

**CITY OF HURON**  
**BOARD OF BUILDING AND ZONING APPEALS**  
May 12, 2025, Regular Meeting – 5:30p.m.

Chairman Frank Kath, called the regular meeting to order at 5:31 p.m. on Monday, May 12, 2025, in the Council Chambers of the City Building, 417 Main Street Huron, Ohio. Members in attendance: JoAnne Boston, Tom Harris, Scott Slocum, Chris Harlan. Also in attendance, Planning & Zoning Manager, Christine Gibboney and Planning & Zoning Secretary, Carolyn Boger.

Mr. Kath explained that the board treats each variance case as its own separate public hearing; Ms. Gibboney reads the specifics of the variance case, then applicant may come forward to make statements and testify, there is a question answer session, then it is opened up to the public for statements and comments. After with the hearing is closed and the board makes their decision. Mr. Kath asked that whomever comes to the podium to testify state their name and address for the record.

Mr. Kath asked that phones be turned off, reviewed the format of the meeting, and swore in those in attendance wishing to testify before the Board on the case(s) appearing on the agenda.

**Approval of Minutes (4-14-25)**

Motion by Mr. Slocum to approve to approve the minutes of 4-14-25 as submitted. Motion was seconded by Mr. Harris. All in favor, minutes approved.

**Verification of Notifications**

Mr. Kath asked for verification of the notices that had been mailed. Ms. Gibboney confirmed that notices were mailed on May 2, 2025.

**New Business**

**307 Munsee                      Zoning R-1                                      PPN 48-00188.000**

**Existing Land Use:      Single Family Residence                                      Flood Zone: X**

**Property Size:                      70 x 105**

**Traffic Considerations: n/a**

***Project Description- Area Variance- Setbacks***

*Applicants are proposing to construct an addition and renovation/reconstruction of portions of the existing one-story single-family residence. The improvement will consist of 1,665sq. ft. and will remain a one-story residence. The proposed height will be 19'-4". The right-side yard setback of the existing structure is pre-existing/non-conforming to the code and will remain as is; the setback will not change. As proposed, the additions will require setback variances to the rear and left sides.*

*As proposed the following variances are required:*

- *10'-4 ½" Rear Yard Setback Variance*
- *5'-2" Side Yard Setback Variance*

***Mr. Kath called the public hearing to order at 5:34 p.m. and introduced the case for rear and side setback variances for a pre-existing/nonconforming home.***

Ms. Gibboney read from the staff report, noting that the applicants are proposing an addition and renovation to an existing one-story single-family home. This home was built in 1951; it had originally spanned two separate parcels and they recently had them combined. The current home

is compliant with the zoning regulations for R-1 district, with the exception of the right yard setback, which is 3'2-1/4". The front, the rear, and the left side are all compliant. The proposed addition and renovations do not alter the right yard or the front yard. The proposed additions to the rear and left side are non-compliant. Rear yard is proposed to be set at 19' 7-1/2" and the left side at 2'10". As proposed, the additions will require setback variances to the rear and left sides. Variances needed are a 10' 4-1/2" rear yard and a 5' 2" side yard.

Ms. Gibboney reported that three (3) statements from neighbors had been received and distributed to members:

- 310 Tecumseh - in support of the variances as proposed.
- 311 Munsee - in support of the variances as proposed.
- 306 Tecumseh - in support of the variances as proposed.

**Applicant/Owner Statements:**

Jim Peters, attorney on behalf of the property owners (Bob and Alice Parisi): Jim reiterated that they are asking for a rear setback and a left side setback and passed out drawings to indicate to the board the areas proposed for a variance. Jim also noted that the proposed 10'4 1/2" variance area in the rear yard is only for about half of the structure, while the remaining portion of the back yard will remain compliant. As for the proposed left side yard variance abutting the Scullin property, this is an open area that from a health and public safety stand point has plenty of room for governmental services, ambulances, firetrucks etc. It is more of a significant variance but they believe it is mitigated a little bit by the open space to the next structure on the neighboring property. Jim also estimated that fifty percent of the properties in old homestead are non-compliant. The proposed addition itself will add 832sf to the existing home. They received all the consents from the neighboring property owners that are affected and directly contiguous. And the property was inherited. For these reasons they asked for the area variance to be granted.

