

**CITY OF HURON**  
**BOARD OF BUILDING AND ZONING APPEALS**  
April 12, 2021 Regular Meeting – 6:30p.m.

Chairman Frank Kath called the regular meeting to order at 6:30 p.m. on Monday, April 12 2021, in the Council Chambers of the City Building, 417 Main Street Huron, Ohio. Members in attendance: JoAnne Boston, Lisa Brady, and 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:** (3-8-21)

Motion by Ms. Brady to approve the minutes of March 8, 2021 as presented. Motion seconded by Ms. Boston. All in favor, motion passes and minutes approved.

**Verification of Required Notice Period**

In response to a question by Mr. Kath, Ms. Gibboney confirmed that notices were mailed to all affected property owners within 100' of the property appearing on the agenda on 4-5-21.

**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 and asked that those in attendance turn off cell phones.

**New Business**

**319 Wyandot Place - Parcel # 48-00288.000: Front, Rear and Side Yard Variances for the addition of an attached garage to an existing non-conforming home.**

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

*This case was heard at the March 18, 2021 meeting; a total of five (5) variances were considered; two were granted, and three relating specifically to the garage failed to get the required three affirmative votes for approval.*

*The applicant has revised their site plan reducing the size of the garage from the original 12' in width to 10' in width, thereby increasing the proposed rear yard setback to 3'-3" and requiring a variance of 26'-7". The remaining front and side setback variances for the proposed garage remain unchanged.*

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

- *Front-yard setback variance on Delaware of 15' for the garage*
- *Rear-yard setback variance (area to the west of the home) of 26'-7" for the garage.*
- *Side-yard setback variance (area north of the home to the P/L) of 3'6" for the garage.*

Mr. Spafford recapped the deliberations of the 3-18-21 meeting, noting that the variance requests relative to the proposed garage addition were denied at that time. He referenced the plans for the garage have been revised from a 12' wide garage to a 10' wide garage, reducing the variance needed.

## **Applicant/Owner Statements**

Bob Howell, Architect representing the property owner. Mr. Howell noted and reviewed the proposed changes to the plans, the plans being supported by the Huron Fire Department relative to clearance, and the continued support of the neighbors who had provided statements at the last meeting. He noted the hardship relative to the narrow lot and also commented on the current code with regard to requirements of having a garage.

Mr. Kath referenced the property was unique in that it is a corner lot, but noted it is not unique in size with regard to others in the neighborhood. He expressed his concerns with the structure being so close to the property line and referenced the zoning was in place when the property was purchased. Ms. Brady inquired about the possibility of shifting the garage, a brief discussion ensued with Mr. Howell who noted the garage is right up to the house as proposed. Mr. Howell advised that the Planning Commission will be looking into discussions relative to amendments to the code with respect these pre-existing, non-conforming lots.

Mark Savino, property owner. Mr. Savino noted that he and his wife bought the home over 2 years ago and commented that with their primary home in Columbus, the small size of the lot was easier to maintain at the time, but they are now spending more time here and contemplate even more with their growing/extended family. He commented that they would prefer to have vehicles, bikes, etc. in an enclosed area to have the vehicles off the street and other items out of view. A brief discussion initiated by Mr. Kath relative to the option of a larger shed instead of the garage ensued. Mr. Howell and Mr. Savino noted the setbacks would still limit the size. Mr. Savino referenced the support of the variance by the neighbors and the value of the proposed addition to them personally and also to the neighborhood in general. Ms. von Krumreig noted there has not been a hardship referenced. Mr. Savino inquired as to what a hardship would be. It was noted the definitions are included on the application. Mr. Spafford read the factors from the application. Mr. Savino noted some of the factors do apply.

Ms. Boston referenced the one difference in the lot is that it is on a corner. She also noted that the applicant has revised the proposed plans to reduce the variance needed, and referenced that garages are required by the code now. She acknowledged the variance request is substantial, but also noted the corner lot circumstance. Mr. Savino noted he believes it would be beneficial to the neighborhood referencing cars being in the garage versus on the street.

With no further questions/discussion, Mr. Kath closed the public hearing at 6:46p.m. A brief discussion relative to the need to consider each variance request separately ensued. It was noted that all variances relate to the garage and are dependent on each other, therefore, recommended that one motion be made.

**Motion by Ms. Boston to approve the three variance requests (15' front yard setback on Delaware, 26'-7" west side rear yard setback, and 3'-6" north side yard setback variance) as submitted and referenced on the summary. Motion seconded by Ms. Brady. Roll call on the motion:**

Yeas: Boston, Brady, Kath (3)

Nays: von Krumreig (1)

With three or more votes in the affirmative, the motion passes, and three variances for the proposed garage approved as submitted. Mr. Kath referenced his decision related to this being a corner lot.


Ms. Boston thanked the applicant for investing in the community and in taking the board suggestion to reduce the variance request. A brief discussion ensued regarding code amendments and Planning Commission and BZA roles/application. Mr. Spafford noted that decisions by the BZA to an application do not set policy or precedence as each case is decided separately. Brief discussion ensued as members commented about difficulty with regard to denying a request when in other cases something was approved. Mr. Howell commented on the impact of the neighbor support making a difference in each case as well.

**Staff Report**

Mr. Spafford referenced that the new Planning and Zoning Manager, Erik Engle would begin employment on 4-19-21 and provided brief background information.

Mr. Spafford noted that discussion into amendments to the code relative to pre-existing, non-conforming areas will continue and that the BZA will be looped into these discussions.

With no further business, motion by Ms. Boston to adjourn. Motion seconded by Ms. Brady. All in favor, meeting adjourned at 6:55p.m.

  
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Jim Shaffer  
Board of Building and Zoning Appeals Secretary

ADOPTED: May 10, 2021

JS/cmg