

Board of Zoning and Building Appeals
CITY HALL COUNCIL CHAMBERS
AGENDA OF OCTOBER 24, 2024
7:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

Regular Meeting Minutes of August 22, 2024.

PLANNING COMMISSION REPORT

OTHER REPORTS OR CORRESPONDENCE

PUBLIC HEARINGS

PPZ2024-0298 St. Peter Catholic Church, 35777 Center Ridge Rd, PPN 07-00-021-117-078, -076

Applicant: Patrick Hyland, Perspectus, 1300 East 9th St, #910, Cleveland, OH 44114. Proposal consists of the addition of a new parish hall and site improvements. Property is zoned R-1 Residence District. Requests:

1. A variance for depth of front yard, applicant shows 24 feet 6 inches, code requires 50 feet, but existing building front setback is 30 feet 7 inches, 1250.04(b)(1).
2. A variance for an addition to a nonconforming structure that increases the degree of existing nonconformity. Addition further encroaches into nonconforming front setback by 6 feet 1 inch, code does not permit. Section 1292.03(a).

PPZ2024-0303 Paul & Colleen Nelson, 5449 Trevi Ct, PPN 07-00-030-000-220

Applicant: Complete Design & Construction, LLC, 3402 Church Dr, Lorain, OH 44053. Proposal consists of constructing an 18-foot deck. Property is zoned R-1 Residence District. Requests:

1. A 3.64 foot variance for setback to open space of a deck attached to a cluster dwelling; applicant shows setback of 1.36 feet, code requires 5 feet, Section 1294.01(g)(5). Note: See also 1282.11(b)(2).

ADJOURNMENT

**NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS
MINUTES OF
REGULAR MEETING – THURSDAY, AUGUST 22, 2024**

CALL TO ORDER:

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

ROLL CALL:

Present were members James Cain, Paul Graupmann, Vice-Chairman Shaun Kimble and Chairwoman Linda Masterson.

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

Council Liaison Cliff Winkle was excused.

MINUTES:

Chairwoman Masterson asked if there were any corrections to the minutes of the regular meeting on Thursday, July 25, 2024.

None were given.

Minutes were approved as submitted.

PLANNING COMMISSION REPORT

OTHER REPORTS OR CORRESPONDENCE

PUBLIC HEARINGS:

PPZ2024-0278 Hampton Place, Phase 8, PPN: 07-00-029-000-515

Owner: Valore Properties, Inc., 23550 Center Ridge Rd, Avon, OH 44011. Requests:

1. A 319.83 square foot variance for minimum lot area of a single-family lot. Applicant shows 12,480.17 square feet for subplot 388, code requires 12,800 square feet, Section 1282.11(c)(1).
2. A 1,671.53 square foot variance for minimum lot area of a single-family lot. Applicant shows 11,128.47 square feet for subplot 389, code requires 12,800 square feet, Section 1282.11(c)(1).
3. A 8.4-foot variance for rear yard setback of a single-family dwelling. Applicant shows 21.6 feet for subplot 388, code requires 30 feet, Section 1282.11(c)(5).

Application was read.

Chairwoman Masterson asked if there was a representative for the application.

Maria Craciun Dinu, Valore Builders, 23550 Center Ridge Rd, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Director Lieber to give her review of the application.

Director Lieber explained that the applicant was requesting variances to yard requirements for two

sublots of Phase 8 of Hampton Place and that Planning Commission granted preliminary approval of Phase 8 in September of last year. She explained that there was a lot of discussion at the time about stormwater management but at the time that it was approved by the Planning Commission, the project was completely zoning compliant. She added that once it passed through Planning Commission and went to detailed Engineering review, the Engineering Department had some concerns regarding to the property line that would abut existing residences along State Route 83 and as part of their review and requirements, they asked the developer to provide a separation, a 20-foot easement area between sublots and that boundary of those residential lots to create some open space to ensure that when you have a subplot, homeowners feel pretty free to make changes to their own property and they wanted to avoid any situation where a property owner was making landscape, grading or other changes that would negatively impact stormwater and potentially cause that stormwater to travel on to those abutting properties. She discussed that by maintaining that area as open space that would be under the HOA control, and they thought it would be easier just to deal with HOA to ensure that those changes weren't wrongly made to that area versus individual property owners would also provide for access in that area in order to ensure drainage would be maintained. She stated that as a result that 20-foot easement area along two sides of those various sublots cause that area of the subplot to shrink and in the Board's packets there they had the variance request that showed that 20-foot area and she also included the Planning Commission original approval. She explained that they could kind of see the difference of what she meant when she said 20-foot buffer that has been added and that that buffer had shrunk. She stated that now two sublots, 388 and 389 were thrown out of compliance with the minimum lot size. She stated that also the building envelope had shrunk, since they had to maintain setbacks from both the side and the rear property line. She mentioned that that was the origin of those variance requests and why originally it was a zoning compliant plat and now, due to engineering requirements, it was in front of the Board for those two sublots and for the three variances.

Chairwoman Masterson asked the applicant to explain the application.

Ms. Craciun Dinu stated that it was for Phase 8, which was the last phase of that development and those two lots that building envelope had shrunk down and was basically not buildable. She explained that the request was due to the minimum building requirement of 12,800 square footage on both sublots 388 and 389, as well as have the 8.4 variance request basically going from the 30-foot requirement to 21.6 feet, so that it would make it buildable on both sublots. She stated that they did have the HOA in place, and they were maintaining anything that was common area and common space. She discussed that it was all going to go into the plat, and then the Homeowner's Association would be required to maintain anything that was part of their requirement.

Chairwoman Masterson asked if any Board members had any questions, comments or concerns.

Vice-Chairman Kimble asked that on the third part of their request, the 8.4-foot variance for the rear yard setback, why were they not able to build a home that could fit in that envelope.

Ms. Craciun Dinu commented that she thought just having the open area of the building envelope and that be in the setback area would be beneficial for anybody who builds or bought the lot.

Chairwoman Masterson stated that generally the Board asked for a review of the Duncan factors regarding applications and that Director Lieber made a good point that the project was compliant originally, however, when it went to engineering, they determined that it needed a bigger area and that everyone was aware of how important maintaining everything for flood and drainage control was,

especially with as many storms as there had been recently. She asked regarding subplot 375 looked like it's pretty much half of the lot where the house would be built was wetlands.

Chief Building Official Fursdon stated that they would have to speak to Engineering because the wetlands may have been mitigated but he didn't have the answer for that.

Ms. Craciun Dinu stated that she saw what they were referring to, but it had been mitigated.

Chairwoman Masterson asked if she knew for sure that it had been mitigated.

Ms. Craciun Dinu commented yes. She stated that the only issue was with 388 with the rear setback because all of the other lots could fit the building envelope. She explained that originally the plans were approved with the 10-inch drainage easement, and it was changed to 20 and that really only affected that one lot more than any of the other lots.

Chairwoman Masterson read the Duncan Factors and stated that the first question was "Could the property yield a reasonable return?" She stated that she thought regarding subplot 388, that they could build a different house and not need the variances, but for subplot 389 what they were asking for was minimal. She read the second question, "Was the Variance substantial?" She stated that again, regarding subplot 388, it was entirely possible to put a house in that envelope, but the variances were minor. She then read, "Would the essential character of the neighborhood or adjoining properties be altered?" She stated that she didn't think that anybody would visibly be able to see any difference driving down the road. She read, "Would it adversely affect the delivery of government services?" and commented on that government services as the reason why they were there. She read the next question, "Did the property owner purchase the property with the knowledge of zoning?" She commented that yes, but they were also approved and once again they were back. She read, "Could it be fixed through a different way other than a variance?" She remarked that it would cost a lot of money to fix that, but they were not supposed to take money into consideration. She read, "Would the spirit and intent behind the zoning requirement be observed and substantial justice be done by granting the variance?" She stated that drainage was a big concern, and they wanted to make sure that they didn't impede any of the drainage issues.

Chairwoman Masterson asked if the Administration had other questions or concerns.

None were given.

Chairwoman Masterson asked if there was anybody in the audience that wants to speak on behalf of this matter.

Gary and Georgia Misener, 6068 Avon Belden Rd, North Ridgeville, OH 44039, were sworn in.

Mr. Misener stated that he and his wife were there to just say that they were firmly opposed to any annexation of their property by Valore or any other builder and that the answer was no. He commented that he was sure that all adjoining residents wanted to see proper water management and drainage, but they were going to have to accomplish that by some other means other than taking it from their property.

Chairwoman Masterson asked how would they be taking property that they owned?

Mr. Misener asked if subplot 388 wasn't directly behind their address.

Chairwoman Masterson stated that no one by law could build on their property.

Mr. Misener read, "Item number 3, an 8.4-foot variance of rear yard setback".

Chairwoman Masterson pointed to the map and explained that the variances would be on the builder's property.

Mr. Misener asked if there was any encroachment.

Chairwoman Masterson stated, no, by law they couldn't do that.

Mrs. Misener asked if they were talking about the field that was behind them.

Chairwoman Masterson commented that where the subdivision was going to be going, that was correct. She asked if they had any other questions.

Mrs. Misener stated that they did not and that that was a good outcome.

Mr. Misener apologized for the misunderstanding.

Director Lieber stated that just to add a little extra context, the area that was required by engineering to become an easement was intended to protect their property and their neighbors from stormwater flow. She added that the requirement was that there would now be common space between their property line and the privately owned subplot, so there wouldn't be a neighbor who owned property right up against their backyard. She discussed that that way they had the ability to ensure that the HOA was maintaining drainage in that area properly and that if they didn't, the City could come in and clear obstructions or things that might be blocking stormwater. She stated that Engineering made that requirement to protect them and their neighbors.

Mr. Misener asked what part of the parcels the variances affected if it wasn't encroaching on his property.

Chairwoman Masterson stated that it only effected the subdivision itself.

Vice-Chairman Kimble stated that the request for the 8.4 feet was to be closer to the rear property line. He explained that the home was supposed to be 30 feet from the rear property line, and they were asking to be 8.4 feet closer, and it was just the house being shifted just a little bit more.

Chief Building Official Fursdon stated that the Engineering Department had asked the developer to move the rear property line of that subplot that they were developing 20 feet away from their property line and by doing so, they had shrunk the size of that lot, so they were asking if they could build the house 8 feet closer to the rear property line instead of the 30 feet that the code required them to and had nothing to do with their property.

