City of Hudson, Ohio

Meeting Minutes - Final
Board of Zoning & Building Appeals

Louis Wagner, Chair
Lydia Bronstein, Vice Chair
Keenan Jones
Robert Kahrl
Cory Scott

Nick Sugar, City Planner
Lauren Coffman, Associate Planner

Thursday, October 16, 2025 | **7:30 PM** | **Town Hall**
27 East Main Street

I. Call to Order

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: 5 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein, Mr. Scott and Mr. Jones

III. Identification, by Chairman, of City Staff.

Chair Wagner introduced: Mr. Greg Hannan, Community Development Director; Ms. Mary Rodack, Associate Planner; and Mr. Marshall Pitchford, City Solicitor

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

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

V. Approval of Minutes

BZBA 9.18.25 **Minutes of Previous Board of Zoning & Building Appeals Meeting: September 18, 2025**

Attachments: September 18, 2025 BZBA Meeting Minutes - Draft

A motion was made by Ms. Bronstein, seconded by Mr. Kahrl, that the September 18, 2025, Minutes be approved as submitted. The motion carried by the following vote:

Aye: 5 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein, Mr. Scott and Mr. Jones

VI. Public Hearings - New Business

BZBA 25-1191 **The subject of the hearing are variance requests to construct a detached**

garage. The request includes the following:

1. **A variance request of 10 (ten) feet from the required minimum side yard setback of fifteen (15) feet resulting in a five (5) foot side yard setback pursuant to section 1205.06(d)(5)(D)(4), "Minimum side yard setbacks - accessory structures".**
2. **A variance request of 10 (ten) feet from the required minimum rear yard setback of fifteen (15) feet resulting in a five (5) foot rear yard setback pursuant to section 1205.06(d)(5)(E)(2), "Minimum rear yard setbacks - accessory garage".**

The applicant is Madelyn Midgley, 1175 Main Street, Peninsula, Ohio 44264. The property owner is Timothy and Kelly Hopkins, 139 Hudson St, Hudson, Ohio 44236 for the property at 139 Hudson St in District 3 [Outer Village Residential Neighborhood] within the City of Hudson.

Attachments: 25-1191 139 Hudson St - Staff Report

Ms. Rodack introduced the application by displaying and describing the site, describing the project, and reviewing the staff comments and recommendations.

Mr. Tim Hopkins, the homeowner, stated that the existing garage is falling apart, that a child now has an automobile that he desires to park inside a new garage, and that WRA and his neighbor have submitted letters to the Board, supporting the project.

Mr. Joseph Matava, Peninsula Architects, noted that the project design was changed following the demolition of the old garage, which necessitated this variance request. Mr. Matava also noted that if an enlarged garage is built on the previous garage site, a beautiful tree would be destroyed, and that many other residents on the street have garages set to the back of their property.

The Board, applicant, and staff discussed several points, including the square footage of the demolished garage compared to the 1200 square footage of the proposed garage, and that the proposed garage is one and one-half stories high. They discussed that WRA owns the property behind the proposed garage and that the difficulty of getting past the house to the garage is why the proposed garage site cannot be moved 10 to 15 feet to the east. The discussion also covered that the previous garage area will have gravel, that other possible locations for the structure were examined and why they are not being proposed now, and that moving further to the rear (and granting only one variance) will work for entry and egress into the garage.

The Board discussed that from the road, the garage area is difficult to see, that this seems to be a good improvement to the property, and that when the new garage is built (if a variance is given), some part of the garage will be seen. They also felt that this project makes sense, the particular design is well thought out, that downtown historic lots are often challenging, the driveway makes for an exceptional circumstance, and moving the garage further to the rear will lessen the need for a side yard variance.

Mr. Hopkins stated he does not want to revise the application for only one variance.

Chair Wagner opened the meeting for Public Discussion, and there were no comments.

Mr. Kahrl made a motion, seconded by Mr. Jones, based on the evidence presented to the, on Thursday, October 16, 2025, the Board of Zoning and Building Appeals to approve the

following in order to construct a detached garage:

1. A variance request of 10 (ten) feet from the required minimum side yard setback of fifteen (15) feet resulting in a five (5) foot side yard setback pursuant to section 1205.06(d)(5)(D)(4), "Minimum side yard setbacks – accessory structures".

2. A variance request of 10 (ten) feet from the required minimum rear yard setback of fifteen (15) feet resulting in a five (5) foot rear yard setback pursuant to section 1205.06(d)(5)(E)(2), "Minimum rear yard setbacks – accessory garage".

The Board finds and concludes;

1. The Board acknowledges that there would be beneficial use of the property with or without the variances.

2. The requested variance would represent a 66% deviation from the Land Development Code. The Board finds that the percentage does not accurately account for all the circumstances of the property and determines the requested variance would be insubstantial.

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 notes the neighbors did not object to the proposed project.

4. The variances would not affect the delivery of governmental services. The Board notes the easement holders do not have an objection to the proposed project.

5. The existing regulations were in effect when the applicant purchased the property in 2019.

6. The applicant's predicament could be resolved feasibly through some method other than granting the variance. However, the Board notes other methods would present significant disadvantages, and the proposed project's location is better than the other methods discussed.

7. The spirit and intent behind the zoning requirement would be observed and substantial justice would not be done by granting the variance.

The motion was approved by the following vote:

Aye: 5 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein, Mr. Scott and Mr. Jones

BZBA 25-1255 **The subject of this hearing are variance requests to allow for two driveway curb cuts for a proposed townhome development. The requests include:**

1. **A request to construct two driveway curb cuts when only one driveway curb cut is permitted pursuant to Section 1205.08(d)(15), "District 5: Village Core District - Driveway curb cuts" of the City of Hudson Land Development Code.**
2. **A request to exceed the maximum driveway curb cut width of**

30 ft per lot pursuant to Section 1207.13(c)(5)(C), "Transportation/Circulation/Pedestrian Linkage - Curb cuts and intersections" of the City of Hudson Land Development Code.

