

Board of Zoning and Building Appeals
CITY HALL COUNCIL CHAMBERS
AGENDA OF MAY 28, 2026
7:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

Regular meeting minutes of March 26, 2026

PLANNING COMMISSION REPORT

OTHER REPORTS OR CORRESPONDENCE

PUBLIC HEARINGS

VAR-26-0002 Deanna Robertson, 7423 Fowlers Run, PPN: 07-00-039-000-090
Applicant: Marlie Stein, Always Vinyl, 817 Salt Springs Rd, Youngstown, OH 44509.
Proposal consists of installing a fence on a corner lot. Property is zoned B-3 Highway Commercial District. 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).

VAR-26-0003 Brian Hellinger, 9103 Nash Lane, PPN: 07-00-036-000-591
Proposal consists of a shed. Property is zoned R-1 Residence District (Chapter 1282). Request:

1. A variance for a shed in the front yard. Applicant shows shed located in the front yard of a corner lot; code does not permit, Section 1294.03(c).

ADJOURNMENT

**NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS
MINUTES OF
REGULAR MEETING – THURSDAY, MARCH 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 Brad Weaver, Planning Commission Liaison Frank Toth and Chairwoman Linda Masterson.

Also present were Chief Building Official Guy Fursdon, Planning and Development Director Kim Lieber, Law Director Brian Moriarty and Deputy Clerk of Council Tina Wieber.

James Cain was excused.

MINUTES:

Regular meeting minutes of February 26, 2026

Chairwoman Masterson stated that the Board received the regular meeting minutes of February 26, 2026, and asked if there were any corrections.

None were given.

Moved by Masterson and seconded by Toth to approve the February 26, 2026, meeting minutes as submitted.

A roll call vote was taken and the motion carried.

Yes – 3 No – 0

PLANNING COMMISSION REPORT:

Mr. Toth stated that the North Ridgeville Planning Commission took action on two items at their regularly scheduled meeting on March 10, 2026. He stated that under New Business:

PPZ2026-0405: North Ridge Pointe Subdivision Phase 9 Final Plat, PPN 07-00-030-000-179

Applicant: North Ridge Point Ltd., Gary Smittek Managing Member, 36715 Avalon Court, Avon, OH, 44011. Proposal consists of final plat approval of Phase 9, consisting of 16 cluster lots for North Ridge Pointe Subdivision. Property is zoned R-1 Residence District (Chapter 1282).

PC ACTION: Approved by a vote of 5-0 with the following conditions:

1. The City Engineer shall determine the easements needed around the stormwater retention basin.
2. The homeowner maintenance requirements of the proposed 20-foot drainage easements located in the block along rear property lines of cluster lots shall be explicitly included on the plat.
3. The developer shall be required to submit a landscape plan for administrative approval for landscaping around the retention basin and any additional trees not shown in the submitted final plat materials.

4. A performance bond shall be issued in an amount determined by the City Engineer for any unfinished work.
5. Cluster sublots 307, 312 and 322 shall be allowed a 7.5-foot side yard setback to open space.

The second item was:

PPZ2026-0413: Victory Park Turf Baseball Field, 7777 Victory Lane, PPN 07-00-003-102-107

Applicant: PMJ Park Holdings, 7777 Victory Lane, North Ridgeville, OH 44039.

Proposal consists of converting one existing baseball field (Field 7) to an artificial turf baseball field with turf bullpens and a batting cage. Property is zoned I-2 Light Industrial District.

PC ACTION: Approved by a vote of 5-0

The next Planning Commission Meeting is scheduled for April 14, 2026, at 7PM here in Council Chambers.

OTHER REPORTS AND CORRESPONDENCE

1. GovWell Online Services – Planning & Zoning Module

Director Lieber announced that the Planning and Development Department is in the process of transitioning to online services and permitting. Once fully implemented, the system will allow contractors, developers, and residents to submit applications, obtain permits, and pay fees online. She also noted that the platform includes contractor registration, code enforcement—allowing residents to file complaints and track enforcement progress—and planning and zoning services.

She explained that the first module, contractor registration, launched in December, and the second module, planning and zoning, was introduced a few weeks ago. As a result, Board members will notice some changes in their materials, including new cover sheets generated by the GovWell system, replacing the previous format. She added that the coding system will also differ slightly.

