

Situated in the Township of Huron, County of Erie and State of Ohio.

Section No. 2, Original Lot No. 28, now in the City of Huron and being more definitely described as follows:

Commencing at a monument box found marking the intersection of the centerline of Eye Beach Road (SR 1) with the southeasterly extension of the centerline of University Drive (SR 16) and running along the centerline of University Drive a distance of 348.63 feet to its intersection with the centerline of University Drive East (SR 1), thence South 87 deg. 20' 01" east along the centerline of University Drive a distance of 445.29 feet to a point of curve, thence South 88 deg. 08' 04" west a distance of 33,000 feet to a point on the curve to the right, having a radius of 950.00 feet, a delta of 45 deg. 45' 17", a chord bearing South 88 deg. 37' 29" east, a chord distance 33,34 feet, an arc length of 33,38 feet to a 1/2" iron pin set and the point of beginning.

1. Thence southeasterly continuing along the south right of way line of University Drive East along an arc of a curve to the right, having a radius of 920.00 feet, a delta of 18 deg. 40' 47", a chord bearing South 72 deg. 14' 26" east, a chord distance of 298.51 feet to a 1/2" iron pin set.
2. Thence southeasterly along an arc of a curve to the right, having a radius of 42,000 feet, a delta of 8 deg. 57' 57", a chord bearing of South 13 deg. 17' 36" east, a chord distance of 58.93 feet, an arc length of 58.24 feet to a 1/2" iron pin set on the westerly right of way line of University Drive South (SR 1).
3. Thence South 31 deg. 58' west along the westerly right of way line of University Drive South a distance of 138.53 feet to a 1/2" iron pin set.
4. Thence southeasterly continuing along the right of way line along an arc of a curve to the right, having a radius of 145.90 feet, a delta of 16 deg. 28' 00", a chord bearing of South 42 deg. 17' 30" west, a chord distance of 161.87 feet, an arc length of 162.38 feet to a 1/2" iron pin set.
5. Thence southeasterly continuing along the westerly right of way line along an arc of a curve to the right, having a radius of 11,000 feet, a delta of 51 deg. 20' 12", a chord bearing of South 74 deg. 09' 36" west, a chord distance of 26.30 feet, an arc length of 27.81 feet to a 1/2" iron pin set.
6. Thence southeasterly continuing along the westerly right of way line along an arc of a curve to the left, having a radius of 17,000 feet, a delta of 34 deg. 42' 21", a chord bearing of South 71 deg. 31' 32" west, a chord distance of 53.64 feet, an arc length of 66.33 feet to a 1/2" iron pin set.
7. Thence North 59 deg. 18' 48" west along the northern line of a 10 feet wide storm sewer easement, a distance of 41.85 feet to a 1/2" iron pin set.
8. Thence North 00 deg. 00' 00" a distance of 39.10 feet to a 1/2" iron pin set on the south right of way line of University Drive East and the point of beginning, containing 2.0000 acres more or less but being subject to all legal highways.

Notes Corresponding to Schedule B Part II

10. Right of Way to the Lake Erie Power and Light Company filed for record February 25, 1938 and recorded in Volume 30, 2002 and recorded as Document KN 200219773 Erie County, Ohio Official Records.

NOTI: Said Right of Way was assigned to the Toledo Edison Company, filed for record December 9, 1938 and recorded in Volume 231 at Page 128, Erie County, Ohio Deed Records.

NOTI: Said Right of Way was further assigned to Ohio Edison Company, filed for record June 30, 1951 and recorded in Volume 1 of Page 128, Erie County, Ohio Deed Records.

• **Within Right-of-Way-Does not affect property**
11. Easement and Right of Way to the Ohio Edison Company, an Ohio Corporation dated April 23, 1940 filed for record June 9, 1940 and recorded in Volume 7 at Page 291, Erie County, Ohio Deed Records.

• **Within Right-of-Way-Does not affect property**
12. Easement and Right of Way of Ohio Edison Company, filed for record July 5, 1952 and recorded in Volume 134 at Page 142, Erie County, Ohio Deed Records.

