



Agenda for the Board of Building and Zoning Appeals
Regular Meeting- Huron City Hall – Council Chambers
May 13, 2024 5:30p.m.

- I. Call to Order**
- II. Roll Call**
- III. Adoption of the Minutes: (4-15-24)**
- IV. Verification of Notifications**
- V. 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.
- VI. New Business**
PPN 43-00393.00 3 Rye Beach Area Variances – New Accessory
Structure in Front Yard, Front Yard Setback.

PPN 49-00059.000 822 Lakeway Area Variance- Front and Side Yard
Setback variances to convert an existing carport into a garage.

PPN 43-00122.000 210 Ridgewood Area Variance- Side and Rear setbacks
variances for a second story deck.
- VII. Other Matters**
Review/approve final draft of the BZA Rules
- VIII. Adjournment**



TO: Chairman Kath and Board Members
FROM: Erik Engle, Planning Director
RE: 3 Rye Beach
DATE: May 13, 2024

Current Zoning District: R-1A **Parcel No.:** 43-00393.000

Existing Land Use: Single Family Residential

Property Size: 0.10 acres

Traffic Considerations: Corner Lot, Rye Beach/Torquatus Court

Project Description- Area Variance

Applicant is proposing to place a 12' x 16' shed in the front/side yard of his parcel. Application notes that if the shed were to be located in the rear corner of the lot, it would block of the view of his neighbor.

Since the proposed variance falls under the "area variance" category, the following criteria should be examined 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 because 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:

The home is located within the R-1A Zoning District and sits on a corner lot Rye Beach/Torquatus Court, thus having two (2) front yard setbacks of 15' on both sides. The applicant built the home on this parcel in 2022 following the demolition of the existing home. The applicant is proposing to locate a new 12' x 16' shed on the front/side yard of the parcel.

Accessory structures are limited to the rear yard pursuant to 1121.06. Since the house is stilted, there is always the option of building out storage within the existing footprint of the house.

Applicable Codes:

1121.06 - Accessory Uses in R Districts.

(g) An accessory building may be erected detached from the principal building or it may be erected as an integral part of the principal building. Except as provided in Section 1137.03, **no detached accessory building shall be erected in any required yard or court except a rear yard**, and shall not occupy more than thirty-five percent (35%) of the rear yard. Detached accessory buildings shall be distant at least six feet from any dwelling situated on the same lot, unless an integral part thereof, at least six feet from any other accessory building and at least five feet from all lot lines of adjoining lots which are within any R District.

(h) Accessory Buildings in R Districts; Corner Lots. In any R District, where a corner lot adjoins in the rear a lot fronting on the side street and located in an R District, **no part of an accessory building on such corner lot shall be nearer the side street lot line than the least depth of the front yards required along such side street for a dwelling on such adjoining lot**, and in no case shall any part of such accessory building be nearer to the side street lot line than the least width of the side yard required for the principal building to which it is accessory.

(i) Accessory Buildings in R Districts; Front Setback. No accessory use or structure in any R District, except an off-street parking area subject to the provisions of Section 1126.01, shall be permitted nearer to any front lot line than sixty feet, unless such use or structure is contained within or constitutes an integral part of the principal building; provided that in the case of a corner lot where choice by the owner of the longer street lot line has been approved as the front lot line, this requirement shall apply only to the distance of an accessory building from the shorter street lot line.

(j) Accessory Buildings in R Districts; Yard Requirements. Except as provided in Section 1137.03, an accessory building, if not located in the rear yard, shall be an integral part of, or connected with, the principal building to which it is accessory, and shall be placed so as to meet all yard and court requirements for a principal building of the same height and other dimensions as the accessory building.

1123.02 R-1-A ONE-FAMILY RESIDENCE DISTRICT.

(a) Principal Permitted Uses. No building, structure or land shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the following uses, except as provided in Section [1121.07](#):

- (1) One-family detached dwellings;
- (2) Public parks and playgrounds;
- (3) Churches and other places of worship and Sunday school buildings located no less than twenty feet from any other lot in any R District; and

(Ord. 2020-3. Passed 3-10-20.)

(4) Transient Rental of any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient Guests, as those terms are defined in Section [1121.04](#)(69) and Section [1369.98](#) of the Codified Ordinances.

(Ord. 2021-8. Passed 3-23-21.)

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board in accordance with provisions of Section [1139.02](#):

(1) Private noncommercial recreation areas and facilities including tennis courts and swimming pools, provided that no such swimming pool is located nearer than twenty-five feet from any other lot in any R District.

(2) Static transformer stations, booster stations and other utility stations, when operating requirements necessitate locating in an R-1-A District in order to serve the neighborhood; provided there is no yard or garage for service or storage and, provided further, that the premises upon which such utility station is erected and maintained is appropriately landscaped and screened so as to be in harmony with the general appearance of the neighborhood.

(3) Any general hospital for human care, religious and charitable institutions, not less than 100 feet distant from any lot in any R District.

(4) Planned development projects, subject to the provisions of Section [1126.05](#).

The following minimum requirements shall be observed except as otherwise provided herein:

Lot Area (Sq. Ft.)	Lot Frontage (Ft.)	Front Yard Depth (Ft.)	Side Yards		Rear Yard Depth (Ft.)
			Least Width (Ft.)	Sum of Width (Ft.)	
4500	60	15	7	15	15

(Ord. 1990-20. Passed 11-26-90.)

Overall, based on staff analysis, the applicant is requesting the following variances for consideration.

- Variance to locate a shed within the front yard, based on the property being a corner lot.
- 10' variance for a front yard setback along the Torquatus frontage (15' required).
- 4' variance for a front yard setback along the Rye Beach frontage (9' average setback required).

Motion Examples

[PLEASE STATE WHY YOU ARE APPROVING OR DENYING FOR THE RECORD, USING THE SEVEN WAY TEST CRITERIA]

Motion to **APPROVE** the variance request:

I make the motion to **approve** the request for the following area variances as follows:

- Variance to locate a shed within the front yard, based on the property being a corner lot.
- 10' variance for a front yard setback along the Torquatus frontage (15' required).
- 4' variance for a front yard setback along the Rye Beach frontage (9' average setback required).

As the testimony presented in this public hearing has shown that the requests meet the following criteria ***(Choose one or more appropriate finding(s) and specific items based on the seven-way test)***

- ***The property in question would not yield a reasonable return or would not have any beneficial use without the variance.***
- ***The variance is not substantial.***
- ***The essential character of the neighborhood would not be substantially altered and/or the adjoining properties would not suffer a substantial detriment because of the variance.***
- ***The variance would not adversely affect the delivery of governmental services (for example, water, sewer, garbage).***
- ***The property owner purchased the property without the knowledge of the zoning restriction and/or the need for the variance is not "self-imposed." (The owner did not create the situation)***
- ***The property owner's predicament feasibly cannot be obviated through some method other than a variance.***
- ***The spirit and intent behind the zoning requirement would be observed, substantial justice done by granting the variance.***

OR

Motion to **DENY** the variance request:

I make the motion to **deny** the request for area variances at 3 Rye Beach 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....

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

- ***The property in question would yield a reasonable return and/or would have beneficial use without the variance.***
- ***The variance is substantial.***
- ***The essential character of the neighborhood would be substantially altered and/or the adjoining properties would suffer a substantial detriment because of the variance.***

- *The variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).*
- *The property owner purchased the property with the knowledge of the zoning restriction and/or the need for the variance is "self-imposed." (The owner created the situation)*
- *The property owner's predicament feasibly cannot be obviated through some method other than a variance.*
- *The spirit and intent behind the zoning requirement would not be observed, substantial justice would not be done by granting the variance.*



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 John Spain

Property Owners' Name: John & Marilyn Spain

Address: 15 (3) Rye Beach Rd.

City, State, Zip: Huron, Ohio 44839

Phone Number 440-653-7238

Email: john@johnspainbuilders.com

Location of Project:

Lot/Parcel #: 43-00393.000 Zoning District: _____

Address: 15 (3) Rye Beach Road Huron, OH 44839.