Director Lieber emphasized that these updates are intended to improve efficiency, streamline processes, and allow applicants to track their permits through each stage of approval. While the changes are not expected to significantly impact the Board’s workflow, she wanted to ensure members were informed of these improvements.

Chairwoman Masterson stated that before going into the hearings she asked the Law Director to explain to the audience that evening what it meant regarding the Board members and voting when there were only three members present.

Law Director Moriarty stated that they would need a unanimous vote for anything to pass and that anything less would be denied.

PUBLIC HEARINGS:

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.

Jann & Henry Bonness, 8344 Chesapeake Dr, North Ridgeville, OH 44039, were sworn in.

Chairwoman Masterson asked Director Lieber for her review.

Director Lieber stated that the applicant is seeking a variance for the placement of a shed. A permit for the shed was originally submitted and approved in May 2024; however, the owner canceled the permit in June 2024, indicating that the shed would not be installed.

In January, the City's zoning inspector confirmed that a shed had nonetheless been constructed in the backyard and contacted the owner regarding the unpermitted work. During the subsequent review of the plot plan, it was determined that the shed does not comply with the code requirements for separation between structures.

She explained that sheds must be located at least 10 feet from a dwelling or any other structure on the property. While the shed meets the minimum 5-foot rear yard setback, it does not meet the required separation from the dwelling. The submitted drawing appears to reduce the distance by 4 inches in an attempt to meet the 10-foot requirement; however, shifting the shed in this way is not recommended, as it would create the need for an additional variance.

As it currently stands, only one variance is required—for the reduced setback between structures. Director Lieber clarified that this measurement is taken from the nearest point of any structure attached to the dwelling, such as a deck, not just the house itself. She noted there may have been a misunderstanding on this point and concluded that the variance needed is approximately 4 feet, 4 inches.

Chairwoman Masterson asked the applicants to explain their application.

Mr. Bonness stated that it was not actually a dwelling, it was a deck. He said that the shed was 5 foot 8 from a deck, not a dwelling, not a building.

Chairwoman Masterson asked why they built the shed without a permit.

Mr. Bonness stated that they shouldn't have. He said that he didn't think that that would be a problem away from the deck, but that he could take the deck down if that was what it required.

Chairwoman Masterson stated that she wasn't a fan of building it and then finding out the rules exist. She explained that they were looking at what were the practical difficulties in regard to this. She stated that they built it and asked if they were the owner that pulled the original permit and declined it.

Mr. Bonness stated that they were.

Chairwoman Masterson said that they knew they needed a permit.

Mrs. Bonness stated that they did and then they looked around the neighborhood and saw that there were other decks, other sheds back there, and there was no way that they could be within the legalities.

Chairwoman Masterson asked Director Lieber when this was determined by the building department that this was a problem, had they gone to the other neighbors or was there a complaint on this property.

Director Lieber stated that she wasn't sure how the zoning inspector noted this, but they didn't typically go up and down every street like looking or comparing permit applications to things that they saw.

Mrs. Bonness stated that their backyard borders a row of shrubs and then the Danberry senior living property, noting that there is no activity or development directly behind them. She explained that their yard has very limited space and is not suitable for additional uses, so she did not understand the concern. She said they primarily use the space by walking off their deck, passing through the yard, and occasionally playing cornhole along the fence, after which the boards are stored in the shed. She emphasized that there is little room for anything beyond these basic activities, especially since their home was built with an extended footprint, further reducing the backyard space. Mrs. Bonness added that people do not regularly walk through that area and stated that, if necessary, they could lower the deck to grade.

Member Weaver asked regarding the fence that was built there is, he saw there was a 12-foot storm sewer easement. He asked where the fence lay between that 12-foot storm sewer easement and if it were on the outside of that fence or what was encroaching in the easement, if anything.

Mr. Bonness stated that he thought it was on the outside.

Mrs. Bonness said, yes, because of the storm sewer, they could see it on the photo on the screen that it was on the outside.

Chairwoman Masterson asked Chief Building Official Fursden if the deck were not there, would they still need the variance.

Chief Building Official Fursden stated possibly not but he didn't know the exact dimension from that to the dwelling, to be honest.

