



City of Hudson, Ohio

Meeting Minutes - Final Board of Zoning & Building Appeals

David Lehman, Chair
John Dohner, Vice Chair
Robert Drew
Frederick Jahn
Louis Wagner

Kris McMaster, City Planner
Nicholas Sugar, Associate Planner
Matthew Vazzana, Assistant City Attorney

Thursday, March 22, 2018

7:30 PM

Town Hall

I. Call to Order

Chairman Lehman 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. Dohner, Mr. Drew, Mr. Jahn, Mr. Lehman and Mr. Wagner

III. Identification, by Chairman, of Kris McMaster, City Planner; Nick Sugar, Associate Planner; and Matthew Vazzana, Assistant City Attorney.

Minutes taken by Mr. Joe Campbell

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

Mr. Vazzana swore in all wishing to speak during the Public Hearing.

V. Approval of Minutes

A. [BZBA 2-15-2018](#) Minutes of Previous Board of Zoning & Building Appeals Meeting: February 15, 2018

Attachments: [BZBA Minutes February 15, 2018](#)

A motion was made by Mr. Drew, seconded by Mr. Wagner, that the Minutes be approved as submitted.

The motion carried by a unanimous vote with Mr. Dohner abstaining.

VI. Public Hearings - New Business

Mr. Lehman noted that it is the responsibility of the applicant to convince the Board of the reasons for the variances. Mr. Sugar responded to Chair Lehman that all required public notice have been given.

- A. [BZBA 2018-08](#) A variance of fifty (50) feet from the required stream corridor setback of fifty (50) feet resulting in a zero setback pursuant to Section 1207.03(e)(1)(iii), “Wetland/Stream Corridor Protection - Setbacks”; and a variance from the prohibited activity of disturbance, including clearing of vegetation, within a stream corridor setback pursuant to Section 1207.03(c), “Prohibited Activities” of the City of Hudson Land Development Code to allow construction of a driveway.

The applicant is LDA Builders, 6683 Old Eight Road, Peninsula, OH 44264 and the owner is Jeffrey Woolley, 2084 Ravenna Street, Hudson, OH 44236 for the property at 2084 Ravenna Street, Hudson, OH 44236 in District 3 [Outer Village Residential Neighborhood].

Attachments: [BZBA 2018-08 Staff Report](#)

Mr. Sugar introduced the application for the vacant six-acre parcel on which Mr. and Ms. Wooley would like to build a single family home with a twelve-foot wide driveway that crosses a creek. Mr. Sugar also stated that the property has an existing driveway leading to an oil well on the back of the property.

Mr. Tony Lunardi of LDA Builders, Mr. John Carse and Ms. Wooley were present for the meeting and discussion. Mr. Lunardi stated that the existing driveway is for the oil well only, if the oil well ceases to exist, so will the easement. Mr. Carse noted that the owners of the well did not follow the approved plan for their driveway. Ms. Wooley noted that the new owner of the neighboring property that shares the oil-well driveway may be willing to discuss a shared drive arrangement.

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 with the following condition:

1. The applicant’s proposed land development activity, pursuant to the above-mentioned variances, is subject to review and approval by the City Engineer’s Office and City Fire Department prior to development.

The Board Finds and Concludes:

1. The property in question will not yield a reasonable return and there cannot be a beneficial use of the property without the variances because without the variances the property is unbuildable.
2. The variances are substantial in terms of the actual footage but insubstantial because it is not unusual for other driveways in the area to cross the creek in the same way.
3. The essential character of the neighborhood would not be substantially altered and adjacent properties would not suffer a substantial detriment as a result of the variances because surrounding properties are similarly situated with access roads that go through the same stream corridor.
4. The variances would not adversely affect the delivery of governmental services, (e.g. water, sewer, garbage).
5. The applicant purchased the property with knowledge of the zoning restriction.
6. The applicant's predicament feasibly cannot be resolved through other alternatives without the requested variances.
7. The spirit and intent behind the zoning requirement would be observed and substantial justice would be done by granting the variance as presented because the property has no value without the variances.

A motion was made by Mr. Jahn, seconded by Mr. Drew, that this motion be approved.

The motion carried by the following vote:

Aye: 5 - Mr. Dohner, Mr. Drew, Mr. Jahn, Mr. Lehman and Mr. Wagner

VII. Other Business

Mr. Sugar stated there are four cases for the next meeting, one of which is an administrative appeal for 102 Aurora Street.

Mr. Vazzana said the Land Development Code update work continues with the items needing attention now identified. Various persons are working on the identified issues which will lead a draft in the next one to two months.

Mrs. McMaster informed the Board about the downtown traffic and parking study drafts have been completed and will be reviewed by City Council next week. The parking study showed there is enough existing parking if employees are directed to alternate parking spots. Mrs. McMaster also stated that this study will need to be reviewed and updated on a scheduled basis. These studies are online.

Mrs. McMaster noted that the bus garage will be moved to Hudson Drive, staff is now working on the wetlands mitigation. Mrs. McMaster also stated that Community Development staff attended a pre-application meeting for the new school plan.

VIII. Adjournment

Mr. Dohner made a motion to adjourn, Mr. Drew seconded the motion.

The motion was approved and Chair Lehman adjourned the meeting at 8:18 p.m.

David W. Lehman, Chair

John M. Dohner, Vice Chair

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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