

Meeting Date:
May 15, 2025

Location:
41 E. Main Street

Parcel Number
3200737

Request
Variance requests to
construct an addition

Applicant:
Elizabeth
Swearingen,
Peninsula Architects

Property Owner:
41 E Main LLC

Zoning:
D5 – Village Core
Gateway

Case Manager:
Lauren Coffman,
Associate Planner

Contents

- Application, 4-17-2025
- Site Plans/La, 4-17-2025
- Elevations, 4-17-2025
- Floor Plan, 4-17-2025
- Site Photos, 4-17-2025



Location Map, City of Hudson GIS

Request:

The subject of this hearing is variances to construct a commercial business addition and includes the following requests: 1] A variance request of five (5) feet from the required side yard principal structure setback when adjacent to a residential use of fifteen (15) feet, resulting in a side yard setback of ten (10) feet pursuant to section 1205.08(d)(7)(C)(6), “Property Development/Design Standards – Setbacks” of the City of Hudson Land Development Code. 2] A variance request of five (5) feet from the required minimum bufferyard width of fifteen (15) feet resulting in a bufferyard of ten (10) feet pursuant to Section 1205.08(d)(13), “Bufferyard Requirements – Bufferyard Type” of the City of Hudson Land Development Code.

Adjacent Development:

The site is adjacent to residenital development to the north, south, and east. The site is adjacent to First and Main to the west.

Project Background

The property is located in District 5 – Village Core Gateway and is situated on the corner of East Main Street and Division Street. The lot is approximately .10 acres and is located within the Historic District. The building was constructed in 1841 and is connected to the residential home to the south by means of a one-story entryway. The owners purchased the property in January of 1993.

The applicant is proposing to construct a 35ft x 15ft 6in (approximately 577 sq ft) two-story addition with an enclosed connection to the existing building on the property. The City of Hudson's Land Development Code has the following regulation relative to side yard setbacks in District 5 –

- 1205.08(d)(7)(C)(6) – *Minimum side yard setback: Non-residential: zero feet provided that adequate access is available at the rear of the use via an alley or other means of ingress for emergency and service vehicles. **Except that when adjacent to the residential use shall be at least fifteen feet from the property line.***

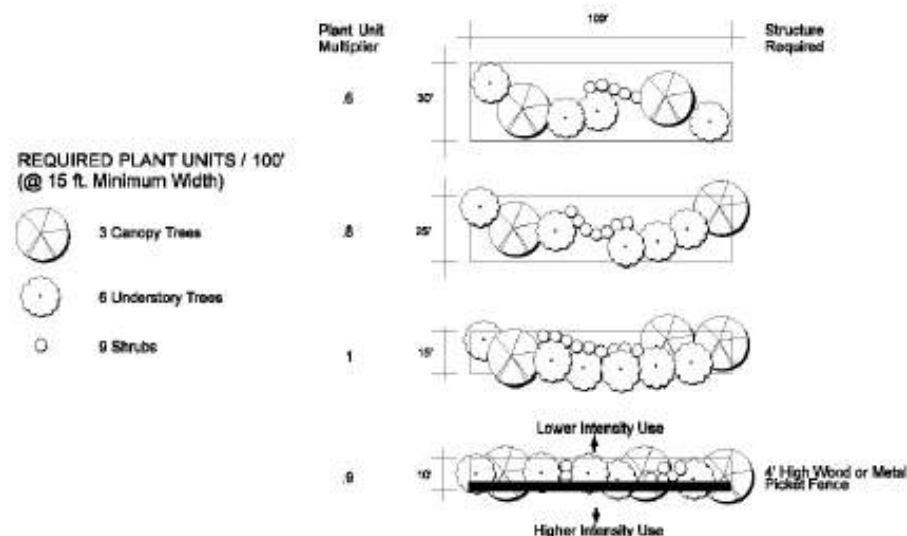
The applicant is requesting a side yard principal structure setback variance of five (5) feet from the required fifteen (15) foot side yard principal structure setback when adjacent to a residential use resulting in a side yard principal structure setback of ten (10) feet.

Additionally the City of Hudson's Land Development Code has the following regulation relative to bufferyard requirements –

- 1205.08(d)(13) - *Bufferyard requirements for lots abutting a historic landmark: Bufferyard requirements for lots abutting a historic landmark. New development on lots that abut a historic landmark shall establish a bufferyard equivalent to or greater than "Bufferyard C" as set forth in Section [1207.04](#) (g). The bufferyard shall be established on the boundary that abuts the historic landmark.*

The applicant is requesting a variance of five (5) feet from the required minimum fifteen (15) foot bufferyard requirement when abutting a historic landmark resulting in a bufferyard of ten (10) feet. Bufferyard C is more fully described in the code exhibit below.