Chairwoman Masterson stated that by law no one was allowed to build on someone else's property. She asked if anyone else had any questions, comments or concerns.

None were given.

Moved by Masterson and seconded by Graupmann to approve variance request number one.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Moved by Masterson and seconded by Cain to approve variance request number two.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Moved by Masterson and seconded by Cain to approve variance request number three.

A roll call vote was taken and the motion carried.

Yes – 3 No – 1

PPZ2024-0289 Chris & Linda Rogers, 35303 Downing Ave, PPN 07-00-019-000-072

Proposal consists of RV Storage. Property is zoned R-1 Residence District. Request:

1. A variance for an RV stored in the front yard, code does not permit, Section 1294.02(b)(2).
Application was read.

Chairwoman Masterson asked if there were representatives for the application.

Chris & Linda Rogers, 35303 Downing Ave, North Ridgeville, OH 44039, were sworn in.

Chairwoman Masterson asked Director Lieber to give her review of the application.

Director Lieber stated that the property owners were requesting a variance that would allow them to park and store their recreational vehicle, which was a camper, and in their case the front yard. She explained that the case came to the Board as a result of a property maintenance enforcement or zoning enforcement action. She discussed that the zoning code only permitted parking or storage of RVs on residential property to the rear of the front building line. She added that the applicant had indicated in their petition that such parking would take place during camping season and that perhaps they could provide dates as to when they proposed that would be.

Mr. Rogers stated that they kept saying front yard and he was aware that it was listed that way, but he just wanted to leave it in his driveway towards the back of the driveway.

Mrs. Rogers stated that it would be close to the garage and was a 21-foot camper. She discussed that they had campers for the last 15 years in the driveway and the current camper had been in the driveway since 2021. She stated that last year someone made a complaint about it, and they talked to all of their neighbors, and they all knew them, and they all said that they didn't really care that the camper was there. She stated that about four years ago they spent \$10,000 to put in a nice new driveway with a new

pad for it.

Mr. Rogers stated that last year when the complaint first came in, they did push it around back, but they could not physically put it to the side. He mentioned that all that they could do was leave it in the driveway at that house or drag it around to the back. He stated that he had talked to his neighbors, and he could push it between their two houses, but he would be partially on their property. He said that they had no problem with that, but even doing that he was coming close to the house and he hated to keep moving in and out of that area for fear of damaging the house. He stated that last year while moving the camper around back he put big ruts in the side of the yard and that there was a brick patio that the camper was sitting on, and he ruined the brick patio by parking it back there. He mentioned that he fixed it this year and would hate to have to keep doing that. He stated that again he put a new pad in there and he had a camper parked there for 15 years without a problem but now it was a problem. He commented that he could walk up and down his neighborhood, and it was common in their neighborhood and the whole city to park in driveways, but he can't do it.

Mrs. Rogers stated that if they could just leave it there for at least the camping months so that they didn't have to keep pulling it back and forth and back and forth they could store it.

Mr. Rogers stated that he would push it back and store it for the for the winter but pushing it in and out and in and out he was taking a chance of damaging his house.

Chairwoman Masterson asked Director Lieber how she found out about the complaint.

Chief Building Official Fursdon stated it was anonymous.

Chairwoman Masterson stated that there were an awful lot of houses that had the exact same thing and her big area of concern regarding granting a variance when clearly in that area where they lived as well as throughout the city, was common practice. She asked if she could make an inquiry into each one of those pictured and lodge a complaint in regard to that. She asked if she was allowed to do that as the Chair of the Board.

Director Lieber stated that anyone could lodge a complaint if they observed a zoning infraction certainly.

Chairwoman Masterson stated that those were clearly zoning infractions in that submittal.

Director Lieber stated that the result would be that then there would be an inspection, followed up on, notices of violation sent.

Chairwoman Masterson asked if that would be done.

Director Lieber commented that if she would like to provide specific street addresses.

Mrs. Rogers stated that that wasn't what they wanted to do.

Mr. Rogers stated that he didn't want to do that to all of his neighbors and wished he had the money to go store it someplace, but it was \$1,600 a month.

Mrs. Rogers stated that since they had written the letter to the Board, they had seen another camper that

was twice the size of theirs, but they didn't care. She added that if they went around the corner from them, there were two gigantic campers parked in the driveway. She stated that they didn't care what people did and their neighbors didn't seem to care either.

Chairwoman Masterson stated that the problem was that they were asking the Board for a variance.

Mrs. Rogers stated that it was just for those few months though and not for a year-round thing, just for the summer months.

Mr. Cain commented that it seemed that the code favored those houses with attached garages where they could put those vehicles to the rear of sight line. He stated that for certain neighborhoods and certain homes they could not follow those guidelines and to him that was an instance that maybe they should review the guidelines a little bit, because those particular homes could not follow the code that they were asking for a variance for. He commented that they couldn't follow the guideline that stated it had to be to the rear sight line of the house, one recreational vehicle and it had to be to the rear sight line of the house. He said that it was impossible to do when a home did not have a detached garage, because now he would be putting a camper or recreational vehicle in a yard where it didn't belong. He added that if he moved it to the yard or he had it stored behind his house back there and somebody complained again, was he now in violation again. He stated that not all of the homes could follow the guideline that was set past the rear sight line of the house for a camper.

Member Graupmann stated that he took a drive to that neighborhood yesterday and there were literally seven Class A trailers just in a quick drive by as well as boats. He stated that his concern would be that this was some kind of a selective enforcement on their part because they weren't doing anything about the other ones. He commented that he knew they probably were not supposed to take that into consideration, but it was hard for him to see that if they didn't grant that variance or if they made the gentleman move his trailer, well what do they do about the other ones.

Chairwoman Masterson stated that that was definitely her concern. She asked Director Lieber if it would be her responsibility to go down there and get the addresses and the properties and submit a complaint for each and every individual one.

Director Lieber stated that what she was suggesting didn't sound like that was what the applicant would like to happen. She mentioned that as the Board was aware, she was in the process of overhauling the zoning code and as they came up with the list of issues that needed to be tackled in the code updates, RVs were definitely one of those. She discussed that RVs were one of the most challenging things to regulate in zoning because they moved, anything with wheels. She stated that it wasn't a structure that they could easily regulate, and issue permits for and then it was good because RVs come and go. She stated that some of the comments in her report were also the challenge that they were allowed to park in their driveway for certain periods of time for loading and unloading. She explained that there was a huge challenge with Building staff to then document when those vehicles come and go, because it's not just going out and seeing it once, they would then have to come back in 48 hours and assume that it hadn't moved. She stated that it was super challenging, and they knew they needed to tackle that in the zoning code, but she didn't know that a massive enforcement at this point on the eve of reviewing the zoning code seemed like the right direction to go in her mind but to know that it was on their radar to do so.

Chairwoman Masterson asked if they were looking to remove it from the zoning code.

Director Lieber stated that she was sure there would continue to be some type of regulation of location of RVs, they just haven't gotten to the point where they had those recommendations in place yet. She said that they were still in the diagnosis phase where they had diagnosed that that was an area of the code they needed to revisit and come up with regulations that fit more different types of lots.

Chief Building Official Fursdon stated that the hard part was that the setback requirements in different areas of the city varied and mentioned that they could get into certain areas where the 21-foot vehicle was going to be 9-foot off that sidewalk and it was going to be there seven days a week, when they were not using it. He discussed that now it became a sight line issue for kids and pedestrians on the sidewalk. He explained that in the applicant's particular case, it was maybe not that close and not that great a hazard, but when they got into certain areas it could be, so as the director said, it was a challenge trying to come up with an ordinance because they just couldn't come up with a one-size-fits-all.

Vice-Chairman Kimble stated that he went by the property as well and as it had been mentioned, in their particular neighborhood, there was a large abundance of trailers in driveways and boats and RVs, however the actions of the Board could affect the entire City. He stated that as mentioned by Mr. Fursdon and Ms. Lieber regarding different lengths of driveways and trailers and sightline, there was a reason the ordinance was in place. He mentioned that he did understand and was sympathetic to the fact that they had been doing that for so long and that some neighbor somewhere got upset and made an anonymous complaint.

Mr. Rogers stated that they believed it was the neighbor that lived in the rental house next door that got evicted.

Mrs. Rogers stated that it wasn't just like that in her neighborhood but also in the City and she felt like they were being targeted.

Vice-Chairman Kimble stated that it went without saying that two wrongs did not make a right and definitely hundreds of wrongs did not make a right. He commented that he completely understood what they were saying but there was a reason why that ordinance was in place, and they were in violation of that at that time.

Mr. Rogers stated that that was why he was only asking for the minimal and just from Memorial Day to Labor Day, so that he didn't have to take that risk of damaging his property.

Vice-Chairman Kimble asked what the side yard setback was on his house, from the edge of his home to the property line on the east side, how wide was that. He stated that he didn't see that in the application anywhere.

Mr. Rogers stated that he didn't have an exact measurement of it, but they could see the yellow line on the map.

Mrs. Rogers stated that if they weren't going camping until July, they didn't pull it out until probably about four days before so that they could get it ready and load it and everything. She stated that now that they were back, they had it still sitting in the driveway because they were getting it all cleaned out and winterized to be put back again. She discussed that they didn't technically pull it out Memorial Day because they didn't go camping Memorial Day and only pulled it out when they were ready to go. She

remarked that they had done several camping trips this year and if they knew within like a month's time period that they were going to be camping, they would like to be able to leave it. She added that that way they could take things out, put things in, get it ready, and then when they were done it would go back again.

Mr. Rogers stated that in his particular case, it was sitting back there in the driveway up against the garage and was not blocking anybody's view of the sidewalk.

Vice-Chairman Kimble stated that just because there were dozens or potentially hundreds in the City that are in violation did not make it right. He commented that when purchasing an RV or a trailer or a boat, there were regulations that the City must abide by. He commented on if they being enforced and stated that no, they were not and agreed with them. He added that the Board was not there to enforce those policies, and it wasn't what they did. He explained that they just had to act on what was in front of them, on each individual application. He stated that he understood that they had been doing that for years and never had an issue and then suddenly, they had a neighbor that complained against just them and not everyone else in the neighborhood.

