



City of Huron
Agenda for the Board of Building and Zoning Appeals
Special Meeting
Monday, June 22, 2020 4:00p.m.

- I. Call to Order**
- II. Roll Call**
- III. Adoption of the Minutes N/A**
- IV. Verification of Required Notice Period**

Notices were mailed to all affected property owners (within 100') 6-16-20.
- V. Swearing in of those testifying before the Board**

*When testifying before the board, please step to the podium, sign in, and state your name and address for the record.
- VI. New Business**

Public Hearing: 603 Oneida View. Parcel No: 48-00293.000 - Request for a reduction of the minimum ground floor area requirement for the construction of a 2-story home.
- VII. Executive Session**

Executive session for the purpose of consultation with legal counsel regarding a pending or imminent court action.
- VIII. Adjournment**



TO: Chairman Kath and Board Members
FROM: Doug Green, City Zoning Inspector
RE: 603 Oneida View
DATE: Friday June 19th, 2020

Subject Matter/Background: This applicant is requesting a reduction of the minimum ground floor area requirement for the construction of a 2-story home.

Current Zoning District: R-1 One Family Residential

Parcel No.: 48-00293.000

Project Description: The applicant is requesting a variance for the following:

- Construction of a 2-story home:
 - Variance Request: The applicant is constructing a 2-story home. Section 1121.06(n) requires a minimum ground floor area of 600sf for a 2-story home. This section further states that porches, garages, carports and stairs cannot count towards the minimum required area. The section of the first floor of the proposed home that does not include the garage space or the stairs to the second floor is 430sf. This would require a variance of 170sf to the minimum requirement of 600sf.

Staff Analysis:

The proposed home was reviewed by staff and issued a zoning permit on 3/16/2020. During plan review it was noted that the home meets all applicable setbacks in terms of height and all setbacks. The size of the first floor (900sf) was also noted to satisfy the minimum area requirement of 600sf.

At time of review, staff failed to notice the further requirement in section 1121.06(n) that excludes the garage and stair spaces from the minimum area. During an inspection of the footing work currently under construction, the building official notified staff that the area of the first floor may fall short of this requirement. After a second review of the code and the plans this was confirmed and staff immediately contacted the owner to notify them of the mistake on the part of the zoning official.

The owner and their builder discussed all available options with staff which included the shifting of the wall separating the garage from the living space to get to the 600sf requirement but this is not feasible as the foundations have already been completed at this point and also because the necessary reduction of the garage space in order to meet this requirement would render the garage unusable for car parking. At that point the owner decided, and staff agreed, that the best way forward in this situation would be to apply for a variance to the minimum ground floor area as a special exception.

It should be noted that this discrepancy is the result of a mistake by staff in review and issuance of the zoning permit and the owner and Contractor have looked at all possible modifications to the plans to avoid the need for a variance.

RECEIVED
JUN 16 2020

BY: CMG

CITY OF HURON
417 MAIN STREET, HURON, OH 44839

THE BOARD OF BUILDING AND ZONING APPEALS APPLICATION
Completion of all applicable sections required. Incomplete applications will not be accepted.

We, the undersigned represent that we are the title owners of the following described property situated in the City of Huron, OH:

Applicant's Name Josh Sanicky
Property Owners' Name: Heidi Vaeltner
Address: 6961 Linda Ln
City, State, Zip: Seven Hills OH 44131
Phone Number 216 212 9326

Location of Project:

Lot/Parcel #: 48-00293.000
Address: 603 Onieda View Huron OH Huron, OH 44839.

We further request a Hearing before the Board of Building and Zoning Appeals of the City of Huron, Ohio, on the following question: (state the specific details of the variance being requested)

The first floor finish living area is less than 600 sq ft.

Area/Size Variance Questionnaire

1. The property in question [will will not] yield a reasonable return and there [can cannot] be a beneficial use of the property without the variance because the lot size restricts many house plans & can only accommodate a house of this footprint
2. The variance is [substantial insubstantial] because most of the homes in the neighborhood have smaller footprints
3. The essential character of the neighborhood [would would not] be substantially altered or adjoining properties [would would not] suffer a substantial detriment as a result of the variance because this is a brand new custom home that will compliment the homes in the neighborhood.
4. The variance [would would not] adversely affect the delivery of governmental services, (e.g. water, sewer, garbage).

