



# 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*

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Thursday, June 26, 2025

7:30 PM

Town Hall  
27 East Main Street

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### 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:** 4 - Mr. Wagner, Mr. Kahrl, Mr. Scott and Mr. Jones

**Absent:** 1 - Ms. Bronstein

### III. Identification, by Chairman, of City Staff.

Chair Wagner identified staff in attendance: Ms. Lauren Coffman, Associate Planner; Mr. Marshall Pitchford, City Solicitor.

### 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 5.15.2025](#) Minutes of Previous Board of Zoning & Building Appeals Meeting: May 15, 2025.

Attachments: [May 15, 2025 BZBA Meeting Minutes - Draft](#)

A motion was made by Mr. Kahrl, seconded by Mr. Scott, that the May 15, 2025, minutes be approved. The motion carried by the following vote:

**Aye:** 3 - Mr. Wagner, Mr. Kahrl and Mr. Scott

**Abstain:** 1 - Mr. Jones

### VI. Public Hearings - New Business

**BZBA 25-430** The subject of this hearing is a variance request of twenty-two (22) square feet from the required maximum permanent ground sign area of forty (40) square feet, resulting in a permanent ground sign area of sixty-two (62) square feet pursuant to section 1207.17(d)(4)(A) “Signs in Nonresidential Districts - Maximum Area” of the City of Hudson Land Development Code in order to construct a ground sign.

The applicant is Dave Soulsby, 924 Home Ave, Akron, Ohio 44310. The property owner is GTS Services LLC, 5876 Darrow Rd, Hudson, Ohio 44236 for the property at 5876 Darrow Rd in District 7 [Office Overlay] within the City of Hudson.

**Attachments:**     [5876 Darrow Rd - BZBA Staff Report](#)

Ms. Coffman introduced the application by describing the property and project, reviewing the applicable LDCs, and the purpose of the project.

Mr. Dave Soulsby stated: The property is not useful with the current ground sign because the tenants cannot be identified, the property was purchased in 2005 when the current regulations were not in effect, and that there is no other effective way to design the sign.

Mr. Mike Valentine, property owner, noted the current sign has been in place for 20 years, that there are new tenants in the building that cannot be identified using the existing sign, and that other signs in the area are similar to the requested sign.

The Board, applicant, and staff discussed: That the request will add approximately 70 square feet to the sign, part of which does not count toward the maximum sign size because of screening, that the maximum height allowable for this sign is 8 feet - which is not an issue, that both companies that are moving into the building desire their information on the sign, that their moving in may be contingent on their names being on the sign, that other sign formats will be financially challenging at \$4,000 to \$5,000 additional, that the percentage of the sign allocated towards the current occupant is part of their lease, that Mr. Valentine has authority to speak on their behalf of the 3 tenants, that signage (or the lack of signage) is a long-term issue in Hudson, that many signs exist in this district, and that the three businesses will be strengthen if the variance is granted, The Board expressed empathy for dealing with the existing contract, and noted the sign can be made compliant if the owner would pay the money for a new sign.

The Board, applicant, and staff noted, The square footage of surrounding signs is smaller than the existing sign on this property, that no lighting will be added to the existing, that the owner is willing to add landscaping around the sign if needed, that the Historic Village character is different from this District Seven Overlay, and that the requested variance will not affect the neighborhood in a negative way.

There were no Public Comments.

The Board discussed the variance noting: There are less obtrusive ways to use the current sign - even if the owner desires not to modify it, that the LDC prohibits the desired sign, that improving the signage in this area begins with applying the standard to new signs, that a new business/tenant is moving into Hudson and desires

recognition on the sign, that the variance may assist emergency services if it is clearly known who is in the building, and the lease with a tenant may prohibit tearing down or changing the existing sign.

**Mr. Kahrl made a motion, seconded by Mr. Scott, based on the evidence presented to the Board, on Thursday, June 26, 2025, that the Board of Zoning and Building Appeals hereby deny the following:**

**A variance request of seven (7) feet from the required rear yard principal structure setback of forty (40) feet, resulting in a principal structure setback of thirty-three (33) feet pursuant to section 1205.07(d)(6)(C)(1) "Property Development/Design Standards – Rear yard depth" of the City of Hudson Land Development Code in order to build an addition.**

**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 voted to deny the variance.**

**The Board finds and concludes;**

- 1. The Board acknowledges that there would be beneficial use of the property without the variance.**
- 2. The requested variance would represent a 17.5% deviation from the Land Development Code. However, the Board finds that the requested variance, located within a dense portion of the Historic Village, would be substantial.**
- 3. The essential character of the neighborhood would be substantially altered, and adjoining properties would suffer a substantial detriment as a result of the variance. The Board notes concern over neighborhood density and setting decreased setback precedent within District 4.**
- 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 2025.**
- 6. The applicant's predicament can be resolved feasibly through some method other than granting the variance. The Board finds that other improvements could be made within the existing LDC requirements.**
- 7. The spirit and intent behind the zoning requirement would not be observed and substantial justice would not be done by granting the variance.**

