

**NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS
MINUTES OF
SPECIAL MEETING – TUESDAY, JULY 14, 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 Planning and Development Director Kim Lieber, Assistant Law Director Toni Morgan and Deputy Clerk of Council Tina Wieber.

MINUTES:

Regular meeting minutes of May 28, 2026

Chairwoman Masterson stated that the Board received the regular meeting minutes of May 28, 2026, and asked if there were any corrections.

None were given.

The minutes were accepted as submitted.

PLANNING COMMISSION REPORT:

None given

OTHER REPORTS AND CORRESPONDENCE:

None given

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).

Application was read.

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

Andrew Russell, 9104 Nash Lane, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Director Lieber for her review.

Director Lieber stated that the applicant is requesting approval to install a six-foot-high vinyl privacy fence enclosing the rear yard of a corner lot located at the intersection of Nash Lane and Elva Lane.

She explained that the neighborhood was developed under Chapter 1282 as a cluster development, resulting in the dwelling being set back 30 feet from the Elva Lane right-of-way. Under the current zoning code, a fence up to six feet in height is permitted along a side or rear property line behind the front building line. However, between the front building line and the street line, fences are limited to four feet in height and must be at least 50 percent open. Because this is a corner lot, both Nash Lane and Elva Lane are considered frontages, and the front building line restrictions apply along both streets.

Director Lieber stated that the proposed fence would extend approximately 18 feet beyond the front building line toward Elva Lane, terminating at the edge of the 12-foot utility easement adjacent to the right-of-way. As a result, the applicant is requesting a variance to permit a six-foot-high opaque fence within the required front yard setback area. The applicant is also requesting a three-foot variance from the requirement that a gate or opening at least four feet wide be located within 10 feet of the dwelling. She noted that this provision is intended to ensure access to the rear yard and, in her opinion, represents a minor request.

As additional context, Director Lieber explained that the City is currently updating its zoning code and has prepared a public review draft that would relax certain corner lot fence requirements. She stated that the proposed amendment recognizes the challenges faced by corner lot property owners and is intended to address those concerns through a code change rather than repeated variance requests. Under the proposed amendment, a privacy fence on a corner lot would be permitted to extend into the side street setback by a distance equal to one-half of the required setback.

Director Lieber emphasized that the proposed amendment has not yet been approved by the Planning Commission or City Council and was not being presented to influence the Board's decision. She further noted that, even if adopted, the proposed amendment would not permit the applicant's request. Because one-half of the required 30-foot setback is 15 feet, the proposed fence extension of 18 feet would still exceed the allowance currently under consideration.

Chairwoman Masterson asked Director Lieber if the new ordinance were in place, would he be asking for a three-foot variance.

Director Lieber stated that was correct.

Chairwoman Masterson asked the applicant to present his case.

Mr. Russell clarified that only one variance request remained before the Board because the gate had been drawn incorrectly on the submitted plans. He explained that the gate would be located approximately three feet from the house and would provide a five-foot opening, bringing it into compliance with the code. As a result, the request was limited to the variance for the six-foot privacy fence.

Mr. Russell stated that one of the primary reasons for requesting the six-foot fence was to safely contain his two Doberman dogs, which he believes could easily jump a four-foot fence. He expressed concern that a shorter fence would not adequately protect the dogs from leaving the yard if they became distracted by wildlife or other activity, creating a safety risk for both the dogs and others.

He also explained that his job requires frequent overnight travel, leaving his fiancée home alone for extended periods. He stated that there is significant pedestrian and vehicle traffic near the property, including people walking, biking, and using e-bikes, and that individuals often have a clear view into the backyard. He said the privacy fence would provide an added sense of security while he is away.

Mr. Russell further stated that neighborhood children frequently pass by the property and sometimes run along the sidewalk, causing the dogs to bark and become agitated. He said the constant activity creates anxiety for the dogs and makes it difficult for them to relax while outside.

He added that, although he built the home in 2021, he has rarely been able to fully enjoy the backyard because he is often monitoring the dogs and the activity around the property, including people cutting through the rear of the lot to access a nearby fishing pond. He noted that the dogs understand the boundaries of the property and do not enter neighboring yards, but he would prefer to discourage pedestrians from crossing through his yard.

Mr. Russell stated that the purpose of the six-foot privacy fence is to safely contain the dogs, provide privacy and security for his household, reduce outside distractions, and improve the usability of the backyard. He added that the proposed fence would be located approximately 28 feet from the roadway and would not interfere with pedestrian or vehicular traffic.

Chairwoman Masterson stated that she visited the property and observed a significant amount of pedestrian activity, including numerous children riding bicycles throughout the neighborhood, as well as steady vehicle traffic. She also observed children fishing at the nearby pond, which is located within the subdivision's common open space and is accessible to all residents of the development.

