

Meeting Date:
August 21, 2025

Location:
439 N. Main Street

Parcel Number
3202805

Request
Variance request
for the expansion of
a non-conforming
structure

Applicant:
Greg Chaplin

Property Owner:
Michael Flynn

Zoning:
D3 – Outer Village
Residential
Neighborhood

Case Manager:
Lauren Coffman,
Associate Planner

Contents

- Application, 6-3-2025
- Site Plan, 6-3-2025
- Elevations, 6-3-2023
- Site Photos 7-10-2025
- Public comment



Location Map, City of Hudson GIS

Request:

The subject of this hearing includes the following requests to construct a second-floor addition to an existing garage:

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.

Adjacent Development:

The site is adjacent to residential development to the south, east and west. The site is adjacent to residential development and Western Reserve Academy to the north.

Hudson Board of Zoning and Building Appeals	
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Project Background

The property is located in District 3 – Outer Village Residential Neighborhood and is situated on N Main Street. The lot is approximately 2.6 acres and the house on the property was built in 1955. The owners purchased the property in 2019.

Staff notes the Board of Zoning and Building Appeals considered this matter at its July 17, 2025 meeting; however, the applicant withdrew the request in order to revise the application. The applicant has revised the proposed height of the accessory structure to be compliant with Section 1206.05(f)(1)(B) of the Land Development Code. The structure has a proposed height of 18 feet to the midpoint of the gable.

The applicant is requesting to enlarge the existing detached garage on the property in order to accommodate a second-floor accessory dwelling unit. The existing garage is currently a non-confirming structure, with a setback of approximately 9 feet from the western property line. Additionally, this structure is also located within the front yard area of the property in question. The City of Hudson’s Land Development Code has the following regulations relative to the enlargement of non-confirming structures on a property –

- *1206.05(f)(1)(A) Nonconforming Structures. A nonconforming structure as more fully defined in Chapter 1213 includes a structure lawful prior to the Land Development Code, but which fails to meet setback, height, or other site development requirements of this Code. Nonconforming structures other than those which nonconformity is created by size of use limitations listed by uses by right and conditional uses of each zoning district of Chapter 1205 shall be subject to the following standards:*
 - *(1) Enlargement.*
 - *A. A nonconforming structure may be expanded without approval from the BZBA provided the proposed expansion does not exceed fifty percent of the existing footprint and:*
 - *1. The expansion does not increase the degree of nonconformity; or*
 - *2. The extension of a structure which is nonconforming due to side yard setback shall be allowed so long as the extension is not closer to the side property line and the extension does not exceed twenty-five percent of the existing structure length, including porches and architectural features but excluding decks.*
 - *Existing footprint and structure length shall mean the dimensions as they existed December 31, 1999.*
- *1206.05(f)(1)(B) – A nonconforming structure may otherwise be enlarged, increased, or extended beyond the area it occupied as of the effective date of this Code, December 31, 1999, provided the Board of Zoning and Building Appeals, pursuant to the procedure set forth in Section 1203.06, finds all of the following:*
 - *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.*

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Staff has determined the request would increase the degree of nonconformity of the structure by adding a second story ADU to the existing garage. Therefore, BZBA approval is required.

The applicant states that the garage expansion would allow the garage and proposed additional living space to be used in a way that positively impacts the property for the current property owners.

Non-Conforming Structures

Section 1206.05(f)(1)(B) describes the standards for review for enlargement of non-conforming structure requests. These standards are listed below. All findings are subject to additional testimony presented to the Board during the public hearing:

1. The enlargement will not interfere with the operation of conforming uses in the District or with circulation on adjacent public streets.

Staff notes that the existing non-confirming structure is located approximately 500 feet from Darrow Rd, adjacent to the rear yard of 429 N Main St.

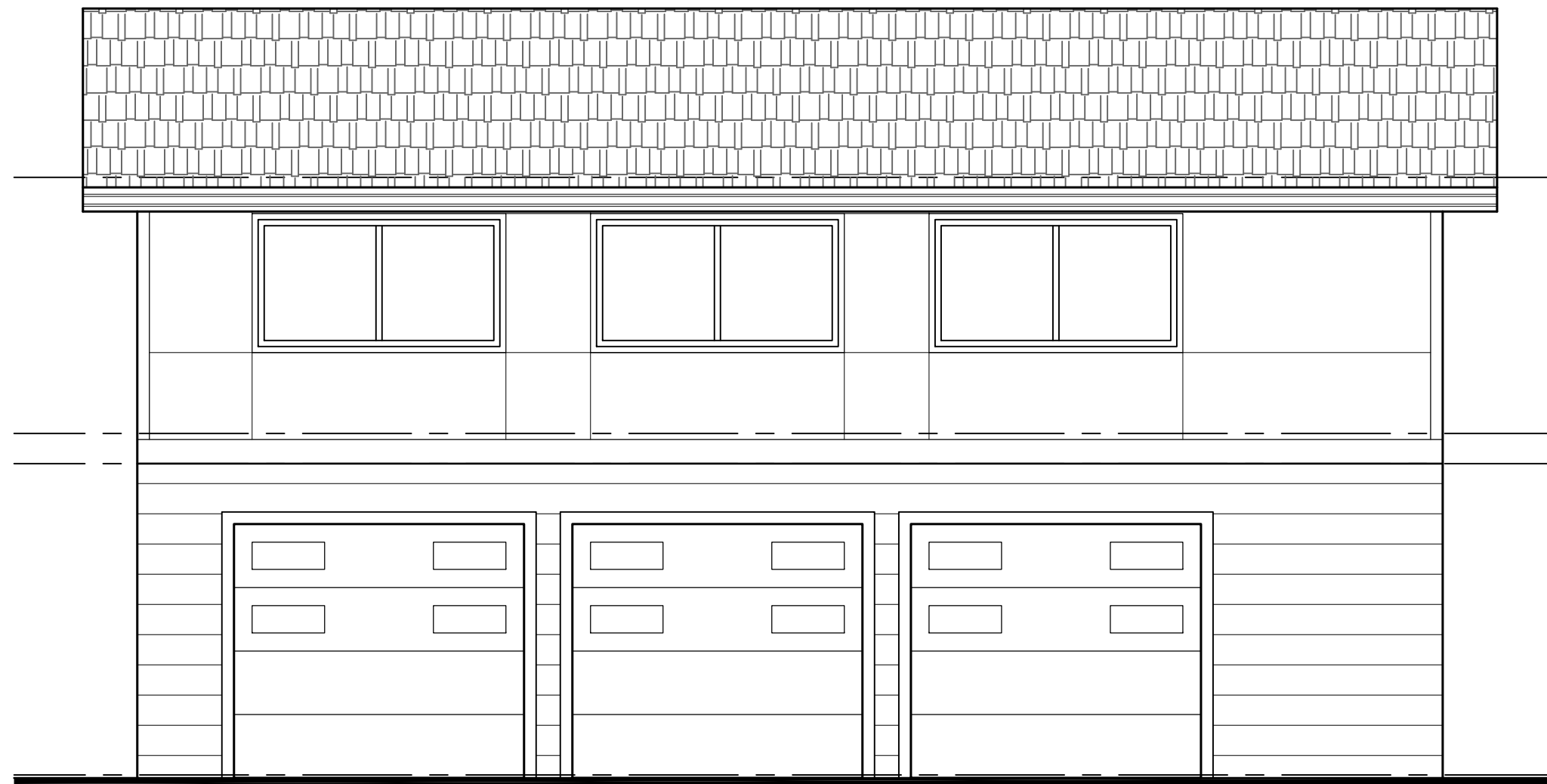
2. The enlarged structure will cause no greater adverse impacts on surrounding properties than did the original conforming structure.