Director Lieber stated that they were in an intervening time where they had started the code update, and they had not come up with recommendations yet. She explained that they were in a challenging moment where a homeowner was looking for relief, but they didn't want it to become the pebble that rolled downhill and became a boulder and then all those other property owners were subject to potential inspection, citation and correction. She suggested that they might table the matter and let the administration consider a stay of enforcement until the code was updated, but it didn't mean that the property would become compliant. She added that at least in the meantime it allowed them more time to carefully consider those code updates without kind of treating different property owners differently. She stated that she would suggest just tabling the matter.

Chairwoman Masterson stated that they weren't saying that it may not change, but she had a really hard time granting a variance because pretty much a good 40% of their neighbors were doing the exact same thing. She discussed that she didn't think it was fair for her to turn them down and not go after those other people. She commented that she would prefer to table it. She asked Director Lieber if they were looking to get that done this year

Director Lieber stated they were not.

Chairwoman Masterson stated that they were looking at next year and asked if they would be allowed to do what they were doing.

Director Lieber stated that before she made any commitments, she was suggesting that they tabled it now and allow the administration time to regroup as to how they might approach the situation. She commented that that could be a stay of enforcement of all RVs for a period of time until the code was updated, or it could be some other measure.

Chairwoman Masterson asked if she would get back to them.

Director Lieber stated that she would.

Mrs. Rogers asked if they were ok for now.

Chairwoman Masterson explained that all that they were doing was tabling it. She explained that if they at least tabled it, they were not making a decision.

Vice-Chairwoman Kimble stated that if it was tabled, then they could just continue to do what they were doing for the time being, which sounded like it would be an extended period of time.

Moved by Masterson and seconded by Cain to table the application.

A roll call vote was taken and the motion carried.

Yes – 3 No – 1

PPZ2024-0291, James & Tammy Kovatch, 6329 Mills Creek Lane, PPN 07-00-005-108-075, -074

Proposal consists of a 6-foot high 100% closed fence. Property is zoned R-1 Residence District.

Requests:

1. A variance for a fence greater than 4 feet and 0% open in the front yard, Section 1294.01(h)(2). Note: Proposed fence is set back from the edge of sidewalk 48'6".

Application was read.

Chairwoman Masterson asked if there was a representative for the application.

James Kovatch, 6329 Mills Creek Lane, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson stated that she had a question for Director Lieber before she gave her report. She stated that he was not on a corner lot and that there was a corner lot right next door. She asked if she would address that in her comments as well.

Director Lieber commented yes, the property owner owned those two residential lots on Mills Creek Lane, both that parcel ending in 075, which contained the dwelling, and then the parcel ending 074, which was the side yard to the north and had the frontage on the side street. She mentioned that effectively it was a corner lot when looking at those lots in combination. She explained that they wanted to install a privacy fence to screen their backyard from views from the side street and they did obtain a permit. She said that they were in the process of installing the fence when it was determined by building personnel that the height of the fence would exceed four feet, and also that segment parallel to Hickory Trail would be located within that required setback and was on the 074 property. She explained that the fence proposed was a total of 6 feet high, the bottom feet shadow box out the top two feet was horizontal rail. It would be set back close to the required property line, about 48 feet and change, so it was set back close to the requirement, but they didn't have an exact location of the right of way and where the post holes were, but they knew that it did encroach just a few feet to that front yard along Hickory.

Chairwoman Masterson asked if both houses on both ends, Block A and Block B belonged to the HOA.

Chief Building Official Fursdon stated not in that case, no.

Chairwoman Masterson she explained that that was where her misinterpretation was and was used to Bob Schmit homes subdivisions having common areas.

Chief Building Official Fursdon stated that if the fence were entirely on the parcel where the house was, they wouldn't be having that discussion, but they believed it was crossing that property line. He stated that they didn't believe it was substantially crossing the line, but it was enough to require a variance.

Chairwoman Masterson asked Mr. Kovatch to discuss his application.

Mr. Kovatch stated he was kind of surprised and thought the problem would be with the HOA when they went through the process of getting a privacy fence. He stated that when they bought the home in 2020, and at the time there was a pine tree back there, which they thought gave them a little bit of privacy on Hickory Lane. He stated that everyone would laugh because they could see right into their living room, so they had to start putting things up their windows because people could see by driving down the road, right through the house. He discussed that this year they hadn't even entertained on the deck or anything because now they felt like everybody was watching them when they walked down the street, and they never used it. He stated that they decided they needed to do something, and the remaining pine tree was taken down in the spring and the thought came to have a privacy fence to give them a little room. He mentioned that they contacted the HOA to see what they could have and what their rules were and submitted all the paperwork and got the approval from the neighbors. He stated that they had something about it running off the corner of the house, but he came out and said, no, I could come out, I owned that and that I could bring it out. He stated that the reason he brought it out from the house was because there was a walkway up the side of the garage that was already poured and he just envisioned being able to walk up the walkway and open a gate. He mentioned that he asked them to just give him enough so that he could have a gate. He stated that they just marked off a flat measurement from the house and they submitted it to the HOA and turned out to be 10-feet from the house, so that it gave him enough room for a three-foot gate and a little room so the gate wouldn't hit the fence when opening and closing. She discussed that that was why, it was just an arbitrary gave him this and on they went to the meeting, and they approved it, got the neighbors to OK it. He stated that he hired a contractor, and he came out. He said that they started to do the post holes, but they were stopped and had to figure out what and why. He stated that then it came down to the two parcels and he thought, well, if they changed everything, he thought it was Shane, who had suggested that if he wanted to go through with it that day that he could just move the fence. He mentioned that he didn't want to do that and wanted the extra room and if it was a variance he needed to do, then he was willing to wait. He stated that they were just hoping that they could continue on with what they got. He stated that he came out and they were looking for the property line and like she said it was very close and if they needed to squeeze it in, which he hoped they didn't because of the reasons it's, you know, I asked for the reasons the ordinance existed and he understand it was a corner home, and for most people it had to do with sight lines, like if somebody put a fence off the side of their house and all of a sudden that corner blocked vision. He added that it wasn't going to hurt any sight lines.

Chairwoman Masterson asked if any of the Board members had any questions.

Vice-Chairman Kimble stated that in this case he did think it was better to be safe than sorry. He commented that like Mr. Fursdon said, it seems like the fence could be over the property line, potentially not but who knew. He stated that he wasn't going to hire a surveyor to see exactly where the line was for the fence that could be a couple inches to a foot or so over, but it was better to be safe than sorry. He said that he appreciated them coming there that evening to address the Board. He stated that

as they had mentioned in their presentation, the major concern with fences on a corner property is visual obstruction, safety hazards, and such like this. He commented that theirs was extremely unique in that they had the separate parcel which is the real corner lot, and they could really be trying to abuse that and go all the way over and be asking for that type of request. He added that theirs was minimal, and he thought the fence was in place that was not going to stand out by any stretch. He commented that it was going to match the rest of the neighborhood, and he understood across the street there was another empty parcel as well. He stated that it would still be balanced and matched. He said that it wasn't like their fence would be impeding all the way over and across the street. He stated that their plan seemed to make perfect sense.

Member Cain stated that he wanted to applaud him for applying the brakes and asking permission in this situation.

Chairwoman Masterson went through reading the Duncan Factors regarding the application.

Moved by Masterson and seconded by Cain to approve the application.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Chairwoman Masterson stated that she wanted it noted that there was no one in attendance in the audience to comment on that, which was the reason that she didn't ask for public comment.

ADJOURNMENT:

The meeting was adjourned at 7:55 PM.

Linda Masterson
Chairwoman

Tina Wieber
Recording Secretary/Deputy Clerk of Council

Thursday, September 26, 2024
Date Approved

Board of Zoning & Building Appeals Application



SUBMITTAL INSTRUCTIONS

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1. Completed and signed application with application fee;
2. Ten (10) sets of dimensioned site plans, building details or other drawings and information depicting the request; and
3. Narrative of the request relative to standards of approval for variances or rationale for appeal.

PROJECT INFORMATION

35777 Center Ridge Road North Ridgeville, Ohio 44039

Location address

070002111-7078 and -7076 (consolidation in proce

R-1

Parcel number

Current zoning

Variance

Appeal or variance (attach supporting documentation)

APPLICANT/AGENT INFORMATION

Patrick Hyland, Senior Project Director, Perspectus

Name/Company

1300 East Ninth Street #910 Cleveland, Ohio 44114

Applicant address

440-785-2415

Applicant phone

phyland@perspectus.com

Applicant email

PROPERTY OWNER INFORMATION

Saint Peter Catholic Church / Rev. Robert Franco, Pastor

Name/Company

35777 Center Ridge Road North Ridgeville, Ohio

Property owner address

440-327-2201

Property owner phone

franco@stpeternr.org

Property owner email

AUTHORIZATION AND ACKNOWLEDGEMENT

Applicant signature

Property owner signature

I hereby authorize the City of North Ridgeville, including Board of Zoning and Building Appeals members, to view the premises and consent to their entry onto the property for the purpose of observing site conditions related to review of my application. The materials I have submitted depict the property lines accurately and in accordance with the plat map to the best of my knowledge. I understand that any approval granted is based upon the presumption of accuracy of these plans and that the City has no obligation to independently survey or otherwise determine the accuracy of plans, drawings or other documents. In the event a discrepancy is found to exist, I will take such action as may be needed to provide the correct information. I acknowledge and accept that the representations made in this application and at the public hearing constitute the basis for the decision by the Board. Any misrepresentations, whether knowingly made or not, may result in revocation of the Board's decision. Statements made by an applicant/agent are deemed to be statements of the owner for the purpose of the Board's decision.

