Board of Zoning and Building Appeals

CITY HALL COUNCIL CHAMBERS
AGENDA OF NOVEMBER 20, 2025
7:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

Regular meeting minutes of October 23, 2025

Special meeting minutes of November 6, 2025

PLANNING COMMISSION REPORT

OTHER REPORTS OR CORRESPONDENCE

PUBLIC HEARINGS

PPZ2025-0382 Andrew Bennie, 51 Cadet Drive, PPN: 07-00-022-105-014
Proposal consists of constructing a breezeway roof connecting house and detached garage. Property is zoned R-1 Residence District. Requests:

1. A 10-foot variance for setback of a detached private garage from a dwelling. Applicant shows 0 feet, code requires 10 feet, Section 1294.03(a).
2. A 164-square foot variance for area of a detached private garage. Applicant shows 840 square feet, code allows 676 square feet, Section 1294.03(d)(1).

PPZ2025-0389 Denise Bittner, Body Remedy Massage & Wellness LLC, 7079 Avon Belden Rd, PPN: 07-00-021-117-094
Owner: Avon Belden Business Mall, LLC. Proposal consists of window signage. Property is zoned B-2 Central Business District. Request:

1. A variance for window signs occupying 100% of a window area, code allows 50%, Section 1286.11(b)(1).

ADJOURNMENT

NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS
MINUTES OF
REGULAR MEETING – THURSDAY, OCTOBER 23, 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 Council Liaison Cliff Winkel, Chief Building Official Guy Fursdon, Planning and Development Director Kimberly Lieber, Assistant Law Director Toni Morgan and Deputy Clerk of Council Tina Wieber.

Member James Cain was excused.

MINUTES:

Moved by Masterson and seconded by Toth to approve the September 25, 2025 meeting minutes.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

PLANNING COMMISSION REPORT:

Chairwoman Masterson asked if there was a Planning Commission Report.

Planning Commission Liaison Toth noted that at the Planning Commission regular meeting of October 14, 2025 the Commission discussed the following item:

O 2025-110 An Ordinance amending Sections 1266.02, 1268.02, 1270.02, and 1272.04 of the North Ridgeville Zoning Code to update use regulations for automobile service station and gasoline station.

He stated that after discussion of the ordinance and its effects on existing and future businesses, the Commission voted 4-0 to table the item until the next regular meeting on November 12, 2025. He mentioned that also at the meeting that Director Lieber informed the Commission of several new businesses receiving administrative approvals for Certificates of Zoning Compliance including a ballet studio, a childcare center and preschool, a permanent makeup-beauty studio, a gymnastics and tumbling center, an automotive service garage, a medical services group and a distribution/light assembly manufacturing center. These seven businesses were granted approvals in the month subsequent to our last Planning Commission meeting in September, further demonstrating the success the administration is experiencing with attracting new businesses to North Ridgeville. He added that these are exciting times for our growing community.

OTHER REPORTS OR CORRESPONDENCE:

PUBLIC HEARINGS:

PPZ2025-0382 Andrew Bennie, 51 Cadet Drive, PPN 07-00-022-105-014
Proposal consists of constructing a breezeway roof connecting house and detached garage. Property is zoned R-1 Residence District. Requests:

1. A 10-foot variance for setback of a detached private garage from a dwelling. Applicant shows 0 feet, code requires 10 feet, Section 1294.03(a).
2. A 270-foot variance for area of a detached private garage. Applicant shows 946 square feet, code allows 676 square feet, Section 1294.03(d)(1).

Application was read.

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

Andrew Bennie, 51 Cadet Dr, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Director Lieber for her administrative review.

Director Lieber stated that the applicant was proposing to construct a breezeway between the existing dwelling and the detached garage. She explained that the garage was 22 by 28 feet and was permitted and constructed in 2023. She indicated that the breezeway would connect to the dwelling, but the roofed piece would span the full 22-foot width of the garage, covering what seemed to be about a 15-foot gap between the structures. Just doing that math, the addition would add up 330 square feet of roofed area to the existing 616 square foot building, bringing the total garage area to 946 square feet, so that would exceed the allowable size by 270 square feet. She indicated that because the breezeway connected the two structures, the garage effectively attached to the dwelling rather than maintaining that required 10-foot separation requiring that second variance for separation of a detached garage.

Chairwoman Masterson asked the applicant to present his application.

Mr. Bennie stated that he just wanted to have a patio roof bigger than the 6 foot that was all that he would be allowed off of his patio. He explained that he just wanted to go ahead and make a breezeway go all the way across and then put the flat roof next to it so he could park his car under there and have a roofed patio as well.

Chairwoman Masterson asked if he was wanting to connect it and have it open.

Mr. Bennie said that was correct, no walls, just the roof.

Chairwoman Masterson asked if the Board approved the flat roof part over the garage area in the breezeway, he would be enclosing the breezeway with walls and if that was correct.

Mr. Bennie stated that no, nothing was going to have a wall.

Chairwoman Masterson asked Chief Building Official Fursdon that if the Board approved the roof, could he go back at a later time and put walls up without having to come back before the Board.

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Mr. Fursdon stated that he didn't see why he couldn't. He wouldn't be changing the square footage of it.

Chairwoman Masterson asked him if he had looked into other ways to address the situation.

Mr. Bennie asked what she meant.

Chairwoman Masterson stated that she was just asking for a reason as to why he wanted this.

Mr. Bennie stated that he could only go a little bit less than 6 foot to have a patio roof and that wouldn't even be worth it really.

Planning Commission Liaison Toth asked Chief Building Official Fursdon for clarification, if he would explain how it was viewed for attachment, and if the breezeway would be attached to the house or the garage, and then with the flat roof, obviously would be considered attached to the garage.

Chief Building Official Fursdon stated that from what he had seen in the review the breezeway was attached to both the house and the garage. The flat roof was just attached to the garage, and he believed it had a corner post.

Planning Commission Liaison Toth asked if he backed that breezeway off from the garage just a bit so it wasn't attached, would that reduce that square footage by the breezeway.

Chief Building Official Fursdon stated that it wouldn't diminish it that much and it still wouldn't be 10 feet away from the house.

Planning Commission Liaison Toth commented that they were looking at he had no 10 feet between the structures with the breezeway connecting the house to the garage and asked if he was considering the breezeway connecting the house to the garage in the square footage of the garage then now.

Chief Building Official Fursdon stated that he believed the Director did, yes.

Planning Commission Liaison Toth remarked the entire breezeway, that entire L shape, was now considered attached to the garage and part of that square footage. He asked if there was any way that could be split somehow so that they wouldn't be looking at such a large variance on the garage square footage.

Chief Building Official Fursdon stated that that would be a question for the applicant because he wasn't sure what all his intention for the flat roof was. He commented that he could see the breezeway as a walkway to get to the garage would be to get out of the weather, but he wasn't sure what his intention of the flat roof was.

Planning Commission Liaison Toth asked Mr. Bennie if he could answer that question for them.

Mr. Bennie stated it was mainly to park his vehicle underneath but to have the bigger patio area under roof.

Chairwoman Masterson explained that because he was for requesting relief from the building code, they

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were asking what his hardship was. She stated that she understood him wanting to attach the garage to the house but that in that neighborhood, the houses were really tight and tiny and there was a lot more house than there was land around it. She discussed that if they were to approve something like that, they would be setting the stage for other people to come and say that they had set precedent. She stated that her area of concern was that she was just wondering why he needed such a large overhang over the garage.

Mr. Bennie stated that he didn't if they wouldn't let him. He stated that he just threw that in there.

Chairwoman Masterson asked if he was just wanting more the breezeway.

Mr. Bennie stated that he wanted a bigger patio area mainly.

Chairwoman Masterson stated that that would be the breezeway.

Mr. Bennie stated that it was correct.

Chairwoman Masterson asked if he would be willing to make the flat roof over the garage smaller.

Mr. Bennie stated that he would.

Planning Commission Liaison Toth asked if he had the dimension of the width of that breezeway.

Mr. Bennie stated that it was roughly 8 feet, and he thought it was a little less than 16 feet from the garage to his house.

Planning Commission Liaison Toth commented that it was roughly 8 by 16.

Mr. Bennie stated that was correct.

Chairwoman Masterson asked if anyone else had any comments, concerns or input.

Director Lieber stated that if that would add 96 square feet to the existing 616 square feet, that would still be beyond the current code allotment for detached garage. She commented so the existing garage 616 + 96 for just the breezeway, that's what they were talking about and asked if that was correct.

Chairwoman Masterson stated that was correct.

Director Lieber stated that that would still exceed the 676 and there would still be a variance required for area.

Chairwoman Masterson stated that was correct, but that it would be a much smaller variance.

Director Lieber stated that was correct.

Chairwoman Masterson stated that as always directed by the Assistant Law Director, they would need to

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separate the two variance requests and vote on each individually. She stated that there was a variance request for the setback and then there was a variance request for area. She asked regarding the variance request for the flat roof extending over the garage, if that was something that he needed, and did it have to be that big, and did he have to have it.

Mr. Bennie stated no, but he would like to have it.