The existing one story 3 car garage would be a more passive use than the proposed two story ADU and first floor garage. The addition of the second floor living space would have the potential for greater light, noise, and visual impacts than the existing use. Additionally, ADUs are permitted in all residential zoning districts; however, they are required to follow the accessory requirements of being located in the rear yard, emphasizing their subordinate design to the main house.

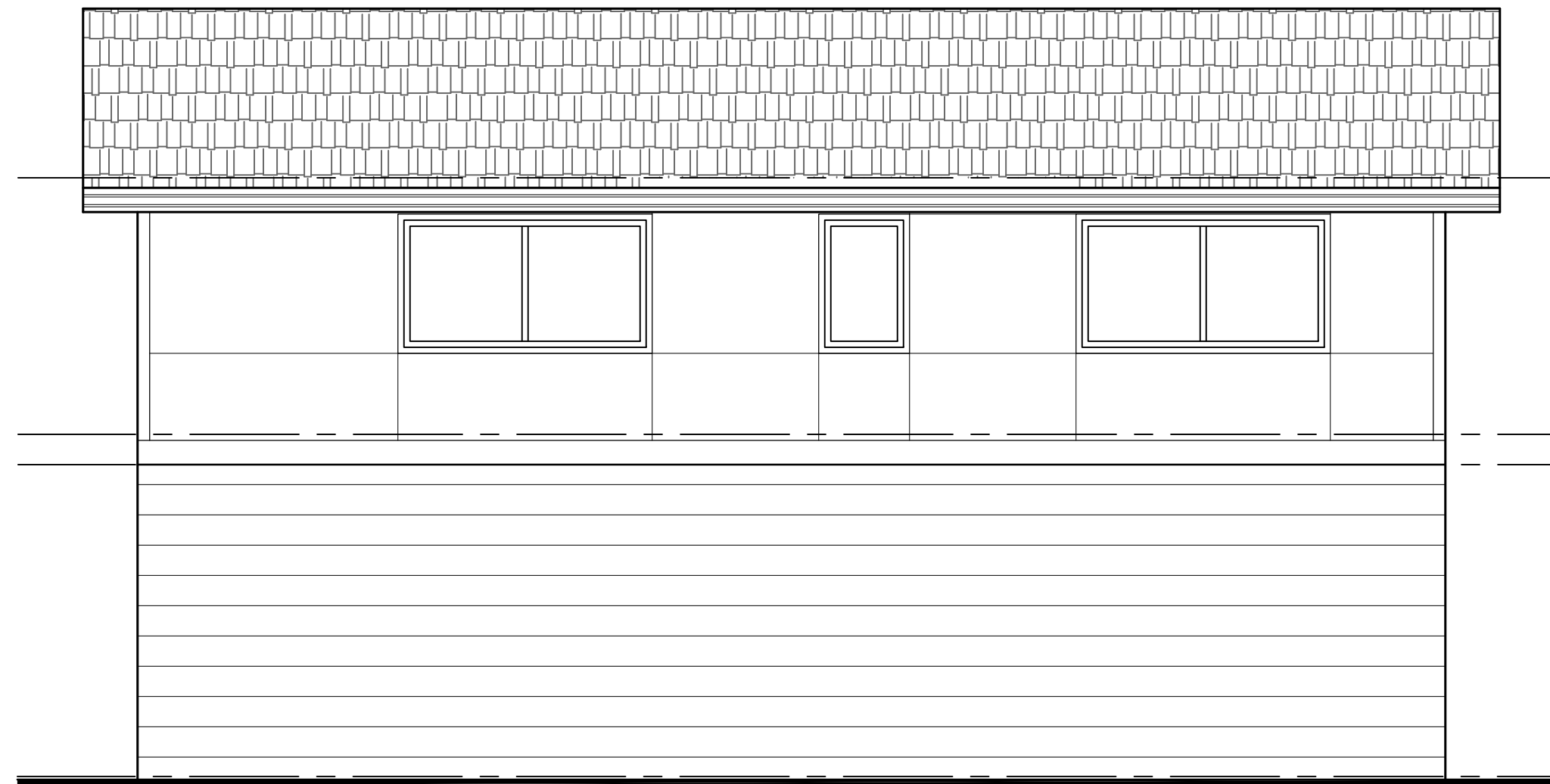
Additional Approvals

The proposal would require the following:

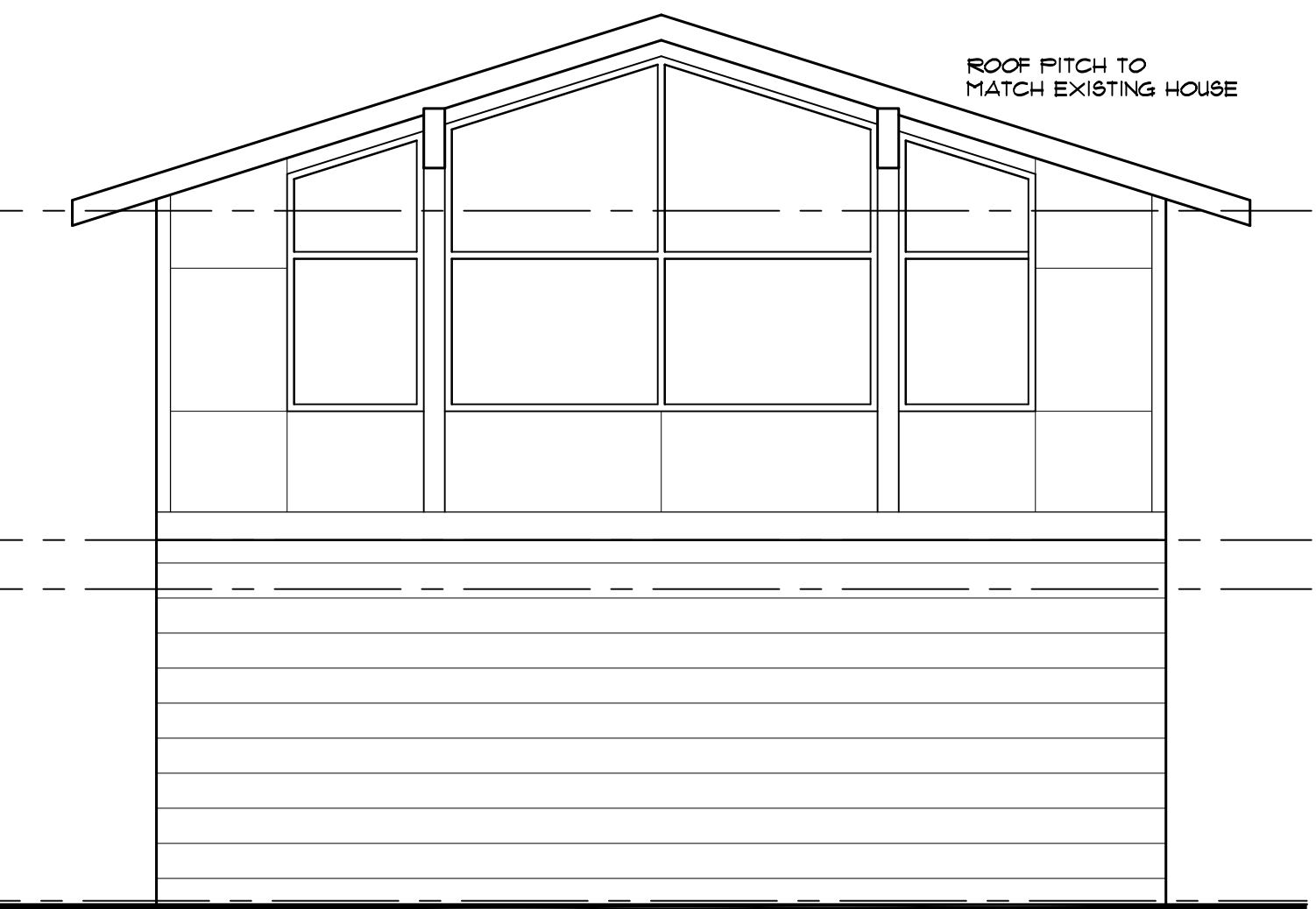
- Design review with the Architectural and Historic Board of Review.
- Administrative review and approval.