OFFICE	PPZ No. PPZ 2024-0298	Date Received RECEIVED OCT 04 2024	ACTION
	Fee Paid \$125.00 ✓ #28609		

Board of Zoning & Building Appeals Staff Report

Case PPZ2024-0298
 Property Owner Diocese of Cleveland
 PPN 07-00-021-117-078 and -076
 Property Address 35777 Center Ridge Road
 Zoning R-1 Residence District
 Applicant Name Patrick Hyland, Perspectus
 Applicant Address 1300 East 9th Street, #910, Cleveland OH 44114
 Project St Peter Catholic Church building addition
 Meeting Date October 24, 2024
 Report Date October 8, 2024

REQUESTED VARIANCES	CODIFIED REFERENCES
1. A variance for depth of front yard. Proposed addition is set back 24'6" from the property line, code requires 50 feet but existing building front setback is 30'7", Section 1250.04(b)(1).	1250.04 - Lot and yard requirements (b) <u>Required Yards</u> . Yards of the following minimum depths or widths shall be provided for all lots in an R-1 District, unless otherwise permitted by this Zoning Code: (1) <u>Front Yards</u> . The depth of the front yard shall be not less than fifty feet.
2. A variance for an addition to a nonconforming structure that increases the degree of existing nonconformity. Addition further encroaches into nonconforming front setback by 6'1", code does not permit, Section 1292.03(a).	1292.03 - Limits to modifications of nonconforming structures A nonconforming structure may not be moved, repaired, maintained, altered, or enlarged except as allowed by this chapter or required by law. (a) <u>Repair, Maintenance, Alterations, and Additions</u> . A nonconforming structure with a conforming use may be repaired, maintained, altered, or enlarged, provided that no such repair, maintenance, alteration, or enlargement shall either create any new condition of noncompliance to any standard of this zoning code, or otherwise increase the degree of the existing nonconformity of all, or any part, of such structure.

Summary of Request:

The proposal consists of constructing a Parish Hall addition onto the existing St Peter Catholic Church. The 8,000 square foot addition will be attached to the west side of the church in the general location of the current rectory, which will be demolished. In the R-1 Residence District, buildings must be set back 50 feet from the front property line. The addition will be set back 24'6". The church, school and gym

buildings are all currently non-conforming in their front setback as a result of the Center Ridge Road widening project. The church is set back 30'7", making it a nonconforming structure. Nonconforming structures may be altered or added onto so long as the alteration or addition does not create a new condition of noncompliance or increase the degree of existing nonconformity.

Also note, the applicant has committed to consolidate the rectory parcel with the parcel containing the church otherwise additional variances would be required.

Review of Duncan Factors:

Can the property yield a reasonable return or can there be any beneficial use of the property without the variance?

The property can continue to be used for its intended purpose under the current zoning regulations.

Is the variance substantial?

No, the additional encroachment into the front yard is approximately 6 feet. While the addition extends less than 4 feet in front of the church building, the angle of the buildings to the road slightly exacerbates the encroachment.

Will the essential character of the neighborhood be substantially altered or will adjoining properties suffer a substantial detriment as a result of the variance?

No. When Center Ridge Road was widened, the majority of existing buildings in this segment of the road corridor became nonconforming in their front setback. The proposed location is not out of line with existing buildings on the campus and other buildings in the vicinity.

Will the variance adversely affect the delivery of governmental services (e.g. water, sewer, garbage)?

No.

Did the property owner purchase the property with knowledge of the zoning restriction?

Yes; however, the property owner was subject to taking of the frontage of their property for the Center Ridge Road widening project, which created the current nonconforming situation.

Can the property owner's predicament be precluded through some method other than a variance?

The building could be shifted south; however it has been designed of a size and orientation to meet the needs of the church and in relation to the existing church building, which is fixed.

Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting the variance?

Given the limited additional encroachment into the required front yard and given the other nonconforming structures in the area, the intent of the zoning requirement would not be undermined by the granting of the variances.

Board of Building and Zoning Appeals



PROJECT INFORMATION

St. Peter Parish Hall addition

Proposed project

35777 Center Ridge Rd

Location

October 24, 2024

Meeting date

07-00-021-117-078, -076

Parcel number

October 14, 2023

Comments due

RECOMMENDATIONS

Type comments here. Attach additional sheets as necessary.

1250.04 (b)(1) R-1 zoning requires 50 foot front yard, applicant proposing 24 foot 6 inch front yard requiring 25 foot 6 inch variance.

SUBMITTED BY

Administrative officer signature

Choose an item.

Title

Board of Zoning & Building Appeals

APPLICANT GUIDE

BOARD AUTHORITY

The Board of Zoning and Building Appeals is a five member board with the authority to make decisions associated with variance requests and appeals from the Zoning Code and Building Code. The BZBA is an administrative board that is quasi-judicial in nature. It operates more like a court than a legislative body and uses many standards and procedures similar to those associated with the courts. The Board administers oaths and hears testimony associated with cases. The Board hears both applications for variances from local ordinances and appeals from decisions of administrative officers.

APPLICATIONS, NOTICE AND APPEARANCE

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FEES

See the Planning and Zoning Fee Schedule for a complete list of applicable fees.

APPLICANT PRESENTATION

Applicants are expected to submit any documents or information relevant to their request with their application. Board members conduct site visits prior to the meeting. At the meeting, the applicant, owner or authorized agent (design professional, contractor, attorney, etc.) should be prepared to present the rationale for the appeal or variance and answer questions of the Board. Adjoining property owners may also give testimony. All parties presenting evidence are sworn in by the Board chair at the start of the case.

VARIANCE STANDARDS OF APPROVAL

In assembling an application and preparing for a presentation, it is helpful to know what standards the Board members apply in making their determinations. The factors below are considered by the BZBA in determining whether the applicant has met their burden to be granted a variance. It is strongly recommended applicants submit supporting documentation with their application that addresses these standards.

Standards for Area Variances

Granting of an area variance (area, size, setback, etc.) requires the existence of a *practical difficulty*. The factors (*Duncan v. Middlefield* (1986), 23 Ohio St.3d 83) to be considered and weighed include:

- Can the property yield a reasonable return or can there be any beneficial use of the property without the variance?
- Is the variance substantial?
- Will the essential character of the neighborhood be substantially altered or will adjoining properties suffer a substantial detriment as a result of the variance?
- Will the variance adversely affect the delivery of governmental services (e.g. water, sewer, garbage)?
- Did the property owner purchase the property with knowledge of the zoning restriction?
- Can the property owner's predicament be precluded through some method other than a variance?
- Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting the variance?

Not every factor will apply to each application and no one factor is determinative of whether or not a variance will be granted.

Standards for Use Variances

A use variance allows a use of land that is not permitted in the district in which the property is located. Because this type of relief is so significant, granting of a use variance requires the existence of an *unnecessary hardship*. The applicant must demonstrate that based upon the current zoning, the property owner is deprived of all reasonable uses of the property.

OCT 04 2024

PERSPECTUS

MEMO

To Kim Lieber, AICP, Director of Planning + Economic Development, City of North Ridgeville
From Patrick Hyland, Perspectus
Date October 4, 2024
Re: Saint Peter Catholic Church – Parish Hall Addition / Board of Zoning & Building Appeals
Submission for 10/24 Meeting
CC: Rev. Robert Franco, Pastor, Saint Peter Catholic Church

PROJECT DESCRIPTION

The Parish Hall will be an 8,000 square foot addition to the existing Saint Peter Church. The addition will be situated directly west of the church, on the site of the to-be-demolished rectory, connecting along the west transept. The addition program includes an event space for 200, a kitchen, a meeting room, restrooms, and storage space. The addition will also provide an elevator to provide accessibility to the sanctuary level and basement level of the existing church.

The addition's north façade will be parallel to the north façade of the existing church. The right-of-way and the existing church north façade are not parallel, with a divergence of 1.8 degrees. The addition is setback 24'-6" from the Center Ridge Road right-of-way, at the northwest corner of the addition. The footprint of the addition is located 2'-11" south of the Gymnasium north façade, 3'-10" north of the existing church façade, but 10'-9" south of the north face of the existing church front ramp.

VARIANCE REQUEST

The building requires a variance since the building footprint, and therefore the north façade, protrudes beyond the existing church north façade 3'-10".

The footprint of the addition was established due to the following existing conditions and constraints:

- The addition entry floor elevation is set at 725', located above the French Creek flood plain elevation. The building needed to be pushed north to stay above this elevation while accommodating the programmatic and spatial needs of the project.
- To avoid unnecessary site re-grading, including minimizing disturbance of the parking lot, minimizing site disturbance, and to minimize disruption of daily life of the parish, the building needs to stay to the north.

Please note the following:

- The existing non-conforming setbacks of the Parish's campus buildings along Center Ridge Road and the proposed variance request are as a direct result of the Center Ridge Road widening project.
- Many of the neighboring commercial buildings along that area of Center Ridge Road are also now non-conforming. The position of the addition will be generally consistent with most of the commercial structures in the vicinity.

