

CITY OF HURON
BOARD OF BUILDING AND ZONING APPEALS
June 22, 2020 -Special Meeting 4:00pm

Chairman Frank Kath called the special meeting to order at 4:00 p.m. on Monday, June 22, 2020, in the Council Chambers of the City Building, 417 Main Street Huron, Ohio. Members in attendance: Tom Sprunk, JoAnne Boston, and Jim Shaffer. Members absent: Jenine Porter.

Also in attendance: Doug Green- City Engineer/Zoning Inspector, Christine Gibboney- Administrative Assistant, and City Attorney's Todd Schrader and Gary Ebert via phone.

There were no minutes available for adoption.

Verification of Required Notice Period

In response to a question by Mr. Kath, Mr. Green confirmed that notices were mailed to all affected property owners within 100' of the property appearing on the agenda on June 16, 2020.

Swearing In: Mr. Kath swore in those in attendance wishing to testify before the Board on any of the cases appearing on the agenda. Mr. Kath explained the process/format of the meeting, asking those that address the board to step to the podium and state their name and address for the record and asked those in attendance to turn off cell phones.

New Business

603 Oneida View Parcel Number: 48-00293.000

Project Description from staff summary: 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.

Mr. Kath called the Public Hearing to order at 4:01p.m. Mr. Green noted the variance request before the board is in reference to Section 1126.06 (n) which states that the minimum ground floor area for a 2-story home is 600sf of "livable area". He explained this home is currently under construction and the foundation roughly complete at this time. Mr. Green advised he had issued a zoning permit on March 16, 2020 with the site plans meeting all setback and height requirements and referenced the site plan that members had before them. He noted the ground floor square footage of the home is roughly 900sf and explained when he approved the permit, he did not catch that of the 900sf there is a two-car garage on the ground floor and pursuant to Section 1126.06(n) garages are not included in "livable space" and because of that, only 430sf is considered "livable area" and therefore a variance of 170sf to the minimum requirement of 600sf would be required. Mr. Green explained that while performing an inspection, the Building Official noticed this discrepancy and alerted him as to the requirements with regard to the 430sf of "livable space". Mr. Green explained that once he was advised of this issue by the Building Official, he immediately contacted the applicant and the contractor to explain the issue and began to coordinate this special meeting so as not to delay the project any further. Mr. Green referenced the correspondence from neighbors (attached and made

part of the minutes) that had been received and provided to members. Mr. Green recognized representatives from Wayne Homes in attendance.

Applicant/Property Owner comments: Todd Mowrer, 30 Cardington Lane, Burbank, OH, Construction Manager for Wayne Homes, the builder for this project. Mr. Mowrer referenced the challenges from the beginning in planning for this lot and getting a home to fit on the parcel. He added that the original plans that the property owner had designed was approximately a foot too big and plans were then changed to make the fit. Mr. Mowrer commented that Wayne Homes had also missed the "livable space" requirement. He added that in looking at the footprint that the property owner designed, he contemplated if she could add square footage or have designed the home differently for that square footage amount, adding that it would have hindered her garage space and possibly reduced the garage to a single car garage and even then it would have been tight. He referenced the property owner in attendance and that she may wish to add comments. He commented that he believes it would be a financial hardship to make changes now and referenced that their prices change based on square footage.

In response to a question by Mr. Kath relative to setbacks, Mr. Green and Mr. Mowrer, noted the plans confirm to all setback requirements. In response to a question from Mr. Sprunk relative to the second floor, Mr. Green reviewed the square footage of the second floor and details of the peaked gable were reviewed. Discussion about the size of the garage ensued. Mr. Mowrer noted this is a standard size garage and Mr. Green added that a detached garage would require a variance as well. Members reviewed details of the construction plans. Mr. Green noted that construction had been halted since notification and the only work the contractors had been doing was site work. Mr. Kath commented that he believed they have made every effort to squeeze what they could and still accommodate setbacks.

Audience Comments: N/A

With no further comments, Mr. Kath closed the public hearing and returned to the regular meeting at 4:09p.m.

Motion by Mr. Sprunk to grant the variance for the reduction of square footage on the first floor as presented. Motion seconded by Ms. Boston. Roll call on the motion:

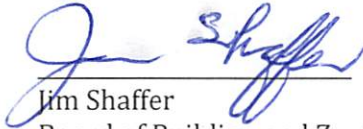
YEAS: Shaffer, Boston, Kath, Sprunk (4)

NAYS: 0

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

City Law Director, Todd Schrader, addressed the board, noting that the Executive Session appearing on the agenda was unnecessary and need not be undertaken. Mr. Kath asked if there was any other business. Mr. Green noted he had no other comments or reports.

Motion by Mr. Sprunk to adjourn the meeting. Motion seconded by Ms. Boston. All in favor, motion passes and meeting adjourned at 4:12p.m.

A handwritten signature in blue ink, appearing to read "Jim Shaffer", written over a horizontal line.

Jim Shaffer
Board of Building and Zoning Appeals Secretary

JS/cmjg