Chairwoman Masterson read through the Duncan Factors and responses included in the member packets. She stated that she had a problem granting a variance when there was no reason other than it was something that he wanted and it wasn't allowed under the building code. She stated that she would feel a lot better if it were smaller. She indicated that she had a couple of different suggestions for him and that they could table the application and have him come back. They could take a vote on it as it was submitted, or he could change something.

Mr. Bennie asked that if he changed something, did he have to come back or just submit another drawing.

Chairwoman Masterson stated that he would just have to give the Board a different drawing and just tell them what them if he was going to do something smaller. She explained that she couldn't tell him what to build and she couldn't make a suggestion. She was just telling him that at that point in time that she was just a little concerned about how big of a variance it was.

Mr. Bennie said that he could make it smaller.

Assistant Law Director Morgan stated that in looking at the agenda, how it's posted, and it talks about a breezeway connecting the house and the garage, and that when she first looked at it she thought it was 16 feet by 8 feet, and that that was the only area on it and that's more consistent with a breezeway. The other part might be something that he could be more flexible on.

Mr. Bennie stated that he could make it smaller if that was what they meant.

Assistant Law Director Morgan asked what the purpose of the additional section was beyond that.

Mr. Bennie remarked just a bigger area, and to park his vehicle under.

Director Lieber stated that it was never a good position for the BZBA to be in a negotiating place with an applicant because also you have four members for tonight, but you all might have different opinions that you might not share, but it does seem as though just based on comments she heard that maybe as a total, the Board wasn't leaning towards granting approval of the application, so maybe it would be in the applicant's best interests just to request to be tabled and to come back with a modified proposal. She mentioned that she wouldn't advise on what level of code deviation she was okay with because again, every member might have their own position and on those variance requests.

Chairwoman Masterson explained that one of the reasons she was suggesting that they table the application was because if the Board took a vote, once they took a vote and the decision was made, the only place that he could appeal their decision was to the court. She asked if he wanted to table it.

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Mr. Bennie stated that he did.

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

ADJOURNMENT:

The meeting was adjourned at 7:24 PM.

Linda Masterson
Chairwoman

Tina Wieber
Recording Secretary/Deputy Clerk of Council

Thursday, November 20, 2025
Date Approved

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NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS
MINUTES OF
REGULAR MEETING – THURSDAY, NOVEMBER 6, 2025

CALL TO ORDER:

Chairwoman Masterson called the meeting to order with the Pledge of Allegiance at 7:12 PM.

ROLL CALL:

Present were members James Cain, Brad Weaver, Planning Commission Liaison Frank Toth and Chairwoman Linda Masterson.

Also present were Council Liaison Cliff Winkel and Deputy Clerk of Council Tina Wieber.

Vice-Chairman Paul Graupmann was excused.

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).

Application was read.

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

Robert B Hayes, 9192 Bender Rd, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Council Liaison Winkel to read the administrative review.

Council Liaison Winkel stated that the applicant was proposing to construct a 30 by 40 pole building on their 8.29-acre property on Bender Road. He mentioned that the property was irregularly shaped with a long driveway extending to the primary residence, which was located approximately 750 feet away from the right-of-way, an existing barn existed between the house and the street and that 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 a 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. He stated that that was the report provided by the Economic Development Director.

Chairwoman Masterson asked the applicant to present his application.

Mr. Hayes discussed on the drawing where the building would go and stated that he had measured 515 feet and that the only reason it was in the front yard was because the house was 750 feet off of the street and the area he pointed to on the screen was all wetlands, so they didn't have a lot of other options for that.

Chairwoman Masterson stated that the Board was there for when someone needed relief from the building codes. She mentioned that he had a unique situation and a unique piece of property and asked if he was keeping the existing barn and building another barn in addition.

Mr. Hayes stated that was correct.

Chairwoman Masterson stated that the applicant had enough property to have two barns and it wouldn't be a problem. She explained that the Board looked at the Duncan Factors and read, "Can the property really yield a reasonable return, or can there be any beneficial use of the property without the variance?" and commented that of course it could. She read, "Is the variance substantial?" and stated that technically yes, however, he had an interestingly shaped property. She read, "Will the essential character of the neighborhood be substantially altered, or will adjoining properties suffer a substantial detriment as a result of the variance?" She discussed that the proposed structure was consistent and scaled in appearance with existing rural accessory structures and would be largely screened from public view as there were a lot of trees in that area. She read, "Will, the variance adversely affect the delivery of governmental services?" and stated that it would not. She read, "Did the property owner purchase the property with the knowledge of the zoning restrictions?" and stated yes, that the zoning code had been in place for years. She read, "Could the property owner's predicament be precluded through some other method other than the variance?" and stated, no, not reasonably, because it was wooded and it was wetlands and would be an awfully long way to run utilities.

Member Cain stated that just to extend the driveway to get back there before the wetlands would be a huge expense too.

Chairwoman Masterson read "Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting the variance?" and commented, yes. The intent of the code is to maintain orderly and unobstructive placement of accessory structures not relative to dwellings and street view. Given the exceptional setback, granting the variance would not undermine the intent and would permit a reasonable and functional layout of the property. She asked if any of the Board members had any other comments, questions, concerns.

None were given.

Chairwoman Masterson asked if there was anyone in the audience that had any comments questions or concerns.

None were given.

Moved by Masterson and seconded by Toth to approve the variance.

A roll call vote was taken and the motion carried.

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Yes – 4 No – 0

ADJOURNMENT:

The meeting was adjourned at 7:20 PM.

Linda Masterson
Chairwoman

Tina Wieber
Recording Secretary/Deputy Clerk of Council

Thursday, November 20, 2025
Date Approved

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Board of Zoning & Building Appeals Application

CITY OF NORTH Ridgeville EST 1810

SEP 18 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

51 CADET DR N. RIDGEVILLE OHIO
Location address

07-00-022-105-014
Parcel number

RESIDENTIAL
Current zoning

BREEZE WAY ROOF TO GARAGE
Appeal or variance (attach supporting documentation)

APPLICANT/AGENT INFORMATION

ANDREW BENUE
Name/Company

51 CADET DR. N. RIDGEVILLE OHIO
Applicant address

[redacted]
Applicant phone

[redacted]
Applicant email

PROPERTY OWNER INFORMATION

ANDREW BENUE
Name/Company

51 CADET DR. N. RIDGEVILLE, OHIO
Property owner address

[redacted]
Property owner phone

[redacted]
Property owner email

AUTHORIZATION AND ACKNOWLEDGEMENT

Andrew Benue
Applicant signature

Andrew Benue
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
	PPZ2025-0382	RECEIVED	
	Fee Paid $75.00	SEP 18 2025	

Board of Zoning & Building Appeals Staff Report

Case	PPZ2025-0382
Property Owner	Andrew Bennie
PPN	07-00-022-105-014
Property Address	51 Cadet Drive
Zoning	R-1 Residence District
Applicant Name	Same
Applicant Address	Same
Project	Breezeway roof connecting house and detached garage
Meeting Date	November 20, 2025
Report Date	November 3, 2025

REQUESTED VARIANCES	CODIFIED REFERENCES
1. A 10-foot variance for setback of a detached private garage from a dwelling. Applicant shows 0 feet, code requires 10 feet, Section 1294.03(a). 2. A 164-square foot variance for area of a detached private garage. Applicant shows 840 square feet, code allows 676 square feet, Section 1294.03(d)(1).	1294.03 DETACHED PRIVATE GARAGES (a) As used in this section, "detached private garages" means garages which are not attached to single-family or two-family dwellings and are of frame construction or of construction similar to single-family or two-family dwellings. Detached private garages shall be located not less than five feet from the side and rear yard lot lines and not less than ten feet from other buildings located upon the same lot with a detached private garage. (d)(1) In all residential districts, no detached private garage shall exceed one story or fifteen feet in height for a single-family or two-family residential structure. No detached private garage shall exceed twenty-six feet in length or width or be over 676 square feet in area in any residential district zone with one-half acre or less.

Summary of Request:

The applicant has amended their original proposal involving construction of a breezeway between the existing dwelling and a 22' x 28' detached garage that was permitted in 2023. The roofed breezeway will be 14 feet wide, covering the approximate 16-foot gap between the structures. The addition would add 224 square feet of roofed area to the 616 square foot building, bringing the total garage area to 840 square feet, which exceeds the allowable size by 164 square feet. Because the breezeway will connect the two structures, the garage will effectively become attached to the dwelling, triggering a setback variance under Section 1294.03.

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 continue to be used for its intended residential purpose without the variance. The existing detached garage, approved and constructed in 2023, provides parking and storage consistent with the zoning code.

Is the variance substantial?

The amended proposal still eliminates the required 10-foot setback between structures. The total roofed area would exceed the permitted maximum for a detached garage by approximately 24 percent, less than the original 40 percent request.

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 proposed breezeway connection is modest in scale and is not expected to directly affect neighboring properties. However, the change in configuration could alter the appearance of the property compared to others in the neighborhood, where detached garages are common and typically maintain separation from the dwelling.

