



Board of Zoning and Building Appeals
CITY HALL COUNCIL CHAMBERS
AGENDA OF DECEMBER 19, 2024
7:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

Regular meeting minutes of November 21, 2024.

PLANNING COMMISSION REPORT

OTHER REPORTS OR CORRESPONDENCE

PUBLIC HEARINGS

PPZ2024-0324 Javier Feliciano, 5884 Rosebelle Ave, PPN 07-00-020-108-019

Proposal consists of a detached garage. Property is zoned RS-2 General Residence District. Request:

1. A 308 square foot variance for area of detached private garage. Applicant shows 984 square feet, code allows 676 square feet, Section 1294.03(d)(1). Note: Garage also exceeds 26 feet in width.

PPZ2024-0325 The Crossing at French Creek, 5725 Avon Belden Rd, PPN 07-00-019-000-010

Proposal consists of an entrance sign. Property is zoned R-1 Residence District. Request:

1. A 4-foot variance for height of an entrance sign. Applicant shows 10 feet, code allows 6 feet, Section 1286.11(f)(3).

ADJOURNMENT

Board of Zoning & Building Appeals Application



SUBMITTAL INSTRUCTIONS

Board of Zoning and Building Appeals meetings are held on the fourth Thursday of each month at 7:00 p.m. in Council Chambers at City Hall. Applications must be filed with the Building Division at least 20 days prior to the date of the Board hearing at which the request will be considered. To be processed, applications must include:

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

5884 Rosebelle Ave N. Ridgeville Oh 44039
Location address

Parcel number

Current zoning

for variances 2 foot of property line
Appeal or variance (attach supporting documentation)

APPLICANT/AGENT INFORMATION

Javier Feliciano
Name/Company

5884 Rosebelle Ave N. Ridgeville Oh 44039
Applicant address

440-453-5904
Applicant phone

Feliciano Towing & G-mail.com
Applicant email

PROPERTY OWNER INFORMATION

Name/Company

SAME AS ABOVE

Property owner address

Property owner phone

Property owner email

AUTHORIZATION AND ACKNOWLEDGEMENT

Jay Feliciano
Applicant signature

Jay Feliciano
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. PP22024.0324	Date Received RECEIVED	ACTION
	Fee Paid \$75.00 CASH	NOV 25 2024	

Board of Zoning & Building Appeals Staff Report

Case	PPZ2024-0324
Property Owner	Javier Feliciano
PPN	07-00-020-108-019
Property Address	5884 Rosebelle Avenue
Zoning	RS-2 General Residence District
Applicant Name	Same
Applicant Address	Same
Project	Outbuilding
Meeting Date	December 19, 2024
Report Date	December 9, 2024

REQUESTED VARIANCES	CODIFIED REFERENCES
1. A 308 square foot variance for area of detached private garage. Applicant shows 984 square feet, code allows 676 square feet, Section 1294.03(d)(1). Note: Garage also exceeds 26 feet in width. Proposed garage is 41 feet wide by 24 feet deep.	1294.03 DETACHED PRIVATE GARAGES (a) As used in this section, "detached private garages" means garages which are not attached to single-family or two-family dwellings and are of frame construction or of construction similar to single-family or two-family dwellings. Detached private garages shall be located not less than five feet from the side and rear yard lot lines and not less than ten feet from other buildings located upon the same lot with a detached private garage. (d)(1) In all residential districts, no detached private garage shall exceed one story or fifteen feet in height for a single-family or two-family residential structure. No detached private garage shall exceed twenty-six feet in length or width or be over 676 square feet in area in any residential district zone with one-half acre or less.

Summary of Request:

The lot is 50 feet wide by 116 feet deep (0.13 acre) and is located in the RS-2 District. The lot is nonconforming in that it does not meet the required lot area of 6,000 square feet. Note that while the Charter allows existing lots in the RS-2 District to be considered buildable with 50 feet of frontage rather than the 60 feet required in the district, there is no Charter provision allowing for lots less than 6,000 square feet. Therefore, the lot is legal non-conforming.

