

Meeting Date:  
July 17, 2025

Location:  
750 W. Streetsboro St

Parcel Number  
3009095

Request  
A variance request  
to allow an  
accessory structure  
in the side yard.

Applicant:  
Eric Dalpiaz

Property Owner:  
Hudson  
Community Chapel

Zoning:  
D1 – Suburban  
Residential  
Neighborhood

Case Manager:  
Lauren Coffman,  
Associate Planner

**Contents**

- Application, 6-19-2025
- Site Plan, 6-19-2025
- Elevations, 6-19-2025
- Site Photos 7-11-2025
- Planning Commission Decision, 6-9-2025



**Location Map, City of Hudson GIS**

**Request:**

A variance request to allow a 400 square ft restroom building, an accessory structure, to be located in the side yard when the Land Development Code prohibits accessory structures from being located in the side yard pursuant to section 1206.03(d)(3), “Accessory Uses/Structure – Accessory Use Development and Operation Standards” of the City of Hudson Land Development Code.

**Adjacent Development:**

The site is adjacent to residential development to the south, east and west. The site is adjacent to commercial development to the north.

Hudson Board of Zoning and Building Appeals	
July 17, 2025	DOCKET 2025-737

## Project Background

The property is located in District 1 – Suburban Residential Neighborhood and is situated on the corner of W. Streetsboro St and Terex Rd. The lot is approximately 28 acres and the business on the property was built in 2000. The owners purchased the property in 1997.

The applicant is requesting to construct an 18ft 8in x 16ft 4in (approximately 398 square foot) accessory structure to be used as an outdoor restroom facility. The proposed restroom would be located fully within the side yard of the property, between the existing playground and the planned turf soccer field. The City of Hudson’s Land Development Code has the following regulation relative to the placement of accessory structures on a property –

- *1206.03(d)(3) - Side setbacks. No accessory structure shall be located within a side yard, except for permitted fences or walls and on corner lots the majority of the floor area of any accessory structure shall not be located within a side yard.*

Staff notes that the proposed project received Planning Commission approval at the June 9, 2025, meeting to construct an outdoor turf field and restroom building on the property with the condition that the restroom facility be permitted only if granted approval by the BZBA.

The applicant states that there are currently no outdoor restroom facilities on the property. The applicant states that the proposed location for the new restrooms, which are adjacent to the new sports field, is intended to provide the most practical and functional use of the facility.

## Considerations

Section 1204.03 of the Land Development Code describes the standards for review of variance requests. These standards are listed below, along with staff findings to assist in your determination. All findings are subject to additional testimony presented to the Board during the public hearing:

- 1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variances:**  
The property in question will yield a reasonable return and there can be beneficial use of the property without the variance, as the property currently functions without an outdoor restroom facility.
- 2. Whether the variance is substantial:**  
The variance request would represent a 100% deviation from the Land Development Code requirement.
- 3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variances:**  
Staff notes the subject property is approximately 28 acres with an existing church building centrally located on the site. While the proposed structure would be located in the side yard per the definition of the code, the orientation of the building creates a situation where the majority of the functional open space on the property lies to the west. Staff notes the

Hudson Board of Zoning and Building Appeals	
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proposed structure would have a setback of 362 feet from the western property line and be located closer to two arterial roads (Terex and W Streetsboro) than adjacent residential uses.

**4. Whether the variance would adversely affect the delivery of governmental services such as water and sewer:**

The variance would not adversely affect the delivery of governmental services.

**5. Whether the applicant purchased the property with knowledge of the requirements.**

The existing regulations were not in effect when the owners purchased the property in 1997.

**6. Whether the applicant's predicament can be obviated feasibly through some method other than a variance:**

Staff notes the structure could be placed to the rear of the business to meet all applicable Land Development Code requirements; however, this would impact adjacent residential uses and would be impractical for the church. The church has stated the intent is to serve the playground and outdoor activities on the soccer field.

**7. Whether the spirit and intent behind the requirement would be observed and substantial justice done by granting the variance.**

The Board of Zoning and Building Appeals shall weigh the above factors, along with given testimony in order to make this determination.

**Additional Approvals**

The proposal would also require a design review with the Architectural and Historic Board of Review.



## 25-737

Board of Zoning and  
Building Appeals (BZBA)

Status: Active

Submitted On: 6/19/2025

## Primary Location

750 STREETSBORO  
Hudson, Ohio 44236

## Owner

HUDSON COMMUNITY CHAPEL  
750 W STREETSBORO ST  
HUDSON, OH 44236

## Applicant

 Eric Dalpiaz  
 330-493-3722  
 edalpiaz@solharrisday.com  
 6677 Frank Ave NW  
North Canton, OH 44720

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## Applicant and Property Owner Information

Applicant Relationship to Property Owner:\*

Architect

Company Name:

SoL Harris/Day Architecture

Property Owner Name\*

Christ Community Chapel

Property Owner's E-Mail:\*

Jimmy.Kozy@ccchapel.com

Property Owner Phone Number\*

330-650-9533

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## Type of Hearing Request

Type of Request:\*

Variance

Year Property Purchased\*

1997

**Code Required Regulation (please indicate feet, s.f. or height)\*** ?

1206.03(d) No accessory structure shall be located within a side yard, except for permitted fences or walls and on corner lots the majority of the floor area of any accessory structure shall not be located within a side yard.

**Requested Variance (please indicate the amount of the variance in feet, s.f. or height)\*** ?

1206.03(d) Accessory Structure located in side yard

**Resulting Set-Back (please indicate feet, s.f. or height)\*** ?

362'

**Explanation of Request and Justification:\***

We are requesting a variance for an accessory structure located in a side yard.

