

**NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS
MINUTES OF
REGULAR MEETING – THURSDAY, JUNE 26, 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-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, May 22, 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 North Ridgeville Planning Commission took action on the following items at their regular meeting of June 10, 2025:

Master Tree Plan

PC ACTION: Approved by a vote of 4-0.

PPZ2025-0354: Harvest Ridge Church, 35544 & 35600 Lorain Rd, PPN: 07-00-024-101-101, -109

Owner: Michael Moyes, Dobie Pallets, 35544 Lorain Rd, North Ridgeville, OH 44039. Proposal consists of rezoning parcel number 07-00-024-101-101 located at 35544 Lorain Road that is currently zoned I-2 Light Industrial District, and the eastern portion of parcel number 07-00-024-101-109 located at 35600 Lorain Rd that is currently zoned I-2 Industrial District be rezoned to R-1 Residence District.

PC ACTION: Approved by a vote of 4-0.

PPZ2025-0357: North Ridgeville High School, Phase 2, 34610 Bainbridge Rd, PPN 07-00-016-104-233

Applicant: Claire Bank, ThenDesign Architecture, 4230 River St, Willoughby, OH 44094. Owner: North Ridgeville City Schools, 34260 Bainbridge Rd, North Ridgeville, OH 44039. Proposal consists of constructing a new high school and demolition of old high school. Property is zoned R-1 Residence District.

PC ACTION: Approved by a vote of 4-0 with the following conditions:

1. Define bike parking and crosswalks on site plan.

2. Lighting plan will be administratively reviewed for zoning compliance.
3. Update the landscaping plan to ensure a dense buffer along Pitts Blvd properties in consultation with the City Arborist.
4. Provide 4-foot-wide end caps for each row of parking spaces in all parking lots.

OTHER REPORTS OR CORRESPONDENCE

PUBLIC HEARINGS:

PPZ2025-0344: 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 variance for side setback of a detached private garage (north). Applicant shows 4 feet, code requires 5 feet, Section 1294.03(a).
2. A 44-square-foot variance for area of detached private garage. Applicant shows 720 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 Chief Building Official Fursdon to give an overview of the case.

Chief Building Official Fursdon stated that the garage is 4 foot off the side property line requiring a 1 foot side yard variance. The ordinance allows 676 square feet. The applicant is proposing 720 square feet requiring a 44 square foot variance.

Chairwoman Masterson asked the applicant to discuss his request.

Mr. Feliciano stated that he was requesting a setback of 1 foot off the side property line for the new garage and was looking to get a 44-foot variance for the carport.

Chairwoman Masterson asked what his practical difficulty was.

Mr. Feliciano stated that he was trying to keep the new garage and trying to make it a two-car garage with just a carport so they could eliminate all the square footage that was too much from the beginning.

Chairwoman Masterson commented that he stated he was going to bring an attorney with him last time.

Mr. Feliciano stated that unfortunately there was a lot of misunderstandings. He stated that he didn't know if she knew about the case or she knew how to work with the case and kind of just backed off from it. He stated that his new lawyer didn't do that type of stuff, so he was back to himself.

Chairwoman Masterson commented that to be clear, he built the building without a permit and his practical difficulty, the reason that he kept coming back before the Board, was because he built a

building without permits.

Mr. Feliciano stated that was correct.

Chairwoman Masterson stated that his builder had absconded with his money and so his difficulty was that and he was now asking for a 10 by 24 carport. She asked Mr. Fursdon if a carport was allowed under the building code.

Chief Building Official Fursdon stated that under the zoning code it was considered as also a garage, so it was part of the garage. He explained that his total garage was 720 square feet, and the code allowed 676 for that property, so it required the 44 square foot area variance.

Chairwoman Masterson stated that the first time Mr. Feliciano came before the Board he stated that the reason he built that building was because he didn't want his trucks outside in the wintertime and asked if that was correct.

Mr. Feliciano stated that was correct.

Chairwoman Masterson asked what he would be using the carport for.

Mr. Feliciano stated that he would be using it for his kids, so they could have a play area with a picnic table.

Chairwoman Masterson read through the Duncan Factors and asked if any of the Board members had any questions or comments.

Planning Commission Liaison Toth remarked to Assistant Law Director Morgan that typically when they would be hearing testimony regarding a variance, it would be for a structure that did not exist. He asked if there was a legal vehicle that they could attach the variance to that particular building, allowing it to sunset when that building collapsed, came down, whatever, but would not be able to be reproduced as it stood today. He asked if they were able to sunset that somehow.

