



City of Hudson, Ohio

Meeting Minutes - Final 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

Thursday, November 21, 2024

7:30 PM

Town Hall
27 East Main Street

I. Call to Order

Chair Davis 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, Ms. Davis and Mr. Coleman

III. Identification, by Chairman, of Lauren Coffman, Associate Planner.

Chair Davis introduced Associate Planner, Lauren Coffman; City Planner, Nick Sugar; and City Solicitor Marshall Pitchford.

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

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

V. Approval of Minutes

[BZBA
10-17-2024](#)

Minutes of Previous Board of Zoning & Building Appeals Meeting: October 17, 2024

Attachments: [October 17, 2024 BZBA Minutes - Draft](#)

A motion was made by Ms. Bronstein, seconded by Mr. Wagner, that the October 17, 2024, Minutes approval be postponed to the December 12, 2024, Board of Zoning & Building Appeals meeting in order for staff to further refine the motion made by Mr. Kahrl for Case 24-637. The motion carried by the following vote:

Aye: 5 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein, Ms. Davis and Mr. Coleman

VI. Public Hearings - New Business

[BZBA 24-1119](#)The subject of this hearing is a variance request of two (2) feet from the maximum allowable fence height within the side yard of four (4) feet above the elevation of the surface of the ground, resulting in a height of six (6) feet in order to construction a privacy fence pursuant to section 1206.03(a)(4) “Accessory Uses/Structures - Fences and Walls, Residential” of the City of Hudson Land Development Code.

The applicant is Amanda Keller, 233 Aurora St, Hudson, Ohio 44236. The property owners are Keller Damon Co Trustee and Keller Amanda Co Trustee, 233 Aurora St, Hudson, Ohio 44236 for the property at 233 Aurora St in District 4 [Historic Residential Neighborhood] within the City of Hudson.

Attachments: [233 Aurora St BZBA Staff Report](#)

Ms. Coffman introduced the application by describing the location and size of the property and the house which was built in the 1830s.

Mr. Damon and Ms. Amanda Keller, homeowners, stated noise reduction is the purpose of the requested variance and described various locations which were considered for the fence.

The Board, applicant, and staff discussed: The unusual shape of the parcel located between two streets, that privacy is also a purpose of the proposed fence, that landscaping the fence area will be part of the project, that the contractor believes a six-foot fence will have a substantial noise reduction affect, that the applicant knows a fence will not completely solve the noise problem but will help, and the location of the 48-foot fence was shown on the map.

The Board discussed how the Kellers have beautified the property during their ownership, that this is a unique property, and an exception should be made to allow a six-foot fence. The Board also discussed making landscaping a condition of the variance, but ultimately decided it was not necessary.

Mr. Kahrl made motion, seconded by Ms. Bronstein, based on the evidence presented to the Board on Thursday, November 21, 2024, the Board of Zoning and Building Appeals to grant the following a variance request of two (2) feet from the maximum allowable fence height within the side yard of four (4) feet above the elevation of the surface of the ground, resulting in a height of six (6) feet in order to construction a privacy fence pursuant to section 1206.03(a)(4) “Accessory Uses/Structures – Fences and Walls, Residential” of the City of Hudson Land Development Code.

The Board finds and concludes;

- 1. The property in question will yield a reasonable return and there could be beneficial use of the property without the variance, as the property currently has a functional patio.**
- 2. The requested variance represents a 33% deviation from the code requirement and is deemed 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 acknowledges that the proposed fence will have a fifty (50) foot setback from Aurora St**

and is the most efficient solution for the property in question.

- 4. The variance 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. The applicant's predicament can be resolved feasibly through some other method other than granting the variance, however; the Board notes that the six (6) foot proposed fence is the most efficient and beneficial solution for the property in question.**
- 7. The spirit and intent behind the zoning requirement would be observed and substantial justice would be done by granting the variance.**

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

Nay: 1 - Mr. Wagner

[BZBA 24-1195](#)The subject of this hearing is a variance request to allow the construction of a forward-facing garage when the Land Development Code prohibits doors of private attached garages to face the street pursuant to section 1205.06(d)(9)(D)(1), “Property Development/Design Standards - Building siting and orientation” of the City of Hudson Land Development Code.

