

Board of Zoning and Building Appeals
CITY HALL COUNCIL CHAMBERS
SPECIAL MEETING - AGENDA OF JULY 14, 2026
7:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

Regular meeting minutes of May 28, 2026

PLANNING COMMISSION REPORT

OTHER REPORTS OR CORRESPONDENCE

PUBLIC HEARINGS

VAR-26-0007 Andrew Russell, 9104 Nash Lane, PPN:07-00-036-000-569

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

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).
2. A 3-foot variance for distance of a gate from the dwelling. Applicant shows 13 feet, code requires no more than 10 feet, Section 1294.01(h)(2)(C).

ADJOURNMENT

**NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS
MINUTES OF
REGULAR MEETING – THURSDAY, MAY 28, 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, James Cain, Planning Commission Liaison Frank Toth and Chairwoman Linda Masterson.

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

MINUTES:

Regular meeting minutes of March 26, 2026

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

None were given.

The minutes were accepted as submitted.

PLANNING COMMISSION REPORT:

Mr. Toth stated that since the BZBA did not meet last month, he had a report for both the April and May Planning Commission meetings. He stated that at the regular meeting on April 14, 2026, the North Ridgeville Planning Commission took action on three items. He stated that the first item was:

PPZ2026-0414 Madison Avenue Salon, LLC, 6040 Lear Nagle Road, PPN: 07-00-008-117-082

Applicant: Nicholas R. Dubecky, Integrated Outdoor Living, LLC, 47581 US Highway 20, Oberlin, OH 44074. Proposal consists of construction of a new 6,000 square foot commercial building with associated site improvements for use as a hair salon. Property is zoned B-3 Highway Commercial District.

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

1. All parking lot dimensions and ADA parking space requirements shall be met.
2. Provide sufficient turnaround areas on the north end of parking lot.
3. Move the first curb cut from the shared driveway west to better align with Walgreen's curb cut.
4. The Planning Commission waives the 10 foot buffer requirement for single family homes along the northern property line.

Note: Masonry veneer is not required on the rear of the building.

The second item was:

PPZ2025-0396 Heron Ridge Subdivision, Sugar Ridge Rd, PPN: 07-00-047-000-046

Applicant: Sommers Development Group LLC, PO Box 1102, Chardon, OH 44024. Proposal consists of preliminary plan approval for a residential subdivision developed per Chapter 1282. Property is zoned R-1 Residence District.

PC ACTION: The proposal was not recommended for approval by City Council by a vote of 0-5.

SPLT-26-0001 R.W. Beckett Corporation, Beckett Pkwy, PPN: 07-00-038-000-334

Applicant: Kenny McCartney, K.E. McCartney & Associates, 52 N. Diamond St, Mansfield, OH 44902. Proposal consists of a minor subdivision. Property is split-zoned I-2 Light Industrial and I-3 Heavy Industrial Districts.

PC ACTION: Approved by a vote of 5-0.

At the regular meeting on May 12, 2026, the North Ridgeville Planning Commission took action on two items.

MDP-26-0003 - Devin Daugherty, Pulte Homes, LLC, Ridgefield Subdivision, PPN: 07-00-001-000-473

Owner: Bob Schmitt Homes, Inc., 9095 Gatestone Rd, North Ridgeville, OH 44039. Proposal consists of entrance signage and landscape plan for Ridgefield Subdivision. Property is zoned R-1 Residence District (Chapter 1282).

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

1. All sign placements shall maintain a minimum 5-foot setback from known utilities.
2. Proposed landscaping shall be located and designed so as not to impede access to stormwater and utility infrastructure.
3. A landscape easement with vesting language shall be included on the plat cover sheet for any phase where required landscaping is located on private sublots. The easement shall define maintenance and replacement responsibilities of the HOA and shall prohibit homeowner disturbance of the landscaped areas.
4. Final street tree locations and any changes to proposed street trees shall be approved by the City Arborist.
5. City Arborist shall review plant/tree list to make sure they are appropriate and not invasive.