Bufferyard C—Moderate



The applicant states the purpose of the proposed addition is to provide additional office/storage space for the existing business. Additionally, the applicant states that the narrow size of the lot, and current location of the existing building limit where they can expand the footprint of the business.



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 in question can maintain its primary commercial use without the requested variance.

2. Whether the variance is substantial:

Variance request for side yard setback:

The variance would represent a 33% deviation from the Land Development Code requirement.

Variance request for bufferyard reduction:

The variance would represent a 33% 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 following:

- The lot is approximately 0.10 acres, (4,437 square feet) and has frontage on both E Main St and Division St.
- The property is located within a dense portion of a historic neighborhood. Based on such, any variance request could be impactful and magnified further based on the subject variance requests.



- The applicant is proposing a row of 15 Thuja “can can” trees and two Yoshino Cherry Trees. Staff notes the proposed trees would provide benefit to screen the use. The Land Development Code permits the bufferyard width to be reduced to 10 ft if the following is provided:
 - 3 canopy trees
 - 6 understory trees
 - 9 shrubs
 - 4 ft high wood or metal (aluminum) picket fence
- Staff recommends the applicant revise the landscaping plan to add the plantings above and remove the need for a variance. Plantings should be selected based on Appendix C – Recommend Planting List within the Land Development Code.
- Staff notes that the proposed addition would be two stories. However, staff notes that the twenty-three (23) foot roofline of the addition would be subordinate to the main mass of the structure which sits at approximately thirty-two (32) feet.
- Question if the southern facing dormer could be removed to reduce overall massing and impact to the adjacent property.

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

The variance would not impact the delivery of governmental services such as sewer and water.

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 1993.

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

Staff notes the addition could be shifted to the north to be constructed directly adjacent to the sidewalk along Division Street; however, the resulting massing could create adverse impacts to the properties along Division Street.

Staff notes the proposal was informally reviewed by the AHBR on April 9, 2025. The AHBR preferred the addition to be set back from Division Street to reduce overall massing along the street and align with the Secretary of Interior Standards for Rehabilitation.

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Therefore, it is a preference to step the addition back from Division Street. Reducing the overall width of the building would be a way to reduce the requested variance; however the narrow lot and configuration on a street corner proves challenging.

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 require the following:

- Major Site Plan review from the Planning Commission
- Final design review from the Architectural and Historic Board of Review



25-388

Board of Zoning and
Building Appeals (BZBA)

Status: Active

Submitted On: 4/17/2025



Primary Location


41 E MAIN ST
Hudson, OH 44236


Owner

41 EAST MAIN LLC
41 E MAIN ST HUDSON, OH
44236

Applicant

 Elizabeth Swearingen
 330-657-2800

 eswearingen@pa-
architects.com

 1775 Main Street
Peninsula, OH 44264

Applicant and Property Owner Information

Applicant Relationship to Property Owner:*

Architect

Company Name:

Peninsula Architects

Property Owner Name*

Azam Qadri

Property Owner's E-Mail:*

hudsondrillers@gmail.com

Property Owner Phone Number*

330-655-2916


Type of Hearing Request

Type of Request:*


Variance

Year Property Purchased*


1993

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

15' side setback from adjacent to
residential property

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

5' side setback from adjacent to
residential property

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

10' side setback

Explanation of Request and Justification:*

The site is located on a narrow parcel at the intersection of Division Street and East Main Street. The original set back allows the addition to sit on the site, but after discussion with the Owner and City it was determined that the preference was to step the addition back to help transition the commercial building to the residential neighborhood. We are requesting a slightly smaller side setback to allow for the 15' wide addition to sit comfortably 5' off the existing sidewalk along Division Street. The 5' distance off the sidewalk allows for a small tree lawn in front of the addition which was designed to allow the addition to be softened by a landscape buffer.

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:*

It will allow for a reasonably sized addition that will house storage and additional office space.

The variance is
insubstantial

Describe why the variance is substantial or insubstantial*

After discussing the 5' distance with the neighbors, it was determined that this request was insubstantial. The impact of a landscape buffer helps to soften the transition from commercial to residential.

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 5' is the minimum amount of space to provide an adequate amount of lawn for landscaping that will help soften the building.

Would adjoining properties be negatively impacted?*

no

Describe how the adjacent properties will not be affected.*

By stepping back the building along Division Street and adding a tree lawn, the addition will blend in more with the existing fabric of the street. The surrounding houses are set back at least 5'-10' and have small lawns with myriad types of trees and plantings. By following this trend the addition will feel more like a residential home instead of a commercial building that is right on top of the pedestrian route. The house that is directly to the South of the existing structure is actually attached to the offices and on the parcel. The addition of the dental office will create a visual separation from Division Street and will create a sense of privacy for the homeowner. There is a plan in place to create a landscaped courtyard between the house and addition for visual interest to both property owners.

