

**NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS
MINUTES OF
REGULAR MEETING – THURSDAY, FEBRUARY 26, 2026**

CALL TO ORDER:

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

ROLL CALL:

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

Also present were Council Liaison Bruce Abens, Chief Building Official Guy Fursdon, Planning and Development Director Kim Lieber and Deputy Clerk of Council Tina Wieber.

MINUTES:

Regular meeting minutes of January 22, 2026

Chairwoman Masterson Smolik stated that the Board received the regular meeting minutes of January 22, 2026, and asked if there were any corrections.

None were given.

Chairwoman Masterson stated the minutes were approved as submitted.

PLANNING COMMISSION REPORT:

Mr. Toth stated that the North Ridgeville Planning Commission took action on one item at their regularly scheduled meeting on February 10, 2026 under new business:

PPZ2026-0401: The Crossing at French Creek, 5725 Avon Belden Rd, PPN 07-00-020-101-155

Applicant: Thom Sutcliffe, Drees Homes, 6860 W. Snowville Rd, Suite 105, Brecksville, OH 44141. Proposal consists of final plat for Phase 2 of The Crossing at French Creek Subdivision. Property is zoned R-1 Residence District (Chapter 1282). PC ACTION: Approved by a vote of 3-0 with the following conditions:

1. A three-year performance bond shall be posted by the applicant for remaining construction items, the value of which shall be determined by the City Engineer.
2. There shall be administrative review of all easement language associated with the final plat.

In addition to this action, the Commission was informed by Director Lieber of two Administrative Approvals for new businesses in North Ridgeville. The first was to: Healing Psalms Massage Therapy and Wellness, 37000 Center Ridge Road. They received An Approval of a Certificate of Zoning Compliance for massage therapy and wellness services, and they also received an Approval of a Registration Certificate for a Massage Establishment. The second Administrative Approval was granted to: Rays of Play LLC, 8540 Root Rd. They received an Approval of a Certificate of Zoning Compliance for developmental playgroups for preschool and elementary students. We welcome these new businesses to North Ridgeville and wish them success.

Director Lieber also informed the Commission of a third Administrative Approval granted to Dunkin, 32323 Lorain Rd for an Administrative Approval of a Planning Commission application to make exterior alterations. She stated the approval was for exterior changes at Dunkin' on Lorain Road, and that the applicant had proposed a refresh of the facade, which was basically paint, new awnings and replacement

signage to update the exterior. They also are planning on some interior renovation. Director Lieber mentioned an agreement has been reached with Dunkin to address drive thru traffic safety concerns. Coinciding improvements will include traffic becoming one-way around the building. When vehicles pull in, they will be directed to loop around the building to then enter the drive thru line. This additional queuing space will help prevent traffic from spilling onto Lorain Road. She stated the administration is very pleased Dunkin is amenable to restriping and redirecting traffic around the building, and all parties are hoping this action will improve traffic safety in that area on eastbound Lorain Road.

He stated that the next Planning Commission Meeting is scheduled for March 10, 2026.

PUBLIC HEARINGS:

PPZ2026-0398 Century Tavern, LLC, 33312 Center Ridge Rd, PPN: 07-00-008-114-008

Owner: Thomas Kelly, 33256 Center Ridge Rd, North Ridgeville, OH 44039. Proposal consists of constructing an accessible ramp. Property is zoned B-3 Highway Commercial District. Requests:

1. A 12 ft. 8 in. variance from the required 50-ft front yard setback to allow construction of an access ramp for a legally nonconforming building, resulting in a minimum front setback of about 2 ft 2 in., Section 1268.04(b)(1).
2. A variance to allow an increase in the degree of noncompliance of a legally nonconforming building. The code does not permit such an enlargement or alteration, Section 1292.03(a).

Application was read.

Chairwoman Masterson asked Director Lieber for her review.