Assistant Law Director stated that if they wanted to approve it only for that building or that structure, and if he needed to, he would not be able to add to it, she thought that would be very reasonable.

Mr. Feliciano stated that he learned his lesson and didn't want to go through that again.

Chairwoman Masterson asked if there were any other comments or questions.

Vice-Chairman Graupmann commented that he had been before them four times now and asked if the application was significantly different than the last time he was there.

Mr. Feliciano stated that it was.

Chairwoman Masterson asked Chief Building Official Fursdon what the reduction was.

Mr. Fursdon stated that he believed the first variance request was 300 square feet and now he was down to 44 square feet.

Chairwoman Masterson asked what the percentage of the variance was that he was requesting.

Chief Building Official Fursdon stated that it was less than 10% of the allowable area.

Assistant Law Director Morgan stated that the Planning Director in her notes indicated in July of 2024 there were two variances and one of them wanted to add an additional 356 square feet and there were setback and area variances that were denied. She discussed that in December there was a request for 308 square feet that was denied and then in February 284 square feet. She added that he was down to 44 square feet, and it was significantly different.

Council Liaison Winkle indicated that it was 6 1/2% for a square footage difference.

Chairwoman Masterson asked if there were any other questions or concerns.

None given.

Moved by Masterson and seconded by Toth to approve the first variance with the condition that it only applied to the current structure and when the structure no longer existed, the variances no longer existed.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Moved by Masterson and seconded by Toth to approve the second variance with the condition that it only applied to the current structure and when the structure no longer existed, the variances no longer existed.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

PPZ2025-0358: Richard Paukner, 9095 Nash Ln, PPN: 07-00-036-000-558

Proposal consists of constructing a fence on a corner lot. Property is zoned R-1 Residence District (Chapter 1282). Request:

1. A 2-foot height and 100% opacity variance for a fence in the front yard on a corner lot. Applicant shows a 6-foot-high privacy fence, code allows a fence no greater than 4 feet high and 50% open in the front yard, Section 1294.01(h)(2)(A), see also Chapter 1282. Note: Fence extends approximately 20 feet beyond the front building line.

Application was read.

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

Richard Paukner, 9095 Nash Lane, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Chief Building Official Fursdon to discuss the application.

Chief Building Official Fursdon stated that the applicant was requesting a 6-foot-high fence, and the ordinance required 4 foot in a front yard. He stated that it was a corner lot, which by ordinance had a double front yard. He discussed that it was a privacy fence, so it was 100% closed and the ordinance stated that it was supposed to be 50% open, so they would need a variance for the openness requirement and a 2-foot height variance.

Assistant Law Director Morgan asked to make a notation of part of the Planning Director's notes as she indicated that when the permit for that fence was originally issued, it said in quotes approved as noted, which was meant to indicate that it didn't meet the zoning code, but it was installed as the submittal was submitted. She explained that later on in her notes she stated that there were many corner lots in the city and it was not an unusual configuration and that the method of permit approval, that wording approved as noted on the permit that they received, added some confusion to the situation and that it was a minimal impact on surrounding properties.

Chief Building Official stated that a lot of times when the building inspector reviewed that and issued the approval and the permit, the applicant was made aware that the fence was supposed to be 4 foot high, 50% open or get a variance, but they don't always understand the terminology or requirement for that and he believed that was the case. He stated that once they discovered that the fence was put up at six feet without a variance, they informed the property owner he needed to get a variance for that and as Director Lieber stated, they had seen a lot of these corner lot requests over the years come to the Board to get approval.

Chairwoman Masterson asked if the building department was approving the fence or if the engineering department was doing that currently.

Chief Building Official Fursdon stated that it was the building department.

Chairwoman Masterson asked if that was the reason that the fence was already up.

Mr. Paukner stated that that was correct, due to misunderstanding and confusion during the process. He stated that he tried to do everything according to what the website said and then with the back and forth, it was just a misunderstanding while building it. He explained that he did the paperwork properly, did the holes, had the inspectors come out and had assumed different parts of the fence were what was required for the four foot such as the gates and a few other things. He mentioned that his hardship was that it was just a misunderstanding of that and utilization of his property.

Chairwoman Masterson stated that when she visited the property one thing that they always look at is if there is a visual obstruction, and there wasn't any. She asked if any of the Board members had any comments, concerns or questions.

Planning Commission Liaison Toth stated that he also took a look at the property, and he hadn't seen any visual impact, and it didn't affect any of his neighbors. He commented that he would be inclined to

approve the variance.