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:*

No, not without encroaching spatial characteristics of the surrounding context of the site as mentioned above.

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

By granting this request, the addition will be setback an appropriate distance from the street that preserves the existing character of the historic neighborhood and streetscape. This proposal diminishes the presence of the new structure from the historic structure which in turn preserves the essential form and integrity of the building if the addition was removed in the future – as suggested by the Secretary of the Interiors.

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

The Architect has requested this change to the setback in order to honor integrity of the historic property and street.

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

Narrowness.

BZBA Meeting Information

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

Joseph Matava, Elizabeth Swearingen

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**

**PROGRESS
NOT FOR
CONSTRUCTION**

5/8/2025

PROJECT TEAM:



VIL ENGINEER:
JUTOSKEY AND ASSOCIATES
406.543.6900

STRUCTURAL ENGINEER:
RAVEC DESIGN BUILD
330.552.8211

SEP ENGINEER:
ENK ASSOCIATES
216.531.8880



VILLAGE DENIAL
41 E. MAIN STREET, HUDSON, OH 44236

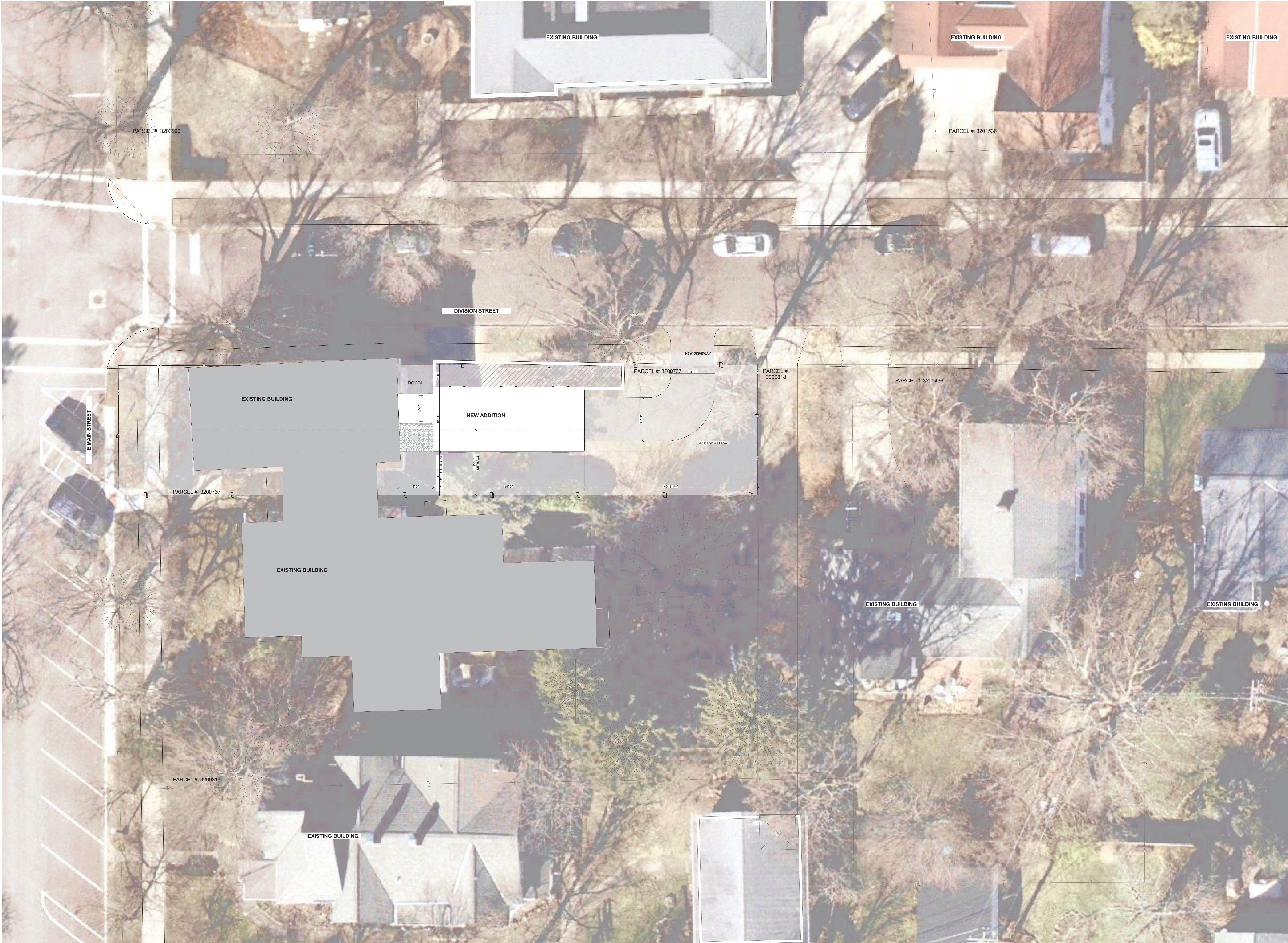
PROJECT #:	2501
ISSUE:	
SAHBR REVIEW	04-01-2
VARIANCE SET	04-17-2