Director Lieber stated that the applicant proposed to construct an accessible ramp to the front door of Century Tavern. She explained that it was important to note that the building is legally non-conforming. It does not meet the current required minimum front setback because the building probably predated the city's zoning code by quite a few years and added that the proposed ramp will further encroach into that required front setback. She stated that two drawings were provided by the applicant and that one was a copy of the early site plan from the original approval that showed the building setback at 14 feet 10 inches, and the other was the ramp floor plan that showed the building setback at 15 feet. She stated that it was a small discrepancy, but with the depth of the ramp and the landing at 12 feet 8 inches, which meant that the setback would be at least 2 feet 2 inches and maybe a little bit more from the right of way. She mentioned that for the purposes of this agenda, consider the closest to the right of way for the purpose of the variance because it's a non-conforming building. She added that the code says that you cannot alter and enlarge a non-conforming building in a manner that would increase the degree of non-conformity, so that was the second variance that was on the agenda for that applicant.

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

Thomas Kelly, 33256 Center Ridge Rd, North Ridgeville, OH 44039, was sworn in.

Mr. Kelly stated that the ramp was a basic structure designed to comply with the ADA. He explained that if it were not for the setback issue, he believed there would be no argument, as the concern was primarily related to the ramp's location. He noted that provisions had been made, including plans to asphalt the parking lot and install a handicap-accessible space at the end of the ramp. A sidewalk will run through the area from one end to the other. Additionally, concrete posts will be placed along the steel posts to protect the ramp in case a vehicle leaves the roadway. Mr. Kelly added that, based on the

drawings, the design looks very good and should function well, though it is located close to the property line.

Chairwoman Masterson asked how long he had been open.

Mr. Kelly stated he had been open for about a year.

Chairwoman Masterson said that she had a question for the administration and stated that she was a little confused as to how he was able to open a business without having ADA compliance. She asked if anyone was able to answer that question.

Chief Building Official Fursdon stated that it was a slight oversight by the building department. The ADA compliance was complied with inside the building, but they were aware the ramp was coming. He indicated that they allowed him to open before it was installed.

Mr. Kelly stated that the bathrooms were ADA.

Chairwoman Masterson stated that she was just concerned about the oversight that he had been open for a year.

Mr. Kelly stated that it wasn't quite a year, it had been 10 months.

Chairwoman Masterson asked when he expected to start work on the ramp and get it completed.

Mr. Kelly stated that it all depended on the permits. He mentioned that he couldn't really get a commitment from the construction company until he had the permit in hand, but they said they could start within 10 days of anything he gave to them.

Chairwoman Masterson asked if he was planning on having the ramp and handicapped parking available as soon as possible.

Mr. Kelly stated that he was.

Chairwoman Masterson asked if anybody had any comments, concerns or questions regarding the matter.

Vice-Chairman Graupmann stated that there was a side entrance to the facility and asked if it would be feasible to put the ramp there instead of in front and if that would that be compliant with the ADA.

Member Cain stated that the side entrance probably would not. He mentioned that the side ramp would probably not allow enough fall per foot for the length of ramp needed to comply with ADA regulations and if he wasn't mistaken, it was one inch per five feet foot.

Mr. Kelly stated that the side entrance had double doors, which would make it more challenging.

Planning Commission Liaison Toth stated that he was a little bit curious about the bollards that were proposed for the front of the ramp. He said that Mr. Kelly indicated a moment ago that those were going to be for protection.

Mr. Kelly stated that that was correct.

Planning Commission Liaison Toth asked protection from what.

Mr. Kelly stated that it was no different than if you were building a commercial automotive center, the garage doors have got concrete to protect the building from getting hit on the corners and stated that it was the same thing, just additional.

Planning Commission Liaison Toth stated that somebody could technically hit a ramp anywhere and that it could be 50 feet in the back and somebody could back into it.

Mr. Kelly said, right, it was just an additional security.

Planning Commission Liaison Toth commented that he was only going to be two feet, four inches off of the right-of-way, so there was not going to be any landscaping.

Mr. Kelly stated that he had to go through the landscaping and the sidewalk to get to the concrete.

