

CITY OF HURON
BOARD OF BUILDING AND ZONING APPEALS
July 14 2025, Regular Meeting – 5:30p.m.

Chairman Frank Kath, called the regular meeting to order at 5:29 p.m. on Monday, June 9, 2025, in the Council Chambers of the City Building, 417 Main Street Huron, Ohio. Members in attendance: JoAnne Boston, Tom Harris, Chris Harlan, and Scott Slocum. 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. Afterwards, the hearing is closed and the board makes their decision. Mr. Kath asked 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 (5-12-25 & 6-9-25)

Motion by Ms. Boston to approve the minutes of 5-12-25 and 6-9-25 as submitted. Motion was seconded by Mr. Harlan. 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 7/3/25.

New Business

211 Wheeler Drive	Zoning: R-1	Parcel No.: 42-00670.000
Existing Land Use:	Single Family Residential	Flood Zone: X & AE to rear
Property Size:	0.2100 Acres	50 x 217
Traffic Considerations:	n/a	

Project Description- Area Variance-Front and Side Setback Variances

The applicant is proposing a 1,152sq. ft. addition to the current 500sf seasonal cottage to make the home a year-round residence. The cottage is a 1-story, pre-existing/nonconforming home currently; the addition will make the home a 2-story dwelling and will require area variances for side and front yard setbacks.

As proposed the following variances are required:

- Front Yard Setback variance of 16'*
- Total Side Yard Setback variance of 14'- 2" (Left 4'-2" and Right 10')*

Mr. Kath called the public hearing to order at 5:31 p.m. and introduced the case for a Front and side yard setback variances for a 2-story addition & garage.

Ms. Gibboney read from the staff report, noting that...

The existing 500sq.ft. cottage was built in 1955. The lot is narrow (50'-), long, and angled, the existing cottage is angled on the lot, and is pre-existing/nonconforming for front and right-side yard setbacks. The rear and right side of the parcel is within the AE Floodway. The proposed 2-

story addition and garage will be added to the front of the existing home and will not be located within the floodway. The cottage footprint as existing:

Front	Left Side	Right Side	Rear
40'	12'	2'-7"	33' to land edge, 200+ to property line.

The proposed addition is aligning with the current structure, which continues the angle to the property lines.

Ms. Gibboney stated that there was one change from the distributed packet, on the site plan we had used the noted 30' 6" measurement as the front setback, but what they had marked was actually the farthest point, the closest point (what we use for the setbacks) is actually 20'.

The proposed footprint:

Front	Left Side	Right Side	Rear
20'	3'- 10"	2'	33' to land edge, 200'+to property line

Taking the average front yard setbacks of the two neighboring properties: the neighbor to the left is around 49' & the neighbor to the right is 23', the average front yard setback would be 36'. With the proposed 20' front setback with this addition this would require a 16' front yard variance.

Ms. Gibboney reported that the neighbor, Tracie Weber, at 207 Wheeler had sent an inquiry email questioning the side setbacks voicing a fire safety concern with the proximity to their property along with an additional question regarding the contractor. Ms. Gibboney had responded to the questions raised in the email and an official statement from this neighbor was not submitted. Ms. Gibboney also noted that the neighbor at 215 Wheeler supplied a statement voicing concerns with sightline regarding the proposed construction and pulling out into the street.

Mr. Harris added that he had spoken to the neighbor at 230 Wheeler who had voiced concerns to him regarding the proposed addition impeding their view. Ms. Boston asked for clarification of the total front setback and variance which Ms. Gibboney provided.

Applicant/Owner Statements:

Jim Wasiniak, father of the property owner, 26487 Butternut Ridge Rd, North Olmsted, OH: Remarked that they intended to add-on to the dwelling in order to make it a permanent residence. As it is currently only 500 sq.ft. and the homeowners intend upon their mother-in-law also moving into this residence with them. They purchased the property without the knowledge of the angled property lines, the property lines in question do not run parallel to the house creating a property hardship. They are trying to make the home code compliant by adding the garage but it brings the proposed addition near to the property lines. Additionally, the rear of the property is in the AE flood zone making an addition to the rear extremely difficult, they also did not want to upset their neighbors by attempting to add-on in the back and impeding anyone's sightline of the lake. Mr. Wasiniak believes their proposed addition will not alter the character of the neighborhood as other neighbors with the same property line hardships have also made similar alternations to their residences.

Mr. Harris asked if the fire department had any safety concerns with the proximity between the structures. Ms. Gibboney stated that the fire department had no concerns with this as there will be over 14' between the neighbor at 207 Wheeler and the proposed addition. Ms. Boston noted that she believes that the variances they are asking for are substantial, but the property's unique shape does in fact create a hardship. Mr. Slocum asked how the driveway would be configured. Mr. Wasiniak explained that the driveway would be straight off the garage with a little turn off for an additional car to park all paved in concrete. Mr. Harris questioned whether the site map shown was showing the property line or the ROW line on the street side as many of the properties on this street go to the center of the street. Ms. Gibboney clarified that the site plan was in fact showing the property lines, which in the case of this property do not go to the center line of the street.