Year purchased: 2022 Year the existing structure was constructed: 2023

Single Story Home: _____ Two Story Home: ☒

Provide a brief summary of your proposed project:

We want to put up a 12x16' shed on South East
corner of property. NO foundation shed to match existing
new home on siding & shingles

Type:

- Area Variance: Subdivision Regulations NONE Parking NONE Setbacks 5'
Height 8' Size 192' Flood Plain N/A Sign Regulations N/A
- 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)

Front corner. IF put on back corner IT would
block the view of our neighbor

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: Shed

(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:

NOT APPLICABLE

IT FOR STORAGE

2. The variance is [substantial/insubstantial] because:

ITS A SHED, DOESN'T TAKE AWAY FROM CURB APPEAL

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:

WOULD NOT SUBSTANTIALLY ALTER THE NEIGHBORHOOD
IF LOCATED ON SOUTH EAST CORNER

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

WOULD NOT

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

6. The applicant's predicament feasibly [can/cannot] be resolved through some method other than a variance. I believe it can
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
N/A
INTENT would be observed
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*)
N/A

Note: If granted, Use or Area variances will expire within one (1) year from the date of approval. Refer to Section 1139.04 (e) for specifics to timeline regulations for commencement of construction or Use continuation.

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: 4.5.2024 Signed Applicant

Date: 4.5.2024 Signed Property Owner

(REQUIRED)

ZONING DEPT. USE ONLY

Date received: 4/4/24 Application Complete

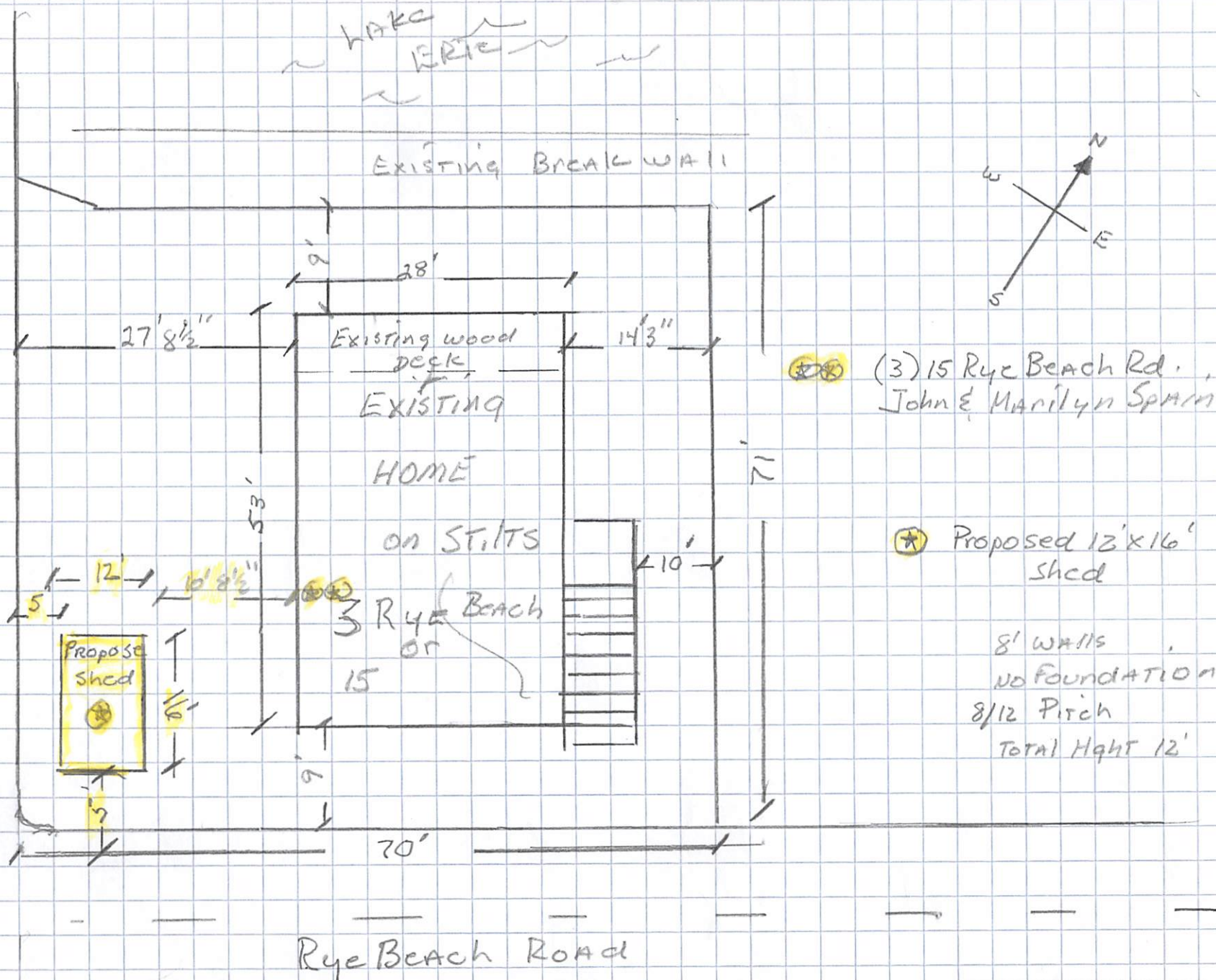
\$150 filing fee received: ✓

Comments

Hearing Date

5-13-24

TORQUATUS COURT



NOT TO SCALE

Parcel number 43-000393.000

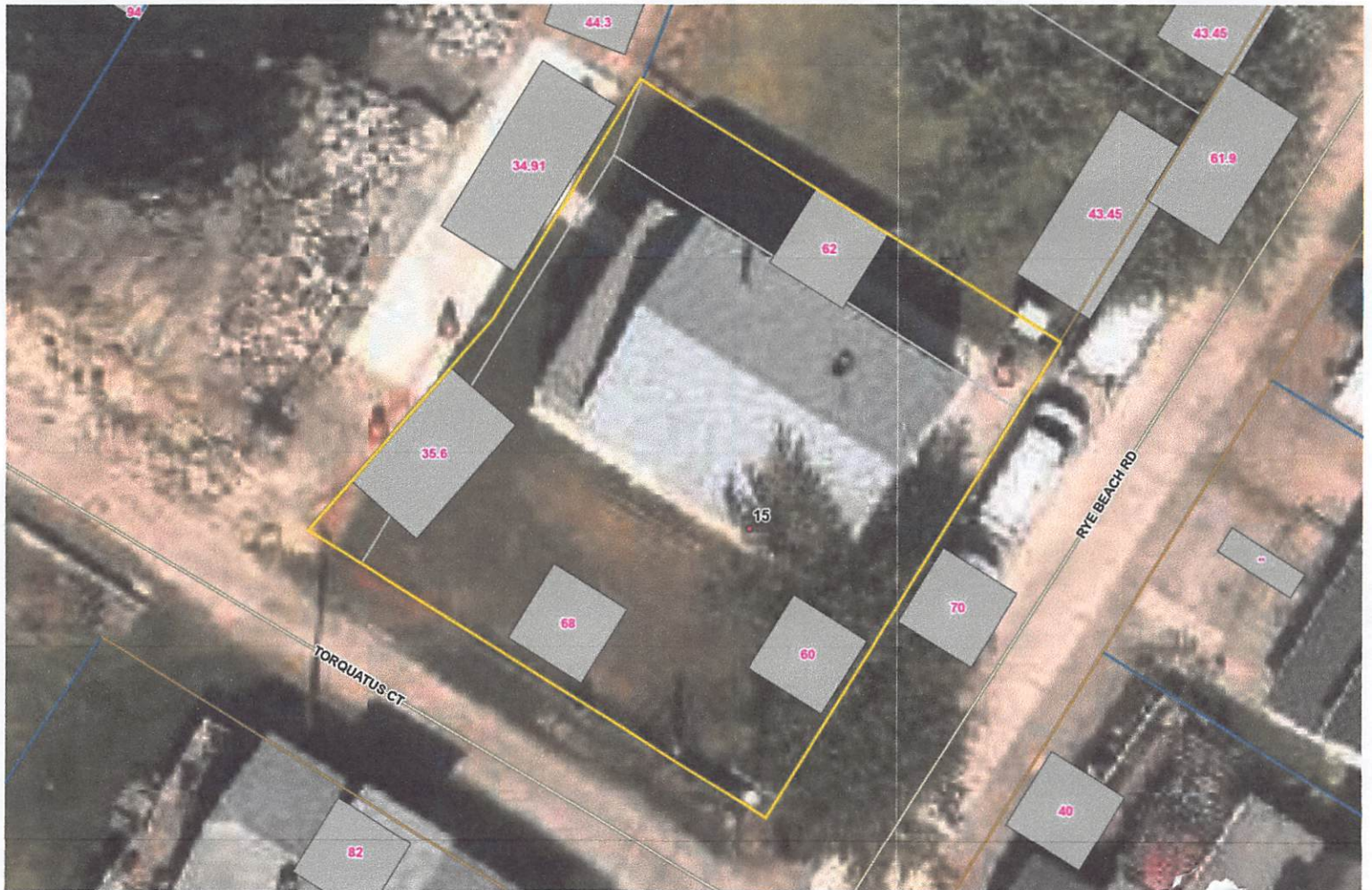
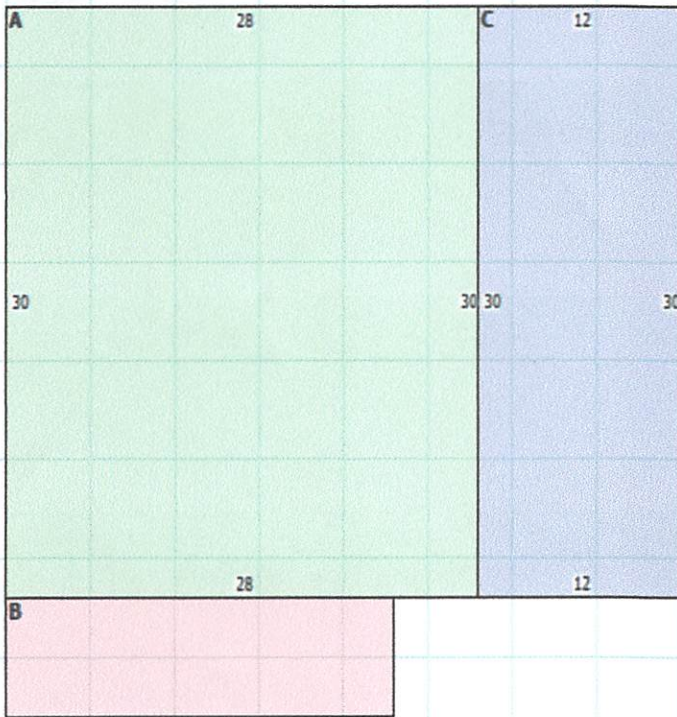
↓ TORQUATUS CT →