[illegible]

SITE PHOT

AS1.0

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1 SITE PLAN
SCALE: 1/8" = 1'-0"

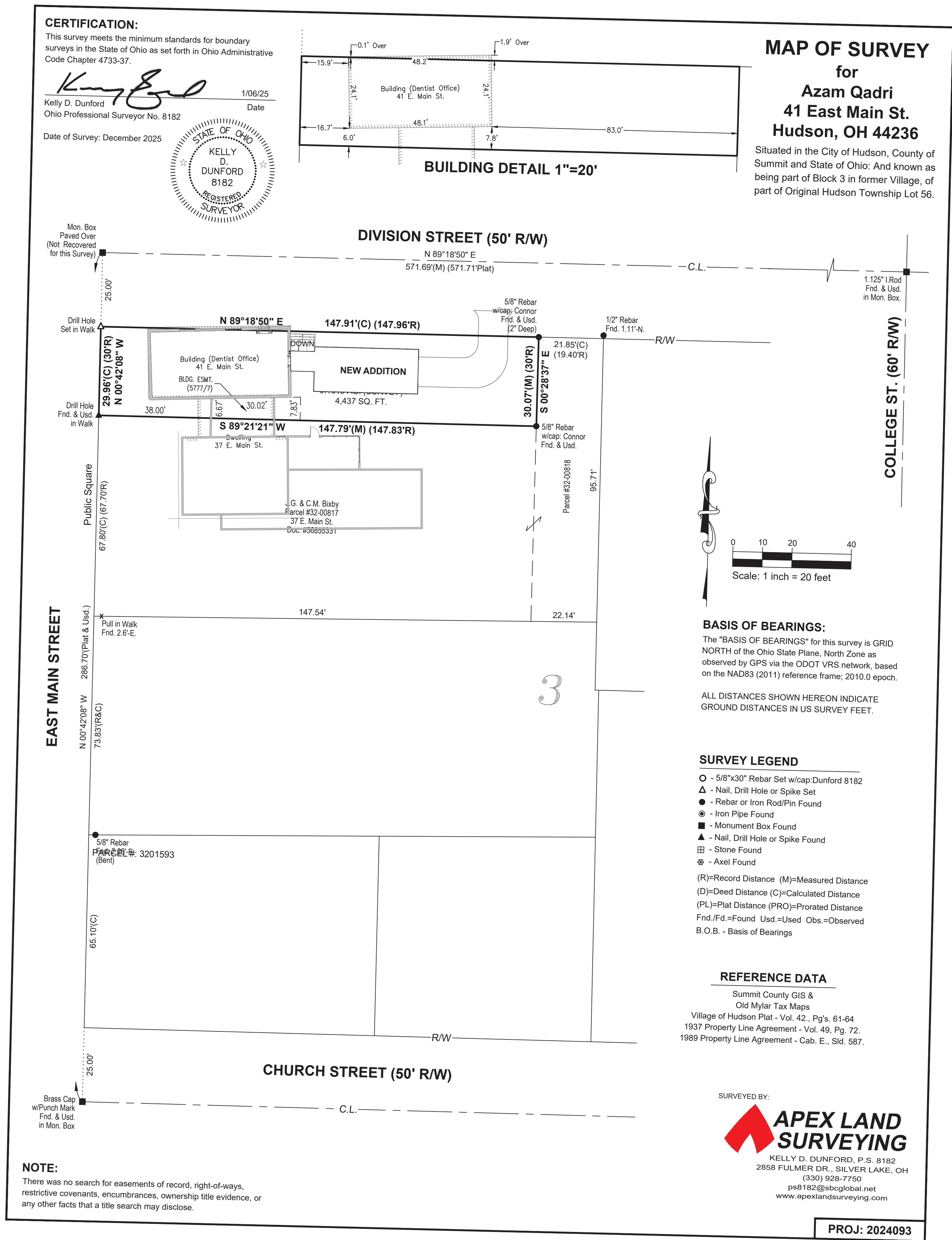
PROGRESS
NOT FOR
CONSTRUCTION
5/9/2025

PROJECT TEAM:
P PENINSULA
ARCHITECTS

CIVIL ENGINEER:
GUTOSKEY AND ASSOCIATES
P 406.543.6900
STRUCTURAL ENGINEER:
ORATEC DESIGN BUILD
P 330.552.8211
MEP ENGINEER:
DEWK ASSOCIATES
P 216.531.8880

