

**CITY OF HURON**  
**BOARD OF BUILDING AND ZONING APPEALS**  
November 8, 2021 Regular Meeting – 6:30p.m.

Chairman Frank Kath called the regular meeting to order at 6:30 p.m. on Monday November 8, 2021, in the Council Chambers of the City Building, 417 Main Street Huron, Ohio. Members in attendance: JoAnn Boston, Jenine von Krumreig, Lisa Brady and Jim Shaffer.

Also in attendance: Erik Engle, Planning & Zoning Manager and Christine Gibboney, Zoning Administrative Assistant.

**Approval of Minutes (10-11-21)**

Motion by Ms. von Krumreig to approve the minutes of 10-11-21 as printed and received. 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. Engle confirmed that notices were mailed to all affected property owners within 100' of the properties appearing on the agenda on November 1, 2021 and confirmed that no responses/comments were received by staff.

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

Mr. Kath reviewed the format of the meeting with those in attendance and asked that cell phones be turned off.

**New Business**

**1007 Beachside Lane, Parcel 42-00043.000- Rear Yard Setback Variance for a deck.**

*Project description from summary: Applicant has submitted an application for a rear yard attached deck. As proposed, the deck has a setback of 21'-4" (30' rear yard setback is required for R-1) which would require a rear yard setback variance of 8'-6".*

**Mr. Kath called the public hearing to order at 6:31pm.** Mr. Engle reviewed the application for the proposed rear yard attached deck with a setback of 21'-4". He noted the home currently has a setback of 37'-4" which would allow for a 7' deck. Mr. Engle referenced the home a couple doors down that recently received a variance for a rear yard deck as well. Mr. Kath inquired if the code had any regulations reading the average of the rear yards similar to the code that applies to front yard setbacks. Mr. Engle noted that there was not such a code.

**Applicant/Owner Statements**

Kory Kuhl, Edgewater Construction. Mr. Kuhl referenced photos of neighboring yards that he had provided and stated that the proposed deck will not be as far out as the neighbor who had recently received a variance. He explained the owners of the property do not feel a 7' wide deck would satisfy their needs. He reviewed the dimensions of the proposed deck 16' wide on the section out and another section that will be 10'. Ms. von Krumreig referenced the case of the neighbor's deck and noted that many homes in the area have similar features with lakeside homes. **With no further discussion, Mr. Kath closed the public hearing at 6:37pm.**

**Motion by Ms. von Krumreig to approve the rear yard setback variance with the correction that it would be an 8'-8" variance, not the 8'-6" variance as submitted. Motion seconded by Ms. Boston. Roll call on the motion:**

**Yeas: Shaffer, Boston, Kath, Brady, von Krumreig (5)**

**Nays: (0)**

**Abstain: (0)**

With three or more votes in the affirmative, the motion passes and rear yard setback variance of 8'-8" approved.

-----

**923 Superior Drive, Parcel 42-00791.000- Side Yard Setback Variance for an attached garage.**

*Project description from summary: Applicant is proposing to demolish an existing attached garage (14' x 23') and replace it with a 24' x 40' attached 2-story garage. The current garage sits on the property line (0 side yard setback). The new garage would be 4' off the property line (total proposed setback is 16'); in line with the existing second garage and house, but would still require a side yard variance (required side setback 20' total, 8' minimum).*

**Mr. Kath called the public hearing to order at 6:38pm.** Mr. Engle reviewed the application for the proposed demolition of the existing garage and replacement construction. He noted the home pre-dates the zoning code and referenced the current side yard setback of the garage is 0. He explained that the proposed replacement construction will have the garage at a 4' side yard setback, therefore a 4' side yard setback variance will be required. Mr. Engle noted that pursuant to 1137.03 -Yard Modifications, the average of the two neighboring property front yard setbacks were factored in and therefore there was not a need for a front yard setback variance. Ms. von Krumreig noted the proposed garage placement would give the neighbor more room and is an improvement to the home. Members discussed similar garages on the street. In response to a question by Mr. Kath, Mr. Engle confirmed that no statements from neighbors were received by staff.

**Applicant/Owner Statements**

Brandon Risner, 923 Superior Drive. In response to a question by Mr. Kath about the distance of the neighbor's home to the property line, Mr. Risner replied that you can barely walk between his garage and their house currently. Members discussed how this is a safety issue and noted that this is common on the street as most homes were small cottages and predate the zoning code.

**With no further discussion, Mr. Kath closed the public hearing at 6:43p.m.**

**Motion by Ms. Brady to approve the 4' side yard setback variance as submitted. Motion seconded by Mr. Shaffer. Roll call on the motion:**

**Yeas: Shaffer, Boston, Kath, Brady, von Krumreig (5)**

**Nays: (0)**


**Abstain: (0)**

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

**Staff Report**

Mr. Kath inquired if there was any information on a training date. Mr. Engle replied that he had not heard back from legal at this time.

With no further business, motion by Ms. von Krumreig to adjourn. Motion seconded by Ms. Boston. All in favor, meeting adjourned at 6:44pm

  
\_\_\_\_\_  
Jim Shaffer  
Board of Building and Zoning Appeals Secretary

ADOPTED: 12/13/21

JS/cmg