1" = 10'
Scale

Grid Scale: 5ft

- A** 1SFR (1 STORY FRAME)
840 sqft
- B** EFP (ENCLOSED FR PORCH)
138 sqft
- C** EFP (ENCLOSED FR PORCH)
360 sqft



Erie County, Ohio - Property Record Card
Parcel 43-00393.000
Card 1

GENERAL PARCEL INFORMATION

Owner SPAIN JOHN & MARILYN
Property Address 3 RYE BEACH
Mailing Address 48252 TINA LN
AMHERST, OH 44001
Land Use RESIDENTIAL - 510-SINGLE FAMILY DWELLING
Deed CURRENT DEED VOLUME/PAGE: /
Legal Description 3 RYE BCH RD TORQUATUS BCH 2 SOUTH 10'
.1020A

VALUATION

	Appraised	Assessed
Land Value	\$140,000.00	\$49,000.00
Improvements Value	\$66,080.00	\$23,130.00
CAUV Value	\$0.00	\$0.00
Total Value	\$206,080.00	\$72,130.00
Taxable Value		\$72,130.00
Net Annual Tax		\$3,337.06

LAND

Land Type	Acreage	Depth	Frontage	Depth	Value
F - FRONT LOT	0.0964	60	70	63	49610

AGRICULTURAL



Grid Scale: 1" = 10'

A 13PR (1 STORY FRAME)
840 sqft

B EFP (ENCLOSED FR PORCH)
138 sqft

C EFP (ENCLOSED FR PORCH)
360 sqft

RESIDENTIAL

Building Style	01-SINGLE FAMILY	Full Baths	1
Year Built	1930	Half Baths	1
Stories	1	Basement	None
Finished Area	840	Finished Basement Area	0
First Floor Area	840	Heating	Central Heat
Half Floor Area	0	Cooling	None
Upper Floor Area	0	Attic	None
Rooms	5	Number of Fireplace Openings	0
Bedrooms	2	Number of Fireplace Stacks	0
Family Rooms	0		

ADDITIONS

Description	Area	Year Built	Value
EFP-ENCLOSED FR	138	1930	5796
EFP-ENCLOSED FR	360	1930	15120

IMPROVEMENTS

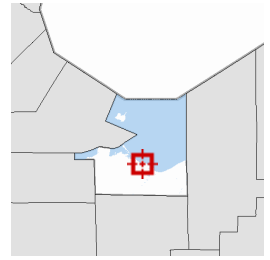
SALES

Date	Buyer	Seller	Price
8/29/2022	SPAIN JOHN & MARILYN	CHRISTY ASHLEY M &	\$229,000.00
12/17/2010	CHRISTY ASHLEY M	NEEL SHAWN K & ASHLEY	\$0.00
12/17/2010	CHRISTY ASHLEY M &	CHRISTY ASHLEY M	\$0.00
8/24/2005	NEEL SHAWN K & ASHLEY	GERINGER PHYLLIS C	\$155,000.00
2/2/2004	GERINGER PHYLLIS C	GERINGER PHYLLIS C &	\$40,000.00
9/6/2001	GERINGER PHYLLIS C &	SNYDER WILLIAM F &	\$0.00
1/1/1950	SNYDER WILLIAM F &	UNKNOWN	\$0.00

COMMERCIAL



Overview



Legend

- Parcels
- Parcel Dimensions
- Parcel Dimensions (Original)
- Lot Lines
- Lot Line Labels
- Streets
- Addresses
 - 0
 - 1
 - <all other values>
- Flood Zones
 - A
 - AE
 - AO
 - AREA NOT INCLUDED
 - X

Parcel ID	43-00393.000	Acreage	0.102	Last 2 Sales	Date	Price	Vol/Page
Owner	SPAIN JOHN & MARILYN (Owner Address)				8/29/2022	\$229000	202208244 /
	SPAIN JOHN & MARILYN (Tax Payer Address)				12/17/2010		
Property Address	3 RYE BEACH HURON						

Date created: 4/25/2024
Last Data Uploaded: 4/25/2024 9:00:08 AM

Developed by Schneider
GEOSPATIAL



TO: Chairman Kath and Board Members
FROM: Erik Engle, Planning Director
RE: 822 Lakeway Drive
DATE: May 13, 2024

Current Zoning District: R-1 **Parcel No.:** 49-00059.000

Existing Land Use: Single Family Residential

Property Size: 0.22039 Acres

Traffic Considerations: Narrow Street

Project Description- Area Variance

Applicant is seeking to convert the existing 14' x 22' carport into an attached garage with a second story, staying within the same footprint for the side and front yard setbacks. The structure is pre-existing/nonconforming relative to setbacks.

Since the proposed variance falls under the "area variance" category, the following criteria should be examined 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 because 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:

The home was constructed in the 1930's and is pre-existing/nonconforming to the code for setbacks. The applicant is seeking to convert the existing carport into an attached garage with a second story. As proposed the front and side setbacks will remain the same; both are pre-existing/non-compliant with the code, therefore variances are required.

As proposed, the two-story garage will remain in the same setback footprint:

Front Yard Setback of 12' (15' Average Required)- Variance of 3' needed.

Side Yard Setback of 4'-6" (8' min. Required)- Variance 3'-6" needed.

The height of the proposed second story is 25' and will meet the height restriction of max 35', this will also be verified in the Zoning Plan Review. The driveway does not appear to be included in the application, the width will be limited to 24' and appears to meet the 3' side yard setback from the property line.

