

**NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS  
MINUTES OF  
REGULAR MEETING – THURSDAY, AUGUST 28, 2025**

**CALL TO ORDER:**

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

**ROLL CALL:**

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

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

Excused was member James Cain.

**MINUTES:**

Chairwoman Masterson asked if there were any corrections to the minutes of the regular meeting on Thursday, July 24, 2025.

None were given.

Minutes were approved as submitted.

**PLANNING COMMISSION REPORT:**

Chairwoman Masterson asked if there was a Planning Commission Report.

Planning Commission Liaison Toth noted that the Planning Commission regular meeting that was scheduled for Tuesday, August 12th, 2025 was canceled by order to James Smolik, Chairman of the Planning Commission and that the next regular scheduled meeting was for September 9th, 2025 at 7:00 PM in council chambers.

**OTHER REPORTS OR CORRESPONDENCE:**

**PUBLIC HEARINGS:**

**PPZ2025-0374: Center Ridge Dental, 33650 Center Ridge Rd, PPN: 07-00-008-117-094**

Applicant: Nathan Harris, 551 Oakmoor Rd, Bay Village, OH 44140. Owner: SMAMM Limited, 30179 Jefferson Way, Westlake, OH 44145. Proposal consists of signage. Property is zoned B-3 Highway Commercial District. Request:

1. An appeal from a determination of the zoning administrator that the proposed sign is a roof sign.

Application was read.

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

Dan Calvin, 4996 Foote Rd, Medina, OH 44256, was sworn in.

Nathan Harris, 551 Oakmoor Rd, Bay Village, OH 44140, was sworn in.

Chairwoman Masterson asked Director Lieber for her administrative review.

Director Lieber stated that Dr. Harris was taking over an existing building at the northeast corner of Center Ridge Road and Lear Nagle Road for his dental practice with concerns about customer visibility due to the topography of that corner and also because the property lost frontage with the Center Ridge Road widening. She discussed that the applicant was proposing to mount a sign on the roof of the building and as the Board may recall in 2023 the sign code was updated and at that time prohibited roof signs, therefore, the applicant was unable to request a variance as the BZBA cannot grant a variance from an express prohibition of the zoning code. She stated that the avenue open to the applicant was to appeal a decision from staff, the administrative official, which in this case was Director Lieber, that the proposed sign was a sign mounted on or above the roof line of the building. She discussed that the applicant provided information in their packet that was responsive to the Duncan Factors in which they addressed in detail the need for relief from the sign code. She added that they rarely saw such responsiveness to the Duncan Factors, however, she did not believe in that case that the Duncan Factors really bear on the question of appeal. She added that they also provided rationale for their appeal proposing that the sign was a canopy sign, which did not extend above the top of the roof line of the building in accordance with Chapter 1286 and she cited the section there, so unfortunately the sign code did not contain a definition for roof sign or roof line. She mentioned that in everyday English, roof line would mean the outline or silhouette formed by the top edges of the roof mounted on or above the roof line, would read as anything sitting on top of the roof surface or projecting above past that silhouette. She explained that the intent was to prohibit all roof signs, however, there was clearly no definition and if the Board were to find that the existing code language was not sufficient in that regard, then she would recommend that a future amendment be made to the sign code, in order to close that loop. She stated that it was really up to the Board to determine if sign fell into the category of roof sign or if it was sufficiently or insufficiently detailed in the code that it could be considered as a canopy sign. She added that it was a more unusual kind of determination than they were used to making, but if they had any questions to let her know.

Assistant Law Director Morgan stated that at some point that request ended up in the law department on her desk with essentially the issue being was roof line the same as roof and as far as statutory construction went and the Board being a quasi-judicial body, they needed to be aware that when people looked at an ordinance, they needed to be able to interpret what it meant. She mentioned that when looking at the meaning of roof line, it usually meant, as the Planning Director had indicated, the top profile, it could also mean where the roof also attaches to the upright structure, the sides of a building but that was a less common usage of it. She stated that it did not, however, mean the word roof, and she was correct in saying that roofline was not defined and neither was roof in the ordinances. She stated that there was an ordinance which talked about a canopy sign that hinted at the meaning of roof line being that top profile of a building and because it talked about a sign that was mounted on a canopy, that it should not extend above the roof line, so it, by suggestion, was saying that when we used the word roof line, we were meaning that top profile. She explained that if they read the prohibition in that light, then the prohibition said that a sign cannot extend above the profile or to be on the very top of the building. She discussed that a roof sign was a fairly common type of sign, so it was not unusual to see them, and it appeared that the regulation was more accurately understood as being a prohibition against it being basically taller than the building itself, which that sign wasn't. She explained that if the Board voted and did not agree with the Planning Director's interpretation, then there was no need for a variance because they were not in violation of the ordinance as it was written. She stated that on the other hand, if they

agreed that there was a prohibition against roof signs, then it was still not something they could give a variance on because it was not something that they had and there was some variation of it, it was flatly prohibited, so that was sort of the decision that was in front of them that evening and it really was one of interpretation. Did roof line mean roof, and she would indicate that she didn't think it did.