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## Supplemental Information for Determining Practical Difficulty

**The property in question will yield a reasonable return and there can be a beneficial use of the property with the variance because:\***

Allowing this restroom building (accessory structure) will be beneficial to the use of the property by giving people the ability to have restroom facilities closer to the existing sports field. Currently there is no option for restroom facilities except walking a very long distance to the existing building. The location of the new building is near the existing field and unfortunately falls within a side yard based off the layout of the existing building, field and parking. Any other location would make it unusable for its purpose.

**The variance is**

insubstantial

**Describe why the variance is substantial or insubstantial\***

The variance is insubstantial, the setback for a new building on the site would be 50' and we are providing 362'. Due to the size of the building, the setback, and the distances and lack of visibility to neighbors this is not a substantial deviation from the zoning guidelines.

**Would the essential character of the neighborhood be substantially altered?\***

no

**Explain why the request is the minimum amount necessary to make reasonable use of the property or structure(s):\***

The request is for a small (392sf) restroom building to serve the adjacent sports field on the property. This will provide closer restroom facilities to the field in lieu of walking to the existing building. This use has been approved by the planning commission. The location of the building is near the field and unfortunately falls within a side yard based off the layout of the existing building, field and parking. This will have a very low impact on the site.

**Would adjoining properties be negatively impacted?\***

no

**Describe how the adjacent properties will not be affected.\***

the building cannot be seen from adjoining properties to the south and east. the only possible visibility will be from the west and north which are both major roadways. also due to the small size of the building and the ample setback the building will have a low impact.

**Will this request adversely affect public services  
(mail, water, sewer, safety services, etc.)**

no

**The situation cannot be feasibly solved by means other than a variance. Explain:\***

the location of the building is near the existing field and unfortunately falls within a side yard based off the layout of the existing building, field and parking. any other location would make it unusable for its purpose.

**The spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. Explain below:**

due to the substantial setbacks, low to no visibility from neighboring parcels, and exterior design that matches the existing building on site we feel that it is in the spirit of the zoning code.

**The circumstance leading to this request was not caused by current owner. It was caused by:\***

this request is caused by existing site layout and not having an alternative location for the accessory structure that would be compatible with its intent

**List any special circumstances particular to the property/lot (i.e.: exceptional irregularity, narrowness, shallowness or steepness) these circumstances are:\***

circumstances are that the existing field location requires the new restroom building to be located in a side yard. having the building in the rear yard would place it further from the field and also closer to adjoining residential properties.

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## BZBA Meeting Information

The following persons are authorized to represent this application with respect to all matters associated with the project\*

Eric Dalpiaz - SoL Harris/Day  
Architecture

By checking this box, I do hereby certify that I am authorized to represent the property owner and to accept any conditions that the Board may impose.\*



By checking this box, I do hereby certify that the information to the City of Hudson in and with this application is true and accurate and consents to employees and/or agents of the City of Hudson entering upon the premises of this application for purposes of inspection and verification of information pertaining to the application, and if this application is approved, to verify conformance to requirements and conditions of such approval. I acknowledge that City reviews or approvals do not absolve the subject property from deed restrictions, easements, or homeowner association covenants, restrictions, or regulations regarding structures and uses on the property. \*



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## Board Meeting Date

 AHBR

☐

 BZBA

☐

 Planning Commission

☐



# Internal

 Company Name

 Variances

 Meeting Date

 District



SoL Harris/Day Architecture

*Designed for People. Designed for Life.*

June 19, 2025

Lauren Coffman  
Associate Planner, City of Hudson  
1140 Terex Road, Hudson, OH 44236

Re: Affidavit of Applicant for Christ Community Chapel's Variance Request for a Restroom Building (Accessory Structure)

Dear Ms. Coffman,

SoL Harris/Day Architecture attests that the information submitted in this variance request application is accurate to the best of our knowledge. SoL Harris/Day Architecture has worked closely with the owner, Christ Community Chapel, to produce the documents submitted for your review. Please do not hesitate to reach out if you have any questions on the items submitted.

Thank you for your time and consideration of this project proposal.

Sincerely,

Eric Dalpiaz  
Project Manager  
SoL Harris/Day Architecture



SōL Harris/Day Architecture

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State of Ohio

County of Summit

Personally came and appeared before me, the undersigned notary, Jimmy Kozy, who is authorized to represent permanent parcel number 3009095 located in the City of Hudson, Summit County, State of Ohio as the Executive Director of Operations at Christ Community Chapel and whereas acknowledges that SoL Harris/Day Architecture has submitted a Site Plan Review to the City of Hudson and makes this his/her statement and general affidavit upon oath and affirmation of belief and personal knowledge that the following matters, facts and things set forth are true and correct to the best of his/her knowledge.

Dated this 16 day of June, 2025.

Signature of Affiant

STATE OF OHIO

COUNTY OF Summit

I hereby certify that on the 16 day of June, 2025, before the subscriber, a Notary public in and for the above jurisdiction, personally appeared Jimmy Kozy, who has satisfactorily been proven to the person whose name is subscribed to the within instrument, who acknowledged himself to be the Executive Director of Operations at Christ Community Chapel and that he, being authorized to do so, did attest and subscribe his name on the foregoing instrument.

IN WITNESS THEREOF, I hereunto set my hand and official seal.



