



# City of Hudson, Ohio

## Meeting Minutes - Draft Board of Zoning & Building Appeals

*Jane Davis, Chair*  
*Lou Wagner, Vice Chair*  
*Lydia Bronstein*  
*David Coleman*  
*Robert Kahrl*

*Nick Sugar, City Planner*  
*Lauren Coffman, Associate Planner*

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Thursday, October 17, 2024

7:30 PM

Town Hall  
27 East Main Street

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### I. Call to Order

Acting Chair Wagner called to order the regularly scheduled meeting of the Board of Zoning & Building Appeals at 7:30 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.

### II. Roll Call

**Present:** 4 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein and Mr. Coleman

**Absent:** 1 - Ms. Davis

### III. Identification, by Chairman, of Nick Sugar, City Planner.

Chair Wagner noted City Planner Nick Sugar and City Solicitor Marshall Pitchford's attendance at the meeting.

### IV. Swearing in of Staff and Audience Addressing the Board.

Chair Wagner swore-in staff and all the persons wishing to speak under oath.

### V. Approval of Minutes

[BZBA 8.15.2024](#) Minutes of Previous Board of Zoning & Building Appeals Meeting: August 15, 2024

**Attachments:** [August 15, 2024 - BZBA Minutes - Draft](#)

A motion was made by Mr. Kahrl, seconded by Ms. Bronstein, that the August 14, 2024, Minutes be approved as amended. The motion carried by the following vote:

**Aye:** 4 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein and Mr. Coleman

[BZBA 9.19.2024](#) Minutes of Previous Board of Zoning & Building Appeals Meeting: September 19, 2024.

**Attachments:** [September 19, 2024 BZBA Minutes - Draft](#)

A motion was made by Mr. Kahrl, seconded by Ms. Bronstein, that the September 19, 2024, Minutes be approved as amended. The motion carried by the following vote:

Aye: 4 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein and Mr. Coleman

## VI. Public Hearings - New Business

[BZBA 24-637](#) The subject of this hearing is a variance request of six (6) feet from the required side yard principal structure setback of fifteen (15) feet, resulting in a principal structure setback of nine (9) feet pursuant to section 1205.06(d)(5)(D)(1) “Property Development/Design Standards - setbacks” of the City of Hudson Land Development Code in order to build an addition.

The applicant is Robert Hulburt, 234 E Streetsboro St, Hudson, Ohio 44236. The property owner is Robert Hulburt, 234 E Streetsboro St, Hudson, Ohio 44236 for the property at 234 E Streetsboro St in District 3 [Outer Village Residential Neighborhood] within the City of Hudson.

Attachments: [234 E Streetsboro St BZBA Staff Report](#)

Mr. Sugar introduced the application by displaying and describing the project, the applicable LDC regulations, the requested variance, the staff comments and recommendations, and the required findings BZBA must make for this non-conforming use.

The Board went into executive session to discuss how the finding for the two conditions will or will not affect the need for a variance.

The Board returned from executive session.

Mr. Robert Hulburt, applicant, 2200 Ravenna Street, noted the house was built in 1954, described the desired addition, and stated he does not believe the addition will negatively affect any neighbor.

The Board, applicant and staff discussed, that the rear and west setbacks are not affected and the eastern side affect will be no greater than at present, and that with the addition the house will be approximately the same size as the neighboring house.

Chair Wagner opened the meeting for Public Comment.

Ms. Sarah Hulburt, occupant of the residence in question and daughter of the applicant, noted the difficulty of purchasing a house in Hudson and how enlarging this house will meet the needs of her five children.

The Board discussed ruling that a variance is not needed because the two conditions were met.

**Mr. Kahrl made a motion, seconded by Ms. Bronstein, after reviewing the application, the hearing of evidence under oath, reviewing all documentary submissions of interested parties and by taking into consideration the personal knowledge of the property in question, that the Board of Zoning and Building Appeals find that it is not necessary to grant a variance for BZBA case #24-637. Under Land Development Code Section 1206.05(f)(1)(B), the expansion of nonconforming structures must meet the following criteria:**

- 1. The enlargement will not interfere with the operation of conforming uses in the District or**

with circulation on adjacent public streets; and

2. The enlarged structure will cause no greater adverse impacts on surrounding properties than did the original conforming structure.