Chairwoman Masterson asked the applicant to discuss his request.

Mr. Harris thanked the Board for being there and serving the community. He discussed that he got lucky and wasn't shopping for a practice but met Scott through a friend and just getting to take over a 50-year business with the community is amazing, so his hope was to make it 100 years. He explained that his practical difficulty was that he was not sure what else he should do with signage. He mentioned that he had family members and patients who had been with the practice for 30 years, 10 years, one year and he would ask how they found the practice, and they would say that they had been driving by their whole life and didn't know it was there or that they had lived in North Ridgeville their whole life and didn't know there was a dentist there but then they would finally have a neighbor tell them that that's the best dentist in the area, Dr. Arndt and that's how they ended up getting to the practice and they had been driving by there for 20 years. He stated that he wanted to continue to serve the community and bring patients in so that they know what parking lot to pull into and be able to see the place. He commented that his grandma drove by probably three or four times.

Mr. Calvin stated that he didn't want to go into too much more detail because Ms. Morgan kind of made the case for them that was outlined in his writings that the statute or the ordinance was ambiguous and that it talked about the roof line and not roof. He stated that she mentioned statutory construction, and when looking at a statute and it's ambiguous, the statutory construction says you have to interpret that against the municipality that drafted it, it can't be used against us. He said that if there was ambiguity, they had to lean in favor of the business and not in favor of the city and there was really nothing more to say about that. He stated that he agreed with the plain reading of what a roof sign is, that it was something that extends above the profile of that roof. He discussed that as they could see whether they called it a canopy sign or whatever else, it was much more similar to a canopy sign that they would see on another building. He stated that it was a unique architectural building with that large sloping roof and that normally a more modern building might have the roof stop substantially higher than that and then that really would function the same as a canopy sign. He discussed that going back to the variance request, if they said that that was a roof sign, asking for a variance against that interpretation was absolutely what the Board should do, and it was completely within their power. He stated that it was not that much different than, say, a setback variance and gave an example that they couldn't have a building 100 feet from the road as that was an absolute prohibition. He stated that people came in every day and said, they really wanted this to be 80 feet from the road and that was literally what their job was as a Board of Zoning and Appeals member to deal with variances from rulings and from the code. He discussed that if they thought it was a roof sign, then the variance analysis would be appropriate and then they would go through the Duncan Factors, which he had detailed in the packet, but the two big things were that this wasn't a problem that the applicant created either Dr. Harris or Dr. Arndt. He added that it was because the road was expanded and the old sign was taken away. He mentioned that in their packet there was a picture of the old sign and that was taken out when the road was expanded. He stated that the other big factor was that the sign was exactly the type of sign that they would see in the neighborhood, and they submitted a couple photos. He indicated that the property directly to the east, which was the gas station, and the two properties to the west, which was Premier, had almost identical signs. He explained that they could make an argument that maybe the gas station's was not, but Premier, couldn't be more exact and that was what they were asking for and that was a big piece of these area

variances and read, “Is it consistent with the neighborhood?” He mentioned that if they drove up and down Center Ridge Road, there were signs that looked like that on many buildings. He stated that he would be happy to go through all the Duncan factors, but they were there in the application. He added that he thought that those were the two biggest factors weighing in favor of granting the variance.

Chairwoman Masterson mentioned as stated by Director Lieber he did an amazing job on his argument for the Duncan Factors, and they had given them a lot to think about. She stated that she did agree that the ordinance was ambiguous, but she would also argue that they had practical difficulties that the city created as well. She asked if any of the Board members had any comments, questions or concerns.

None were given.

Chairwoman Masterson asked if anyone from the Administrations had any comments, questions or concerns.

Assistant Law Director Morgan stated that since it was in the language of an appeal, they would need to either vote to affirm it or reverse it and if they affirmed it, then there was no variance from something that was specifically prohibited, and that was the language of the ordinance. She added that if they reversed it, then he wouldn't need a variance. He was fine. She explained that if they affirmed the decision, that meant that they agreed that roof line meant roof and that no sign could go there and then a variance is not available. She stated that if they reversed that and indicated that roof line and roof were two different things and that didn't mean that they couldn't have a roof sign at all, then he didn't need a variance at that point because there's no prohibition against a roof sign, there's only a prohibition against one that extends above the roof line profile.

Chairwoman Masterson asked Chief Building Official Fursdon if he had anything he wanted to say.