Planning Commission Liaison Toth stated that there was no parking in front.

Mr. Kelly stated that he was eliminating all parking in the front and that there would be no parking in front of the facility. He explained that he bought the house next door, which was part of the future plan for rezoning for additional parking, and he wanted all the parking out back. He stated that he wanted the normal wide-open asphalt with concrete curbs, but there would be no parking out front.

Planning Commission Liaison Toth asked regarding the bollards that he was proposing there, he was confused what they're protecting it from.

Mr. Kelly stated that it was overkill but if somebody happened to try to turn around over the landscaping and the sidewalk, they could hit the ramp and damage it, so it was just one more piece of protection.

Planning Commission Liaison Toth asked if he wasn't proposing it to protect individuals from vehicles off the roadway.

Mr. Kelly stated no, not at all.

Planning Commission Liaison Toth asked if that ramp would replace the sidewalk that was indicated on the original site plan.

Mr. Kelly stated that he didn't recall sidewalk but if it did call for a sidewalk there, that would be replacing it. He mentioned that he had customers that couldn't get in there and it was just the right thing to do to build the ramp.

Council Liaison Toth stated that on the original proposed site plan, there was a sidewalk that was to be constructed from the parking lot from the first handicapped spot.

Mr. Kelly stated that if that was true then that was going over the top of that sidewalk.

Council Liaison Toth asked if that sidewalk would not exist.

Mr. Kelly stated that it would not. He mentioned that there would be a city sidewalk that was part of his plan, like any new construction, the standard sidewalk would be put in, but the sidewalk that Mr. Toth was talking about that was in the original plan was before the ramp.

Director Lieber asked if she could maybe offer clarification. She asked Mr. Toth if he was referring to the walkway between the parking lot and the front door versus the public sidewalk.

Planning Commission Liaison Toth stated that on the original site plan, there was a new four-foot concrete sidewalk indicated in two places, one was closer to the building, and one was further away from the building.

Director Lieber stated that the part of walk shown in the right-of-way was required and would need to be installed, and then the walkway from the parking lot to the front of the building would consist in part of this ramp. She indicated that there was also a method, a connector from the sidewalk to the ramp, so there's stairs and a ramp, so there's two ways.

Chairwoman Masterson asked Building Official Fursdon if anything that he put in had to meet commercial building standards.

Chief Building Official Fursdon asked building standards for what.

Chairwoman Masterson asked all construction that he was going to be doing had to meet building code requirements, correct.

Chief Building Official Fursdon replied, yes.

Chairwoman Masterson asked if there was anyone in the audience that wished to speak regarding the matter.

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

Ms. Swenk stated that she had a question on the non-conforming status and asked that since that building sat empty for many years, didn't it legally lose that status of non-conforming and wouldn't it have to adhere to the current codes.

Director Lieber stated that non-conforming status was rendered when the code changes, when a structure legally existed at the time it was built. She explained that 100 years ago that was considered a legal structure and that the code can change several times and that it could still retain its legal non-conforming status. It would be different if the building were razed and then they could not build another building back in that spot. But the fact that the building was in existence this whole time and had not been removed meant that it did retain its legal non-conforming status.

Ms. Swenk stated that she read that if it's vacant for a certain amount, whether 6 to 12 months or whatnot, it was vacant for a long time before he bought it, she was under the assumption that it automatically lost its non-conforming status.

Director Lieber stated that there's a difference between zoning non-conformity and then building code or ADA non-conformity. She explained that the six months when a building that is not conforming in terms of the building code, but for accessibility purposes, then it loses that right to exist in that non-conforming status, we're specifically talking about zoning and setbacks. She discussed that zoning is a

local regulation, not a state or federal regulation. She mentioned that from a zoning standpoint, yes, but the reason that now ADA improvements are required is because it sat vacant for so long. So that was a situation where that non-conformance, that legal non-conformance was lost for ADA and building code purposes, but zoning was different.