In April of this year, Building staff determined that the owner of 5884 Rosebelle Avenue had constructed a garage addition on his property without the issuance of a permit. A citation was issued by the city in April and on May 3, the applicant submitted a permit application to obtain approval for the garage.

During plan review, it was found that the garage addition did not comply with the requirements of the Zoning Code. On June 5, the city issued its plan review findings that the proposed garage is located too close to the side property line, and it significantly exceeds the maximum area for a private detached garage on a lot less than one-half acre in size. The applicant was advised to bring the structure into compliance or seek variances from the BZBA.

The applicant appeared before the BZBA on July 25, 2024 with two variance requests: side setback and size of outbuilding. Both variances were denied.

The applicant has made changes to the previous proposal. The setback is shown on the drawing would be conforming, at 6 feet from the side (north) property line. Additionally, in conducting research for this case, it was found that a variance was granted for the south side yard setback of the garage in 1978 (see attached), which helps to explain how a 41-foot-wide garage could be accommodated on a 50-foot-wide lot with 6 feet to spare from the north property line. The area of the outbuilding continues to exceed code requirements, as 984 square feet is proposed and 676 square feet is permitted.

Note: In 2015 a home occupation permit was issued for this property, allowing a towing business. The applicant appeared before the BZBA in March 2017 requesting approval to allow a second work vehicle on the property, which was denied.

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?

Yes. The size of the garage significantly exceeds that which is allowed under the Zoning Code (45% greater in size). For reference, the garage is the size of a standard three car garage. The building would be a larger detached garage than those located at any other property in the vicinity. The fact the lot is undersized adds to the finding that the variance is significant.

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

The lots in the neighborhood are generally fairly small, under a quarter acre. The resulting lot coverage from the proposed garage is significantly greater than other lots 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?

The zoning requirements pre-date the ownership of this residence; so yes, the property owner did purchase the property with knowledge of the restriction.

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

The current garage is 20 feet by 24 feet, which is 480 square feet. The garage can be enlarged up to 676 square feet without the need for a variance. The applicant has not provided a statement indicating the need for the variance or how the lot has unique characteristics making compliance unfeasible.

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

As stated above, the applicant has not provided evidence in their submittal of a practical difficulty resulting from the physical characteristics of the lot to support their request. In the previous application, the applicant indicated the need to enlarge the garage was to store a work vehicle in support of their home occupation. If that continues to be the case, the hardship for the area variance is self-created and therefore not justified.

BOARD OF ZONING AND BUILDING APPEALS CITY OF NORTH RIDGEVILLE

STATEMENT OF INTENT - Reason for appeal:

Request permission to use 3 foot variance on construction of Garage. Vacant lot to immediate South owned by City to be used for a future roadway (Unknown when). Present driveway comes off of Rosebelle and ends at rear of house. Request to be able to construct a 24 x 24 garage so that present driveway can go straight into garage. There would not be enough room in back yard to use present drive and make a turn into garage positioned as present building regulations require. Present regulation would require garage be faced toward Drake with entrance off Drake. Present condition of proposed Drake is vacant field with trees and no access. Request 3 feet Variance be allowed
STATE OF OHIO SS.
LORAIN COUNTY

This signature attest to the above statements, floor and plot plan, plus any accompanying papers to this appeal.

George P. Rupp
Signature of Appellant

SWORN TO AND SUBSCRIBED before me this 17th day of May, 197 8.

Seal of Notary

Linda M. Guzey
Notary Public
Linda M. Guzey, Notary Public
My commission expires July 31, 1980.

Plot plan and House plan on reverse side.

(over)

(☒) Approved

() Disapproved

Other

Date 6/8/78

Signature

Michael P. Perrin
Board of Appeals Chairman

Please return one copy to the Building Department.

Board of Building and Zoning Appeals



PROJECT INFORMATION

Garage

Proposed project

5884 Rosebelle Ave

Location

December 19, 2024

Meeting date

07-00-020-108-019

Parcel number

December 9, 2024

Comments due

RECOMMENDATIONS

Type comments here. Attach additional sheets as necessary.

1294.03 (d)(1) In residential districts detached garages shall not exceed 676 square foot. Applicant requesting 984 square foot detached garage requiring a 308 square foot variance. BZA approval required.