Mrs. Bonness stated that it was on that next piece of paper.

Chairwoman Masterson asked how much of the deck they would have to take off.

Mrs. Bonness stated that they would have to take the whole thing down.

Mr. Bonness stated that he needed the storage more than he needed the deck.

Planning Commission Liaison Toth asked what the actual size of the shed was.

Mr. Bonness stated that he believed it was 8 by 8.

Planning Commission Liaison Toth asked how deep their backyard was.

Mr. Bonness stated 18 feet.

Director Lieber stated that it looked like it was 20 feet.

Chairwoman Masterson reviewed the Duncan Factors.

She asked if anyone in the audience had any comments, questions, or concerns.

None were given.

Member Weaver asked what the distance was from the fence to the shed.

Mr. Bonness stated that it was 5 feet.

Member Weaver asked if that was on both sides.

Mr. Bonness stated that that was correct. He mentioned that the only obstruction was the deck.

Planning Commission Liaison Toth stated that he too was not a fan of asking for forgiveness rather than permission aspect of things. However, he thought with the limited lot size, as was noted in the Duncan Factors, the primary harm was to the property owner themselves, not their neighbors, not governmental services, and it did not affect the neighborhood.

Moved by Toth and seconded by Weaver to approve an approximate 4 ft. 4 in. variance for setback of an outbuilding to other buildings on the same lot.

A roll call vote was taken and the motion carried.

Yes – 3 No – 0

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

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

1. A 13.59-foot variance for front yard depth. Code requires 50 feet, applicant shows 36.41 feet, Section 1250.04(b)(1).
2. A 4.91-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 application had been tabled at the previous meeting and that the applicant has since made revisions to the plan. She noted that the property is located at the intersection of Mills and Stoney Ridge Road, near the recently completed Peanut Roundabout.

She stated that the proposed dwelling is oriented to face Mills Road, with a rear-attached garage. The revised plan shifts the dwelling slightly to the north, increasing the rear yard setback; however, this adjustment causes a corner of the front porch to encroach into the required front setback. As proposed, the dwelling would be set 36.41 feet from the right-of-way and 45.09 feet from the rear property line, resulting in the need for variances for both the front and rear setbacks. She noted that the previous plan required only a rear yard setback variance, but the dwelling was positioned much closer to the rear property line at that time.

Director Lieber also commented that, while the size of the garage is not a code violation, it is larger than typical. She clarified for the applicant that no commercial use or home occupation may occur in the garage without complying with applicable zoning and home occupation regulations. She emphasized that the Board's review is limited to zoning considerations.

Chairwoman Masterson said that again, just to clarify, all they were dealing with was the zoning issue.

Director Lieber stated that was correct.

Chairwoman Masterson stated that they could not address the engineering issues, that was not what they were there for.

Director Lieber commented yes.

Chairwoman Masterson asked the applicant to speak on behalf of his application.

Mr. Snyder stated that the revised layout was Mr. Toth's idea and that he believed it was a good approach to move the dwelling closer to Mills Road. He explained that there are minimal variances on the north and south sides, primarily related to the deck. Without the porch, there would be no encroachment on the northwest side. He emphasized that the encroachment is not caused by the house itself, but by the patio. While the variance may appear significant at 13 feet, he clarified that it applies only to the patio area.

Chairwoman Masterson stated that it was a very unique piece of property and asked if he was aware that they were not addressing the engineering issues, but if they approved his variance requests, he was going to have to meet all rules and requirements of the engineering department.

Mr. Snyder stated yes, he didn't see why not. He said that the house is to code as it sits.

Chairwoman Masterson indicated that he didn't show where the entrance to the garage was, but that wasn't a requirement. She asked if anyone from the administration had any comments, questions, or concerns.

None were given.

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

None were given.

Chairwoman Masterson reviewed the Duncan Factors. She asked if anyone in the audience had any comments, questions, or concerns regarding the matter.

Frank Krupka, 36789 Mills Road, North Ridgeville, OH 44039, was sworn in.

Mr. Krupka stated that his primary concern was safety. He asked whether the line of sight at the corner, near the roundabout, had been properly evaluated, noting that encroachment into that area could pose risks. He explained that he drives through the roundabout daily and observed that many drivers are still learning how to navigate it. He emphasized that his concern was focused on whether the encroachment might affect visibility and overall safety, and he wanted to know if any safety assessments had been conducted.