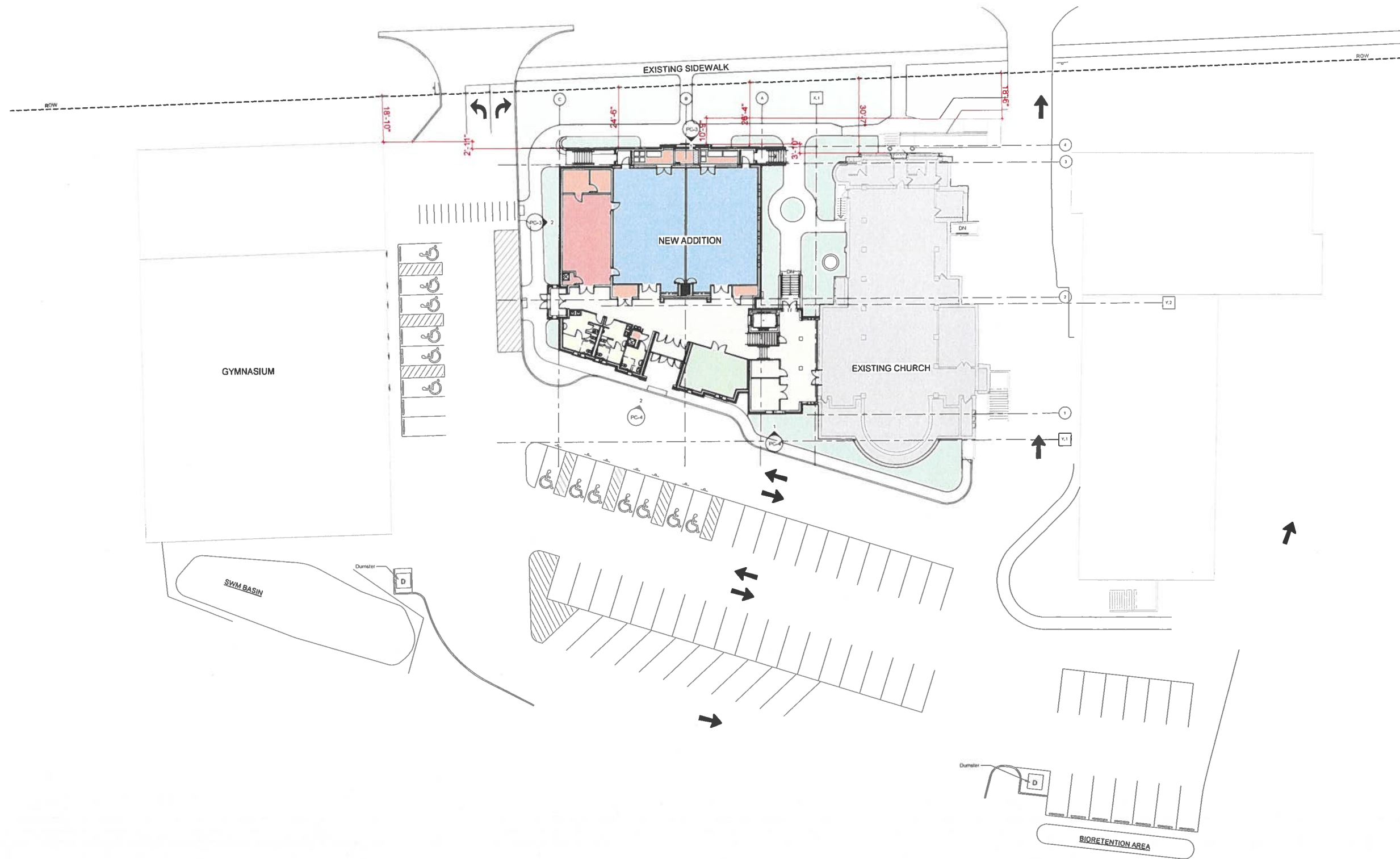
Please note the following in relation to the *Standards for Area Variances*:

- The variance is not substantial.
- The essential character of the neighborhood will not be substantially altered with this variance, nor will the adjoining properties suffer a substantial detriment as a result of the variance.
- The variance will not adversely affect the delivery of governmental services (e.g. water, sewer, garbage).

SUPPLEMENTAL DRAWINGS

We have provided the following additional documents:

- Site Plan with dimensions
- Renderings



1 Architectural Site Plan
PC-0 Scale: 1/16" = 1'-0"









Board of Zoning & Building Appeals Application



SUBMITTAL INSTRUCTIONS

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1. Completed and signed application with application fee;
2. Ten (10) sets of dimensioned site plans, building details or other drawings and information depicting the request; and
3. Narrative of the request relative to standards of approval for variances or rationale for appeal.

PROJECT INFORMATION

5449 Trevi Ct

Location address

Parcel number

Current zoning

Deck is within the 5' minimum clearance from HOA community property

Appeal or variance (attach supporting documentation)

APPLICANT/AGENT INFORMATION

Complete Design & Construction LLC

Name/Company

3402 Church Dr, Lorain, OH

Applicant address

4406705948

Applicant phone

completedesign345@gmail.com

Applicant email

PROPERTY OWNER INFORMATION

Paul Nelson

Name/Company

5449 Trevi Ct

Property owner address

440-409-2383

Property owner phone

2836 gold@yahoo.com

Property owner email

AUTHORIZATION AND ACKNOWLEDGEMENT

J. Jeffries
Applicant signature

Paul Nelson
Property owner signature

I hereby authorize the City of North Ridgeville, including Board of Zoning and Building Appeals members, to view the premises and consent to their entry onto the property for the purpose of observing site conditions related to review of my application. The materials I have submitted depict the property lines accurately and in accordance with the plat map to the best of my knowledge. I understand that any approval granted is based upon the presumption of accuracy of these plans and that the City has no obligation to independently survey or otherwise determine the accuracy of plans, drawings or other documents. In the event a discrepancy is found to exist, I will take such action as may be needed to provide the correct information. I acknowledge and accept that the representations made in this application and at the public hearing constitute the basis for the decision by the Board. Any misrepresentations, whether knowingly made or not, may result in revocation of the Board's decision. Statements made by an applicant/agent are deemed to be statements of the owner for the purpose of the Board's decision.

OFFICE	PFZ No.	Date Received	ACTION
	PP 22-24-0383	RECEIVED	
	Fee Paid	OCT 07 2024	
	75.00 - VISA		

Board of Zoning & Building Appeals Staff Report

Case	PPZ2024-0303
Property Owner	Paul and Colleen Nelson
PPN	07-00-030-000-220
Property Address	5449 Trevi Court
Zoning	R-1 Residence District (Chapter 1282)
Applicant Name	Complete Design & Construction
Applicant Address	3402 Church Drive, Lorain OH
Project	Deck
Meeting Date	October 24, 2024
Report Date	October 8, 2024

REQUESTED VARIANCES	CODIFIED REFERENCES
1. A 3.64 foot for setback to open space of a deck attached to a cluster dwelling. Applicant shows setback of 1.36 feet; code requires 5 feet, Section 1294.01(g)(5). Note: See also 1282.11(b)(2).	1294.01 - Interpretations and exceptions in general (g) <u>Area and Yard Requirements; Projections.</u> (5) In residential districts, any bay window, oriel, entrance, vestibule or balcony, which is not more than ten feet in width, may project not more than three feet into any front or rear yard. An open porch or stoop may extend into any side yard in residential districts, provided that it does not come nearer to the side lot line than five feet (except on a corner lot, in which it shall not come nearer than fifteen feet to the side street line), and may extend ten feet into any rear yard, provided that it does not come nearer to the rear lot line than fifteen feet in business, commercial and industrial districts. 1282.11 - Land planning criteria (b) <u>Building Arrangement and Dwelling Unit Size.</u> (2) <u>Cluster Area Building Spacing.</u> Dwelling units in an approved cluster area shall be set back not less than fifteen feet from any common open space area and thirty-five feet from a detached single-family side and rear property line. The Commission may, however, allow lesser distances if it determines that the intent of this chapter will be adequately met.

Summary of Request:

There is an existing patio in the rear yard of the subject property. The applicant is proposing to construct a 540 square foot composite deck in the general location of the patio. The applicant indicates the patio will protrude 18 feet from the dwelling. The approved topo shows the dwelling is 19.36 feet from the rear property line, therefore, the deck would be setback from the property line 1.36 feet. While cluster dwellings must be set back a minimum of 15 feet from open space, which abuts the rear of the property, certain projections – porches, stoops – may extend 10 feet into any rear yard. Therefore, the deck could come to within 5 feet of the rear property line by code.

The property is SL 58 in Phase 2 of North Ridge Pointe. The approved construction plans show a conservation easement due to wetlands that encompasses the wooded area south of the lot including a portion of the lot. Unfortunately, it appears that some of the protected area was cleared from the south area of the house and beyond the rear property line the area at the time the house was constructed.

Review of Duncan Factors:

Can the property yield a reasonable return or can there be any beneficial use of the property without the variance?

The property can continue to be used for its intended purpose under the current zoning regulations.

Is the variance substantial?

While the variance seems small in distance, the proximity of the deck to the property line means that installation and maintenance of the deck likely requires one to trespass on the neighboring HOA owned private property.

Will the essential character of the neighborhood be substantially altered or will adjoining properties suffer a substantial detriment as a result of the variance?

No. While fences are limited to 4 feet in height and must be 50% open in the front yard, the encroachment into the front yard is minimal. Views of the adjacent street and sidewalk will not be blocked. The closest neighbor shares a rear property line, so the fence cannot cause any obstruction to the sightline of drivers using the neighbor's driveway.

Will the variance adversely affect the delivery of governmental services (e.g. water, sewer, garbage)?

No.

Did the property owner purchase the property with knowledge of the zoning restriction?

Yes, these zoning requirements have been in place prior to the owner's purchase in 2022. The zoning regulations were publicly available and could have been discovered through reasonable diligence.

Can the property owner's predicament be precluded through some method other than a variance?

The deck could be constructed in a zoning compliant manner.

Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting the variance?

While the deviation is small, the required setback of 5 feet is also small and a minimum distance needed to be able to maintain the deck and travel through the back yard of the property without utilizing common open space as private property.

PROJECT INFORMATION

Deck

Proposed project

5449 Trevi Ct

Location

October 24, 2024

Meeting date

07-00-030-000-220

Parcel number

October 14, 2024

Comments due

RECOMMENDATIONS

Type comments here. Attach additional sheets as necessary.

1282.11 (b)(2) Cluster family dwellings shall be setback 15 foot from open space (open space is to the rear of this dwelling). 1294.01 (g)(5) Decks may extend 10 foot into the required rear yard setback. Actual rear setback is 19.36 foot minus 18 foot deck = 1.36 foot rear setback. Applicant requesting to construct deck 18 foot deck, 1.36 foot from rear property line requiring a 3.64 foot variance (15 foot setback minus 10 foot extension = 5 foot -1.36 actual setback from rear property line = 3.64 foot).

SUBMITTED BY

Administrative officer signature

Choose an item.

Title

Board of Zoning & Building Appeals

APPLICANT GUIDE

BOARD AUTHORITY

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FEES

See the Planning and Zoning Fee Schedule for a complete list of applicable fees.

APPLICANT PRESENTATION

Applicants are expected to submit any documents or information relevant to their request with their application. Board members conduct site visits prior to the meeting. At the meeting, the applicant, owner or authorized agent (design professional, contractor, attorney, etc.) should be prepared to present the rationale for the appeal or variance and answer questions of the Board. Adjoining property owners may also give testimony. All parties presenting evidence are sworn in by the Board chair at the start of the case.

VARIANCE STANDARDS OF APPROVAL

In assembling an application and preparing for a presentation, it is helpful to know what standards the Board members apply in making their determinations. The factors below are considered by the BZBA in determining whether the applicant has met their burden to be granted a variance. It is strongly recommended applicants submit supporting documentation with their application that addresses these standards.