EAST GARAGE ELEVATION
SCALE: 1/4" = 1'-0"



WEST GARAGE ELEVATION
SCALE: 1/4" = 1'-0"



NORTH SIMILAR
SOUTH GARAGE ELEVATION
SCALE: 1/4" = 1'-0"



EXISTING EAST ELEVATION



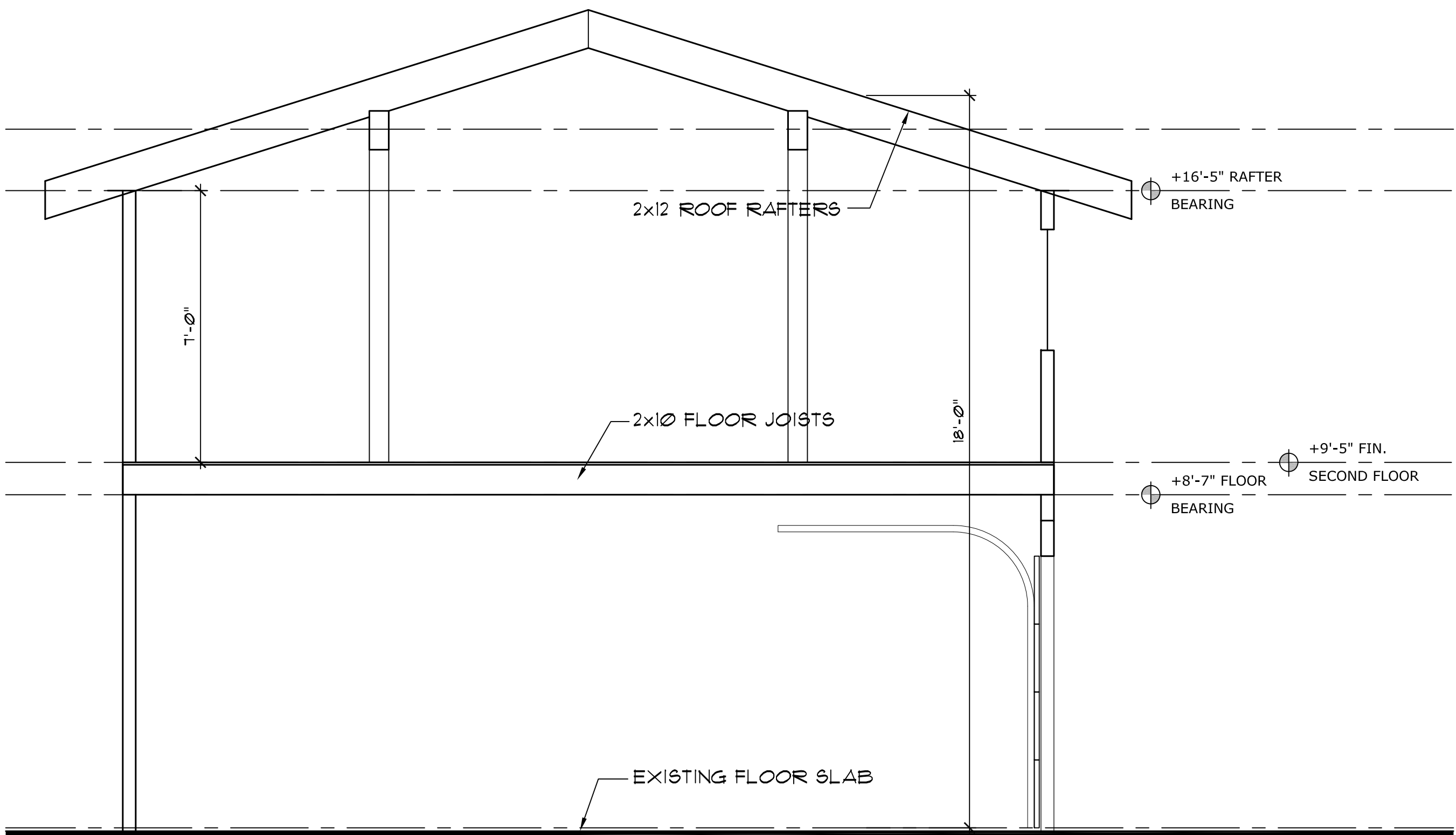
