



City of Hudson, Ohio

Meeting Minutes - Final Board of Zoning & Building Appeals

Vacant, Chair
Lydia Bronstein, Vice Chair
Robert Kahrl
Keenan Jones
Cory Scott

Nick Sugar, City Planner
Mary Rodack, Associate Planner

Thursday, January 15, 2026

7:30 PM

Town Hall
27 East Main Street

I. Call to Order

Ms. Bronstein 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: 4 - Ms. Bronstein, Mr. Jones, Mr. Kahrl and Mr. Scott

III. Election of Officers

A motion was made by Mr. Kahrl, seconded by Mr. Scott, that Ms. Bronstein be elected as Chair of BZBA. The motion carried by the following vote:

Aye: 4 - Ms. Bronstein, Mr. Jones, Mr. Kahrl and Mr. Scott

Election of Officers

A motion was made by Mr. Jones, seconded by Mr. Scott, that Mr. Kahrl be elected as Vice Chair of BZBA. The motion carried by the following vote:

Aye: 4 - Ms. Bronstein, Mr. Jones, Mr. Kahrl and Mr. Scott

IV. Identification, by Chairman, of City Staff.

Chair Bronstein introduced: City Solicitor Mr. Marshall Pitchford; Community Development Director Mr. Greg Hannan, and Associate Planner Mary Rodack.

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

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

VI. Approval of Minutes

[BZBA 11.20.26](#) **Minutes of Previous Board of Zoning & Building Appeals Meeting: November 20, 2025**

Attachments: [November 20, 2025 BZBA Meeting Minutes - Draft](#)

A motion was made by Mr. Jones, seconded by Mr. Kahrl, that November 26, 2025, Minutes be approved as submitted. The motion carried by the following vote:

Aye: 4 - Ms. Bronstein, Mr. Jones, Mr. Kahrl and Mr. Scott

VII. Public Hearings - New Business

[BZBA 25-1507](#) **The subject of this hearing is a variance request of approximately twenty (20) feet from the required rear yard principal structure setback of fifty (50) feet, resulting in a rear yard principal structure setback of approximately thirty (30) feet pursuant to section, pursuant to section 1205.06(d)(5)(E)1, “Property Development/Design Standards - Setbacks” in order to build an addition.**

The applicant is Justin Englert of 7176 Boneta Rd, Wadsworth, Ohio 44281. The property owner is Jonathan and Kelcie Hedden of 6335 Elmcrest Dr, Hudson, Ohio 44236 for the property at 6335 Elmcrest Dr in District 3 [Outer Village Residential Neighborhood] within the City of Hudson.

Attachments: [25-1507 6335 Elmcrest Dr - Staff Report](#)

Ms. Rodack introduced the application by identifying and describing the property and the proposed project. She reviewed the applicable Land Development Code (LDC) issues, along with staff comments and recommendations.

Mr. Justin Englert of Tim Englert Construction provided an overview of the property’s history and the project, including alternative locations for the addition that were considered. He explained discussions with Hudson city staff regarding limitations on the corner lot, noting that what appears to be a side lot is considered a rear yard for setback purposes. Mr. Englert then reviewed the Duncan factors and explained how the proposed variance meets the family’s needs in the least intrusive and most cost efficient manner.

Homeowner Mr. John Hedden stated that his family of six requires additional space, does not wish to leave their neighborhood, and is willing to invest in their property to remain in their current home. He also noted that there is approximately seventy-two feet between the proposed addition and the neighboring house.

The Board, applicant, and staff discussed several topics, including the possibility of moving the addition forward toward Elmcrest, which is not permitted by the LDC; the location of existing trees on the lot; the potential for adding trees along the property line, which the Heddens plan to do; and the placement of the air conditioner, which can be relocated to either side or the rear as requested by the Board. Ms. Kelcie Hedden described possible locations for the air conditioner.

The Board raised questions regarding property lines between the Heddens and their neighbors, the possibility of moving the addition to the northwest to meet the neighbor’s side yard and require a lesser variance, and the

definition of a side yard. Mr. Hannan explained that staff determined a lot may not have two side yards and no backyard, and he described the process for making this determination as stated in the staff report. The Board discussed staff's interpretation and considered the implications of intrusion into the backyard setback if the side yard were defined differently.