Chairwoman Masterson asked if he was asking from an engineering standpoint impacting.

Mr. Krupka stated whatever would be appropriate for the Board to have done to make sure that as they gave the variance that they were taking into consideration safety.

Chairwoman Masterson asked the next audience member to state her name and your name and address.

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

Ms. Ackerman stated that she did not see any justification for the variances in either the previous or current submittals. She noted that the applicant had not demonstrated any hardship and emphasized that a porch is not essential for living. While the applicant admitted that only the front corner porch is affected and had made some adjustments, she felt that he had not considered the full scope of the project or made changes that would bring it closer to compliance with code requirements. She also reiterated all of the concerns she had expressed at the previous meeting.

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

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

Ms. Golay stated that she had one point of clarification. She noted a discrepancy between the two variances listed in the paperwork from the letter she received and those in the application. While she believed the information presented that evening was correct, she wanted to confirm. She asked whether it was correct that the rear lot would require only a 5-foot variance.

Director Lieber stated that was correct.

Ms. Golay stated that in the public hearing notice it stated 31.36 feet.

Director Lieber stated that it was a typo.

Ms. Golay stated that she just wanted to make sure that it was on the record.

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

Planning Commission Liaison Toth stated that he believed this case was a strong example of how the Board is intended to function. He noted that the property owner initially requested a much larger variance that would have encroached on a neighboring property. The revised plan, however, now only minimally encroaches into the right-of-way and slightly toward the neighbor's property. Toth said this demonstrates the Board's process working as intended, and he thanked the applicant for reviewing the project carefully and expressed appreciation for the public input provided.

Moved by Toth and seconded by Weaver to approve the project as presented.

A roll call vote was taken and the motion carried.

Yes – 3 No – 0

PPZ2026-0417 Mimoza Hajdari, Chestnut Ridge Rd, PPN: 07-00-004-108-018

Applicant: H. David Laurila/Vasil Hajdari, 15333 Shorle Rd, Sterling, OH 44276. Proposal consists of a lot split. Property is zoned R-1 Residence District. Request:

1. A 35.59 foot variance for minimum lot depth of the western proposed lot. Code requires 150 feet, applicant shows 114.41 feet, Section 1250.04(a)(2).

Application was read.

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

Maede Hajdari, 65 Trunko Road, Fairlawn, Ohio, 44333, was sworn in.

Chairwoman Masterson asked Director Lieber for her Planning review.

Director Lieber explained that the applicant is proposing to split a single vacant R-1 zoned parcel into three lots. She noted that the property has access to public water and sanitary sewer along Chestnut Ridge Road, and that the exhibit shows the current property boundaries extending to the centerline of Chestnut Ridge.

She clarified that, for zoning compliance, lot width, depth, and area are all measured to the right-of-way line. As proposed, all three lots meet the minimum lot frontage and area requirements. The two eastern lots also meet the required minimum lot depth. However, the western lot does not meet the minimum lot depth requirement due to its narrowing, giving it a somewhat pie-shaped configuration.

Director Lieber explained that lot depth is defined as the average distance between the front and rear lot lines. Based on this calculation, the western lot has an average depth of approximately 114.41 feet. The staff report includes the detailed calculation, which results in a 35.59-foot variance from the minimum required lot depth. She emphasized that this measurement reflects an average, not the full depth of the lot.

Chairwoman Masterson asked the applicant to explain the application.

Mr. Hajdari stated that his sister bought this lot with the intention of splitting because she wanted to build herself a house there and for her daughter. But now the second lot or the third one is not attached

to a thing, doesn't have enough feet. So that's what she is trying to kind of put the application for. See if she'll be able to.

Chairwoman Masterson asked if his sister recently purchased the property.

Mr. Hajdari stated that she did.

Chairwoman Masterson then reviewed the Duncan Factors. She stated that they needed a hardship.

Mr. Hajdari stated that the only thing she was not understanding and that they were just talking about even the other day was because they said it's like 50 feet from the street, now they require another 30. It is cutting the lot, and they didn't understand what the other 30 feet was for.