Mr. Harlan brought up the concerns of the neighbor at 215 Wheeler regarding the line of sight, after his review of the property he believes the line of sight concerns are legitimate as he believes the

current landscaping and the proposed addition will hinder the view of the street from the drive at 215 Wheeler. Mr. Wasiniak responded that all the landscaping in question will be removed.

Audience Comments:

Caitlin Zientarski, neighbor across the street at 230 Wheeler Dr; had a question regarding the height of the proposed structure as she believes it will impede her view. The board responded that there is a 35' max height on residential structures. Mr. Wasiniak stated that to the peak the proposed structure will be 25'.

Mr. Harlan also commented that he appreciated that the proposed addition was staked out when he went to the property for a site visit. Mr. Kath asked about the structure on 213 Wheeler and whether it was actually on the property in question (211 Wheeler). Mr. Wasiniak stated that yes, his neighbor's structure is on their property in two locations. Mr. Kath then wanted reiterate the variances being requested due to the corrections Ms. Gibboney made from the agenda packet; stating the front yard setback variance will be 16' and the combined setback for the side yards will be 14' 2". Mr. Slocum then made comments regarding the landscape and that it can change at any time.

With no further questions or discussion, Mr. Kath closed the public hearing at 5:50 p.m.

Motion by Ms. Boston to approve the request for area variances at 211 Wheeler Drive for the following setback variances:

- ***Front Yard Setback variance of 16'***
- ***Total Side Yard Setback variance of 14'- 2" (Left 4'-2" and Right 10')***

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 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.***

Motion seconded by Mr. Harris, he also stated in his second that; as the property lines sit in relation to the house on the street it does not make sense. Roll call on the motion:

Yeas: (5)

Nays: (0)

Abstain: (0)

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

416 Wasta Ave	Zoning: R-1	Parcel No.: 49-00028.000
Existing Land Use:	Single Family Residential	Flood Zone: X
Property Size:	0.0 acres	51 x 95
Traffic Considerations:	n/a	

Project Description- Area Variance-Side Yard Setback

The Applicant is proposing to construct a 4-season room addition in the footprint of the existing rear yard attached deck. As existing, the two-story home and the attached deck are at 5' from the side yard property line, making them pre-existing/nonconforming. A side yard setback variance is required for this addition.

As proposed the following variances are required:

- *3' left side yard setback variance.*

Mr. Kath called the public hearing to order at 5:54 p.m. and introduced the case for a side yard setback variance for a 4-season room addition.

Ms. Gibboney read from the staff report, noting that the existing 2-story home was constructed in 1948; the left side setback of the home and the existing attached deck are at 5'; making it pre-existing/non-conforming to the min. 8' as required for a two-story dwelling. The applicant is proposing to remove the existing attached deck and replace it with a 4-season room addition. The addition will be in the same footprint of the current deck and it will require a 3' side yard setback to do.

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

Applicant/Owner Statements:

Thomas Andrews of 416 Wasta; explained the proposed project and that the 4-season room will be going into the exact same footprint of the existing deck and it will match up with all the existing sides of the house. Mr. Kath asked if the proposed 4-season room will be a single-story and what type of roof will be utilized. Mr. Andrews explained that yes, it will be single-story, with a shed roof. Mr. Kath asked if it was a patio or a walkway behind would be staying the same and Mr. Andrews clarified that it would be staying. Mr. Harlan then asked how the homeowner planned to heat the proposed structure, citing safety concerns if a wood heat was planned. Mr. Andrews stated that he plans on using an electric heat source.

Audience Comments:

Jessica Warike of 412 Wasta; neighbor expressed her support of proposed addition and that she would even allow the Andrews access to their side yard to get around to do the work.

With no further questions or discussion, Mr. Kath closed the public hearing at 5:58 p.m.

Motion by Mr. Harris to approve the request for area variances at 416 Wasta Ave for the following setback variances:

- ***3' left side yard setback variance.***

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 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.***

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

Yeas: (5)

Nays: (0)

Abstain: (0)

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

Other Matters

- Meeting Reminder- Aug 11, 2025

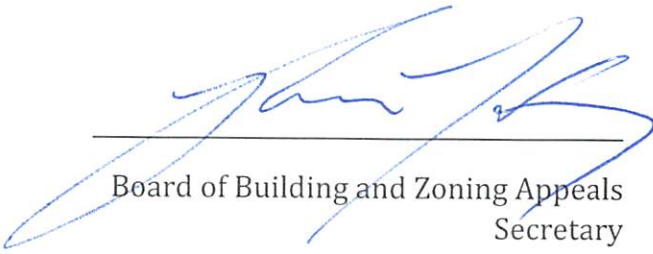
Adjournment

With no further business, motion by Ms. Boston to adjourn. Motion seconded by Mr. Harris. All in favor, meeting adjourned at 6:02p.m.

ADOPTED:

Sept. 8, 2025

/cmb



Board of Building and Zoning Appeals
Secretary