EXISTING WEST ELEVATION



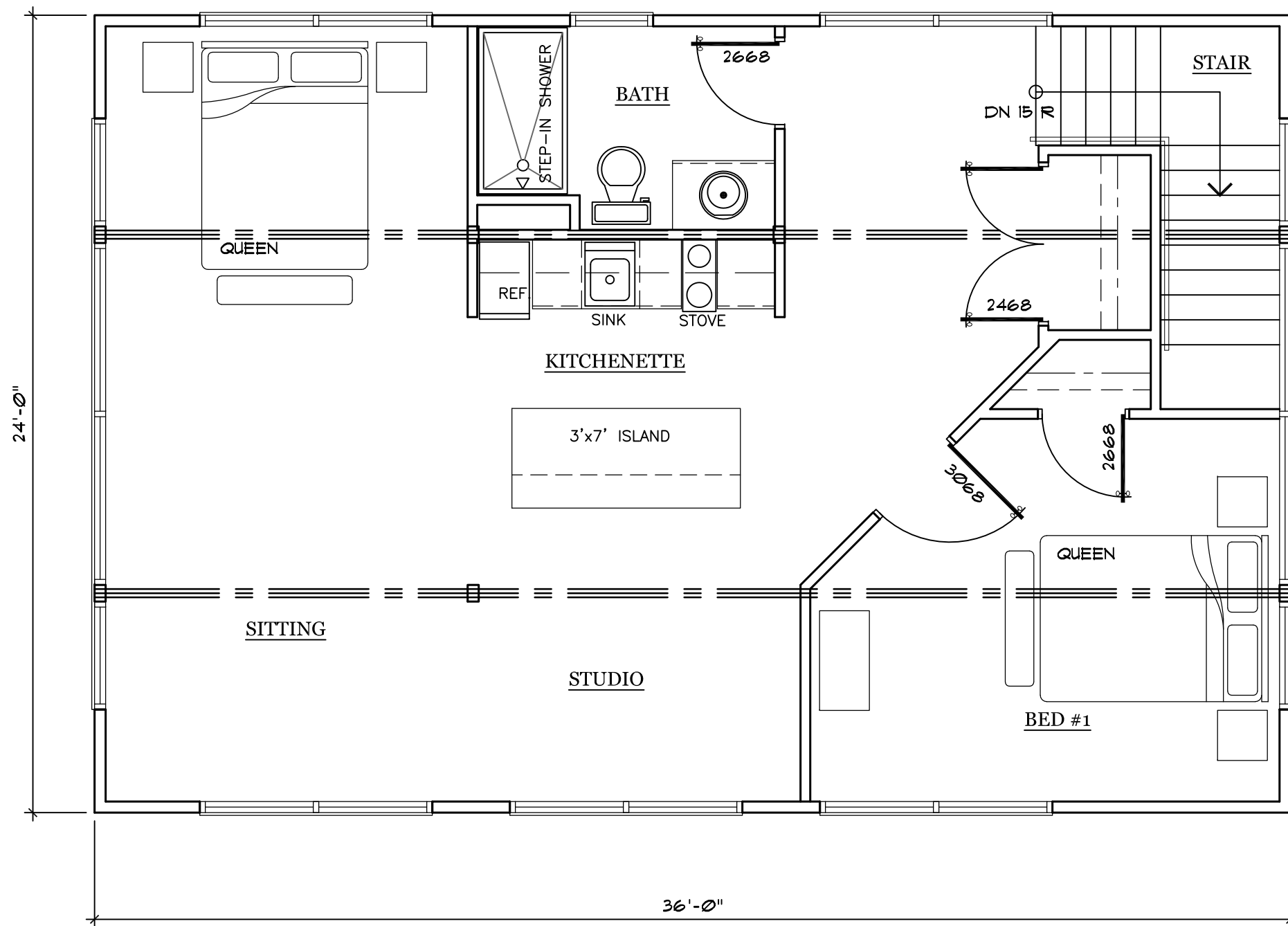
EXISTING NORTH ELEVATION



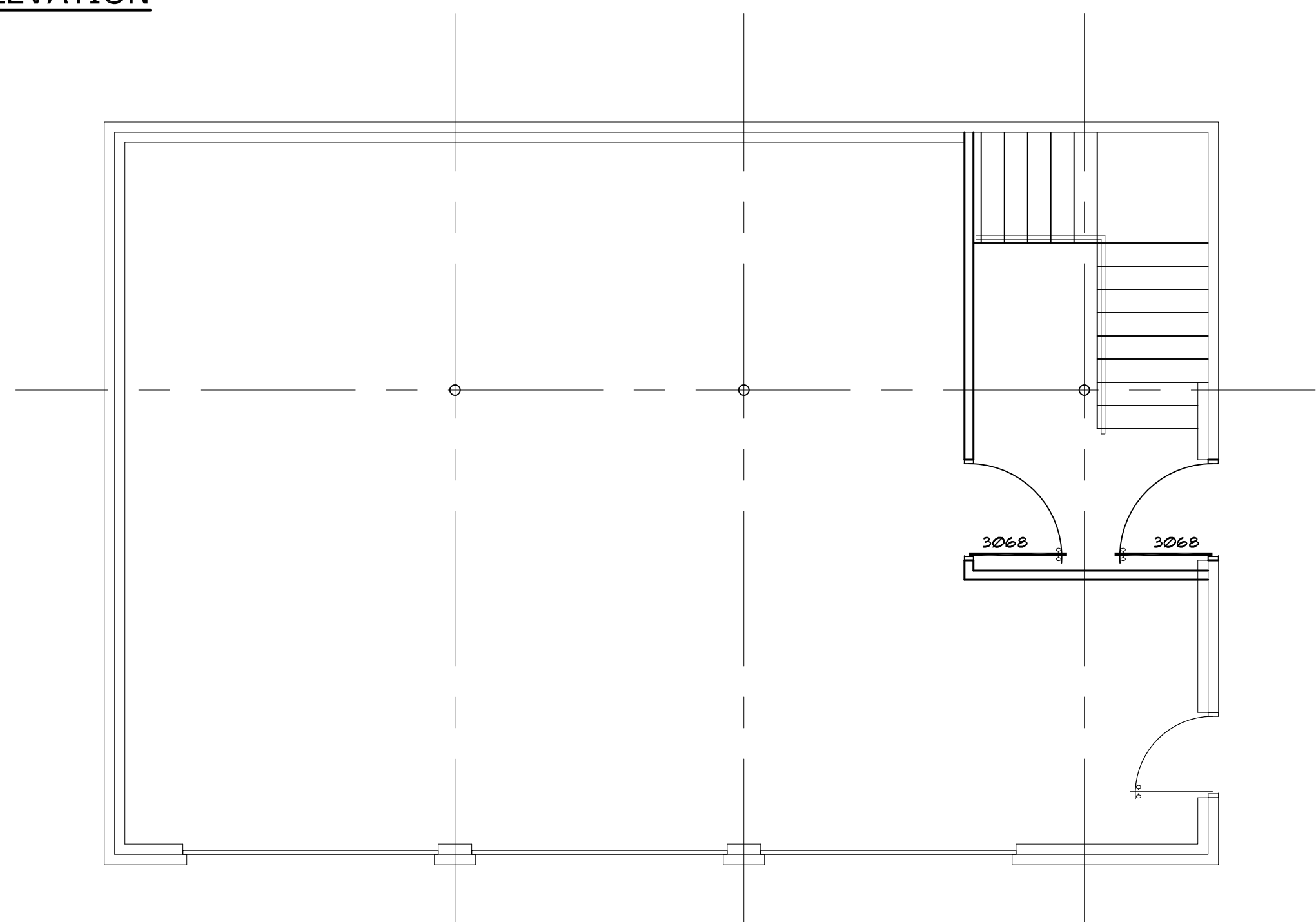
EXISTING SOUTH ELEVATION



GARAGE SECTION
SCALE: 3/8" = 1'-0"