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

Member Weaver stated that one of his concerns was how much space he was allowing around the fence that was still left of his property. He mentioned that it looked like the one side, maybe it was a foot, 1.8, one foot 8 inches on the south side. He asked about the west side of the property, how much room was he leaving around this fence and then how much room was off of that 12 foot utility easement.

Mr. Russell stated that he contacted Ohio 811 to have the utility lines marked prior to planning the fence installation. Based on the markings, he believes the proposed fence would be approximately three to five feet away from the easement, providing sufficient clearance so that the fence post holes would not interfere with any utilities.

He further stated that, on the west side of the property, the fence would be located approximately one to one-and-a-half feet from the property line. He explained that he attempted to make the fence layout symmetrical, maintaining consistent spacing along both the rear and side portions of the yard.

Member Weaver asked if he was able to control the weeds and mow around that.

Mr. Russell stated that he could and that the plan was to basically get rid of the grass there. He spoke with the next door neighbor already about putting some sort of rock between there and he could always go through with a weed whacker to clean that out, but they both agreed already to do that.

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

Planning Commission Liaison Toth stated that he visited the property and that his primary concern involved the neighboring property to the west along Elva Lane. He noted that the proposed fence would leave approximately 12 feet of clearance between the neighbor's driveway and the sidewalk, which he believed could create a safety concern by limiting visibility for vehicles backing out of the driveway.

He also observed that Mr. Russell's property appeared to be elevated compared to Elva Lane. He stated that, because the roadway slopes downward in that area while the property is slightly crowned, the proposed six-foot fence would appear taller when viewed from the street, even though it would comply with the six-foot height as measured from the property's grade.

Mr. Russell stated that currently they were saying 18 feet, but if he were to pass that mark, that's when you start seeing the downgrade going towards the sidewalk. He asked if that was what he was talking about.

Planning Commission Liaison Toth stated that he was 6 feet off grade on his land, but if you're on that sidewalk, you have that crown in addition to that, it actually makes it appear higher because the road is going lower and that was his concern there.

Chairwoman Masterson asked Director Lieber if she wanted to add anything.

Director Lieber stated that she thought that two things could be correct. That one, the fence height can be 6 feet, and that two, the appearance of the fence could look more than 6 feet given the grade of the ground, but we measure height from grade. Yes, it's 6 feet, and that's how the variance was written. It's not based on the grade at the right-of-way line or the elevation at right-of-way line, but she thought Mr. Toth's observation was appropriate to discuss because they talked about how that lot was unique and the land features were certainly an important part of that discussion. So yes, it's 6 feet and that's how the variance was written.

Chairwoman Masterson asked if there were any other questions.

None were given.

Chairwoman Masterson stated that she agreed that Mr. Toth had a good point but North Ridgeville is known for its ridges and North Ridgeville steps down towards the lake. She mentioned Center Ridge and Middle Ridge. She commented that it was an interesting lot. She asked Assistant Law Director Morgan since he's withdrawing the second variance, if the Board could just add that he was withdrawing it, or did they want to amend the application.

Assistant Law Director Morgan stated that they would both amend the application to reflect that he's withdrawing it and then vote on it separately.

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Chairwoman Masterson then read through the Duncan Factors. She asked if anyone from the Administration had any further comments, questions or concerns.

Assistant Law Director Morgan reminded the Board regarding height of the fence and that it is measured from grade, and that he was not asking for something out of the ordinary in that instance.

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

None were given.

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

Member Weaver stated that he wanted to clarify how far off of the house the fence actually was supposed to be. He mentioned that he had written the drawing wrong.

Mr. Russell stated that was on the gate. He pointed on the screen where the gate was going to be connected on the side of the post. He stated that he realized he didn't put a gate on the drawing and then drew it in at the last second, so the gate's going to go against the house.

Member Weaver asked if it was still the 18 foot total, but the gate was going closer to the house, not on the corner.

Mr. Russell stated that was correct.

Moved by Masterson and seconded by Cain to approve the 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 - 3 No - 1 (Toth)

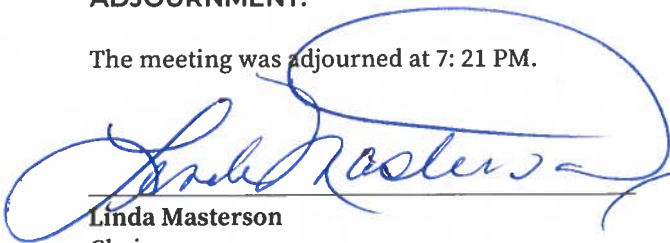
Moved by Masterson and seconded by Toth to amend the 3-foot variance for distance of a gate from the dwelling and withdraw the request.

A roll call vote was taken and the motion carried.

Yes - 4 No - 0

ADJOURNMENT:

The meeting was adjourned at 7: 21 PM.



Linda Masterson
Chairwoman



Tina Wieber
Recording Secretary/Deputy Clerk of Council

Thursday, July 23, 2026

Date Approved