



# City of Hudson, Ohio

## Meeting Minutes - Draft 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*

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Thursday, July 17, 2025

7:30 PM

Town Hall  
27 East Main Street

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### **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 recognized: Ms. Lauren Coffman, Associate Planner; and Mr. Seth Marcum, Associate acting on behalf of Marshal Pitchford.

### **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**

There were no minutes to approve.

### **VI. Public Hearings - New Business**

[BZBA 25-638](#) The subject of this hearing includes the following requests:

- 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.**

**2. A variance of three (3) feet from the maximum accessory structure height of eighteen (18) feet resulting in an accessory structure height of twenty-one (21) feet in order to accommodate a second floor accessory dwelling unit pursuant to Section 1206.03(d)(7), “Accessory Use Development and Operational Standards - Height” 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 describing the property, the location, the project, the applicable LDCs, and the staff comments.

The Board entered an approximately 14-minute executive session to clarify a procedural issue.

Chair Wagner explained that the applicant is responsible to present a compelling reason a variance should be granted, and prove each element of the case. Chair Wagner also explained the Board agrees the applicant, through the application process, has given little leeway to grant the requested variance. For the following two reasons:

1. No unusual or special circumstances were given for the request to be granted. This conflicts with the LDC, which requires exceptional or unusual conditions to exist for a variance to be granted.
2. No practical difficulties were provided by the applicant for granting a variance, while the BZBA is given 7 factors to consider prior to granting a variance.

Mr. Creg Chaplin, applicant, and Mr. Michael Flynn, were present for the meeting. Mr. Chaplin noted the desire to use the existing structure with modifications to improve its function.

The Board, applicant, and staff, discussed if there are any special circumstances with this property as compared to the surrounding properties. Mr. Chaplin stated that to place a structure elsewhere on the property would be more environmentally intrusive than modifying the existing building. The applicant also discussed the property lines and setbacks. The Board and applicant discussed the practical difficulties of enlarging the existing structure - on the ground level and noted that building a second story on the existing garage would bring a similar element to the house which has 2 levels.

The Board and applicant discussed possibly continuing the application to provide more complete answers and give the applicant an opportunity reread the LDC code to help form the answers to why a variance should be granted, keeping in mind the comparisons to other properties in the area.

The applicant requested that the application be continued.

**A motion was made by Mr. Kahrl, seconded by Mr. Scott, that this Variance application be continued. The motion carried by the following vote:**

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

**[BZBA 25-737](#) The subject of this hearing is 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.**

The applicant is Eric Dalpiaz, 6677 Frank Ave NW, North Canton, OH 44720. The property owner is Christ Community Chapel, 750 W Streetsboro St, Hudson, Ohio 44236 for the property at 750 W Streetsboro St in District 3 [Outer Village Residential Neighborhood] within the City of Hudson.

**Attachments:** [750 W. Streetsboro St - BZBA Staff Report](#)

Ms. Coffman introduced the application by describing the property, the project, the applicable LDCs, and the staff comments and considerations.

Mr. Jimmy Kozy, Christ Community Chapel, (CCC), stated the purpose for requesting the variance is driven by a desire to serve the community. Currently a playground and field exist that serve the church and community, and that the church building is left open for the use of anyone using the playground. This restroom will allow the current building to be locked for security purpose, while still providing for the community. Mr. Kozy also noted that the restroom will allow better access than having to enter the church building.

Mr. Eric Dalpiaz, Sol Harris Day Architecture, noted the practical difficulty with the roads on two sides of the building and the corner lot, the setbacks of 362 feet from Terex Road, 439 feet from Streetsboro Road, and 776 feet from the residential area. Mr. Delphai also noted the Conditional Use permit requires additional screening, which will limit the visibility of the building from the surrounding road and that it will look like part of the existing structure from the road.

The Board, applicant, and staff discussed: The location of the front, side and back yards, and noted that if the restroom is to be placed in the backyard, it will need to be in the rear portion of the parking lot. The Board also discussed the 4 to 5 foot high mounding, the grade changes on the property, the types of landscaping, CCCs desire not to have children crossing the parking lot to use the restroom, that the hours of the park will be similar to other Hudson parks, i.e., dawn to dusk, that after 4:30 p.m. there are less staff members in the building to provide security, and that the restrooms will be ADA compliant.

**Mr. Kahrl made a motion, seconded by Mr. Jones, based on the evidence presented to the Board at Town Hall, 27 East Main Street, Hudson, Ohio, 44236 at 7:30 p.m., on Thursday, July 17, 2025, that the Board of Zoning and Building Appeals grant the following:**

**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.**

**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, the Board of Zoning and Building Appeals grants the variance.**

**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 a 100% deviation from the Land Development Code requirement. However, the Board finds that the requested placement of the outdoor restroom facility is the most functional and reasonable placement of the structure on the property.

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 acknowledges that the structure would have substantial setbacks from the adjacent arterial roads and surrounding residential uses.

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 1997.

6. The applicant's predicament can not be resolved feasibly through some method other than granting the variance. The Board notes that the proposed placement of the outdoor restroom facility is the most practical placement on the lot.

7. The spirit and intent behind the zoning requirement would not be observed and substantial justice would not be done by granting the variance.

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

## VII. Other Business

Chair Wagner announced that Ms. Coffman will be moving to be the staff serving the AHBR.

## VIII. Adjournment

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

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Lou Wagner, Chair

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Lydia Brinsein, Vice Chair

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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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