Applicable Codes:

1123.01 R-1 ONE-FAMILY RESIDENCE DISTRICT.

(e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as otherwise provided in this Zoning Ordinance:

				<u>Side Yards</u>		
Dwelling (stories)	<u>Lot Area</u> (sq. ft.)	<u>Lot Frontage</u> (ft.)	<u>Front Yard Depth</u> (ft.)	<u>Least Width</u> (ft.)	<u>Sum of Width</u> (ft.)	<u>Rear Yard Depth</u> (ft.)
1	9,000	75	30	7	15	30
2	9,000	75	30	8	20	30

Motion Examples

[PLEASE STATE WHY YOU ARE APPROVING OR DENYING FOR THE RECORD, USING THE SEVEN WAY TEST CRITERIA]

Motion to **APPROVE** the variance request:

I make the motion to **approve** the request for the following area variances as follows:

- 3' front yard setback
- 3'-6" side yard setback

As the testimony presented in this public hearing has shown that the area variances for 822 Lakeway meet the following criteria (*Choose one or more appropriate finding(s) and specific items based on the seven-way test*)

- *The property in question would not yield a reasonable return or would not have any beneficial use without the variance.*
- *The variance is not substantial.*
- *The essential character of the neighborhood would not be substantially altered and/or the adjoining properties would not suffer a substantial detriment because of the variance.*
- *The variance would not adversely affect the delivery of governmental services (for example, water, sewer, garbage).*

- *The property owner purchased the property without the knowledge of the zoning restriction and/or the need for the variance is not “self-imposed.” (The owner did not create the situation)*
- *The property owner’s predicament feasibly cannot be obviated through some method other than a variance.*
- *The spirit and intent behind the zoning requirement would be observed, substantial justice done by granting the variance.*

OR

Motion to **DENY** the variance request:

I make the motion to **deny** the request for area variances at 822 Lakeway 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....

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

- *The property in question would yield a reasonable return and/or would have beneficial use without the variance.*
- *The variance is substantial.*
- *The essential character of the neighborhood would be substantially altered and/or the adjoining properties would suffer a substantial detriment because of the variance.*
- *The variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).*
- *The property owner purchased the property with the knowledge of the zoning restriction and/or the need for the variance is “self-imposed.” (The owner created the situation)*
- *The property owner’s predicament feasibly cannot be obviated through some method other than a variance.*
- *The spirit and intent behind the zoning requirement would not be observed, substantial justice would not be done by granting the variance.*



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 Robert Howell
Property Owners' Name: Christine & Chuck Norton
Address: 822 Lakeway Drive
City, State, Zip: Huron, OH 44839
Phone Number 419-366-7050
Email: nd70@aol.com

Location of Project:

Lot/Parcel #: 49-00059.000 Zoning District: R-1
Address: 822 Lakeway Drive Huron, OH 44839.
Year purchased: 1950. Year the existing structure was constructed: 1920 +-
Single Story Home: Two Story Home: X

Provide a brief summary of your proposed project:

The proposal is for the enclosure of an existing 14' x 22'
carport with the addition of a 14' x 22' 2nd floor room as
part of a new accessible suite for the owners.

Type:

- **Area Variance:** Subdivision Regulations Parking Setbacks X
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)*

Area variance - 3'-6" x 22'-0" west side setback variance is required for the enclosure of the existing carport which will be closed in to function as a garage. The new garage enclosure will sit the same distance from the side property line as the existing carport at 4'-6".

Area variance - 3'-0" x 14'-0" south side setback variance is required for the enclosure of the existing carport which will be closed in to function as a garage. The new garage enclosure will sit the same distance from the south property line as the existing carport at 12'-0".

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:

It will still have value.

2. The variance is [~~substantial~~/insubstantial] because:

The garage will be built on the same location of the existing carport and is in keeping with other properties and setbacks in the area.

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 garage will be built on the same location of the existing carport and is in keeping with other properties and setbacks in the area.

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: 1950. Year the structure(s) was constructed: 1920+-.


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 garage will be built on the same location of the existing carport and is in keeping with other properties
and setbacks.
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*)
For health and family reasons the owners require an enclosed garage and accessible 2nd floor
suite, to include an elevator.

Note: If granted, Use or Area variances will expire within one (1) year from the date of approval. Refer to Section 1139.04 (e) for specifics to timeline regulations for commencement of construction or Use continuation.

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: 4-2-24 Signed Applicant

 Architect

Date: _____ Signed Property Owner

(REQUIRED)

ZONING DEPT. USE ONLY

Date received: 4-4-24 Application Complete ✓

\$150 filing fee receipted: ✓

Comments _____ Hearing Date 5-13-24



CHASKA BEACH SUB-DIVISION
 OF PART OF LOT 3 AC. 34. SECTION 11
 HURON TWP. — ERIE CO. OHIO
 SCALE 1" = 50'
 JULY 1920
 C. A. SANDUSKY CIVIL ENGINEER
 SANDUSKY, O.

ENGINEER'S CERTIFICATE:
 I certify that the within plat conforms to surveys
 made by me and is correct. Signed this 10th day of July, 1920
 C. A. SANDUSKY
 Civil Engineer

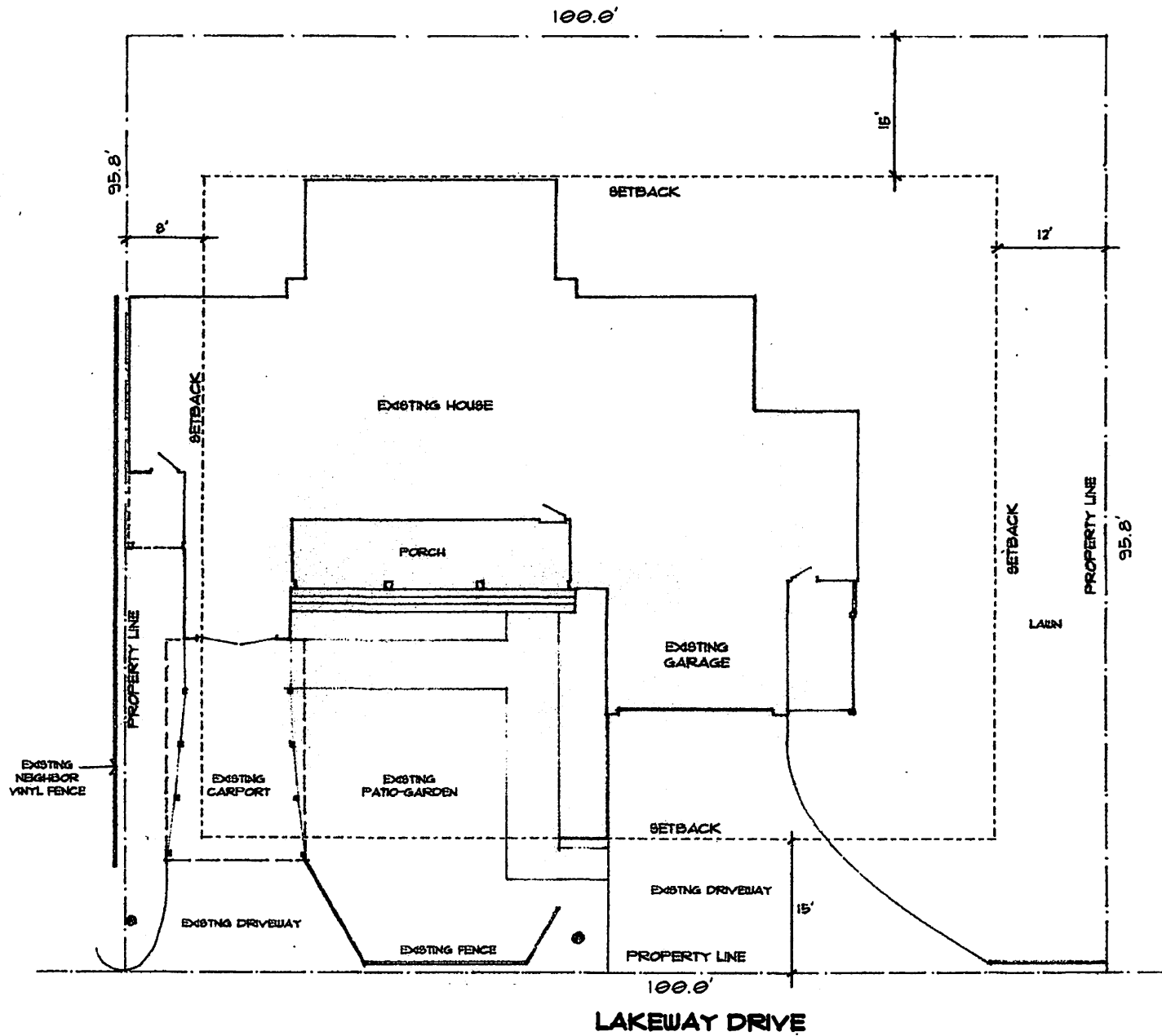
RECORDATION
 I, Hannah H. Stern, owner of the land embraced in the
 plat, do hereby certify that the streets, drives and alleys shown
 or indicated thereon to public use.
 State of Ohio }
 Erie County ss. } Before me, undersigned a Notary Public,
 and for said county, personally appeared the foregoing owner of
 the land embraced in the within plat and acknowledged
 and signed the foregoing to be her free
 and lawful act and deed.
 Dated July 20, 1920.
 (Notarial Seal) C. A. SANDUSKY, Notary Public.