The second item was:

O 2026-45 An Ordinance amending the zoning map of the City of North Ridgeville such that a ±12.5 acre portion of a parcel owned by the City of North Ridgeville, as more fully described in Exhibit A and depicted in Exhibit B, be rezoned from R-1 Residence District to I-2 Light Industrial District.

PC ACTION: Approved by a vote of 5-0.

OTHER REPORTS AND 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).

Application was read.

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

Deanna Robertson, 7423 Fowlers Run, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Director Lieber for her review.

Director Lieber stated that the applicant was seeking approval to construct a fence on the property located at the northeast corner of Fowler's Run and Center Ridge Road. The property is zoned B-3 Highway Commercial District but is currently occupied by a single-family dwelling. As the Board is aware, residentially used lots are subject to the zoning requirements for residential accessory structures, including fences.

She explained that the dwelling fronts on Fowler's Run, and while the proposed fence is located behind the house, it extends into the portion of the lot considered a front yard along Center Ridge Road due to the configuration of the corner lot. As a result, the fence may not extend closer to the Center Ridge Road right-of-way than the building line.

The proposed fence includes a 43-foot section parallel to Center Ridge Road with a height of four feet, while the remaining sections are six feet in height and opaque. City code permits a maximum fence height of four feet within a front yard and requires at least 50% openness. Therefore, variances are required for both height and opacity.

Director Lieber noted that the fence would be located approximately 35 feet from the Center Ridge Road right-of-way at its closest point, while the dwelling is set back approximately 80 feet, significantly exceeding the minimum setback requirement. She stated that although a corner lot alone is not considered a unique condition, the property's frontage along heavily traveled Center Ridge Road, combined with the placement of the dwelling on the lot, created unique circumstances in this case.

Chairwoman Masterson asked the applicant to present her application.

Ms. Robertson stated that Director Lieber had clearly explained the request. She said the proposed fence would not impair visibility or negatively affect the character of the neighborhood or the view along Center Ridge Road. She explained that, if the fence were not permitted, she would lose the use and enjoyment of a significant portion of her yard because, as a corner-lot property owner, her lot is considered to have two front yards. As a result, much of her yard remains open to Center Ridge Road and passing traffic. Ms. Robertson expressed her hope that the Board would allow her to install the fence so she could enjoy her property while still maintaining the intent and purpose of the ordinance.

Chairwoman Masterson commented that she did have a unique situation and that her request was not unreasonable. She then read through the Duncan Factors. She asked if any other Board members had any comments, concerns, or questions.

Member Weaver asked if the tree line in the photo and all of the trees were still there.

Ms. Robertson stated that they were.

Member Weaver asked if the fence line would be inside, closest to the house.

Ms. Robertson stated that was correct.

Member Weaver asked if she would have four feet just where it said red on the screen and the rest would be six feet.

Ms. Robertson stated that was correct.

Mr. Weaver asked what the green and red box was in the photo.

Ms. Robertson explained that that was where her dog went to the bathroom.

Moved by Masterson and seconded by Cain to approve 2-foot height and 100% opacity variance for a fence in the front yard on a corner lot.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

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).

Application was read.

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

Brian Hellinger, 9103 Nash Lane, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Director Lieber for her Planning review.

Director Lieber explained that the applicant had installed a pre-built shed on the property prior to obtaining the required zoning and building permits. Upon inspection, staff determined that the shed's location did not comply with zoning regulations.

She noted that the subject property is a corner lot; therefore, both street frontages are considered front yards under the zoning code. As a result, the area between the dwelling and the right-of-way along each frontage is regulated as front yard area. The shed is located within the required front yard along Elva Lane and appears to be approximately 10 to 12 feet from the right-of-way. The principal dwelling is set back approximately 29.25 feet from the right-of-way.

Director Lieber stated that, pursuant to Section 1294.03, detached accessory structures must be located within the rear yard, and outbuildings are subject to the same location requirements as detached private garages. The applicant is requesting a variance to allow the shed to remain in its current location.