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 applicable setback and area requirements have been in place for many years, and the garage was reviewed and approved under those standards in 2023.

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

The requested variance arises from the applicant's desire to connect the detached garage to the dwelling with a roofed breezeway. The code does not allow this configuration due to the required 10-foot separation between buildings. While the applicant could proceed without the connection or with an open walkway, doing so would not achieve his stated goal. The limitation stems from the project design rather than the unique physical condition of the property.

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

The applicant indicates the breezeway would provide protection from the weather. While an understandable objective, no information has been provided demonstrating a practical difficulty related to the property itself. The intent of the code is to maintain spacing between buildings and to regulate the scale of accessory structures relative to lot size. The Board should carefully consider whether this request aligns with that intent.

Board of Building and Zoning Appeals

PROJECT INFORMATION

Breezeway roof connecting house to garage

Proposed project

51 Cadet Dr	07-00-022-105-014
Location	Parcel number
November 20, 2025	November 10, 2025
Meeting date	Comments due

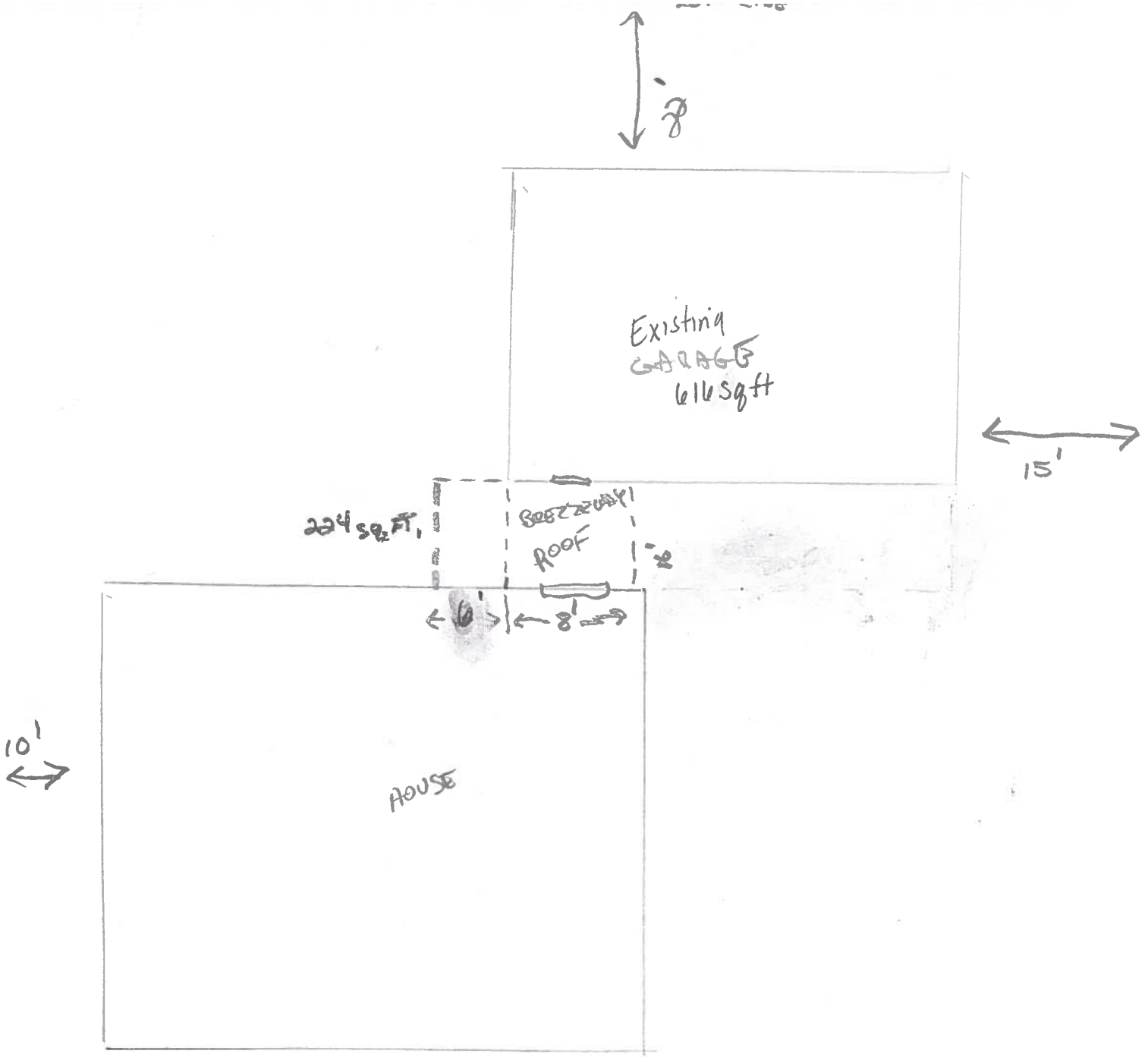
RECOMMENDATIONS

Type comments here. Attach additional sheets as necessary.

Applicant amending request to 164 square foot area variance for garage (616 square foot existing garage + 224 square foot addition = 840 total square foot. 840 square foot total proposed garage – 676 square foot allowable garage = 164 square foot variance. BZA approval required.

SUBMITTED BY

Guy M. Fursdon	Chief Building Official
Administrative officer signature	Title



J2025-16706

RECEIVED
OCT 27 2025

ANDREW SERVICE
57 CADET DR.
440-541-8044

Board of Zoning & Building Appeals Application

CITY OF NORTH Ridgeville EST 1810

NOV 0 3 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

7079 AVON BELDEN RD NORTH RIDGEVILLE, OH 44039
Location address

07-00-021-117-094
Parcel number

Current zoning

Appeal or variance (attach supporting documentation)

APPLICANT/AGENT INFORMATION

DENISE BITTNER / BODY REMEDY MASSAGE & WELLNESS LLC
Name/Company

[redacted] 7079 AVON BELDEN RD NORTH RIDGEVILLE
Applicant address

[redacted]
Applicant phone

bodyremedymassage@gmail.com
Applicant email

PROPERTY OWNER INFORMATION

CAROL MISKE, MANAGER: AVON BELDEN BUSINESS MALL, LLC
Name/Company

[redacted]
Property owner address

[redacted]
Property owner phone

[redacted]
Property owner email

AUTHORIZATION AND ACKNOWLEDGEMENT

Denise Bittner
Applicant signature

Carol Miske AKA DR. CAROL NOVAK
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-2025-0389	11/03/2025	
	Fee Paid		
	125.00		

Board of Zoning & Building Appeals Staff Report

Case	PPZ2025-0389
Property Owner	Avon Belden Business Mall, LLC
PPN	07-00-021-117-094
Property Address	7079 Avon Belden Road
Zoning	B-2 Central Business District
Applicant Name	Denise Bittner, Body Remedy Massage & Wellness LLC
Applicant Address	[redacted]
Project	Signage
Meeting Date	November 20, 2025
Report Date	November 6, 2025

REQUESTED VARIANCES	CODIFIED REFERENCES
1. A variance for window signs occupying 100% of a window area, code allows 50%, Section 1286.11(b)(1). WINDOW SIGN means a sign attached to, in contact with, placed upon, painted on, or otherwise viewable through the window or door of a building that is intended for viewing from the outside of such building.	**1286.11 - Permanent sign allowances** (b) Window Signs. No sign permit shall be required for window signs provided that any such sign complies with the following standards: (1) Window signs shall not occupy more than 50 percent of the window area. The sign area is based on the total window area. Window areas separated by piers, architectural elements, or similar features that are not glass or window framing or support shall be considered separate and distinct window areas. (2) Window signs may be temporarily or permanently attached to the window surface.

Summary of Request:

The applicant operates a massage establishment in one unit of a multi-tenant commercial building on Avon Belden Road. Staff observed that window signage had been installed, completely occupying the four west-facing storefront windows of the unit. The zoning code allows for 50% coverage by window signs. A Notice of Zoning Violation was issued, and the applicant is seeking a variance to remedy the violation.

For purposes of this review, the four west-facing windowpanes comprising the storefront are considered one “window area” while the north-facing windows approaching the front door to the business are considered a separate window area. Although the storefront glazing wraps a corner, the change in building plane constitutes an architectural separation — it’s part of the building’s structure, not just window framing. Therefore, each façade is evaluated separately for the 50% coverage rule.

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 and operated as a massage practice while complying with the 50 percent window coverage limit.

Is the variance substantial?

The requested variance, which would allow 100% of the west-facing window area to be covered, is substantially above the 50% limit.

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

Granting full coverage would affect the visual balance of the commercial district. The ordinance is intended to allow for appropriate signage while maintaining a consistent appearance across storefronts, which is important to preserving the character and aesthetic of business areas.

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 ordinance was updated in 2023 and was in effect prior to the applicant moving into this location in 2025. Limitations on window signage also existed in the version of the zoning code that was previously in effect. Research failed to locate any variances previously granted for signage at this location. While the applicant references past window signage in this location, a new tenant does not retain rights to non-conforming or illegal signage previously installed and later removed.