Mr. Harlan: Asked for clarification of the drawings presented and the location of the proposed 2'10" setback. Mr. Peters pointed out the place in question and added that the next closest structure is approximately 30' away. Mr. Harlan: Noted that upon reviewing the property and the surrounding area there are many similar instances. Mr. Harlan and the property owner, Bob Parisi, discussed where the rear property line was located in relation to the firepit for clarification and the intended use of the proposed addition. Mr. Peters reiterated that all the neighbors are consenting of the proposed addition and ensuing variances necessary to complete the project.

Ms. Boston: Remarkd her gratitude for combining the lots in advance of this proposed project, for a complete application, for clearly marking out the proposed addition on the property for the boards review, for keeping the proposed addition a ranch in keeping with the integrity of the neighborhood and lastly for the neighboring supporting letters.

Mr. Kath: Asked if any of the neighboring properties had similar rear yard setbacks. Ms. Boston verified that upon her review of the property and neighboring properties there are at least two similar situations.

**Audience Comments:**

None

**With no further questions or discussion, Mr. Kath closed the public hearing at 5:44 p.m.**

**Motion by Ms. Boston to approve the request for area variances at 307 Munsee Dr for the following setback variances:**

- **10'-4 1/2" Rear Yard Setback Variance**
- **5'-2" Side Yard Setback Variance**

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 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. Harris. Roll call on the motion:**

**Yeas: Harris, Boston, Kath, Slocum, Harlan (5)**

**Nays: (0)**

**Abstain: (0)**

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

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<b>408 Shawnee</b>	<b>Zoning: R-1</b>	<b>Parcel No.: 48-00117.000</b>
<b>Existing Land Use:</b>	<b>Single Family Residence</b>	<b>Flood Zone: X</b>
<b>Property Size:</b>	<b>140 x100</b>	

**Traffic Considerations: n/a**

***Project Description- Area Variance- Detached Accessory Structure***

*Applicant is proposing two additions to the existing detached garage: one to the front and one to the interior side. The detached garage, as existing, is non-compliant for the rear and left side yard setbacks. As proposed, this project will require a left side yard variance, a height variance, and a variance to allow a portion of the garage addition to be located in the side yard (addition extends beyond the rear corner of the home)*

*As proposed the following variances are required:*

- *A variance to allow a 3'-4" portion of the front of the garage to encroach into the side yard.*
- *A 1' left side yard setback variance.*
- *A 5'-4" height variance*

***Mr. Kath called the public hearing to order at 5:45 p.m. and introduced the case for side yard encroachment, height, and side setback variances for a pre-existing/nonconforming detached garage.***

Ms. Gibboney read from the staff report, noting that the existing detached garage was built in 1954 and is considered pre-existing/nonconforming to the code due to the rear (3') and left (4') side setbacks. It complies with location (rear yard), height (15' max), and distances to the primary dwelling and other accessory structures (6' min). The rear yard is approximately 5,084 sq. ft. Current structures in the rear yard total 1,584 sq. ft., the bump out addition is adding an additional 50 sq. ft. for a total of 1,634 sq. ft. The 35% build out max is 1,779 sq. ft; therefore, they are compliant with this regulation. The addition to the front of the garage will align with the existing garage at 4' from the left-side property line and would require a variance. A portion of the addition extends past the rear corner of the home, which makes its location within the "side yard". The code requires accessory structures to be in the rear yard only; this will require a variance. The applicant is proposing the overall height of the garage at 20'-4" in order to gain attic space for storage and to match renovations plans for the existing residence, this would require a height variance. Three

variances in total are needed. A variance to allow a roughly 3'4" portion of the garage to encroach into the side yard, a 1' side yard setback variance, and a 5'4" height variance.

Ms. Gibboney reported that three (2) statements from neighbors had been received and distributed to members:

- 407 Shawnee - in support of the variances as proposed.
- 320 Shawnee - in support of the variances as proposed.

**Applicant/Owner Statements:**

Tom Bodde, 1070 State St, Vermilion OH, architect on behalf of the property owners: Elaborated on the remodel of the existing detached 2-car garage and that they are trying to enhance the esthetics and structure of what is there currently as the existing roof is poorly constructed. They are proposing to add attic trusses above for additional storage and adding an additional bay in front to be able to fit two vehicles and a golf cart. The proposed workshop addition on the side is there for esthetics and additional storage space. The reason for the height increase is to match the 12/12 pitch on the front of primary structure of the home, so esthetically it will blend with the house. Mr. Bodde Brought elevations of the home and proposed renovations of 2-car garage for the board to review. The elevation view of the proposed renovation to the 2-car garage was highlighted to show the "small" triangle that will require the height variance. Mr. Kath raised concerns that allowing this would open up more applications for storage shed height variances. The board could see the point behind matching the roof pitches for esthetics, but were worried that allowing this would set precedence. Ms. Boston stated that she was ok with the other two variances as presented but was concerned with the requested height variance.

