

**CITY OF HURON**  
**BOARD OF BUILDING AND ZONING APPEALS**  
November 18, 2024 Regular Meeting – 5:30p.m.

Chair, Frank Kath, called the regular meeting to order at 5:30 p.m. on Monday, November 18, 2024, in the Council Chambers of the City Building, 417 Main Street Huron, Ohio. Members in attendance: JoAnne Boston, Jim Shaffer, Lisa Brady, and Scott Slocum. Also in attendance: Zoning Inspector-Alec Romick, City Engineer-Larry Fridrich, and Administrative Assistant-Christine Gibboney.

**Approval of Minutes (10-14-24)**

Members asked that minutes be considered at the next meeting as they were not included in the hard copy packet.

**Verification of Notifications**

Mr. Kath asked for verification that notices had been mailed. Ms. Gibboney confirmed that notices were mailed on 11-8-24.

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

**New Business**

<b>911 Beachside Ln</b>	<b>Zoning District: R-1</b>	<b>Parcel No.: 42-00230.000</b>
<b>Existing Land Use:</b>	<b>Single Family Residence</b>	<b>Flood Zone: X</b>

**Project Description- Area Variance- Side Yard Setback**

The applicant/owner is seeking to add a partial second story addition on the existing 2-story home. The applicant is proposing building up on the existing footprint and no expansion of the home's footprint will be made. The home is pre-existing/nonconforming to the code with regard to side yard setbacks. As proposed, the following variance is required: Side yard setback variance of 2'

***Mr. Kath called the public hearing to order at 5:31 p.m. and introduced the case.***

Ms. Gibboney reviewed the application, noting the home is pre-existing/nonconforming relative to side setbacks. She noted the applicant is proposing a partial second story addition overtop of a portion of the existing first floor and that there is no change to the existing footprint of the home. She noted the current and proposed side yard setback would be 6', the required minimum is 8', and the variance needed would be 2'. She noted no statements from neighbors were received.

**Applicant/Owner Statements: Applicant/Contractor, Chuck Hemker.**

Mr. Hemker reiterated the details of the improvement, noting that there will be no change to the existing footprint and neighboring properties will not have views impacted.

**Audience Comments: None**

**With no further questions or discussion, Mr. Kath closed the public hearing at 5:33 p.m.**

**Motion by Ms. Brady to approve the request for the area variance at 911 Beachside Lane, for a 2' side yard setback variance for a second story addition as proposed citing:**

- **The essential character of the neighborhood would not be substantially altered and/or the adjoining properties would not suffer a substantial detriment as a result 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: Shaffer, Boston, Kath, Brady, Slocum (5)**

**Nays: (0)**

**Abstain: (0)**

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

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**103 Wheeler Drive**

**Zoning District: R-1**

**Parcel No.: 42-00325.000**

**Existing Land Use:**

**Single Family Residence**

**Flood Zone: AE-Floodway**

**Project Description- Flood Elevation Variance Request- Chapter 1135**

Applicant/Owners are seeking to demolish the existing home, built in 1968, and rebuild a one-story home on the site. The entire parcel is within the FEMA - AE Floodway Zone. The applicant is requesting a variance to the flood protection elevation (FPE) requirement in Section 1135.

Applicant is seeking a front yard setback variance to enable accessibility and access to the garage and to better conform to neighboring home setbacks.

As proposed, the following variances are required:

- A 1' variance to Section 1135.04 (D) (4) – to allow for a Base Flood Elevation (BFE) plus one (1) foot, matching the FEMA Requirement.
- A 5' Front Yard Setback Variance to Section 1137.03 waiving the 50' max front yard setback to allow for a setback of 55'.

***Mr. Kath called the public hearing to order at 5:34p.m. and introduced the case.***

Ms. Gibboney reviewed the application for the two variances being requested, noting the 1' variance request to Section 1135.04 (D) (4) will be further reviewed by the City Engineer, Larry Fridrich, but basically relates to the city ordinance being more strict than the FEMA requirement when calculating the Flood Protect Elevation. She referenced the authority of the BZA, outlined in this code section, which gives BZA the power to authorize variances from the standards so long as not inconsistent with Federal regulations. Ms. Gibboney reviewed the 5' variance request for a front yard setback, referencing the parcel property lines go over the roadway, and neighboring homes are both well over the standard front yard setback. She explained the applicable code section for the formula to average the neighboring properties, noting that in this case, the average would come in well over the maximum of 50'. She referenced the applicant cited accessibility issues and appearance conformity in proposing a front setback of 55'. She noted the roadway is private, narrow, and a dead-end. Ms. Gibboney referenced the letter of support received and distributed to members from Mr. Blevins.

**Applicant/Owner Statements:** Laurie Zaccaro, 103 Wheeler Drive. Ms. Zaccaro explained that this has been a complicated process in dealing with the FEMA regulations and they want to make sure they are complying. She explained with regard to the front yard setback, they wanted to make sure of conformity with regard to the appearance of neighboring homes. She referenced the letter of support from the neighbor, Mr. Blevins.

City Engineer, Larry Fridrich, reviewed the regulations related to determining the Flood Protection Elevation (FPE). He explained, the Base Flood Elevation (BFE), as determined by FEMA, on this parcel is 578. FEMA when calculating for the FPE: BFE plus 1' foot, which would be 579. The city code specifies BFE plus 2' - which would be 580. He explained the applicant is seeking relief to the city code, asking for a variance of 1' to Section 1135, which will still be compliant with the FEMA regulation.

**Audience Comments:** Tom Harris, 105 Wheeler Drive.

Mr. Harris expressed his support of the request for variances, noting that all the homes in this area are non-conforming, referencing the private/dead-end roadway and noting that this is not controversial but common sense when considering the requests. Ms. Boston noted she would agree, adding that this is the reason for the existence of the BZA.

**With no further questions or discussion, Mr. Kath closed the public hearing at 5:42 p.m.**

**Motion by Ms. Boston to approve the request for the area variances citing:**

- 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 as a result of the variance.

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

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

**Nays:** (0)

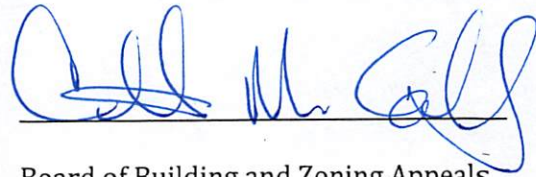
**Abstain:** (0)

**With three or more votes in the affirmative, motion passes and the area variances approved.**

**Other Matters**

- No applications have been received the December 9<sup>th</sup>, staff anticipates cancellation of this meeting.

With no further business, motion by Ms. Boston to adjourn. Motion seconded by Ms. Brady. All in favor, meeting adjourned at 5:45 p.m.



Board of Building and Zoning Appeals  
Secretary

ADOPTED: 1-13-25  
/cmg