• **Within Right-of-Way-Does not affect property**
13. Right of Way to Columbia Gas of Ohio, Inc., filed for record September 8, 1967 and recorded in Volume 178 at Page 111, Erie County, Ohio Deed Records.

• **Within Right-of-Way-Does not affect property**
14. Right of Way to Columbia Gas of Ohio, Inc., filed for record September 8, 1967 and recorded in Volume 178 at Page 112, Erie County, Ohio Deed Records.

• **Within Right-of-Way-Does not affect property**
15. Easement and Right of Way to Ohio Edison Company, filed for record November 27, 1973 and recorded in Volume 433 at Page 363, Erie County, Ohio Deed Records.

• **Within Right-of-Way-Does not affect property**
16. Declaration of restrictions for Huron Industrial Park filed for record July 31, 2000 as Document KN 200009406, Erie County Ohio Official Records.

• **Not plottable - Affects property**
17. Amended and Restated Declaration of Restrictions for Huron Industrial Park filed for record April 23, 2002 and recorded as Document KN 200203478, Erie County, Ohio Official Records.

• **Not plottable - Affects property**
18. Those matters shown on the Right of Way Dedication Plan for University Park East filed for record May 10, 2002 and recorded in Volume 41 at page 98, Erie County, Ohio Plat Records 20, 2002.

• **Not plottable - Affects property**
19. Easement to Columbia Gas of Ohio, Inc., filed for record November 7, 2001 and recorded as Document KN 200116676 Erie County, Ohio Official Records.

• **Plotted - Affects property**
20. Second Amendment to the Declaration of Restrictions for Huron Corporate Park filed for record November 30, 2002 and recorded as Document KN 200219773 Erie County, Ohio Official Records.

Land Area

Calculated 2.0000 Ac.
Recorded 2.0000 Ac.

Max. Building Height: 28.4 Ft.
Min. Building Height: 13.3 Ft.

Parking Spaces
Normal spaces: 80
Handicapped spaces: 2

FLOOD ZONE DESIGNATION
ZONE X (AREA OF MINIMAL FLOODING)

FROM PANEL NO. 30043C2114F
9/10/2022

Possible Encroachments

Note at time of Survey

SITE



VICINITY MAP

- LEGEND
- DB = 1/4" SET HOLE 5" DIA
 - CB = 1/4" HOLE 5" DIA
 - SB = 1/4" HOLE 5" DIA
 - WB = 1/4" HOLE 5" DIA
 - MB = 1/4" HOLE 5" DIA
 - LB = 1/4" HOLE 5" DIA
 - UB = 1/4" HOLE 5" DIA
 - DB = 1/4" HOLE 5" DIA
 - CB = 1/4" HOLE 5" DIA
 - SB = 1/4" HOLE 5" DIA
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 - MB = 1/4" HOLE 5" DIA
 - LB = 1/4" HOLE 5" DIA
 - UB = 1/4" HOLE 5" DIA

ALTA/NSPS LAND TITLE SURVEY

of PARCEL NO. 42-01972.007

SITUATED IN THE TOWNSHIP OF HURON, COUNTY OF ERIE AND THE STATE OF OHIO:
SECTION NO. 2, ORIGINAL LOT NO. 28, NOW IN THE CITY OF HURON.

SURVEY CERTIFICATION

September 29, 2023

This survey is made for the benefit of:
TIBURON 909 UNIVERSITY PARK BL CORP HOLDINGS, LLC, an Ohio Limited Liability Company

Based upon File No. E-3222050C Commitment Date: August 23, 2023, 7:30 am.

1. This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 7a, 7b1, 7c, 8, 9, 13, 14, 16-19 of Table A thereof.

2. The accompanying survey was made on the ground and correctly shows the location of all buildings, structures and other improvements situated on the subject property.