ROBERT MATTHEW ADAMOV  
Notary Public  
State of Ohio  
My Comm. Expires  
October 21, 2027

NOTARY PUBLIC



June 19, 2025

Lauren Coffman  
Associate Planner, City of Hudson  
1140 Terex Road, Hudson, OH 44236

Re: Statement of Compliance for Christ Community Chapel's Variance Request for a Restroom Building (Accessory Structure)

Dear Ms. Coffman,

SoL Harris/Day has reviewed the requirements set forth in Section 1204.03 of the Land Development Code and has provided the following Statement of Compliance based upon the City of Hudson's Variance Standards.

- (1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance

RESPONSE: Allowing this restroom building (accessory structure) will be beneficial to the use of the property by giving people the ability to have restroom facilities closer to the existing sports field. Currently there is no option for restroom facilities except walking a very long distance to the existing building. The location of the new building is near the existing field and unfortunately falls within a side yard based off the layout of the existing building, field and parking. Any other location would make it unusable for its purpose.

- (2) Whether the variance is substantial.

RESPONSE: The variance is insubstantial, the setback for a new building on the site would be 50' and we are providing 362'. Due to the size of the building, the setback, and the distances and lack of visibility to neighbors this is not a substantial deviation from the zoning guidelines.

- (3) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance

RESPONSE: There would not be a negative impact of this variance. The building will not be seen from adjoining properties to the south and east. The only possible visibility will be from the west and north, which are both major roadways. Also, due to the small size of the building and the ample setback the building will have a low impact on the overall site.

- (4) Whether the variance would adversely affect the delivery of governmental services such as water and sewer.

RESPONSE: There would be no adverse impact to governmental services.

- (5) Whether the applicant purchased the property with knowledge of the requirement.



*Designed for People. Designed for Life.*

RESPONSE: At the time of purchase (1997) this use was not considered. Over time and as needs have changed a sports field was added and approved by planning commission. The location of the new building is near the existing field and unfortunately falls within a side yard based off the layout of the existing building, field and parking. Any other location would make it unusable for its purpose.

- (6) Whether the applicant's predicament can be obviated feasibly through some method other than a variance; and

RESPONSE: The location of the new building is near the existing field and unfortunately falls within a side yard based off the layout of the existing building, field and parking lot. Any other location would make it unusable for its purpose.

- (7) Whether the spirit and intent behind the requirement would be observed and substantial justice done by granting the variance.

RESPONSE: Due to the substantial setbacks, low to no visibility from neighboring parcels, and exterior design that matches the existing building on site we feel that it is in the spirit of the zoning code.

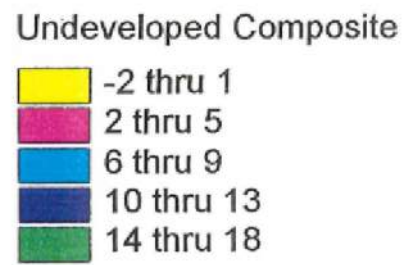
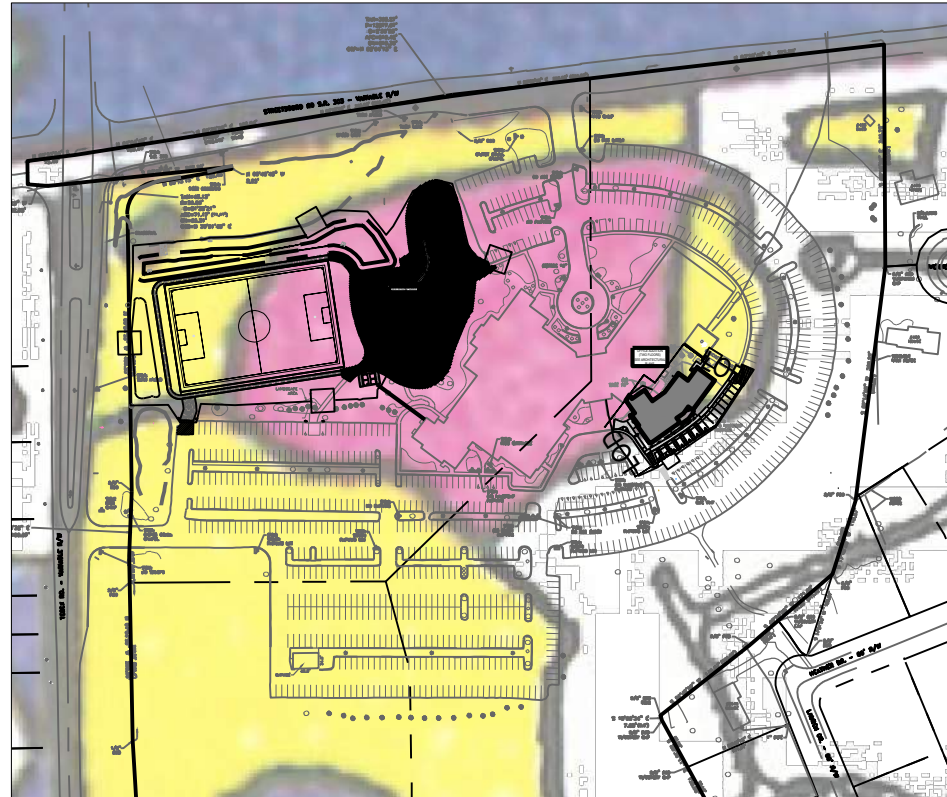
Thank you for your time and consideration of this project proposal.