PLANTING SCHEDULE					
CODE	LATIN NAME	COMMON NAME	SIZE	SPACING	QTY.
A-1	CERCIS CANADENSIS	EASTERN REDBUD	20' H X 25' W	-	3
B-1	PRUNUS X YEDOENSIS	YOSHINO CHERRY	30' H X 20' W	-	2
C-1	THUJA PLICATA 'CAN CAN'	SEMI-DWARF THUJA	8' H X 5' W	5'	15
D-1	PRUNUS LAUROCERASUS 'NANA OR COMPACTA'	DWARF ENGLISH CHERRY LAUREL	6' H X 4' W	4'	7





FLOOR PLAN GENERAL NOTES

VERIFY DIMENSIONS AND CONDITIONS IN FIELD. WHEN DIMENSIONS AND/OR CONDITIONS AS INDICATED ON DRAWINGS CONFLICT WITH ACTUAL, CONTACT ARCHITECT FOR CLARIFICATION.

PROVIDE SOUND DEADENING INSULATION AROUND BEDROOMS, BATHROOMS, MECHANICAL ROOMS, AND PLUMBING STACKS.

BLOCK WEBS SOLID AT BEARING WALL LOCATIONS ABOVE.

CONTRACTOR TO EXTEND ALL FIBERS DOWN TO SOUND FOUNDATION. INSTALL FULL DEPTH SOLID BLOCKING AT ALL POINT LOAD LOCATIONS.

ALL FOOTINGS TO EXTEND DOWN TO FROST LEVEL MIN.

COORDINATE EXACT LOCATIONS OF FLOOR DRAIN WITH MECH CONTRACTOR.

PROVIDE 5/8" GYP BOARD TYPE "X" ON GARAGE CEILINGS.

ALL INTERIOR DOORS TO BE 1 7/8" SOLID CORE WOOD DOORS. COORDINATE WITH FINISH PLANS FOR FINISH SELECTIONS.

ALL INTERIOR TRIM TO BE POPLAR OR APPROVED EQUAL. COORDINATE WITH INTERIOR ELEVATIONS AND MILLWORK DRAWINGS FOR SELECT TYPES AND PROFILES.

ALL MILLWORK TO BE CUSTOM PER DRAWINGS.

REFER TO CONSULTANT DRAWINGS IF APPLICABLE FOR COORDINATION OF WORK BETWEEN TRADES.

FLOOR TRUSS CRITERIA

TCDL = 30 PSF

BDCL = 10 PSF

180CF APARTS EXPOSURE 1 OSB

ROOF TRUSS CRITERIA

TCDL = 25 PSF

TCDL = 10 PSF

NET UPLIFT = 10 PSF

ATTIC CLL = 40 PSF

ATTIC CLL = 40 PSF

USE (2) SIMPSON SWD015600 SCREWS AT TRUSS BRG.

WOOD HEADERS (U.N.O.)

UP TO 4'-0" (2) 2 X 8 1 JACK, 1 KING 1 JACK, 1 KING

4'-0" - 6'-0" (2) 2 X 10 1 JACK, 1 KING 2 JACK, 1 KING

6'-0" - 8'-0" (2) 2 X 12 1 JACK, 1 KING 2 JACK, 1 KING

8'-0" - 10'-0" (2) 11 1/4 LVL 2 JACK, 1 KING 3 JACK, 1 KING

SUBSTITUTION CHART:

LVL SIZE (2) 12" LVL W10 x 15

(2) 10" LVL W10 x 17

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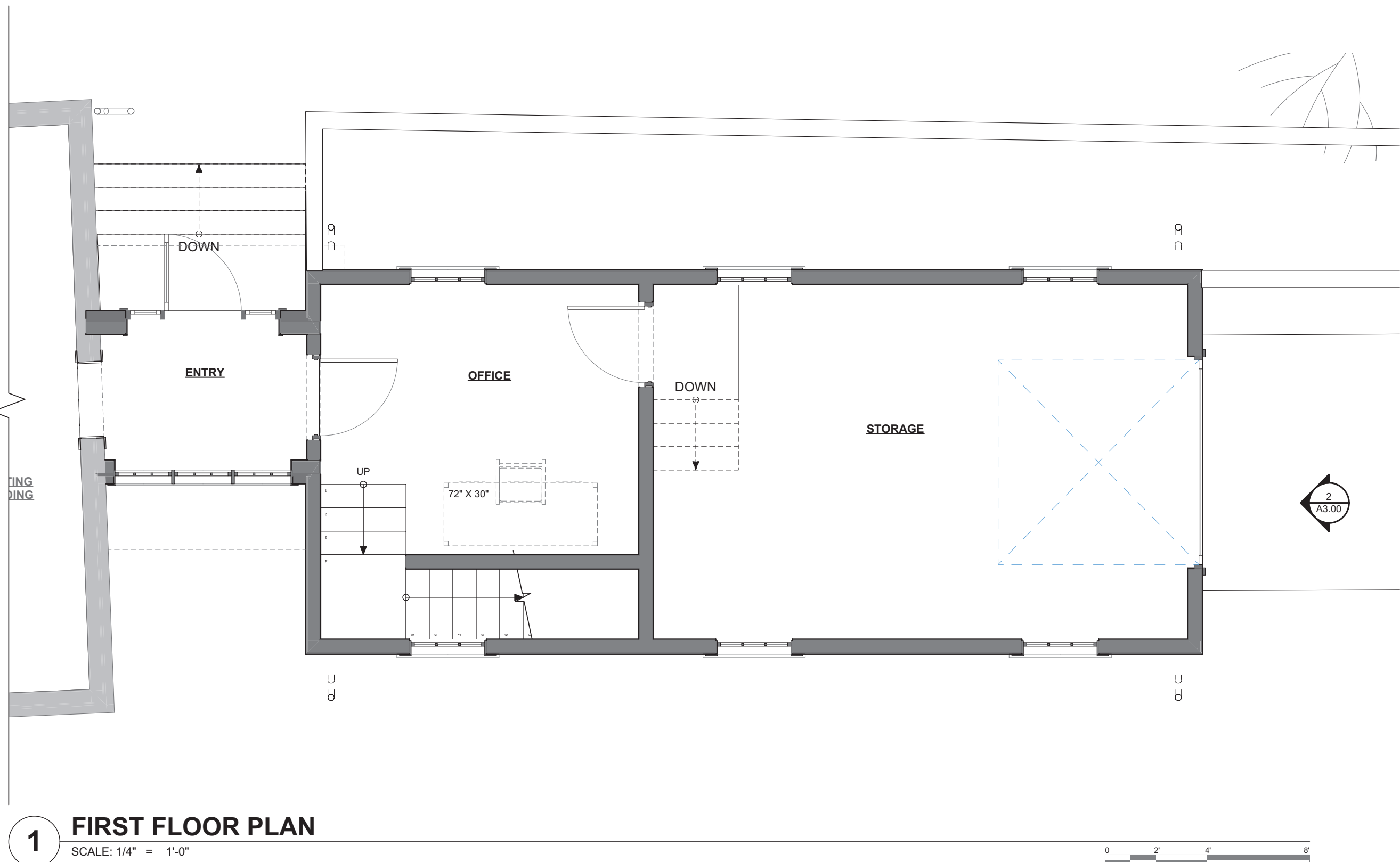
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