SUBMITTED BY

Guy M. Fursdon

Administrative officer signature

Chief Building Official

Title

RECEIPT NUMBER

00029383



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

Paid By
JAVIER FELICIANO
5884 ROSEBELLE N AVE
RIDGEVILLE, OH 44039

11/25/2024

Type	Record	Category	Description	Amount
PZE Process	PPZ2024-0324	Standard Item	BZBA Residential Application	\$ 75.00
5884 ROSEBELLE AVE			Total	\$ 75.00
0700020108019			Cash	\$ 75.00
			Check	
			Check #	
			Credit	
			Transferred	
			Tendered	\$ 75.00
			Change	\$ 0.00
			To Overpayment	\$ 0.00

11/25/24

I Javier Feliciano proposed Garage at 984 sqft
and city ^{code} allowed for Garage 676 sqft
and I'm looking for Variance of 308 sqft.

RECEIVED

NOV 25 2024

Thank you so much for your understanding

Javier Feliciano

5884 Rosebelle Ave.

Plot

RECEIVED
JUL 05 2024

RECEIVED

NOV 25 2024

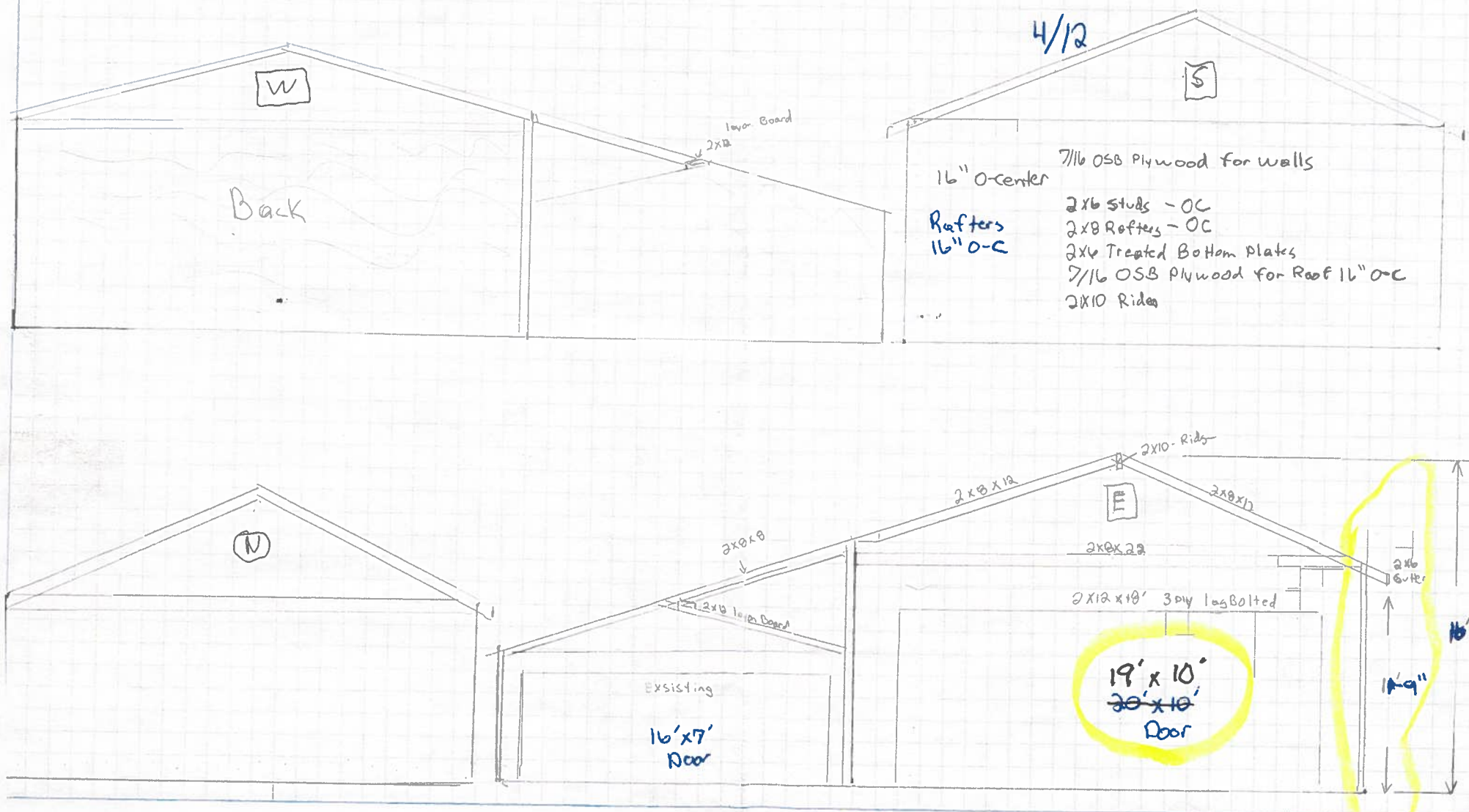
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Page 10 of 20

