

**NORTH RIDGEVILLE BOARD OF ZONING & BUILDING APPEALS
MINUTES FOR THE REGULAR MEETING HELD NOVEMBER 15, 2018**

TO ORDER: The meeting was called to order at 7:00 p.m. with the Pledge of Allegiance.

ROLL CALL: Present were members, Neil Thibodeaux, Vice-Chairwoman Linda Masterson, and Chairman Shawn Kimble.

Absent were Member Mario Cipriano, Planning Commission Liaison Jim Smolik and Council Liaison Michelle Hung.

Also present was Chief Building Official Guy Fursdon, Assistant Law Director Toni Morgan, Former Deputy Clerk of Council Donna Tjotjos and Present Deputy Clerk of Council Michelle Owens.

MINUTES:

Chairman Kimble asked if there were any corrections to the regular meeting minutes dated October 25, 2018. Hearing none, the minutes will stand approved as presented.

PLANNING COMMISSION REPORT(S):

Chairman Kimble noted that the Planning Commission Liaison Jim Smolik is absent this evening and so there is no report from Planning Commission.

OTHER REPORTS OR CORRESPONDENCE:

Chairman Kimble asked if there were any other reports or correspondence.

Deputy Clerk Tjotjos advised that the agenda for tonight's meeting has been amended and will need a motion to accept the amended agenda.

Chairman Kimble stated that if there are no other reports or correspondence, the Board will move onto public hearings. The first application that was on the original agenda has been removed. He entertained a motion to amend the agenda.

It was moved by Kimble and seconded by Masterson to amend the agenda to remove the application from Fran Potter due to the opinion received of the Law Director.

Yes, 3 No, 0
MOTION CARRIED

PUBLIC HEARINGS:

Chairman Kimble asked the Clerk to read the first application.

APPLICANT: Steven Sedivec, 38094 Rocky Run Court
OWNER: Same
REQUEST: An appeal of the Chief Building Official's decision to require said applicant to install a sidewalk citing N.R.C.O. §1024.05(a) - All dwellings, apartments and commercial and industrial buildings constructed in the City shall be provided with sidewalks in front of such buildings before occupancy of the building is permitted; and §1024.06(b)(1) - A sidewalk does not exist within 2,000 feet in any direction from any property corner. (Closest sidewalk is 1,800 feet away).
LOCATION: 6020 Otten Road in an R-1 District; Parcel No. 07-00-041-000-072

Application was read along with comments from the Chief Building Official.

Chairman Kimble asked if there was a representative and if so, he asked that they step to the mic and give their name and address for the record.

Steve Sedivec of 38094 Rocky Run Court was sworn in.

Chairman Kimble asked if they could give a brief explanation about their application.

Steve Sedivec stated that they are building a house on Otten Road. The speed limit on that road is 25 mph and is a chip and tar road. There are currently no sidewalks on the road between Barres and Case. There are sidewalks in the development that is down the street on the other end. They are looking to not put the sidewalks in right now. If the city of North Ridgeville deems necessary that we are going to put sidewalks down at a future date on the entire road, then they would be willing to install the sidewalk. If they installed now, it will take away the esthetics from the street if they were the only one to have a sidewalk. He did bring pictures in. He also has brought an affidavit that can remain on file which states they will put the sidewalks in, in the future once the city has decided to install sidewalks on that entire street.

Chairman Kimble stated he is welcome to pass the pictures out if he chooses. He stated that if his memory is correct, there have been several of these applications in the recent few meetings and so this is something that the Board is up to par on. As he mentioned last time we had one of these applications in front of us, there is conflicting information in our ordinances of when a sidewalk is required and it has been brought up to the Law Department's attention and they have intervened and provided their opinion. Things will be changing in the future.

Assistant Law Director Morgan stated that they are looking at making this section more clear and doing some changes. She explained when putting ordinances like this together over a period of time; the results sometimes are difficult to understand.

Chairman Kimble stated this is one of them. He addressed the applicant and stated that he

mentioned he is not in a subdivision. They would be the only house on the road that would have a sidewalk, which would stand out and as he made the point in his brother's case, it would look out of place. He believes that it is more important to have the entire road be visually coherent together and have a nice appeal driving down, which is one of the last remaining country roads in the city versus a sidewalk here and there and the application makes complete sense to him. He asked if there were any questions from the Board.

Member Masterson stated that the applicant did a very good job in presenting.

Chairman Kimble asked if there was anyone in the audience that would like to speak on behalf of this matter. There were no other comments or questions. He entertained a motion.

It was moved by Masterson and seconded by Thibodeaux to approve the appeal of the Chief Building Official's decision.

Chairman Kimble asked the Clerk to call the roll.

Yes, 3 No, 0

Deputy Clerk Tjotjos announced the motion passed by a vote of three yes and zero no.

ADJOURNMENT:

Chairman Kimble asked if there was any other business to bring before the Board this evening. Hearing none he adjourned the meeting.

The meeting adjourned at 7:09 p.m.

Chairman, Shawn Kimble

Deputy Clerk of Council, Michelle Owens

December 27, 2018

Date Approved