



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, August 21, 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: Ms. Lauren Coffman, Associate Planner; Ms. Mary Rodack, Associate Planner; Mr. Greg Hannan, Community Development Director; and Mr. Seth Marcum, representing the Acting 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 6.26.2025](#) **Minutes of Previous Board of Zoning & Building Appeals Meeting: June 26, 2025.**

Attachments: [June 26, 2025 BZBA Meeting Minutes - Draft](#)

A motion was made by Mr. Kahrl, seconded by Ms. Bronstein, that the June 26, 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

[BZBA 7.17.2025](#) **Minutes of Previous Board of Zoning & Building Appeals Meeting: July 17, 2025.**

Attachments: [July 17, 2025 BZBA Meeting Minutes - Draft](#)

A motion was made by Mr. Kahrl, seconded by Ms. Bronstein, that the July 17, 2025, Minutes be approved as amended. 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 25-638](#) The subject of this hearing includes the following request:

1. An expansion of a nonconforming structure request to allow an existing garage to be enlarged to accommodate a second floor accessory dwelling unit pursuant to section 1206.05(f)(1)(B), “Nonconforming Structures - Enlargement” of the City of Hudson Land Development Code.

The applicant is Greg Chaplin, 596 S. Elm Ave, Tallmadge, Ohio 44278. The property owner is Michael Flynn, 439 N Main Street, Hudson, Ohio 44236 for the property at 439 N Main Street in District 3 [Outer Village Residential Neighborhood] within the City of Hudson.

Attachments: [439 N Main St - BZBA Staff Report 8.21.2025](#)

[439 N. Main - BZBA Staff Report](#)

Ms. Coffman introduced the application by presenting the site plan and providing an overview of the project. She reviewed the application’s history, recent updates to the plans, the scope of the proposed project, and the relevant sections of the Land Development Code (LDC).

Mr. Greg Chaplin (applicant) and Mr. Michael Flynn (homeowner) explained that the height of the proposed structure has been reduced to eliminate the need for a height variance. They clarified that the only variance requested is to allow for the enlargement of an existing non-conforming building.

The Board, applicant, and staff discussed the following points:

The number and size of the windows have been reduced.

Outdoor lighting on the neighbor’s side of the garage will not be increased.

A letter of support was submitted by the neighbor on the opposite side of the driveway.

The garage footprint will remain unchanged.

The second floor of the structure will serve as a home office and guest lodging.

Chair Wagner opened the floor for public comment.

Mr. John Bourassa of 429 North Main Street, stated that he is likely the only neighbor with a view of the garage. He expressed appreciation for Mr. Flynn’s previous improvements to the property and voiced full support for the project.

With no additional public comments, Chair Wagner closed the public comment period.

The Board discussed whether the proposed variance would result in increased traffic and considered which section of the LDC should be applied in evaluating and approving the project.

After reviewing the application, the hearing of evidence under oath, reviewing all documentary submissions of interested parties, taking into consideration the personal knowledge of the property in question, and based on the evidence presented to the Board, under

Land Development Code Section 1206.05(f)(1)(B), the expansion of nonconforming structures.

- 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.**

Mr. Kahrl made a motion, seconded by Mr. Jones, to approve the following:

- 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 was approved by the following vote:

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

[BZBA 25-928](#) The subject of this hearing is a variance request of six (6) feet from the required side yard accessory structure setback of fifteen (15) feet, resulting in a side yard accessory structure setback of nine (9) feet pursuant to section 1205.06(d)(5)(D)(4), “Property Development/Design Standards - Setbacks” of the City of Hudson Land Development Code in order to build an accessory structure.

The applicant is Elisette Lopez, 5947 Laurawood Ln, Hudson, Ohio 44236. The property owner is Anthony Gould, 5947 Laurawood Ln, Hudson, Ohio 44236 for the property at 5947 Laurawood Ln in District 3 [Outer Village Residential Neighborhood] within the City of Hudson.

Attachments: [5947 Laurawood Ln - BZBA Staff Report](#)

Ms. Coffman introduced the application by displaying and describing the site and site plan. She noted that the shed was constructed within the required side yard setback, that a stop work order had been issued, and explained the requested variance along with the relevant considerations under the Land Development Code (LDC).

Ms. Bronstein recused herself from the meeting, citing her residence in the general neighborhood and a desire to avoid any appearance of impropriety.