Chairwoman Masterson stated that was a situation where that legal non-conformance was lost for ADA and building code purposes, but zoning was different. So, to clarify, one of the reasons why she asked why he was able to open the business without having ADA compliance was because the building had lost its building code, it had to meet current building code rules and regulations. It needed to have ADA compliance and that was why he needed to have it prior to opening. She stated that that was why she was confused as to why he was able to open a business without having it. She then read through the Duncan Factors. She asked if any other Board members had any comments, questions, or concerns.

Planning Commission Liaison Toth stated that he wanted to point out that the 6th Duncan Factor that stated “The front of the building was identified as the ramp location on Planning Commission documents approved in 2024” that was not a ramp that transversed the front of the property. It was just a ramp that was right there by the door as indicated on this original site plan that the BZBA was given a copy of.

Chairwoman Masterson asked if his concern was that it needed to go back to Planning Commission.

Planning Commission Liaison Toth stated that he thought it was probably a question that would be better answered by the Director.

Director Lieber stated that to her the location of the future accessible ramp in the Planning Commission documents was hatched and looked substantially in the same location as that which is before the Board. There's the shown walk and then there's lightly dashed lines with that note. She stated that to her it did seem fairly close to the location within the same spirit of what was proposed to the Planning Commission.

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

None were given.

Chairwoman Masterson asked if the Administration had any comments, questions, or concerns.

Council Liaison Abens congratulated Mr. Kelly on the rehabilitation of the building and stated that he appreciated seeing the older structure improved. However, he expressed concern about the ramp's proximity to the roadway. He noted that the road has a 45-mph speed limit and is heavily used by trucks, and that the bar's late closing time could increase the risk of accidents. He was also concerned about the safety of individuals using the ramp, particularly wheelchair users, who would have little protection if a vehicle lost control.

Abens added that snowplows could also pose a hazard, as snow thrown from plows traveling at high speeds could reach the ramp area. While he suggested that a concrete barrier or bollards might help protect pedestrians, he acknowledged there could be restrictions from ODOT and that collisions with

barriers could still send debris toward the ramp. Overall, he said he would feel more comfortable approving the plan if some type of protective obstruction were installed along the roadside.

Director Lieber stated that bollards appeared to be part of Mr. Kelly's proposal. She explained that, despite the ramp being close to the road, there was still a setback that included the public sidewalk and the tree lawn area, even though the tree lawn was not actually grass. She acknowledged that accidents could occur at any time but did not believe the ramp created a greater risk than the current situation, where people walk to the front door and use the stairs. She noted that the same potential risks already exist, but the proposed ramp would make the entrance ADA accessible, which it currently is not.

Chief Building Official Fursdon stated that there is always a potential risk on every city sidewalk in North Ridgeville of a car going off and hitting somebody and this isn't a whole lot different than that. He explained that he was intending to put some bollards there to try and provide a little additional protection against destruction of the ramp. He stated that regarding the snowplows, you put Jersey barriers up there, that snow's going to be over the top of those as well. It's just part of doing business, whether you have a city sidewalk or a walk to a business, it's the same condition.

Moved by Masterson and seconded by Cain to approve A 12 ft. 8 in. variance from the required 50-ft front yard setback and A variance to allow an increase in the degree of noncompliance of a legally nonconforming building.

A roll call vote was taken and the motion carried.

Yes – 4 No – 1 (Toth)

PPZ2026-0409 Bonnie & Donald Kajganich, 7405 Chennault Dr, PPN 07-00-015-109-009

Applicant: Loyal Construction Management, LLC, 39419 Center Ridge Rd, North Ridgeville, OH, 44039. Proposal consists of a home addition. Property is zoned R-1 Residence District. Request:

1. An approximate 14-foot variance for rear yard depth. Code requires 50 feet, applicant shows 36.06 feet, Section 1250.04(b)(2).

Application was read.

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

Tyler Reisinger, 39419 Center Ridge Road, North Ridgeville, Ohio, was sworn in.

Chairwoman Masterson asked Director Lieber to give her review.