CERTIFICATE OF ACCEPTANCE OF PLAT, ETC.
 I, hereby certify that an ordinance was passed by
 the Council of the Village of Huron, Erie County, Ohio on August
 31, 1920, for the acceptance, confirmation, and approval
 of the plat of the within streets, drives and alleys shown
 and signed by the owner.
 Dated August 13, 1920
 Clerk of the Village of Huron

Transformed August 31, 1920 and fees of \$1.00 collected.
 C. F. SANDUSKY
 County Auditor

MADE 13.81 ACRES
 Received Sept. 1st 1920
 Recorded Sept. 7th 1920
 Fees \$1.00
 Geo. F. Bunnings
 County Recorder

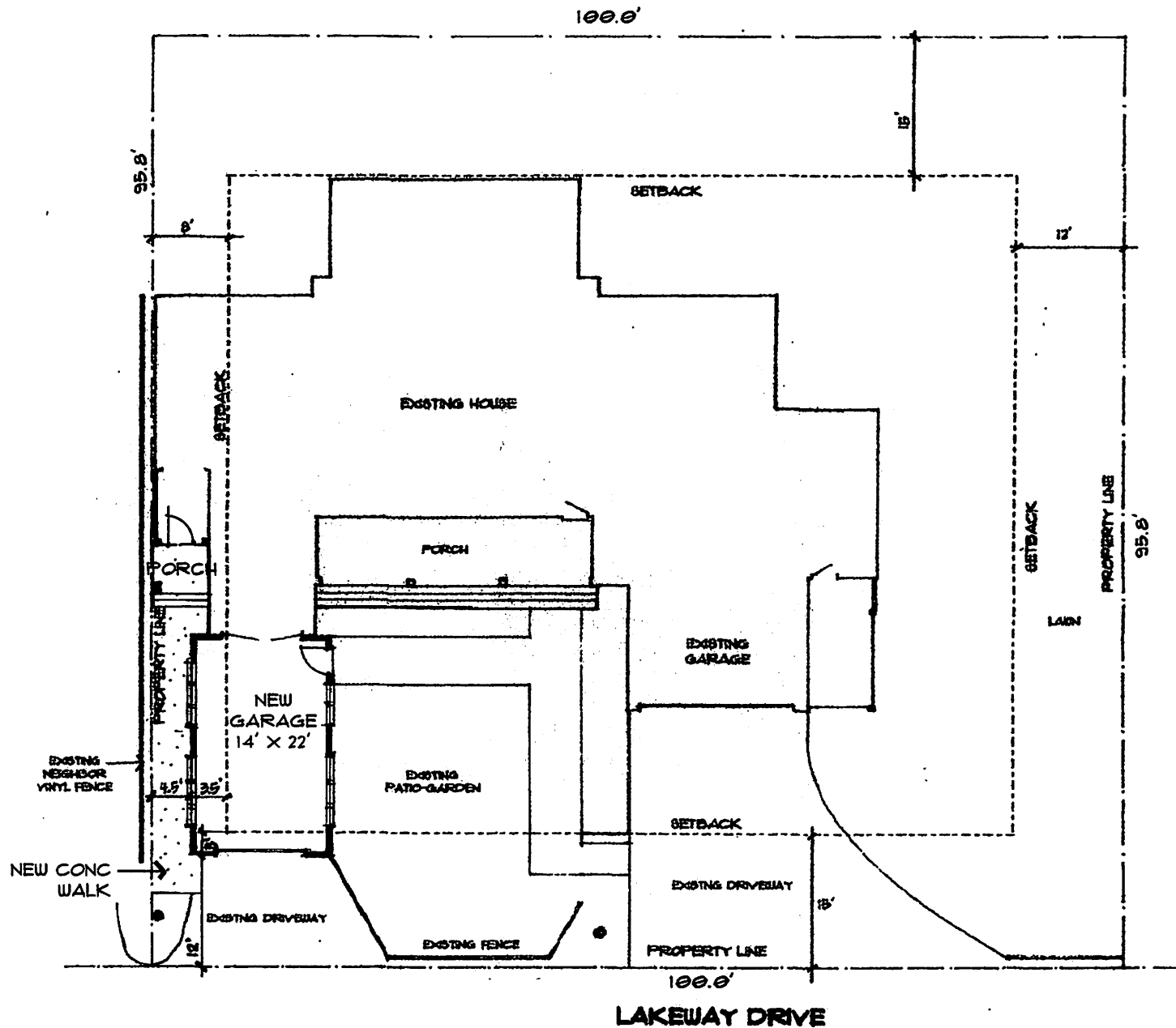
I hereby certify that the within
 plat is a correct copy of the
 original filed for recording
 Date 11/16/20
 C. A. SANDUSKY



EXISTING SITE PLAN

SCALE 1/16" = 1'-0"

NORTON RESIDENCE
822 LAKEWAY DRIVE
PARCEL NO. 49-00059.00



CARPORT GARAGE ENCLOSURE ADDITION - 616 SF

SCALE 1/16" = 1'-0"

**NORTON RESIDENCE
822 LAKEWAY DRIVE
PARCEL NO. 49-00053.00**

Near Map

Available surveys
2023-09-15 ▼

Selected
2023-09-15

Displayed
2023-09-15



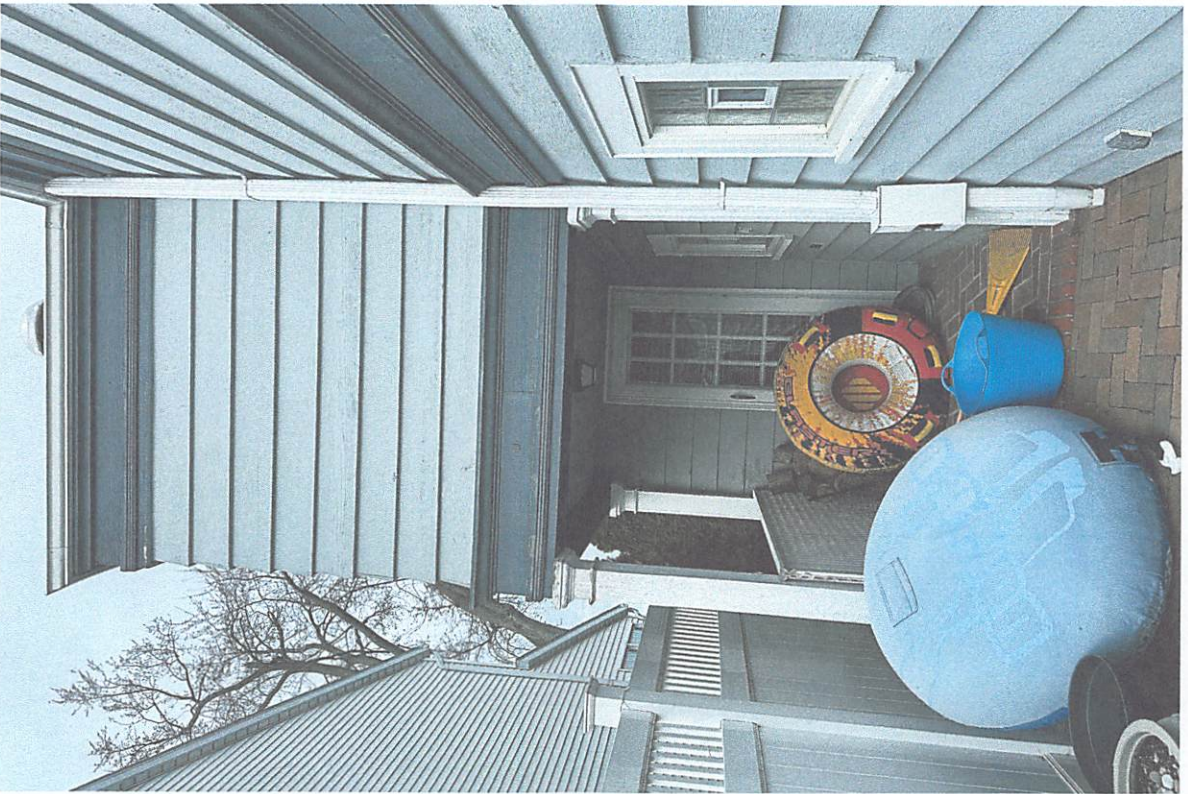
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Developed by
 **Schneider**
GEOSPATIAL

