

Board of Zoning and Building Appeals
CITY HALL COUNCIL CHAMBERS
SPECIAL MEETING AGENDA OF NOVEMBER 6, 2025
7:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

PLANNING COMMISSION REPORT

OTHER REPORTS OR CORRESPONDENCE

PUBLIC HEARINGS

PPZ2025-0388 Robert B & Joy A Hayes, 9210 Bender Rd, PPN: 07-00-048-000-059

Proposal consists of constructing an outbuilding. Property is zoned R-1 Residence District. Request:

1. A variance for an outbuilding in the front yard. Applicant shows pole building in front yard, code allows outbuildings in rear yard only, Section 1294.03(e)(1).

ADJOURNMENT

Board of Zoning & Building Appeals Application



SUBMITTAL INSTRUCTIONS

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

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

PROJECT INFORMATION

9210 Bender Road
 Location address

0700048000059
 Parcel number

R1 - Residence District (O/L 48)
 Current zoning

Request to build accessory building 508 feet back from edge of roadway, where house is 778 feet back
 Appeal or variance (attach supporting documentation)

APPLICANT/AGENT INFORMATION

Robert B Hayes & Joy A Hayes
 Name/Company

[Redacted]
 Applicant address

[Redacted] [Redacted]
 Applicant phone Applicant email

PROPERTY OWNER INFORMATION

Hayes Robert B Trustee & Hayes Joy A Trustee
 Name/Company

[Redacted]
 Property owner address

[Redacted] [Redacted]
 Property owner phone Property owner email

AUTHORIZATION AND ACKNOWLEDGEMENT

Robert B Hayes *Joy A Hayes* *Robert B Hayes* *Joy A Hayes*
 Applicant signature Property owner signature

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

OFFICE	PPZ No. PPZ 2025-0388	Date Received RECEIVED	ACTION
	Fee Paid \$75.00 v# 853	OCT 09 2025	

Board of Zoning & Building Appeals Staff Report

Case PPZ2025-0388
 Property Owner Robert B and Joy A Hayes
 PPN 07-00-048-000-059
 Property Address 9210 Bender Road
 Zoning R-1 Residence District
 Applicant Name Same
 Applicant Address Same
 Project Outbuilding
 Meeting Date November 6, 2025
 Report Date October 27, 2025

REQUESTED VARIANCES	CODIFIED REFERENCES
<p>1. A variance for an outbuilding in the front yard. Applicant shows pole building in front yard, code allows outbuildings in rear yard only, Section 1294.03(e)(1).</p>	<p>1294.03 DETACHED PRIVATE GARAGES (c) Notwithstanding anything to the contrary, wherever, under this Zoning Code, a single-family or two-family dwelling is permitted, one detached private garage shall be permitted to occupy the rear yard according to the terms of this section, in spite of any yard requirements provided in any other provision of this Zoning Code.</p> <p>(e) Outbuilding. (1) As used in this section "outbuilding" means storage buildings for purposes other than for the parking of motor vehicles such as cars or trucks or similar vehicles. Outbuildings shall be located on the property in the same manner as detached private garages in subsection (a) hereof.</p> <p>"Yard, front" means a yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street right of way line and the main building, or any projection thereof, other than the projections of uncovered steps, uncovered balconies or uncovered porches. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.</p> <p>"Yard, rear" means a yard extending across the full width of a lot between the rear lot line and the rear of the main building, or any projection thereof, other than the projections of uncovered steps, unenclosed balconies or unenclosed porches.</p>

Summary of Request:

The applicant proposes constructing a 30' x 40' pole building on their 8.29-acre property on Bender Road. The property is irregularly shaped, with a long driveway extending to the primary residence, which is located approximately 750 feet from the right-of-way. An existing barn sits between the house and the street. The proposed pole building would be situated on the opposite side of the driveway from the existing barn, approximately 500 feet from the street line. Although located between the dwelling and the street (therefore technically in the "front yard" by definition), the building would be well removed from public view and screened by distance and vegetation.

Review of Duncan Factors:

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

Yes, the property can be used for its intended purpose without the variance.

Is the variance substantial?

Technically, yes. Placement in the front yard conflicts directly with code. However, given the property's size and unique flag configuration, significant setback distance (over 500 feet), and existing agricultural-style layout, the practical impact is minimal. The building will not appear to be in a traditional "front yard."

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 proposed structure will be consistent in scale and appearance with existing rural accessory structures in the area and will be largely screened from public view by distance and topography.

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

No.

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

Yes. The restriction limiting outbuildings to rear yards has been part of the zoning code for many years.

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

Not reasonably. Due to the lot's configuration, siting the building strictly in the rear yard would require excessive distance from existing drive access and utilities, and would be impractical for regular use and maintenance.

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

Yes. The intent of the code is to maintain orderly and unobtrusive placement of accessory structures relative to dwellings and street view. Given the exceptional setback, granting the variance would not undermine that intent and would permit a reasonable and functional layout for the property.

Proposed Construction of 30' x 40' Pole Building at 9210 Bender Road

Project Overview

We are seeking approval to construct a 30-foot by 40-foot pole building on our property located at 9210 Bender Road. This parcel, identified as #0700048000059, encompasses 8.29 acres. The proposed building site is well off the street, with the nearest side positioned 508 feet from the edge of the roadway.

