

Board of Zoning and Building Appeals
CITY HALL COUNCIL CHAMBERS
AGENDA OF MARCH 27, 2025
7:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

Regular meeting minutes of February 27, 2025

PLANNING COMMISSION REPORT

OTHER REPORTS OR CORRESPONDENCE

PUBLIC HEARINGS

PPZ2025-0336: South Ridge Inn, 32801 Lorain Rd, PPN: 07-00-003-102-085

Owner: Rahi Hotels, LLC, 32801 Lorain Rd, North Ridgeville, OH 44039. Proposal consists of signage. Property is zoned B-4 Commercial Parkway District. Requests:

1. A variance for a pole sign. Code expressly prohibits pole signs, Section 1286.05(g).
2. A variance for excessive sign area and height of a ground sign. Code allows a maximum of 65 square feet at 8 feet high or 50 square feet at 10 feet high, Section 1286.11(c)(2). Note: Applicant shows new sign area of 150 square feet plus existing changeable copy. Sign height not provided but previous "freeway-oriented signs" could be up to 75 feet high.

PPZ2025-0339: 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. Requests:

1. A 1-foot setback for setback of a detached garage from a side lot line. Applicant shows 4 feet, code requires 5 feet, Section 1294.03(a).
2. A 10-foot variance for setback of a detached garage from proposed porch. Applicant shows 0 feet, code requires 10 feet, Section 1294.03(a).

ADJOURNMENT

**NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS
MINUTES OF
REGULAR MEETING – THURSDAY, FEBRUARY 27, 2025**

CALL TO ORDER:

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

ROLL CALL:

Present were members Paul Graupmann, Brad Weaver, Planning Commission Liaison Frank Toth and Linda Masterson.

Member James Cain was excused.

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

MINUTES:

Chairwoman Masterson asked if there were any corrections to the minutes of the regular meeting on Thursday, December 19, 2024.

None were given.

Minutes were approved as submitted.

ELECTION OF OFFICERS:

Chairperson

Member Masterson opened the floor for nominations for Chairperson.

Member Graupmann nominated Linda Masterson for Chairperson.

No other nominations were given.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Vice-Chairperson

Member Masterson opened the floor for nominations for Vice-Chairperson. She nominated Paul Graupmann for Vice-Chairperson.

No other nominations were given.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Secretary

Member Masterson opened the floor for nominations for Secretary. She nominated Tina Wieber for Secretary.

No other nominations were given.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Board of Flood and Drainage Control Liaison

Member Masterson opened the floor for nominations for Board of Flood and Drainage Control Liaison. She nominated Brad Weaver for Board of Flood and Drainage Control Liaison.

No other nominations were given.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Alternate Board of Flood and Drainage Control Liaison

Member Masterson opened the floor for nominations for Alternate Board of Flood and Drainage Control Liaison. She nominated Frank Toth for Alternate Board of Flood and Drainage Control Liaison.

No other nominations were given.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

PLANNING COMMISSION REPORT

Planning Commission Liaison Toth stated that the North Ridgeville Planning Commission meeting scheduled for February 11th, 2025 was canceled as no timely applications were submitted for consideration and that the next regularly scheduled meeting will be held on Tuesday, March 11th, 2025 PM in City Council.

OTHER REPORTS OR CORRESPONDENCE

PUBLIC HEARINGS:

PPZ2025-0331: UH Urgent Care, 34548 Center Ridge Rd, PPN 07-00-016-101-054

Owner: The Shops on Center Ridge, LLC, 5050 Detroit Rd, Sheffield Village, OH 44035.

Applicant: Marie Cipolletta, Signarama Cleveland, 18200 S. Miles Rd, Warrensville Hts, 44128. Proposal consists of a sign package. Requests:

1. A 311.58 square foot variance for area of building signs. Applicant shows 431.58 square feet, code allows 120 square feet, Section 1286.11(a)(1)(A).
2. A variance for a second monument sign. Applicant shows two ground signs (existing Scooter's and proposed UH), code allows one, Section 1286.11(c)(1).

Application was read.

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

Marie Cipolletta, 18200 S. Miles Rd, Warrensville Heights, OH 44128, was sworn in.

Mickey Mann, Shop on Center Ridge, 5050 Detroit Rd, Sheffield Village, OH 44035, was sworn in.

Eric Placek, WellStreet, 3350 Riverwood, Atlanta, GA, was sworn in.

Chairwoman Masterson asked Director Lieber to present her report.

Director Lieber stated that the applicants proposed a sign package for the recently approved UH Urgent Care project on Center Ridge Road which consisted of both building signs and a new ground sign. She mentioned that there was a slight correction from the agenda as it was brought to her attention after the agenda went out that the building width should have included the awning on the one side, so instead of the building being 60 feet wide, really it was 66.3 feet and it increased the amount of sign based allocation. She indicated that in her report on the second page there was a grid with the updated numbers. She said that the variance for the wall signs was 298.98 and not the 311 as stated on the front page write up that was on the agenda and she wanted to clarify to look at that grid and that those were the correct numbers. She stated that the UH building shared a parcel with the former Scooters Coffee and that one ground sign was permitted per lot unless a lot frontage was in excess of 500 linear feet or if it was greater than five acres, but that lot did not meet either of those conditions, so the variance was being sought for a second ground sign. She explained that the sign itself would otherwise comply with the code requirements in terms of the height, area and setback. She discussed that the applicant was proposing building signage that was in excess of code allowances and that two square feet of signage was permitted for each linear foot of building width, and in that case that width was 66.3 feet, creating an allocation of 132.6 square feet, and the combination of the three wall signs on the various facades added up to 431 square feet.

Chairwoman Masterson asked the applicant to present their application.

Ms. Cipolletta stated that they were proposing on the north elevation a set of channel letters that was 163 square feet that was going on the front entrance, and on the south elevation another set of channel letters that would be 143.2 square feet and another set on the east elevation that was 100 square feet over the door and were proposing the monument sign along with some window vinyl.

Chairwoman Masterson asked why they were asking for relief from the code for the additional signage.

Ms. Cipolletta stated that due to them being an urgent care, they felt like the community needed to have good recognition of where they needed to go and felt the need that three signs were pertinent for them.

Mr. Mann stated that regarding the second monument sign, the existing monument sign was for the Scooters restaurant, and as they were aware Scooters didn't work out, but they had some news to share hopefully very, very soon about a second tenant that was going to take over the space and that would be the reason why they wouldn't remove the current signage that was for the existing Scooters and was why they were asking for a second signage for the monument for the upcoming University Hospital.

Mr. Placek stated that one of the things to take into consideration with the layout of the site was that they were using the back of the building for parking and that was why they asked for an additional sign toward the back. He stated that it didn't have street frontage, but it allowed patients when they came to the facility to know that they were in the right place, and it was the right elevations where they should enter the building.

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

Planning Commission Liaison Toth stated that he noticed that regarding the north sign, the grid broke that sign down as being 167.42 square feet, which was the largest of the three building signs and that one was located on essentially the rear of the building. He mentioned that as their prospective customers would enter the facility, they were going to turn off of Center Ridge, pass that building, go into the parking lot, park their vehicle and then come to approach the building. He stated that at that point in time, the customer already was pretty certain of where they were and where they were going to, so he was a little bit confused as to why they needed the largest sign over the entrance door as opposed to having the largest sign on the south exposure, which was parallel to Center Ridge Road.

Mr. Placek stated that he thought it was more of massing more than anything else, available building, and putting that large of a sign in the space they had available on that north elevation might look a little out of place. He stated that he thought they were trying to balance the building with the sizes and trying to maximize visibility.

Mr. Toth stated that the north side had the largest area sign and on their shortest dimension, 60 feet.

Mr. Placek stated that his understanding was that they were massing and trying to keep it down. He stated that he didn't realize that they sized it that way.

Mr. Toth stated that he was really concerned about the size of the variance. He stated that he realized that they were looking for a high visibility location, but that much signage on that size of a building in that location seemed to be excessive, in his opinion, and that was not even taking into account the additional signage they were going to have for the monument sign. He commented that once their customer was in, they were captive, and he was uncertain as to why such a large sign was needed on their rear entry.

Ms. Cipolletta stated that the rear entry was more of the main entrance.

Mr. Placek stated that the rear entrance was the main entrance and still needed some branding.

Mr. Toth stated that they had the window vinyls on the doors there.

Mr. Placek stated that they were very small.

Mr. Toth stated that their customers would have already parked their vehicle and would be looking at their entrance and that was a concern to him.

Ms. Cipolletta asked if they were to shrink them and swap, if that would help.

Mr. Toth remarked that he wasn't sure that that was the Board's position to change plans and to say what was reasonable and what wasn't. He stated that he just thought a 300-foot variance there in the center of the commercial district was a bit much.

Chairwoman Masterson stated that the Board asks for what their practical difficulty is and why they needed it. She mentioned that they were asking for three times as much as was allowed and asked why. She stated that they understood that it was an urgent care center, but they didn't need to put that signage on all four sides and then having two monument signs, they needed them to prove what their difficulty was other than that they were an urgent care center. She remarked that they were asking for an awful lot and asked again what their practical difficulty was.

Ms. Cipolletta stated that it was an urgent care. She mentioned that they had done several of them and in almost every city they had allowed it because it was an urgent care and they wanted it to have high visibility for the community to know exactly where they were going.

Director Lieber stated that she thought there was some danger in the Board considering the type of business and whether or not to grant a particular variance because then they would be making a content distinction, and they had talked about the sign code and that the regulations needed to be content neutral. She stated that when they were looking at the type of business to determine whether or not it was appropriate, they would be making a content-based distinction and that would not pass the constitutional muster to base a decision on a variance based upon the business type. She added that it would also run with the building, so it could be an urgent care today and some other business tomorrow, but the variance would not go away.

Chairwoman Masterson explained that the variance went with the property and not with the business and that it was a very large ask. She asked if any other Board members had any other questions.

Vice-Chairman Graupmann stated that his only concern was that to him this was just advertising, and they were advertising their brand. He stated that he thought that if people wanted to have an urgent care, they were going to know where the urgent care was. He stated that he thought it was a big ask as well.

Chairwoman Masterson asked if any other Board members had any comments.