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

None were given.

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

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

PPZ2025-0359: Luis & Rockell Llanos, 36588 Barkhurst Mill Dr, PPN: 07-00-031-000-185

Applicant: Rhys Tassone, Renovations by Rhys, 49812 Greystone Dr, Amherst, OH 44001. Proposal consists of a home addition. Property is zoned R-1 Residence District (Chapter 1282). Request:

1. An 8.35-foot variance for setback of a cluster dwelling unit from common open space. Applicant shows building set back 6.65 feet from property line adjacent to common open space, code requires 15 feet, Section 1282.11(b)(2).

Application was read.

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

Rockell Churby-Llanos, 36588 Barkhurst Mill Dr, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Chief Building Official Fursdon to discuss the application.

Chief Building Official Fursdon stated that the applicant was requesting to put an addition on the property for family reasons and the ordinance required that it be 15 foot off the rear property line, which was a common area, and stated that nothing could be built behind them. He stated that they wanted to extend the addition, and they were going to have a setback of 6.65 feet and would need an 8.35-foot variance. He mentioned that it was open space behind them, so nothing could be built behind that house according to the ordinance.

Chairwoman Masterson stated that she had been to the property and there was a very large common area behind her house that went all the way to Mills. She stated that there was nothing that could be built behind her at all.

Ms. Churby-Llanos stated that the common space sat adjacent to all the electric power lines that were owned by the electric company, and it was around 6 acres before it got to Mills Road and was all unbuilt. She stated that everything that was common space, as well as the adjacent part, could never be built on. She stated that her community tried to acquire the electrical area, and they wouldn't let them.

Chairwoman Masterson asked if she was caring for an elderly relative and didn't have any other places to put the elderly relative.

Ms. Churby-Llanos stated that yes, it was her 89-year-old grandmother.

Chairwoman Masterson discussed that Ms. Churby-Llanos had worked with the building department and Mr. Fursdon, as well as the contractor, and that was the only place to locate the addition.

Ms. Churby-Llanos stated that that was correct. She mentioned that she was born and raised in North Ridgeville on Ridge Plaza and had the pleasure of working with Mr. Fursdon even as a young child when her family had their own building projects that were all within variance. She stated that it had been a pleasure working with them and meeting everyone and working with the City. She stated that everyone had been very understanding as well as flexible with helping them understand options that they may or may not have and how to move forward with those. She said that there was no other place based on several reasons on that property that they could put that structure. She stated that on the back of the house, the northeast corner was where they were requesting to build. She explained that they had an HOA in their development, and it required similar construction and a style that was similar or complementary to the original style of the home. She discussed that constructing the addition on that corner of the lot would allow them to simply extend the existing and original roof height and pitch, so they would not be changing the elevation of the roof height whatsoever and also would not be interfering with their own windows. She stated that there was a note on the application that mentioned that they might be visually impairing their east side neighbor and wanted to note that their east side neighbor had a 3 foot porch in their entire back of their yard, so when they were out in the backyard, they were already 3 feet off the ground. She mentioned that it was the most minimal impact area of the yard and that if they looked on the northwest corner, which would be to the left, there would be no practical roof line tie in at the one story and if they were to put the extension on that end of that side of the property, they would also not be able to match similar construction to the original. She added that it would require the contractors to erect a 1 1/2 to two-story height addition in order to make the tie in of the pitch of the morning room, it would have to exceed that one for drainage and tie in properly. She stated that if they were to do it on the northwest corner, the new roof line would interfere with the second-floor windows, which would also impact the HOA guidelines and rules and regulations of similar construction. She discussed that on the northwest corner they would also be closer to the neighbor to the west and would most likely, high probability of sight line impairments to that neighbor if they were on the northwest corner of our property. She stated that they were requesting the northeast corner and saw no impairment made to any community, neighbor or the environment.

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

None were given.

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

A roll call vote was taken and the motion carried.

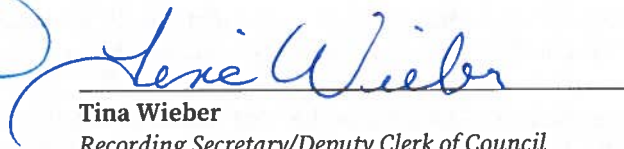
Yes – 3 No – 1 (Toth)

ADJOURNMENT:

The meeting was adjourned at 7:32 PM.



Linda Masterson
Chairwoman



Tina Wieber
Recording Secretary/Deputy Clerk of Council

Thursday, July 24, 2025
Date Approved