The Board finds and concludes;

1. The enlargement will not interfere with the operation of conforming uses within the district.

2. The Board finds that the enlarged structure will cause no greater adverse impacts on the surrounding neighborhood.

. The motion carried by the following vote:

Aye: 4 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein and Mr. Coleman

[BZBA 24-993](#) The subject of this hearing is a variance request to allow the creation of a forward-facing garage when the Land Development Code prohibits doors of private attached garages to face the street pursuant to section 1205.07(d)(9)(D)(1), “Property Development/Design Standards - Building siting and orientation” of the City of Hudson Land Development Code. The proposal would attach an existing detached garage to the main structure, thereby creating an “attached garage”

The applicant is Elizabeth Nicklas, Peninsula Architects, 1775 Main Street, Peninsula, Ohio 44264. The property owner is Lindsay Erbaugh, 48 College St, Hudson, Ohio 44236 for the property at 48 College St in District 4 [Historic Residential Neighborhood] within the City of Hudson

Attachments: [48 College St BZBA Staff Report](#)

Mr. Sugar introduced the application by displaying the location, describing the site and project, reviewing the variance request and, reviewing the staff comments and recommendations.

Mr. Joe Matava, Peninsula Architects, described the purpose of the garage, the minimal impact of the project and the large convenience factor for the owner.

The Board and staff discussed if the variance would be needed if the addition did not have walls, Mr. Sugar stated that an overhead connector without walls would not require a variance. Mr. Matava stated they have not considered the roof only because he believes the variance ask is so minor.

The Board, applicant, and staff discussed that HVAC will not be installed in the project, and that this is one of the oldest houses in Hudson, dating to 1823,

The Board discussed the reasonableness of the variance request because: The location of the house, the location of the project, that a front facing detached garage is already in place, and that other front facing garages have received variances in this neighborhood.

Chair Wagner opened the meeting for Public Comment.

Ms. Nora Jacobs Snyder, 34 Division Street, noted three examples of this requested variance which already exist in the neighborhood.

**Ms. Bronstein made a motion, seconded by Mr. Kahrl, to grant a variance request to allow the creation of a forward-facing garage when the Land Development Code prohibits doors of private attached garages to face the street pursuant to section 1205.07(d)(9)(D)(1), “Property Development/Design Standards – Building siting and orientation” of the City of Hudson Land Development Code.**

**After reviewing the application, the hearing of evidence under oath, reviewing all documentary submissions of interested parties and by taking into consideration the personal knowledge of the property in question, the Board of Zoning and Building Appeals grants the variance.**

**The Board finds and concludes;**

- 1. The property in question will yield a reasonable return and there could be a beneficial use of the property without the variance. However, the Board finds that there would be a benefit to the property owner to have direct access to the existing detached garage.**
- 2. The requested variance represents a 100% deviation from the code requirement. However, the Board acknowledges that there is precedent set for this request through prior BZBA decisions within the neighborhood.**
- 3. The essential character of the neighborhood would not be substantially altered, and adjoining properties would not suffer a substantial detriment as a result of the variance. The Board acknowledges that public comment in favor of the request was heard at the meeting.**
- 4. The variances would not adversely affect the delivery of governmental services.**
- 5. The existing regulations were in affect when the applicant purchased the property in 2022.**
- 6. While there are other options that are available to the applicant, the Board finds that the requested use would be the most beneficial option for the property owner and surrounding neighborhood.**
- 7. The spirit and intent behind the zoning requirement would be observed and substantial justice would be done by granting the variance.**

**The motion was approved. by the following vote:**

**Aye: 4 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein and Mr. Coleman**

**[BZBA 24-1075](#)The subject of this hearing is variances to construct an addition and includes the following requests. The addition would expand a nonconforming structure**