None were given.

Chairwoman Masterson asked if anybody in the audience wanted to speak on behalf of the matter.

Michael Kohutich, 5900 Rosebelle Ave, North Ridgeville, OH 44039, was sworn in.

Mr. Kohutich stated that living off of Jaycox there that he agreed with Mr. Toth to have it out in front because that was where the majority of the traffic went, because he was always passing by that area. He

mentioned that he was a little confused but if he understood correctly, then the back of the building, which was actually the main entrance, no one would actually be seeing that. He stated that he thought that they would be better off getting whatever sizable sign for the front and then their monument sign or whatever that's called on the front because of all that traffic there, they would have no problem.

Chairwoman Masterson asked if anyone else had anything they wanted to add.

Assistant Law Director Morgan stated that it sounded like there was going to be a diversity of opinion on those and asked that they vote on them separately.

Mr. Placek stated that he was going to ask the Board what their options were at that point.

Chairwoman Masterson stated that they would be voting on the application as presented or another option was for them to withdraw their application.

Chief Building Official Fursdon commented that they could also reduce it.

Ms. Cipolletta stated that she wanted to know what suggestions they had if they did reduce it.

Chairwoman Masterson stated that the Board could not do that as it wasn't their job.

Mr. Mann stated that just to be clear, they could vote on the monument and the overall signage separately as two separate agenda items.

Chairwoman Masterson stated that was correct.

Mr. Placek asked if they could come back to the Board if they voted.

Chairwoman Masterson asked if they wanted to give any argument as to the need for the two monument signs because they were going to vote on them separately.

Mr. Mann stated that two very separate businesses happened to be on a same parcel, two separate buildings, one an existing coffee shop that was going to be with the drive-thru window, so any future business there would be more of a quick service restaurant and then the current University Hospital proposed monument, very different uses, just happened to be on the same parcel.

Planning Commission Liaison Toth asked Assistant Law Director Morgan if the vote at that meeting would be to have two monument signs on the property or if they had the option to approve the UH monument sign with the stipulations that the scooter sign was removed.

Assistant Law Director Morgan stated that the Scooter sign was not in front of them, so she didn't think that was an appropriate way to handle it that evening. She mentioned that if they wanted to come back to the Board, they could table it until a time that was certain and come back as now they were aware of some of the concerns and revamp the plan, she thought it would make sense to do both of them rather than vote on one that evening and not the other one, because they may change their mind during the process.

Ms. Cipolletta stated that they would rather table it that way they could go back to UH to have them revamp the drawings and give the Board exactly what they wantd.

Moved by Masterson and seconded by Toth to table the application until the next meeting.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

PPZ2025-0332: Richard & Kelly Greenfield, 9160 Pleasant Ridge Circle, PPN 07-00-001-000-410

Proposal consists of installing a fence on a corner lot. Property is zoned R-1 Residence District.

Request:

1. A 9-foot variance for a fence extending beyond the front building line on a corner lot. Applicant shows a 6-foot-high privacy fence extending 9 feet beyond the front building line, code does not permit, Section 1294.01(h)(2)(A).

Application was read.

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

Richard Greenfield, 9160 Pleasant Ridge Circle, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Director Lieber to present her report.

Director Lieber stated that the applicant was requesting a variance for the setback of a fence extending closer to the street than the front building line of their residential lot. She discussed that the lot was a corner lot such that both Pleasant Ridge Circle and Little Brook Way were front yards in accordance with the code. She stated that the house was set back 22 feet from the right-of-way on Little Brook and the applicant was proposing a six foot high tan vinyl fence that would project 9 feet from the building line towards that right-of-way, which then would run parallel to the street. She stated that any portion of fence between the right-of-way and the front building line also must be no greater than 4 feet high and no less than 50% open. She said that she wanted to point out that in the past they would write those up as height and opacity variance requests, but in that case clearly the fence was behind the house and it seemed that to write it up as a front yard fence with that 4 foot height and 50% open didn't seem the right direction and to her it was a setback variance. She stated that they were encroaching 9 feet beyond the front building line with a six foot high fence and that was why it was written up differently than maybe they had seen it in the past.

Chairwoman Masterson asked Chief Building Official Fursdon if he had any report to give.

Chief Building Official Fursdon stated that they were saying similar things that they were running a fence into a front yard that exceeded the height and openness requirements of the ordinance.

Chairwoman Masterson asked the applicant to speak on behalf of their application.

Mr. Greenfield stated that he was only requesting 9 feet of variance and that the reason for the fence variance was because of his landscape. He explained that if they went directly off of their corner

building, there were massive pine trees that would need to be removed that had been paid for. He said that they wanted to have as much yard as possible for a possible pool in the future and another reason for the fence was their dog. He stated that in looking at the bottom corner picture on the screen, the variance would not impede the view of the oncoming traffic going around the corner there or coming from the other way as well.

Chairwoman Masterson asked any of the Board members had any questions or concerns.

Mr. Toth stated that he had taken a look at the property, and regarding the Duncan Factors he read, “Will the essential character of the neighborhood be substantially altered or will adjoining property suffer a substantial detriment as a result of this variance” and said that in looking at his property, he saw no detriment whatsoever to the neighborhood. He stated that he felt that his variance was justifiable and stated that he would be inclined to vote in the affirmative based on that situation.

Member Weaver asked to be clear, they were asking for setback versus the opacity or the dimension on the fence.

Director Lieber stated that it was like six of one or half dozen of the other. She explained that in that case, just because it was behind the house and it acted more like a rear yard fence, so she wrote it up as a setback for the agenda but if it were 4 feet high and 50% open, it would comply and then it could be in the current location.

Chairwoman Masterson stated that she rode past the house regularly and as Director Lieber had stated, generally when someone had a corner house, they had two front yards. She stated that his practical difficulty was his front yard and how it was situated. She mentioned that he was correct that regarding his backyard, he could not move those trees without some serious landscaping, which is not one of our concerns. She said that the way that the fence was normally when looking at a corner lot, they were looking at 2 front yards and as Director Lieber stated that it was basically completely in the backyard. She asked Chief Building Official Fursdon if it were not on a corner lot, would it be compliant with code.

Chief Building Official Fursdon stated that it would.

Chairwoman Masterson stated that that was another thing to take into consideration. She mentioned that he had behind his house a very large common area, a huge retention or detention basin there.

Mr. Greenfield stated that was correct.

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

None was given.

Member Weaver stated that they were asking for something that was above and that they could have a four foot fence with 50% opacity and it would be in compliance, so they weren't saying that they couldn't have a fence, but were just saying that what he was asking for went above and beyond what was allowed, and asked if that was correct.

Chairwoman Masterson stated that if it were a front yard but when she asked Mr. Fursdon, if it were not a corner lot, would he need a variance, his response was no.

Member Weaver asked Director Lieber if he could still put in a fence, it would just have to within compliance of the four feet and 50% opacity and that was what they were voting on, that the variance went above a normal fence that could be put there.

Director Lieber stated that was correct.

Chairwoman Masterson stated that because he had a corner lot.

Member Weaver asked if it was not so much the corner lot.

Director Lieber stated that if it wasn't a corner lot, a variance wouldn't be required, but that was why he was there was because it was a corner lot and because they had two front yards for corner lots in the code and because he was proposing to install a fence in a manner that would encroach into that front yard or was too high and too opaque. She explained that they couldn't really say if not for the fact because that was the exact fact that brought the applicant there that evening.

Member Weaver stated that the other thing was that it was out of his control that he lived on a corner lot and asked if that was correct.

Chairwoman Masterson stated that was not correct because he bought the house.

Member Weaver commented that he couldn't change the fact that it was a corner lot, so they were saying that the fence had to fall within the code.

Director Lieber stated that that might go to the Duncan Factor, "Did the property owner purchase the property with knowledge of the zoning restriction", and they would hope that purchasers would know that corner lots might be treated different because the code was set up to require the two front setbacks. She explained that the corner lot requirements had been in effect for decades and decades and was not an unknowable fact.

Member Weaver stated that there were multiple corner lots in the City of North Ridgeville.

Director Lieber stated that there were hundreds, and it was not unique.

Assistant Law Director Morgan stated that they could potentially look at maybe the fact that it was a corner lot as being part of the practical difficulty that was common to all corner lots, if they wanted to use that as part of the way they looked at it while making their deliberation, because but for the fact that it was a corner lot; so they might want to look at that as a practical difficulty.

Director Lieber stated that she had a slightly different opinion that that would seem to then be a policy determination that all corner lots should be granted variances by the nature of them being corner.

Chairwoman Masterson stated that that would be her concern.

Assistant Law Director Morgan stated that it was a factor to consider and it didn't mean that it was a factor that made them vote a certain way but was just something to look at.

Chairwoman Masterson stated that the way that she was looking at it was that each individual application was individual and they should be discussing that application and only that application.

Mr. Fursdon, stated that in the past when those type of applications were presented, they would always look at it from a safety factor, if it was going to impair motor vehicle or pedestrian traffic from safely going up and down that street.

Chairwoman Masterson stated that in going over the Duncan factors, it was not a large variance and if it weren't a corner lot, it would be allowed. She stated that one of the unique qualities of the lot was just the way that the house and the driveway were situated and didn't think that many houses in the City of North Ridgeville had a driveway the way that his went on to two different streets and thought that was another practical difficulty. She stated that she didn't think it was going to impact the neighborhood and as Mr. Fursdon stated the reason why they had that requirement in place was for safety reasons and it would not impact that. She read, "Will this variance adversely affect the delivery of governmental services" and stated no, it wouldn't. She read, "Did the property owner purchase the property with the knowledge of the zoning restriction" and stated that 99% of the population did not know that if they buy a house on a corner lot that it had two side lots. She read, "Can the owner's predicament be precluded through some other method or variance" and commented that of course it could, but if it weren't a corner lot, it would be allowed.

Moved by Toth and seconded by Graupmann to approve the variance request.

A roll call vote was taken and the motion carried.