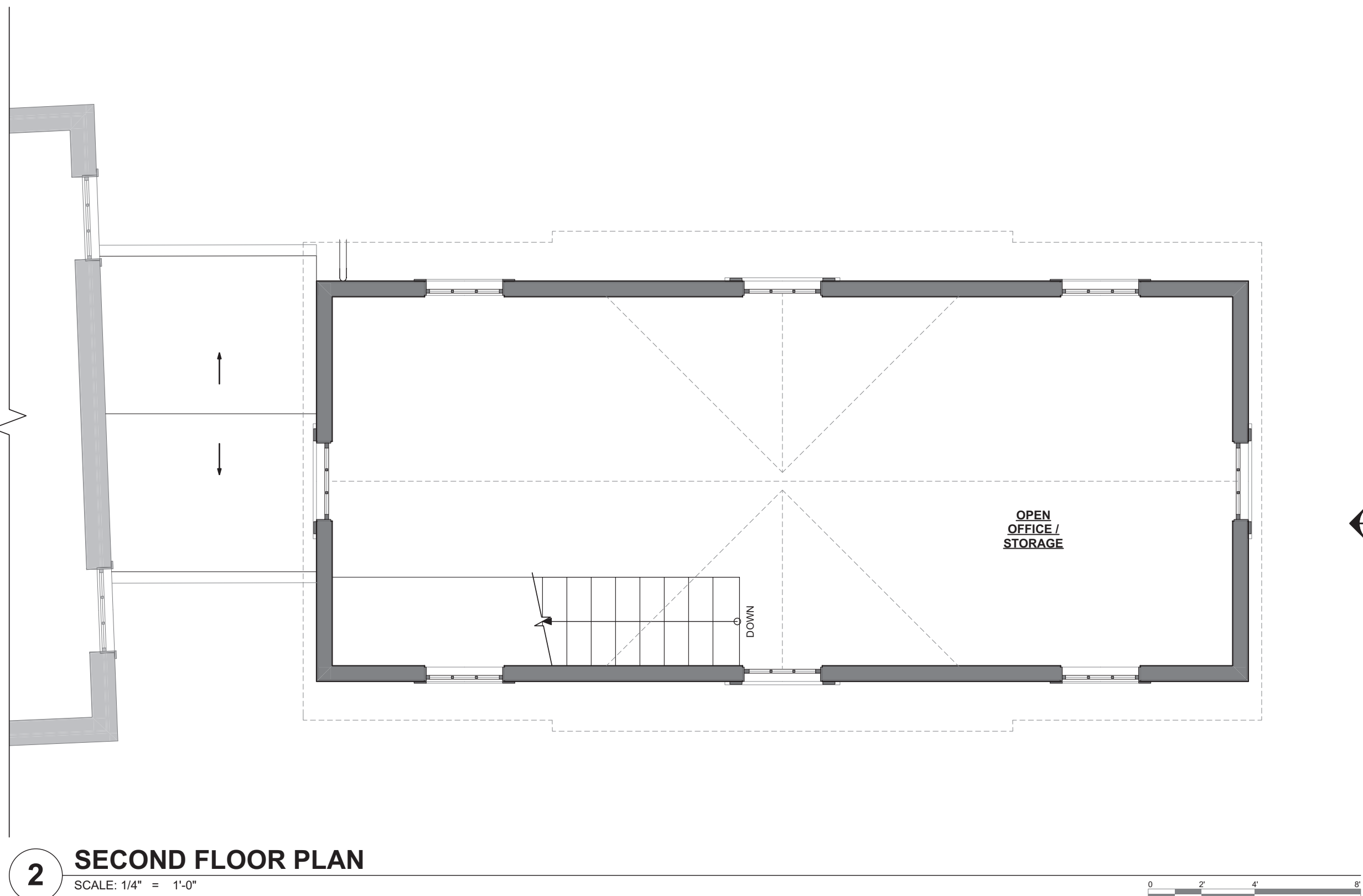
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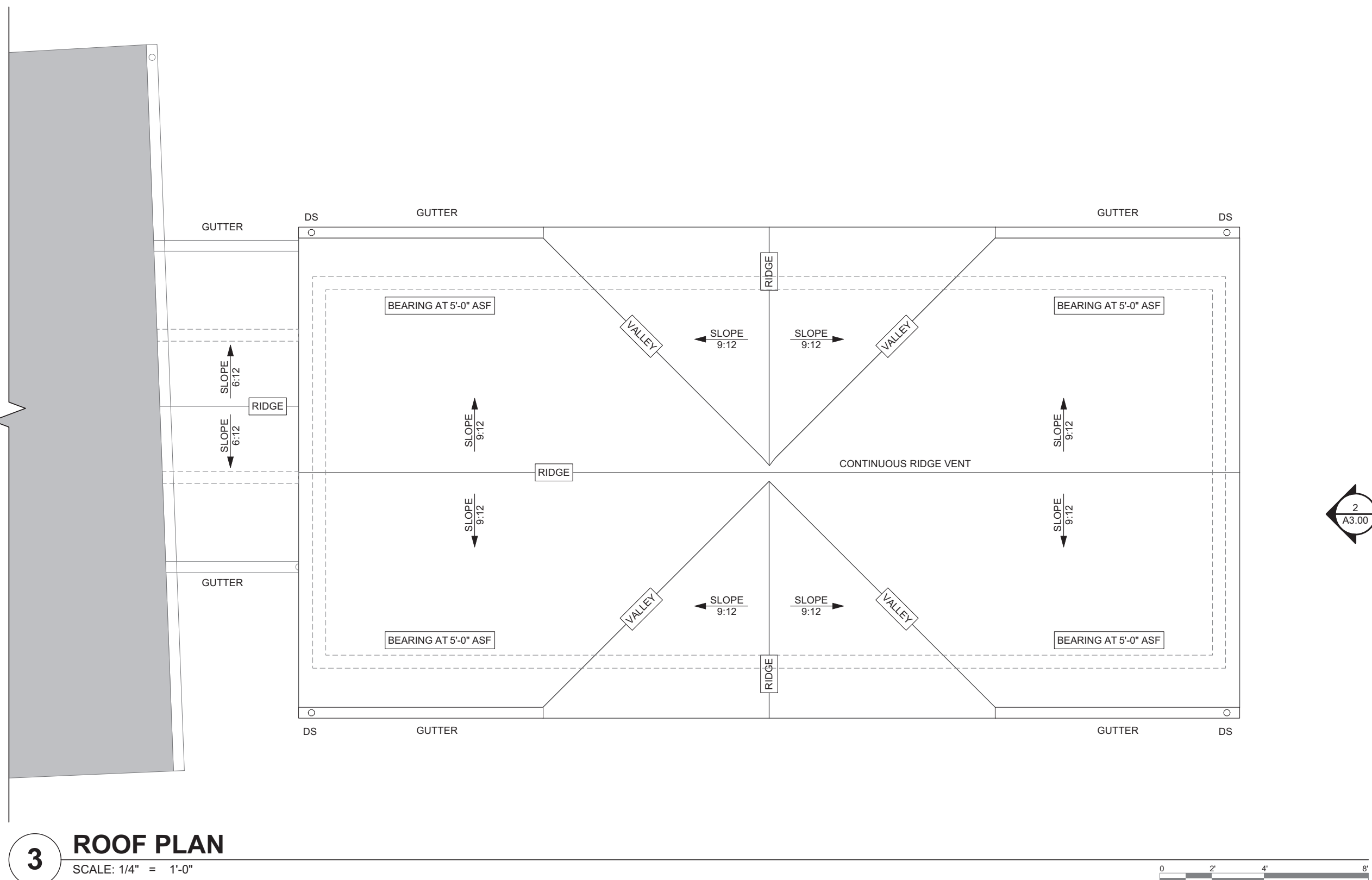
(2) 10" LVL W10 x 17