Director Lieber stated that the property owner was requesting approval to construct an addition to their 1,400-square-foot home to add an extra bedroom. The submitted drawings show the existing home is set back 53.56 feet from the rear property line, and the proposed addition—measuring 18.83 feet wide by 17.5 feet deep—would reduce the rear setback to 36.06 feet. She noted that the West Point Home Subdivision was platted in 1958, prior to the adoption of the city's zoning code, and the home was built in 1963. As a result, the lot is legally nonconforming in width. She added that she initially thought it was a cluster lot, but Building Official Fursdon clarified that the lot predates the city's zoning code.

Chief Building Official Fursdon stated that if it were a cluster lot or if it was a 1282 subdivision lot, he wouldn't be there for a variance because he would be compliant for his rear yard setback.

Chairwoman Masterson asked the applicant to present his application to the Board.

Mr. Reisinger explained that the homeowners, an older couple, needed to add a bedroom to accommodate a family member due to recent health issues. He stated that the proposed addition at the rear of the home would not negatively impact neighboring properties, as nearby homes are positioned farther forward and already look toward their house. He added that the addition would fit well with the surroundings and present nicely within the neighborhood.

Chairwoman Masterson commented that this is one of the reasons why the Board existed because as Ms. Lieber and Mr. Fursdon both stated, the practical difficulties are that this was platted way before, and if this were a different type of neighborhood, it wouldn't even need to be brought in front of the Board. She asked if there were any further comments, questions, or concerns from the Board.

None were given.

Moved by Masterson and seconded by Graupmann to approve an approximate 14-foot variance for rear yard depth.

A roll call vote was taken and the motion carried.

Yes – 5 No – 0

PPZ2026-0411 Henry & Jann Bonness, 8344 Chesapeake Dr, PPN 07-00-011-102-050

Proposal consists of a shed. Property is zoned R-1 Residential District (Chapter 1282). Request:

1. An approximate 4 ft. 4 in. variance for setback of an outbuilding to other buildings on the same lot. Code requires 10 ft., applicant shows 5 ft. 8 in., Section 1294.03(e)(1).

Application was read.

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

No one was present for this application.

PPZ2026-0412 Brad Snyder, 36863 Mills Rd, PPN 07-00-031-000-351

Proposal consists of constructing a new dwelling. Property is zoned R-1 Residence District. Request:

1. An approximate 19-foot variance for rear yard depth. Code requires 50 feet, applicant shows 31.36 feet, Section 1250.04(b)(2).

Application was read.

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

Brad Snyder, 36863 Mills Rd, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Director Lieber for her Planning review.

Director Lieber explained that the applicant was proposing to build a new single-family home on a vacant 0.59-acre R-1 zoned lot located at the intersection of Mills and Stoney Ridge Road. The lot fronts the recently constructed peanut-shaped roundabout, which affects its irregular shape and potential access points. Mills Road would serve as the primary frontage, with Stoney Ridge Road as the secondary frontage. The proposed home would face Mills Road, with an attached garage at the rear that appears to be accessed from Stoney Ridge, although the exact driveway location was not shown on the drawings.

She noted that the proposed house would be located 31.36 feet from the rear property line, requiring a variance from the required rear setback. Director Lieber also shared information from the city engineer regarding design guidance from the Uniform Manual of Traffic Control Devices, which recommends that driveways entering roundabouts allow vehicles to exit facing forward, typically through a hammerhead or turnaround area. She added that staff had concerns about driveway access—particularly from Stoney Ridge due to its location within the roundabout—and that traffic and access issues would likely require further review during the permitting process and may also factor into the board's consideration of the variance request.

Chief Building Official Fursdon asked Mr. Snyder where he intended to run his driveway out to.

Mr. Snyder stated that he was surprised that these things weren't addressed previously because this was all designed when the peanut was installed and they actually already put his apron in for him on Mills Road.

Director Lieber asked if the intent was Mills.

