



Agenda for the Board of Building and Zoning Appeals  
Regular Meeting- Huron City Hall – Council Chambers  
Monday, November 8, 2021 6:30p.m.

**I. Call to Order**

**II. Roll Call**

**III. Adoption of the Minutes (10-11-21)**

**IV. Verification of Required Notice Period**

Notices were mailed to all affected property owners (within 100') on November 1, 2021

**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**

PPN# 42-00043.000 -1007 Beachside Lane- Rear Yard Setback Variance for a deck

PPN#42-00791.000- 923 Superior Drive- Side Yard Setback Variance for an attached garage.

**VII. Adjournment**



**TO:** Chairman Kath and Board Members  
**FROM:** Erik Engle, Planning and Zoning Manager  
**RE:** 1007 Beachside Lane  
**DATE:** November 8, 2021

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**Current Zoning District:** R-1 One Family Residential

**Parcel No.:** PPN#42-00043.000

**Project Description**

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".

*Since the proposed rear yard setback variances fall under the "area variance" category, the following criteria should be examined in order to establish if there are practical difficulties in the use of the property (The Seven (7) Way Test-Duncan vs The Village of Middlefield):*

- 1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.*
- 2. Whether the variance is substantial.*
- 3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.*
- 4. Whether the variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).*
- 5. Whether the property owner purchased the property with knowledge of the zoning restriction or if the need for the variance is "self-imposed". (The owner created the situation)*
- 6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.*
- 7. Whether the spirit and intent behind the zoning requirement would be observed substantial justice done by granting the variance.*

**Staff Analysis:**

The rear and side setbacks of the existing home, as referenced on the site plan, conform to the code. The current setback from the rear of the home to the property line, as noted on the site plan, is 37'-4" which would allow for a 7' deck that would be in compliance with the setback regulations.

The proposed deck as submitted would require the following variance:

- Rear yard setback variance of 8'-6" for a rear yard deck.

**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 Kory A. Kuhl  
Property Owners' Name: John Williamson  
Address: 1007 Beachside Ln.  
City, State, Zip: Huron, Oh. 44839  
Phone Number 419-656-0621  
Location of Project:  
Lot/Parcel #: \_\_\_\_\_  
Address: 1007 Beachside Ln. Huron, OH 44839. Provide a brief  
summary of your proposed project:  
New Deck on Back of Residence. North Side

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)  
We are requesting a rear setback of 21' 4" from The new Deck to The Property line. Rear.

**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  
we need To Construct a reasonable size Deck for Guests and family. The current setback will only allow a 7' Deck.
2. The variance is [ substantial/insubstantial ] because  
The new Deck will allow much more enjoyment for the family.
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:  
The neighbors houses and Decks extend out much further and our Deck will put us in Balance with them.
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

There are no other houses, utilities, or roadways  
behind this one, only Lakefront and it puts the  
property in better balance with neighbors setback.

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*)

The current 30' setback does not give room for a  
reasonable size deck.

I hereby certify that I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/or I have been authorize to make this application as an authorized agent, and we agree to conform to all applicable laws, regulations, and ordinances. All information contained within this application and supplemental materials is true and accurate to the best of my knowledge and belief.

In addition, I, the undersigned responsible party (owner, 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: 10-19-21 Signed Applicant [Signature]

Date: 10/20/21 Signed Property Owner [Signature]  
(REQUIRED)