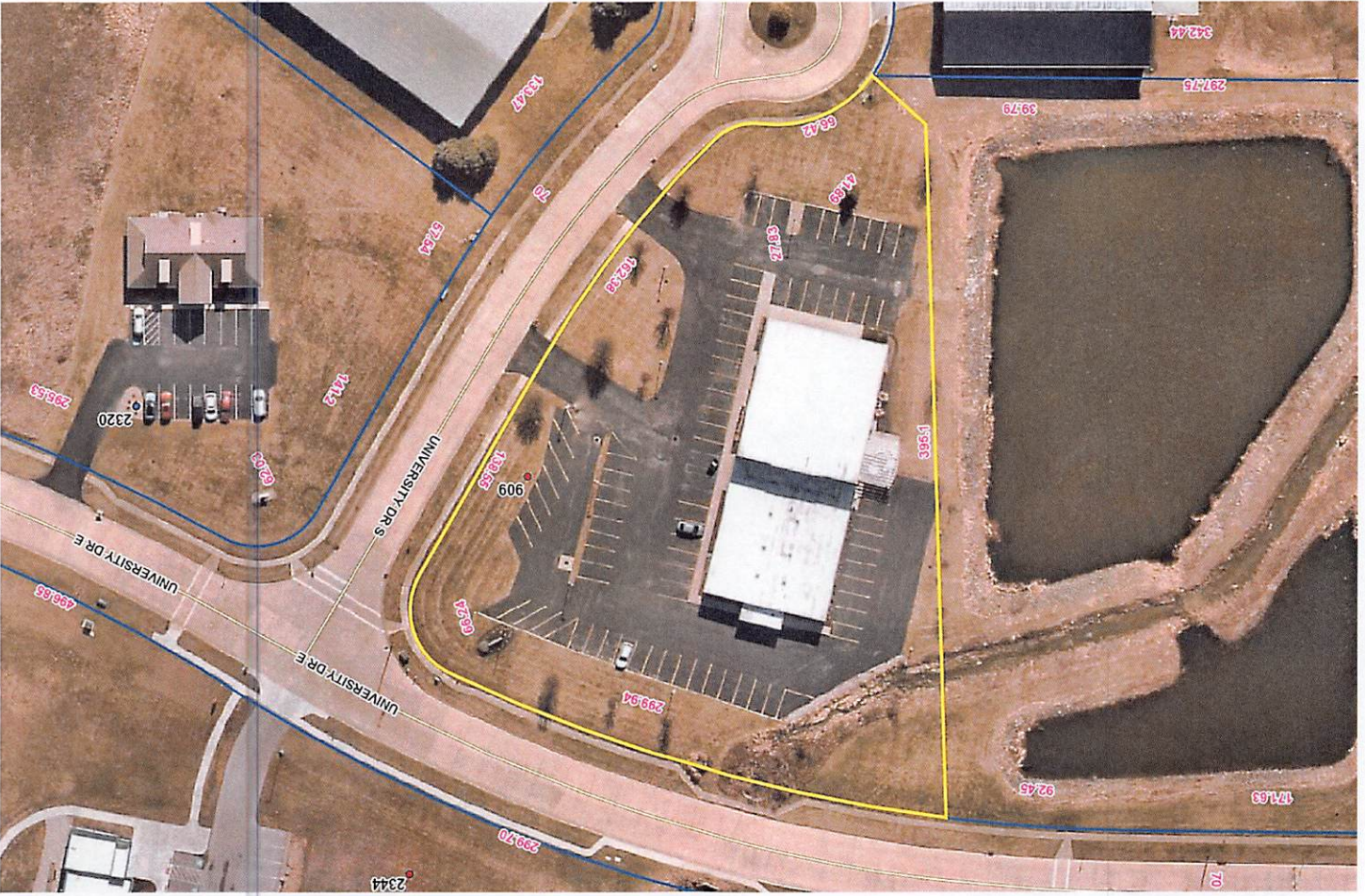

Richard J. Kole - Professional Land Surveyor No. 7889

The field work was completed on September 22, 2023.