The applicant is Steve Hanna, 4277 Laura Marie Drive, Waynesville, Ohio 45068. The property owners are Eric and Ashley Long, 61 Sussex Rd, Hudson, Ohio 44236 for the property at 61 Sussex Rd in District 3 [Outer Village Residential Neighborhood] within the City of Hudson.

Attachments: [61 Sussex Rd BZBA Staff Report](#)

[Public Correspondence](#)

Ms. Coffman introduced the application by describing the .59 acre property and project, reviewing the applicable LDC, describing the purpose of proposed project, and reviewing the staff comments and considerations .

Mr. Steve Hanna, applicant, described the special accommodations required for the Long's son, described various plans that were considered and the costs involved, as well as the proposed plan. Mr. Hanna stated the proposal would convert their existing garage to a first floor bedroom suite and construct a new attached garage to load and unload their son, which is best done with a front facing garage. Mr. Hanna stated the AHBR has reviewed the proposal and recommended moving ahead to secure the variance, that the neighborhood is filled with front facing garages, and Mr. Hanna believes the request is reasonable.

Mr. Eric Long, homeowner, noted that the predominance of garages in the neighborhood are rear or side loading but there are many front facing garages and that as their child grows they will be limited in their ability to carry their child in and out of the house.

The Board noted many public comments received in support of the variance, recognized the special obligation on the city brought by the American with Disabilities Act, discussed that ADA accommodations should be part of a city process administered by staff instead of a Board, and discussed the correct way to grant this as a variance or ADA compliance issue.

Ms. Bronstein made a motion, seconded by Mr. Wagner, based on the evidence presented to the

Board on Thursday, November 21, 2024, that the Board of Zoning and Building Appeals grant a variance request to allow the construction of a forward-facing garage when the Land Development Code prohibits doors of private attached garages to face the street pursuant to section 1205.06(d)(9)(D)(1), "Property Development/Design Standards – Building siting and orientation" of the City of Hudson Land Development Code.

The Board finds and concludes;

1. While there can be beneficial use and a reasonable return without the variance, the Board acknowledges that the property in question and intended use would be greatly improved by allowing the proposed variance.
2. The requested variance represents a 100% deviation from the code requirement, however; the Board acknowledges the existence of numerous other forward-facing garages within the neighborhood and considers the variance 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 acknowledges the public comments received regarding the proposed variance.
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 2019.
6. The applicant's predicament can be resolved feasibly through some method other than granting the variance, however; the Board notes that the construction of a rear-loading garage is impractical for the intended use for this property. The Board acknowledges that a forward-facing garage is the most efficient and beneficial solution for the property in question.
7. The spirit and intent behind the zoning requirement would be observed and substantial justice would be done by granting the variance.

Aye: 5 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein, Ms. Davis and Mr. Coleman

VII. Other Business

[BZBA 7677](#) BZBA Database - Update

Attachments: [Memo to BZBA](#)

Ms. Coffman described the draft version of the BZBA database which is included in the staff report to the Board.

[BZBA 7678](#) BZBA 2025 Meeting Calendar

Attachments: [BZBA 2025 Meeting Calendar](#)

A motion was made by Mr. Wagner, seconded by Mr. Coleman, that the 2025 meeting calendar be approved as submitted. The motion carried by the following vote:

Aye: 5 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein, Ms. Davis and Mr. Coleman

VIII. Staff Update

Ms. Coffman requested the Board think through the 2025 goals for City Council review.

IX. Adjournment

A motion was made by Mr. Kahrl, seconded by Ms. Bronstein, that this be adjourned. The motion carried by the following vote:

Aye: 5 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein, Ms. Davis and Mr. Coleman

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