Mr. Bodde submitted two more letters from the neighbors:

414 Shawnee – in support of the variances as proposed

404 Shawnee – in support of the variances as proposed.

Terry Donelon, property owner: Gave the reasons for the extra proposed storage in regards to the height variance; stating that they needed more space to store kid's items to keep the property from being unsightly and reiterate that the height variance was mostly for esthetics. Ms. Boston again made note that she believes allowing this would open up the board to too many other potential problems in height variances in accessory structures. Mr. Harris was of similar mind and afraid that if the board granted this height variance that they would have to grant future height variances of similar nature. Mr. Bodde brought up that it had been suggested to him they could attach the garage to the primary structure so they could then get the height they want but then added that it would create even more potential variance requests than what they are currently asking for. And then reiterated that it is only small portion of the roof that will need the height variance. Mr. Kath suggested the board look at each variance separately and the architect potentially come up with a new design for the height or pitch. Mr. Bodde while not inclined to change the height did indicate that they could likely come up with a new height design with the side yard variances being granted. He then addressed the board for an inkling of their mindset in regards to any sort of height variances for accessory structures. Ms. Boston was of the mindset that 15' high would be upheld for an accessory structure. Mr. Bodde then asked the board to slit the variances into three separate variance requests. The board was in agreement for this request and decided to vote on each variance separately.

**Audience Comments:**

None.

**With no further questions or discussion, Mr. Kath closed the public hearing at 6:04 p.m.**

**Motion by Mr. Harris to approve the area variance request to allow a 3'-4" portion of the front of the garage to encroach into the side yard at 408 Shawnee Dr.**

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 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:** Harris, Boston, Kath, Slocum, Harlan (5)

**Nays:** (0)

**Abstain:** (0)

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

**Motion by Mr. Harris to approve the area variance request to allow a 1' left side yard setback variance at 408 Shawnee Dr.**

**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 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 Ms. Boston. Roll call on the motion:**

**Yeas:** Harris, Boston, Kath, Slocum, Harlan (5)

**Nays:** (0)

**Abstain:** (0)

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

**Motion by Ms. Boston to deny the area variance request to allow a 5'-4" height variance at 408 Shawnee Dr.**

**Citing:**

- *The variance is substantial.*

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

**Yeas:** Harris, Boston, Kath, Slocum, Harlan (5)

**Nays:** (0)

**Abstain:** (0)

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

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**412 Wasta                      Zoning: R-1                      Parcel No.: 49-00089.000**  
**Existing Land Use:      Single Family Residence                      Flood Zone: X**  
**Property Size:              102 x 95**

**Traffic Considerations: n/a**

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

*The applicant is proposing a rear yard covered patio addition, with motorized screens, and a fireplace. As proposed, the covered patio addition will require a rear yard setback variance.*

*As proposed the following variances are required:*

- *10'-5 3/4 " REAR YARD SETBACK VARIANCE*

***Mr. Kath called the public hearing to order at 6:08 p.m. and introduced the case for a rear setback variance for a covered patio addition.***

Ms. Gibboney read from the staff report, noting that the existing two- story home was built in 1940 and is pre-existing/nonconforming to the code. The attached garage is currently 4'-10" (30' required). The side yard setbacks are compliant with the requirements for a two-story home. The applicant is proposing a covered rear yard patio with motorized screen panels and a fireplace. As proposed, the covered patio will comply with side yard setbacks and height. The proposed rear yard setback for this covered patio is 19'-6 1/4" and will require a rear yard setback variance. Ms. Gibboney also noted that 10'-5 3/4" is the revised variance calculation, the variance distance listed in the initial packet was incorrect.

Ms. Gibboney reported that no statements were received from neighbors.

**Applicant/Owner Statements:**

Jessica Warnike, Property owner: Reiterated that they hope to build a covered rear yard patio structure. With plans to have a two-sided fireplace, the structure will be 12' high, and built in line with the current left side of the house. The structure itself will be 12'x24'. Mr. Kath asked if Ms. Warnike had any future plans to enclose the space. Ms. Warnike stated that they want to be able to have an outdoor space but because it is in the lakeside community during the bug season, they want to be able to put down the motorized screens to keep the bugs out. Mr. Harlan asked that the homeowner point out where the space is going in the backyard. Ms. Warnike indicated the location. Mr. Harlan asked if the roof was solid and if there were any fire concerns. Ms. Warnike expressed that with the chimney height being designed by an architect and reviewed by Mr. Zimmerman (the Building Official) that they did not have concerns with fire. Mr. Kath noted that there have been previous cases in the past that the board has put into record that the space cannot be enclosed in the future and that it might be the case here. Ms. Boston expressed that she would also require a restriction of enclosure to the structure in her agreement with the variance.