Chairwoman Masterson commented that as Director Lieber explained, when they're doing their measurements, they're doing it from the right-of-way. She asked if the administration had any questions, comments, concerns.

Director Lieber stated that she just wanted to reiterate that her most significant concern was that a variance granted for lot size might generate future variance requests for a setback of a dwelling, but she thought that having looked at the property, a house could be built that would meet all the required setbacks. She mentioned that if she were a BZA member, she would be less likely to grant variances in the future for any building setback if the applicant requested this lot with this shallower depth than code would require.

Chairwoman Masterson stated that she did agree with Ms. Lieber that her biggest concern would be that they would be opening themselves up for more variances down the road. She asked if any of the Board members had any comments, concerns or questions.

Planning Commission Liaison Toth asked Mr. Fursdon for the record if he could get the required setbacks for an R-1 lot.

Chief Building Official Fursdon stated that the required setback for an R-1 lot would be 50 foot front yard, 50 foot rear yard, and a 10 foot side yard on each side yard.

Planning Commission Toth stated that in the Duncan Factors as they were looking at that, one of the factors was, "Can the property owner's predicament be precluded through some method other than a variance?" and the answer to that was "Based on current zoning regulations, the property could not be split in any manner that would result in two or more code compliant lots." He asked if that held true.

Chief Building Official Fursdon stated no, even if you tried to split one lot off you would need a variance. It would be less than 150.

Planning Commission Liaison Toth stated that he could, working from the east lot line, break that into two lots, correct?

Chief Building Official Fursdon stated that no, when you split that first lot off, that would still need a variance. It was less than 150 foot average.

Planning Commission Liaison Toth asked the eastern lot.

Chief Building Official Fursdon commented yes, because the one property line was measuring about 210 feet and it was actually about maybe 180 feet, but the southern property line was only going to be about 60 feet. He stated that 60 and 180 equaled 240 and half of that was 120, so it was less than 150.

Planning Commission Liaison Toth stated that not only could they not look at this lot as splitting it into thirds, but they couldn't even consider it without a variance splitting the lot in half.

Chief Building Official Fursdon said that was correct.

Chairwoman Masterson asked the applicant if he had anything he wished to add.

Mr. Hajdari stated that he was looking at the map, but it said that it was 200, the third line from the surveyor was 189 feet. He stated that he didn't see how 189 to 150 was the variance. Now the only discussion we're having was just for the third lot, not for the two. He stated that he even spoke with the surveyor, and he said he didn't see any dispute there. He said he didn't have to be there to explain anything because it was self-explanatory. So now we're all discussing for the third lot, not for the two. Because the third one, even though I'm having the map for the surveyor with the third one, and he's showing all the measurements. He stated that he didn't see the problem from 189 to 150, where's the, where inside the...

Chairwoman Masterson asked if she could ask Chief Building Official Fursdon to chime in.

Mr. Hajdari said sure.

Chairwoman Masterson asked if he had something to add.

Chief Building Official stated that they were just discussing, again, with that second lot split that he would still need a variance. He stated that the fact that they were trying to create three, they still needed a variance. But the first two lots would comply.

Mr. Hajdari stated that the only discussion they were having was all for the third lot. The first two lots, there was not any discussion there for the feet wide. He said that they were discussing for the third lot if it was developed, that was why they were asking for the variance for the third lot.

Chairwoman Masterson stated that they couldn't do the property split without the variance.

Chief Building Official Fursdon stated that was correct.

Chairwoman Masterson asked if that cleared it up a little bit.

Planning Commission Liaison Toth stated that the property needed the variance to get the second lot.

Chief Building Official Fursdon stated that on the second lot, they would need a variance, or they couldn't approve the split.

Mr. Hajdari stated that what they learned from the city was to split the lot they had to come there and tell

them they were splitting the lot. He stated that they had the surveyor topo and everything done, they just needed them to approve so they could split the lot and now they learned that they needed the variance for the third lot. He stated that they were talking like 28 feet difference for the third lot. The first two that already complied with every code, but for them to split the lot so they can have the address for every one of them, they had to come there. He stated that was what they learned.