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



25-638

Board of Zoning and
Building Appeals (BZBA)

Status: Active

Submitted On: 6/3/2025




Primary Location

439 MAIN
Hudson, Ohio 44236

Owner

FLYNN MICHAEL J
439 N MAIN ST HUDSON, OH
44236

Applicant

 Greg Chaplin
 330-760-5609
 gchaplin1028@gmail.com
 596 S. Elm Ave
Tallmadge, Ohio 44278

Applicant and Property Owner Information

Applicant Relationship to Property Owner:*

Architect

Company Name:

Gregory Chaplin & Associates,
Architects LLC

Property Owner Name*

Michael Flynn

Property Owner's E-Mail:*

mike@flynnenvironmental.com

Property Owner Phone Number*

330-575-5056

Type of Hearing Request

Type of Request:*

Non-Conforming Use

Year Property Purchased*

2010

BZBA Meeting Information

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

Michael Flynn - Katie Coulton

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. *



Board Meeting Date

 AHBR

☐

 BZBA

☐

 Planning Commission

☐

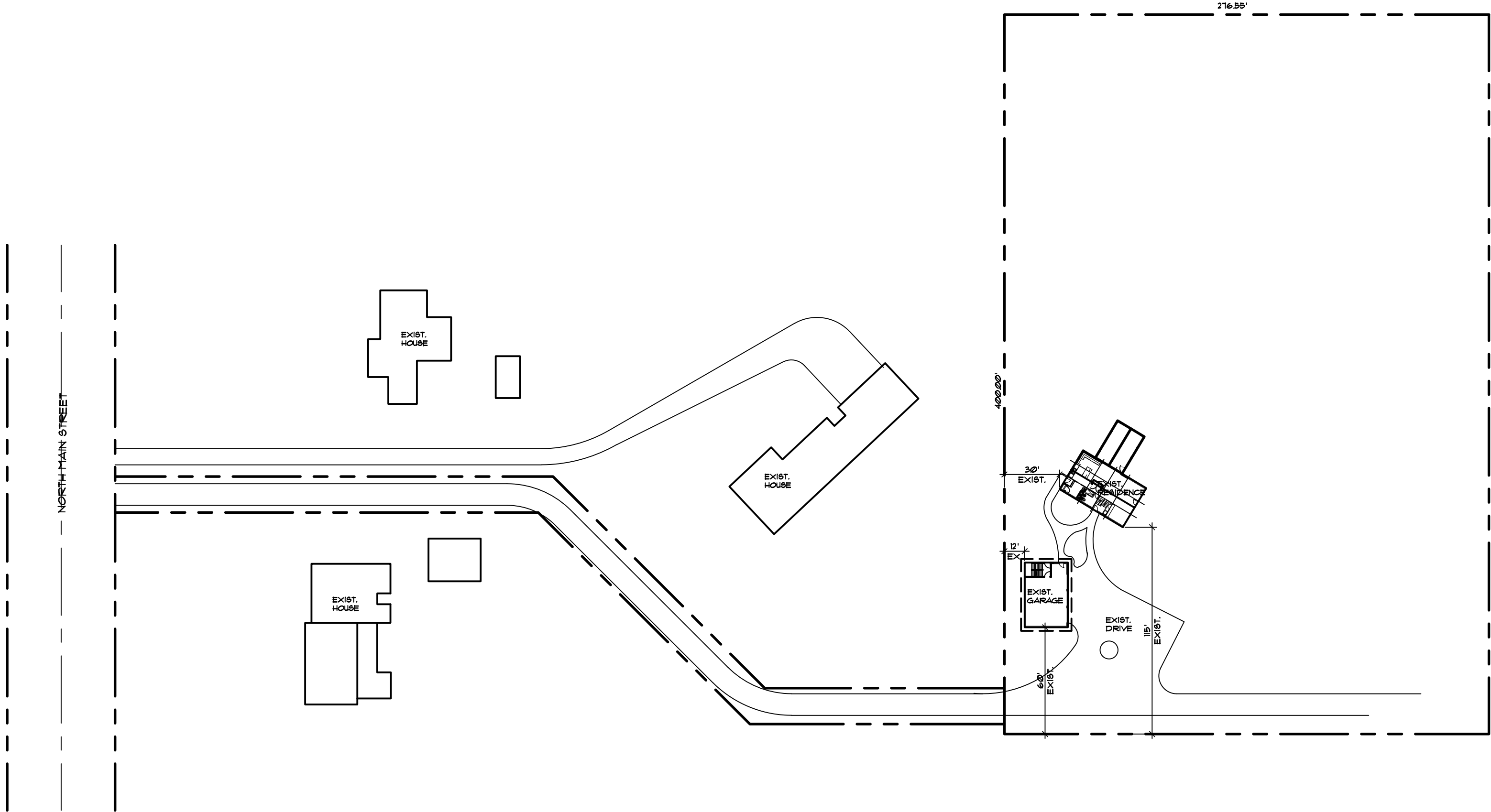
Internal

 Company Name

 Variances

 Meeting Date

 District



MORTGAGE IDENTIFICATION PLAT

WOODSCROFT SURVEYING, INC.



P.O. BOX 4101
COPLEY, OH 44321
(330) 825-9922 • FAX (330) 825-5558
woodscroft@aol.com