Sincerely,

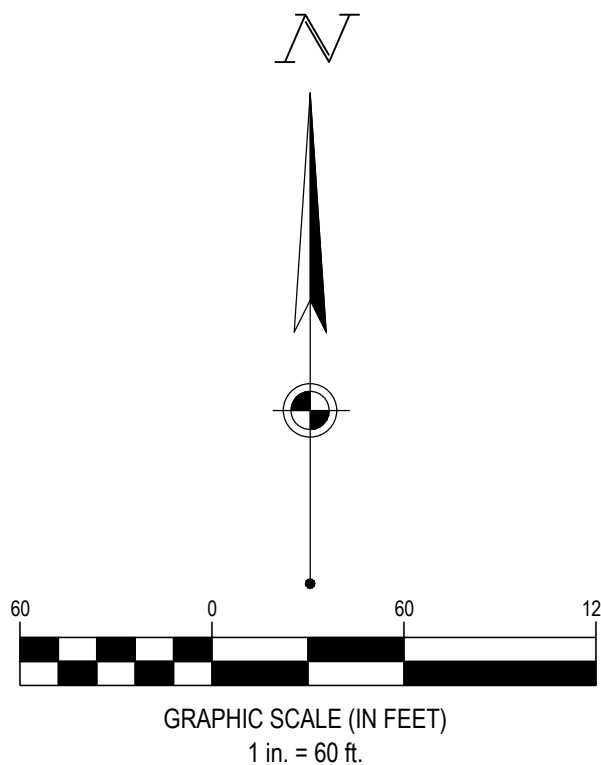
Eric Dalpiaz  
Project Manager  
SoL Harris/Day Architecture



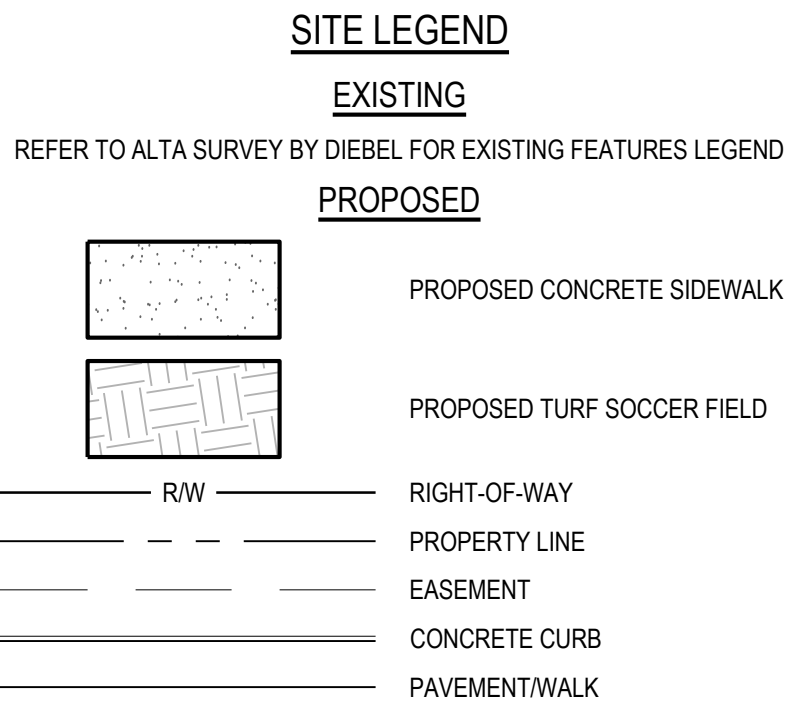
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INDEX OF ECOLOGICAL INTEGRITY



FORTY-ONE (41) HOURS BEFORE DIGGING IS TO COMMENCE, THE CONTRACTORS SHALL NOTIFY THE FOLLOWING AGENCIES: OHIO UTILITIES PROTECTION SERVICE AT 811 OR 800-362-2764 AND ALL OTHER AGENCIES WHICH MIGHT HAVE UNDERGROUND UTILITIES INVOLVING THIS PROJECT AND ARE NONMEMBERS OF STATE UTILITIES PROTECTION SERVICE



SOL HARRIS/DAY ARCHITECTURE

**CHRIST COMMUNITY CHAPEL  
FIELD, WALKING PATH &  
RESTROOM BUILDING**

750 W. STREETSBORO STREET  
HUDSON, OH 44236

Revisions / Submissions		
ID	Description	Date

Drawing Title:

**OVERALL SITE**

**C4.0**





**DRAWING SCALE  
APPLIES WHEN  
PRINTED FULL  
SIZE AT 24"x36"**

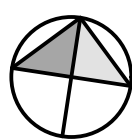
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Hudson, OH, 44236

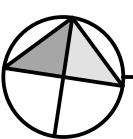
PROJECT No.	24.001
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## DRAWING UPDATES

INITIAL SUBMISSION 06/19/202



SCALE: 1/4" = 1'-0"



SCALE: 1/4" = 1'-0"

PRELIMINARY  
NOT FOR  
CONSTRUCTION

DRAWING SCALE  
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SIZE AT 24"x36"