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

Privacy and client comfort can be achieved through partial window clings, frosted or opaque films or interior blinds without the need for full coverage by signage.

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

The sign code aims to balance business identification with visual consistency and aesthetics in our commercial districts. Approving full coverage of the window area would conflict with this intent and set a poor precedent under the new sign code.

PROJECT INFORMATION

Signage
Proposed project

7079 Avon Belden Rd
Location

07-00-021-117-094
Parcel number

November 20, 2025
Meeting date

November 10, 2025
Comments due

RECOMMENDATIONS

Type comments here. Attach additional sheets as necessary.

1286.11 (b)(1) Window signs shall not cover more than 50% of the window area. Applicant requesting to cover 81% of the window area (88.17 square feet of window signs divided by 108.61 of total window area = 0.81). Applicant requesting 31% variance (81% window area coverage – 50% allowable window coverage = 31%). BZA approval required.

SUBMITTED BY

Guy M. Fursdon
Administrative officer signature

Chief Building Official
Title

CITY OF NORTH Ridgeville EST 1810

NOTICE OF VIOLATION

10/24/2025

DENISE RESTIVO
BODY REMEDY MASSAGE & WELLNESS LLC
7079 AVON BELDEN RD
NORTH RIDGEVILLE, OH 44039

Re: Property Maintenance Violation
Location: 7079 AVON BELDEN RD
Parcel: 0700021117094
Violation Number: EV2025-00420

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 1286.11(b)(1) Window Signs
Window signs shall not occupy more than 50 percent of the window area. The sign area is based on the total window area. Window areas separated by piers, architectural elements, or similar features that are not glass or window framing or support shall be considered separate and distinct window areas.

Required Corrective Action:
Reduce or modify the existing window signage so that it covers no more than 50% of the total window area, in accordance with city signage regulations.

You are hereby notified that the above violations are to be corrected by **October 31, 2025.** 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.

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,

Casey Hale
Zoning Inspector

Inspection Pictures Attached

BODY REMEDY
MASSAGE & WELLNESS

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Body Remedy Massage & Wellness

7079 Avon Belden Road • North Ridgeville, OH 44039

To:
Board of Zoning and Building Appeals
City of North Ridgeville
7307 Avon Belden Road
North Ridgeville, OH 44039

Re: Request for Area Variance — Window Sign Coverage (§1286.11(b)(1))

Dear Members of the Board,

My name is **Denise Bittner, L.M.T.**, owner of **Body Remedy Massage & Wellness**, serving North Ridgeville since **June 2018**. I respectfully request an area variance to allow the existing static, non-illuminated window clings covering approximately **80%** of the **central four panels** of a **six-panel** storefront window assembly.

Background and Practical Need

I have been a Licensed massage therapist since 2004 with years of experience working in the medical field alongside chiropractors, physical therapists and medical doctors to help treat injuries and alleviate pain for patients. As the Director of Massotherapy at Cleveland's Accident & Injury Treatment Center I was tasked with managing the massage therapists of all 5 locations across Northeast Ohio and am still a certified B.W.C provider helping people recover from work injuries and helping them to get back to work. I have also worked at many spas such as Charles Scott and Massage Envy.

I opened my massage therapy practice in 2018 at my original location at 35590 Center Ridge Rd, suite 105 in North Ridgeville. We provide mostly therapeutic massage to treat chronic pain, assist in injury recovery, post-surgical rehabilitation, oncology massage, as well as massage for general aches and pains and relaxation. Many of the clients we serve are teachers, bus drivers, nurses, police officers, construction workers, caregivers, and attorneys from the local and surrounding areas. The goal of my practice is to provide client centered care where you are treated as an individual deserving of healing and compassion and not just another number like our massage chain competitors.

I chose to open in North Ridgeville because it is a great family friendly community that looked to be underserved, not having any massage practices at the time, forcing residents to go outside of the city for services like those we provide. Our goal is to help community residents with pain and stress to improve their quality of life.

We recently moved to our new location in May of 2025 located at 7079 Avon Belden Rd. Our unit is uniquely configured with its main entrance located at the side of the building, unlike other tenants. Also unique to our unit is the front six-panel divided window which opens directly into a treatment room that requires privacy for client

comfort and confidentiality. The off-centered six-panel design makes balanced signage difficult under the 50% rule. **(Exhibit A-1, A-2, A-3)** After months of deliberation and careful thought I purchased and installed non-illuminated, professional window clings depicting tasteful and appropriate massage imagery, serving both privacy and identification purposes.

My storefront is located in a high-visibility commercial corridor, where storefront properties command higher rent because window frontage is a key business asset. When I selected and committed to this location, I made a reasonable financial decision based on the previous tenant's (North Ridgeville Eye Care) established use of full-window graphics on the same storefront. **(Exhibit B)** I entered into the lease with the good-faith understanding that the window could be utilized in a similar manner which allows clients to easily find our location with just a quick glance so as to not distract their driving.

Fairness & Precedent. The previous medical tenant on this very storefront—**North Ridgeville Eye Care**—maintained full-window medical graphics for several years without a reported issue.**(Exhibit B)** As a licensed wellness practice, I made a good-faith, financially material decision relying on that visible precedent when leasing and investing in this unit. Retail neighbors can lawfully fill their windows with merchandise displays;**(Exhibit C-2) a** professional service provider likewise needs modest, readable visibility that doubles as privacy film for lawful operation.

Clarification on measurement. The inspection photo included in the violation appears to be a picture from the road and seems to have evaluated coverage using only the four central panels. There are 6 window panels in all. Each panel is only separated by window framing and as stated in the ordinance they are to be calculated as one total area. Counting all six demonstrates that the request is visually modest and balanced as shown in **Exhibit A-3.**

Application of the Duncan Practical-Difficulty Factors

1) Reasonable return / beneficial use. Without the variance, privacy would require opaque blinds/curtains or interior partitions—eliminating exterior visibility, darkening the storefront, and creating the appearance of a closed business or unrented suite.**(Exhibit C)** The current film allows lawful private therapeutic use of the treatment room and appropriate identification for residents of the community who are looking for treatment just as it did for the previous business, North Ridgeville EyeCare.

Business Performance and Operational Impact: Since installing the current privacy window film, my business has experienced a clear positive impact on new client visits, google search metrics, website visits, phone/text inquiries and scheduling consistency..**(Exhibits D-1,D-2 & E-1,E-2,E-3)** New client bookings increased, returning-client frequency strengthened, and overall monthly sales performance improved. October was the highest sales month since opening in 2018, which reflects the importance of providing effective window signage so that clients can easily find local service businesses and where the overall appearance and esthetic is compatible and comparable with our large chain competitors. The current window film directly supports the functional operation, ethical standards, and economic sustainability of a licensed therapeutic practice at this location and in my opinion adds a

touch of class to our building and our city. Since the installation of the window clings we've had many life-long North Ridgeville residents as new clients that were surprised to learn we have been in business since 2018 and have stated that they have gone to neighboring cities for massage services in the past not knowing one is located in their city. And all that time we were located on a main road (Center Ridge Rd) in the heart of the city. This is both disheartening and exciting as a small business owner.

2) Substantiality. The storefront is a **six-panel** assembly (two side, four front). Evaluating only the four front panels makes the coverage seem higher than it is. When all six are counted, the window treatment is **modest and proportional**, comparable to privacy standards commonly used in wellness/medical settings.**(Exhibit F-1,F-2,F-3 industry standards)**

3) Character of the neighborhood. The installation is calm, professional, and non-illuminated. It mirrors the previous tenant's medical aesthetic on this same façade, maintains plaza cohesion, and reduces visual clutter and allows my unit to look like an open operating business rather than a closed or unrented suite with blinds or plain window coverings. The unit is recognizable for the industry and adds an upscale classy appearance as similar massage-providing businesses in neighboring cities that often draw our customers thus giving us the opportunity for fair competition.**(Exhibit F-1,F-2, F-3)**

4) Government services. No addresses, utilities, lighting, or safety markings are obstructed. Emergency visibility is unaffected.

5) Knowledge of restrictions / self-created hardship. I was unaware of the ordinance when I made the decision to rent the unit. I acted in **good faith** based on long-standing, visible **precedent** at this exact storefront extended to another medical practice, and on the reasonable expectation that a resident-serving service business may achieve basic visibility akin to retail neighbors.

6) Feasible alternatives. Opaque coverings, curtains, or interior partitions fail to satisfy both **privacy** and **visibility**. Given the uniqueness of the unbalanced six-panel configuration, those alternatives are functionally inferior and economically harmful due to decreased visibility concerns if scale is shrunken or disruption of calming, clean and balanced aesthetic due to the inability with current window structure for uniform placement.