439 NORTH MAIN STREET
STATE OF OHIO
COUNTY OF SUMMIT
CITY OF HUDSON
PART OF ORIGINAL LOT 66
P.P.N. 32-02805

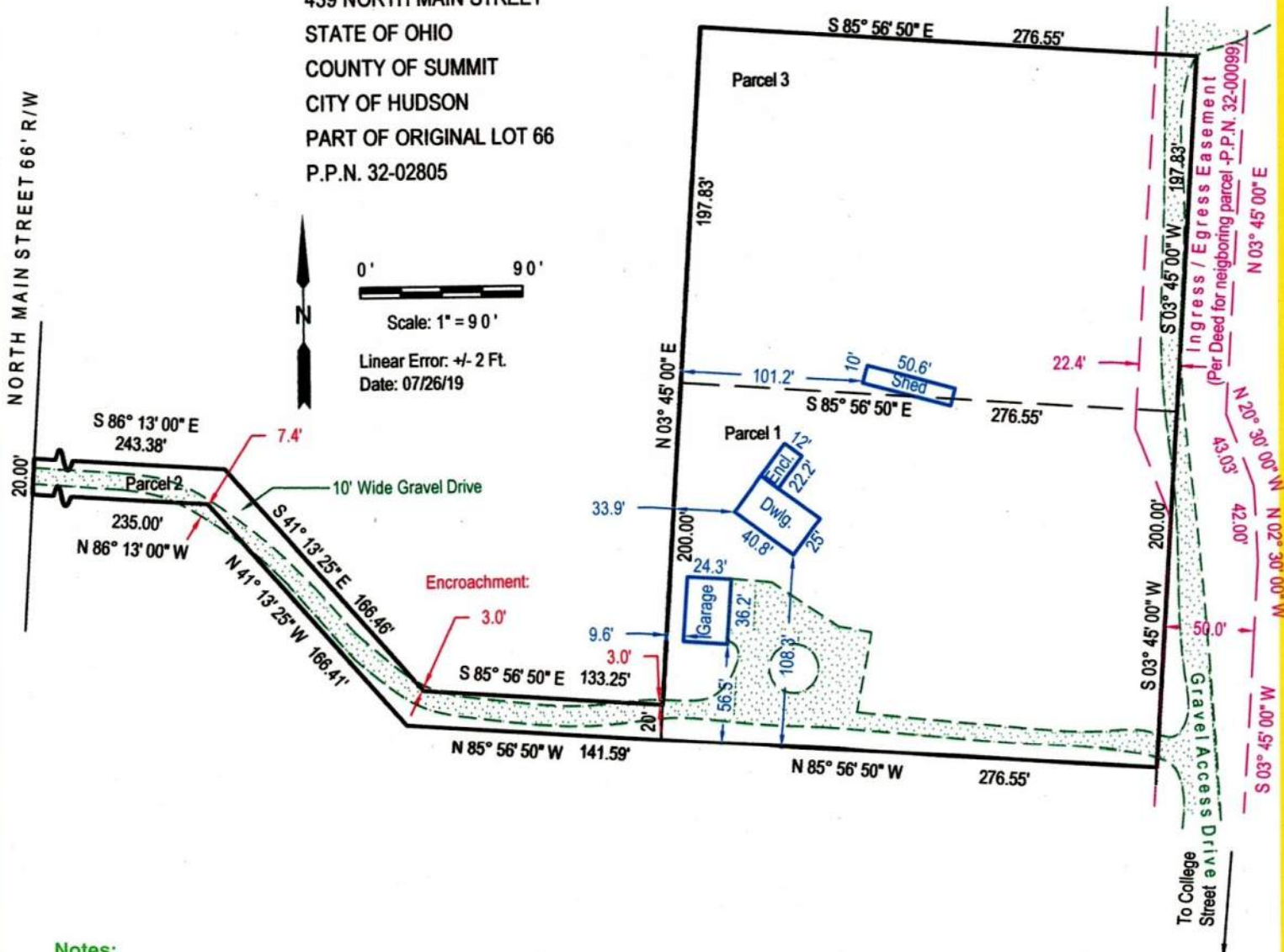
NORTH MAIN STREET 66' R/W

0' 90'

Scale: 1" = 90'

Linear Error: +/- 2 Ft.

Date: 07/26/19



Notes:

Subject's gravel drive encroaches approx. as shown.



Stephanie Sires

STEPHANIE ANN SIRES - REGISTERED SURVEYOR NO. 7467

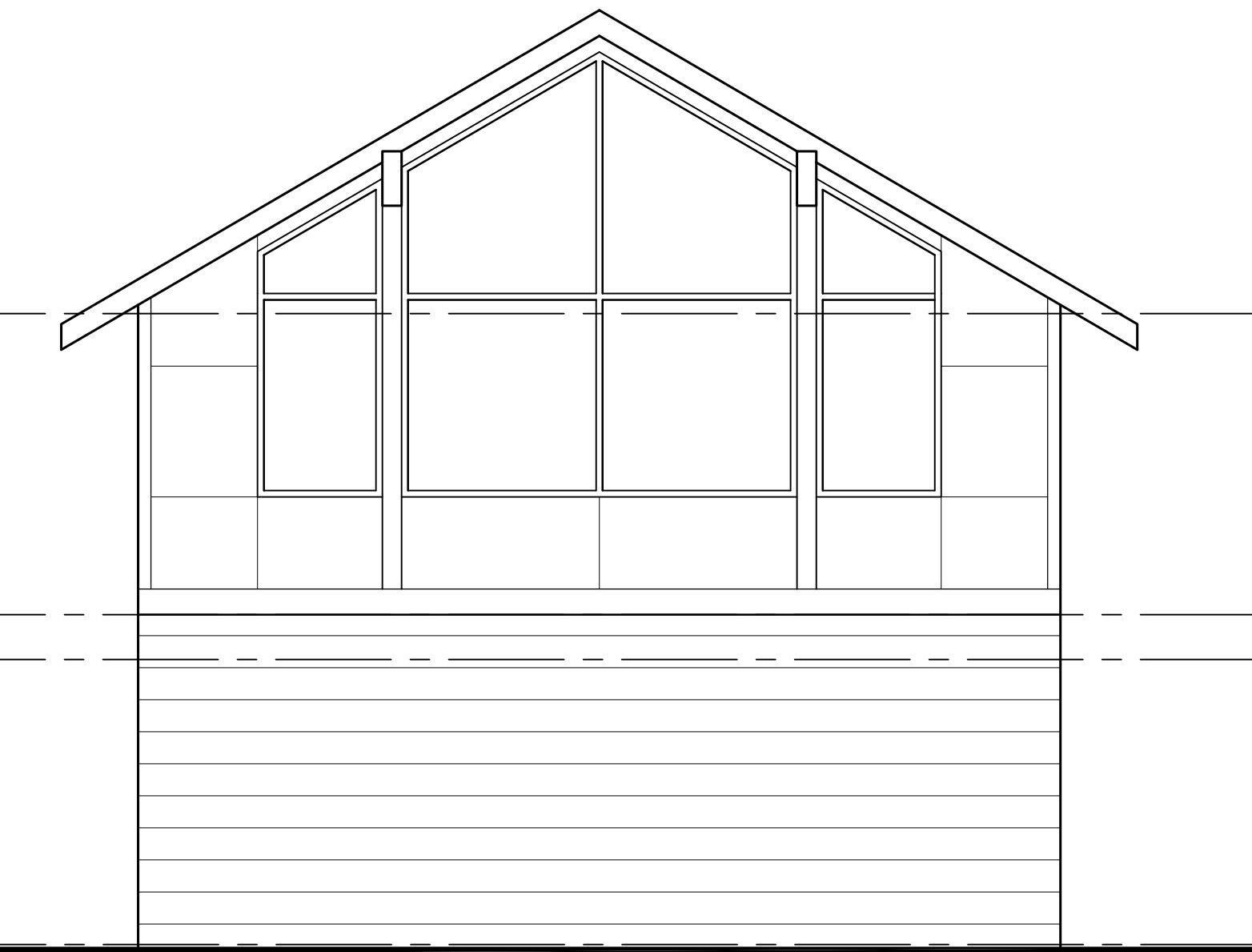
THIS MORTGAGE IDENTIFICATION SURVEY WAS PREPARED IN ACCORDANCE WITH CHAPTER 4733-38 OHIO ADMINISTRATIVE CODE AND IS NOT A BOUNDARY SURVEY PURSUANT TO CHAPTER 4733-37 OF SAID CODE. THIS MORTGAGE IDENTIFICATION IS CERTIFIED EXCLUSIVELY TO THE STATED TITLE COMPANY AND/OR LENDER. IT IS NOT FOR THE USE OF THE PROPERTY OWNER AND SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES, THE PRESENCE OF ENCROACHMENTS OR THE PRECISE LOCATION OF DWELLINGS, STRUCTURES, FENCES AND OTHER IMPROVEMENTS.