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# CHRIST COMMUNITY CHAPEL RESTROOM BUILDING

750 W Streetsboro Street  
Hudson, OH, 44236

PROJECT No. 24.001

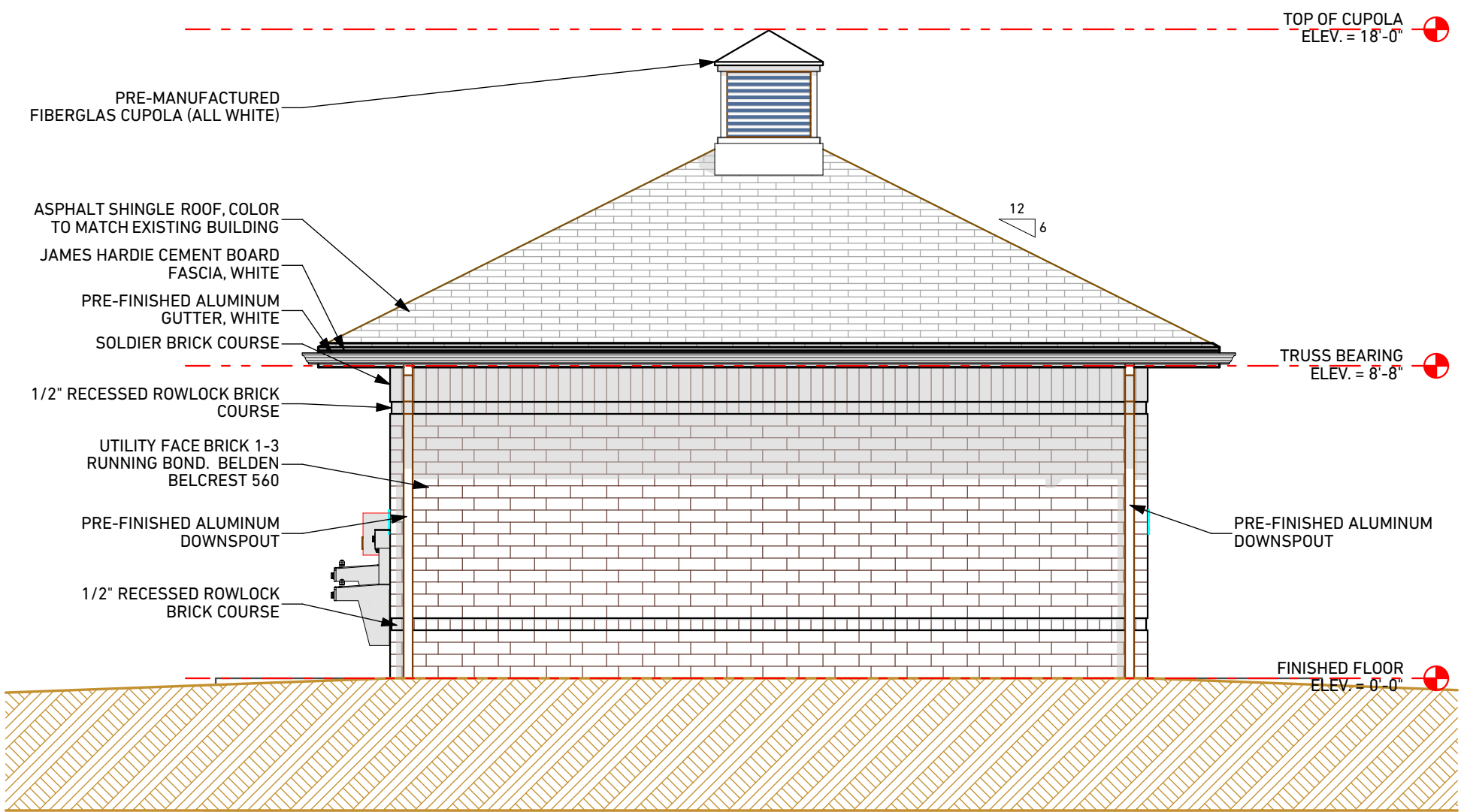
## Board of Zoning and Building Appeals Submission