Mr. Elisette Lopez and Mr. Anthony Gould, the applicants, addressed the Board. They:
Apologized for constructing the accessory building without the required permits.
Explained that a survey was completed after receiving the stop work order.
Noted they relied on the City’s GIS maps for determining setbacks.
Stated, had they known the correct setbacks, the shed would not have been built in its current location.
Indicated efforts have been made to accommodate neighbors concerns.
Committed to addressing groundwater issues if the variance is approved.

Mr. Andy Stegmeier, landscape designer with Hudson Pools, was present, his key discussion points included :
He began the project without verifying permits and relied on the homeowners' understanding of property lines .
He acknowledged that the property pins were not located and that GIS maps include a disclaimer about accuracy .
He stated there is no explicit requirement for a survey, but the lack of one contributed to the setback violation .
If the variance is denied, the shed will need to be demolished and rebuilt .

The Board emphasized that the application must be evaluated as if the shed had not yet been constructed .

The timeline of applications, surveys, inspections, and construction was unclear; staff confirmed the variance application was submitted on July 23, 2025, and a final inspection has not been completed .

The survey revealed that part of the driveway encroaches onto the neighboring property, since the home was built .

Full deconstruction and reconstruction: approx. \$40,000

Partial correction to bring the shed into compliance: approx. \$10,000

The concrete slab is not in violation of the setback .

No productive discussions have occurred with neighbors; tensions remain high .

The applicants have offered to plant screening and acknowledged that any redesign would require Architectural and Historic

Board of Review (AHBR) approval .

The site plan used, was previously submitted to the City .

A 50-foot wetlands buffer on the property limits alternative shed locations .

The pool plumbing is located beneath the concrete slab .

Chair Wagner opened the floor for public comment, beginning with those who received notice .

Mr. Randy Oscarson, 6009 Nicholson Drive:

Questioned whether the shed was reviewed by the AHBR .

Noted the shed does not match the house in appearance .

Expressed concern about the removal of eight trees from the wetlands .

Ms. Coffman confirmed the AHBR reviewed the application .

Ms. Loretta Greer, 5996 Nicholson Drive:

Stated that 32-36 acres of wetlands exist in the area .

Alleged that soil was deposited in the wetlands and that eight mature trees were removed .

Claimed the shed could be relocated elsewhere on the property .

Noted that fencing was only installed after neighbor complaints .

Expressed concern about grading and emphasized the importance of respecting property lines .

Mr. Brian McCue, 5939 Laurawood Lane:

Voiced strong opposition to the variance .

Argued the hardship is self-created and that compliance is the homeowner's responsibility .

Noted the variance represents a 40% reduction in the required setback .

Warned against setting a precedent of "build first, permit later." .

Emphasized that the variance criteria have not been met, and that zoning protections must be upheld .

Mr. Stegmeier provided additional information regarding the site conditions and project timeline :

The soil brought onto the property was intended for landscaping purposes .

The delay in removing the soil was due to a dispute between Mr . Stegmeier and his landscaper .

Trees that were removed during construction have been replaced .

The delay in installing fencing was attributed to the stop work order .

A grading plan was submitted to the City but has not yet been approved .

Mr. Stegmeier stated that his preferred resolution is for the shed to remain in its current location, with the possibility of removing the corner that encroaches into the setback .

Chair Wagner reiterated that the issue before the Board is the location of the shed .

The Board and applicant discussed the option of removing a portion of the shed, which would result in exposing

the pool equipment, and will require AHBR approval.

Staff outlined the process should the variance be denied:

Under LDC Section 1212, the applicant may appeal the decision to City Council and the courts.

A revised plan must be submitted to staff.

If compliance is not achieved, the matter would then be referred to the City Prosecutor.

Any changes to the approved shed design would require review and approval by the Architectural and Historic Board of Review (AHBR).

Mr. Lopez responded by noting:

The shed design was already approved by the City.

Stated that only shortening the shed would maintain the same design, and he questioned the need for additional AHBR review.

He emphasized that denying the variance would create a hardship for the family and reiterated that the situation was the result of an honest mistake.

Chair Wagner closed all comments.

Staff clarified that projects under 250 square feet may be administratively approved.

The Board engaged in a detailed discussion, raising the following points:

Granting the variance could set a precedent for constructing buildings without permits and seeking approval afterward.