**Aye:** 3 - Mr. Wagner, Mr. Kahrl and Mr. Scott

**Nay:** 1 - Mr. Jones

**[BZBA 25-626](#) The subject of this hearing is a variance request of seven (7) feet from the required rear yard principal structure setback of forty (40) feet, resulting in a principal structure setback of thirty-three (33) feet pursuant to section 1205.07(d)(6)(C)(1) "Property Development/Design Standards - Rear yard depth" of the City of Hudson Land Code in order to build an**

**addition.**

The applicant is Jonathan Fleming, 1570 Meadowspring Circle NW, Uniontown, Ohio 44685. The property owners are Perry and Christie Demming, 85 Division St, Hudson, Ohio 44236 for the property at 85 Division St. in District 4 [Historic Residential Neighborhood] within the City of Hudson.

Attachments:      [85 Division St - BZBA Staff Report](#)

Ms. Coffman introduced the application by describing the property, project, and variance, which is in District 4, noting AHBR has approved the project, and described the purpose of the requested variance.

Mr. Jonathan Flemming, architect, representing the owner, described: The project as a first floor owner's suite which will allow aging in place, that the GIS generated backyard setback graphic as shown is inaccurate - that 52 feet is the correct number - not the shown 66.8 feet, that other setbacks present limitations on the allowable building area, the other structures on the property, that no one's view will be obstructed if the variance is granted, that the variance is 17 percent of the setback, that in Mr. Flemming's opinion this is the smallest variance that can be requested which allows the bedroom for aging in place, and that the LDC makes it difficult to meet the demands of modern living in older houses.

The Board, applicant, and staff, discussed: The location of the property lines and setbacks, that neighboring properties have detached structures in the backyard, that the power lines staff comment was resolved with Hudson Public Power, that one mature tree will be removed, that the exceptional circumstance in this case is the owner's desire to age in place, that the house seems to have been purchased with the intent to request this variance - that a different house with first floor living should have been purchased, that all the houses in this neighborhood have 'tiny' lots, the owners desire to be in the Historic District and to violate the rules that govern the District, that granting this variance may set precedence so that people buy a house with the intention of needing a variance to enlarge the house, that stormwater is manageable and most of the proposed variance is already impervious, that the future of the backyard landscaping is unknown, that the detached garage has been approved by AHBR but not as part of this project, that if the variance is granted it may signal to others in the community that the homes can be adapted for modern living, that most variances are granted because of topographical issue - this is an owners preference for a larger house, and that legislation is needed for this area - not variances,

There were no Public Comments.

The Board discussed: That granting a variance will set a precedent which will allow someone to purchase a house in the Historic District with the intention of saying the house is not suitable for their living situation, and that exceptional conditions do not exist that are unique to this property.

**Mr. Scott made a motion, seconded by Mr. Jones, based on the evidence presented to the Board, on Thursday, June 26, 2025, that the Board of Zoning and Building Appeals hereby deny the following:**

**A variance request of seven (7) feet from the required rear yard principal structure setback of forty (40) feet, resulting in a principal structure setback of thirty-three (33) feet pursuant to section 1205.07(d)(6)(C)(1) "Property Development/Design Standards – Rear yard depth" of the City of Hudson Land Code in order to build an addition.**

**The requested variance was denied by the following vote:**

**Aye:** 4 - Mr. Wagner, Mr. Kahrl, Mr. Scott and Mr. Jones

## **VII. Other Business**

[BZBA -  
Submittal  
Requirements](#)

**Discussion of Planning Commission Subcommittee - Review of Appendix A -  
Submittal Requirements**

**Attachments:**     [Staff Memo to BZBA  
Submittal Requirements](#)

The Board and staff discussed the Submittal Action agenda item and noted appreciation for the redline edition created by Mr. Sugar.

The Board and staff discussed the City Council recommended Appeals Process by noting the definition of a minor development needs to be clarified, and that ADA items might be handled administratively by staff instead of coming to the Board. Mr. Pitchford noted the proposed legislation is for appeals - not application items. Mr. Scott noted his concern regarding the proposed legislation which will change the path of appeals from the existing BZBA to the Court of Common Appeals, to, BZBA to City Council, and then to the Court of Common Appeals. Mr. Scott's rational is that the appeals process is a quasi-judicial act, which BZBA is qualified to do and does not have the political influences of an elected body.

## **VIII. Staff Updates**

Ms. Coffman noted cases are scheduled for the July meeting.

## **IX. Adjournment**

**A motion was made by Mr. Kahrl, seconded by Mr. Scott, that the meeting be adjourned. The motion carried by an unanimous vote.**

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**Lou Wagner, Chair**

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**Mr. Kahrl, 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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