DRAWING UPDATES

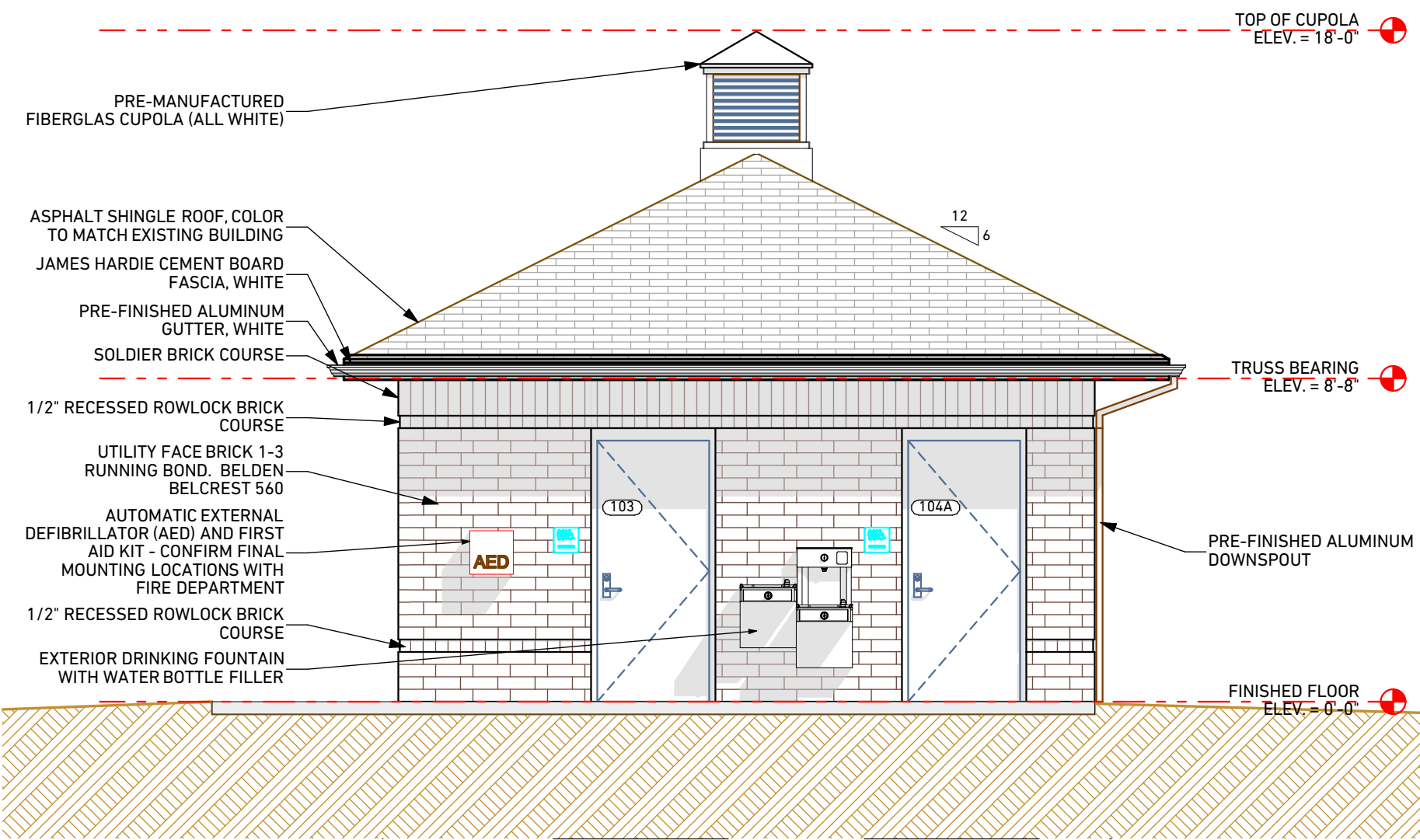
INITIAL SUBMISSION 06/19/2025

EXTERIOR  
ELEVATIONS

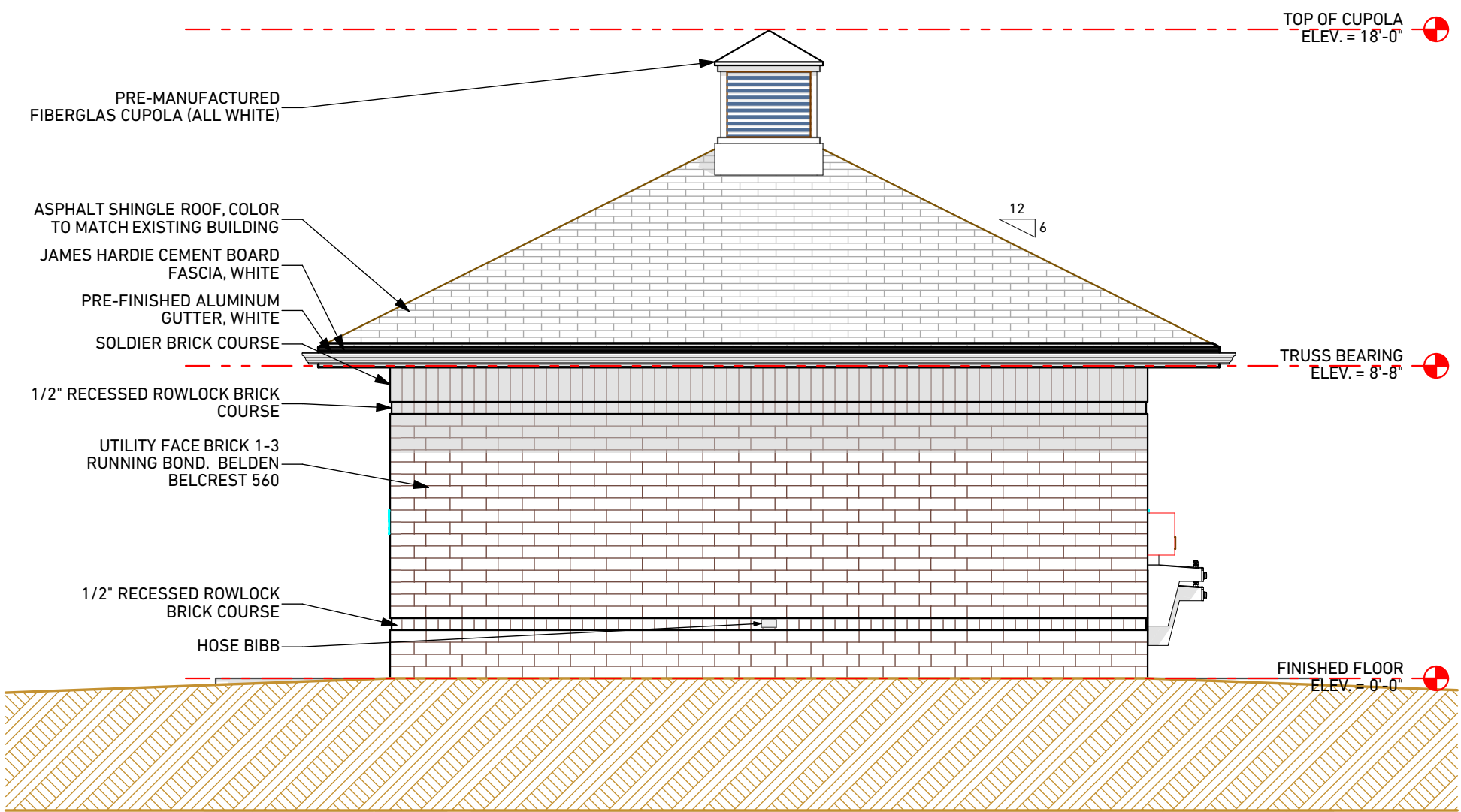
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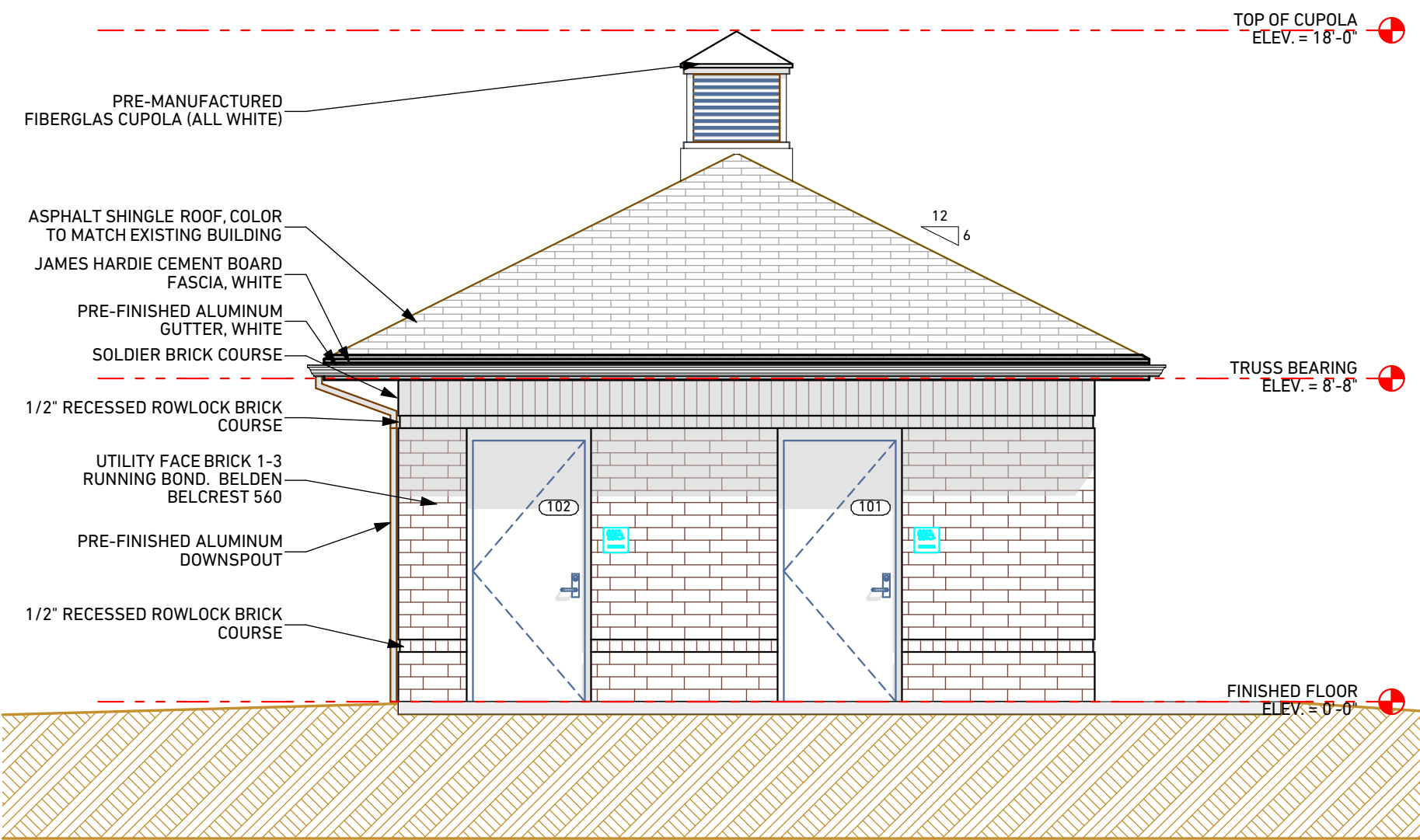
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**W WEST ELEVATION**  
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**N NORTH ELEVATION**  