Standards for Area Variances

Granting of an area variance (area, size, setback, etc.) requires the existence of a *practical difficulty*. The factors (*Duncan v. Middlefield* (1986), 23 Ohio St.3d 83) to be considered and weighed include:

- Can the property yield a reasonable return or can there be any beneficial use of the property without the variance?
- Is the variance substantial?
- Will the essential character of the neighborhood be substantially altered or will adjoining properties suffer a substantial detriment as a result of the variance?
- Will the variance adversely affect the delivery of governmental services (e.g. water, sewer, garbage)?
- Did the property owner purchase the property with knowledge of the zoning restriction?
- Can the property owner's predicament be precluded through some method other than a variance?
- Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting the variance?

Not every factor will apply to each application and no one factor is determinative of whether or not a variance will be granted.

Standards for Use Variances

A use variance allows a use of land that is not permitted in the district in which the property is located. Because this type of relief is so significant, granting of a use variance requires the existence of an *unnecessary hardship*. The applicant must demonstrate that based upon the current zoning, the property owner is deprived of all reasonable uses of the property.

The deck protrudes about 18' from the house. Based on the topography map the deck will fall within a few feet from the property line. This exceeds the allowable limit of clearance from the property line for the city of North Ridgeville. We are asking for a variance because the property next to my customers is HOA property that is left to its natural habitat of wood and trimmed grass. The HOA has approved them to use the area as needed as there is no room to build there or expand in any way. Thank you for your review in this matter which is part of a crucial step in helping my customer achieve his dream deck for his grandchildren and his family.

James Jeffries

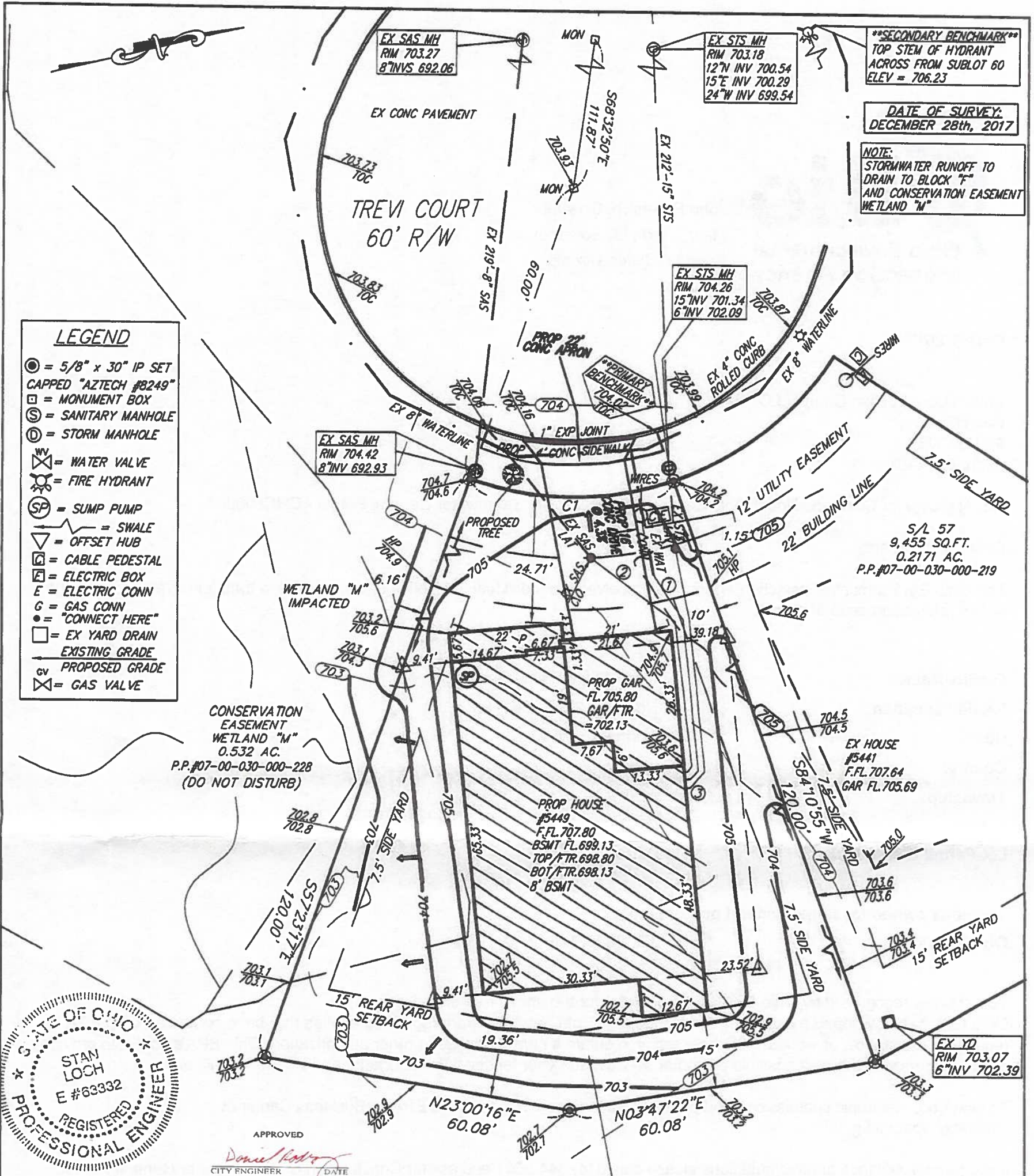
Owner Complete Design & Construction LLC

3402 Church Dr

Lorian, OH 44053

440-670-5948

Completedesign345@gmail.com



- LEGEND**
- 5/8" x 30" IP SET CAPPED "AZTECH #8249"
 - MONUMENT BOX
 - SANITARY MANHOLE
 - STORM MANHOLE
 - WATER VALVE
 - FIRE HYDRANT
 - SUMP PUMP
 - SWALE
 - OFFSET HUB
 - CABLE PEDESTAL
 - ELECTRIC BOX
 - ELECTRIC CONN
 - GAS CONN
 - "CONNECT HERE"
 - EX YARD DRAIN
 - EXISTING GRADE
 - PROPOSED GRADE
 - GAS VALVE



APPROVED
Donal Hottel
CITY ENGINEER
DATE

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	BEARING	DELTA
C1	40.25'	60.00'	20.91'	39.50'	N13°23'19"E	38°26'02"

- GENERAL NOTES:**
- SANITARY SEWER CONNECTIONS SHALL BE PVC ASTM 3034 WITH GASKET.
 - DOWNSPOUTS SHALL DRAIN ONTO SPLASHBLOCKS PER CITY ORDINANCES.
 - 5 FOOT WIDE CONCRETE WALK OVER 4 INCH BASE - 5 FEET WIDE BASE PER CITY ORDINANCE.
 - DRIVEWAY APRONS SHALL BE 6 INCH THICK CONCRETE ON 4" BASE.
 - FINAL GRADE SHALL BE VERIFIED BY REGISTERED PER CITY ORDINANCES.
 - PROPERTY PINS TO BE SET PRIOR TO FINAL GRADE APPROVAL.
 - SEED AND MULCH AFTER FINAL GRADE APPROVAL. SEEDING AND MULCHING TO BE DONE IN 21 DAYS PER CITY ORDINANCES 1444.17, SUB SECTION 'D'.
 - CONTRACTOR SHALL COORDINATE LOCATION OF SANITARY AND WATER SERVICE LINES WITH ARCHITECTURAL PLUMBING PLANS.
 - A HEAVY-DUTY SUMP PUMP WITH CHECK VALVE AND BATTERY STAND-BY POWER IS RECOMMENDED. ROUTE DISCHARGE PIPE UP TO FLOOR JOIST AND DROP DOWN TO OUTLET. CONSTRUCT CLAY DAMS IN TRENCHES OF SANITARY AND STORM LATERALS AND UTILITY SERVICES.
 - UNDERGROUND GAS, ELECTRIC, CABLE AND TELEPHONE, IN THE VICINITY, ARE "NOT SHOWN".
 - CONTRACTOR SHALL DETERMINE INVERT OF SANITARY SEWER CLEAN-OUT PRIOR TO FOOTER CONSTRUCTION. ADJUST FOOTER ELEVATION ACCORDINGLY IF REQUIRED.

- 1" = PROP 1" WAT CONN
- 6" = PROP 6" SAS CONN
- 4" = PROP 4" STS CONN

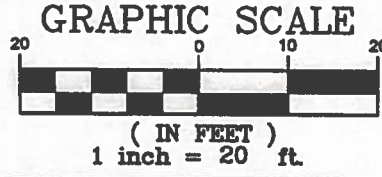
PRIMARY BENCHMARK
TOC/BOC @ PROP LINE
IN FRONT OF S/L'S 57/58
ELEV = 704.02

BUILDER: SMITEK CONSTRUCTION GROUP, LLC
P.O. BOX 275
AVON, OH 44011
216-659-0903

UTILITY PLANS BY: HAYWOOD CIVIL
ENGINEERING & LAND SURVEYING, INC.
REVISION DATED: JULY, 2016

THE CONTRACTOR MUST CHECK THE BENCHMARK WITH THE CURB GRADES PRIOR TO DIGGING THE FOUNDATION.