5. The applicant purchased the property [with/without] knowledge of the zoning restriction.
6. The applicant's predicament feasibly [can/cannot] be resolved through some method other than a variance.
7. The spirit and intent behind the zoning requirement [would/would not] be observed and substantial justice [done/not done] by granting the variance because

This will allow the homeowner to finish building the house that has already started construction & was previously approved

We believe the request should be granted due to the following hardship which is created by the property: (explain the hardship that exists pursuant to the code)

because the code requires the first floor to be 600 sf minimum & this is closer to 500 sf however the city of Huron already approved the plans & we have started construction this would cause extreme hardship because the house would need redesigned & the foundation

CONSENT TO ACCESS PROPERTY I, the undersigned responsible party (owner, is already in. occupant, tenant, or agent for the property owner) of the property described herein, do hereby consent to entry upon said property, at a reasonable time and to the extent necessary, by the City of Huron and its officers, employees, and/or agents for the purpose of inspecting said property for compliance with the City's Zoning and/or Building Codes. I further certify that I have authority to grant access to said property.

Date: 6-16-20 Signed Applicant *[Signature]*

Date: _____ Signed Property Owner _____
(REQUIRED)

ZONING DEPT. USE ONLY

Date received: 6/16/20 Plans attached _____ \$150 filing fee: _____

Comments _____

Hearing Date: _____

Request: Granted as presented Granted with conditions
 Emergency Provision Denied

SKETCH OF HOUSE SITE PLAN

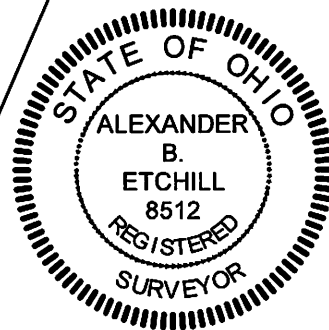
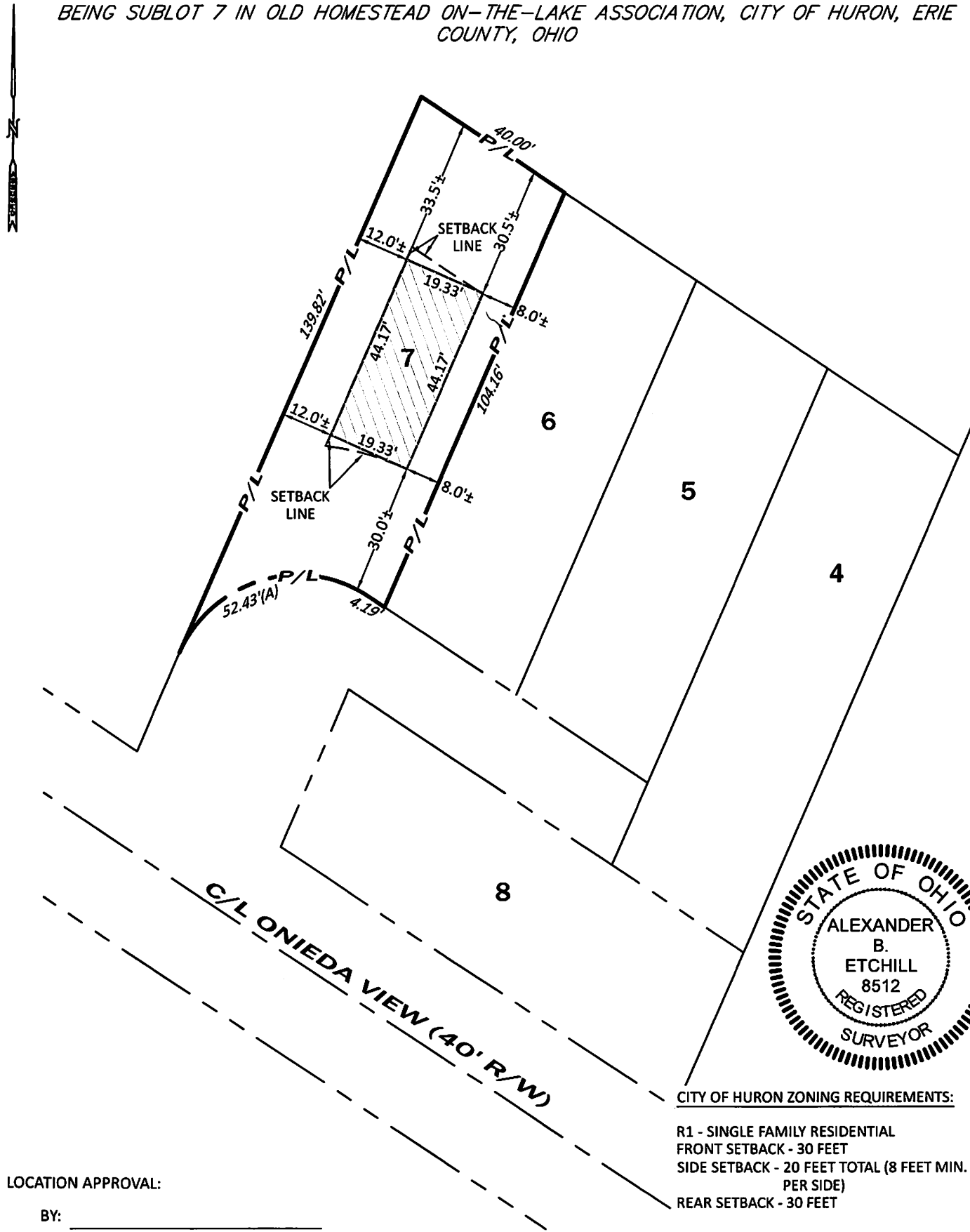
DATE: 05-18-20

