

CITY OF HURON
BOARD OF BUILDING AND ZONING APPEALS
September 11, 2023 Regular Meeting – 5:30p.m.

Chairman Frank Kath called the regular meeting to order at 5:30 p.m. on Monday, September 11 2023, in the Council Chambers of the City Building, 417 Main Street Huron, Ohio. Members in attendance: Jim Shaffer, JoAnne Boston, Scott Slocum, and Lisa Brady.

Also in attendance: Erik Engle, Planning Director, Jeff Fantozzi, Zoning Inspector, and Christine Gibboney, Administrative Assistant.

Mr. Kath explained the meeting format and protocol and swore in those in attendance wishing to testify before the Board on the case(s) appearing on the agenda.

There were no minutes available for approval.

New Business

117 Ohio Street PPN 42-01132.000 Area Variance- Rear Yard Setback
Variance for attached garage.

Project Description-

As proposed, the attached two-car garage will require a rear yard setback variance of 10'-4". The side yard setbacks and height are compliant with the code. As noted, the property contains a 20' sanitary sewer easement through the driveway and rear yard that would limit the location of a structure in those areas. As submitted, the proposed attached garage will require the following variance pursuant to Section 1123.03 (e): Rear Yard Setback Variance of 10'-4"

Mr. Kath called the public hearing to order at 5:33p.m.

Mr. Engle reviewed the application, noting the property is located within an R-2 Zoning District, and applicant is proposing an attached two car garage in the rear yard. He noted that there is a sewer easement that runs through the driveway and rear yard which limits the location for this garage. Mr. Engle reviewed all the setbacks proposed for the garage and noted all comply other than the rear yard, which will require a rear yard setback variance of 10'-4". Ms. Boston asked if notices were mailed to surrounding properties. Mr. Engle confirmed that they were. Mr. Kath noted that he meant to inquire if notices for all cases on the agenda were mailed; Mr. Engle confirmed they had been.

Applicant/Owner Statements: Sarah Jenney, 117 Ohio Street.

Ms. Jenney noted she had purchased the property 8 years ago but she was not living in the home full time and the property has never had a garage. She noted she would appreciate consideration of the variance request. Mr. Engle added that some adjacent properties have a zero (0) rear yard setback.

Audience Comments: None

With no further comments or discussion, Mr. Kath closed the Public Hearing at 5:37p.m.

Motion by Ms. Boston to approve the request for an area variance at 117 Ohio Street for a rear yard setback variance of 10'-4" as submitted; 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. Motion seconded by Ms. Brady. Roll call on the motion:

Yeas: Shaffer, Boston, Kath, Brady, Slocum (5)

Nays: (0)

Abstain: (0)

With three or more votes in the affirmative, motion passes and 10'-4" rear yard setback variance for an attached garage approved.

**24 Dayton Ave PPN45-00346.000 Area Variance- Rear, Front & Side Setback
Variances for a rebuild of a pre-existing/nonconforming home.**

Project Description-

As proposed, the front yard setback will be greatly improved by the removal of the current deck section that extends to the property line. The front setback as proposed will be 26' from the property line, requiring a 4' variance. The rear yard setback is remaining the same, and will require a 22' variance, the south side yard setback remains the same, requiring a 1' variance. As submitted, the proposed rebuild of a home will require the following variances:

<i>Existing Setbacks</i>	<i>Proposed Setbacks</i>	<i>Variances Required</i>
<i>Front Yard 0' (Deck)</i>	<i>Front Yard 26' (deck)</i>	<i>4'</i>
<i>Rear Yard 8'</i>	<i>Rear Yard 8'</i>	<i>22'</i>
<i>Side Yards 7' & 11'</i>	<i>Side Yards 7' & 15' (22' total)</i>	<i>1' variance for two story</i>

Mr. Kath called the public hearing to order at 5:38p.m.

Mr. Engle reviewed the application, noting the property is located within an R-1 Zoning District and referenced the small lot dimensions of the parcel. He noted the applicant is seeking to demolish the existing A-Frame home and rebuild. Mr. Engle noted the home, as existing is pre-existing/non-conforming as it does not meet set back requirements and the current driveway is also noncompliant. Mr. Engle reviewed the variances needed for the home as being proposed. He noted that the new driveway will be compliant as proposed and the proposed height of the home will also be compliant. Mr. Kath referenced that as proposed, the applicant is improving the setbacks, other than the rear setback which remains the same. Mr. Boston agreed, noting it is an improvement over the existing setbacks.

Ms. Boston inquired about any statements from neighbors. Mr. Engle noted one had been received, but it was pertaining to drainage/runoff and the type of proposed fencing. Mr. Engle noted that staff had explained to the neighbor that these topics would not pertain to the BZA case and was advised that grading/drainage and fence permits would be through the Zoning Department. Neighbor noted she had no issues with the variances.

Applicant/Owner Statements: Doug Masterson, 24 Dayton Ave.

Mr. Masterson noted the current structure is old and there is a lot of runoff from it. He noted the rebuild will improve the drainage, explaining that he would address run off issues, improving the neighborhood and is willing to communicate with neighbors with questions. He added that the rebuild will be adding value to the neighborhood. Mr. Engle reiterated that the drainage will be looked at during the permit application review and noted that the code does not regulate the type of fencing that can be used.

Audience Comments: None

With no further comments or discussion, Mr. Kath closed the Public Hearing at 5:44p.m.

Motion by Ms. Brady to approve the request for an area variance at 24 Dayton Ave for a front yard setback variance of 4', a rear yard setback variance of 22', a 1' side yard setback on the south, as submitted; noting the testimony presented i 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 actually improve it; will not cause a hazard or a nuisance to the public; and will serve the spirit and intent of the zoning regulations. Motion seconded by Ms. Boston.

Yeas: Shaffer, Boston, Kath, Brady, Slocum (5)

Nays: (0)

Abstain: (0)

With three or more votes in the affirmative, motion passes and front yard setback variance of 4', a rear yard setback variance of 22', a 1' side yard setback on the south, approved as submitted.

With no further business, motion by Ms. Boston to adjourn. Motion seconded by Mr. Shaffer. All in favor, meeting adjourned at 5:46 p.m.



Jim Shaffer
Board of Building and Zoning Appeals Secretary

ADOPTED:

JS/cmg

Dec. 11, 2023