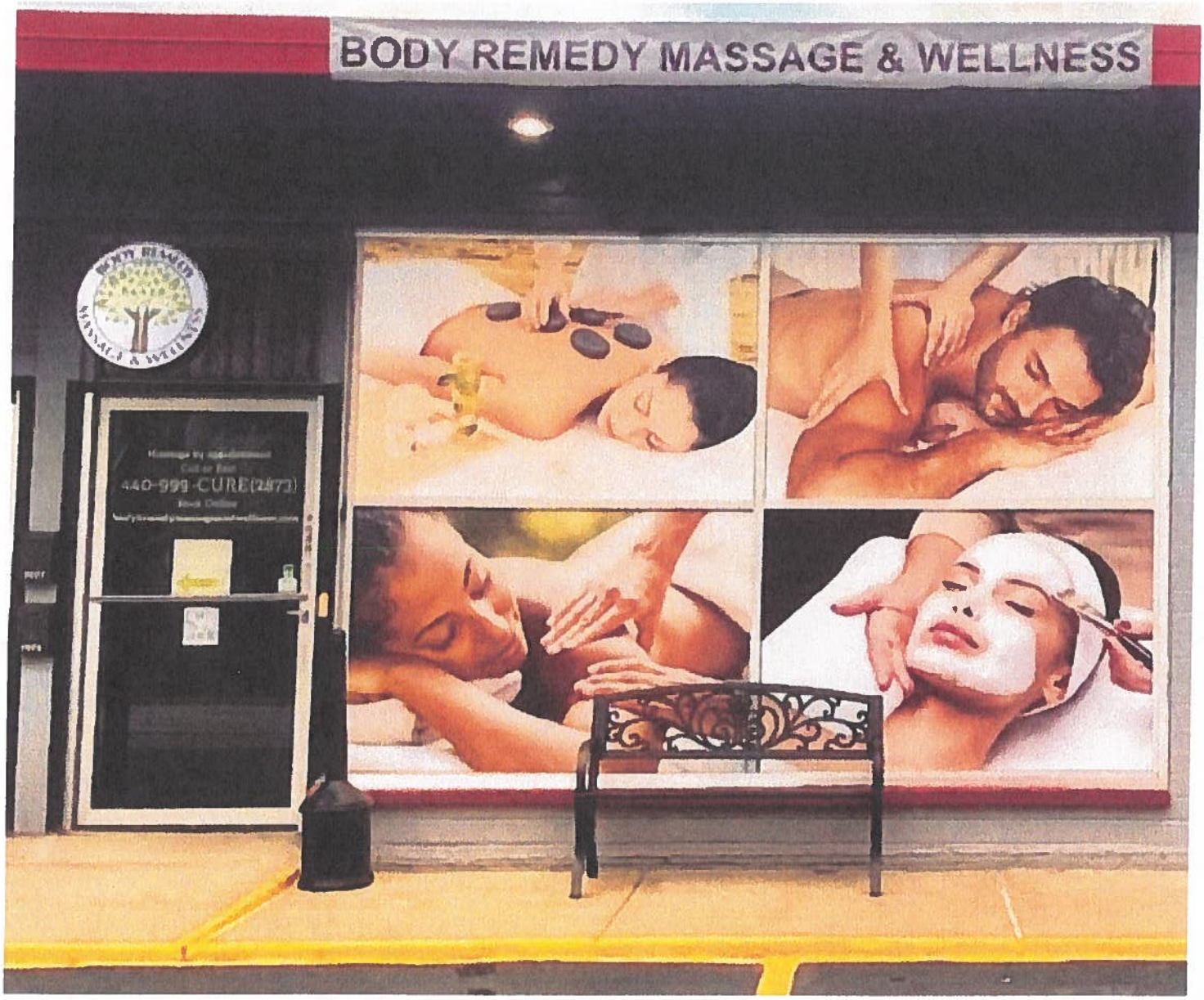
7) Spirit and intent. The code aims to prevent visual clutter—not to prohibit tasteful privacy films that fulfill essential privacy requirements and assist in customer visibility so that residents can easily locate health services in their city. Visibility is also essential for a small community-serving business like mine to grow and succeed in this city. Approving this variance supports the City's goal of building a **strong, stable** community where **residents can live well** and **businesses can grow and succeed**.

Conclusion. Given the unique window configuration of the store-front window, the professional privacy need, the established **precedent** from North Ridgeville Eye Care that was relied on for my investment and alignment with City goals, I respectfully request approval of an area variance for my unit permitting up to 81.2% current coverage of the six-panel front window so that my business can maintain the privacy it requires but also continue to grow and serve our community. Thank you for your time and consideration to this matter.

Respectfully submitted,
Denise Bittner, L.M.T.
Owner — Body Remedy Massage & Wellness

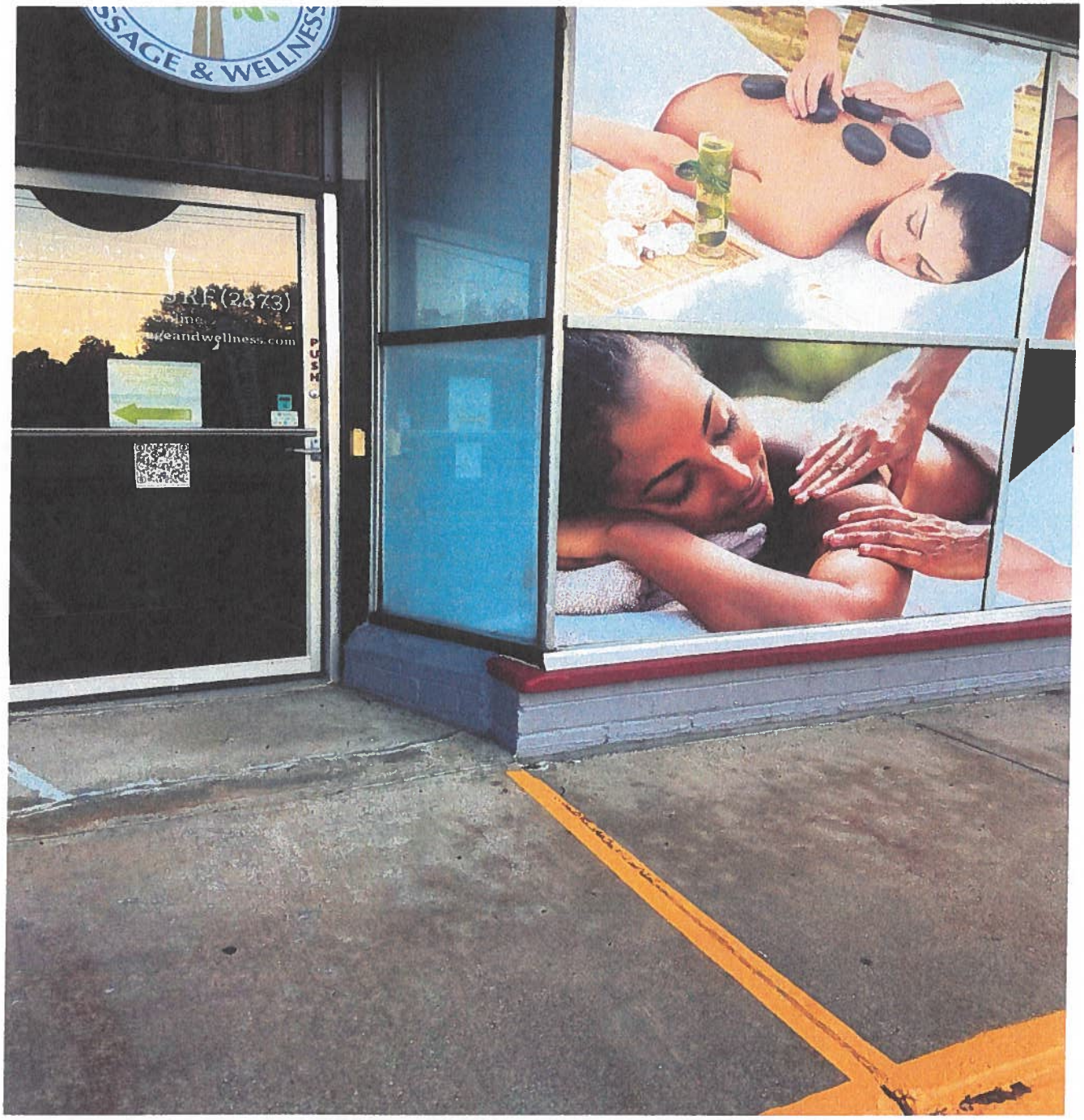
Exhibit A-1

Current Window Privacy Film Coverage



Front view as currently installed (October 14, 2025).

Exhibit A-2

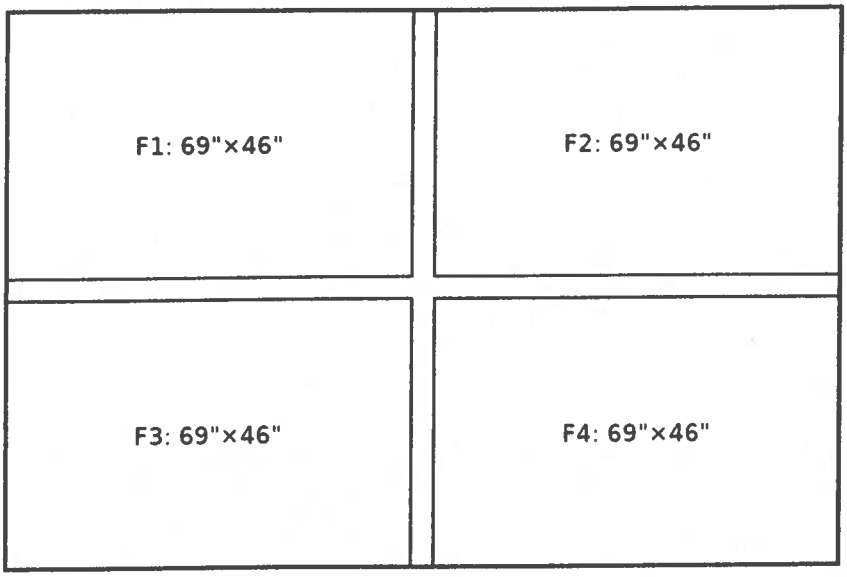


side view as currently installed (October 14, 2025).