**Audience Comments:**

Tom Andrews, Neighbor at 416 Wasta: Expressed their support in regards to the rear patio structure.

**With no further questions or discussion, Mr. Kath closed the public hearing at 6:13p.m.**

**Motion by Mr. Slocum** to approve the request for area variances at 412 Wasta Ave for the following setback variances:

- **10'-5 3/4 " Rear Yard Setback Variance with the condition that the structure shall not become enclosed**

Citing:

- *The property in question would not yield a reasonable return and would not have beneficial use without the variance.*
- *The variance is not substantial.*
- *The spirit and intent behind the zoning requirement would be observed, substantial justice done by granting the variance.*
- *The variance would not adversely affect the delivery of governmental services (for example, water, sewer, garbage).*

**Motion seconded by Ms. Boston. Roll call on the motion:**

**Yeas:** Harris, Boston, Kath, Slocum, Harlan (5)

**Nays:** (0)

**Abstain:** (0)

**With three or more votes in the affirmative, motion passes and area variances approved with the condition that the structure shall not be enclosed.**

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**118 Cincinnati Ave    Zoning:** R-1

**Parcel No.:** 45-00066.000

**Existing Land Use:**    Single Family Residence    **Flood Zone:** X

**Property Size:**            80 x 89

**Traffic Considerations:** n/a

***Project Description- Area Variance-***

*The existing single-story home was built in 1966 and until recently, spanned two lots. The owners have had the parcels combined and are proposing an attached 936 sq.ft. garage addition to the left side of the home. As proposed, the attached garage will align with the existing rear yard setback of the house, which is pre-existing/nonconforming at 22', and therefore would require a variance.*

*As proposed the following variances are required:*

- 8' Rear Yard Setback Variance

***Mr. Kath called the public hearing to order at 6:15 p.m. and introduced the case for a rear setback variance for a pre-existing/nonconforming home.***

Ms. Gibboney read from the staff report, noting that the existing single-story home is considered pre-existing/non-conforming to the code for the current rear yard setback which is 22' (30' Required). The applicant is proposing to demolish the existing detached shed and add a breezeway to attach a new garage to the existing home. As proposed, the garage would be compliant with the front, sides, and height regulations of Section 1123. The garage will align with the existing home at 22' from the rear property line, requiring an 8' rear yard setback variance.

Ms. Gibboney reported that three (3) statements from neighbors had been received and distributed to members:

- 210 Cincinnati - in support of the variances as proposed.
- 114 Cincinnati - in support of the variances as proposed.
- 201 Dayton Ave - in support of the variances as proposed.

**Applicant/Owner Statements:**

Robert Bauman, Property owner: Recapped that he is proposing an additional garage on the side of the house to be attached by a breezeway. He stated that he is asking for the same variance the got

30 years ago when the master bedroom was added on to be re-approved. The garage will be used to store their RV and pickup truck while also housing a workshop. They plan to attach it esthetically to hopefully improve the neighborhood and give the homeowners better function.

**Audience Comments:**

None.

**With no further questions or discussion, Mr. Kath closed the public hearing at 6:18 p.m.**

**Motion by Ms. Boston** to approve the request for area variances at 118 Cincinnati Ave for the following setback variances:

- **8' Rear Yard Setback Variance**

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 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. Harlan. Roll call on the motion:**

**Yeas:** Harris, Boston, Kath, Slocum, Harlan (5)

**Nays:** (0)

**Abstain:** (0)

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

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**Other Matters**

- Meeting Reminder- June 9, 2025
- Ms. Gibboney noted that we already have a couple of applications for the next meeting.
- Mr. Harris wanted it on the record that he felt bad about having to deny the height variance at 408 Shawnee, but the board needs to hold a standard otherwise there is no standard or point for the board.
- Other board members shared similar sentiments in that regard.

**Adjournment**

With no further business, motion by Ms. Boston to adjourn. Motion seconded by Mr. Harris. All in favor, meeting adjourned at 6:23 p.m.

  
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Board of Building and Zoning Appeals  
Secretary

ADOPTED: 7/14/25  
/cmb