Date of Plat or Map: September 29, 2023



5315 Ridge Road - Cleveland, Ohio 44129
Phone: 440.885.7137 - Fax: 440.885.7139
www.rmkole.com
File No. 21215



RECEIVED
NOV 29 2023

BY: CWG



To City of Huron, Board of Building and Zoning Appeals,

On behalf of the Firelands Montessori Academy (FMA) Board and Administration, we would like to pursue the opportunity to become residents at the former N2Y building at 909 University Drive. Firelands Montessori Academy has been a part of the community since 1979 and specifically in the Huron community since 1983.

Firelands Montessori Academy has been searching for a new building in Huron for years. We are always attempting ways to collaborate, incorporate, partner/work with the city/school district in any way we can. We have even been willing to take over or purchase depleting facilities and fell short of the Shawnee property.

As you all know, we are very limited with our current and any other existing school structures that are not in dire repair. We currently are residing in a facility that lacks everything from being a healthy and clean space to proper electrical to being ADA accessible. We have even looked into purchasing land, using mobile units and slowly building permanent structures, but with the cost of construction at an all-time high, it is impractical at this time.

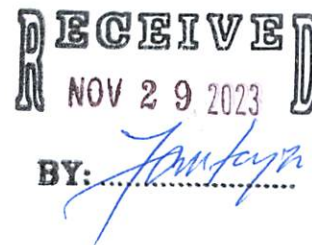
The 909 University former N2Y building offers a unique healthy state-of-the-art space with proper lighting, working utilities, technology, and ongoing resources. It provides an opportunity for a moldable layout depending on enrollment and the location is right across the street from a college that thrives on its teacher education program. With Firelands Montessori Academy at the 909 University building, we would be able to build collaborative partnerships with BGSU Firelands and the main campus giving student teachers direct access to do hands-on classes and internships.

Firelands Montessori Academy has been in Huron for 40 years and we want to be around for 40 more years. We do believe that with the opportunity to move into the 909 University Drive facility, we would be able to help continue to grow our program in the best way possible.

Sincerely,

Kathryn M. Hayden (Director) & Peter Larrow (Founder & current Board member)

City of Huron Board of Zoning and Appeals
417 Main Street
Huron, Ohio 44839



11/28/2023

To whom it may concern:

Please listen carefully to Katie Hayden and others who are advocating for Firelands Montessori Academy's option to occupy 909 University E Drive. Their vision for the institution and the needs of children make them the experts on what facilities would best serve their mission.

It is my understanding that Firelands Montessori Academy is interested in occupying the old N2Y building at 909 University E. Drive, Huron. The space in question may be zoned industrial and located somewhat near a marijuana grower and distributor, but these issues would likely be true for most any appropriate, available space in our region. There are likely few buildings in our area that would be appropriate to house a primary school. Of those that exist, what are the chances they would not be in commercially or industrially zoned areas? Additionally, now that recreational marijuana is legal in Ohio, these products will likely be available in an increasing number of outlets – close to houses of worship, schools, parks, etc. It will be a challenge to stay clear of them. It seems, therefore, the negatives concerning the site in question are not particularly serious when taken into broader context.

The former N2Y building is a fairly modern building for children and staff to enjoy, and the location has significant benefits to it as well. Proximity to the BGSU Firelands campus provides more opportunities for collaborations between FMA and BGSU. Outdoor enrichment activities at the McBride Arboretum would further develop the minds and bodies of FMA students. Also, Sandusky Transit's yellow line terminates at BGSU and may provide a needed transportation option for families and staff.

Please support the needs and interests of FMA and its leadership as they seek innovative solutions for their current and future needs.

Sincerely,

A handwritten signature in black ink that reads "Elizabeth M. Laurer".

Elizabeth Laurer, Ph.D.
Coordinator, Clark Inclusive Scholars Program
BGSU Firelands College

RECEIVED
NOV 30 2023

30 Nov 23

BY:

To City of Huron Board of Building and Zoning Appeals,

As the founders of News to You (N2Y), we write this letter of support for the use variance application for our former building at 909 University Drive, in Huron.

As you may know, News to You was founded in Huron as an innovative educational technology company.