Mr. Snyder stated that his driveway access would be from Mills Road. He explained that the neighboring property to the south has an entrance located within the roundabout area, which may be where the access concern applies. He noted that his own driveway apron, a double-wide apron installed by the construction crew, appears in the upper right corner of the image shown on the screen. He clarified that while the apron may appear to be within the roundabout area, his actual property is not. He added that vehicles can turn left from Mills Road into the driveway without any barriers blocking access, and he was uncertain about the specific traffic concern that had been mentioned.

Director Lieber stated that she thought the first issue was that any driveway should be designed such that exiting traffic would not back out onto the road, but head straight out onto the road. So, provide for a turnaround or the ability for a vehicle to maneuver.

Mr. Snyder asked if that was for the driveway to allow for that.

Director Lieber commented, yes.

Chief Building Official Fursdon stated that they want to ensure vehicles exiting the driveway do not enter the roundabout in the wrong direction, since traffic in the roundabout is intended to move in only one direction.

Mr. Snyder stated that the way it was designed currently, you could take a left off of his apron. You could see the apron in the photo shown on the screen and he explained that the white part was concrete and you were able to take a left on to Mills from there.

Guy commented that yes, but you would go left to center and then you go into the peanut. A lot of times people get confused with the peanut and they get going in the wrong direction and they're going against traffic instead of with the flow of traffic.

Mr. Snyder stated that he saw that.

Director Lieber stated that just the fact that no driveway was shown on the drawings that were submitted created that confusion, but she would just then disregard any of the context in the staff report that referred to access from Stoney. She indicated that this would resolve the engineer's concern, but then the access location would have no bearing on the position of the home, simply the garage located behind the house. She stated that the drive wasn't shown how it would access the garage, and it honestly seemed like it was going to be a little challenging to make that turn into the garage from that side of the property, so staff must have assumed it was coming off of Stoney.

Chairwoman Masterson asked if she was going to take out in the summary any reference to where the driveway was coming out.

Director Lieber stated just in terms of the Duncan Factor discussion, access to Stoney was a moot point.

Chairwoman Masterson asked the applicant to present his application.

Mr. Snyder stated that he would like to know if he was able to get permission from the fellow that owned that, if they were thinking of not allowing entry through the apron that was already there and installed by the construction crew.

Chairwoman Masterson asked Director Lieber regarding the driveway, if that was an engineering issue.

Director Lieber stated that it was and the fact that the apron was already there, that was the preferred location of engineering. Again, the driveway was not actually shown in the drawing and if it had been, this would not have been an issue.

Chairwoman Masterson stated that the driveway location was not the Board's concern. She explained that while addressing the Board, the variance that he was requesting and what they were addressing was not the driveway location as that was an engineering department issue.

Mr. Snyder stated that he had a few plans before the peanut was put in. He discussed that as they were probably aware at this juncture, it took quite a while for the peanut to be installed. The land was 1.13 acres originally, and so the plan that he originally had was much larger than he had now. He stated that at the time he didn't think he would have such a massively irregular lot, so what it had done was he has had to scale down his plan. He said that he had three plans actually and was left with the smallest one, and that's the one he submitted. He stated that he thought it was the best use of the property and he thought it would look great there on the corner coming into the city. He stated that building a smaller house on that piece of property, he didn't want to compete with all the neighborhoods going in. He indicated that it needed to have some sort of redeeming quality in terms of space for it to be marketable.

Chairwoman Masterson asked if he was building the house to sell it.

Mr. Snyder stated no, not originally, but down the road he would have to sell it eventually.

Chairwoman Masterson asked if he purchased the property knowing that the roundabout was going in.

Mr. Snyder stated that he was aware that it was being planned, yes.

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

None were given.

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

Nicole Rambo Ackerman, 4925 Stoney Ridge Road, North Ridgeville, OH 44039, was sworn in.

Rhiannon Golay, 36845 Mills Road, North Ridgeville, OH 44039, was sworn in.