Chairwoman Masterson asked whether the inspector found this and whether there had been a complaint.

Director Lieber stated that the applicant would likely have more firsthand knowledge regarding the circumstances, but the inspector had indicated that he was in the neighborhood responding to a complaint concerning the property to the north. While in the area, he also observed the shed on the subject property. She explained that the shed on the neighboring property was in the process of being relocated and was not yet in its final position. However, while investigating reports of a shed located too close to the street, the inspector identified two sheds in the area, including the one on the subject property.

Chairwoman Masterson asked the applicant to present his application.

Mr. Hellinger stated that he believed it was Corey from the Building Department who contacted him and explained that he was in the area responding to complaints regarding a neighboring property across the street. He understood that the neighboring property owner was waiting for a fence to be removed so a shed could be relocated, and while inspecting that situation, the inspector also observed his shed.

Mr. Hellinger explained that the shed had been in its current location for approximately three and a half years. He stated that he chose the location in consideration of his neighbor, Nathan, whose property is adjacent to his. Because both families have children, he did not want to place the shed in an area that would obstruct visibility or interfere with the use of their yards. As a result, he located the shed where it would be out of the way for both properties.

He stated that he was attempting to be a good neighbor and noted that the shed had remained in that location for three and a half years without issue. Mr. Hellinger also indicated that he believed he may have contacted the City before installing the shed, as he typically does before undertaking projects. However, he stated that Corey advised him that regardless of whether such a call had been made years earlier, the current inspection had determined that the shed was not in compliance with the zoning requirements.

Chairwoman Masterson commented that he didn't pull a permit at all.

Mr. Hellinger stated that he did not.

Chairwoman Masterson stated that a permit was required and asked Mr. Fursdon if that was correct.

Mr. Fursdon nodded in the affirmative.

Chairwoman Masterson commented that he did not pull a permit and that, had he pulled a permit, they would have told him where to locate the shed.

Mr. Hellinger stated that he was pretty sure he called. He said that he wouldn't have just bought something without thinking that there were going to be consequences without checking. He remarked that like anything he did, he always called to verify but again, it was three and a half years ago.

Chairwoman Masterson asked if he owned the property for three and a half years.

Mr. Hellinger stated that he built it in 2021.

Chairwoman Masterson stated that the Building Department was usually very good about answering questions and following through. She read through the Duncan Factors. She asked if any of the Board members had any comments, questions, or concerns.

Member Toth stated that he had a question for Prosecutor Kelleher. He asked whether there was any type of statute of limitations, for example, in this particular instance, where this gentleman placed his shed there three years ago and now action is being requested.

Prosecutor Kelleher responded that what he may be thinking about is grandfathering and that would have to have been done before the code came into existence. So, in this case, three and a half years would not solve this problem.

Member Toth asked whether that should not be a factor for consideration in their decision.

Prosecutor Kelleher stated that it should not.

Chairwoman Masterson asked whether the administration had any comments, questions, or concerns.

None were given.

Chairwoman Masterson asked the applicant if there was anything else he wanted to add.

Mr. Hellinger stated that he was attempting to be a good neighbor. He explained that he had recently spoken with his neighbor, who agreed that they would not want the shed located on the opposite side of the property if it obstructed views of the pond. He indicated that his decision on the shed's placement was made not only for his own convenience but also with consideration for his neighbor's preferences.

Chairwoman Masterson asked if he understood that he put something up without a building permit.

Mr. Hellinger stated that he completely understood.

Chairwoman Masterson asked if there was anyone in the audience who wished to speak on behalf of the matter.

No one from the audience came forward.

Moved by Masterson and seconded by Toth to deny the variance for a shed in the front yard.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

ADJOURNMENT:

The meeting was adjourned at 7:26 PM.

Linda Masterson
Chairwoman

Tina Wieber
Recording Secretary/Deputy Clerk of Council

Thursday, July 14, 2026
Date Approved

DRAFT