- 1] A variance request of twenty-four (24) feet from the required side yard principal structure setback of thirty-five (35) feet, resulting in a principal structure setback of eleven (11) feet pursuant to section 1205.07(d)(6)(B)**

**(6) “Property Development/Design Standards - setbacks” of the City of Hudson Land Development Code in order to build an addition.**

The applicant is Nate Bailey, Hara Architects, PO box 683, Hudson, Ohio 44236. The property owners are Brad and Danielle Wenclewicz, 27 College St, Hudson, Ohio 44236 for the property at 27 College St in District 4 [Historic Residential Neighborhood] within the City of Hudson

**Attachments:**     [27 College Street BZBA Staff Report](#)  
                              [Letters Submitted by the Applicant](#)  
                              [Perspectus Report - 27 College Street](#)  
                              [August 14, 2024 - AHBR Meeting Minutes](#)  
                              [September 11, 2024 - AHBR Meeting Minutes](#)

Mr. Sugar introduced the application by displaying and describing the project and location, reviewing the LDC setback requirements, and reviewing the staff comments and recommendation. Mr. Sugar also noted that revised additions have been submitted to the Board following an informal review from AHBR and the historic consultant.

Mr. Nate Bailey, Hara Architects: Described the owners growing family and the need for additional living space. Mr. Bailey also noted: The corner lot makes the application more difficult, that granting the variance will add value to the property, that this is a large project and contributes to the existing house, precedents for allowing large variances in the surrounding neighborhood, that the height of the addition will align with the height of the historic mass, if the variance is not granted it will mean a three and on half foot reduction in the addition size, the letters of support from the surrounding neighbors, and that he believes the spirit and intent of the LDC will be met by granting the variance.

The Board, applicant and staff discussed: That the porch is not part of the historic house and how accommodations are being made with the porch, how the roof heights have been adjusted in the revised submission, that the size of the yard will not be affected with the addition, that the garage will remain detached, the difficulty presented with enforcing a 35-foot setback, that the variance for this particular house and property should not be judged by the LDC setback, and that other houses in the area have already built similar additions,

Chair Wagner opened the meeting for Public Comments.

Mr. John Dearborn, Church Street, voiced his support for the project and stated his belief that the addition will make the house and garage fit the streetscape better.

Ms. Dearborn, Church Street, stated her support for allowing the variance for the sake of this family and the neighborhood.

Seeing no one else coming forward to speak, Chair Wagner closed Public Comment.

**Mr. Kahrl made a motion, seconded by Mr. Coleman, after reviewing the application, the hearing of evidence under oath, reviewing all documentary submissions of interested parties and by taking into consideration the personal knowledge of the property in question, the Board of Zoning and Building Appeals finds that it is not necessary to grant a variance for BZBA case #24-1075. Under Land Development Code Section 1206.05(f)(1)(B), the expansion of nonconforming structures must meet the following criteria:**

- 1. **The enlargement will not interfere with the operation of conforming uses in the District or with circulation on adjacent public streets; and**
- 2. **The enlarged structure will cause no greater adverse impacts on surrounding properties than did the original conforming structure.**

**The Board finds and concludes;**

- 1. **The enlargement will not interfere with the operation of conforming uses within the district.**
- 2. **The Board acknowledges the testimony of the surrounding property owners and so finds that the enlarged structure will cause no greater adverse impacts on the surrounding neighborhood.**

**The motion was approved by the following vote:**

**Aye:** 4 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein and Mr. Coleman

**VII. Other Business**

There was no other business.

**VIII. Adjournment**

**A motion was made by Mr. Kahrl, seconded by Ms. Bronstein, that this be adjourned. The motion carried by an unanimous vote.**

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**Louis Wagner, Chair**

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**Lydia Bronstein, Board Member**

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**Joe Campbell, Executive Assistant**

*Upon approval by the Board of Zoning & Building Appeals, this official written summary of the meeting minutes shall become a permanent record, and the official minutes shall also consist of a permanent audio and video recording, excluding executive sessions, in accordance with Codified Ordinances, Section 252.04, Minutes of Architectural and Historic Board of Review, Board of Zoning and Building Appeals, and Planning Commission .*

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