Yes – 3 No – 1

PPZ2025-0333: North Ridgeville City Schools Transportation & Maintenance Center, 7001 Ranger Way, PPN 07-00-016-104-233

Applicant: Claire Bank/Then Design Architecture, 4230 River Street, Willoughby, OH 44094. Property is zoned R-1 Residence District. Proposal consists of site lighting for Transportation and Maintenance Center. Requests:

1. A variance for lighting fixtures that are not full cut-off. Applicant shows five pole lights installed at a 45-degree angle and wall packs that are semi cut-off, code requires full cut-off, Section 1285.08(c)(1).
2. A 14-foot variance for luminaire height. Applicant shows fixture height of 30 feet, code allows 16 feet in residential districts, Section 1285(d).
3. A variance for excessive illumination levels in an open parking lot. Applicant shows average of 2.8 fc and maximum of 20.8 fc in the bus parking lot, code allows 2.0 fc average and 5.0 fc maximum, Table 1285.08-1.

The application was read.

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

Claire Bank, 4230 River St, Willoughby, OH 44094, was sworn in.

Chairwoman Masterson asked Director Lieber to present her report.

Director Lieber stated that the North Ridgeville City School District was seeking variances for their lighting and photometric plan for the new transportation and maintenance center on Ranger Way and that Planning Commission approved the project in December with the condition that staff review the final photometric plan for the parking lot for compliance. She explained that because the applicant had been unable to achieve zoning compliance through their design process, the lighting plan could not be approved administratively, which led to the variance request. She discussed that the plan deviated from the code in three ways with the first being that the building lights were semi cut off and the five of the new parking lot light fixtures would be angled and therefore not full cut off. She mentioned that full cut off really meant parallel to the ground, so not angled or where the light source was not exposed. She stated that second, the lights would be mounted at 30 feet and code allowed 16 feet in residential districts and even though it was a civic campus or a school campus and was surrounded by civic property, it was still zoned R-1 and was considered a residential district in terms of the code. She stated that third, the lighting levels exceeded code requirements for open parking lots and those were the three areas of variance requested before the Board that night.

Ms. Bank stated that the overall use of the site was going to be a bus parking lot and a transportation and maintenance center, so a lot of the reasons for the positioning and the height of the lighting fixtures had to do with making sure that the parking lot had safe lighting levels for the bus drivers moving around early morning and the buses driving around. She discussed that regarding the fixtures not being full cut off, they ended up needing to tilt some of them to cast light farther into the lot. She stated that the lot was large and the school district desired not to have parking lot lights in the middle of that because of the traffic going through the lot, making sure that those wouldn't get damaged over the years with the buses going through there. She mentioned that they kept the lights that would be facing Ranger way flat and those were full cut off as far as the taller pole light fixtures, but the ones that were facing away had a 45 degree tilt to cast the light farther into the lot. She explained that if all of them were flat, there were a substantial number of spots within the middle of the lot that would not have any lighting levels within it. She stated that due to keeping those lights at the perimeter, they did have some brighter spots at the perimeter just because they were casting that light farther into the lot instead of having lesser light coverage all throughout. She said that for the wall packs, they had those semi cut off trying to keep the amount of poles and things like that at a minimum and where they were going to have such large vehicles moving around, but knowing that there was a challenge of getting in and out of the building and pedestrians walking around that building, and wanting to make sure that it was well lit there. She added that only one of the wall packs actually faced towards Ranger Way and that the others were facing onto the school property. She discussed that the height of the fixtures would be matching the fixtures that were on North Ridgeville's campus and the parking lot directly adjacent that they were expanding north to create the facility had 30 foot poles in it. She said that some of the lighting fixtures were going to go onto those existing poles and then the others were to continue that campus like feel and with the larger vehicles, it was nice to have those higher to get more coverage without increasing the number of poles. She said that regarding the higher level of lighting within the parking lot, that that lighting really was contained as far as those higher moments of foot candles to being within the perimeter of that fence. She mentioned that they were not going towards Ranger Way as far as creating difficulty for drivers that would be driving by. She stated that the lighting fixtures that were tilted, they were putting shields on those to make sure that as people were driving by, they were not seeing anything and they were tilted away from Ranger Way.

Chairwoman Masterson asked Assistant Law Director Morgan if the variances should be addressed as

one, two and three.

Assistant Law Director Morgan stated that was correct.

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

Member Weaver stated that he had a concern regarding whether it was still possible to achieve what they were asking for and not require so much light pollution. He mentioned that there was a lot of light still in that located place and one of his concerns was regarding the light pollution and not having full cut off or full turn down on the lights.

Chairwoman Masterson asked Chief Building Official Fursdon if it was still considered residential property.

Chief Building Official Fursdon stated that it was zoned residential.

Chairwoman Masterson asked if the parking lot where it was located was a great distance to home residents.

Chief Building Official Fursdon stated that there were residents over on Pitts Boulevard but it was a little ways away. He mentioned that they had the trailer park behind the shopping center across the street from it. He stated that there were residents down on Bainbridge but that was a fair ways away.

Chairwoman Masterson asked if it were a commercial piece of property, would it be code compliant.

Director Lieber stated that one of the variances would be reduced. She explained that the pole height maximum would be 25 feet if it were not residential, so the poles as proposed would still require a variance, it would just be a lot less of a variance, but otherwise all the other variances would remain the same.

Chairwoman Masterson asked if there were any other Board members that had any other comments, questions or concerns.

Vice-Chairman Graupmann stated that he did not realize it was going to be housing school buses and thought that the height of the poles would almost necessitate something being that high to accommodate the school buses and also to illuminate the ground around the school buses because of the shadows that it would cast.

Chairwoman Masterson commented that she agreed and that while it seemed like very large variances, when contemplating what it was for, it was an unusual circumstance. She stated that Mr. Graupmann made a very good point that the lighting was for a parking lot full of buses.

Planning Commission Liaison Toth stated that he wanted to talk about the hot spots that were going to be created by angling the lights. He discussed that the light, according to the drawings, was going to be contained on their property and was not a trespassing issue into any of any adjoining property, and nothing into the right-of-way and that was achieved by the shields at the 45-degree angle. He stated that the only light he saw that possibly was an issue was the one on the west side of the building, the wall

pack there that was right by the exit but seeing as that was the exit and not the entrance, he didn't foresee that causing any problem there. He mentioned that although it was not the Board's consideration at that time, not having light poles in the parking lot was probably a good idea. He stated that the last thing he wanted to address was that they were looking to match the other light poles that were located on the campus and that he had asked the clerk to see if they were granted a variance when they built the original academic center and there was no record of any variance at that time and he thought that was what probably led them to the position where they were that day, looking for a variance on the same piece of property to do basically the same thing.

Chairwoman Masterson asked if anyone in the audience had any comments or questions.

Holly Swenk, 36259 Center Ridge Rd, North Ridgeville, OH 44039, was sworn in.

Ms. Swenk commented that the current bus garage had terrible lighting, and the new bus garage would not be located where the other bus garage was that had houses behind it. She mentioned that the bus garage was in a kind of unique situation where it was not really in a residential area but had the fire department, the police department and the schools there. She stated that she thought it should be approved.

Council Liaison Winkle stated that it was a unique situation because they were trying to structure something in an R-1 district that was not something that was made for an R-1 district when looking at the parking lot because that was a commercial parking lot in an R-1 district and was unique in itself and the practical difficulty was almost there already. He stated that concerns regarding the Duncan Factors such as "Will the variance follow the property" and stated that it was going to be the school and was not going to change and was a concern they didn't need to have. He commented that when looking at the lighting photometrics and seeing all the hot spots on there, they had to envision at night with all the buses parked there what it would look like because it would look completely different than what they saw on the photometrics. He stated that he could see why they angled the 45's out there because when the buses were parked there, they had to throw light over the buses to get it out in the parking lot, otherwise they would have dead spots. He stated that it was just a unique perspective from what he did for a living but light equaled security and that was how it kind of worked. He stated that they didn't want to grossly indulge in light without any checks and balances, but the more light, the more secure things were.

Chairwoman Masterson asked if the Administration had anything else to add.

Assistant Law Director Morgan stated that one question Mr. Toth brought up was that the light was staying on the property and that would be her biggest concern and it sounded like they had covered that.

Chairwoman Masterson then read through the Duncan Factors and asked if there was any other discussion.

Planning Commission Liaison Toth stated that he wanted to add that add that the Board's actions that evening were the result of the Planning Commission asking for Administrative approval of the final photometric plan and that was the reason they were there that evening looking at it.

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 Graupmann 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 Graupmann to approve variance request number three.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

PPZ2025-0334: 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 284 square foot variance for area of detached private garage. Applicant shows 960 square feet, code allows 676 square feet, Section 1294.03(d)(1). Note: Garage also exceeds 26 feet in width.

Application was read.

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

Javier Feliciano, 5884 Rosebelle Ave, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Director Lieber to present her report.

Director Lieber stated that it was a .13-acre lot located in an RS-2 district. She explained that the lot was non-conforming and that it did not meet the required minimum lot area, so it was a little bit undersized but was a legal non-conforming lot. She discussed that by way of history, in April of 2024, building department staff determined that the owner had constructed a garage addition on his property without the issuance of a permit. She stated that a citation was issued in April and then in May the applicant had submitted a permit application to obtain the required approval for the garage. She discussed that during plan review, it was found that the garage addition did not comply with the requirements of the code, so then in June of 24, the City issued its plan review findings that the garage was too close to the property line and exceeded the maximum area for a garage. She stated that then the applicant was advised they had to bring the garage into compliance or seek variance from the BZBA and the applicant appeared before the Board on July 25th of last year with two variance requests, one for the side setback and one for the size of the garage. She said that at that time, the proposed building was 1032 square feet, and the variance request was 356 square feet, and both of those variances were denied. She indicated that the applicant reduced their request, reapplied, appeared before the BZBA on December 19th of last year with a single variance request as they were able to eliminate the side set back. She stated that the building reduced from 1032 square feet to 984 square feet, which was still at that point over by 308 square feet and was denied. She stated that the applicant was before them that evening having made another change to the previous proposal and that the area of the garage continued to exceed code requirements by 284 square feet and that 960 square feet was proposed, and 676 square feet was

permitted. She added that the applicant had technically reduced their request and the amount of reduction from the December application to the February application was only 24 square feet total and was less than 8% reduction in the variance request.

Assistant Law Director Morgan stated that she just wanted to note that as the Board was well aware, the change that was being proposed was not substantial.

