

**NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS
MINUTES OF
REGULAR MEETING – THURSDAY, APRIL 28, 2022**

CALL TO ORDER:

Vice-Chairwoman Masterson called the meeting to order with the Pledge of Allegiance at 7:00 PM.

ROLL CALL:

Present were members James Cain, Steve Ali, Neil Thibodeaux, Vice-Chairwoman Linda Masterson and Council Liaison Clifford Winkle.

Absent was Chairman Shawn Kimble.

Also present were Chief Building Official Guy Fursdon, Assistant Law Director Toni Morgan, Planning and Economic Development Director Kimberly Lieber and Deputy Clerk of Council Tina Wieber.

MINUTES:

Vice-Chairwoman Masterson asked if there were any corrections to the minutes of the regular meeting on Thursday, March 24, 2022. Hearing none, the minutes stand as presented.

PLANNING COMMISSION REPORT(S):

Steve Ali stated that T57 & T58, the proposed amendments to the City's fencing codes, were approved by the Planning Commission.

OTHER REPORTS OR CORRESPONDENCE:

None

PUBLIC HEARINGS:

PPZ2022-0108: Rochelle Ensley, 6920 Hatching Way, PPN 07-00-033-118-050

Applicant: Same

The applicant proposes building a 4-foot high fence and trash enclosure on a corner lot. Property is zoned PCD R-1 District. Requests:

1. A 0.5 foot variance for height of a fence located in the front yard. Applicant shows 4 feet, code allows 3.5 feet, Section 1294.01(h)(1)(A). Note: This variance is for both the perimeter fence and trash enclosure.

2. A variance for a solid fence located in the front yard. Applicant shows 100% closed portion of fence, code requires 50% open, Section 1294.01(h)(3).

Note: This variance is for the trash enclosure only.

Application was read along with comments from Chief Building Official Fursdon.

Vice-Chairwoman Masterson asked if there was a representative present.

Rochelle Ensley, 6920 Hatching Way, North Ridgeville, OH 44039, was sworn in.

Vice-Chairwoman Masterson asked Ms. Ensley to explain the application.

Ms. Ensley advised that she was requesting a 4-foot fence for her children and a dog and stated that the neighbor behind her property had a dog as well. She stated that she understood they would be losing some of the yard space due to the easement for the utilities.

Vice-Chairwoman Masterson responded that as the BZBA Liaison and Councilman had previously stated that the City is aware that fences no longer come in three and a half feet and that the standard is now four feet. She stated that the City appreciated the enclosure for the trash cans in order to hide them. She explained that if she didn't live on a corner lot she wouldn't need a variance but because she did have the two front yards, that was the reason for the variance. She stated that it was a practical difficulty. She asked if there were any members that had any questions or comments.

It was moved by Cain and seconded by Thibodeaux to approve the 0.5 height variance for the fence and trash enclosure and the 100% closed fence variance for the trash enclosure.

A voice vote was taken and the motion carried.

Yes – 4 No – 0

**PPZ2022-0112: Jeffrey & Rebecca Kessler, 37243 Golden Eagle Drive, PPN
07-00-033-112-106**

Applicant: Same

The applicant proposes building a 4-foot high fence on a corner lot. Property is zoned PCD R-1 District. Requests:

1. A 0.5 foot variance for height of a fence located in the front yard. Applicant shows 4 feet, code allows 3.5 feet, Section 1294.01(h)(1)(A).

Application was read along with comments from Chief Building Official Fursdon.

Vice-Chairwoman Masterson asked if there was a representative present.

Jeffrey Kessler, 37243 Golden Eagle Drive, North Ridgeville, OH 44039, was sworn in.

Vice-Chairwoman Masterson asked Mr. Kessler to explain the application.

Mr. Kessler discussed that he was requesting to put in a 4-foot high black aluminum fence which would fence in the backyard running up along a little bit of the side of the house on the street side of High Perch Drive. He explained that he had poured a patio that ran to the back corner of the house and might have to go up a little bit to get it to but up against the house. He further explained that similar to the applicant before him, he had four kids and one on the way and a dog. He stated that the neighbor behind him had a dog as well. He remarked that he was looking to maximize the yard and have a high enough fence to take care of that.

Vice-Chairwoman Masterson explained that the Board did not like fences that block views from the sidewalk but that Mr. Kessler was going off the rear of the house and wouldn't be impeding any sight lines and the fence would be a black wrought iron fence that would be able to be seen through.

Mr. Kessler mentioned that he wasn't planning on going close to the sidewalk at all.

It was moved by Thibodeaux and seconded by Cain to approve the 0.5 height variance for the fence.

A voice vote was taken and the motion carried.