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



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



3 ROOF PLAN
SCALE: 1/4" = 1'-0"

MATERIAL SCHEDULE

ALL MATERIAL ASSEMBLIES LISTED BELOW TO OCCUR OVER THE FOLLOWING UNLESS NOTED OTHERWISE:

Q/ WEATHER BARRIER
Q/ 7/16" EXTERIOR GRADE OSB SHEATHING
Q/ 2X STUDS

STONE VENEER: (S-1)
STONE SILL

SIDING: (S-1)
HORIZONTAL SIDING

SIDING: (S-2)
4" BRICK VENEER W/ MASONRY TIES

ASPHALT SHINGLE ROOF: (R-1)
30 YEAR ARCHITECTURAL SHINGLE
Q/ MANUFACTURER'S RECOMMENDED UNDERLAYMENT
Q/ 1/2"X2" APA RATED EXTERIOR GRADE SHEATHING. ICE GUARD SHOULD BE INSTALLED AT ALL EAVES AND VALLEYS, UP 72" AND WRAPPED OVER THE FACE OF ALL PARADES.

GUTTERS
6" HALF ROUND W/ ROUND DOWNSPOUTS

EXTERIOR ELEVATION GENERAL NOTES

ROOF SOFFITS TO BE AC PLYWOOD WITH A CONTINUOUS LINEAR VENT UNLESS NOTED OTHERWISE.

ALL FIBER CEMENT EXTERIOR TRIM TO BE AZEK OR BORAL, PAINTED, OR APPROVED EQUAL.

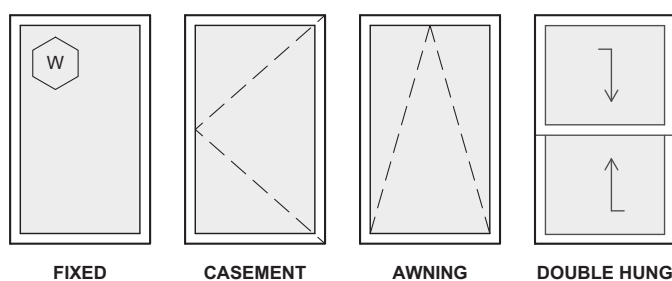
ALL EXPOSED WOOD ELEMENTS AND TONGUE AND GROOVE CEILINGS IS TO BE DOUG FIR, STAINED AND SEALED. COORDINATE FINAL COLOR WITH ARCHITECT AND OWNER.

ALL ROOF PENETRATIONS TO BE COORDINATED WITH ARCHITECT PRIOR TO INSTALLATION TO ENSURE AESTHETIC EXPECTATIONS ARE MAINTAINED.

GUTTER PROFILES SHALL BE SUBMITTED FOR APPROVAL PRIOR TO ORDERING.

SAFETY GLAZING TO BE IN ACCORDANCE WITH THE 2019 RESIDENTIAL CODE OF OHIO (SECTION R308)

WINDOW LEGEND



BASIS OF DESIGN:

ALL WINDOWS ARE TO BE PELLA RESERVE - TRADITIONAL DOUBLE HUNG - OR APPROVED EQUAL.

WINDOW HEAD GIVEN ABOVE FIRST AND SECOND FLOOR, CONFIRM WINDOW QUANTITIES WITH ELEVATIONS.

** WINDOW COUNT PROVIDED FOR GENERAL REFERENCE AND VERIFICATION ONLY. CONTRACTOR TO VERIFY TOTAL NUMBER OF WINDOWS WITH DOCUMENTS.



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



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



3 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"