Chairwoman Masterson asked Mr. Feliciano what his practical difficulties were.

Mr. Feliciano stated that he didn't know what that meant.

Chairwoman Masterson stated that when he was there the previous two times, they kept asking why they should grant the variance, what caused it and he indicated in the past that that his contractor didn't pull permits. She asked if his contractor was there.

Mr. Feliciano stated that he wished he could find him. He stated that he met him at a casino and that he went to the casino almost every week to try to find him, but he couldn't. He stated that he had told him that he had built pretty much all of Redtail and that he used to be a contractor for all of Redtail. He commented that after trying to find him and the fact that he didn't want to take a check from him and just took his money and never gave him a receipt, kind of made him think.

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

Planning Commission Liaison Toth stated that he was reading his letter of support, and it stated that there were unique challenges presented by the topography and layout of the land, and I'm curious as to what that consists of.

Mr. Feliciano looked through the document and was unable to find what he was referring to.

Planning Commission Liaison Toth said regarding the property located at Rosebelle Avenue, that he was asking about the unique challenge he stated in the letter that there were unique challenges presented by the topography and layout of the land, and he was curious as to what those consisted of.

Chairwoman Masterson asked if there was anything regarding his ground and the layout of the land that made him build where he had.

Mr. Feliciano stated that the way it was built was probably the best and the most unique place to put it instead of being on the other side.

Planning Commission Liaison Toth stated that looking at the drawings currently submitted that day, it was a different building than what he presented to them.

Mr. Feliciano stated that was correct, they just did the new building and not the existing building.

Planning Commission Liaison Toth stated that as he looked at it currently, there were the two buildings that still coexisted and shared a common roof line. He stated that the structure that he was showing was incomplete because the roof actually went over top of the building next to it.

Mr. Feliciano stated that he was just asking for a variance for the new building and not both buildings.

Planning Commission Liaison Toth asked if he could get some clarification from Chief Building Official Fursdon. He stated that in the presentation that they had been given in December, there was a separate detached garage and a new structure that shared a common roof, making that structure approximately 40 feet wide and currently as the structure stood, it existed as those drawings were presented to them back in December. He commented that the drawing given to them that evening did not represent the structure as complete.

Chief Building Official Fursdon stated that it represented what he was proposing to do with the garage if he got the variance.

Planning Commission Liaison Toth stated that he would need to remove the common roof from the second building.

Chief Building Official commented not the common roof, he would need to take and move the exterior wall to reduce the square footage of the garage, which he could do if they cut off the roof.

Planning Commission Liaison Toth stated that the drawing they had only represented 20 feet then of the building and it didn't represent the entire building.

Chief Building Official Fursdon stated that the drawing did not represent the whole garage and believed that he was only showing the addition portion. He explained that there was an existing garage to the left side of that that was probably equivalent in size to that.

Planning Commission Liaison Toth asked if on that size of a lot would he be allowed to have two separate buildings or was he going to take this 20 and put it with the other 20.

Chief Building Official stated that it was already attached as one building and his intention was to leave it that way and reduce the size of the new addition to whatever the variance request was approved. He discussed that they could have two separate buildings down there, but the ordinance said they had to be 10 feet apart, which was another issue but there was no separation between the two buildings, it was one continuous building.

Chairwoman Masterson asked if any of the Board members had any other comments.

None were given.

Chairwoman Masterson stated that the problem was that they were looking for him to give the Board practical difficulties. She mentioned that he had spoken to the building department, and they had the Law Director there at the last meeting and he did suggest looking into legal matters regarding suing the person who was his builder.

Mr. Feliciano asked if she meant legal matters like suing the person who was his builder and stated that he was trying to find him, but he couldn't sue somebody he couldn't find.

Chairwoman Masterson stated that the problem was that he built a building without any building

permits, and he built a building that exceeded the code, and he needed to give reasons why he should be allowed to be exempt from the code and that had been asked of him in July and in December. She stated that he just kept shrinking the building and not giving the Board reasons to grant the variance.

Mr. Feliciano stated that the reason that the building was built was for a garage to be able to keep his tow truck inside.

Chairwoman Masterson stated that he was a business owner, and any business owner had to follow rules and regulations and anytime someone built a building, it did need a building permit.

Mr. Feliciano stated that he could follow the rules, but if he talked to somebody who led him wrong, or gave false information, and he trusted him, he believed in him by being a contractor and he did him wrong. He stated that he thought that he was okay by listening to him because he was a contractor and that was why he had been coming there trying to get more of a variance.

Chairwoman Masterson stated that it was the third time that he had been before the Board and she understood that he hired someone and paid him in cash, but last time the Law Director asked him if he had pursued it legally and contacted an attorney. She asked if he had an attorney representing him.

Mr. Feliciano stated that he had been trying to call Cuyahoga County and Lorain County and there was no attorney to represent that. He stated that he had been trying to get an attorney to help him but there was nobody that did it in Lorain County and no one that did it in Cuyahoga County. He stated that he called every day, although he was super busy with his two companies that he had, so he only had certain times to call, but he had to do his research. He stated that he also talked about obtaining the other side of his property and trying to file for that as well.

Chairwoman Masterson asked if he had done that.

Mr. Feliciano stated that he went to the Clerk of Council's office and talked to the lady about getting the other half of the property.

Chairwoman Masterson asked if he had hired a surveyor.

Mr. Feliciano stated not yet. He stated that he did a few years back and she was trying to look for some paperwork. He stated that recently he talked to her but he filed years back and tried to get it.

Chairwoman Masterson stated that they were talking about the present.

Mr. Feliciano stated that yes, he did file.

Chairwoman Masterson commented that he filed to have the property vacated and asked if he had filed the paperwork. She stated that it was talked about at a meeting years ago, but in order to have a property vacated, he had to initiate the paperwork. She asked if he had started the process now.

Mr. Feliciano stated no, he hadn't started the process, but he had to start the process. He stated that all he had done was talk to the clerk.

Director Lieber stated that the issue of the potential street vacation really was a separate matter from the application before them. She discussed that a petition had not been filed and that was a Council legislative action with public hearing requirements and the idea that the those two issues were completed together was not appropriate. She stated that additionally, it wouldn't change the variance requested even if that street vacation occurred and lots were consolidated, it wouldn't change the variance. She said that she preferred to keep that separate, not part of the Board's thought process.

Chairwoman Masterson asked if there was anyone in the audience that wanted to speak on behalf of the matter.

Michael Kohutich, 5900 Rosebelle Ave, North Ridgeville, OH 44039.

Mr. Kohutich stated that he was Javier's neighbor and understood what the Board was saying regarding the addition to his existing garage and to him as long as he reformed or went back in the code and moved that wall to the correct square footage, he really didn't see a problem with it. He stated that it didn't bother him or anybody in the neighborhood. He stated that it wasn't as if anyone would drive down the street and all of a sudden, they could see it. He stated that he was a little dumbfounded because typically being in the trades that usually a builder had to come to the city and submit to get a building permit. He stated that he was a good neighbor and a great guy and that he felt bad for him because it was a lot of money.

Kyle Winkle, 5889 Rosebelle Ave, North Ridgeville, OH 44039, was sworn in.

Mr. Winkle stated that he had been living there for about 10 years now and Javier was his neighbor right across the street from him for all 10 years. He stated that he had been a fantastic neighbor and an even better person. He discussed that they could have plenty of people there vouching for how nice he was and that it didn't necessarily help the situation, but he did think that the contractor he hired had put him in a really bad spot. He stated that he personally didn't think that Javier would try to slide anything under the radar or do anything to hide from the city. He said that he truly believed that he was just trying to make it right and wanted a bigger garage for his tow truck.

Holly Swenk, 3625 Center Ridge Rd, North Ridgeville, OH 44039.

Ms. Swenk asked Mr. Feliciano if he could afford to take the garage down and rebuild it.

Mr. Feliciano stated that he could not.

Ms. Swenk asked him if that was a hardship for him.

Mr. Feliciano stated that it was.

Assistant Law Director Morgan stated that she just wanted to point out, which Board already knew, but when considering whether or not to approve the application, they needed to look at things which were quantitative, which were factual, which were evidence. She stated that she was sure Mr. Feliciano was a great neighbor and a great person, but they had to sort of set that aside when making their determination and she just wanted to mention that to the Board before they voted.

Chairwoman Masterson read through the Duncan Factors, “Will this property yield a reasonable return or beneficial use without the variance” and remarked yes. She read “Is the variance substantial” and stated that the variance was still excessive at 42%. She stated that she had no practical difficulties to grant a variance of 42%. She read, “Will the essential character of the neighborhood be substantially altered or will adjoining property suffer a substantial detriment as a result of the variance” and stated that it was a very dense neighborhood with homes that were very close and under 1/4 of an acre, which was the reason for the rules and regulations. She then read, “Will the variance adversely affect the delivery of governmental services” and stated that it wouldn’t. She read, “Did the property owner purchase the property without the knowledge of the zoning restrictions” and explained that the zoning restrictions predated the property and the ownership of the residence, so yes, the property owner did purchase the property with knowledge of the restrictions. She read, “Can the property owner's predicament can be precluded by some other method other than a variance” and stated that yes, it could. She said that the original garage was 20 by 24 feet, which was 480 square feet and that the garage could be enlarged up to 676 square feet without the need of a variance. She read, “Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting this variance” and commented that the applicant provided a statement that the topography and layout of the land presented a unique challenge necessitating the variance, but did not detail nor when asked, tell them what those topographical or layout challenges were. She added that there were lots of similar size and orientations to other lots in the vicinity and that the garage was constructed without permit, so the desire to keep the structure with minimal modification was not a practical difficulty, but a self-created hardship.

Moved by Masterson and seconded by Graupmann to deny the variance request.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

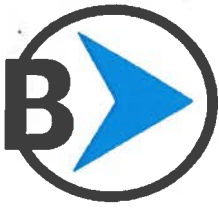
ADJOURNMENT:

The meeting was adjourned at 8:30 PM.