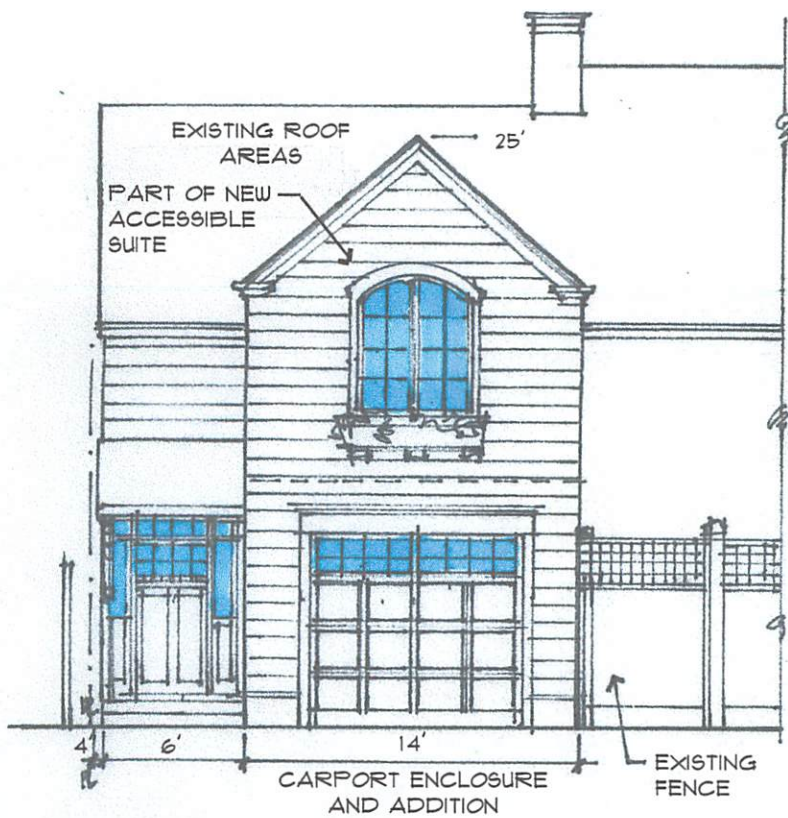




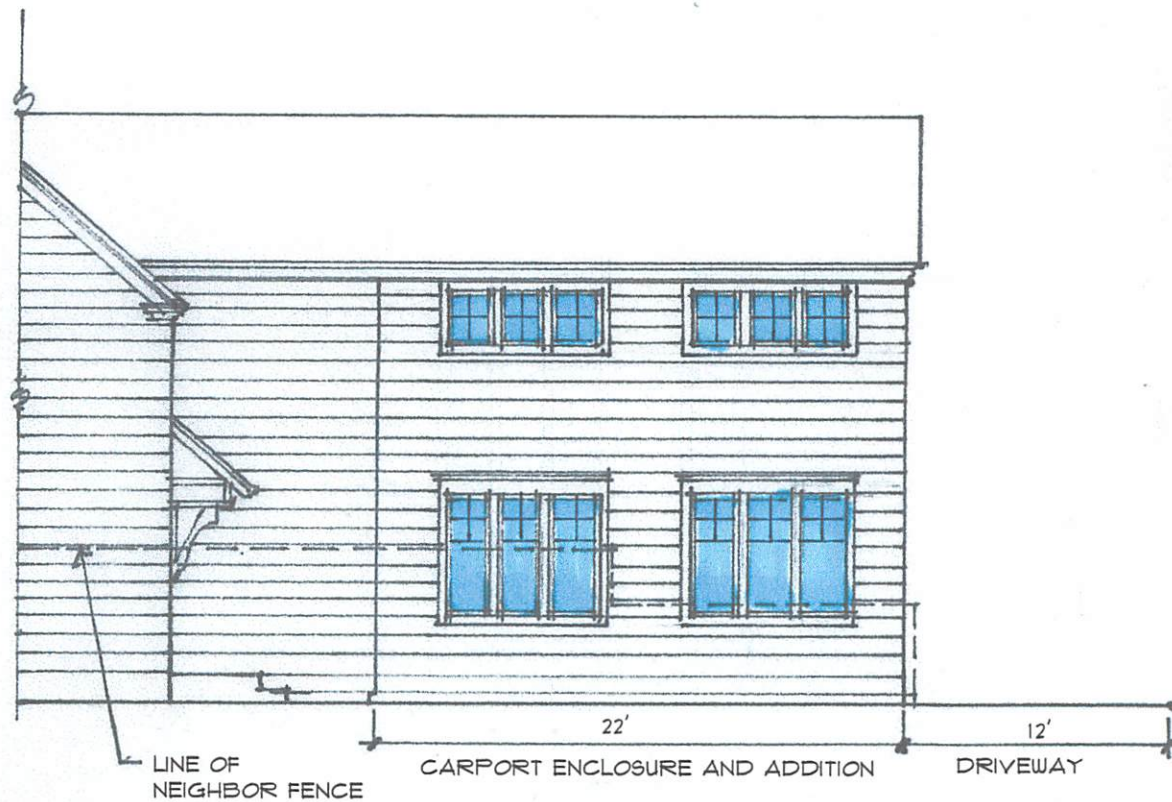
NORTON WEST



04/22/2019



SOUTH VIEW



WEST VIEW

CARPORT GARAGE ENCLOSURE ADDITION ELEVATIONS

SCALE 1" = 1'-0"

**NORTON RESIDENCE
822 LAKEWAY DRIVE
PARCEL NO. 49-00059.00**

NORTON 150' MAP

822 LAKEWAY DRIVE



Date created: 4/1/2024

Last Data Uploaded: 4/1/2024 3:59:41 AM

Export

20 Results









































Select export file format:

Excel (.xlsx)