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**E EAST ELEVATION**  
SCALE: 1/4" = 1'-0"





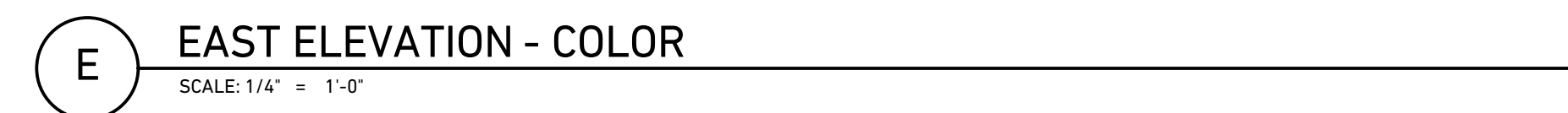
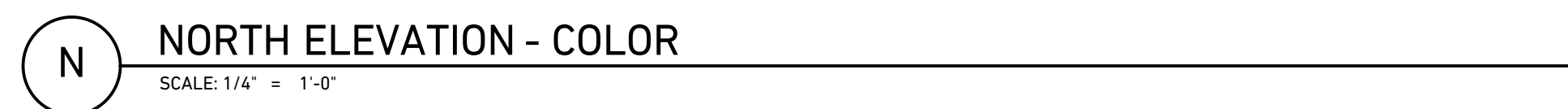
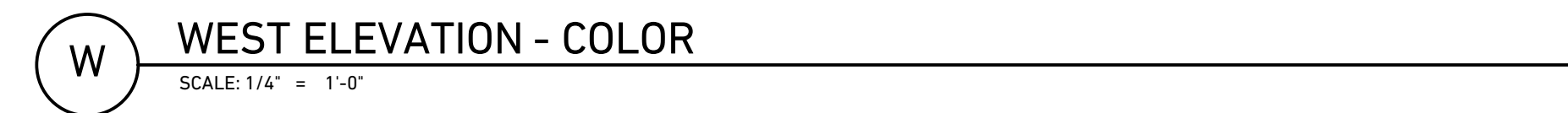
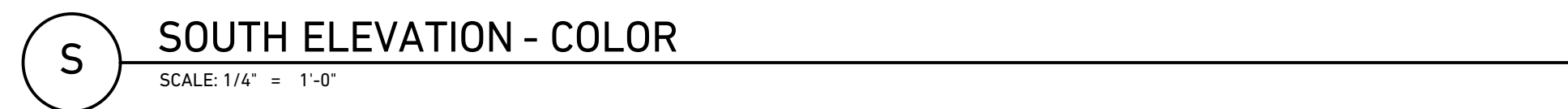
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PROJECT No.	24.001
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## DRAWING UPDATES

