

CITY OF HURON
BOARD OF BUILDING AND ZONING APPEALS

May 13, 2024 Regular Meeting – 5:30p.m.

Acting Chair, JoAnne Boston called the regular meeting to order at 5:30 p.m. on Monday, May 13, 2024, in the Council Chambers of the City Building, 417 Main Street Huron, Ohio. Members in attendance: Scott Slocum and Lisa Brady. Members absent: Frank Kath and Jim Shaffer.

Also in attendance: Erik Engle, Planning Director and Christine Gibboney, Administrative Assistant.

Approval of Minutes (4-15-24)

Motion by Mr. Slocum to approve the minutes of 4-15-24 as submitted. Motion seconded by Ms. Brady. All in favor, minutes approved.

Ms. Boston explained the meeting format and protocol, swore in those in attendance wishing to testify before the Board on the case(s) appearing on the agenda, and asked that audience members turn off cell phones.

New Business

PPN 43-00393.000 3 Rye Beach Zoning: R-1A Area Variance

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.

Ms. Boston called the public hearing to order at 5:34 p.m.

Mr. Engle referenced the R-1A Zoning District, the parcel being on a corner lot, and the proposed placement of a 12' x 16' shed in the front/side yard. Mr. Engle referenced the application statement that locating the shed in the rear yard would block the view of the neighbors. He explained that there would be a 15' front yard setback required on both sides abutting the roadways and referenced 1121.06 with regard to only allowing sheds in the rear yard. He noted that he did suggest to owner the option of staying within the footprint of the home and add storage underneath or in the actual rear yard of the home.

Mr. Engle reviewed the variances that are required as proposed:

- 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).

Applicant/Owner Statements: Property Owner, John Spain.

Mr. Spain explained that he is proposing a front yard placement instead of the rear yard as he would be blocking views of his neighbors if the shed were in the rear yard. Mr. Slocum asked the

height of the proposed shed. Mr. Spain replied it would have 8' walls, and be 12' in height, adding that the shed exterior would match the house. Mr. Brady asked if variances would be needed if the owner were to move the shed to the rear. Mr. Engle stated that there would be variances needed on the rear side that abuts the roadway. Mr. Spain explained that he positioned the shed 5' off the front/side, again because of consideration in not blocking the view of neighbors. He added that if he moved the shed closer to his house, it would block yet another neighbor's view. Ms. Brady asked if the shed could be placed in the actual rear yard. Mr. Engle replied not without a variance or he would need to have a smaller size shed. Mr. Slocum acknowledged the owner being considerate with regard to consideration of the neighbors' views. Members asked if staff received any statements from neighbors. Mr. Engle confirmed that no feedback or complaints were received. Mr. Spain explained that he needs the shed, but does not want to block neighbor's views and noted he believes the proposed location provides the best appearance.

Audience Comments: None.

With no further comments or discussion, Ms. Boston closed the Public Hearing at 5:42 p.m.

Motion by Ms. Brady to deny the variances as requested, citing:

- **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 property owner's predicament feasibly can be obviated through some method other than a variance.**

Motion seconded by Mr. Slocum. Roll call on the motion:

Yeas: Boston, Brady, Slocum (3)

Nays: (0)

Abstain: (0)

With three or more votes in the affirmative, motion passes and the variance request denied.

PPN 49-00059.000 822 Lakeway Zoning: R-1

Area Variance

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.

Ms. Boston called the public hearing to order at 5:45 p.m.

Mr. Engle referenced the application, reviewing Zoning District and applicable codes. He noted the carport, as existing is pre-existing/non-conforming with regard to setbacks and explained the

owner is seeking to convert the carport into an attached 2 story garage while staying within the current footprint. Mr. Engle noted the proposed height of the 2-story garage will comply with the code. He noted that as proposed, the following variances will be required:

- 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.

Applicant/Owner Statements: Bob Howell, Architect representing the owner.

Mr. Howell reiterated that the structure will be built on the same footprint as the existing carport and explained the purpose of the improvement is to provide the owners access to a second-floor master suite that will include an elevator. Mr. Howell referenced the several support letters from neighbors that were submitted. Members acknowledged the letters of support received.

Audience Comments: None

With no further comments or discussion, Ms. Boston closed the Public Hearing at 5:49 p.m.

Motion by Ms. Brady to approve the variances as requested, as presented, citing:

- 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 spirit and intent behind the zoning requirement would be observed, substantial justice done by granting the variance.

Motion seconded by Mr. Slocum. Roll call on the motion:

Yeas: Brady, Boston, Slocum (3)

Nays: (0)

Abstain: (0)

With three or more votes in the affirmative, motion passes and the variance request approved as submitted.

PPN 43-00122.000 210 Ridgewood Zoning: R-1A Area Variance

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.

Ms. Boston called the public hearing to order at 5:50 p.m.

Mr. Engle referenced the application, reviewing Zoning District and applicable codes. He explained the home was built in 2022, and the owner is proposing the addition of a second-story deck: 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' -3" Side Yard Setback Variance

Members asked if any statement from neighbors were received. Mr. Engle replied no statements had been received. Ms. Brady commented that the proposed deck is similar to others in that area. Brief discussion ensued as to what the code allows for access. Mr. Engle noted that the code would allow for a staircase down to the yard. Mr. Slocum asked if there were any variances needed/requested for the home itself, Mr. Engle confirmed that there were not.

Applicant/Owner Statements: Lauren Cannell, Owner.

Ms. Cannell stated the deck fits the character of the neighborhood and referenced that there are no neighbors behind them.

Mr. Slocum asked for detail on what the code allows for access, Mr. Engle noted the code allows for a max width of 6' for a staircase.

Audience Comments: None

With no further comments or discussion, Ms. Boston closed the Public Hearing at 5:55 p.m.

Motion by Ms. Slocum to approve the variances as requested, citing:

- 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 spirit and intent behind the zoning requirement would be observed, substantial justice done by granting the variance.

Motion seconded by Ms. Brady. Roll call on the motion:

Yeas: Boston, Brady, Slocum (3)

Nays: (0)

Abstain: (0)

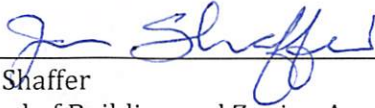
With three or more votes in the affirmative, motion passes and the variance request approved as submitted.

Other Matters

BZA Rules- Members decided to wait on finalization until all members were in attendance.

Reminder of upcoming meetings: BZA Work Session/Training May 21st at 5:30pm. and next regular meeting on June 10th.

With no further business, motion by Ms. Brady to adjourn. Motion seconded by Mr. Slocum. All in favor, meeting adjourned at 6:00 p.m.


Jim Shaffer
Board of Building and Zoning Appeals Secretary

ADOPTED: August 12, 2024
JS/cmg