



City of Hudson, Ohio

Meeting Minutes - Final Board of Zoning & Building Appeals

Jane Davis, Chair
Lou Wagner, Vice Chair
Lydia Bronstein
David Coleman
Robert Kahrl

Nick Sugar, City Planner
Lauren Coffman, Associate Planner

Thursday, July 18, 2024

7:30 PM

Town Hall
27 East Main Street

I. Call to Order

Chair Davis 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 - Mr. Wagner, Mr. Kahrl, Ms. Bronstein, Ms. Davis and Mr. Coleman

III. Identification, by Chairman, of Lauren Coffman, Associate Planner.

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

Ms. Davis swore-in staff and all the persons wishing to speak under oath.

V. Approval of Minutes

[BZBA 6.20.2024](#) **Minutes of Previous Board of Zoning & Building Appeals Meeting: June 20, 2024**

Attachments: [June 20, 2024 BZBA Meeting Minutes - Draft](#)

A vote on the June 20, 2024 Minutes was delayed to the August meeting.

VI. Public Hearings - Old Business

[BZBA 24-493](#) **The subject of this hearing is a request for an appeal, pursuant to Section 1212.01(b), from the final decision made by the Architectural and Historic Board of Review to deny a request on April 24, 2024, for a proposed addition including a front facing bi-fold garage door, per case No. 2024-135.**

The appellants are Timothy and Miranda Raggets of 1727 Mayflower Ln, Hudson, Ohio 44236.

Attachments: [1727 Mayflower Ln - Staff Report](#)
[Appellant statement for Appeal and supporting documents](#)
[AHBR Agendas & Minutes](#)
[Resident letters](#)

Mr. Wagner made a motion, seconded by Ms. Bronstein for the Board to move into executive session to discuss procedural matters.

The motion was approved unanimously.

The Board returned from Executive Session and Mr. Wagner assumed the chair.

After reviewing the appeal, the applicable laws and design standards, and noting the disagreement whether this is new construction or a renovation.

Ms. Davis made a motion, seconded by Ms. Bronstein, the Board's conclusion is that if this is new construction, the door must be side or rear facing. If the application is considered an alternation, the alteration may not be larger than the main mass of the house. Therefore the motion is to deny the appeal. The motion was approved by the following vote:

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

[BZBA 24-501](#) The subject of this hearing is variance request of fifteen (15) feet from the required minimum setback of fifteen (15) feet resulting in a zero (0) foot setback pursuant to section 1207.17(d)(4), "Signs - Permanent ground signs" in order to construct a permanent ground sign.

The applicant is Joe Creehan, 7 Morning Song Ln, Hudson, Ohio 44236. The property owner is Case Barlow Bicentennial Farm Inc, P.O Box 2143, Hudson, Ohio 44236 for the property at 1931 Barlow Rd. in District 3 [Outer Village Residential Neighborhood] within the City of Hudson.

Attachments: [1931 Barlow Rd - Staff Report](#)
[1931 Barlow Rd Memo - BZBA Update](#)

Ms. Davis assumed the chair.

Ms. Coffman introduced the application by noting that at the June 20, 2024, BZBA meeting this application was reviewed and continued to this meeting. Ms. Coffman also reviewed the staff comments.

Mr. Joe Creehan, representing Case Barlow Farm, described the Case Barlow Farm history, the non-profit organization that exists today, the cost of upkeep, the community events that take place, and fund-raising efforts. Mr. Creehan also described the desire to have an attractive sign to help the public understand and locate the farm, and that moving the sign back will be a hardship to the Farm mission because the land is needed for events. Mr. Creehan then opined that both the setbacks and the spirit of the ordinance support the request.

The Board, applicant and staff discussed: The desired location of the sign in relation to the setback, how events will be impacted, moving the fence to accommodate the sign placement, alternatives to using the stone as part of the sign, why the distance to the front building is being used to determine the setback, the Sagamore Soils sign setback location and the unknown reasons it is permitted, and the potential that if the variance is granted it may interfere with a future path on the 21-foot setback.

Chair Davis opened the meeting for Public Comment.

Mr. Jim Calovi, 7735 Valley View Road, encouraged the Board to grant the request for the safety of motorists who may attempt to view the sign while driving and that the design of the sign will contribute to the beauty of the area.

Seeing no one coming forward to speak, Chair Davis closed Public Comment.

The Board discussed the need to follow the LDC, the alternatives to the applicant's request, that exceptional circumstances do not exist in light of the alternatives that are available to the applicant, that the Duncan Factors are not met in the application, and that a variance is to be the exception when alternatives are not available.

