

**CITY OF HURON**  
**BOARD OF BUILDING AND ZONING APPEALS**  
June 14, 2021 Regular Meeting – 6:30p.m.

Chairman Frank Kath called the regular meeting to order at 6:30 p.m. on Monday June 14, 2021, in the Council Chambers of the City Building, 417 Main Street Huron, Ohio. Members in attendance: JoAnne Boston, Lisa Brady, Jenine von Krumreig. Members absent: Jim Shaffer

Also in attendance: Mike Spafford, Assistant to the City Manager and Christine Gibboney, Administrative Assistant.

**Adoption of Minutes:** (5-10-21)

Motion by Ms. Boston to approve the minutes of May 10, 2021 as presented. Motion seconded by Ms. Brady. All in favor, motion passes and minutes approved.

**Verification of Required Notice Period**

In response to a question by Mr. Kath, Mr. Spafford confirmed that notices were mailed to all affected property owners within 100' of the property appearing on the agenda on June 7, 2021.

Mr. Kath reviewed the meeting format and protocol and asked all in attendance to turn off cell phones.

**Swearing In:** Mr. Kath swore in those in attendance wishing to testify before the Board on the case appearing on the agenda

**New Business**

**1248-Wheeler Drive. Parcel # 42-00923.000 Expansion of a pre-existing, non-conforming accessory structure located in the front yard.**

***Project description from staff summary:***

*The applicant is proposing an expansion of a pre-existing non-conforming accessory structure located in the front yard. Because the structure is nonconforming to existing zoning code regulations, any enlargement, extension, reconstruction, or alterations are prohibited per Section 1121.07(b) of the Zoning Ordinance. Variances required:*

- Use variance for pre-existing non-conforming accessory structure in the front yard*
- Front setback variance (0 ft existing; required 30 ft for R-1 Zone; required 60 ft front setback for a detached accessory structure)*

Mr. Kath called the public hearing to order at 6:32pm. Mr. Spafford reviewed the application and variances required for the proposed expansion of a pre-existing, non-conforming garage.

**Applicant/Owner Statements**

Mr. Dan Frederick, Architect on the design referenced the garage was built in the late 1950's, early 1960's and noted that vehicles are larger now and also referenced the need for storage of lawn

equipment. He pointed out that this is a waterfront parcel and many times considered the front yard being the water side. He commented that there would be no impact to neighbors as proposed. Mr. Kath inquired if any statements from neighbors were received. Mr. Spafford and Ms. Gibboney noted that no statements were received.

Mr. Fred Fox 1246-Wheeler Drive spoke in support of the proposed expansion. Members reviewed the proposed location and setbacks. With no further questions or comments, Mr. Kath closed the public hearing at 6:38p.m.

**Motion by Ms. Brady to approve the use variance as submitted. Motion seconded by Ms. Boston. Roll call on the motion:**

Yeas: Boston, Kath, Brady, von Krumreig (4)

Nays: (0)

With three or more votes in the affirmative, the motion passes, and use variance for a pre-existing, non-confirming accessory structure in the front yard approved as submitted.

**Motion by Ms. Brady to approve the 0' front yard setback variance as submitted. Motion seconded by Ms. Boston. Roll call on the motion:**

Yeas: Boston, Kath, Brady, von Krumreig (4)

Nays: (0)

With three or more votes in the affirmative, the motion passes, 0' front yard setback variance approved as submitted.

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#### **2455 Sawmill Parkway - Stride Mobility - 42-02043.002 Commercial Signage**

***Project description from staff summary:***

*The applicant is requesting four variances for ground signage to be constructed on site along Route 2.*

*As proposed, the four variances for your consideration at this meeting will be:*

- *173 sf size variance for a single use sign (Maximum 80 sf per 1129.10(f) in the Sign Regulations)*
- *10 ft height variance (Maximum height 20 ft per Schedule 1129.10(f) in the Sign Regulations)*
- *10 ft Route 2 ROW setback variance (Minimum 20 ft – 8 ft. per Schedule 1129.05(d) in the Sign Regulations)*
- *Use variance for moving/scrolling lit message board (Prohibited under Section 1129.10(i))*

Chairman Kath recused himself due to a conflict and exited the room at 6:39pm. Ms. Boston acted as Chair and called the public hearing to order at 6:40pm.