INITIAL SUBMISSION 06/19/2025



# 05-02





S&L Harris/Day Architecture

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**CHRIST  
COMMUNITY  
CHAPEL  
RESTROOM  
BUILDING**

750 W Streetsboro Street  
Hudson, OH 44236

PROJECT No. 24.001

**Board of Zoning and  
Building Appeals  
Submission**

DRAWING UPDATES

INITIAL SUBMISSION 06/19/2025

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**EXTERIOR  
PERSPECTIVES**

**05-03**



**E EAST PERSPECTIVE**  
SCALE: 1:117.07



**W WEST PERSPECTIVE**  
SCALE: 1:117.07





COMMUNITY DEVELOPMENT • 1140 Terex Road • Hudson, Ohio 44236 • (330) 342-1790

## **PLANNING COMMISSION**

### **CASE NO. 25-231**

### **CONDITIONAL USE AND MAJOR SITE PLAN**

### **CHRIST COMMUNITY CHAPEL TURF FIELD AND RESTROOM BUILDING 750 W STREETSBORO STREET**

### **FINAL DECISION**

Based on the evidence and representations to the Commission by Matthew Sutter, SoL Harris/Day Architecture, Jimmy Kozy, Christ Community Chapel, and City staff at a public meeting of the Planning Commission held at the regular meeting on June 9, 2025, the Planning Commission approves the Conditional Use and Site Plan Request for the Christ Community Chapel turf field and restroom building in Case 25-231 for Christ Community Chapel, 750 W Streetsboro Street according to plans received March 14, 2025.

The Planning Commission makes the following Findings of Fact:

1. The proposal is compliant with Section 1206.02(b)-Conditional Uses: General Criteria and Standards:
  1. The proposal will be consistent with the policies and intent of the Comprehensive Plan.
  2. The use will be physically and operationally compatible with the surrounding neighborhood. The improvements would be located at the corner of two arterial roads and would be illuminated by pedestrian-scale lighting.
  3. The use will be in conformance with all dimensional, site development, grading, drainage, performance, and other standards for Zoning District D1. The Planning Commission has acknowledged the applicant is seeking a variance to locate the restroom building within a side yard.
  4. Access points will not be modified.
  5. On-site and off-site traffic circulation patterns would not adversely impact adjacent uses.
  6. The use will be adequately served by public facilities and services, including Fire and EMS.
  7. The use provides adequate off-street parking on the same property as the use. Existing parking will be utilized.
  8. Additional screening will be installed to the west and north, including a landscape mound.
  9. The proposal is compliant with special conditions (1), (11), and (12), specific to Places of Religious Worship.
2. The proposal is compliant with the District standards of Section 1205.04.
3. The proposal is compliant with the Zoning Development and Site Plan Standards of Chapter 1207:
  1. The improvements include limited tree removal, as the majority of the area has been utilized as open field.
  2. There are no wetlands located within the project limits.

3. Stormwater management areas will be expanded to accommodate the improvements.
4. Additional landscaping and buffering will screen the proposed use.
5. Exterior lighting will be minimal.
6. No loudspeakers or amplified sound systems are proposed.

The Planning Commission decision shall be subject to the following conditions:

1. Planning Commission approval is conditional upon a variance request being submitted to and granted by the Board of Zoning and Building Appeals to locate the restroom building within a side yard.
2. The design of the restroom building and fencing shall be reviewed by the AHBR.
3. Revise the landscaping plans, sheets L1.0 and L1.1, per the following:
  - o Incorporate additional evergreens along the Terex Road frontage.
  - o Widen the landscape buffer along the Terex Road frontage to maintain a consistent 50 ft width.
4. The comments of Assistant City Engineer David Rapp shall be addressed per the June 2, 2025 correspondence.
5. The applicant shall install silt fencing and/or polypropylene fencing to mark and protect the approved clearing limits, which shall be maintained by the applicant.
6. Satisfaction of the above conditions prior to scheduling of a preconstruction meeting with City Officials and no clearing or construction of any kind shall commence prior to the issuance of a Zoning Certificate.
7. If the applicant seeks a fence higher than 4 ft, a variance shall be sought from the Board of Zoning and Building Appeals.

Dated: July 7, 2025

CITY OF HUDSON  
PLANNING COMMISSION

*Sarah Norman*

\_\_\_\_\_  
Sarah Norman, Chair





CONSERVATION  
WITH A  
CAUSE