The Board and applicant also noted the location of the well and discussed that an alternative building site would require relocating the well. They also considered the option of placing the addition above the garage, which would require approximately \$150,000 in garage foundation work.

Chair Bronstein opened the meeting for public comment.

Ms. Gilda Moreno of 6400 Elmcrest Drive, a realtor and neighbor, stated that in her professional opinion, the proposed addition would add value to the neighborhood and might encourage other homeowners to improve their properties. She noted that of the thirty-seven lots on Elmcrest, only three have similar triangular configurations, and the smaller side lot would not be noticeable from the street. In response to a commissioner's question, Ms. Moreno stated that the intrusion into the setback would not be noticeable to neighbors.

Ms. Mary Strang of 6311 Elmcrest Drive described the large property lots in the neighborhood and noted that much of her home's daily living space faces the proposed addition. Mr. Jim Strang, also of 6311 Elmcrest Drive, stated that he submitted comments to the Board and would not reiterate them. He expressed concerns about the negative impact on his property, noting that the addition represents a substantial variance of forty percent and that its size and placement would alter the essential character of the Elmcrest neighborhood by reducing open space and privacy between homes. He also raised concerns about the location of the proposed air conditioner and its potential impact on his property value. Mr. Strang suggested alternative locations for the addition and urged the Board to follow LDC requirements when other viable options exist.

The Board and Mr. and Ms. Strang discussed the possibility of moving the addition further northwest, the amount of variance required for different locations, the potential for an appeal of the Board's decision, and ways to reduce intrusion into the setback. The addition of a tree line was viewed positively by Mr. Strang. The Board asked about other conditions the Mr. and Ms. Strang might desire, and they suggested planting larger trees for immediate privacy, relocating the air conditioner, and reducing the setback intrusion.

Councilwoman D'Eramo asked whether the primary concern was the setback intrusion or another issue. Ms. Strang responded that noise from the HVAC system on their side of the addition was a major concern. Ms. Hedden stated that they had contacted a landscaper who proposed trees that would grow three to four feet per year, and discussion followed about planting the trees at the start of the project. Mr. Hannan recommended involving the City Arborist in tree selection.

Ms. Carolyn Hewett of 6036 Elmcrest Drive commented that the neighborhood's character is defined by its residents and how families' needs have shaped home modifications over time. She noted that variances are granted for unique circumstances and that the shape of this lot qualifies as unique.

With no further public comments, Chair Bronstein closed the public comment period. The applicant had no additional remarks.

The Board then discussed its appreciation for the Strangs' thoughtful comments, while expressing disagreement with their argument. Members noted the large number of neighbors supporting the variance request and stated that property improvements generally increase neighborhood values. They acknowledged the complexity of the side yard versus backyard interpretation and stated that this situation is precisely what variances are intended to

address. The Board considered the landscaping barrier a reasonable condition, expressed concern that the current design intrudes into the rear yard without significant consideration of alternatives, and suggested adding a condition for HVAC placement. Members also noted that the lot's unique shape makes building on any side difficult without significant expense, such as relocating the well or constructing above the garage, and concluded that the variance is not substantial.

Mr. Jones made a motion, seconded by Mr. Kahrl to approve the variance request. In his motion, Mr. Scott stated that the application meets the requirements of Section 1204.03 of the Land Development Code and reviewed the Duncan Factors. The motion included three conditions: first, that any HVAC equipment associated with the proposed addition be placed within the setback boundary as presented by staff in the December 15, 2025 staff report; second, that the applicant work with the City Arborist to determine the number and location of trees necessary to create a sufficient privacy screen for neighboring properties, and that this tree line be installed within six months of project completion; and third, that the variance remains subject to all other applicable requirements of the City of Hudson Land Development Code. The motion was approved by the following vote:

Aye: 4 - Ms. Bronstein, Mr. Jones, Mr. Kahrl and Mr. Scott

[BZBA 25-1509](#) The subject of this hearing is the following request relevant to the construction of an addition:

A request for the expansion of a nonconforming structure developed as a single-family residential property, pursuant to Section 1206.05(f)(1), "Nonconforming Structures - Enlargement".

