

CITY OF HURON
BOARD OF BUILDING AND ZONING APPEALS
January 10, 2022 Regular Meeting – 6:30p.m.

Chairman Frank Kath called the regular meeting to order at 6:30 p.m. on Monday January 10, 2022, in the Council Chambers of the City Building, 417 Main Street Huron, Ohio. Members in attendance: JoAnn Boston, Jim Shaffer and Lisa Brady. Note: Ms. von Krumreig's term expired December 2021; at the time of this meeting appointments had not been made to Boards/Commissions.

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

There were no minutes available for approval.

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 as required. Mr. Kath reviewed the meeting format.

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

New Business

Zoning: B-3, Parcel# 42-00510.000, 902 Taylor Ave. 20' setback variance.

Project description from summary: The buildings located on the parcel are pre-existing/non-conforming, therefore the proposed rebuild of one of the existing buildings, even though within the same footprint, would require approval by the BZA as they are not in compliance with the following section:

Section 1125.03 (a) (5): Automotive and marine service establishments for automobiles, trucks, trailers, farm implements and pleasure boats, for sale, display, hire or repair, including sales lots, used car lots, trailer lots, commercial moorages and boat rental establishments, uncovered and covered moorage for commercial boats; major automotive repair garages, body and fender shops, paint shops, but not within fifty feet of any R District; automatic car wash establishments 100 feet from any R District.

The proposal calls for constructing a new building on the same footprint as an existing structure on the south side of the property. The structure as it is situated now is roughly 30 ft. from the property line. Side yard setbacks have been met (10 ft.) other than the 50 ft. buffer for the use proposed, which is for a boat repair facility adjacent to Residential Districts. The existing front setback is pre-existing non-conforming and is not under consideration. Based on the elevations proposed, the height appears to be no more than 25-30 ft., which meets the 40 ft. max height requirement.

The following variance is being requested: 20 ft. setback variance to allow for a boat repair facility to occupy an existing building footprint

Mr. Kath called the public hearing to order at 6:31pm. Mr. Engle reviewed the application, referencing the existing three buildings on the site. He explained the applicant is proposing to rebuild the southern most building on the same foundation/footprint as the existing, however, as existing the building is nonconforming as the code specifies a 50' buffer from a residential district. He noted this is an area variance and members should apply the area variance criteria. He referred to 1125.03 noting the code requires BZA approval due to the pre-existing, nonconforming use. He referenced the at the side setbacks are compliant, the front setback is not under consideration and the proposed height is under the max allowed. He also noted that a portion of the parcel is in the flood plain so it would be difficult to relocate the building due to the flood plain. He noted as proposed, a 20ft setback variance would be required.

Applicant/Owner Statements

John Reyes, of Star Builders, representing the owner, Crestview Holdings addressed the board. Mr. Kath inquired as to the use of air compressors or power tools in the building. Mr. Reyes noted that hull and interior work on boats will be performed in the building and there may be some use of these, but they will be rebuilding the structure with more insulation. He added that they anticipate only 1-2 employees working in the building. Mr. Engle noted that pending the BZA decision this evening, the site plan and design applications would go to the Planning Commission/DRB for approval and noted that they can also require a landscape buffer if desired to mitigate noise. Ms. Boston asked if any responses were received from the public. Mr. Reyes and Mr. Engle replied there were none. No other audience members provided testimony. With no further discussion, Mr. Kath closed the public hearing at 6:37pm.

Motion by Ms. Brady to approve the 20' setback variance as submitted. Motion seconded by Ms. Boston. Roll call on the motion:

Yeas: Shaffer, Boston, Kath, Brady (4)

Nays: (0)

Abstain: (0)

With three or more votes in the affirmative, the motion passes and 20' setback variance approved as submitted.

Zoning R1-A- Parcel#43-0024.000, 2004 Shore Drive- Side & Rear Setback and distance from accessory structure variances.

Project description from summary: As proposed, the home and the detached garage are pre-existing/non-conforming to the code with regard to side and rear setbacks and the distance between the garage and the home. As proposed the following variances are required:

- 1'-0" side yard variance; least width should be a minimum of 7', where a 6' exists (Section 1123.02)
- 3'-0" rear yard variance; minimum 15', where the proposal will call for a 12' (Section 1123.02)
- 2'-4" setback variance between the existing accessory structure; where a 3'-8" space is proposed based on the existing footprint and 6' is required (Section121.06(g))

Mr. Kath called the public hearing to order at 6:38pm. Mr. Engle reviewed the application for the demolition and rebuild of a 15' x21' rear addition on the existing foundation. He noted the

home is pre-existing, nonconforming. He reviewed the required setbacks for the R-1A zoning and the current/proposed setbacks for the rebuild. A brief discussion regarding the code enforcement issues on the case ensued.

Applicant/Owner Statements

Tim Johnson, 2004 Shore Drive. Mr. Johnson explained he is trying to rebuild this room after water damage. He noted he has owned the home since 1999 and the home needs several repairs. He confirmed the room addition will be rebuilt on the same footprint as existing. Ms. Boston inquired as to any public responses. Mr. Engle noted no responses were received. Mr. Johnson noted that Mr. Zimmerman did come out to the property to make sure the home was secure. No other audience members provided testimony. With no further discussion, Mr. Kath closed the public hearing at 6:44pm.

Motion by Ms. Boston to approve the following variances as submitted: 1'-0" side yard variance, 3'-0" rear yard variance, 2'-4" setback variance between the existing accessory structure. Motion seconded by Mr. Shaffer. Roll call on the motion:

**Yeas: Shaffer, Boston, Kath, Brady (4)
Nays: (0)
Abstain: (0)**

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


Staff Report

Mr. Engle referenced ongoing coordination with legal to schedule the training for members. He referenced an email that will go out to invite members to submit topics/questions that members would like to have included in the training

Ms. Boston inquired if it is possible to reduce the printing of case file documents such as photos and renderings. In the packets. Members discussed the electronic agenda packet and it was noted that members are welcome to bring their own laptops to meetings rather than having printed packets. Some members noted they prefer paper copies.

Mr. Engle noted that applications have been updated and require a deadline of a month in advance which he noted will help with the preparation of staff reports and agenda packets. He also suggested that he would be willing to prepare presentations that could be used during the meeting to pull up each case so members and the audience could follow along rather than printing off hard copies. Members expressed support of this suggestion.

With no further business, motion by Ms. Boston to adjourn. Motion seconded by Mr. Shaffer. All in favor, meeting adjourned at 6:52p.m.



Jim Shaffer
Board of Building and Zoning Appeals Secretary

ADOPTED: 2-14-22
JS/cmg