SCALE: 1" = 30' 30'

JOB NO. 20-284

ORDER NO.: SAN #5087

BEING SUBLOT 7 IN OLD HOMESTEAD ON-THE-LAKE ASSOCIATION, CITY OF HURON, ERIE COUNTY, OHIO



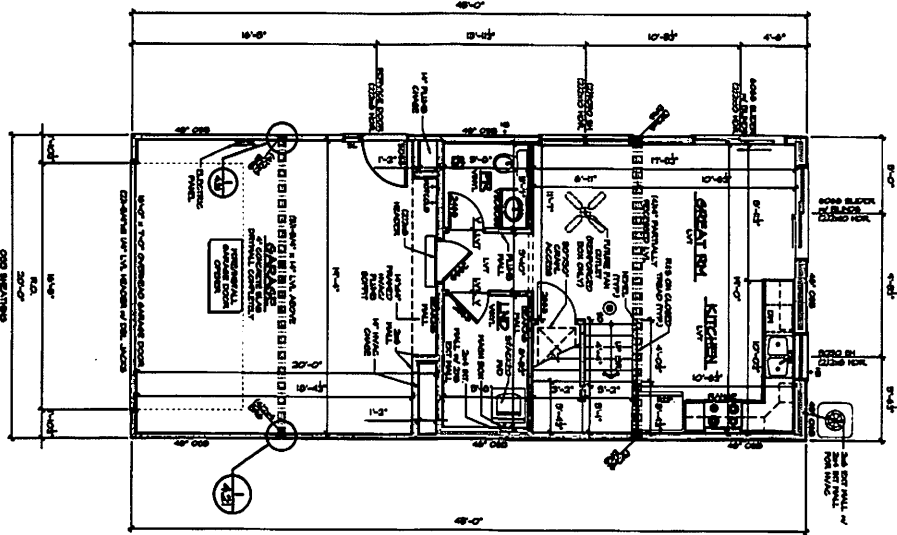
CITY OF HURON ZONING REQUIREMENTS:

- R1 - SINGLE FAMILY RESIDENTIAL
- FRONT SETBACK - 30 FEET
- SIDE SETBACK - 20 FEET TOTAL (8 FEET MIN. PER SIDE)
- REAR SETBACK - 30 FEET

LOCATION APPROVAL:

BY: _____

FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"
SCREEN ELEVATION



CONSTRUCTION NOTES:

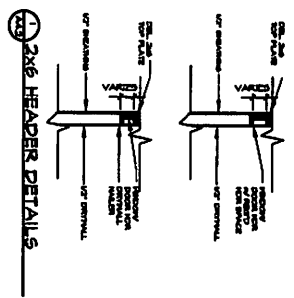
GENERAL CONSTRUCTION:

1. SEE AND MATCH SHEET TO BE
2. SEE SHEET ON ALL WALLS
3. SEE SHEET ON ALL WALLS

MASSONRY/CONCRETE:

FRAMING:

1. SEE AND MATCH SHEET TO BE
2. SEE SHEET ON ALL WALLS
3. SEE SHEET ON ALL WALLS



| <p>sheet: A4.20</p> | <p>FIRST FLOOR PLAN</p> <p>Wayne Homes expressly reserves its copyright and other property rights in these plans. These plans are not to be reproduced, altered, or copied in any form or manner, nor are they to be designed to or used for any other project without the express written permission and consent of Wayne Homes. In the event of unauthorised reuse of these plans by a third party, the third party shall hold Wayne Homes harmless. Copies of these plans may vary from printed product. Contact your local sales office for more information. ©2008 Wayne Homes</p> | <p>Essex</p> <p>HEIDI VOELKER ONEIDE VIEK PL HURON, OH 44884</p> | <p>WAYNE HOMES — 187.1973 —</p> <p>SAN #5087 ERIE CO.</p> | | | | | | | | | | | | |
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| | <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>08/11/08</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2</td> <td>08/11/08</td> <td>ISSUED FOR CONSTRUCTION</td> </tr> <tr> <td>3</td> <td>08/11/08</td> <td>ISSUED FOR RECORD</td> </tr> </table> | NO. | DATE | DESCRIPTION | 1 | 08/11/08 | ISSUED FOR PERMIT | 2 | 08/11/08 | ISSUED FOR CONSTRUCTION | 3 | 08/11/08 | ISSUED FOR RECORD | | |
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