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#### ZONING DEPT. USE ONLY

Date received: 10/20/21 Application Complete     

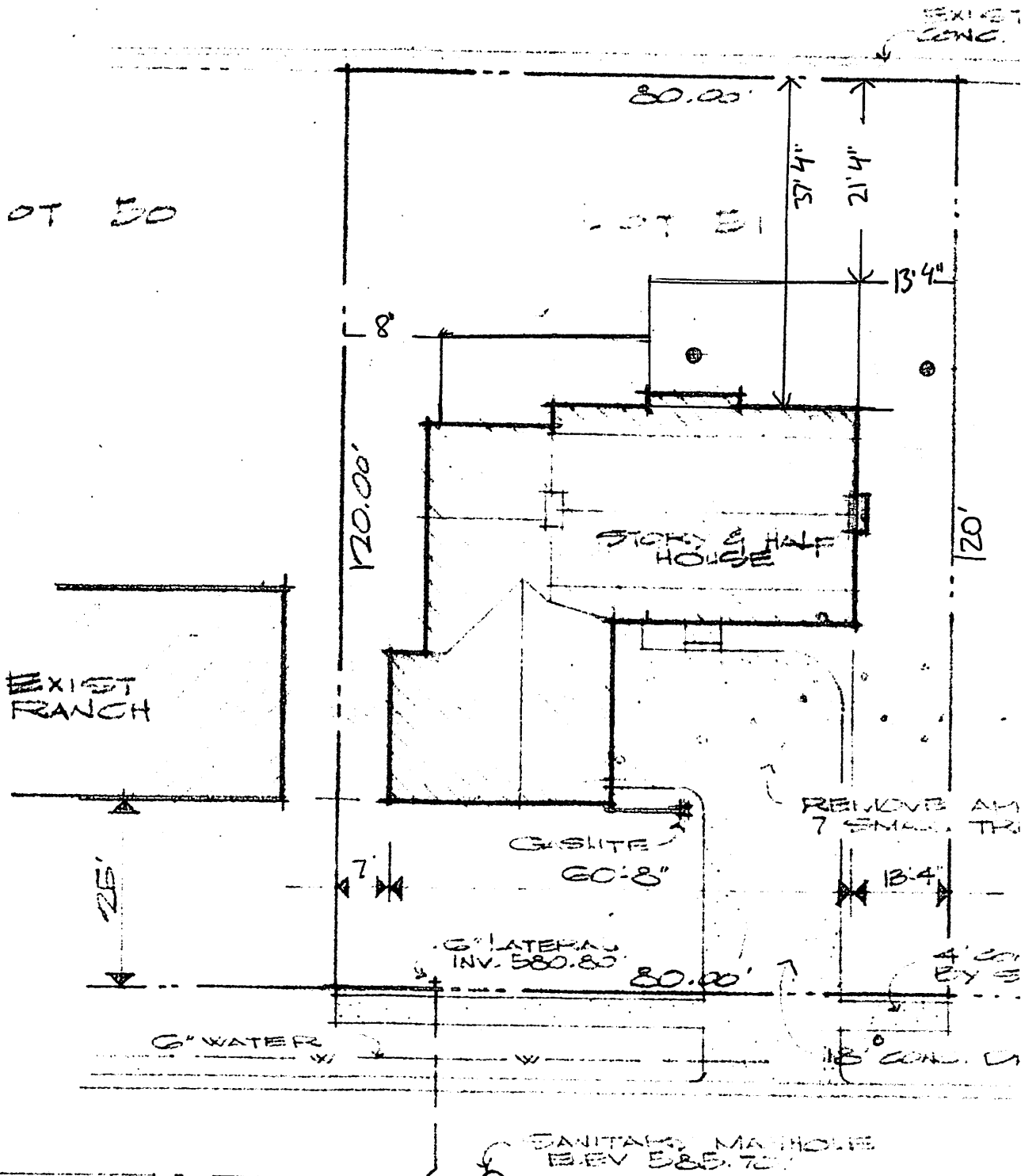
\$150 filing fee receipted: ✓

Comments     

Hearing Date: 11/8/21

W E A C H

LOT 50







West Side View

Sent from Yahoo Mail on Android

1007 Beachside Ln.

Kory Kuhl 419-656-0621

ATTN: Zoning Dept.

23' Further out Approx.  
To rear of steps + Deck.



East Side View  
1007 Beach side Ln.  
Kory KWL 419-656-0621

ATTN: Zoning Dept.  
8' further out Approx.  
To Edge of House - rear.



**TO:** Chairman Kath and Board Members  
**FROM:** Erik Engle, Planning and Zoning Manager  
**RE:** 923 Superior Drive  
**DATE:** November 8, 2021

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**Current Zoning District:** R-1 One Family Residential

**Parcel No.:** PPN#42-00791.000

**Project Description**

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).