Download

Parcel Results

20 Results

Parcel ID	Owner	Property Address	Acres
 49-00013.000	 BRADFIELD STEPHEN H & JENNIFER S (Owner Address) BRADFIELD STEPHEN H & JENNIFER S (Tax Payer Address)	817 CRESCENT	0.0
 49-00014.000	 BRADFIELD C J ETAL (LE TO SUSAN PHIFER) (Owner Address) BRADFIELD C J ETAL (LE TO SUSAN PHIFER) (Tax Payer Address)	815 CRESCENT	0.0
 49-00022.000	 CHASKA BEACH LOT OWNERS ASSN (Owner Address) CHASKA BEACH LOT OWNER ASSN (Tax Payer Address)	KIWANIS	0.0
 49-00024.000	 CHATLAIN HELEN H & MARION E CO-TRUSTEES (Owner Address) CHATLAIN JENNETTE (Tax Payer Address)	830 LAKEWAY	0.0
 49-00025.000	 HAUTZENROEDER JILL HAND TRUSTEE (Owner Address) HAUTZENROEDER JILL HAND TR (Tax Payer Address)	818 CRESCENT DR	0.0
 49-00030.000	 BROWN LAUREL LEE (Owner Address) BROWN LAUREL LEE (Tax Payer Address)	814 CRESCENT	0.0
 49-00031.000	 MMCQ LLC (Owner Address) MMCQ LLC (Tax Payer Address)	816 CRESCENT	0.0
 49-00040.000	 LANDOLL STACEY & STEPHEN (Owner Address) LANDOLL STACEY & STEPHEN (Tax Payer Address)	314 WASTA	0.0
 49-00045.000	 GROTE FAMILY PROPERTIES LLC (Owner Address) GROTE FAMILY PROPERTIES LLC (Tax Payer Address)	816 LAKEWAY	0.0
 49-00049.000	 ZENO SAM & ANNE (Owner Address) ZENO SAM & ANNE (Tax Payer Address)	828 LAKEWAY	0.0
 49-00058.000	 ALLENDORF JOHN CHARLES & DIANE LYNN CO TRUSTEES (Owner Address) ALLENDORF JOHN CHARLES & DIANE LYNN CO TRUSTEES (Tax Payer Address)	820 LAKEWAY	0.0
 49-00059.000	 NORTON CHRISTINE G TRUSTEE (Owner Address) NORTON CHRISTINE G TRUSTEE (Tax Payer Address)	822 LAKEWAY	0.0
 49-00061.000	 BACON MARY ELIZABETH (Owner Address) BACON MARY ELIZABETH (Tax Payer Address)	821 CRESCENT	0.1334
 49-00077.000	 SIEGENTHALER DANIEL L & JOAN M (Owner Address) SIEGENTHALER DANIEL L & JOAN M (Tax Payer Address)	818 LAKEWAY	0.0
 49-00079.000	 SAZDANOFF TED L & HEIDI L (Owner Address) SAZDANOFF TED L & HEIDI L (Tax Payer Address)	829 CRESCENT	0.0
 49-00079.001	 LANDOLL STACEY & STEPHEN (Owner Address) LANDOLL STACEY & STEPHEN (Tax Payer Address)	WASTA	0.0154
 49-00088.000	 SIEGENTHALER JOHN L & MAURA S (Owner Address) SIEGENTHALER JOHN L & MAURA (Tax Payer Address)	826 LAKEWAY	0.0
 49-00093.000	 DUDECK MARCIA P & ROBERT D TRUSTEES (Owner Address) DUDECK MARCIA P & ROBERT D TRUSTEES (Tax Payer Address)	CRESCENT	0.0
 49-00096.000	 WEIST LAURA M & JAMES T (Owner Address) WEIST LAURA M & JAMES T (Tax Payer Address)	814 LAKEWAY	0.0
 49-00108.000	 SEMPLE PEGGY SUE TRUSTEE (Owner Address) SEMPLE PEGGY SUE TRUSTEE (Tax Payer Address)	314 SENECA	0.0

Export

20 Results

Select export file format:

Excel (.xlsx)

Download

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Contact Us





TO: Chairman Kath and Board Members
FROM: Erik Engle, Planning Director
RE: 210 Ridgewood
DATE: May 13, 2024

Current Zoning District: R-1A **Parcel No.:** 43-00122.000

Existing Land Use: Single Family Residential

Property Size: 0.1052 Acres

Traffic Considerations: N/A

Project Description- Area Variance

Applicant is proposing a 12' x 16' second story deck in the rear of the home. As proposed, the deck does not meet the side or rear yard setback regulations.

Since the proposed variance falls under the "area variance" category, the following criteria should be examined 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 because 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:

The home is located within a R-1A District and was constructed in 2022. The applicant is seeking to construct a 12' x 16' second story deck with staircase in the rear yard. As proposed, the deck would be 8' from the rear yard property line (15' required), and 4'-9" from the side property line (7' min./15' total required).

As proposed the deck would require two (2) variances:

7' Rear Yard Setback Variance

3' Side Yard Setback Variance

Applicable Code Sections:

1123.02 R-1-A ONE-FAMILY RESIDENCE DISTRICT

The following minimum requirements shall be observed except as otherwise provided herein:

Lot Area (Sq. Ft.)	Lot Frontage (Ft.)	Front Yard Depth (Ft.)	Side Yards		Rear Yard Depth (Ft.)
			Least Width (Ft.)	Sum of Width (Ft.)	
4500	60	15	7	15	15

Motion Examples

[PLEASE STATE WHY YOU ARE APPROVING OR DENYING FOR THE RECORD, USING THE SEVEN WAY TEST CRITERIA]

Motion to **APPROVE** the variance request:

I make the motion to **approve** the request for the following area variances as follows:

- 7' Rear Yard Setback Variance
- 3' Side Yard Setback Variance

As the testimony presented in this public hearing has shown that the variances needed meet the following criteria (*Choose one or more appropriate finding(s) and specific items based on the seven-way test*):

- *The property in question would not yield a reasonable return or would not have any beneficial use without the variance.*
- *The variance is not substantial.*
- *The essential character of the neighborhood would not be substantially altered and/or the adjoining properties would not suffer a substantial detriment because of the variance.*
- *The variance would not adversely affect the delivery of governmental services (for example, water, sewer, garbage).*
- *The property owner purchased the property without the knowledge of the zoning restriction and/or the need for the variance is not "self-imposed." (The owner did not create the situation)*
- *The property owner's predicament feasibly cannot be obviated through some method other than a variance.*
- *The spirit and intent behind the zoning requirement would be observed, substantial justice done by granting the variance.*

OR

Motion to **DENY** the variance request:

I make the motion to **deny** the request for area variances at 210 Ridgewood 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....

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

- ***The property in question would yield a reasonable return and/or would have beneficial use without the variance.***
- ***The variance is substantial.***
- ***The essential character of the neighborhood would be substantially altered and/or the adjoining properties would suffer a substantial detriment because of the variance.***
- ***The variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).***
- ***The property owner purchased the property with the knowledge of the zoning restriction and/or the need for the variance is "self-imposed." (The owner created the situation)***
- ***The property owner's predicament feasibly cannot be obviated through some method other than a variance.***
- ***The spirit and intent behind the zoning requirement would not be observed, substantial justice would not be done by granting the variance.***



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 Lauren & Matt Cannell

Property Owners' Name: Lauren & Matt Cannell

Address: 3625 Skyline Dr.

City, State, Zip: Columbus, OH 43235

Phone Number 614-580-7757

Email: Lcap084@yahoo.com

Location of Project:

Lot/Parcel #: _____ Zoning District: R-1A

Address: 210 Ridgewood Ave. Huron, OH 44839.

Year purchased: 2022. Year the existing structure was constructed: 2023

Single Story Home: _____ Two Story Home: X

Provide a brief summary of your proposed project:

To add a second story deck to the rear of the home.

Type:

• Area Variance: Subdivision Regulations _____ Parking _____ Setbacks X

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)*
We are requesting a 7 foot rear setback variance and a 3 foot side setback variance for the addition of a deck to the rear of the home. The deck would be 12 feet deep which would be 8 feet from the rear property line The deck will be 12-16 feet wide which will be about 5 feet from the right side of the property line (if you are looking at the house).

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:
We need a way to exit the rear sliding glass door to get to the yard. But the addition of a deck can add value to the property. We can technically build a "stoop" with a staircase, but we are asking permission to add a deck.
2. The variance is [substantial/insubstantial] because:
The deck we are proposing is outside of the current set back lines.
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 homes on either side of us also have second story decks. There are no neighbors behind. The property behind our property is in a flood plane and does not have road frontage to be developed.
4. The variance [would/would not] adversely affect the delivery of governmental services, (e.g., water, sewer, garbage)
because its in the rear of the home.
5. The applicant purchased the property [with/without] knowledge of the zoning restriction. Year the property was purchased: 2022. Year the structure(s) was constructed: 2023.

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 deck we are proposing to build fits the character of other neighboring homes. It is in the rear of the lot and will not affect any other neighbors.
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 size of the small lot. The inability to develop on the lot directly behind ours. The lot itself is oddly shaped and tapered toward the back side.

Note: If granted, Use or Area variances will expire within one (1) year from the date of approval. Refer to Section 1139.04 (e) for specifics to timeline regulations for commencement of construction or Use continuation.

