

CITY OF HURON
BOARD OF BUILDING AND ZONING APPEALS
November 10, 2025, Regular Meeting – 5:30p.m.

Chairman Frank Kath, called the regular meeting to order at 5:30p.m. on Monday, November 10, 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.

Also in attendance: Steve Baron

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.

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.

Approval of Minutes 10-13-25

Motion by Mr. Slocum to approve the minutes of 10-13-2025 as submitted. Motion was seconded by Ms. Boston. 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 10/31/25.

Swearing in

Mr. Kath asked that anyone who is going to testify to please stand and be sworn in.

New Business

1114 Mudbrook Zoning: R-2 Parcel No.: 42-00635.000

Existing Land Use: Single Family Residential Flood Zone: X

Property Size: 88 x 162

Traffic Considerations: Corner Lot- Mudbrook/Hidden Valley Drive

Project Description- Area Variance-Fence Height

Applicant is proposing 6' privacy fencing to the side and rear yards of his home in anticipation of adding a pool to the rear yard in the future. The home is located on a corner lot (Mudbrook Rd and Hidden Valley Drive) making Mudbrook and Hidden Valley "front yards" per the code. The code regulates fence heights of 4' max in front yards, therefore, as proposed, the 6' fencing along Hidden Valley Drive would require a 2' height variance.

As proposed, the fence will require the following variance:

- 2' height variance

Mr. Kath called the public hearing to order at 5:32 p.m. and introduced the case for a 2' height variance to a proposed 6' fence on a corner lot.

Ms. Gibboney read from the staff report, noting that the parcel is zoned R-2. The applicant is proposing a 6' privacy fence to the side and rear yards of his home in anticipation of adding a pool to the rear yard in the future. The home is located on a corner lot which the code defines as being comprised of two front yards (Mudbrook Rd and Hidden Valley Drive) making Mudbrook and Hidden Valley have to comply with front yards setbacks when that occurs. For fence heights in front yards a max height of 4' is allowed, so that would mean only 4'H would be allowed on the Hidden Valley side. Therefore, as proposed, the 6' fencing along Hidden Valley Drive would require a 2' height variance. The owner did also mention in his application that there is a slope to the rear yard and when he puts in his pool, he will need to install a fence anyway. Ms. Gibboney remarked that he proposes to go up to his property lines with his fence.

Ms. Gibboney reported that no statements from neighbors had been received, but that we had received a call from the neighboring HOA.

Applicant/Owner Statements:

None, not present.

Audience Comments:

Ann Jones, Hidden Valley Condo Association President at 1147 Billetter Dr, made statements concerning the Erie County auditor listing an incorrect mailing address on one of the HOA's properties resulting in the HOA not receiving notification of the variance application. She has now updated this mailing address with Erie County. Ms. Jones then raised questions regarding whether there was a variance granted for the fence on the opposite side of the street (1108 Mundbrook) and if the same incorrect HOA mailing address acquired from the Erie County Auditor would have been used for notifications at that time. To which Ms. Gibboney stated that yes, there was a variance granted for that address and yes, the same address was used at that time for notifications and that we can only go by what is listed by the Erie County Auditor for a mailing address. Ms. Gibboney also remarked that per the code we do not have to send notices to individual property owners within 150' we could just put a notice in the paper, but as a courtesy we send the notices. Mr. Slocum inquired as to whether the HOA owned any property within the 150' notification radius. Ms. Gibboney clarified that the HOA pool area is within the 150' notification radius.

Ms. Jones upon seeing the proposed location of the fence on the PowerPoint presentation stated that her questions were then answered. She also noted that when he does build the fence and the pool in the future, she hopes he reaches out for permission to cross their property.

Mr. Kath remarked that BZA board can only make decisions based off the City of Huron codes and if an HOA has more stringent regulations, that is between the HOA and the applicant.

Barb, at 947 Hidden Valley Dr, raised concerns over the need of the 2' height variance. Ms. Gibboney explained that the code applies front yard restrictions to side yards on corner lots (abutting the street) so the code would dictate a 4'H fence along Hidden Valley Dr and to do a 6' high fence they would need a 2'height variance. Mr. Jones also added that she believes the rear yard of the property to have a slope.

Cindy Miglietti at 907 Hidden Valley Dr, *late arrival sworn in before this testimony* raised the question of what type of fence was proposed. Mr. Kath noted that the application proposes a white

vinyl fence. Ms. Miglietti was concerned because as she stated the fence across the street is not very nice looking and sited concerns with decreased property values.

Barb, at 947 Hidden Valley Dr, again raised the question of why the fence needs to be 6' high. Mr. Kath explained that the homeowner is requesting a height variance for privacy as they intend to put in a pool and there are a lot of cars that go by driving into the subdivision.

With no further questions or discussion, Mr. Kath closed the public hearing at 5:43p.m.

Motion by Ms. Boston to approve the request for area variances at 1114 Mudbrook for the following setback variances:

- *2' height 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:

Yea: (5)

Nay: (0)

Abstain: (0)

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

Other Matters

- Meeting Reminder- December 8, 2025
- Mr. Harris's last BZA meeting.
- Mr. Kath, thanked Mr. Harris for his service and introduced the new BZA member, Steve Barron.
- BZA will need to select new secretary with the loss of Mr. Harris, the current secretary.

Adjournment

With no further business, motion by Ms. Boston to adjourn. Motion seconded by Mr. Harlan. All in favor, meeting adjourned at 5:50p.m.

Carolyn M Bog

Board of Building and Zoning Appeals
Secretary

ADOPTED: Jan 12, 2026
/cmb