The Firelands Montessori Academy (FMA) has been a valuable part of the community since 1979 and specifically located in the Huron community since 1983.

The Firelands Montessori Academy has been searching for a new building in Huron for years.

The 909 University building is the ideal location, size and layout for FMA. We strongly support the potential opportunity for Firelands Montessori Academy to be located at the former N2Y building at 909 University Drive.

The 909 University former N2Y building offers a unique healthy state-of-the-art space with proper lighting, working utilities, technology and resources. It provides an opportunity for a moldable layout depending on enrollment and the location is right across the street from a college that thrives on its teacher education program. With Firelands Montessori Academy at the 909 University building, FMA would be able to build collaborative partnerships with BGSU Firelands (such as the Clark Inclusive Scholars Program) and the main campus giving student teachers direct access to do hands-on classes and internships.

The Firelands Montessori Academy has been located in Huron for 40 years and they want to be around for 40 more years. Thank you for your thoughtful consideration.

Sincerely,



Dave and Jacquie Clark
Co-Founders, News to You (N2Y)
29 Turtle Bay, Huron, OH 44839

Dear City of Huron, Board of Building and Zoning Appeals,

We are writing on behalf of the local business community in the Huron Corporate Park located on University Drive East/South in Huron to express our enthusiastic support for the proposed use variances that would allow for the Firelands Montessori Academy (FMA) in the light industrial area at the former N2Y building at 909 University Drive. We Believe this initiative aligns with the progressive vision for our city and will contribute to positively to our vibrant community.

Education is the cornerstone of a thriving society, and we recognize the value that a local Montessori school brings to the overall development of young minds. By embracing diversity and fostering a supportive learning environment, a Montessori school will not only benefit the children attending but will also enhance the quality of life for families in our community.

Moreover, introducing a Montessori school to our innovative corporate park can lead to creating a more dynamic and integrated community. Having an established preschool near businesses is a valuable asset. We anticipate that the positive impact on local businesses will be significant, as the presence of families in the area can lead to increased foot traffic and a heightened sense of community engagement.

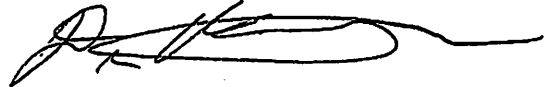
In conclusion, we firmly believe that the reasonable use variances to accommodate the Firelands Montessori Academy in our neighborhood will be a win-win for our city. We appreciate your consideration of this matter and hope that you will support this progressive step towards a more inclusive and thriving community.

The Firelands Montessori Academy is an ideal fit for the unique building at 909 University Drive. FMA has been a valued organization in Huron for the past 40 years. Thank you for your time and attention.

John A. Horvath
President
Horvath Roofing Inc.



Dr. Martin Lesnak





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To Board of Building and Zoning Appeals, City of Huron,

I write this letter of support in favor of the variance application for the former N2Y building at 909 University Drive, in the Huron corporate park. The Firelands Montessori Academy (FMA) has been a valuable part of the community since 1979 and specifically located in the Huron community continuously since 1983. It provides one of the few preschool opportunities for area families. FMA has been a consistent and reliable tenant and partner for Huron City Schools.

With the anticipated HCS facilities plan, the future is uncertain for the use of the McCormick School annex building where FMA is currently located. The 909 University building is the ideal location, size and layout for FMA. I support the potential opportunity for Firelands Montessori Academy to be located at the former N2Y building at 909 University Drive.

The 909 University former N2Y building has served as an educational service provider so FMA's use would continue the original intended use of the property through direct services to students. It provides an opportunity for a moldable layout depending on enrollment and flexible learning spaces. Additionally, the location is across the street from a college that offers a strong teacher education program. With Firelands Montessori Academy at this location, FMA would be able to strengthen collaborative partnerships with BGSU Firelands giving student teachers direct access to field experiences. Better preparing graduates for careers in education. FMA is an ideal use of this property.

Thank you for your thoughtful consideration.

Sincerely,

James J. Tatman

Dr. James J. Tatman
Superintendent