After reviewing the application, the hearing of evidence under oath, reviewing all documentary submissions of interested parties and by taking into consideration the personal knowledge of the property in question, Mr. Wagner made a motion, seconded by Mr. Kahrl, to deny a variance request of five (5) feet from the required minimum setback of five (5) feet resulting in a zero (0) foot setback pursuant to section 1207.17(d)(4), "Signs – Permanent ground signs" in order to construct a permanent ground sign.

The Board finds and concludes;

- 1. The property in question will yield a reasonable return and there could be a beneficial use of the property without the variance, as the property currently functions without a ground sign.**
- 2. The requested variance represents a 100% deviation from the code requirement.**
- 3. The essential character of the neighborhood would be substantially altered, and adjoining properties would suffer a substantial detriment as a result of the variance.**
- 4. The variances would not adversely affect the delivery of governmental services.**
- 5. The existing regulations were in affect when the applicant purchased the property in 1996.**
- 6. The applicant's predicament can be resolved feasibly through some other method other than granting the variance, as the property in question has sufficient room to construct the sign to meet all Land Development Code regulations.**
- 7. The spirit and intent behind the zoning requirement would be not observed and substantial justice would not be done by granting the variance.**

The motion to DENY was approved by the following vote:

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

VII. Public Hearings - New Business

[BZBA 24-530](#) **The subject of this hearing is a variance request to allow for two curb cuts when the Land Development Code prohibits no more than one driveway curb cut per lot pursuant to Section 1205.07(d)(13), “District 4: Historic Residential Neighborhood - Driveway curb cuts” of the City of Hudson Land Development Code in order to build a circular drive.**

The applicant is Richard Brown, 1674 Stine Rd., Peninsula, Ohio 44264. The property owner is Benjamin J. Quagliata Trustee, 144 Hudson St., Hudson, Ohio 44236 for the property at 144 Hudson St. in District 4 [Historic Residential Neighborhood] within the City of Hudson.

Attachments: [144 Hudson St - BZBA Staff Report](#)

Ms. Coffman introduced the application by locating and describing the property, noting the AHBR approval, reviewing the project and applicable LDCs for this project, and the staff comments and considerations.

Mr. Richard Brown, LD Architects, and Mr. Christopher Lockman, CLS Consulting, described the structures on the property, and noted that the street will be entered in a safer manner by going forward instead of backing onto Hudson Street.

The Board, applicant and staff comments included: The possibility of using a backup pad instead of the circular drive which the applicant stated is difficult because of the small front yard, other houses in the area that use a backup pad, that aesthetically -the planned circular drive is a good solution with the total design, that a backup design would use considerably less concrete in the front yard, that every property could present the same argument that it is easier to pull onto the street than back onto the street, that variances are for exceptional circumstances, not because an owner would like a certain design, that a "t"- shaped turn-around may be approved - subject to a review of the project, the narrowness of this property and difficult parking situation that exists, alternatives to the circular driveway, that cars may not be parked in the front of the house would be interpreted as not allowing a parking pad but might allow a parking turn-around, and that the driveway setback is 3-feet,

Chair Davis opened the meeting for Public Comments. Mr. Sugar noted that two public comments were received and included in the record. Chair Davis read the emails into the record.

The Board discussed, the small size of the lot, other driveways in the neighborhood, and that a variance should not be granted to someone who purchases a small house and lot and then wants to expand the size.

After reviewing the application, the hearing of evidence under oath, reviewing all documentary submissions of interested parties and by taking into consideration the personal knowledge of the property in question, Mr. Kahrl made a motion, seconded by Mr. Wagner, that the Board of Zoning and Building Appeals deny a variance request to allow for two curb cuts when the Land Development Code prohibits no more than one driveway curb cut per lot pursuant to Section 1205.07(d)(13), “District 4: Historic Residential Neighborhood – Driveway curb cuts” of the City of Hudson L and Development Code in order to build a circular drive..

The Board finds and concludes;

- 1. The property in question will yield a reasonable return and there could be a beneficial use**

of the property without the variance, as the property currently has a functional single car driveway.

2. The requested variance is substantial and represents a 100% deviation from the code requirement.
3. The essential character of the neighborhood would be substantially altered, and adjoining properties would suffer a substantial detriment as a result of the variance. The Board acknowledges that the essential character of the neighborhood in question is single family housing with one driveway curb cut.
4. The variances would not adversely affect the delivery of governmental services.
5. The existing regulations were in affect when the applicant purchased the property in 2023.
6. The applicant's predicament can be resolved feasibly through some other method other than granting the variance, as the property in question has sufficient room to explore other options to meet all Land Development Code regulations.
7. The spirit and intent behind the zoning requirement would be not observed and substantial justice would not be done by granting the variance.

The motion was approved by the following vote:

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

VIII. Other Business

Ms. Coffman discussed the five August applications and the Board's preferences regarding scheduling a special meeting.

IX. Adjournment

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

Jane Davis, Chair

Louis Wagner, Vice Chair

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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