NOV 25 2024

RECEIVED

JUL 05 2024



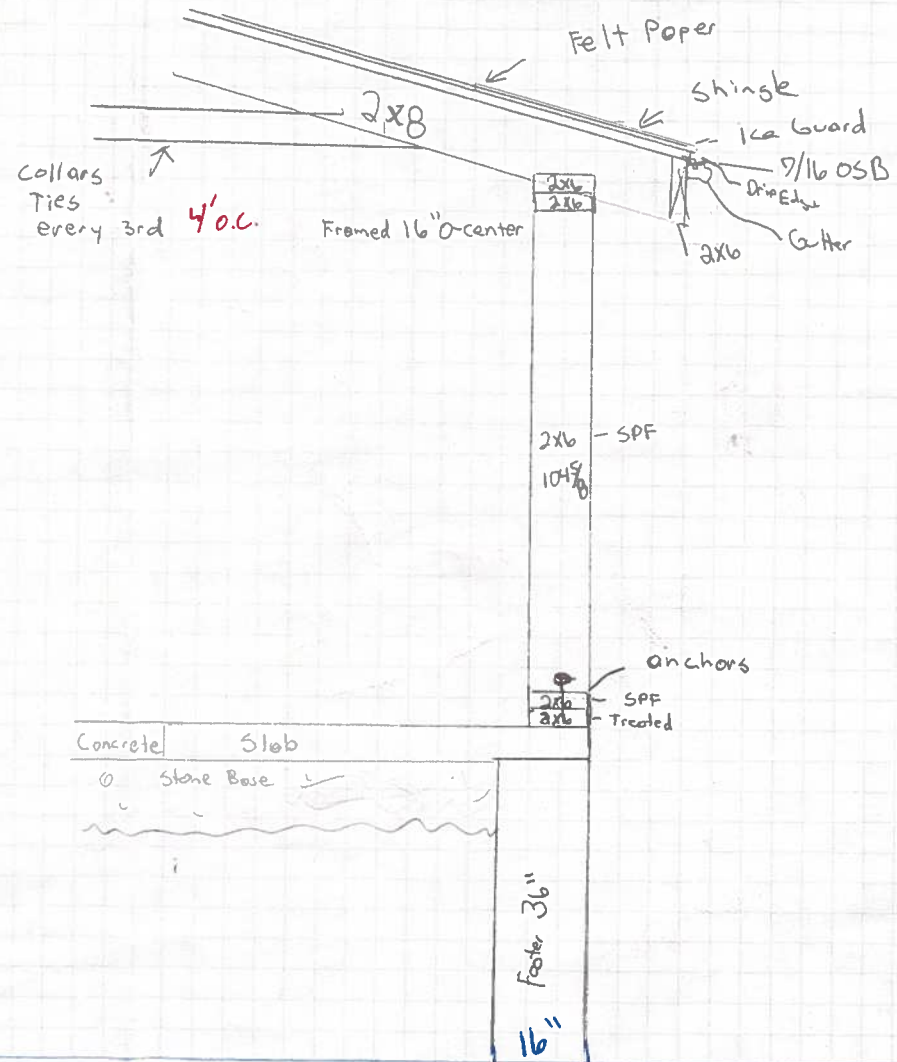
RECEIVED

JUL 05 2024

RECEIVED

NOV 25 2024

5884 Rosebelle Ave



Board of Zoning & Building Appeals Application



SUBMITTAL INSTRUCTIONS

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3. Narrative of the request relative to standards of approval for variances or rationale for appeal.