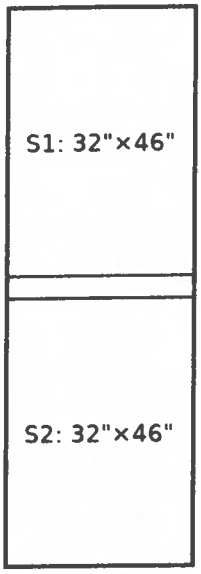
Exhibit A-3

Storefront Windows – Front & Side Elevations (Updated & Corrected)

Front Elevation



Side Elevation



Area Summary (door glass excluded):
Front (4 panels @ 69"×46"): 88.17 sq ft
Side (2 panels @ 32"×46"): 20.44 sq ft
TOTAL WINDOW AREA: 108.61 sq ft

Coverage: Front panels are fully filmed → 81.2% of total window area covered

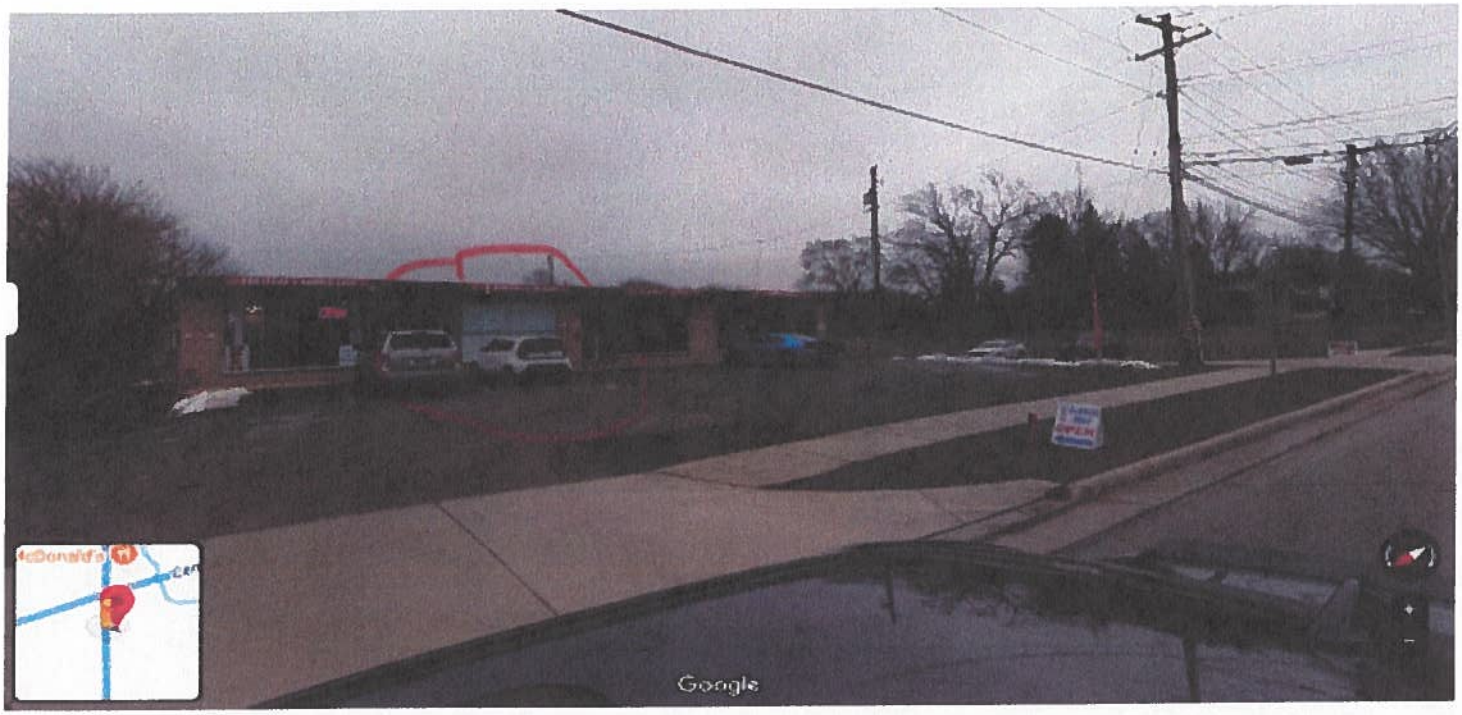
Exhibit B

Previous Tenant Full-Window Signage (Precedent)

Full-window medical graphics used by former tenants on this same storefront (precedent) until March of 2025.

Exhibit C

Additional pictures of the plaza and other units

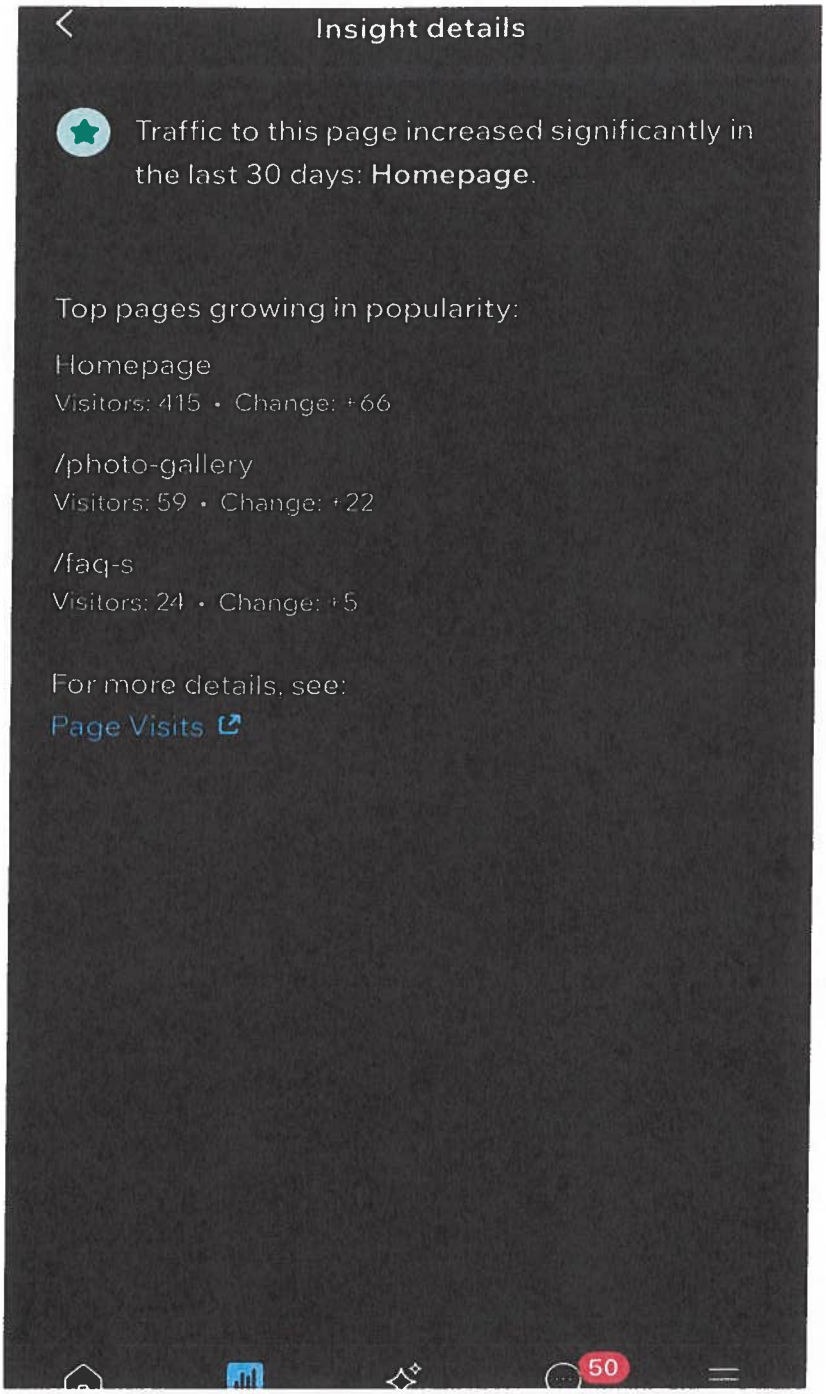


(ABOVE) View of the plaza from the road of the unit with plain curtains/blinds appearing closed or unrented