The applicant is Anthony Slabaugh Remodeling & Design of 4724 Darrow Rd., Stow, Ohio 44224. The property owner is Martin and Janice Burgwinkle of 229 N Hayden Pkwy, Hudson, Ohio 44236 for the property at 229 N Hayden Pkwy in District 3 [Outer Village Residential Neighborhood] within the City of Hudson.

Attachments: [25-1509 229 N Hayden Pkwy - Staff Report](#)

Ms. Rodack introduced the application by describing the proposed project, reviewing the Land Development Code (LDC) requirements, and summarizing staff comments and recommendations.

Mr. Nick Bocca of Anthony Slabaugh Remodeling & Design presented the project, explaining that the proposed addition is as small as possible while meeting the homeowner's needs. He outlined the purpose of the structure and how it complements the current house design.

The Board, applicant, and staff discussed the two findings required for approval. Regarding circulation around the neighboring property, Mr. Bocca noted that 25 feet will remain open between the two houses, allowing access to the backyard and space for utility work. Regarding the requirement that the project create no greater adverse impact than the existing non-conforming condition, Mr. Bocca stated that the addition moves further away from the property line, is a single-story structure, and is supported by a letter from the adjacent neighbor.

Staff confirmed that the non-conforming use predates the LDC, that no other non-conforming uses have been

requested, and that existing landscaping will remain undisturbed.

Chair Bronstein opened the meeting for public comment. Mr. Martin Burgwinkle, the homeowner, explained that the addition is intended to allow use of the deck during colder months. No other members of the public came forward, and Chair Bronstein closed public comment.

The Board deliberated and noted that the two required findings have been met. Members expressed appreciation that the degree of non-conformance was reduced and acknowledged that no neighbors submitted comments opposing the addition.

Mr. Kahrl moved, and Mr. Jones seconded, to approve the proposed expansion of a non-conforming structure pursuant to LDC Section 1206.05(f)(1), and to grant the extension of the non-conforming use, based on the determination that the two required findings outlined in Subpart (b) have been satisfied. The motion was approved by the following vote:

Aye: 4 - Ms. Bronstein, Mr. Jones, Mr. Kahrl and Mr. Scott

VIII. Other Business

Discussion of 2026 goals

The Board reviewed Ms. Rodack's staff report, which addressed the goals for the upcoming year and the establishment of a workshop. One primary objective of the workshop will be to ensure Boards and Commissions effectively engage with the public, which will assist the BZBA during appeals. The discussion included how Findings of Fact should be written with appeals in mind, noting that the workshop will be conducted under the direction of City Council and chaired by the Council President. The Board emphasized that proper Findings of Fact must be provided to BZBA to position the City favorably should an appeal proceed to a higher authority. It was noted that testimony during an appeal is limited, and no new arguments may be introduced. Care must be taken during the workshop to avoid offending other Boards and Commissions while clearly communicating the importance of well-written Findings of Fact.

Councilwoman D'Eramo discussed the nature of a potential workshop. Mr. Pitchford described how the City of Bath conducts annual training workshops and suggested incorporating case studies to demonstrate inter-board collaboration. He noted that Dr. Bird would chair the meeting and that staff is prepared to facilitate the session. The discussion also addressed how Boards that hear numerous cases determine which cases require written Findings of Fact, the potential need to amend administrative rules to mandate Findings of Fact, and the importance of understanding the concept of *de novo* review and its impact on appeals. The roles of staff and the City Solicitor in drafting Findings of Fact were discussed, as well as the possibility of requiring appellants to request written Findings of Fact if they intend to pursue an appeal.

Chair Bronstein requested that staff update the 2026 BZBA goals for review at the next meeting. The Board also discussed the potential benefits of hiring a third-party facilitator for the workshop.

IX. Adjournment

A motion was made by Mr. Kahrl, seconded by Mr. Scott, that the meeting be adjourned. The motion carried by the following vote:

Aye: 4 - Ms. Bronstein, Mr. Jones, Mr. Kahrl and Mr. Scott

Lydia Bronstein, Chair

Mr. Robert Kahrl, 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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