PROJECT INFORMATION

5725 Avon Belden Road

Location address

✓ 07-00-019-000-010

Parcel number

Current zoning

SEEKING SIGN OVER 6' FOR ENTRANCE

Appeal or variance (attach supporting documentation)

APPLICANT/AGENT INFORMATION

THE DREES COMPANY

Name/Company

6860 W. SNOWVILLE ROAD BRECKSVILLE, OH 44309

Applicant address

440-746-6443

Applicant phone

TSUTCLIFFE@DREESHOMES.COM
TSVOBODA@DREESHOMES.COM

Applicant email

PROPERTY OWNER INFORMATION

THE DREES COMPANY

Name/Company

6860 W. SNOWVILLE ROAD BRECKSVILLE, OH 44309

Property owner address

440-746-6443

Property owner phone

TSVOBODA@DREESHOMES.COM

Property owner email

AUTHORIZATION AND ACKNOWLEDGEMENT

Applicant signature

THOMAS D. SUTCLIFFE
DREES HOMES LAND ACQ. MGR.

Property owner signature

THOMAS D. SUTCLIFFE
DREES HOMES LAND ACQ. MGR.

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. PP2024-0325	Date Received RECEIVED DEC 04 2024	ACTION
	Fee Paid \$125.00 AMEX		

Board of Zoning & Building Appeals Staff Report

Case	PPZ2024-0325
Property Owner	The Drees Company
PPN	07-00-019-000-010
Property Address	The Crossing at French Creek, Avon Belden Road
Zoning	R-1 Residence District (Chapter 1282)
Applicant Name	Thom Sutcliffe/The Drees Company
Applicant Address	6860 W. Snowville Road, Brecksville OH 44309
Project	Entrance sign
Meeting Date	December 19, 2024
Report Date	December 4, 2024

REQUESTED VARIANCES	CODIFIED REFERENCES
1. A 4-foot variance for height of an entrance sign. Applicant shows 10 feet, code allows 6 feet, Section 1286.11(f)(3). SIGN HEIGHT means the vertical distance to the top of the sign structure. <u>Sign Height</u>. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign.	1286.11 Permanent sign allowances (f) <u>Entrance Signs</u>. (1) For residential subdivisions, residential complexes, and non-residential development parks that contain a minimum of ten (10) units/lots, such subdivision, complex, or park may install one (1) entrance sign within 150 feet of an entrance point from a public street into the subdivision, complex or park. (2) The proposed placement of any entrance sign either on private property or within the right-of-way (i.e., landscaped median) shall ensure safety and traffic visibility and must be approved by Planning Commission. (3) Entrance signs shall be designed as monument signs with a maximum sign area of 32 square feet and maximum height of six (6) feet. (4) Any entrance sign shall be in addition to the signage allowed in this chapter. (5) Entrance signs may be internally or externally illuminated but shall not include changeable copy.

Summary of Request:

The applicant is requesting a variance for the height of the entrance sign for The Crossing at French Creek, a new residential subdivision off of Avon Belden Road. The sign copy itself is 8.85 square feet. However, the design of the sign includes elements that exceed the permitted height of 6 feet. The highest attached component of the sign is 10 feet high; therefore, a 4-foot variance for height is requested.

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 without the variance.

Is the variance substantial?

While the additional height is significant based on what is permitted in the code, the fact that the sign element is decorative framework and open in nature makes the proposed sign not feel imposing or oversized.

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, the development is enhanced by the design elements of the proposed sign.

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?

These zoning requirements have been in place prior to the application for the subdivision.

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

A conforming sign could be proposed or the art elements could be free standing from the sign.

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

A height limit is established so that entrance signs, generally, are well designed into the landscape features at the entries of neighborhoods and do not detract from the overall aesthetics of the development. The proposed sign copy is modest in area and designed as to be an enhancement to the neighborhood. The additional height will not obstruct views or create other impediments to visibility.