Linda Masterson
Chairwoman

Tina Wieber
Recording Secretary/Deputy Clerk of Council

Thursday, March 27, 2025
Date Approved



RECEIVED

FEB 21 2025

BE NEXT AWnings AND GRAPHICS, INC
5109 Clark Ave Cleveland, Ohio 44102
(216) 688-1800 / (216) 407-7711

February 18th, 2025

Variance Request for Signage at 32801 Lorain Rd

We formally request a variance to the city's sign regulations to obtain a permit for a sign that exceeds the size limitations outlined in the current ordinance. This request is submitted on behalf of South Ridge Inn, located at 32801 Lorain Rd

We understand that the City no longer approves new pole signs; however, our situation involves an existing structure that has been in place for several years. As a hotel, visibility is a critical factor in attracting guests, particularly those unfamiliar with the area. Our location on a commercial highway demands signage that is easily recognizable from a distance. A monument sign would be too small to serve this purpose, putting us at risk of losing potential clients who rely on clear and immediate wayfinding.

Many other commercial businesses in the area continue to use similar pole signs, demonstrating the necessity and effectiveness of this type of signage for establishments like ours. Transitioning to a monument sign would place us at a competitive disadvantage compared to these businesses, as it would significantly reduce our visibility to highway traffic. The pole sign is essential for maintaining our business viability and ensuring that travelers can quickly and safely locate our hotel.

We recently recovered the existing sign structure **9'0 feet in length and 15 feet in height**, maintaining the same look but modifying it into a square shape. Since we were working with the same structure, we were not aware that permits were required. Given the importance of this sign to our business and the precedent set by neighboring establishments, we kindly request the City's consideration of our variance application.

We appreciate your time and consideration of our request. Please let us know if any additional information or documentation is needed. We are more than willing to discuss this matter further and explore potential solutions that align with the City's regulations and the needs of our business.

Sincerely,

Be Next Awnings & Graphics, Inc

Board of Zoning & Building Appeals Application

FEB 21 2025



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

32801 Lorain Rd

Location address

Parcel number

Current zoning

Appeal or variance (attach supporting documentation)

We understand that the City no longer approves new pole signs; however, our situation involves an existing structure that has been in place for several years. As a hotel, visibility is a critical factor in attracting guests, particularly those unfamiliar with the area.

APPLICANT/AGENT INFORMATION

Rahi Hotels LLC

Name/Company

32801 Lorain Rd

Applicant address

440-327-0500

Applicant phone

South Ridge Inn @ gmail.com

Applicant email

PROPERTY OWNER INFORMATION

Rahi Hotels LLC

Name/Company

32801 Lorain Rd

Property owner address

440-327-0000

Property owner phone

South Ridge Inn @ gmail.com

Property owner email

AUTHORIZATION AND ACKNOWLEDGEMENT

Aldo Dure

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.	Date Received	ACTION
	PPZ 2025-0336		
	Fee Paid		
	125.00		

Board of Zoning & Building Appeals Staff Report

Case	PPZ2025-0336
Property Owner	Rahi Hotels LLC
PPN	07-00-003-102-085
Property Address	32801 Lorain Road (South Ridge Inn)
Zoning	B-4 Commercial Parkway District
Applicant Name	Same
Applicant Address	Same
Project	Signage
Meeting Date	March 27, 2025
Report Date	March 10, 2025

REQUESTED VARIANCES	CODIFIED REFERENCES
1. A variance for a pole sign. Code expressly prohibits pole signs, Section 1286.05(g).	1286.05 - Prohibited signs The following types of signs are specifically prohibited within the City of North Ridgeville: (g) Pole signs
2. A variance for excessive sign area and height of a ground sign. Code allows a maximum of 65 square feet at 8 feet high or 50 square feet at 10 feet high, Section 1286.11(c)(2). Note: Applicant shows new sign area of 150 square feet plus existing changeable copy. Sign height not provided but previous “freeway-oriented signs” could be up to 75 feet high.	1286.11 - Permanent sign allowances The following are the types of permanent signs allowed in the City of North Ridgeville and the applicable regulations for each sign type. (c) Monument Signs. The maximum sign area of an individual monument sign shall be 65 square feet if the sign does not exceed a height of eight (8) feet or a maximum sign area of 50 square feet if the sign does not exceed a height of ten (10) feet. In no case shall a monument sign exceed ten (10) feet in height.
1286.13 - Nonconforming signs (a) Any sign that was lawfully in existence at the time of the effective date of this ordinance, or amendment thereto, that does not conform to the provisions herein, shall be deemed a legal nonconforming sign and may remain except as qualified below. Minor repairs and maintenance of legal nonconforming signs shall be permitted. However, <u>no legal nonconforming sign shall be enlarged, extended, structurally altered, or reconstructed in any manner, except to bring it into full compliance with these regulations.</u> These regulations shall not prohibit the replacement of the content of a sign without the structural modification of its size, location, or configuration. (b) <u>A sign shall lose its legal nonconforming status if any of the following occurs:</u> (1) If such sign is damaged to an amount exceeding 50 percent of the sign's replacement value, not including the cost or value related to the foundation or work below grade, as determined by at least two sign companies requested to provide a quote by the City;	

- (2) The structure of the sign is altered in any form;
 - (3) The sign is relocated;
 - (4) The principal use of the property is voluntarily discontinued for a period of at least six (6) months;
or
 - (5) The nonconforming sign or its structure (including support frame and panel) is determined by the Chief Building Official to be unsafe or in violation of this code and is declared a nuisance.
- (c) Any sign that loses its legal nonconforming status must be brought into compliance with the provisions of this chapter and any other City laws and ordinances by an application for, and issuance of, a sign permit or by complete removal.
- (d) Failure to bring a sign into compliance after the loss of a legal nonconformity status shall cause the sign to be considered an illegal sign.

Summary of Request:

In 2024, the former Super 8 Motel on Lorain Road was rebranded to the South Ridge Inn. Part of the rebranding process involved signage replacement. The applicant was issued a Notice of Violation on January 1, 2025 for two items related to signage. The first violation was work without a permit. New signs were installed without having application made or permit issued by the city. The second violation was that one of the signs is a prohibited sign type as the city no longer allows pole signs.

The sign which is the subject of this variance application is the nonconforming pole sign. The applicant replaced the sign cabinet of the existing pole sign and, in doing so, the sign lost its legal nonconforming status. The sign cabinet was not refaced, but removed and replaced; therefore, the sign was structurally altered. Once structurally altered, the sign must come into conformance with the current zoning code requirements.

In addition to the sign type being prohibited, the size of the sign exceeds that which code allows for ground mounted signs. The code allows either 50 square feet or 65 square feet, depending the height of the proposed sign; but in no case can a ground sign exceed 10 feet in height. The new sign is 150 square feet plus there is existing changeable copy. The height was not provided but the previous sign code would have allowed for up to 75 feet high. Plans are not on file for the previous Super 8 Motel sign to reference.

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 be used for its intended purpose without the variance.

Is the variance substantial?

The variance is quite substantial. Because the sign lost its legal nonconforming status, it must be viewed as a new application. The zoning code does not permit pole signs. In adopting the new sign code in 2023, Council made a specific policy determination that existing pole signs would only be allowed to continue as nonconforming signs and that any future signage would need to comply with monument sign standards. Additionally, the code limits sign face of monument signs to no more than 65 square feet. The sign cabinet that was recently installed is 150 square feet and is in addition to existing changeable copy proposed to remain.

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 character of the corridor currently includes businesses with fairly large pole signs. However, the sign code was changed in order to prohibit pole signs, reduce sign clutter, standardize monument signs and improve the aesthetics of the city's commercial corridors.

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 sign code changed since the property was last purchased. The new sign code went into effect in August 2023. If permit application had been made as required, the changes to the code would have come up before the work was completed.

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

There is no way to accommodate a pole sign or the amount of signage requested without a variance.

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

It is understandable that a commercial property owner would wish to preserve an existing pole sign base and the amount and visibility of signage that they currently enjoy. However, the sign code changed deliberately in 2023. With specific intention by Council, pole signs were prohibited moving forward. Removing the entire sign cabinet had the effect of the pole sign losing its legal nonconforming status. Granting a variance for a pole sign would forever allow a pole sign to be installed at this location, so long as the property was occupied, as variances run with the land. I believe the intent of the ordinance is to allow for the gradual change over of pole signs to monument signs as pole signs come to the end of their useful lives and are replaced, as is the situation in this case. All other property owners with pole signs will face the same requirements.

Board of Building and Zoning Appeals



PROJECT INFORMATION

Sign

Proposed project

32801 Lorain Rd

Location

March 27, 2025

Meeting date

07-00-003-102-085

Parcel number

March 14, 2025

Comments due

RECOMMENDATIONS

Type comments here. Attach additional sheets as necessary.

1286.05 (g) pole signs are now prohibited. Applicant had replaced only the insert in the existing sign. Since then they now replaced the entire sign can.

SUBMITTED BY

Guy M. Fursdon

Administrative officer signature

Chief Building Official

Title



NOTICE OF VIOLATION

01/31/2025

RAHI HOTELS LLC
32801 LORAIN RD
North Ridgeville, OH 44039

Re: Property Maintenance Violation
Location: 32801 LORAIN RD
Parcel: 0700003102085
Violation Number: EV2025-00044

Dear Property Owner(s),

An inspection of the above-referenced premises showed the following violation(s) of the City of North Ridgeville Codified Ordinances:

NRCO Section: 1243.01(a) Working without a permit

No excavation, erection, construction, addition, alteration or change of use of any structure or part of a structure, and no occupancy of any street with building material or temporary structures for construction purposes, shall be undertaken until a building permit has been issued by the Chief Building Official.

Required Corrective Action:

Sign permits are needed for the new building signs that have been installed

NRCO Section 1286.05(g) Prohibited Signs

Pole signs are specifically prohibited within the City of North Ridgeville

Corrective Action:

Due to the alteration of the pole sign, it is no longer grandfathered in. The pole sign must be removed from the property.

You are hereby notified that the above violations are to be corrected by **03/02/25**. A re-inspection will be scheduled on or about this date to determine compliance.

Failure to comply with this notice will result in the City pursuing legal remedies as provided for by law. Codified ordinances are available online at www.nridgeville.org.

