



City of Hudson, Ohio

Meeting Minutes - Draft Board of Zoning & Building Appeals

Lydia Bronstein, Chair
Robert Kahrl, Vice Chair
Robert Dyer
Keenan Jones
Cory Scott

Nick Sugar, City Planner
Mary Rodack, Associate Planner

Thursday, April 16, 2026

7:30 PM

Town Hall
27 East Main Street

I. Call to Order

Chair Bronstein 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 - Ms. Bronstein, Mr. Jones, Dyer, Mr. Kahrl and Mr. Scott

III. Identification, by Chairman, of City Staff

Chair Bronstein introduced: Ms. Mary Rodack, Associate Planner; Mr. Nick Sugar, City Planner; and Mr. Marshall Pitchford, City Solicitor.

Mr. Pitchford swore in Mr. Robert Dyer as a new Board member.

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

Ms. Bronstein swore-in staff and all the persons wishing to speak under oath.

V. Approval of Minutes

[BZBA 3.19.26](#) **Minutes of Previous Board of Zoning & Building Appeals Meeting: March 19, 2026**

Attachments: [March 19, 2026 BZBA Meeting Minutes - Draft](#)

A motion was made by Mr. Kahrl, seconded by Mr. Jones, that the March 19, 2026, Minutes be approved as submitted. The motion carried by the following vote:

Aye: 4 - Ms. Bronstein, Mr. Jones, Dyer and Mr. Kahrl

Abstain: 1 - Mr. Scott

VI. Public Hearings - New Business

BZBA 25-813 The subject of this hearing is variance request of 43 (forty-three) feet from the required minimum side yard setback for corner lots of 50 (fifty) feet resulting in a 7 (seven) foot setback pursuant to section 1205.06(d)(5) (D)(5), “Minimum side yard setbacks - Residential corner lots” in order to construct children’s play equipment.

The applicant and property owner is Bryan Carr, 6751 Evergreen Rd, Hudson, Ohio 44236, for the property at 6751 Evergreen Rd in District 3 [Outer Village Residential Neighborhood] within the City of Hudson.

Attachments: [25-813 6751 Evergreen Rd - Staff Report](#)

Ms. Rodack opened the application by outlining the project and the property’s location, reviewing the applicable Land Development Codes, setback requirements, staff comments, and recommendations, as well as the elevation drop in the rear yard.

Mr. Bryan Carr and Ms. Julia Carr, homeowners, explained that they were not aware of the need for a permit or the applicable setback rules before installing the playset. Ms. Carr described the installer’s comment that the playset could not be placed in the rear of the property due to the significant slope, and she pointed out where picnic tables in the neighborhood are located. She acknowledged that the chosen location is unusual but emphasized that much of their property is unsuitable due to wetlands, a trench, and steep slopes. She also noted strong neighborhood support and referenced a list of signatures and emails submitted to the Board, adding she is allowing neighborhood children to use the playground if accompanied by an adult.

The Board, the applicants, and staff discussed the East Hudson Hills Community Association, noting that the playset sits approximately twenty-two feet from the road and that the slide is about seven feet from the corner-lot setback. Staff clarified that, in their view, the relevant line in the LDC refers to a neighbor’s property line. Alternative locations for the playset were considered, with mention that the front yard is wetter than the side yard. The applicants expressed willingness to add landscaping, though one neighbor specifically asked that landscaping not be installed. The list of supporting signatures was provided to the Board. Ms. Carr also described one neighbor’s negative opinion of the project. Staff stated they were not aware of previous variances granted for play equipment and that the City became aware of the playground following a citizen complaint. Further discussion covered the type of play equipment, the topography, the requirement to evaluate the application as if the structure were not already built, and the applicant’s belief that the distance from the road is safe for children of their age.

Solicitor Pitchford noted that variances generally run with the land but that it is possible to impose a time-limited condition. Chair Bronstein reiterated that a variance must be based on a practical difficulty that cannot be addressed in other ways and expressed appreciation for the information supplied by the applicants. She reviewed with them the reasons other areas of the property were not viable. Staff explained that while picnic tables are not considered accessory structures, play equipment is, and therefore requires a permit. There was also discussion about potential landscaping. Staff commented that there may not be a written complaint related to the CD investigation, and that if the HOA itself had requested a playground, it would likely have been approved. It is

also unclear how many playground permits have been issued since the City began requiring them .

The applicants shared that children of various ages use the playground so long as a parent is present, and that no child is permitted to use it without supervision. The Board acknowledged that the request represents an eighty-percent variance. Solicitor Pitchford clarified that the City would not incur liability if a child were injured on a playground receiving a variance and added that conditions, such as expiration after a certain time period or event, could be applied, though staff noted that enforcing such conditions could be challenging . The applicants stated they have no plans to move in the foreseeable future, though they might sell the structure when their children outgrow it, and that a ten-year condition would meet their needs .

Chair Bronstein opened public comment, first for those with standing and then for those without .

Ms. Serina Gulick, 6878 Windsor Road, spoke in her personal capacity as a neighbor in support of the variance . She also noted her familiarity with the HOA and explained that its bylaws do not address supporting or not supporting matters like this, and stated there are no records of complaints regarding the project .

Mr. Garreth Gulick, 6878 Windsor Road, commented that the \$2,000 application fee was excessive and argued that because the playset does not affect neighboring property lines, the variance should be granted .

Ms. Jillanne Grimm, 2606 Harland Drive, expressed support as well, noting that without sidewalks, children must use the street, making this recreation space valuable .

Ms. Carr added that additional neighbors offered to attend in support. Chair Bronstein then closed public comment.

The Board observed that the distance between the playground and the road-around twenty feet-appears adequate, and that the playset does not infringe on neighboring setbacks. They emphasized that setbacks should be interpreted within context rather than as purely numerical standards, and the placement seemed reasonable given site conditions around the house. They also noted that the playset could not feasibly be located elsewhere on the parcel and that the fifty-foot corner-lot setback, while typically required, appears unreasonable in this unique situation. The Commissioners discussed the importance of considering the intent behind LDC provisions, the unusually strong level of neighborhood support, the potential precedent such a decision may set, the visibility of the playset from the street, and the possibility of attaching conditions such as landscaping or a time limit .

Chair Bronstein accepted the Neighbors Support Petition for Zoning Variance into evidence .

The Board remarked that the only noted opposition was provided by the applicants themselves in the interest of transparency, and that no formal letter of opposition had been submitted. They also noted the applicant's willingness to add landscaping. A condition tied to the current owners and limited to a defined time period was discussed. Concerns were raised about safety, the visibility of the playset, and uncertainty regarding future owners if the variance were to run with the land. The Board acknowledged that the setback requirement was not created to protect children, that the Duncan Factors help mitigate the substantial percentage of the variance, and that the property's water conditions, silt, and steep grade support the argument that no reasonable alternative

locations exist.

At this point, Chair Bronstein temporarily transferred the chair to Vice Chair Kahrl.

Ms. Bronstein made a motion, seconded by Mr. Jones, to approve the variance request of 43 feet from the side yard setback with the condition that the variance will expire and the playset must be removed at the earlier of ten years or the sale of the property. The motion was approved by the following vote:

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

VII. Other Business

Staff Updates

Ms. Rodak discussed possible cases for the May meeting and the Board training for April 27, 2026.

Solicitor Pitchford also discussed the legal memorandum regarding the Duncan Factors and how they should be applied.

This matter was discussed

VIII. Adjournment

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

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

Lydia Bronstein, Chair

Robert Kahrl, 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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