The applicant is Rhonda Singer, 200 Park Avenue, Suite 220, Orange Village, Ohio 44122. The property owner is RLM Investments II LLC, 7522 S Vinemont Court., Hudson, Ohio 44236 for the property at 86 Owen Brown St. in District 5 [Village Core District] within the City of Hudson.

Attachments: 25-1255 86 Owen Brown St - Staff Report

Ms. Rodack introduced the application by describing the project's location, outlining the variance requests, and reviewing the staff comments and recommendations.

Mr. Adam Fishman, Fairmont Properties, displayed the proposed site plan and provided a PowerPoint presentation covering the proposed townhomes, the applicable Land Development Code ordinances, the Duncan Factors, and the specific variance requests.

The Board, applicant, and staff discussed the project. They discussed that each unit will have a garage, the Land Development Code (LDC) requirement that curb cuts be 20 feet, and the fact that these proposed cuts are larger than permitted.

Mr. Dave Trutone, Riverstone Engineering, stated that the larger curb cuts are necessary due to their location, and that two-way traffic will be accommodated.

Ms. Rhonda Singer, the project manager, noted a traffic study will be conducted.

Mr. Hannan stated that the driveway size will ultimately be in compliance because the city will be purchasing a portion of the land, and staff has a 10-percent allowance for such variances.

Mr. Slater, legal counsel, stated that the developer will agree not to exceed the curb cuts specified in the variance request.

Chair Wagner opened the meeting for public comments, but there were none.

The Board discussed the positive impact of this plan and development, the view that the curb cut ordinance was not intended to apply to a project of this nature, and that combining the two lots is the root cause of the issue necessitating the variance.

Mr. Scott made a motion, seconded by Mr. Jones, based on the evidence presented to the Board on Thursday, October 16, 2025, that the Board of Zoning and Building Appeals approve the following in order to permit two driveway curb cuts for a proposed townhome development:

1. A request to construct two driveway curb cuts when only one driveway curb cut is permitted per lot pursuant to Section 1205.08(d)(15)(A), "District 5: Village Core District – Driveway curb cuts" of the City of Hudson Land Development Code.
2. A request to exceed the maximum driveway curb cut width of 30 ft per lot pursuant to

Section 1207.13(c)(5)(C), "Transportation/Circulation/Pedestrian Linkage – Curb cuts and intersections" of the City of Hudson Land Development Code.

The Board finds and concludes;

1. The Board acknowledges that there would not be beneficial use of the property without the variance given the current proposed plan.

2. The requested variance would not be a substantial deviation from the Land Development Code. The Board notes the two curb cuts would be separated by approximately 600 ft and the intent of the code standard regulating maximum width of curb cuts is for single-family residential properties.

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.

4. The variances would not affect the delivery of governmental services.

5. The existing regulations were in effect when the applicant purchased the property in 2022.

6. The applicant's predicament could not be resolved feasibly through some method other than granting the variance. The Board notes the proposed townhome development has received approval from the Planning Commission for the proposed site plan.

7. The spirit and intent behind the zoning requirement would be observed and substantial justice would not be done by granting the variance.

8. The variances are approved with the following conditions:

a. Approval of a Major Site Plan application from the Planning Commission;
b. Approval of a Design Review from the Architectural and Historic Board of Review;
c. Approval of a final administrative site review from City Staff.

The motion was approved by the following vote:

Aye: 5 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein, Mr. Scott and Mr. Jones

BZBA 25-1267 **The subject of this hearing is a request for an appeal, pursuant to Section 1212.01(b), from the final decision made by the Architectural and Historic Board of Review on August 27, 2025 for a request for an exterior alteration, including the application of stone across the front façade of the main structure per AHBR case No. 2025-1042.**

The appellant is Jaume Franquesa and Marta Guivernau of 2160 Bristol Ct, Hudson, Ohio 44236, and the homeowners will be representing themselves.

Attachments: 25-1267 2160 Bristol Ct - Staff Report

Ms. Rodack introduced the application by describing it as an appeal of an Architectural and Historic Board of

Review (AHBR) decision.

Mr. James Franquesa, homeowner, was present for the meeting.

Mr. Kahrl made a motion, seconded by Ms. Bronstein, that the Board move to an Executive Session, which was unanimously approved.

Upon reconvening, Chair Wagner stated the Board was back in session.

Chair Wagner announced that the Board determined there were a number of irregularities at the previous AHBR meeting. Consequently, the application is remanded back to the AHBR for findings of fact so that their logic is clarified and corrected, enabling the Board of Zoning Appeals (BZBA) to subsequently hear the case. Chair Wagner then discouraged the applicant from making any presentation at that time.

Mr. Kahrl agreed to draft the request for findings, which Solicitor Pitchford stated may be circulated among the Board members for comment and approval.

Mr. Kahrl made a motion, seconded by Mr. Scott, that the proceedings be REMANDED to AHBR, so they, with all due speed, will write a set of findings and gather additional evidence for each of the seven requirements that they must look at in order to decide whether to grant or deny a waiver. The BZBA respectfully requests this be completed in time for the November 20, BZBA meeting. The motion was approved by the following vote:

Aye: 5 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein, Mr. Scott and Mr. Jones

VII. Other Business

Ms. Rodack stated the November meeting will have an appeal from a Planning Commission decision.

VIII. Adjournment

A motion was made by Ms. Bronstein, seconded by Mr. Jones, that the meeting be adjourned. The motion carried by an unanimous vote.

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Louis Wagner, Chair

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Lydia Bronstein, Vice Chair

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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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