Mr. Spafford reviewing the application and referenced the staff summary and code pertaining to signage in the Route 2 corridor. He noted that as proposed the sign will require four (4) variances

and recapped each with respect to the applicable code. Mr. Spafford referenced additional materials which were provided by the applicant and distributed to members via email.

**Applicant/Owner Statements**

Property owner, Mark Schnieders: Mr. Schnieders commented on the importance of the visibility of the signage and noted the sign would most likely be changed monthly to advertise. He stated the sign was modeled after the one on Route 101 for the North Coast Cancer Center. He also referenced the donation of advertising time he would offer to the city or others with regard to messaging on the sign. Ms. von Krumreig inquired as to constant scrolling or changing of the sign. Mr. Schnieders noted they can be flexible with regard to controlling this. Ms. von Krumreig noted she would have a problem with a sign scrolling/changing on the highway. Ms. Brady asked Mr. Schnieders if he had an agreement with the city regarding usage of the sign. Mr. Schnieders replied that he did not.

Ryan Brady of Brady Signs noted the sign is customizable and each new frame just appears, it does not scroll. He explained that generally signage would change every 15 to 30 seconds, but noted this can be programmed as desired. In response to a question by Ms. Brady, it was noted there is not another sign of this type currently in Huron. Ms. von Krumreig commented that in her opinion this is an exceptional area and that the need for a larger size would be understandable and therefore she would support the size of the sign but noted her concern with the message changes. Ms. Brady inquired about any ODOT regulations relative to the changing of the sign. Mr. Brady said that ODOT allows message changes every 8 seconds. Members discussed the possibility of including a condition as to limit the changing of the messages. Ms. Brady asked if the owner plans to sell advertising time on the sign. Mr. Schnieders replied he is not. Mr. Spafford referenced ODOT signage requirements and Mr. Brady replied the signage is in compliance with ODOT regulations.

With no further questions or discussion, Ms. Boston closed the public hearing at 6:52p.m.

**Motion by Ms. von Krumreig to approve the 173sf size variance as submitted. Motion seconded by Ms. Brady. Roll call on the motion:**

Yeas: Boston, Brady, von Krumreig (3)

Nays: (0)

With three or more votes in the affirmative, the motion passes, and the 173sf size variance approved as submitted.

**Motion by Ms. Brady to approve the 10ft height variance as submitted. Motion seconded by Ms. von Krumreig. Roll call on the motion:**

Yeas: Boston, Brady, von Krumreig (3)

Nays: (0)

With three or more votes in the affirmative, the motion passes, and 10ft height variance approved as submitted.

**Motion by Ms. von Krumreig to approve the 10ft right-of-way setback variance as submitted. Motion seconded by Ms. Brady. Roll call on the motion:**

Yeas: Boston, Brady, von Krumreig (3)

Nays: (0)

With three or more votes in the affirmative, the motion passes, and the 10ft right-of-way setback variance approved as submitted.

**Motion by Ms. Brady to approve the use variance for moving/scrolling lit message board with the condition that the message not change more than x1 per 30 seconds. Motion seconded by Ms. von Krumreig.** Ms. Boston noted she was struggling with the signage messaging and the potential precedent this may set along Route 2. **Roll call on the motion:**

Yeas: Boston, Brady, von Krumreig (3)

Nays: (0)

With three or more votes in the affirmative, the motion passes, and the use variance for the moving/scrolling lit message board approved with the specified condition that the message not change more than 1 time per every 30 seconds.

Mr. Kath returned to the meeting at 6:57 p.m.

### Staff Report

Mr. Spafford provided the board an update on recent discussions at the Planning Commission level relative to amendments to the code to address pre-existing, non-conforming residential areas in the city.

In response to a question by Ms. Boston relative to the former ConAgra property, Mr. Spafford referenced the RFQ/RFP that is currently being advertised.

With no further business, motion by Ms. Brady to adjourn. Motion seconded by Ms. von Krumreig. All in favor, meeting adjourned at 7:01p.m.

  
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Jim Shaffer

Board of Building and Zoning Appeals Secretary

ADOPTED: July 12, 2021

JS/cm