A retail sales unit in our plaza showing window display of merchandise and the difference in window framing structure

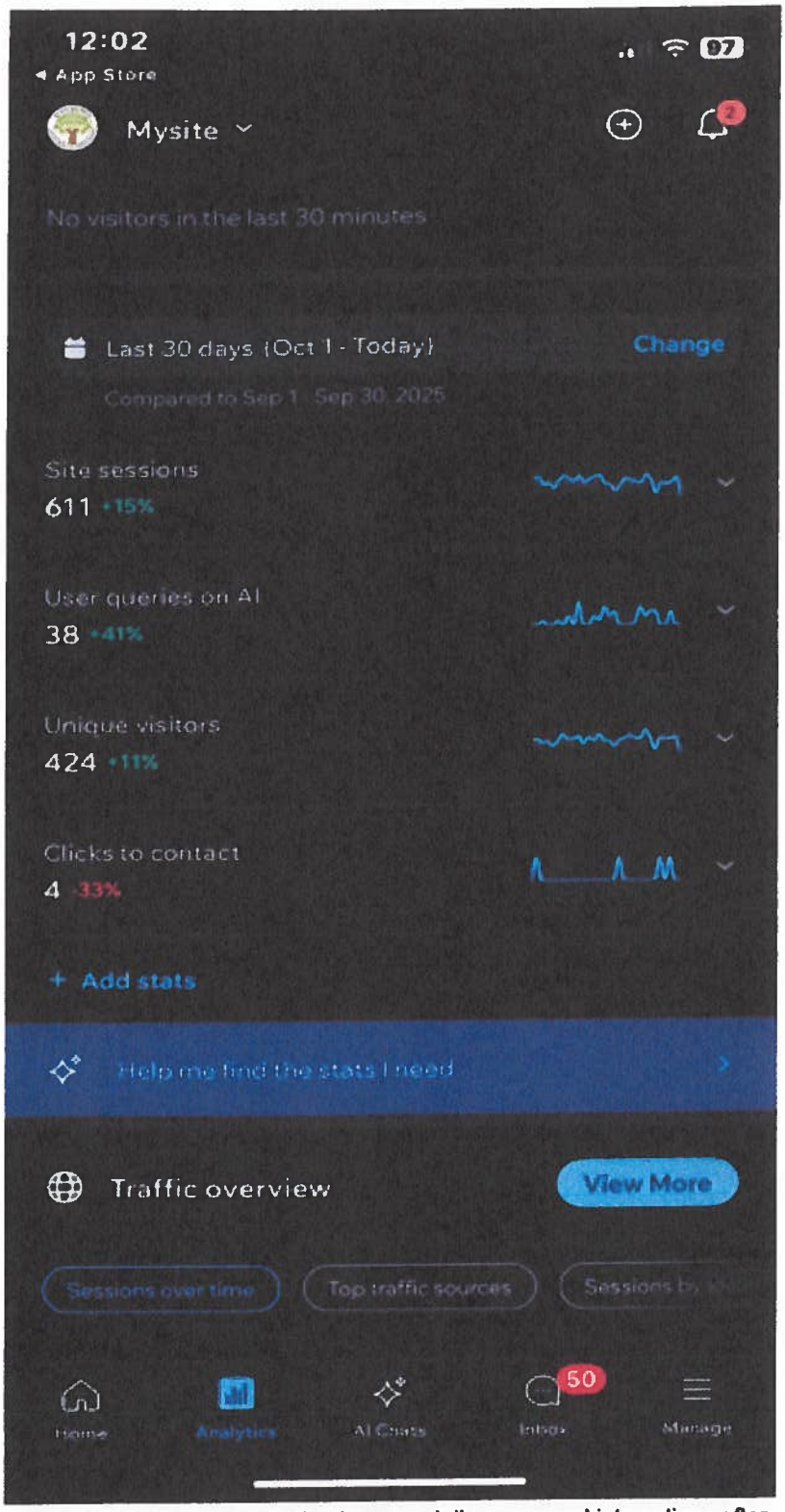
Exhibit D-1

Increased website traffic after installation of window clings



Extracted charts demonstrating increased discovery and interactions after installation.

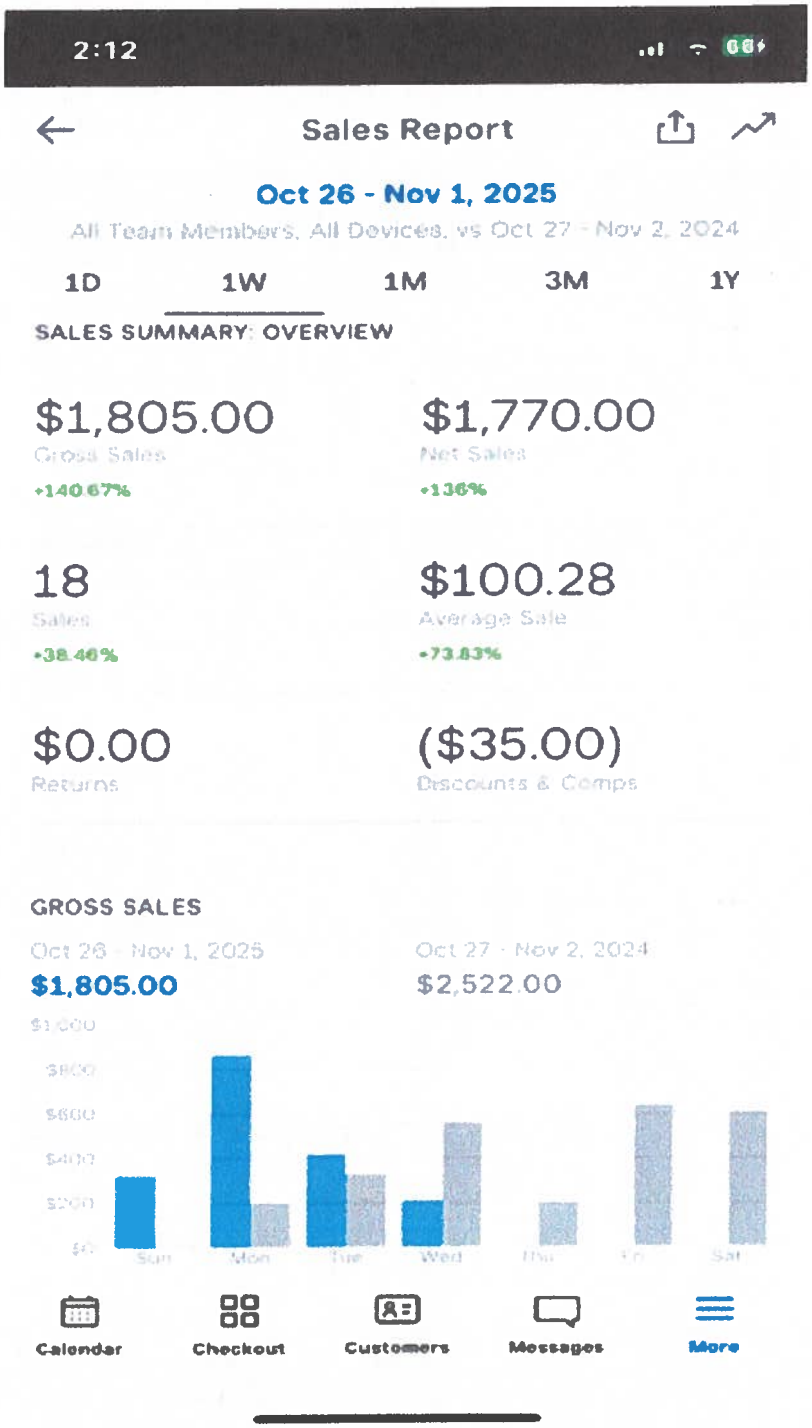
Exhibit D-2



Extracted charts demonstrating increased discovery and interactions after installation.