Ms. Rambo-Ackerman raised several concerns about the applicant's variance request. She explained that the applicant knew about the planned peanut-shaped roundabout before purchasing the property in 2022 and therefore should have been aware of how the lot would change. She also argued that the applicant's claim about the lot originally being 1.13 acres is misleading because part of that land was already city right-of-way and not buildable.

She noted that the applicant's submitted plans are incomplete because they do not clearly show the driveway location or garage access. Evidence suggests the driveway may be planned off Stoney Ridge Road within the roundabout, which could be unsafe and is generally not recommended. She also stated that comparisons to nearby subdivisions with smaller setbacks are not relevant because those neighborhoods were designed differently.

Additionally, the proposed attached garage is unusually large (2,100 sq ft) compared to typical two-car garages, and the applicant did not justify the need for it. Overall, she believes the plan is not well thought out and recommends that the Board require a full site and topographic plan before making a decision, or table the request until more complete information is provided.

Ms. Golay stated that she lives in the nearby house on the roundabout and owns the vacant property directly south of the applicant's lot. She is concerned that granting the variance would allow the new house to be built much closer to her property than the required 50-foot rear setback, negatively affecting her land.

She believes the proposal would reduce the value of her home, her vacant property, and the overall appearance of the corner, which was previously a rural and aesthetically pleasing area. While she supports the applicant building a house on the lot, she feels it should comply with existing zoning requirements rather than requesting a large variance of about 40%.

She also noted that the applicant knew about the roundabout and the reduced lot size before purchasing the property, so designing a house for a larger lot should not justify the variance. Additionally, she argued that comparisons to smaller setbacks in subdivisions like Avalon are not relevant because those are different types of developments.

Mr. Snyder stated that there were two parcels to the south, and then the Golays were on that side, and

there would be a 25-foot setback from theirs and they were 10 feet from his line. He stated that he would be 25 feet from the same spot, so they actually had more room.

Ms. Golay asked if he was talking about the side yard or the front yard. She explained that they also owned the lot behind where he was proposing to put his house as well.

Mr. Snyder stated that Ms. Golay indicated that he would devalue her property, but her house was there in the picture on the east border of his property line, and her house was 10 feet from that line. He stated that his house would be 25 feet from the line, so to say that a variance on the south end of this property would devalue her property was not true.

Ms. Golay stated that while she did agree that it would devalue her existing property where her house is, she was more focused on the adjacent vacant lot that was directly to the south of the rear yard.

Ms. Swenk stated that in looking at the picture of the peanut roundabout at the bottom where the roundabout came up, there was already an apron, and she asked if that was for Mr. Snyder's property.

Mr. Snyder stated that that was for the property to the south.

Chairwoman Masterson stated that the other apron to the south was Ms. Golay's vacant parcel. She asked Chief Building Official Fursdon what was the percentage of the variance requested.

Chief Building Official Fursdon stated that it was roughly about 40% of the setback requirement. He stated that it was about 60% of the rear yard, 50 feet.

Director Lieber stated that the Board should not determine where access to this parcel is provided, that should be a function of the engineering department, but clearly the location of the drive in relation to the structure and the property lines was important to understand the full picture of what was actually being proposed. She indicated that in hearing that there were plans submitted for construction of the house that might eliminate access, setbacks, driveways, especially given engineering's concerns, it feels like they were operating with not as much information as might be useful to make a good decision in this case.

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

None were given.

Chairwoman Masterson stated that she agreed that the Board didn't have enough information to make a determination on it. She explained that the Board was a quasi-judicial board and that if they voted on what was before them the only place that the applicant could contest any decision made was in the Court of Common Pleas. She asked Mr. Snyder if he understood.

Mr. Snyder stated that if he were voted down, his only recourse would be to appeal to the Court of Common Pleas. He mentioned that it was stated earlier that the only thing in front of them was the variance and not where the driveway was or where it was going to be and that would be for the building department, so why didn't they believe they had enough information to make a decision on the matter at hand.

Chairwoman Masterson asked if he wanted the Board to go ahead with the application as submitted.