Chief Building Official Fursdon stated that it was the Board's decision how they wanted to interpret the ordinance, whether they wanted to agree with the Director's interpretation of it or the Law Director's interpretation of the law pertaining to that. He added that if it wasn't a roof sign, and they determined that a variance wasn't needed or they could go ahead and put the sign up, then he would have to figure out what type of a sign it was, so that he knew that the size of it was allowable under the ordinance and if it was now going to be considered a wall sign that they had a percentage of area that they were allowed to put up or was it cart blanche and they would allow them to put up a 1,000 square foot sign. He stated that he knew that was ridiculous, but they had to determine what size sign was going to be appropriate if the Board said that it was okay to put it up there.

Assistant Law Director stated that the fact that they still have questions to answer after the Board's decision should not influence their decision.

Chairwoman Masterson stated that she asked for his input appreciated that he shared it.

Mr. Calvin stated that they would submit that it was a canopy sign and subject to the 50% limitation on the area coverage and their proposed sign was substantially less than 50% of the area.

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

Scott Arndt, 30179 Jefferson Way, Westlake, Oh 44145, was sworn in.

Mr. Arndt stated that for him the sign had been an issue since January 2015 when Mayor Gillock had a big meeting here about the roads coming through and so he came to that meeting to share how the road project was going to go, but he left that meeting with basically them saying “If you don't take your sign down in another month, we're just going to bulldoze it if it's there.” He stated that he had a V-shaped sign out there on the road itself and had Don Mould come and disassemble it and he put it in storage, and he hadn't seen it since because there was no place to put it. He discussed that he was told by the city that he would be able to get that sign back there and it was indicated that if he put his sign in storage and that he would be able to use it. He stated that he hadn't been able to do that and that he may still actually have it on his insurance as being covered that it was there. He discussed that the challenge for him after almost five years of that road being done was did anyone ever go past his office and see the blow up sign of him on it with one of those blow up guys, if anybody saw that in order to see his office, he had no sign, he had bulldozers, he had piles of 57 rock out front of his office where no one could see it for almost three years. He said that once everything was done, he couldn't put a sign up that the city or the state, he thought the city, but the state actually asked for a variance for a couple extra months after the road was completed and traffic was coming through, he had a variance he thought that was on the property and was told that, if he put a sign up now, if they had to come back and correct something and if he had a sign there, he would have to take it down at his expense, so he had to wait until the very end for them to complete everything on the road, not have any other possibility of things that they would come back for. He said that it then got to the point that it was obvious that he was not going to be able to put that sign back there but then it was like where could he put a sign similar to that to catch the eye of people coming in different directions and with the property he had left, and there was no place to put it and even if he did, he thought the variance and what signs could go up, they would have had to be road signs with the property that he had left, which was very little and if he had a sign down like that, if snow plows were coming through in the winter time, the sign would be toast. He stated that there was just no place to put a road sign out there, so it became an issue to have a sign, either put it up on a pole and he didn't know where that pole would go and whether it would again pass council's building ordinances, so he couldn't do that. He stated that he was retiring and that he sold the practice to Dr. Harris. He mentioned that they had been working together and that Dr. Harris owned the practice and that he owned the building and he was retiring in a couple of years. He stated that he put a crappy little sign down there because he couldn't find what to put there, so he pawned it off on him to put a sign up so that he would get recognized. He explained that it was really an important thing and that it was a thoroughfare of traffic and as a businessman, it was not good not to have a sign out front. He mentioned that the picture of that road was another thing because when you came up, it was a very unique parcel of property. He motioned all the way that one could look but when you go to pull out and you couldn't see people coming up over the hill and so if you ever drive up, you're coming up, you're just seeing the top of the building, you're not seeing this little sign down here. He stated that it had really created an issue and he asked the Board members that were there to really think about that as being a 52 year business there in the community and hopefully he would take it another 30 years and they would be good neighbors to everybody and try to do the right thing, but they would ask that they would take all those things into consideration. He mentioned that there was just no grandfathering of anything that he found that could put a sign up there that was visible.

Chairwoman Masterson asked if anyone from the Board had any questions for Dr. Arndt.

Planning Commission Liaison Toth asked Dr. Arndt, since he was involved with the reconstruction of Center Ridge, that parking that was shown in the picture, if that was there prior to the reconstruction.

Mr. Arndt stated that he lost parking there.

Planning Commission Liaison Toth asked if that parking was there when Center Ridge was widened.

Mr. Arndt stated that it was not. He said he was sorry and apologized. He was trying to think if there was parking up there, but it was not all the way across.

Planning Commission Liaison Toth stated that the older picture there didn't really give them a clear view.