SECONDARY BENCHMARK
TOP STEM OF HYDRANT
ACROSS FROM SUBLOT 60
ELEV = 706.23



I CERTIFY THAT THIS PLAN WAS PREPARED BY ME AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IRON PIN MONUMENTS WERE FOUND OR SET AS INDICATED DISTANCES AND ELEVATIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF, ALL OF WHICH I CERTIFY TO BE CORRECT

STAN R. LOCH P.E. #63332
DATE 1-15-18

HORIZ. SCALE: 1"=20'	VERT. SCALE:
DRAWN BY: AJR	DATE: 1-15-2018
CHECKED BY: SRL	DRAWING NO.: 20153040-2
JOB NO.: 20153040-2	SHEET 1 OF 1

5425 WARNER ROAD - SUITE 12
VALLEY VIEW, OH 44125
440-602-9071

AZTECH
ENGINEERING and SURVEYING
Civil Engineering · Land Surveying

FAX: 216-369-0259

SITE PLAN FOR
SMITEK CONSTRUCTION
5449 TREVI COURT
S/L 58 OF THE
NORTH RIDGE POINTE PHASE 2
CITY OF NORTH RIDGEVILLE
LORAIN COUNTY, OHIO

NO.	DATE	DESCRIPTION	BY

RECEIPT NUMBER

00028749



City of North Ridgeville
7307 Avon Belden Road
North Ridgeville, OH 44039
(440) 490-2081

Paid By

COMPLETE DESIGN & CONSTRUCTION LLC

3402 CHURCH DR

Lorain, OH 44053

10/07/2024

Type	Record	Category	Description	Amount
PZE Process	PPZ2024-0303	Standard Item	BZBA Residential Application	\$ 75.00

5449 TREVI CT
0700030000220

163826356 - Approval
Code

Total	\$ 75.00
Cash	
Check	
Check #	
Credit	\$ 75.00
Transferred	
Tendered	\$ 75.00
Change	\$ 0.00
To Overpayment	\$ 0.00

52024. 13995

Residential Application for Plan Approval

BUILDING DIVISION

CITY OF NORTH

Ridgeville
EST 1810

AUG 28 2024

GENERAL INFORMATION

Construction site address

5449 Trevi Ct.
Complete Design & Const L.L.C.

Permanent parcel number

3402 Church Dr, Lorain OH

Contractor

Contractor address

440-670-5948

completedesign345@gmail.com

Contractor phone

Contractor email

Paul Nelson

5449 Trevi Ct. N.R.

Property owner

Property owner address

440-409-2383

gold2836@yahoo.com

Property owner phone

Property owner email

NEW CONSTRUCTION

DWELLING TYPE:

☒ Single Family

☐ Two Family

Energy Code Compliance Method:

SQUARE FOOTAGE:

Fin. Basement:

1st Fl:

2nd Fl:

Total:

540 Deck

GARAGE:

☐ Attached Garage

☐ Detached Garage

☐ Storage Building

Size: Width:

Depth:

Sq ft:

SUBDIVISION:

Sublot #:

Subdivision Name:

Zoning Dist.:

Water Permit #:

ADDITIONS & ALTERATIONS

Year Dwelling Built:

Additional Sq Ft:

☐ Dwelling Addition

☐ Garage Addition

☐ Storage Building Addition

☐ Kitchen Remodel

☐ Basement Remodel

☐ Other:

GENERAL PERMITS

☐ Re-Siding

☐ Re-Roofing

☐ Fire Damage Repair

☐ 2nd Water Meter

☐ Demolition

☐ Above Ground Pool

☐ In Ground Pool

☐ Lawn Sprinkler

☐ Gazebo

☐ Other:

☐ Fence

Style:

Height:

Length:

☒ Deck

Size:

Sq Ft:

SUBCONTRACTORS

All contractors performing work related to this permit must be registered and approved by the Building Division for the current year.

SUBTRADE

CONTRACTOR NAME

Masonry

Carpentry

Plumbing

Electrical

HVAC

Drywall

Excavator

Pool Erector

Landscaper

Other

PERMIT FEES

To be calculated by Building Div.

PERMIT: 98

STATE 1%: .98

ADMIN:

TOTAL: 98.98

Residential Application for Plan Approval
BUILDING DIVISION



HVAC

Furnace: ☐ New ☐ Replacement
Furnace Capacity: _____ BTU's
Furnace Fuel Type:
☐ Natural Gas ☐ L.P. Gas
☐ Electric ☐ Other: _____
Ductwork Type: _____

A/C: ☐ New ☐ Replacement
A/C Capacity: _____ Tons
Condensing Unit Location:
☐ Rear yard
☐ Left side yard
☐ Right side yard

Fireplace: ☐ New ☐ Replacement
Fuel Type:
☐ Natural Gas ☐ L.P. Gas
☐ Electric ☐ Other: _____

Gas Meter Location: ☐ Front yard ☐ Rear yard ☐ Left side yard ☐ Right side yard

PLUMBING

☐ New ☐ Alteration ☐ Replacement ☐ Service Line

Water Distribution System: ☐ Copper ☐ Pex ☐ PVC / CPVC

Indicate fixture count below:

# of Sinks	
# of Toilets	
# of Tubs/Shower	
# of water connected appliances	

Building Main Drain size: _____
Building Water Service size: _____
Water Heater Fuel Type: ☐ Natural Gas ☐ L.P. Gas
☐ Electric ☐ Other: _____
Water Heater Capacity: _____ BTUs

ELECTRICAL

☐ New ☐ Alteration/Addition ☐ Service Change

Grounding Electrodes to be used: ☐ Ground Rod s ☐ CEE/UFER ☐ Water line Service Amps: _____

Indicate load wattages & amperages for each item applicable below:
First 10,000VA at 100% remainder at 40%. Small appliance and laundry circuit loads 1500VA. Stationary appliance minimum 5000VA.

Description of Equipment	# of Units	Equipment Loads	Description of Equipment	# of Units	Equipment Loads
(Ex. Oven, Clothes Dryer, Furnace, AC etc...)	(Ex.1)	(Ex. 12000VA)			

Total Load Calculation: wattage divided by 240 = _____

Additional information may be required for final approval of electrical systems.

The following information must be clearly identified on the construction drawings: furnace location, water heater location, vent termination for dryer, furnace & water heater, water meter location.

Est. Cost of Construction: 40,350 Sidewalk Ordinance Received Date: _____
Property Owner's Signature: Paul C Nelson Date: 8/28/24
Applicant's Signature: James A. Jeff Date: 8/28/2024

APPLICATION AUTHORIZATION

Building Division Approval

Date

9.5.24

Minimum Required Inspections (Residential)
BUILDING DIVISION



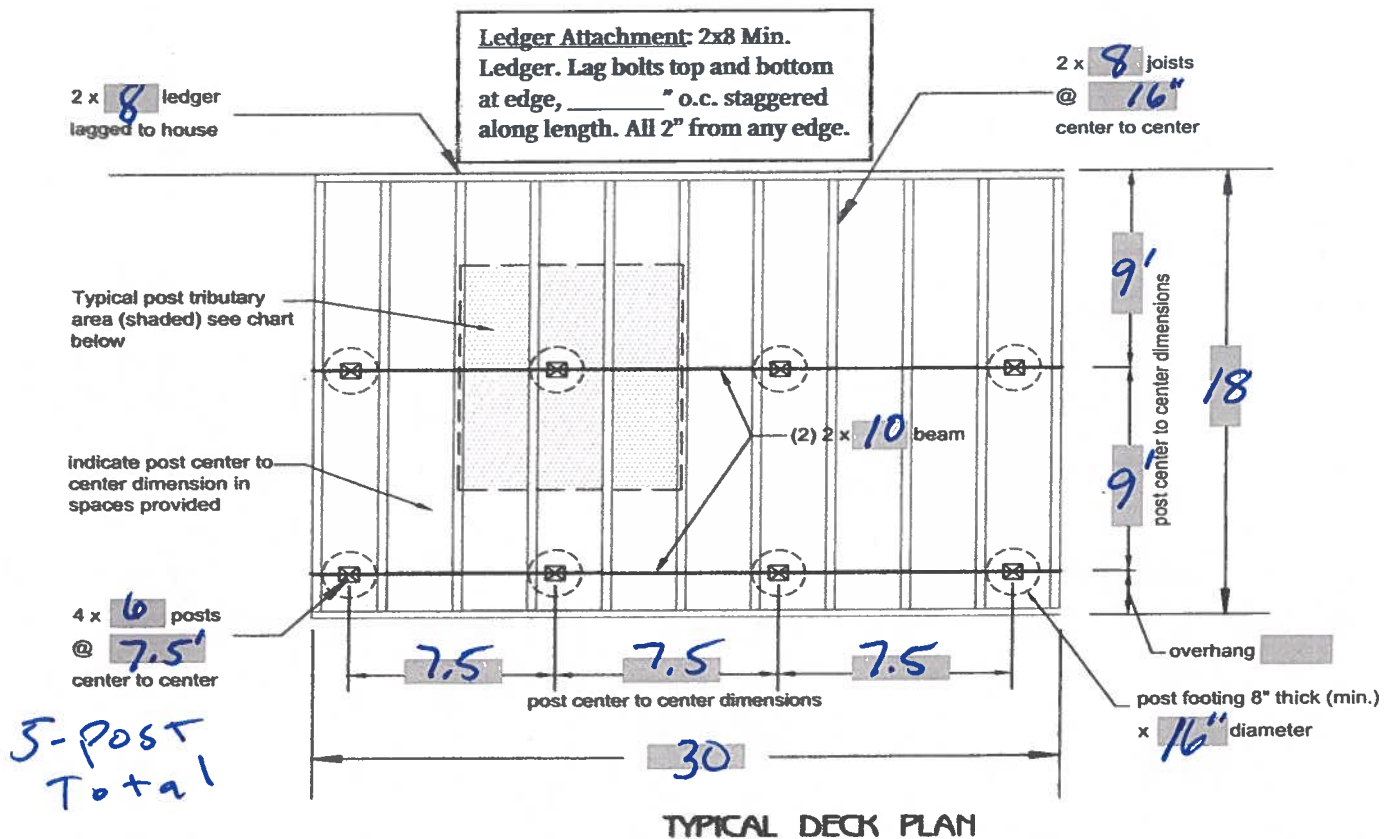
GENERAL NOTES: Must call (440) 490-2081 at least 24 hours in advance.
City approved plans must be on site at the time of all inspections or they will fail.
Morning inspections must be ready by 9:00 a.m.
Afternoon inspections must be ready by 1:00 p.m.