Board of Building and Zoning Appeals



PROJECT INFORMATION

The Crossings at French Creek

Proposed project

5725 Avon Belden Rd

Location

07-00-019-000-010

Parcel number

December 19, 2024

Meeting date

December 9, 2024

Comments due

RECOMMENDATIONS

Type comments here. Attach additional sheets as necessary.

1. 1286.11 (f)(3) Entrance signs shall not exceed a maximum height of 6 foot. Applicant requesting a sign height of 10 foot requiring a 4 foot variance. BZA approval required.
2. No setback dimensions have been provided with this application.

SUBMITTED BY

Guy M. Fursdon

Administrative officer signature

Chief Building Official

Title

RECEIPT NUMBER

00029504



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

Paid By
MATTHEW SCHMAHL
2744 COMPASS POINT DR
Uniontown, OH 44685

12/04/2024

Type	Record	Category	Description	Amount
PZE Process	PPZ2024-0325	Standard Item	BZBA Commercial Application	\$ 125.00

			Total	\$ 125.00
AVON BELDEN RD			Cash	
0700019000010			Check	
			Check #	
APPR CODE: 817048			Credit	\$ 125.00
			Transferred	
			Tendered	\$ 125.00
			Change	\$ 0.00
			To Overpayment	\$ 0.00

DEC 04 2024

We are requesting a variance to the height requirements for our entry monument sign in order to accommodate the unique design of the sign and to maintain the intended rustic modern aesthetic of the property. The proposed sign incorporates a combination of metal and other materials that are integral to the visual identity we wish to create for the entrance. By slightly increasing the height, we can ensure that the sign remains proportional to the surrounding landscape, is clearly visible from the main roadway, and complements the architectural features of the property.

The taller sign will help establish a clear visual identity for the property, ensuring that visitors easily identify the entrance while complementing the natural elements of the site.

We believe that this variance request will not negatively impact the surrounding community or alter the character of the area. Instead, it will enhance the aesthetic value of the property and the overall streetscape by maintaining a cohesive, modern design that is both distinctive and respectful of its rustic surroundings. We are committed to creating a welcoming and thoughtfully designed entrance that respects both the functionality and the visual appeal of the property.