EAST GARAGE ELEVATION
SCALE: 1/4" = 1'-0"



WEST GARAGE ELEVATION
SCALE: 1/4" = 1'-0"



NORTH SIMILAR
SOUTH GARAGE ELEVATION
SCALE: 1/4" = 1'-0"



EXISTING EAST ELEVATION



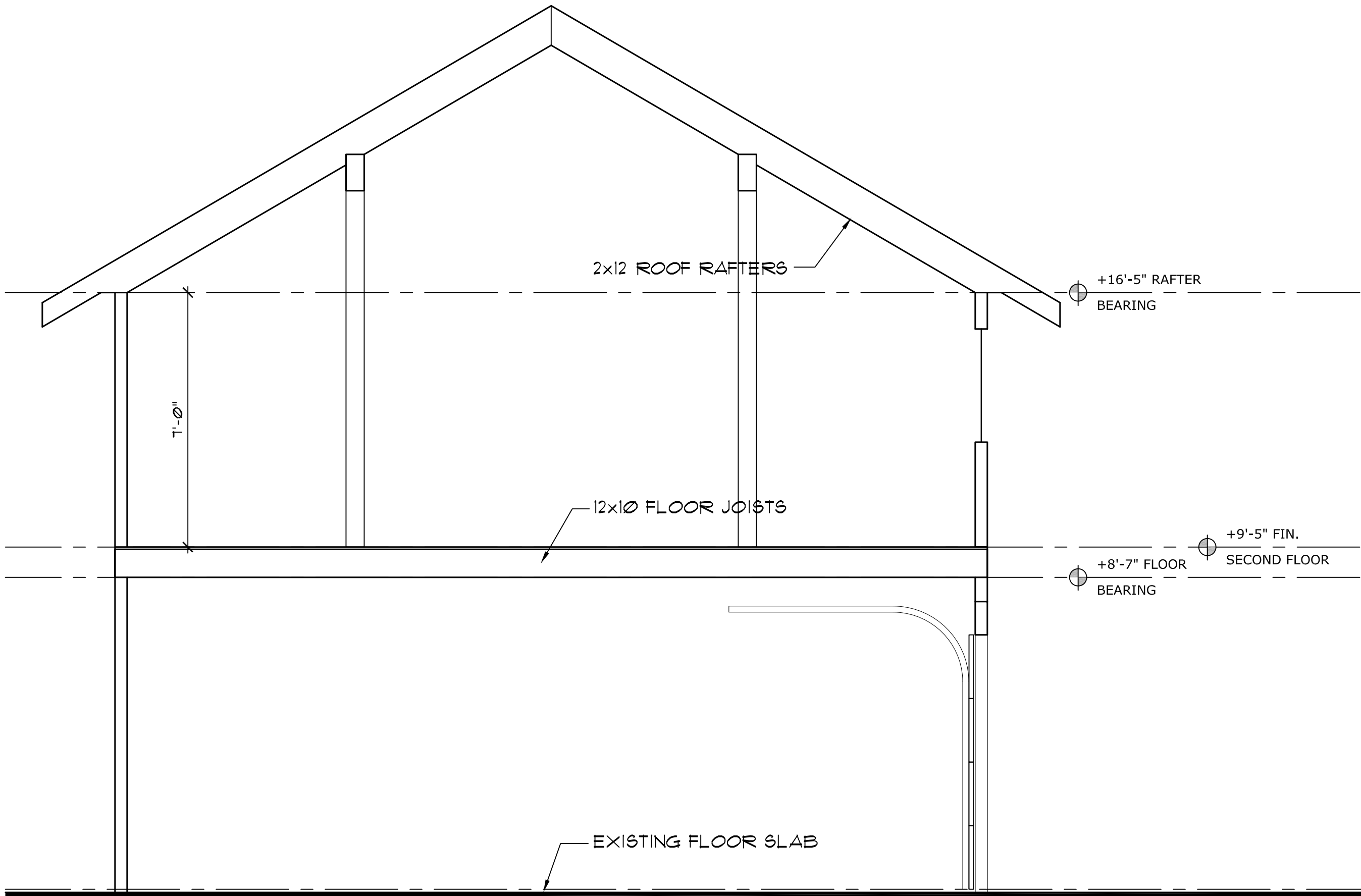
EXISTING WEST ELEVATION



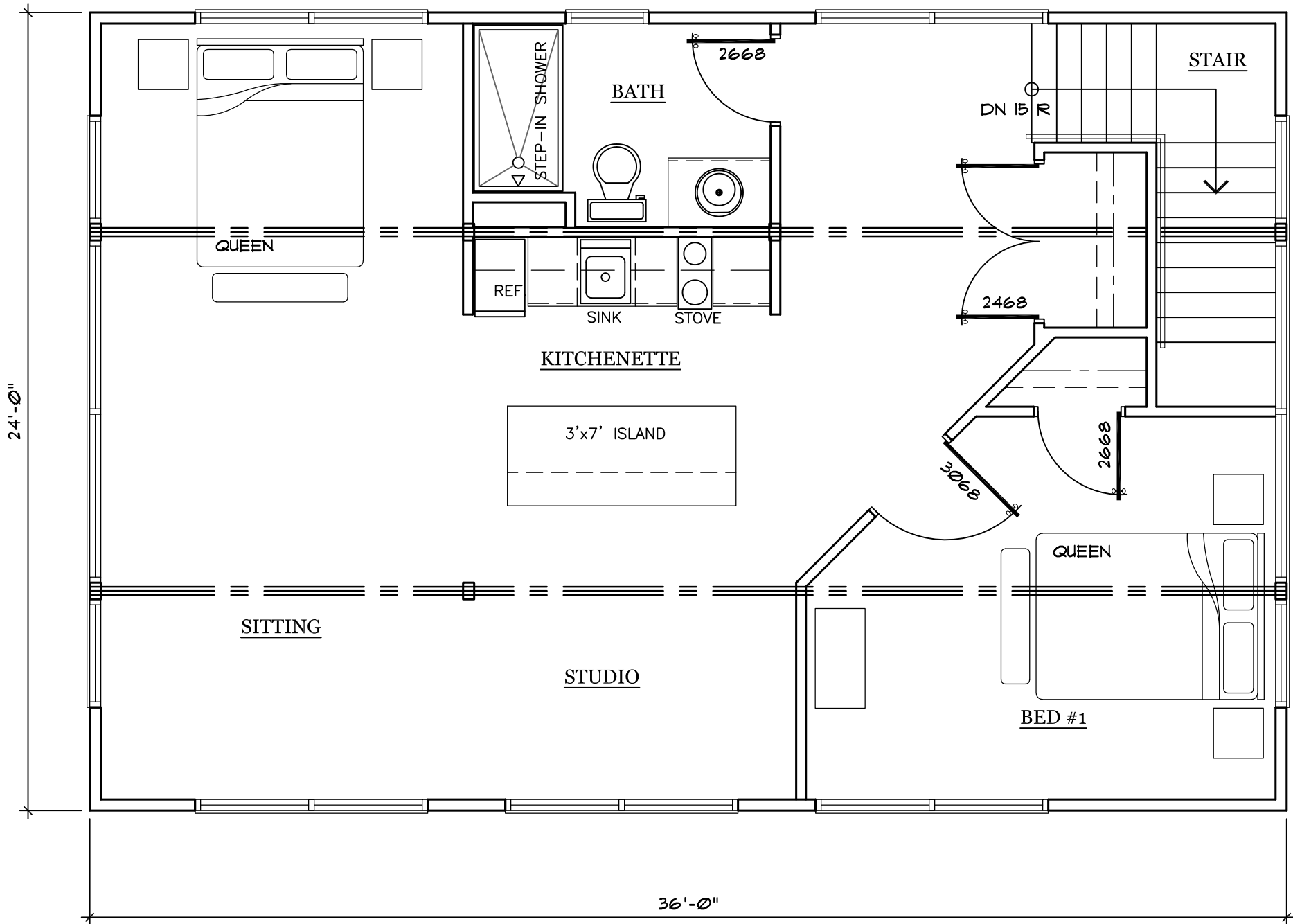
EXISTING NORTH ELEVATION



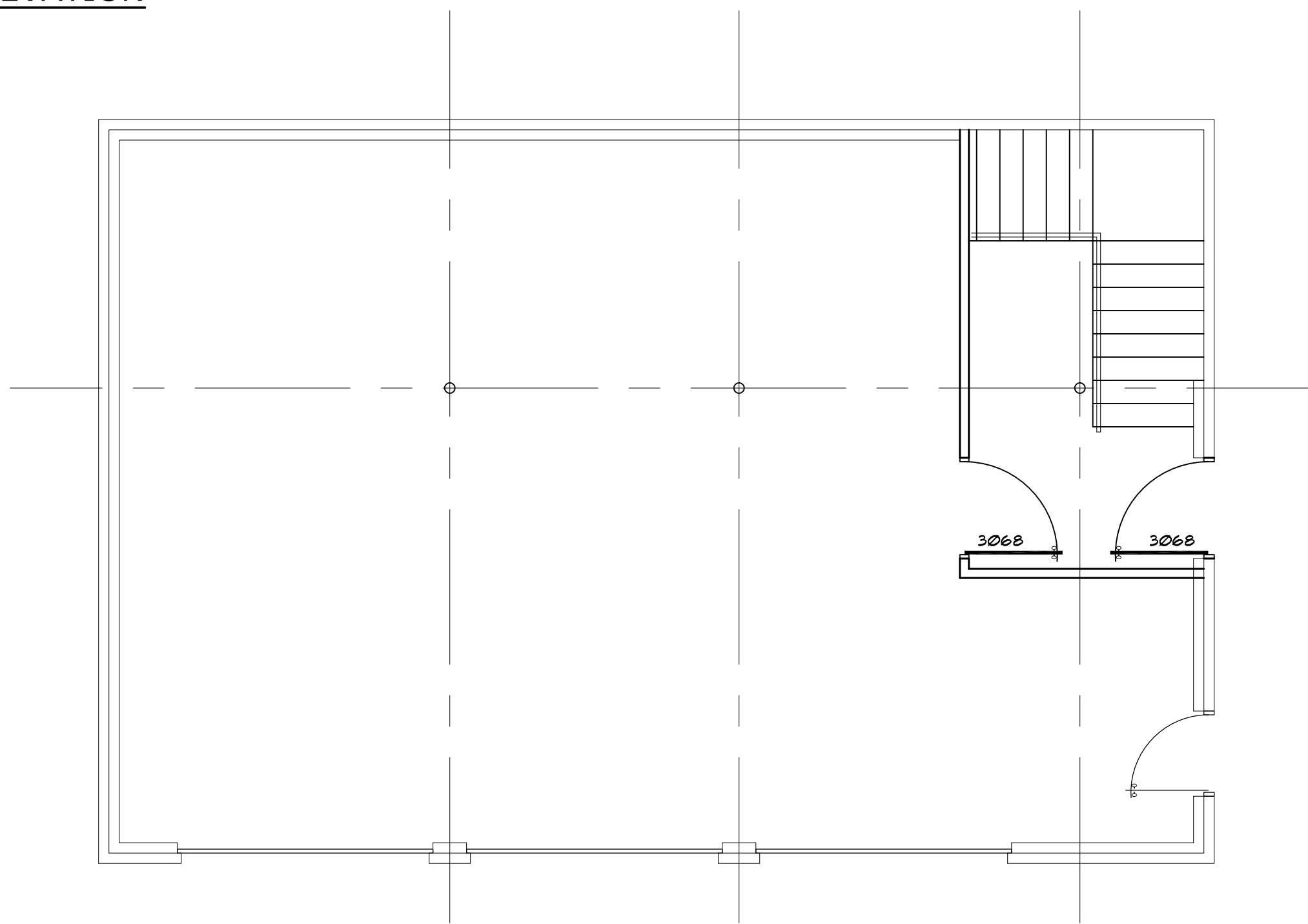
EXISTING SOUTH ELEVATION



GARAGE SECTION
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SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"
































BZBA Appeals Docket No 2025-638

From Nancy Hovan <nvh305@case.edu>

Date Fri 8/15/2025 2:31 PM

To BZBA <BZBA@hudson.oh.us>

Cc mike@flynnenvironmental.com <mike@flynnenvironmental.com>

 1 attachment (121 KB)

BZBA Board Appeals Docket No 2025-638 August 15 2025.pdf;

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Board of Zoning and Building Appeals

City of Hudson Land Development Code

Email: BZBA@hudson.oh.us

Hudson, Ohio 44236

Regarding: Appeals Docket No. 2025-638 for the property at 439 N Main Street

Dear BZBA Board Members,

Please accept this letter as my full support for my contiguous neighbor and friend, Michael Flynn, who resides at 439 N Main Street, for the public hearing scheduled on Thursday, August 21, 2025, at 7:30 p.m. in the meeting room of the Town Hall (see full letter attached).

I understand the subject of this hearing is a request for the expansion of a nonconforming structure to construct a second-floor addition to an existing garage. I wholeheartedly support this proposal and have no reservations about the project. I believe the addition will serve as a tasteful and attractive enhancement to Mr. Flynn's already beautiful and well-maintained property, further complementing the charm and character of our neighborhood.

Not only will this project enhance the beauty of his lot, but it will also contribute positively to the overall appeal of our neighborhood. Improvements like this reflect the pride residents take in our community and help preserve the character that makes Hudson such a special place to live. I encourage the Board to approve this request, as it represents the kind of thoughtful and tasteful investment that benefits all of us.

Please do not hesitate to reach out to me directly.

Respectfully yours,

-Nancy

Nancy Clare Hovan
(234) 380-2467

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