Planning Commission Liaison Toth stated that he thought that maybe they were having a communication difference that his numbers had 30 additional feet in them because his surveyor measured from the center of the right-of-way. Whereas for zoning, it's from the closest line, the adjacent line of the right-of-way.

Mr. Hajdari stated that he understood. He stated that he already spoke with the person's name was Guy and he took the variance. He said that the guy, he didn't know who that person was.

The Commission pointed to the Chief Building Official Guy Fursdon.

Mr. Hajdari stated that they talked to each other and they took the 50 feet and the other 30 and that's what they did not understand, what the other 30 feet were for.

Chief Building Official Fursdon stated that he was misunderstanding. He explained that his surveyor did all the drawings to the center of the right-of-way. That's the way the property reads. But the city ordinance says no portion of the right-of-way can be accounted for your lot area, your lot depth, even your lot width. So, he needed to deduct half of that right-of-way, which was 30 feet, from all the dimensions the surveyor put on the drawing. So, if he was saying that property line was, in that case, 189 feet, actually it was 159 feet in the city's eyes, because he can't take into account that 30 feet that is in the right-of-way. So, that southern property line showed that he had 99 feet down there, but take 30 feet off, and it was actually 69 feet, which made it very difficult. And that was why he was there for a variance, because it was such an unusual, shaped lot.

Chairwoman Masterson asked if anyone in the audience had any comments, questions or concerns on the matter.

Nancy Linden, 31828 Chestnut Ridge Road, North Ridgeville, Ohio, was sworn in.

Ms. Linden stated that she lived across the street from that area and that the previous owner bought that property knowing it was undevelopable because it was too narrow. Unfortunately, the people who bought this land probably did not know that it was going to be difficult to build on and really, that third property that they were trying to get will never be able to be developed because it was too narrow. She mentioned that she had the same situation with her property, if they went and looked at the back land of her property it was 22 feet wide and she didn't want to ever see it developed. She said that it was heartbreaking to watch them cut down all those trees that were there and that there was a creek that ran through there in the back that was probably going to stop them from getting any land that worked. She stated that two houses maybe could be built there, but no more than two could possibly fit in that area because the land gets so narrow towards the western side that you could never put anything more in there than maybe a little tiny park.

Chairwoman Masterson asked if there was anyone else who had any comments questions or concerns.

None were given.

Chairwoman Masterson asked if the administration had any further comments to add.

None were given.

Moved by Masterson and seconded by Graupmann to deny the 35.59 foot variance for minimum lot depth of the western proposed lot.

A roll call vote was taken and the motion carried.

Yes – 3 No – 0

Variance 26-001, John Rutherford, 34120 Woodlawn Drive, PPN 07-00-016-105-001.

Proposal consists of a detached garage. Property is zoned R1 Residence District. Requests a 2.65%. 578 square foot variance for lot coverage. Code allows 10% for lots over 1/2 acre. Applicant shows 12.65%. Section 1294.03 D2.

Application was read.

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

John Rutherford, 34120 Woodlawn Drive, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Director Lieber for her Planning review.

Director Lieber stated that the applicant is proposing to construct an addition to the existing dwelling and a detached garage on their R-1 zoned property at 34120 Woodlawn Drive. The property is 21,780.4 square feet, just over half an acre.

She explained that for lots larger than half an acre, the zoning code does not limit the number of outbuildings; however, total lot coverage may not exceed 10%. Historically, the Building Department has interpreted lot coverage to include all buildings and roofed structures on the property, excluding uncovered decks, patios, and similar improvements.

The proposed addition, covered porch, and detached garage would add 1,610 square feet of lot coverage. The proposed open deck is not included in this calculation. According to the Lorain County Auditor, the existing dwelling, including its covered porch, contains 1,146 square feet. The total proposed lot coverage would therefore be 2,756 square feet, exceeding the permitted 2,178 square feet by 578 square feet, or 12.65% lot coverage, where only 10% is allowed.

Chairwoman Masterson stated that she saw a letter from Mr. Fursdon that was given to Mr. Rutherford clarifying his response to the request of the zoning requirements. She asked Mr. Rutherford to explain his application.

Mr. Rutherford stated that he had submitted drawings and a site plan and had reviewed the ordinance thoroughly. While he is generally familiar with zoning and building codes, he admitted he was confused

by the interpretation of this particular regulation. He noted that the city handout stated “total lot coverage,” but the ordinance itself simply says “lot coverage” without further explanation.