ADDRESS: _____

PERMITS REQUIRING PLAN REVIEW

New Construction Addition Alteration	☐ Pre-Pour Floor Slab	☐ Wall Bracing / Exterior Sheathing	☐ Final Occupancy
	☐ Pre-Pour Footer	☐ Temporary Electric (work order number required)	☐ Final Electric
	☐ Pre-Pour Foundation	☐ Electric Service (work order number required)	☐ Final Plumbing
	☐ Footer Drain	☐ Rough Electrical	☐ Fire Rated Soffit
	☐ Foundation / Waterproofing	☐ Rough Mechanical	☐ Pre-Pour Sidewalk
	☐ Footer Drain Gravel	☐ Rough Structure	☐ Pre-Pour Driveway
	☐ Interior Sewer Connection	☐ Rough Plumbing	☐ Pre-Pour Garage
	☐ Underground Plumbing	☐ Water Meter	☐ Pre-Pour Basement
	☐ Underground HVAC	☐ Insulation	☐ Final Driveway & Sidewalk
	☐ Underground Electric	☐ Drywall (shear / fire assembly)	☐ Other:
Deck	☒ Post Holes / Foundation (Lot line verification)		
Fence	☒ Rough Framing (if deck is less than 30" above ground)		
Gazebo	☒ Final (Including handrails, guardrail, etc.)		
	☐ Electric (For receptacles and lights, as applicable)		
Finished Basement	☐ Rough Framing	☐ Rough HVAC	
	☐ Rough Electric (includes suspended ceiling system track as applicable)	☐ Insulation	
	☐ Rough Plumbing	☐ Final	
Shed Garage Outbuilding	☐ Footer / Post holes	☐ Rough Electric	☐ Electric Service
	☐ Foundation	☐ Rough Plumbing	☐ Final Electric
	☐ Pre-Pour Floor Slab	☐ Rough Mechanical	☐ Final Plumbing
	☐ Rough Structure	☐ Underground Electric	☐ Final
Pool	☐ Underground Electric	☐ Electrical Bonding	
	☐ Pre-Pour (In-ground)	☐ Plumbing	
	☐ Pre-Pour (Pool Deck)	☐ Final (Including electric)	
Driveway, Sidewalk, Patio, Slab	☐ Pre-Pour (Lot lines, depth, compaction of base course)	☐ Final	
Demolition	☐ Final		
Other	☐		

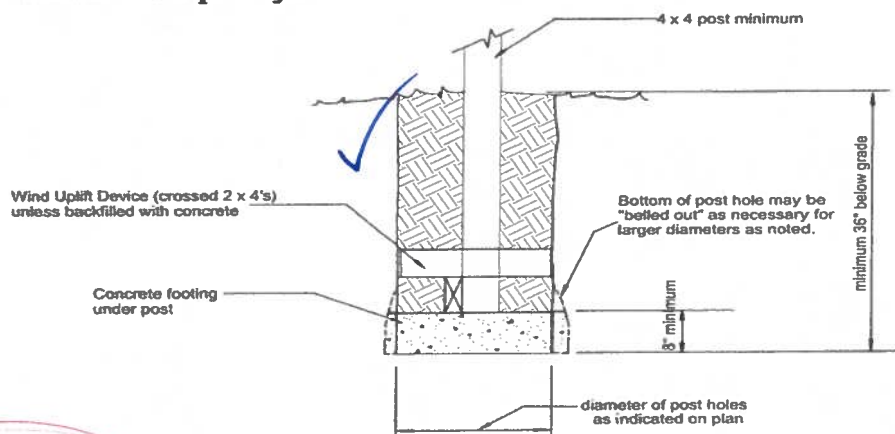
TYPICAL DECK DESIGN DETAILS



Minimum Post Footing	
Tributary Area	Footing Diameter
< 43	14"
< 56	16"
< 70	18"
< 87	20"

NOTE: Tributary Area is the load bearing area attributed to each post.

***Solid blocking is required over all bearing points; the blocking must be at least 60% depth of joists.**



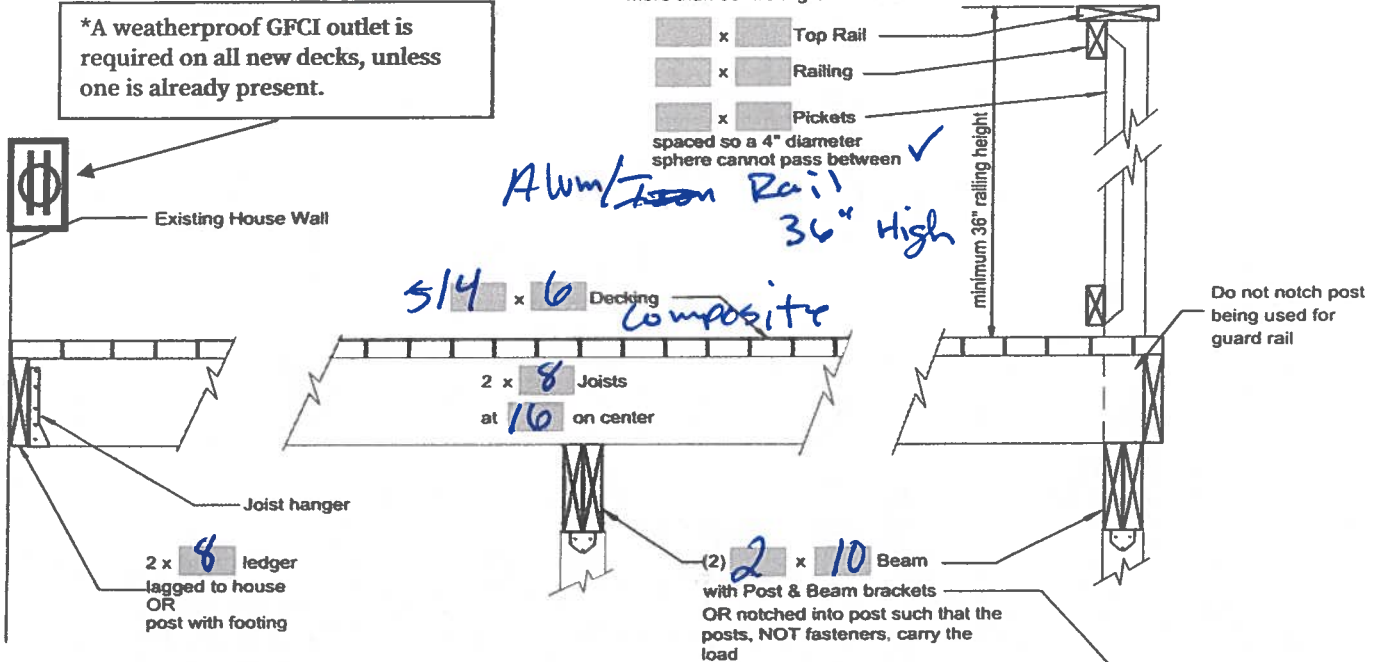
***All construction is to be compliant with the most current edition of the RCO.**

Approved 2019 RCO
[Signature]

Decks and Porches PROJECT GUIDE

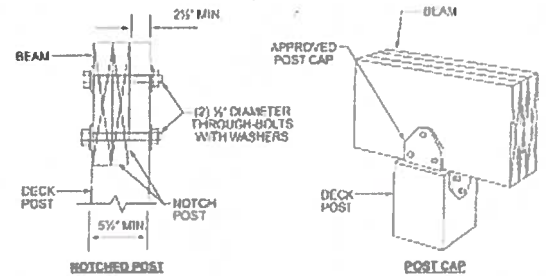
*A weatherproof GFCI outlet is required on all new decks, unless one is already present.

GUARDRAIL required when deck is more than 30" from ground level



LEDGER fastening requirements:
 1/2" lag screws or bolts & washers
 2" from top & bottom, staggered
 2" to 5" from ends
 Girders shall not be supported on ledger

TYPICAL DECK DETAILS

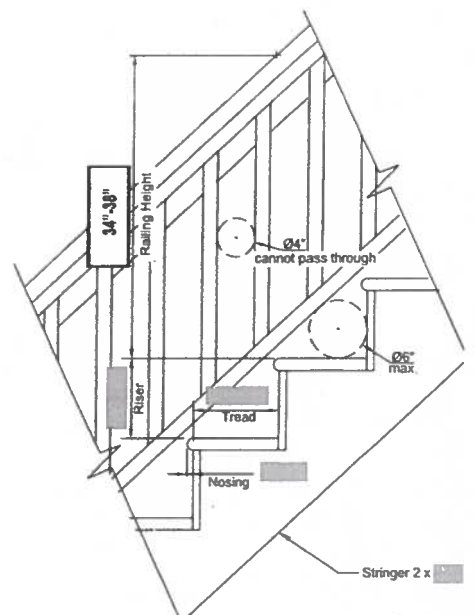


All Stairs:

- Maximum 8 1/4" Riser Height
- Minimum 9" Tread Depth
- Maximum 3/8" Deviation of Risers of Treads
- Nosing Minimum 3/4" Maximum 1 1/4"

All Railings:

- Handrail required if 4 or more risers, 34-38" in height.
- Guardrail and closed treads required if deck is 30" or more above grade.
- 4" sphere must not be able to pass through space between spindles.
- 6" sphere must not be able to pass through triangular space at stairs.



40.24

more than 20' off
prop

60.08

AUG 28 2024

5449
TREV
FOR Deck CT

existing home

more than 10' off
prop

New Deck

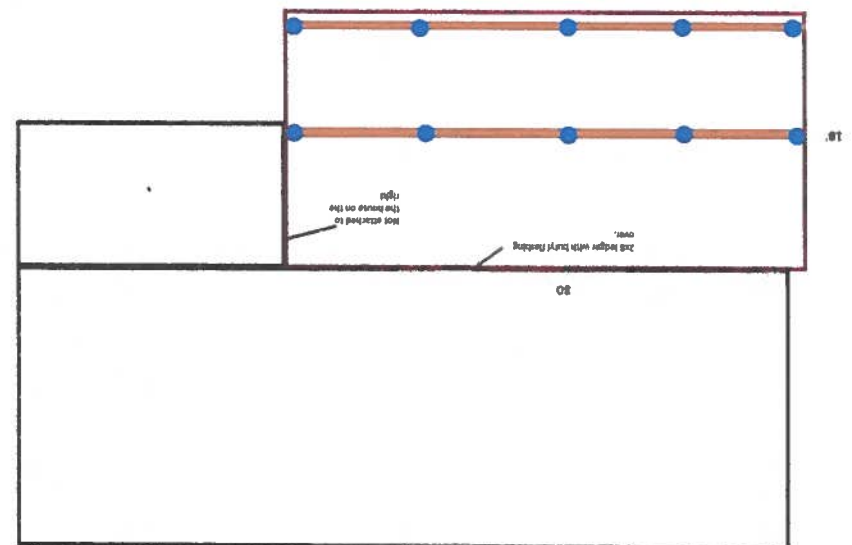
120

more than 10' off
prop

60.08

deck comes within 5', need
variance. Property behind the
house is shared community land in
the HOA

Just the corner





AUG 28 2024

5449
Trent CT
For Deck

NR Engineering Division
Approves deck if in compliance with
zoning code.

J Reitz 8/28/2024