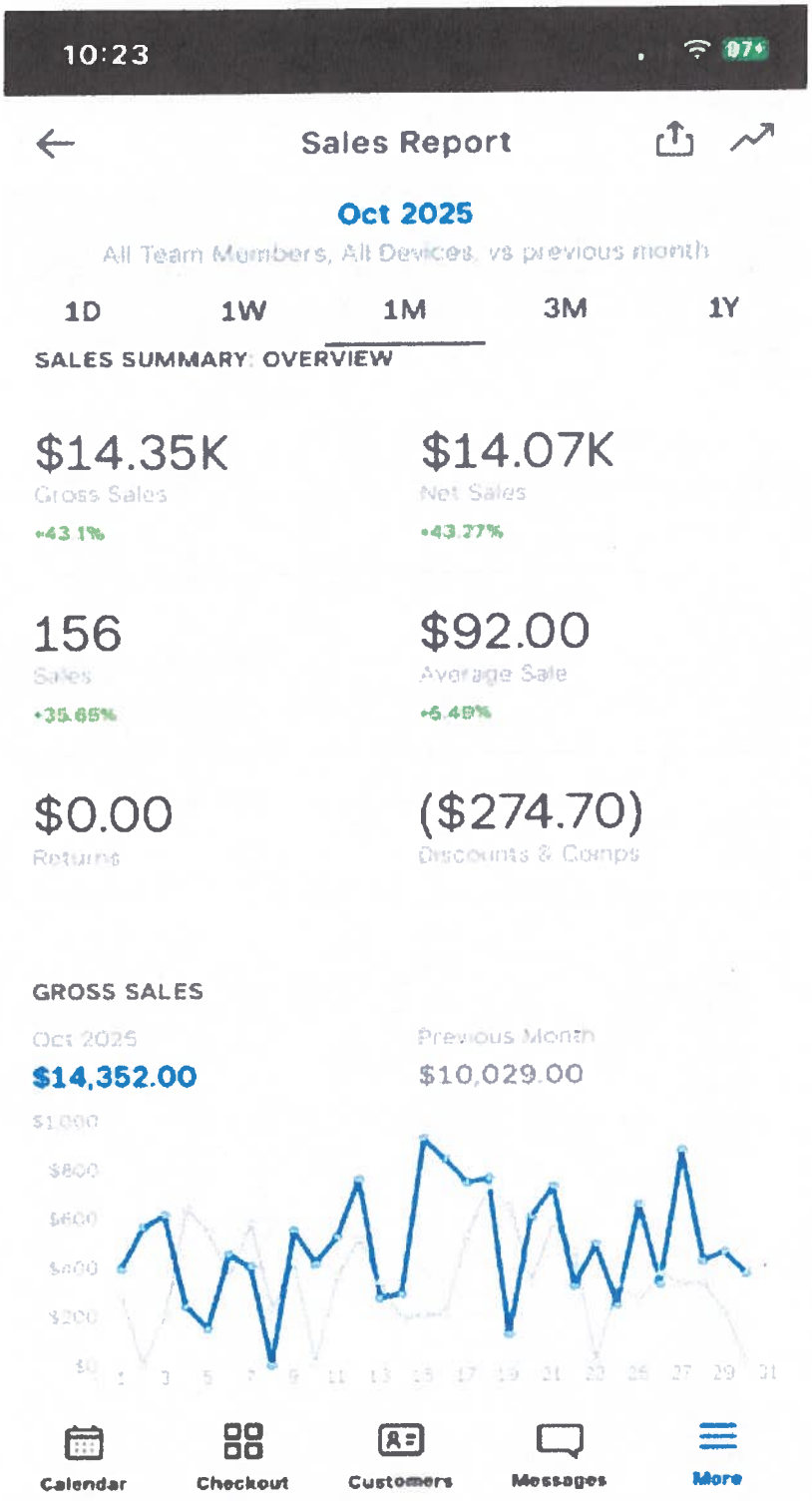
Exhibit E-1

Sales Performance Reports (Square Analytics)



Sales and booking stability improvements following installation

Exhibit E-2



Sales and booking stability improvements following installation.

Exhibit E-3

Square Sales Trends Showing Comparative Stats and Impact of Installation of Window Clings

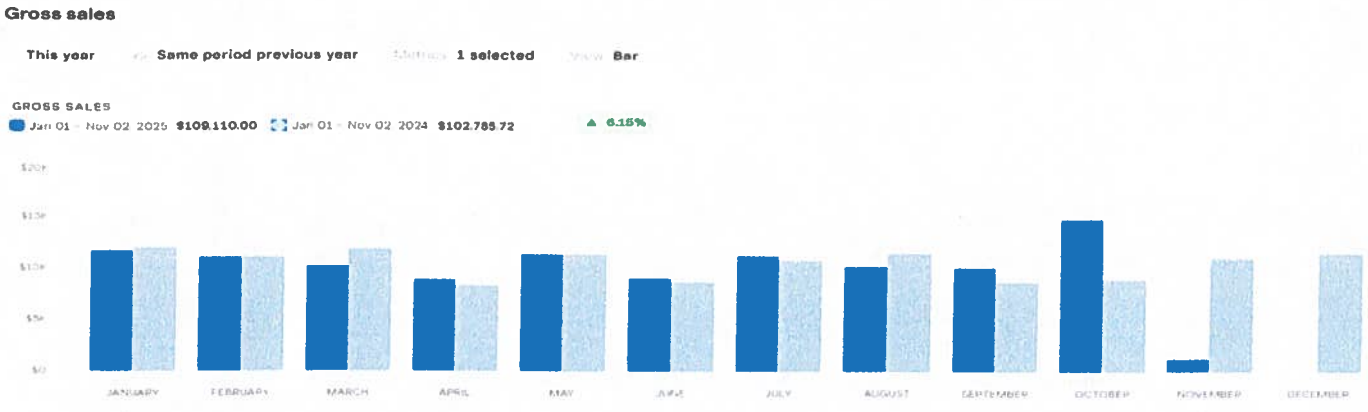
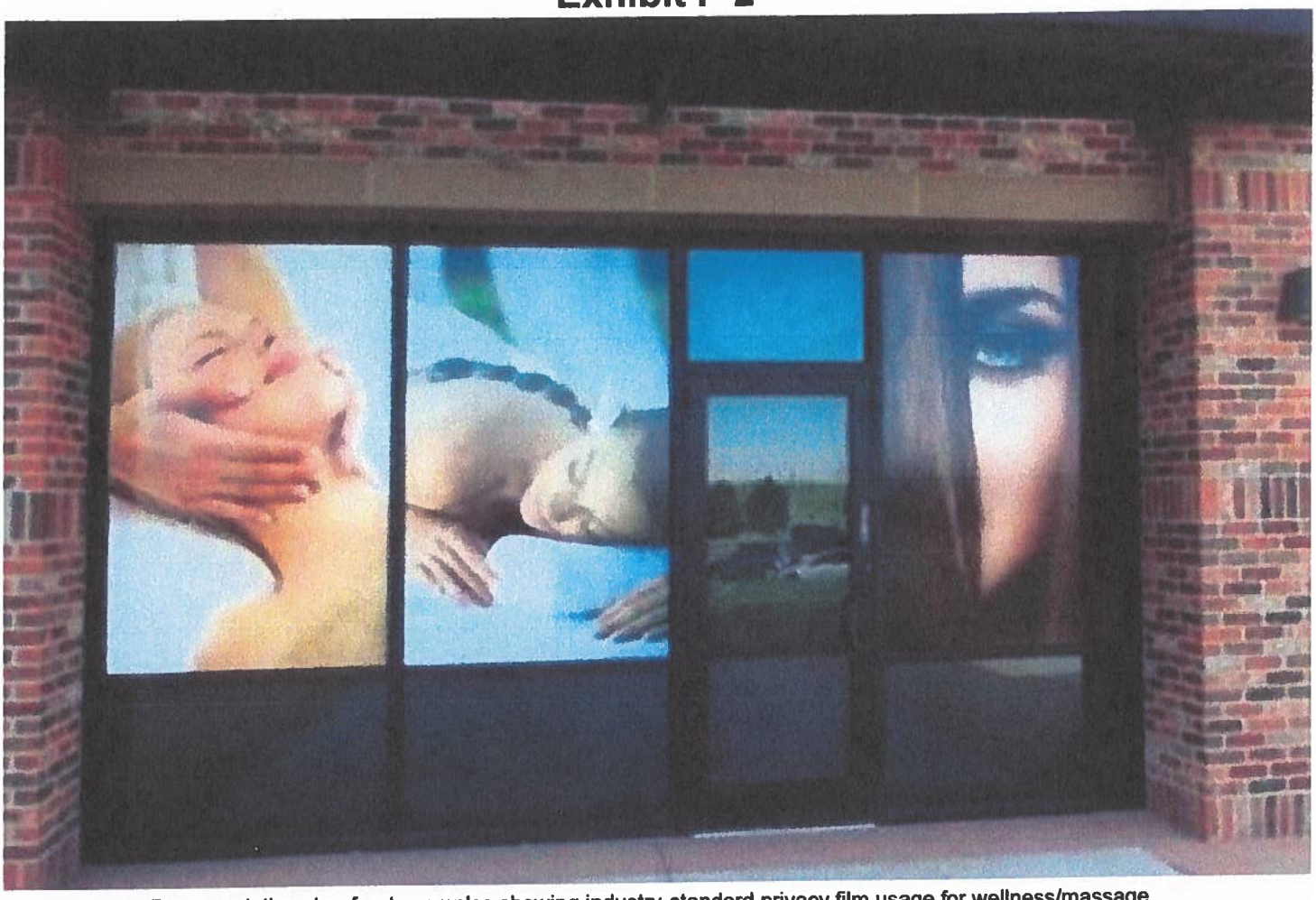


Exhibit F-1

Comparable Wellness & Massage Storefront Privacy Film (Industry Standard)

Representative storefront examples showing industry-standard privacy film usage for wellness/massage.

Exhibit F-2



Representative storefront examples showing industry-standard privacy film usage for wellness/massage.

Exhibit F-3

Representative storefront examples showing industry-standard privacy film usage for wellness/massage.

Exhibit G

Community & Business Support (To be presented at hearing)