Site Context and Compliance

The property currently includes a residence, which is situated 778 feet from the edge of the roadway. We recognize that, as a general guideline, outbuildings are typically placed behind the main residence. In our case, the house itself is set deep within a wooded area, away from the road, and bordered by wetlands at the rear of the property.

Neighborhood Setting

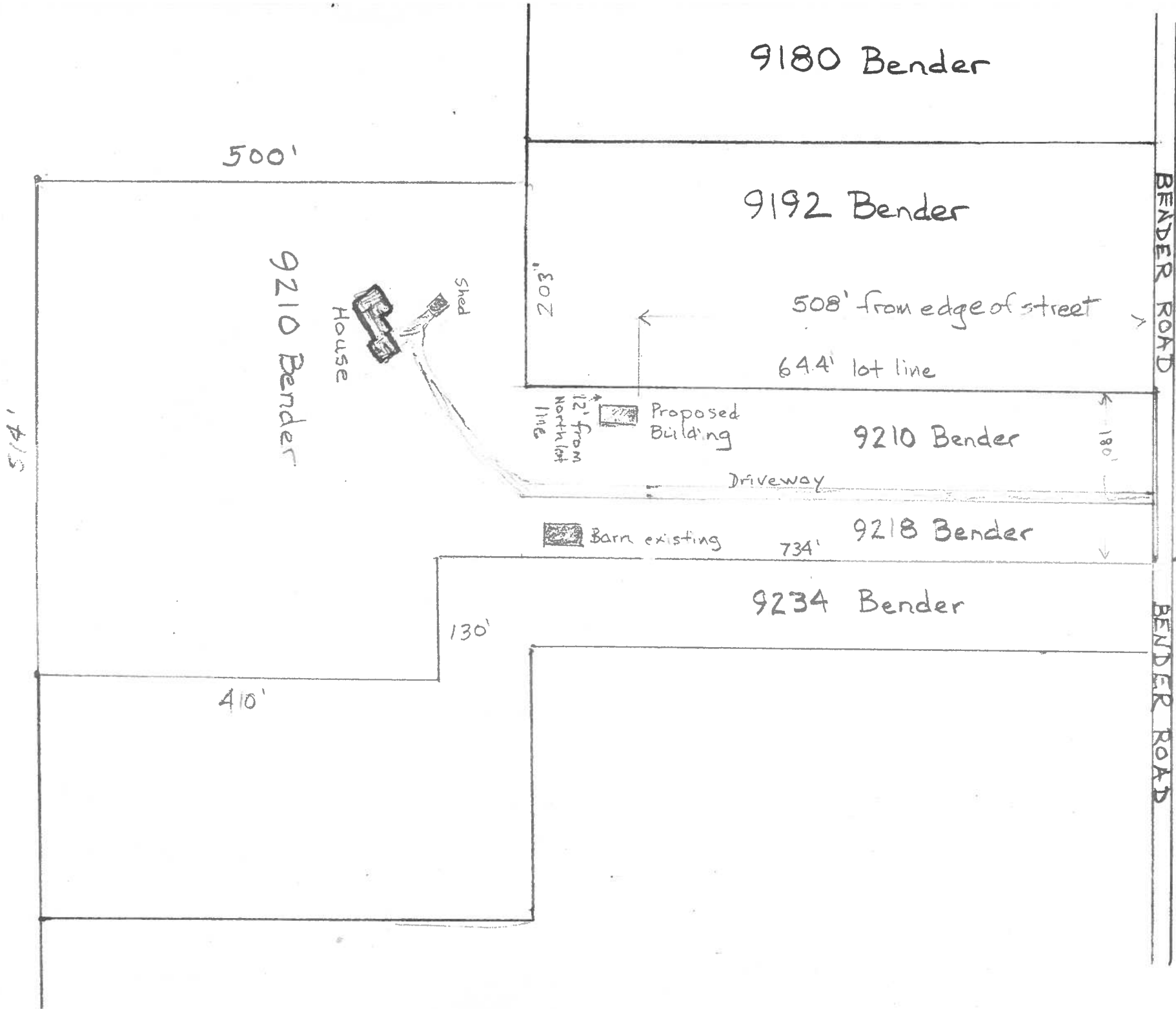
This area is sparsely populated, with few neighboring homes. The closest property line would be 12 feet away and is our own 3.7-acre parcel at 9192 Bender Road. The selected location for the new pole building is more than 350 feet from our house at 9192 Bender Road, further ensuring that the construction will not intrude upon neighboring properties or disrupt the local landscape.

Precedents in the Neighborhood

It is worth noting that there are already several outbuildings in the neighborhood situated closer to the street than our proposed structure.

Request for Approval

We hope to receive approval to proceed with the construction of this building during the upcoming fall season. Your timely consideration of our proposal would be greatly appreciated.



GARAGE/OUTBUILDING PLOT PLAN

Outline the general shape of your property. Draw proposed building along with your home and any other structures.



Please provide dimensions in feet.

New building total dimensions:

30' x 40'

Distance to side property line:

12'

Distance to rear property line:

588'

Height of finished floor above grade at each corner of building:

SE	3"
NE	3.5"
SW	4"
NW	4.25"

Instructions for drawing plot plan:

- Give a rough outline of your property.
- Similarly outline the shape of your home, driveway and any accessory structures.
- Show any easements on your property.
- Sketch in new structure location
- Draw flow arrows depicting positive drainage away from structures.
- All structures must be at least 10' apart and 5' from any property line.