An unusually high number of objections were submitted by neighbors.

The shed, as currently built, does not comply with zoning requirements.

One of the Duncan Factors to consider is the impact on the character of the neighborhood.

The applicant's intent, whether in good or bad faith, is not relevant to the variance decision.

No exceptional circumstances were clearly identified to justify granting the variance.

The case is complex and presents unique challenges.

The applicants were in communication with City staff throughout the year-long project.

For over 30 years, the neighborhood operated under a mistaken understanding of property lines, which may be considered an exceptional circumstance.

The neighborhood tensions are unlikely to be resolved through this variance decision alone.

The Board considered tabling the application to allow time for a potential neighborhood resolution before the next meeting.

Many of the neighborhood concerns extend beyond the setback issue.

There is concern about setting a precedent by approving the variance under these circumstances.

If the variance had been requested prior to construction, the Board may have evaluated it differently.

A compliant structure could have been built in a different location on the property.

Homeowners are presumed to understand and comply with zoning laws.

In similar past cases, the resolution has been to bring the property into compliance.

A survey should have been conducted prior to construction.

The central issue is whether the Board will uphold and enforce Hudson's zoning code.

The applicant retains the right to appeal the Board's decision to City Council.

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, Mr. Scott made a motion, seconded by Mr. Kahrl, that the Board of Zoning and Building Appeals,

DENY, a variance request of six (6) feet from the required side yard accessory structure setback of fifteen (15) feet, resulting in a side yard accessory structure setback of nine (9) feet pursuant to section 1205.06(d)(5)(D)(4), "Property Development/Design Standards – Setbacks"

of the City of Hudson Land Development Code in order to build an accessory structure.

The Board finds and concludes;

1. The Board acknowledges that there would be a reasonable return and beneficial use of the property without the variance.
2. The requested variance would represent a 40% deviation from the Land Development Code requirement and is deemed substantial.
3. The Board finds that 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 that substantial public feedback was received from the surrounding property owners.
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 2023.
6. The Board notes that applicant's predicament can be resolved feasibly through some method other than granting the variance. The Board notes that the applicant could shift the placement of the existing shed on the lot to meet all applicable Land Development Code 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.

The motion to DENY was approved by the following vote:

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

Nay: 1 - Mr. Jones

[BZBA 25-873](#) The subject of this hearing is variance request of 4 (four) feet from the required minimum setback of fifteen (15) feet resulting in an eleven (11) foot setback pursuant to section 1207.17(d)(4)(a), "Signs - Permanent ground signs" in order to construct a permanent ground sign.

The applicant is Craig Nida, 1600 Terex Rd, Hudson, Ohio 44236. The property owner is Kobelco Stewart Bolling Inc, 1600 Terex Rd, Hudson, Ohio 44236 for the property at 1600 Terex Rd in District 8 [Industrial/Business Park] within the City of Hudson.

Attachments: [1600 Terex Rd - BZBA Staff Report](#)

Ms. Coffman introduced the application by displaying and describing the site, reviewing the proposed signage project, and summarizing staff comments and considerations.

Mr. Craig Nida, the applicant, provided the following information:

The company is a diversified manufacturer, with a focus on rubber products at the Hudson facility.
The existing sign is faded and no longer reflects the company's image.
The proposed ground sign will be less than one foot larger than the existing sign.
He believes the original sign was compliant when installed.
Relocating the sign further from the road would place it behind a tree, obstructing visibility.
The facility receives large trucks carrying machinery weighing up to 100,000 pounds, and the proposed sign location will improve visibility and help drivers identify the entrance.

Mr. Jason from Adams Signs and Graphics added:
The proposed sign will have no internal illumination.
The sign will feature a matte finish to reduce glare.

The Board, applicant, and staff discussed the following:
Whether a larger sign placed further from the road would be preferable.
Mr. Nida stated, the proposed sign, in the proposed location, will be more helpful in identifying the facility.
Trucks approaching from the east have more difficulty locating the entrance than those from the west.
Specific trees would obstruct the view if the sign were moved further back.
The mounding on the property limits visibility from the road.
The existing sign structure may date back to 1989.
A variance is required because the sign is being replaced, even though the size increase is minimal.

The Board also noted that vehicles frequently exceed the speed limit on Barlow Road, making it more difficult for drivers to stop safely when they miss the entrance.