Mr. Snyder said, on the variance, yes.

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

None were given.

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

None were given.

Chairwoman Masterson stated that she thought that a 40% variance was a lot. She commented that she couldn't tell anybody where to put their house and how to locate it, but she thought that there were other alternatives and that a 40% variance was excessive. She asked for any further comments.

Planning Commission Liaison Toth stated that he was wondering if he could explain why he wouldn't explore shifting the house forward towards Mills. He mentioned that he saw that off the corner of what appeared to be a wraparound porch, it was showing 50 feet, which he believed was code there, however, he had 61.72 coming off of Mills. He asked if there was a practical difficulty reason why that difference couldn't be adjusted.

Mr. Snyder stated that the surveyor moved it as close to Mills as he could. He indicated that he believed that there were 11 sides to this property, which was basically creating this situation. He explained that the 50 feet on the northwest part of the parcel prevented him from moving it any further north.

Planning Commission Liaison Toth commented without a variance.

Mr. Snyder stated that that was correct. He said that he would be willing to move it further north to increase the offset to the south, but then there would be a variance on the north. He stated that it would be a one for one approximately, because of the angle there, so every foot you move off the south is probably going to be a little less than a foot off the north in terms of variance, but it'd be one for one on the 61 feet. He stated there would be 11 there but then the corner of the porch would intrude on that northwest part.

Chairwoman Masterson then reviewed the Duncan Factors.

Chief Building Official Fursdon commented that due to the unusual shape of this lot and considering that earlier this evening the Board granted almost a 40% variance, he didn't see where this was a whole lot more excessive than what had already been granted by the Board, but the decision was theirs.

Chairwoman Masterson explained that to clarify the reason why the Board accepted a larger variance earlier that evening was because as he stated, if it were in a 1280 lot subdivision, it wouldn't need a variance.

Chief Building Official Fursdon commented that the same thing would apply here.

Chairwoman Masterson stated that she offered the gentleman the option of tabling his variance.

Planning Commission Liaison Toth stated that he would like to possibly recommend asking the applicant one more time if he would like to table this issue and let him explore a few different issues, talk to the engineering department, get his ducks aligned, and then possibly come back in front of the Board and discuss this variance.

Mr. Snyder said he appreciated the discussion but has serious reservations about building on the peanut roundabout because it involved significant risk. He believed some neighbors opposed the project because they wanted to keep the open space, even though the land belonged to him. He noted that the home would be expensive and could look impressive at the city entrance, but if the city and neighbors did not want the project, he would prefer not to build there.

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

None were given.

Chairwoman Masterson asked him if he wanted to table the matter or if he wanted the Board to vote on the application as presented.

Mr. Snyder stated that he wanted to table the matter.

Moved by Masterson and seconded by Toth to table Henry & Jann Bonness, 8344 Chesapeake Dr, PPN 07-00-011-102-050, until the next meeting.

A roll call vote was taken and the motion carried.

Yes - 5 No - 0

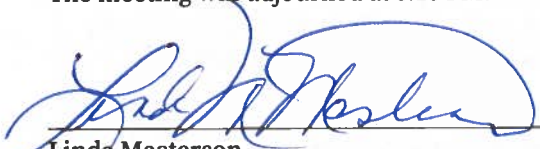
Moved by Masterson and seconded by Toth to table PPZ2026-0412 Brad Snyder, 36863 Mills Rd, PPN 07-00-031-000-351, until the next meeting.

A roll call vote was taken and the motion carried.

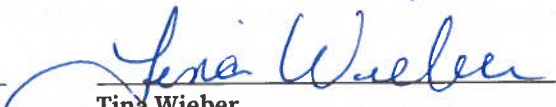
Yes - 5 No - 0

ADJOURNMENT:

The meeting was adjourned at 8:15 PM.



Linda Masterson
Chairwoman



Tina Wieber
Recording Secretary/Deputy Clerk of Council

Thursday, March 26, 2026
Date Approved