Any person directly affected by a decision of the Chief Building Official or a Notice or Order issued under the Building and Housing Code shall have the right to appeal to the Board of Zoning and Building Appeals provided that a written application for appeal is filed within the lesser of either 10 days after the date the notice or order was served or the date of the expiration of the abatement period set forth in the notice.

Please note that a permit may be required for certain work. If you have any questions about this notice, contact the Building Division at (440) 490-2081.

Thank you for your cooperation and attention to this matter.

Sincerely,



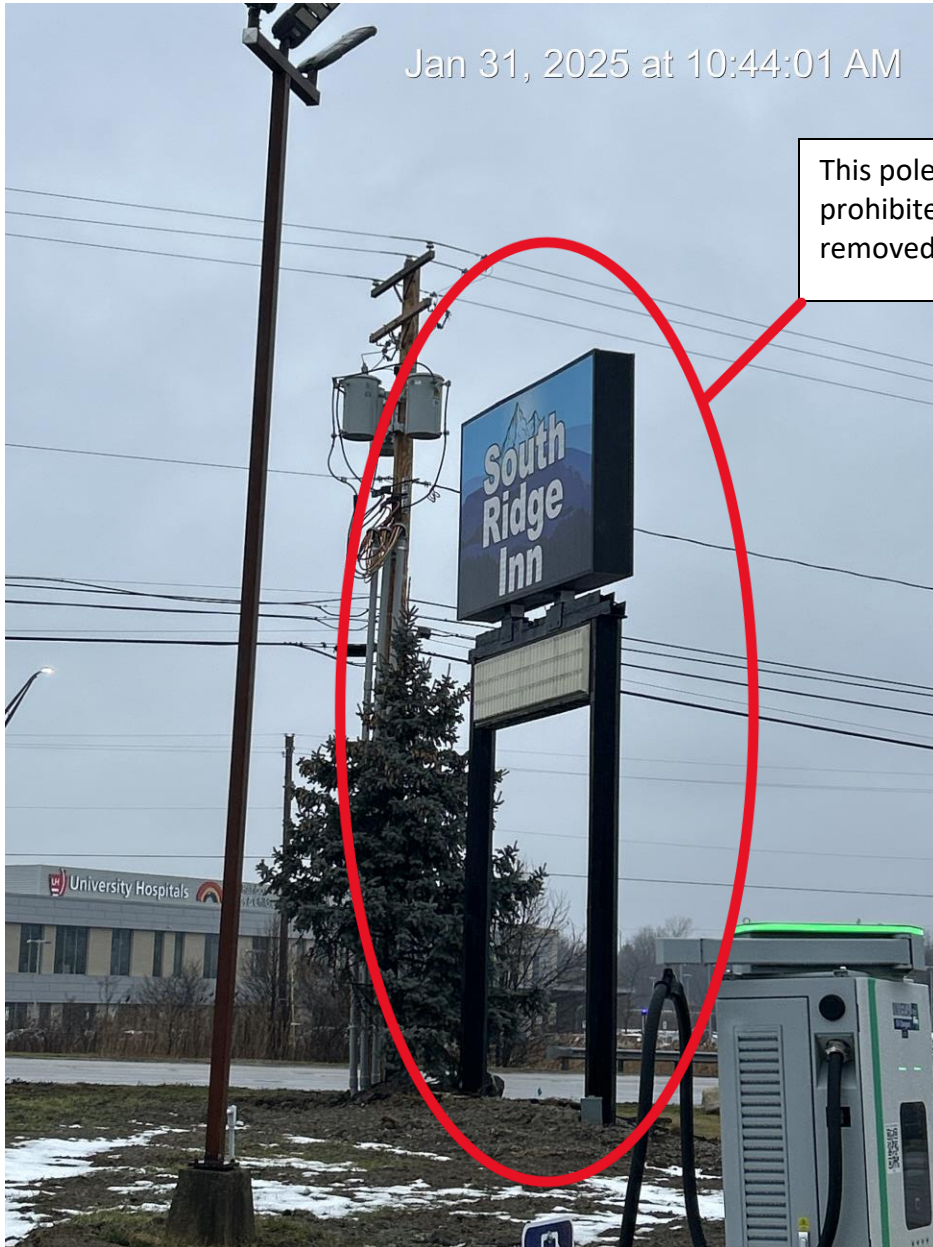
North Ridgeville Building Division
Zoning Inspector

Inspection Pictures Attached:



Jan 31, 2025 at 10:44:01 AM

This pole sign is prohibited and must be removed.



Jan 31, 2025 at 10:43:35 AM



Jan 31, 2025 at 10:46:27 AM



Sign permits are
needed for all new
building signs.

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

Board meetings are held in Council Chambers at City Hall on the fourth Thursday of each month starting at 7:00 p.m. Complete applications must be received at least 20 days prior to a regular meeting to appear on the agenda. All materials submitted become the property of the Board. The Board is required to give public notice ten days in advance of a meeting, as well as notice to all parties in interest, including owners of adjoining properties. Applicants and owners are required to attend the hearing where their application is considered.

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 is 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.



BNEXT

Cleveland Office

5109 Clark Ave.

Cleveland, Ohio 44102

216-688-1800

TEXT 216-487-7711 TO CHAT NOW

| Monday-Friday | 9:00 am - 5:00 pm |

CLIENT: SOUTH RIDGE INN

CONTACT:

ADDRESS: 32801 lorain rd, north ridgeville, oh, 44039

DRAWING: 0000422

DATE: 02-18-2025

REPRESENTATIVE: Aldo Dure aldodure2000@gmail.com

FILE: SOUTH RIDGE INN / drive bnextrd@gmail.com

DRAWING HISTORY

INFO	NAME	DATE
Reception	Aldo Dure	02-18-25
Design	Juan J. Monsanto	02-18-25

JOB DESCRIPTION

REFACING CABINET SIGN

I have reviewed the artwork and approve that everything is 100% correct and give my permission to move forward with this project.

LANDLORD SIGNATURE:
PROPERTY OWNER OR AUTHORIZED AGENT

DATE:

I have reviewed the artwork and approve that everything is 100% correct and give my permission to move forward with this project.

CLIENT SIGNATURE:

DATE:



32801 lorain rd, north ridgeville, oh, 44039

RECEIVED

FEB 21 2025

1



BNEXT

Cleveland Office

5107 Clark Ave.
Cleveland, Ohio 44102
216-688-1800

TEXT 216-487-7711 TO CHAT NOW!

| Monday-Friday | 9:00 am - 5:00 pm |

CLIENT: SOUTH RIDGE INN

CONTACT:

ADDRESS: 32801 Lorain Rd, North Ridgeville, OH, 44039

DRAWING: 0000422

DATE: 02-18-2025

REPRESENTATIVE: Aldo Dure aldodure2000@gmail.com

FILE: SOUTH RIDGE INN / drive bnextrd@gmail.com

DRAWING HISTORY

INFO	NAME	DATE
Reception	Aldo Dure	02-18-25
Design	Juan J. Monsanto	02-18-25

JOB DESCRIPTION

REFACING EXISTING POLE SIGN

I have reviewed the artwork and approve that everything is 100% correct and give my permission to move forward with this project.

LANDLORD SIGNATURE:
PROPERTY OWNER OR AUTHORIZED AGENT

DATE:

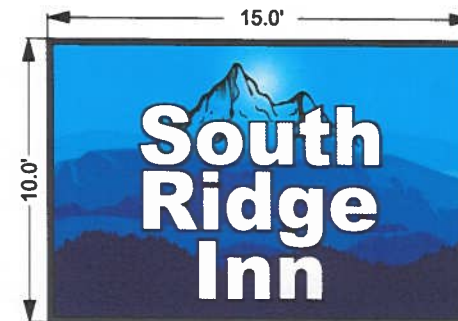
I have reviewed the artwork and approve that everything is 100% correct and give my permission to move forward with this project.

CLIENT SIGNATURE:

DATE:

REFACING EXISTING POLE SIGN

A



RECEIVED

FEB 21 2025

2



BNEXT

Cleveland Office

5109 Clark Ave.

Cleveland, Ohio 44102

216-688-1800

TEXT 216-487-7711 TO CHAT NOW

| Monday-Friday | 9:00 am - 5:00 pm |

CLIENT: SOUTH RIDGE INN

CONTACT:

ADDRESS: 32801 Lorain Rd, North Ridgeville, OH, 44039

DRAWING: 0000422

DATE: 02-18-2025

REPRESENTATIVE: Aldo Dure aldodure2000@gmail.com

FILE: SOUTH RIDGE INN / drive bnextrd@gmail.com

DRAWING HISTORY

INFO	NAME	DATE
Reception	Aldo Dure	02-18-25
Design	Juan J. Monsanto	02-18-25

JOB DESCRIPTION

REFACING EXISTING POLE SIGN

I have reviewed the artwork and approve that everything is 100% correct and give my permission to move forward with this project.

LANDLORD SIGNATURE:
(PROPERTY OWNER OR AUTHORIZED AGENT)

DATE:

I have reviewed the artwork and approve that everything is 100% correct and give my permission to move forward with this project.

CLIENT SIGNATURE:

DATE:



AFTER

EXISTING POLE SIGN

RECEIVED

FEB 21 2025

REFACING EXISTING POLE SIGN

A



MEASUREMENT SIGN

SIGNAGE REPRESENTS 150' SQ FT

COLOR
SPECIFICATIONS

TRANSLUCENT
VINYL PRINTING

Customer Initials
to approve colors

This drawing and the concept
contained herein are the
exclusive property of
BNEXT DESIGN Signs and are
not to be shared without our
expressed written consent.
All rights are retained.

3



BNEXT

Cleveland Office

5107 Clark Ave.
Cleveland, Ohio 44102
216-688-1800

TEXT 216-688-7770 TO CHAT NOW!

| Monday-Friday | 9:00 am - 5:00 pm |

CLIENT: SOUTH RIDGE INN

CONTACT:

ADDRESS: 32801 Lorain Rd, North Ridgeville, OH, 44039

DRAWING: 0000422

DATE: 02-18-2025

REPRESENTATIVE: Aldo Dure | aldodure2000@gmail.com

FILE: SOUTH RIDGE INN / drive bnextrd@gmail.com

DRAWING HISTORY

INFO	NAME	DATE
Reception	Aldo Dure	02-18-25
Design	Juan J. Monsanto	02-18-25

JOB DESCRIPTION

SITE PLAN

SIGN LOCATION - A

I have reviewed the artwork and approve that everything is 100% correct and give my permission to move forward with this project.

