



# City of Hudson, Ohio

## Meeting Minutes - Final Board of Zoning & Building Appeals

*Kerri Keller, Chair*  
*Lou Wagner, Vice Chair*  
*Lydia Bronstein*  
*Jane Davis*  
*Robert Kahrl*

*Nick Sugar, City Planner*  
*Amanda Krickovich, Associate Planner*

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Thursday, June 15, 2023

7:30 PM

Town Hall  
27 East Main Street

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### I. Call to Order

Chair Keller called to order the regularly scheduled meeting of the Board of Zoning & Building Appeals at 7:30 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.

### II. Roll Call

**Present:** 5 - Ms. Keller, Mr. Wagner, Mr. Kahrl, Ms. Bronstein and Ms. Davis

### III. Identification, by Chairman, of Amanda Davey - Associate Planner, Greg Hannan - Community Development Director, John Kolesar - City Solicitor

### IV. Swearing in of Staff and Audience Addressing the Board.

Chair Keller swore-in staff and all the persons wishing to speak under oath.

### V. Approval of Minutes

[BZBA 5-18-23](#) Minutes of Previous Board of Zoning & Building Appeals Meeting: May 18, 2023

Attachments: [May 18, 2023 BZBA Minutes - Draft](#)

A motion was made by Mr. Wagner, seconded by Ms. Bronstein, that the May 18, 2023, Minutes be approved as amended. The motion carried by the following vote:

**Aye:** 5 - Ms. Keller, Mr. Wagner, Mr. Kahrl, Ms. Bronstein and Ms. Davis

### VI. Public Hearings - New Business

[BZBA 23-462](#) The subject of this hearing is related to a lot split request to create an additional building lot. As a result of the proposed lot split, the existing house at 33 E. Streetsboro would have a six (6) foot side yard setback, where the Land Development Code Section 1205.07(d)(6)(B)(1) requires

**an eight (8) foot side yard setback. Therefore, the applicant is requesting a two (2) foot side yard setback variance.**

**Of note, the applicant previously requested a variance on April 20, 2023, to create an additional building lot at this site; however, the previous request was related to a different section of the Land Development Code (zoning).**

The applicant is Allan Sveda, 13 E. Main Street #1, Hudson, Ohio 44236. The property owner is Allan Sveda, 13 E. Main Street #1, Hudson, Ohio 44236 for the property at 33 E. Streetsboro Street in District 4 [Historic Residential Neighborhood] within the City of Hudson's Historic District.

**Attachments:**     [33 E. Streetsboro BZBA Staff Report 6.15.23](#)  
[33 E. Streetsboro Neighboring Letters](#)  
[33 E. Streetsboro BZBA Staff Report 4.20.23](#)

Chair Keller introduced BZBA 23-462.

Mr. Wagner made a motion at 7:34 pm, seconded by Ms. Davis, that the Board move into executive session to confer with the City Solicitor. The motion was approved by all.

Mr. Wagner made a motion at 8:01 pm, seconded by Ms. Davis, that BZBA resume the regularly scheduled meeting. The motion was approved unanimously.

Chair Keller informed Mr. Sveda that this evening's meeting would be to determine if there are new facts or circumstances that will allow the BZBA to hear this case after the ruling on this property in May 2023 .

Mr. Cole Graham, 176 Elm Street, Mr. Sveda's grandson, notified the Board that he is speaking for Mr. Sveda. Mr. Graham noted the difference from the last hearing is that this is a lot split and variance for existing construction, while the previous variance requests were for new construction on a new parcel .

The Board, Mr. Graham and staff discussed: The desire to create a new parcel and the question of why the current argument from the applicant was not presented at the previous hearing? Chair Keller noted only new facts and circumstances may be discussed at this hearing. Mr. Graham noted the placement of the lot lines are different from the previous application, the Board noted the lines, as presented in this application, could have been presented at the previous meeting. The Board and Mr. Graham noted that all alternatives could not have been presented at the previous meeting.

Mr. Graham and the Board discussed if rehearing this application will set a precedent for other applications being reheard.

The Board discussed that Mr. Sveda was previously given the option to continue the previous application due to Board member attendance but chose to request a decision. City Solicitor Kolesar reviewed Ohio case law which prohibits the rehearing of cases similar to a case which has already been decided on . The Board discussed if there are enough changes in circumstances from the prior application to the present application which would require or allow the Board to rehear this application.

Mr. Sveda noted the lot sizes have changed so that now the house at 37 E. Streetsboro Street is affected instead of the house at 41 E. Streetsboro Street. The Board discussed if this change of fact is sufficient to hear the case .

Mr. Graham requested a continuance on the hearing.

The Board determined that written submissions from the applicant be submitted by June 19, 2023, and that no new information may be submitted at the next hearing which will be on July 20, 2023. Staff noted, notice to the public is not required if a date certain for the next hearing is given at this meeting.

The Board discussed with those in attendance how the case will proceed and how to request information submitted by the applicant.

**Mr. Kahrl made a motion, seconded by Ms. Davis, that the application be continued. The motion was approved by the following vote:**

**Aye:** 3 - Ms. Keller, Mr. Kahrl and Ms. Bronstein

**Nay:** 2 - Mr. Wagner and Ms. Davis

## VII. Other Business

Staff noted there may be applications for the August meeting.

The Board discussed the need for a potential administrative rule regarding the date and time limit for submittals to the Board.

**This matter was discussed**

**[BZBA 23-275](#) The subject of this hearing is a variance request to allow an accessory structure to be located in the front yard when the Land Development Code prohibits accessory structures from being located in the front yard pursuant to section 1206.03(d)(1), “Accessory Uses/Structure - Accessory Use Development and Operation Standards” of the City of Hudson Land Development Code.**

The applicant is Philip Lopez, 2715 Hudson Aurora Road, Hudson, Ohio 44236. The property owners are, Philip and Jennifer Lopez, 2715 Hudson Aurora Road, Hudson, Ohio 44236 for the property at 2715 Hudson Aurora Road in District 1 [Suburban Residential Neighborhood] within the City of Hudson.

**Attachments:**     [Applicant Request to Continue Case](#)  
[2715 Hudson Aurora Road BZBA Staff Report](#)

Ms. Keller introduced case 23-275 and noted the applicant has requested the hearing be continued to the regularly scheduled meeting on August 17, 2023.

**Ms. Bronstein made a motion, seconded by Mr. Kahrl, to approve continuing BZBA 23-275 to the August 17, 2023 BZBA meeting. The motion was approved by the following vote**

**Aye:** 5 - Ms. Keller, Mr. Wagner, Mr. Kahrl, Ms. Bronstein and Ms. Davis

## VIII. Adjournment

**A motion was made by Mr. Kahrl, seconded by Ms. Bronstein, that the meeting be adjourned. The motion carried by an unanimous vote.**

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**Kerri Keller, Chair**

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**Lou Wagner, Vice Chair**

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**Joe Campbell, Executive Assistant**

*Upon approval by the Board of Zoning & Building Appeals, this official written summary of the meeting minutes shall become a permanent record, and the official minutes shall also consist of a permanent audio and video recording, excluding executive sessions, in accordance with Codified Ordinances, Section 252 .04, Minutes of Architectural and Historic Board of Review, Board of Zoning and Building Appeals, and Planning Commission .*

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