Chair Wagner opened the floor for public comment. No public comments were received.

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, Ms. Bronstein made a motion, seconded by Mr. Jones, to approve the following:

A variance request of 4 (four) feet from the required minimum setback of fifteen (15) feet resulting in an eleven (11) foot setback pursuant to section 1207.17(d)(4)(a), "Signs – Permanent ground signs" in order to construct a permanent ground sign.

The Board finds and concludes;

- 1. The Board acknowledges that there would be beneficial use of the property without the variance, as there is an existing ground sign on the property.**
- 2. The requested variance would represent a 26.7% deviation from the Land Development Code requirement and is deemed insubstantial. Additionally, the Board acknowledges that the existing ground sign on the property has a setback of approximately 11 feet from the property line.**
- 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 not in effect when the applicant purchased the property in 1989.

6. The Board notes that applicant's predicament cannot be resolved feasibly through some method other than granting the variance. The Board notes that the applicant presented alternative placements for the sign but finds that the proposed placement is the most practical and functional placement on the lot.

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, Mr. Scott and Mr. Jones

[BZBA 25-922](#) The subject of this hearing is a variance request of eight (8) feet from the required rear yard principal structure setback of fifty (50) feet, resulting in a rear yard principal structure setback of forty-two (42) feet pursuant to section 1205.04(d)(5)(D)(1), "Property Development/Design Standards - Setbacks" of the City of Hudson Land Development Code in order to build a deck.

The applicant is Dan Van Voorhis, Suncrest Gardens, 5157 Akron- Cleveland Road, Peninsula, Ohio 44264. The property owners are Charles and Ana Conover, 2148 Edgeview Dr, Hudson, Ohio 44236 for the property at 2148 Edgeview Dr in District 1 [Suburban Residential Neighborhood] within the City of Hudson.

Attachments: [2148 Edgeview Dr - BZBA Staff Report](#)

Ms. Rodack introduced the application by displaying and describing the site and the proposed project. She outlined the purpose of the project, identified the applicable sections of the Land Development Code (LDC), and summarized the key considerations for the Board.

Mr. Dan VanVoorhis, Suncrest Gardens. and Mr. Charlie Conover, homeowner, explained: The existing retaining wall and deck are both deteriorating and at the end of their useful life. The variance request is to allow for a modest expansion of the deck to improve functionality.

Mr. VanVoorhis further noted:
The current deck is 12 feet deep, which is insufficient for the intended furniture and use.
There have been no objections from neighbors.
A nearby property received a 4-foot variance for a similar deck expansion.
The home is not visible from the nearby trail.
Expanding the deck laterally (to the left or right) is not feasible due to site constraints.
The only viable option for expansion is through the proposed variance.

Mr. VanVoorhis presented a revised plan that reduces the requested variance from eight feet to four feet, resulting in a 46-foot rear yard setback. He requested the Board approve the variance at this meeting and allow him to submit the updated plans to the Community Development Department the following day.

The Board, applicant, and staff discussed the following:
The revised 4-foot variance request and its impact on the required setback.
The Board expressed support for the revised plan, noting it represents a modest and reasonable improvement to the property.

The request was viewed as insubstantial and consistent with other variances granted on Edgeview Drive .
The Board and staff also reviewed rear yard setback requirements and precedent cases in the neighborhood .

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: A motion was made by Mr. Kahrl, seconded by Mr. Jones, to approve the following:

A variance request of four (4) feet from the required rear yard principal structure setback of fifty (50) feet, resulting in a principal structure setback of forty-six (46) feet pursuant to section 1205.04(d)(5)(D)(1) "Property Development/Design Standards – Setbacks" of the City of Hudson Land Development Code in order to build a deck.

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 an 8% deviation from the Land Development Code. The Board finds that 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 proposed project is not visible from the road and neighboring properties have received similar rear yard principal structure setback variances.**
- 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 2016.**
- 6. The applicant's predicament cannot be resolved feasibly through some method other than granting the variance. The Board notes that the current deck and retaining wall are both becoming structurally unsound, and the proposed deck and retaining wall would substantially improve both features of the property.**
- 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

VII. Other Business

Staff noted there are presently three applications for the September meeting.

VIII. Adjournment

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

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

Lou Wagner, Chair

Lydia Bronstein, 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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