He understood that uncovered decks are not included in lot coverage, but in his view, lot coverage should include anything built on the lot. The city’s calculation includes his primary structure and accessory structure (garage) but excludes the uncovered porch. He explained that, technically, he could build a much larger structure—covering roughly 47% of the lot and potentially a 10,000-square-foot ranch—but the placement of his house and garage makes that impractical. He emphasized that he wanted to avoid having his daughter or other drivers maneuvering awkwardly to access the garage from the backyard, which influenced its current location.

Mr. Rutherford stated that he complies with all setbacks, but the issue arises with how the detached garage counts toward lot coverage. He said he did not understand why the garage was being combined with his main structure for lot coverage calculations. He asked for clarification on how the City of North Ridgeville calculates lot coverage versus total lot coverage, noting differences from his experience in the City of North Olmsted, where concrete patios and deck footers could count toward lot coverage.

He explained that, according to the accessory structure regulations, a detached garage is limited to 10% lot coverage. His garage alone does not exceed 10%, but when combined with his house, the total exceeds that limit. He pointed out that, theoretically, he could position a primary structure within all setbacks and fill the lot without exceeding any individual limits.

Mr. Rutherford concluded that the current interpretation did not make sense to him. He was unsure if a variance was required but stated he was following the city’s order and hoped the Board could clarify the calculation and provide guidance for moving forward.

Chairwoman Masterson asked Chief Building Official Fursdon if the applicant could build a 10,000 square foot house on his property without a variance.

Chief Building Official Fursdon stated that if he met all the setbacks, yes. He stated that they didn’t regulate the size of the dwelling, but council chose to regulate the size of outbuildings by lot coverage and that was how they interpreted lot coverage. He explained that they weren’t including the driveway or a concrete patio and that was why they didn’t include the open deck, but if it was any structure with a roof on it, that was how they were told to enforce the ordinance by council.

Director Lieber stated that applicants can either appeal, file an administrative appeal of a determination of a city official, or they can request relief from the code, a variance. She explained that they received a variance application and she just wanted the Board to focus on a variance that was being requested, but it seemed so far, the presentation had been geared towards appealing an interpretation. She stated that she thought they needed to sort out whether or not an appeal was being made, which staff did not prepare for, or a variance was being requested.

Chairwoman Masterson asked the applicant to clarify why he was there.

Mr. Rutherford stated that he was there because he submitted for a variance as he was required to do by Guy. He stated that he was there for a variance.

Chairwoman Masterson asked what his hardship was.

Mr. Rutherford stated that it was lot coverage.

Chairwoman Masterson reviewed the Duncan Factors. She asked if the administration had any other comments, questions or concerns.

None were given.

Chairwoman Masterson asked if the Board had anything they wanted to add.

Planning Commission Liaison Toth asked Chief Building Official Fursdon if the project, disregarding the variance request, met all other code as far as setbacks. He stated that it said setbacks, but also distance from decks and asked if he had all 10 feet, he had all the clearance, was off the lot lines, set back far enough and everything was good.

Chief Building Official Fursdon stated he believed he did, yes.

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

None were given.

Council Liaison Toth stated that taking into consideration that the project is code compliant without, or with the exception of the lack coverage, the variance of 578 feet, which was described as modest, however, a 20 by 24 typical two-car garage was 480 square feet, so, it was modest in relation, but it was a larger structure and also the Board received a letter of support from a neighbor, a Samantha Reisner. He asked if that was his next door across the street.

Mr. Rutherford said yes, they actually were right next door and built a house there maybe a year or two ago.

Planning Commission Liaison Toth asked if they abutted his property.

Mr. Rutherford said yes, they were right next door to his property.

Planning Commission Liaison Toth asked if they were going to be the people that he was the closest to on the lot line with the structure.

Mr. Rutherford stated that was correct.

Moved by Toth 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 – 3 No – 0

ADJOURNMENT:

The meeting was adjourned at 8:02 PM.

Linda Masterson
Chairwoman

Tina Wieber
Recording Secretary/Deputy Clerk of Council

Thursday, May 28, 2026
Date Approved

DRAFT