*Since the proposed side yard setback variance falls under the "area variance" category, the following criteria should be examined in order to establish if there are practical difficulties in the use of the property (The Seven (7) Way Test-Duncan vs The Village of Middlefield):*

- 1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.*
- 2. Whether the variance is substantial.*
- 3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.*
- 4. Whether the variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).*
- 5. Whether the property owner purchased the property with knowledge of the zoning restriction or if the need for the variance is "self-imposed". (The owner created the situation)*
- 6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.*
- 7. Whether the spirit and intent behind the zoning requirement would be observed substantial justice done by granting the variance.*

**Staff Analysis:**

The lot is long and narrow (40' x 204'), the existing home has two (2) attached garages leading to Superior Drive. The existing garage structures are considered pre-existing, nonconforming since currently, the 14' x 23' garage has a 0-side yard setback and a 35' front yard setback. As proposed, the new 2-story attached garage will have a 4' side yard setback which will be in line with the other existing garage and the house. The new front yard setback will be 19' (30' required). It should be noted the houses along this stretch are oriented toward the lake and most have a detached



accessory structures facing Superior where the setbacks range from 12'-0" to 23'-0". Pursuant to Section 1137.03-Yard Modifications, the average depth of the two existing front yards within 100 feet allow for modification of the front yard setback. In this case, the 19' front yard setback is allowed and does not require a variance.

- Side Yard Setback Variance of 4'

**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 BRANDON RISNER  
Property Owners' Name: BRANDON RISNER  
Address: 923 SUPERIOR DRIVE  
City, State, Zip: HURON, OH 44839  
Phone Number 419 541 7509

**Location of Project:**

Lot/Parcel #: \_\_\_\_\_  
Address: 923 SUPERIOR DRIVE Huron, OH 44839. Provide a brief summary of your proposed project:

TEAR DOWN ATTACHED GARAGE AND REPLACE WITH  
A 24' X 40' ATTACHED 2 STORY GARAGE.

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)

NEW STRUCTURE YIELDS A 16' TOTAL SIDE SETBACK. A  
4' VARIANCE IS NEEDED. ALSO, THE WESTSIDE OF THE  
STRUCTURE WOULD BE APPROX 4' FROM THE PROPERTY  
LINE. A VARIANCE IS NEEDED FOR THIS AS WELL.

**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

LOT IS TOO NARROW. A VARIANCE IS NEEDED  
FOR A 2 CAR GARAGE

2. The variance is [ substantial/substantial ] because

ITS A SHORT LENGTH.

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:

ALREADY A 29' WIDE 2 STORY HOME  
ON THE PROPERTY AND THE EXISTING STRUCTURE IS ON THE  
PROPERTY LINE. THE GARAGE WOULD MATCH THE CURRENT SETBACKS  
OF OTHER PROPERTIES ON THE STREET.

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

OF THE NARROW LOT. ALSO THE NEW STRUCTURE  
WOULD CONFORM WITH CURRENT STRUCTURES  
ON THE STREET.

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*)

NARROW LOT

I hereby certify that I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/or I have been authorize to make this application as an authorized agent, and we agree to conform to all applicable laws, regulations, and ordinances. All information contained within this application and supplemental materials is true and accurate to the best of my knowledge and belief.

In addition, I, the undersigned responsible party (owner, 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: 10-29-21 Signed Applicant \_\_\_\_\_

Date: 10-29-21 Signed Property Owner \_\_\_\_\_

(REQUIRED)