LANDLORD SIGNATURE:
(PROPERTY OWNER OR AUTHORIZED AGENT)

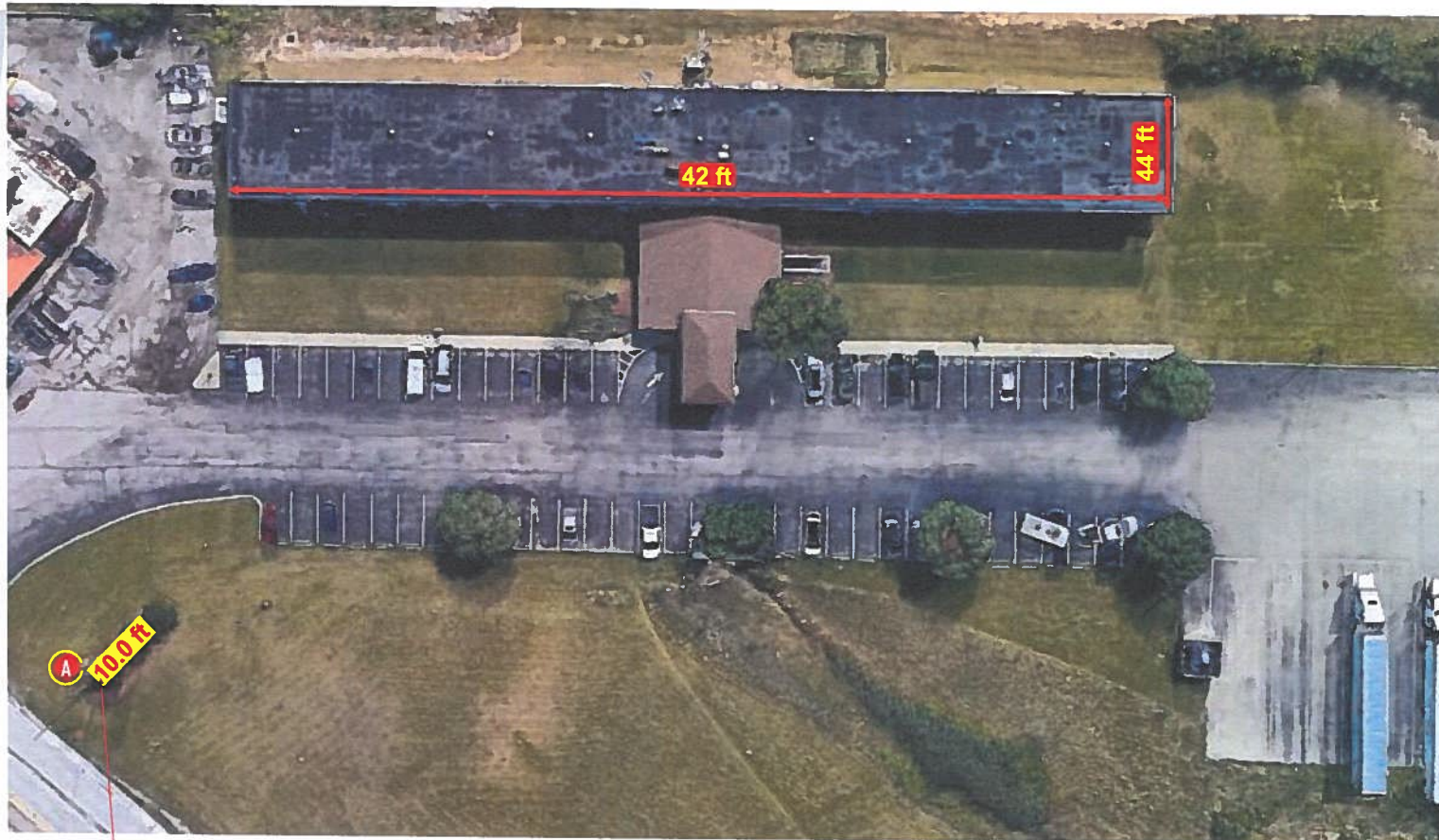
DATE:

I have reviewed the artwork and approve that everything is 100% correct and give my permission to move forward with this project.

CLIENT SIGNATURE:

DATE:

A SIGN LOCATION



A POLE SIGN LOCATION

RECEIVED

FEB 21 2025

SITE PLAN

4



BNEXT

Cleveland Office

5109 Clark Ave.

Cleveland, Ohio 44102

216-688-1800

TEXT 216-407-7711 TO CHAT NOW!

| Monday-Friday | 9:00 am - 5:00 pm |

CLIENT: SOUTH RIDGE INN

CONTACT:

ADDRESS: 32801 Lorain Rd, North Ridgeville, OH, 44039

DRAWING: 0000422

DATE: 02-18-2025

REPRESENTATIVE: Aldo Dure alddure2000@gmail.com

FILE: SOUTH RIDGE INN / drive bnextrd@gmail.com

DRAWING HISTORY

INFO	NAME	DATE
Reception	Aldo Dure	02-18-25
Design	Juan J. Monsanto	02-18-25

JOB DESCRIPTION

I have reviewed the artwork and approve that everything is 100% correct and give my permission to move forward with this project.

LANDLORD SIGNATURE:
(PROPERTY OWNER OR AUTHORIZED AGENT)

DATE:

I have reviewed the artwork and approve that everything is 100% correct and give my permission to move forward with this project.

CLIENT SIGNATURE:

DATE:



SURROUNDING



RECEIVED
FEB 21 2025

5

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

Set back of 7 Foot From side property line for new garage &
Appeal or variance (attach supporting documentation)
Set back of 10 feet from new garage to the existing proposed porch.

APPLICANT/AGENT INFORMATION

Javier Feliciano

Name/Company

5884 Rosebelle Ave N Ridgeville OH 44039

Applicant address

440-453-5904

Applicant phone

FelicianoTowing@gmail.com

Applicant email

PROPERTY OWNER INFORMATION

Name/Company

SAME AS THE APPLICANT

Property owner address

Property owner phone

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. PPZ2025-0339	Date Received RECEIVED MAR 07 2025	ACTION
	Fee Paid \$75.00		

Board of Zoning & Building Appeals Staff Report

Case	PPZ2025-0339
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	Detached garage
Meeting Date	March 27, 2025
Report Date	March 11, 2025

REQUESTED VARIANCES	CODIFIED REFERENCES
1. A 1-foot setback for setback of a detached garage from a side lot line. Applicant shows 4 feet, code requires 5 feet, Section 1294.03(a). 2. A 10-foot variance for setback of a detached garage from proposed porch. Applicant shows 0 feet, code requires 10 feet, Section 1294.03(a).	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.

Summary of Request:

In April 2024, Building Division staff found that the owner of 5884 Rosebelle Avenue had constructed a garage addition on his property without the issuance of a permit. In response to a violation notice, the applicant submitted a permit application to obtain approval for the garage in May 2024. During plan review, it was found that the garage addition did not comply with the requirements of the Zoning Code. In June 2024, the city issued its plan review findings that the proposed garage was located too close to the side property line, and it significantly exceeded 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 has appeared before the BZBA on three occasions seeking variances to remedy the violation:

- July 2024 - two variance requests, one for side setback and one for size of the garage. The garage is 1,032 square feet, equating to an additional 356 square feet of area. Both setback and area variances were denied.

- December 2024 – one variance request for a 984 square foot building, equating to an additional 308 square feet of area, which was denied.
- February 2025 – one variance request for a 960 square foot building, equating to an additional 284 square feet of area, which was denied.

The applicant has further amended their project. The applicant seeks to convert the original detached garage into a covered porch and retain the addition constructed in 2024 as a garage attached to the porch. The front and rear walls of the original garage will be removed and support beams added.

If the porch is no longer considered a garage (nor could it be a carport or it would be considered a garage), the area of the recent addition complies with the Zoning Code in terms of overall area. However, the code requires detached garages to be set back 5 feet from any side or rear property line and 10 feet from any other buildings located on the same lot. Two variances result from this new proposal: a 1-foot variance for setback from a side lot line (north) and a 10-foot variance for setback from other buildings on the same lot (porch).

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?

The setback variance to the side lot line is not substantial. There is no setback intended from the covered porch to the detached garage, where 10 feet is required, which is more 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. While the original detached garage is proposed to be converted into a covered porch, the resulting density/lot coverage of the lot remains the same as if the garage remained, which is significantly greater than other lots in the vicinity. The more open porch design may reduce the visual impact of the structure. A potential concern of this new approach is whether the covered porch would be used as a porch or as storage, an outbuilding in effect. Any parking of vehicles on the porch would not be permitted, which would be an enforcement challenge. The proposed spacing of the support beams would not appear to allow for vehicle access from the 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?

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?

There is no zoning compliant way in which to resolve the situation without the applicant making substantial alterations to the garage addition.

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

The garage addition was constructed without the city's approval, so the desire to keep the structure with minimal modification is not itself a practical difficulty or hardship. That said, the applicant has considered a new way to reduce the variance request, by converting the original detached garage and reclassifying it as a covered porch. The openness of the covered porch may reduce the visual impact of what is otherwise one large structure even though the lot coverage would be unchanged. A potential concern is that a porch is not a storage building and could not be used as such; however, enforcement would be problematic.

PROJECT INFORMATION

Detached garage

Proposed project

5884 Rosebelle Ave

Location

07-00-020-108-019

Parcel number

March 27, 2025

Meeting date

March 14, 2025

Comments due

RECOMMENDATIONS

Type comments here. Attach additional sheets as necessary.

1. 1294.03(a) Detached garages in residential districts shall be minimum 5 foot from side property line. Applicant proposes detached garage to be 4 foot from side property line requiring 1 foot variance. BZBA approval required.
2. 1294.03 (a) Detached garages in residential districts shall be minimum 10 foot from other buildings located on the same lot. Applicant proposing 0 foot setback for proposed garage to proposed existing porch requiring 10 foot variance. BZBA approval required. (Applicant proposing modifying existing garage to a porch requiring the 10 foot setback from the proposed new garage. 1240.10 (u) Building as defined by this code section is any structure having a roof supported by columns or by walls and intended for housing, shelter or enclosure of persons. The proposed porch is a building).