Mr. Arndt asked if they could go to the older picture on the slide. He showed on the slide where he had handicap parking and two spots and then blacktop where people could pull in and there weren't that many spots and he had to put parking around the back. He discussed that before Walgreen's was there, that there was a land grab, so to speak, of putting Lear Nagle Road through because Lear Nagle used to dead end right there in his our parking lot and went around the convenience store there, so it used to be that he had all of his parking on the West side of the building and nothing up front. He stated that the new parking lot became a necessity because of the road widening and losing parking spots.

Planning Commission Liaison Toth stated that the widening of Center Ridge was not necessarily the factor for losing that front parking because actually with the two photos there, it looks like he had more parking to the south side of the building in the frontage.

Mr. Arndt stated yes, he had to move it over. He stated that he had to pay \$80,000 to put that portion in.

Planning Commission Liaison Toth asked that parking lot there.

Chairwoman Masterson asked because didn't they take part of your property to extend Lear Nagle as well.

Mr. Arndt stated that yes, they took it where it went out, they widened the intersection dramatically and then they rounded it to make the turn there. And as a matter of fact, every day when he drove in from Bradley Road, he looked, there was probably a segment from (pointing to chairs in the room) that chair to that chair that had white stripes in it, which he thought, you're not supposed to drive through there to go around the corner and he wondered why they took that. He stated that that would have been perfect for having maybe a sign out there, but that was part of the widening, and for flow of traffic making that corner.

Council Liaison Winkel stated that he might be able to lend some perspective. He mentioned that he lived right down the road from there for 25 years and that there had been two major street projects that had happened, the realignment of Lear Nagle, which cut that property in half in a way between where Walgreens was currently on the west side of the property, and then the Center Ridge Road widening. He mentioned that at his own expense, had to put parking in to actually have enough spaces to park because of both of those projects combined. He added that he knew that the sign ordinance was a bit for a proper setback with the land he had, and he didn't see how he would ever be able to do it. He mentioned that he knew that the city tried to do what it could to help new businesses come in and now this was a chance for them to help someone who had been there for a long time. He discussed that the nuts and bolts of the ordinance, roof line versus roof, he understood all the points about that but at the end of the day, with

the spirit in which they were there for and that ordinance, it was his personal opinion and would think several of his fellow council members would also be, what can they do to make this happen to support this business, but still fall within the lines of what they needed to do with the nuts and bolts. He stated that they could redo a definition later to clean it up. He remarked that he wasn't going to speak for Dr. Arndt but would think that there was a considerable amount of distress that had been caused by those projects, and he couldn't think of a lot of people that had had that many issues along Center Ridge Road worse than that property.

Assistant Law Director Morgan stated that she respectfully agreed and disagreed. She stated that they were not there about how they felt about something, but about the nuts and bolts. She discussed that she indicated, however, that with the nuts and bolts analysis, she did believe that the sign was not in violation of the current wording of the ordinance that they had, but having said that, she would say that the Board did have a history of looking favorably on requests where the problem or the issue was not entirely the fault of the property owner, but there had been some city involvement in causing the issue.

Chairwoman Masterson asked Director Lieber if she wanted to add anything.

Director Lieber stated that she thought it was a textbook example of where a variance would be very appropriate given the reduction and setback, the challenges of visibility, the topography, and she certainly believed it was a roof sign, but if that avenue was not open to the applicant and still thought it was an appropriate sign and thought there should have been a definition in the code, so that with that ambiguity she would accept the reversal of a decision, but she did think that at least it was all clear when it was framed, because one of the questions was, well, what were the framers thinking and she stated that she could tell them what the framers were thinking because she was one of the framers and worked with the committee and they went through Planning Commission, so she could tell them that the thought was to prohibit signs mounted on roofs. She stated that with the absence of a definition and with the ambiguity, she thought it was fair for the applicant to not be shackled with that burden of no definition or some question about the language, but with that being said, if the Board reverses, it would be her intent to go back to the code and to fine tune the language just to clear that issue up for any future applicant.

Chairwoman Masterson stated that she truly believed that the business had been in town for years and that they have had to suffer through two road projects which have greatly limited their options. She stated that she was in favor of granting them what they wanted.

Moved by Masterson and seconded by Graupmann to reverse the determination that the sign was a prohibited roof sign.

A roll call vote was taken and the motion carried.

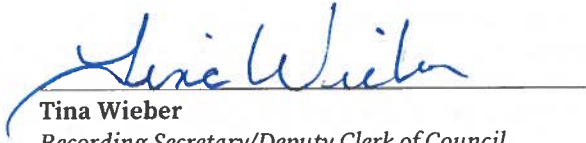
Yes – 4 No – 0

**ADJOURNMENT:**

The meeting was adjourned at 7:35 PM.



**Linda Masterson**  
Chairwoman



**Tina Wieber**  
Recording Secretary/Deputy Clerk of Council

Thursday, September 25, 2025  
Date Approved