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: 3/20/2024 Signed Applicant

Laura Arnold

Date: 3/20/2024 Signed Property Owner

Laura Arnold

(REQUIRED)

ZONING DEPT. USE ONLY

Date received: 4-8-24 Application Complete

\$150 filing fee received: ✓

Comments _____ Hearing Date 5-13-24

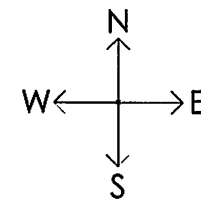
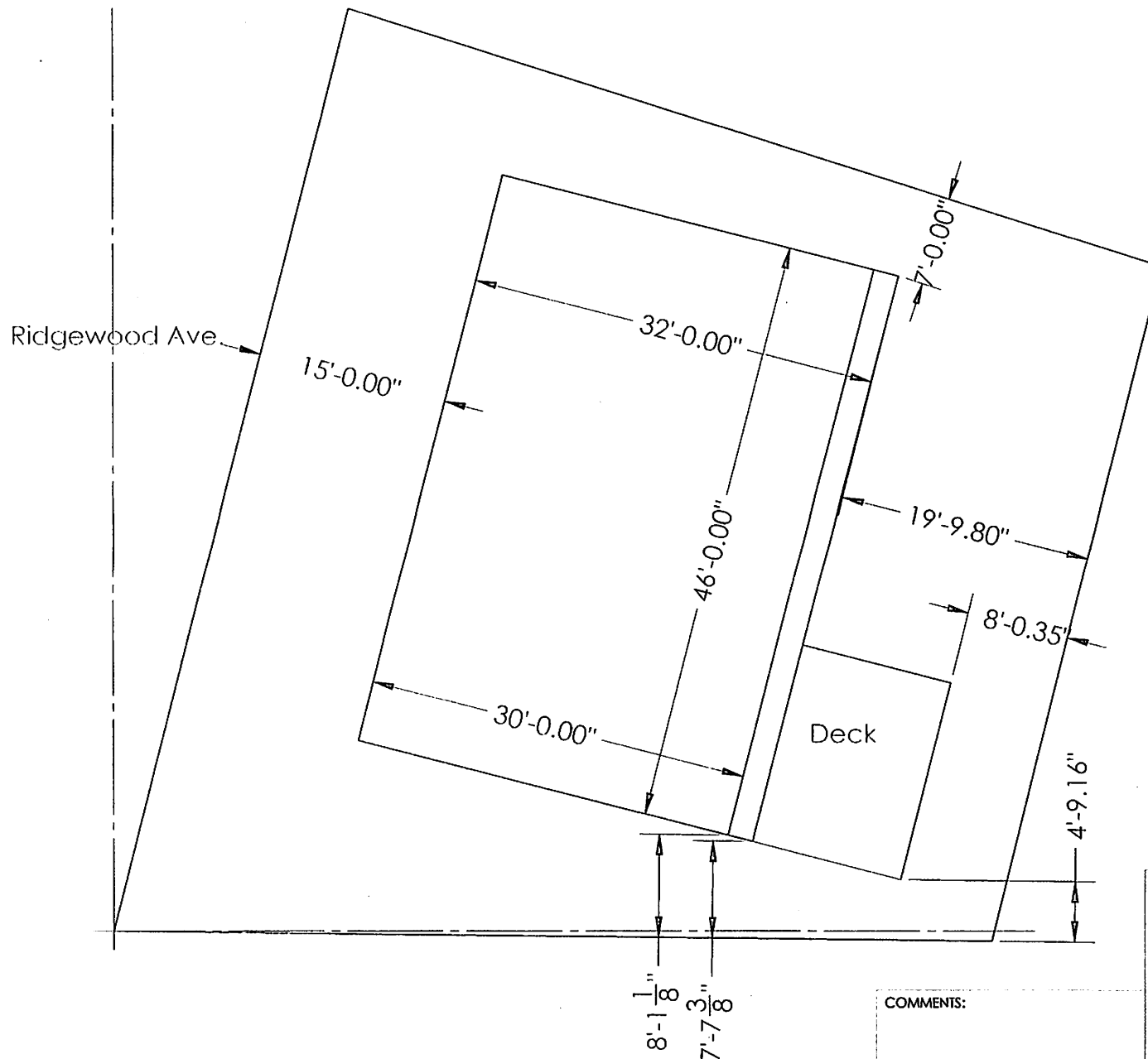


12" deep x 16' wide deck with stairs
(not drawn to scale)



B

A



B

A

TITLE:

City of HURON

SIZE

A

DWG. NO.

Georgetown

REV

1

SCALE:1:150

SHEET 1 OF 1

COMMENTS:

2

1

SKETCH OF HOUSE SITE PLAN

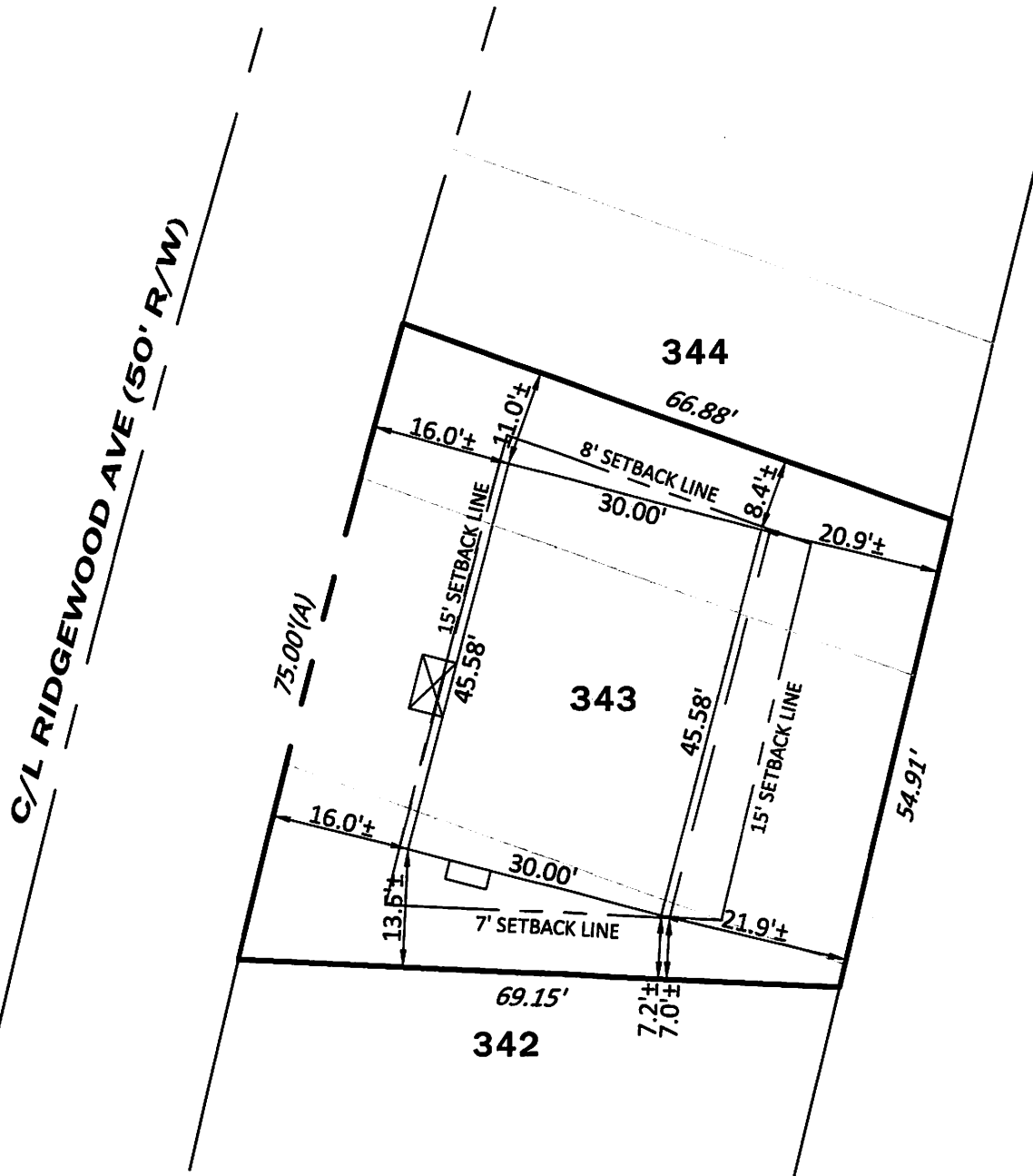
DATE: 08-31-22

SCALE: 1" = 20' 20'

JOB NO. 22-415

ORDER NO.:

BEING LOT 343 AND PART OF LOTS 342 AND 344 IN THE RYE BEACH LAND CO. SUBDIVISION, CITY OF HURON, ERIE COUNTY, OHIO



LOCATION APPROVAL:

BY: _____

****NOTE: FOUNDATION
ENCROACHES ON BUILDING
SETBACK LINE**