Yes – 4 No – 0

PPZ2022-0113: Samuel Singer, 33949 Dodge Avenue, PPN 07-00-009-119-003

Applicant: Same

The applicant proposes a new 30 foot by 30 foot outbuilding on their property which is approximately 0.48 acre. Property is zoned R-1 District. Requests:

1. A 224 square foot variance for an area of an outbuilding. Applicant shows 900 square feet, code allows 676 square feet, Section 1294.03(e)(2).

Application was read along with comments from Chief Building Official Fursdon.

Vice-Chairwoman Masterson asked if there was a representative present.

Samuel Singer, 33949 Dodge Avenue, North Ridgeville, OH 44039, was sworn in.

Vice-Chairwoman Masterson asked Mr. Singer to explain his application.

Mr. Singer discussed that he had two bigger than 26-foot enclosed trailers and would like to be able to store them inside. He explained that he wasn't residing in the house yet as they were still doing repairs there but in speaking with the neighbors he had been told that there were a lot of kids that cut through from the baseball diamond through the yards back there. He mentioned that he was there one evening late and saw a couple of kids walking through. He stated that it would be hard for them to take a trailer but he wouldn't want them to vandalize them. He explained that he was proposing that the outbuilding would match the house and that it would be landscaped and not an eyesore. He added that he didn't have any neighbors.

Vice-Chairwoman Masterson asked if he had looked at other alternatives.

Mr. Singer indicated that he was currently renting a building and he wanted something on his own property that he wouldn't have to rent.

Vice-Chairwoman Masterson asked if he was planning on running a business out of there.

Mr. Singer explained that he would not but that he tinkered with four wheelers and that he had property down south and had side-by-sides.

Vice-Chairwoman Masterson asked if any of the Board members had any questions or comments.

Member Thibodeaux explained that the property did but up against a park and that there was a little creek behind it and a tree line there as well. He that stated if he put that building up there that he didn't think anyone would even notice it.

Member Cain remarked that he didn't think that it would disrupt the neighborhood. He stated that it would also protect him if the kids cut through and climb on the trailers. He indicated that he would be worried about them climbing and getting hurt and that it would be a liability to him. He commented that the gentleman was gracious enough to ask to build a building to put the trailers in instead of just putting them on his yard.

Member Ali stated that he agreed. He advised that they would be under a roof and he wouldn't be running a business out of it and that he was good with it.

Planning and Economic Development Director Lieber stated that she wanted to add that at first when she saw the request of 224 square feet and what the code would allow, it was a giant percentage of that which was permitted and to her it was a very substantial variance but the property was just under a half acre. She explained that when she studied the code a bit further, that if the property were a little over a half acre, then it would shift into a different method of calculation for outbuildings based on lot coverage and at that point it would become ten percent. She explained that at that point, potentially the outbuilding could go to 2,000 square feet as opposed to being based upon the lot coverage calculations. She further explained that while it looked substantial on paper, if the lot were just a little bit bigger, there wouldn't be a variance request in that particular case. She advised that she thought that was an area of code that they might need to look at in the future because there was a pretty big discrepancy between plots under half acre and plots over a half acre between the sizes of outbuildings that they were permitted to build.

Chief Building Official Fursdon mentioned that as was always recognized in the past, that not only could the applicant build a 676 square foot outbuilding, in addition he could build a 676 square foot detached garage and the Board always took into account that it was smaller than the two combined. He explained that it was a more practical benefit to the neighborhood and rather than two big buildings

it was just one.

Director Lieber asked if the Board had placed a restriction on the building. She asked that if the variance were granted, could the applicant still make a request for a garage.

Chief Building Official Fursdon stated that if the applicant came back for a 676 square foot outbuilding, they would send him back to the Board for another variance because he got the increase for the current building.

Director Lieber stated that it didn't open the gate for another structure.

Chief Building Official Fursdon indicated that it didn't.

Vice-Chairwoman Masterson explained that it hadn't in the last 20 years.

Councilman Winkle added that they had seen enough cases where people were trying to put trailers into something because they couldn't have them in their driveway as was pointed out previously and that it would be the most proactive approach to that.

Vice-Chairwoman Masterson commented that as Member Cain pointed out Mr. Singer was right by a baseball field and there would be kids and kids do kid stuff and you wouldn't want to have kids climb up on them and fall off. She added that as Member Thibodeaux stated as well that it's next to a park and it would always be a park and would never be a subdivision.

Moved by Masterson and seconded by Ali to approve the 224 square foot variance for the outbuilding.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

OTHER BUSINESS:

No other business.

ADJOURNMENT:

BOARD OF ZONING AND BUILDING APPEALS
REGULAR MEETING – THURSDAY, APRIL 28, 2022

PAGE 7

The meeting was adjourned at 7:25 PM.

Shawn Kimble
Chairman

Thursday, May 26, 2022

Date Approved

Tina Wieber
*Recording Secretary/Deputy Clerk of
Council*