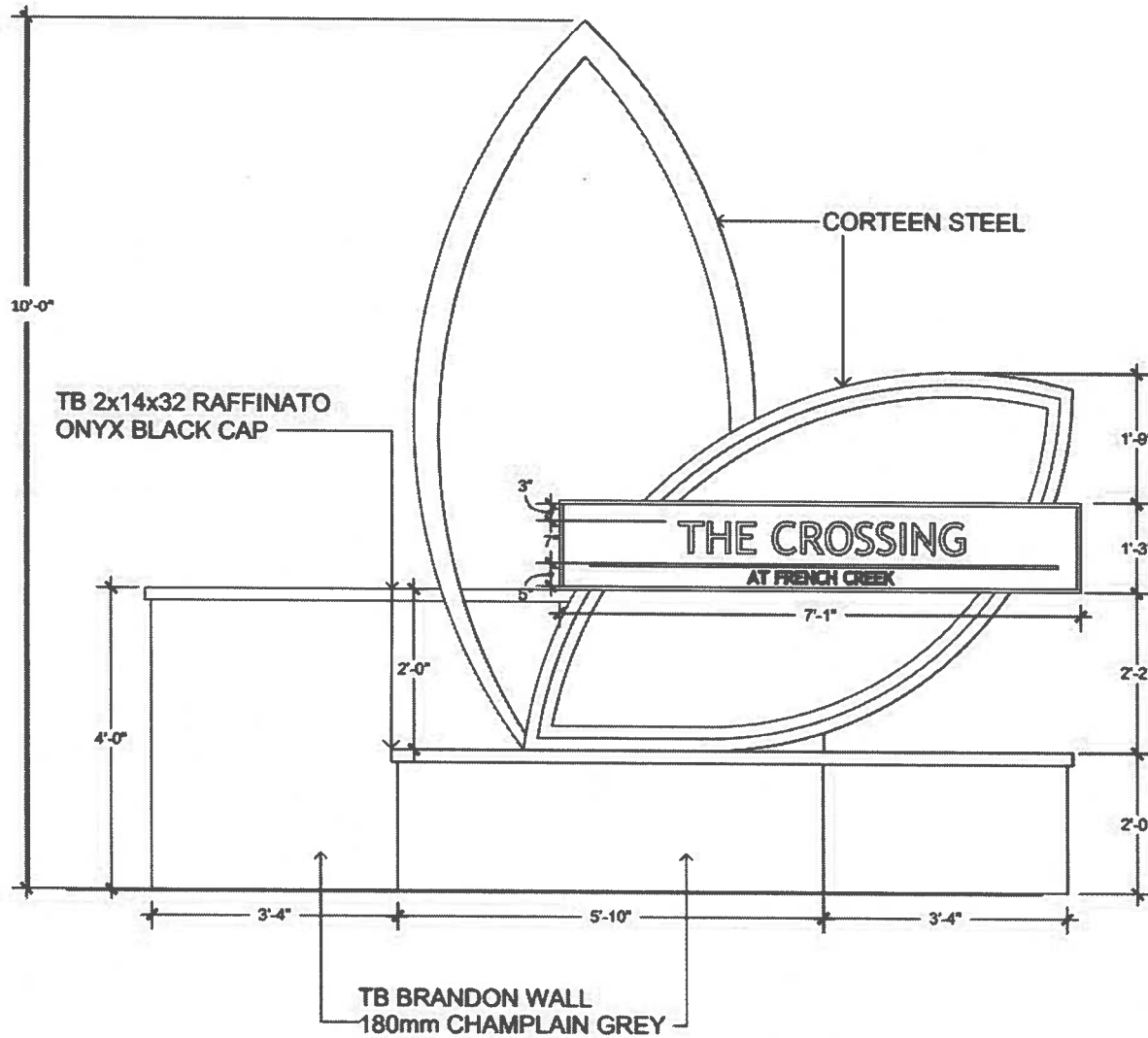
Thank you so much for your time and consideration,

Matt Schmahl

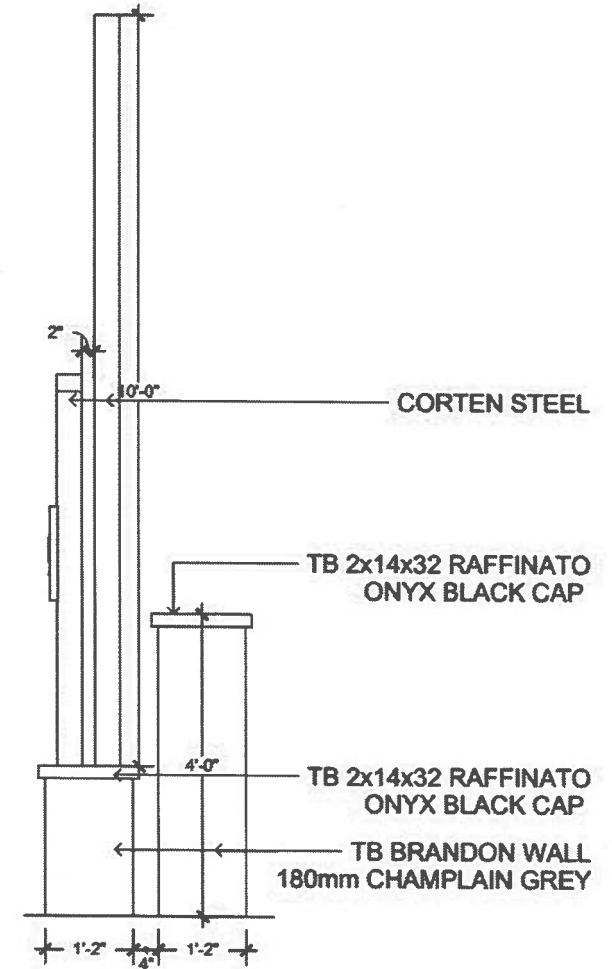
Director of Development

330-322-4919

mschmahl@gablesinc.com



FRONT VIEW



SIDE VIEW