SUBMITTED BY

Guy M. Fursdon

Administrative officer signature

Chief Building Official

Title

MAR 07 2025

NOV 25 2024

JUL 05 2024

4/12

Back

 2×10

Porch

4x4
Post

↑ post

Treated

16" O-center
Rafters
16" O-C

7/16 gsb plywood for walls

216 studs - 06

2x8 Rafter - OC
2x10 Truss / Rafter

2x6 Tracked Bottom plates

7/16 OSB Plywood for Roof 16" O.C

2x10 Rides

④

2x10 Hards

4x2
Post

Porch

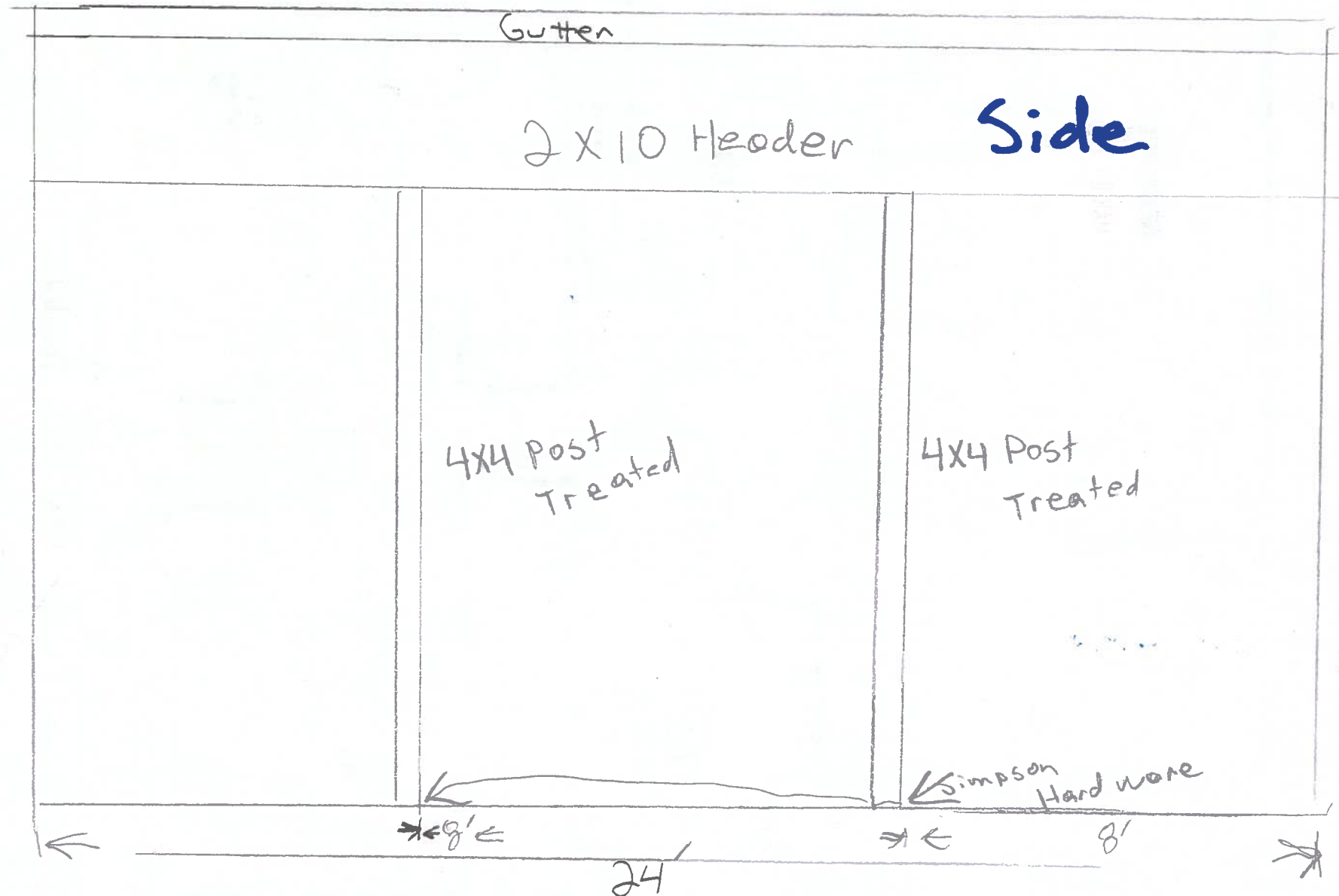
4x4
A Po

↑ Post

Treated

19' x 10'
~~20' x 10'~~
Door

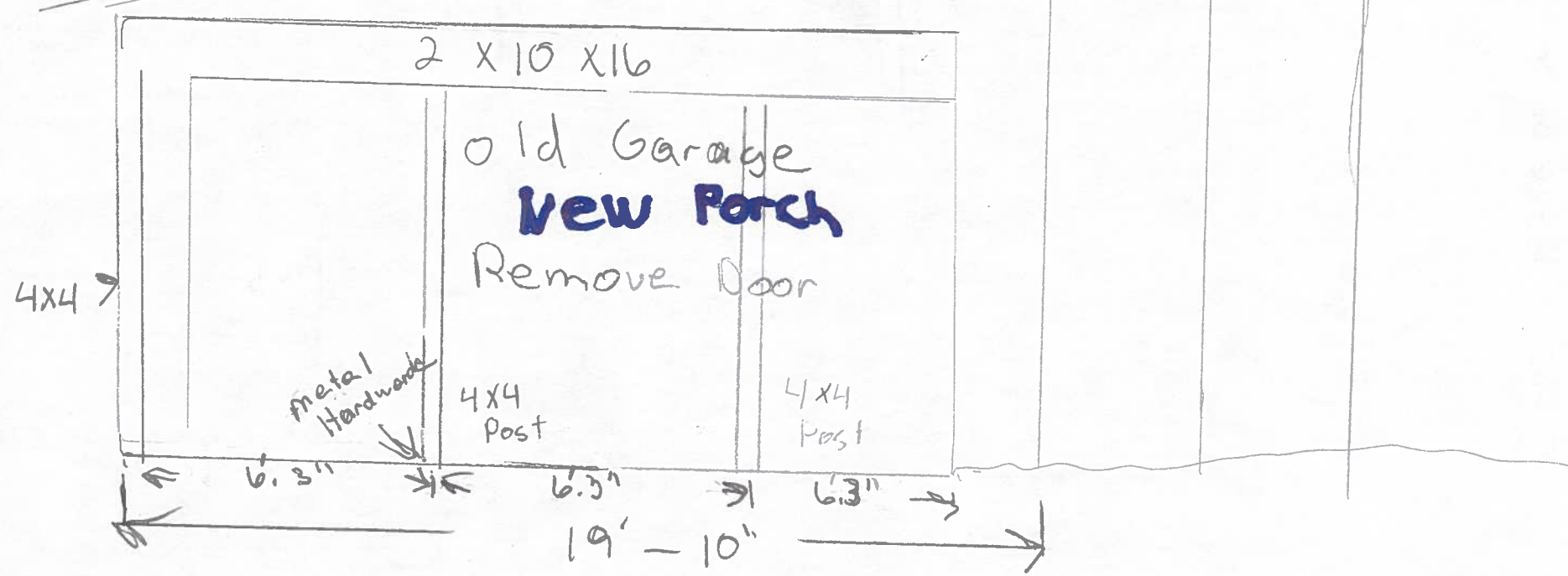
Porch



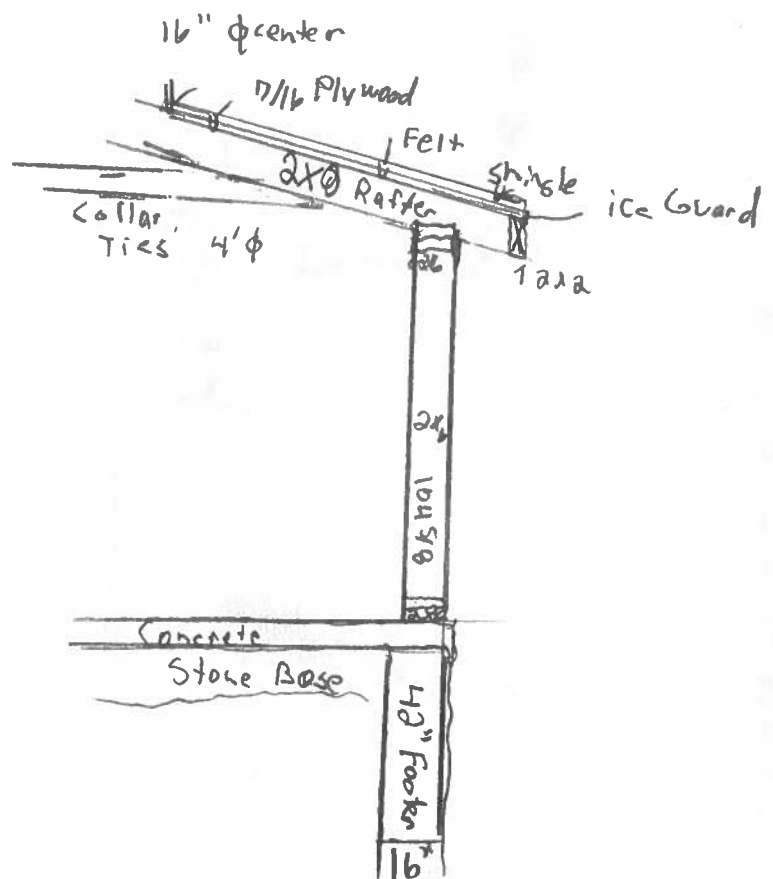
New Porch
Remove Garage Door

Same as Back

Front



5884 Rosebelle Ave



to

RECEIVED
JUL 05 2024

RECEIVED
MAR 07 2025

Few

25057

一

Porch

Q. No. 16 x 7 = 20

20 x 10' - 200'

70050F

19-611

116'

21/08/23

Horse

65
+3
541

95033

30/

05