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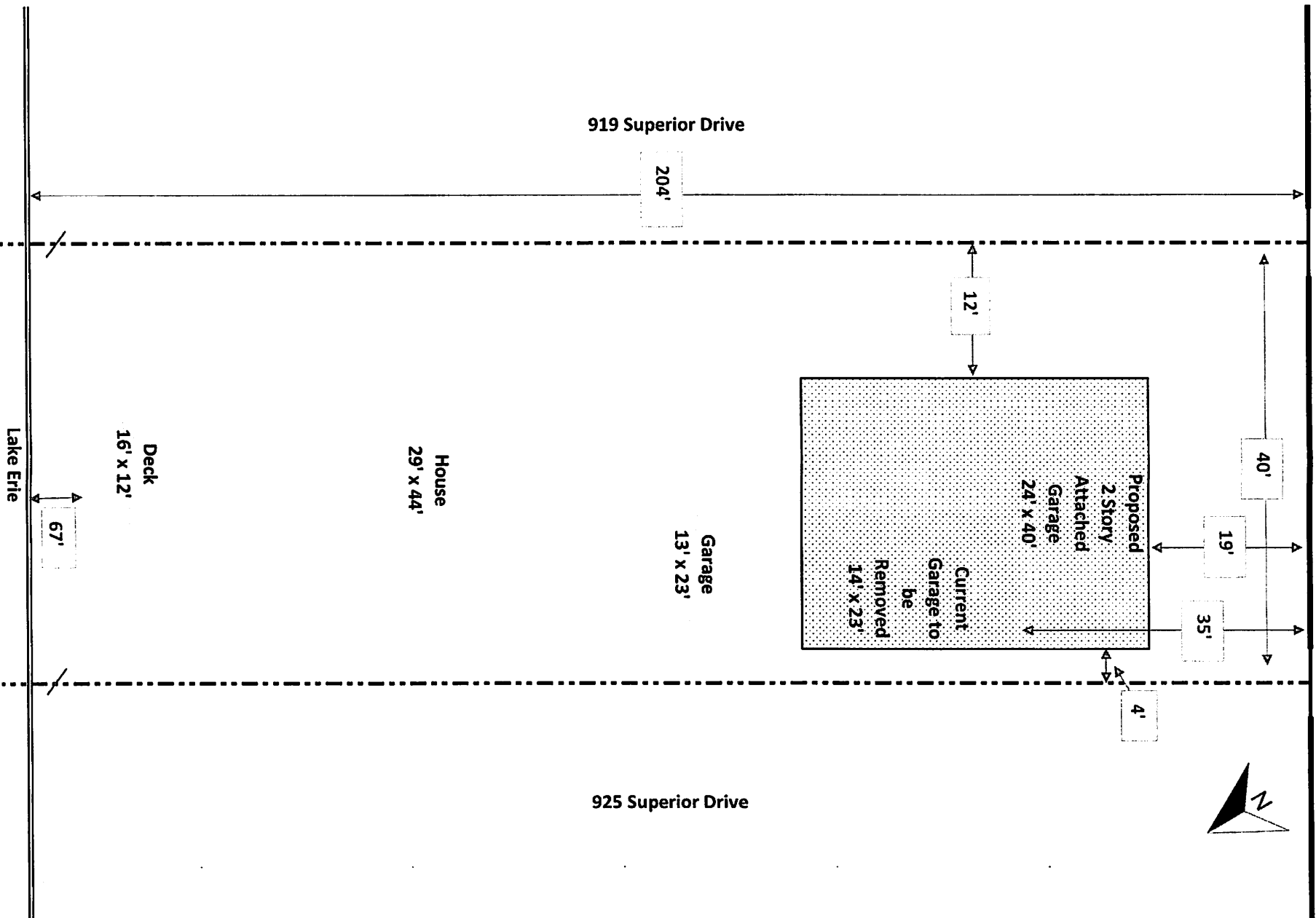
#### ZONING DEPT. USE ONLY

Date received: 10/27/21 Application Complete ✓

\$150 filing fee received: ✓

Comments \_\_\_\_\_

Hearing Date: 11-8-21



Property owners and addresses within 100' of 923 Superior Drive, Huron.

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|-----------------------|-----------------------------|
| 1. 917 Superior Drive | 917 Superior Drive LLC      |
| 2. 919 Superior Drive | Wilson Jeffrey H & Susan K  |
| 3. 920 Superior Drive | Zimmerman John A & Cheryl M |
| 4. 924 Superior Drive | Platek Jeanne E             |
| 5. 925 Superior Drive | Allen Paula                 |
| 6. 220 Perry Street   | Bauer Robert H & Carol W    |







