

**NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS
MINUTES OF
REGULAR MEETING – THURSDAY, OCTOBER 28, 2021**

TO ORDER:

Chairman Kimble called the meeting to order with the Pledge of Allegiance at 7:00 PM.

ROLL CALL:

Present were members James Cain, Neil Thibodeaux, Linda Masterson, Clifford Winkel and Chairman Shawn Kimble.

Member Jim Smolik was excused.

Also present were Chief Building Official Guy Fursdon, Assistant Law Director Toni Morgan, and Deputy Clerk of Council Tina Wieber.

MINUTES:

Chairman Kimble asked if there were any corrections to the minutes of the regular meeting on Thursday, August 26, 2021. Hearing none, the minutes stand as presented.

PLANNING COMMISSION REPORT(S):

OTHER REPORTS OR CORRESPONDENCE:

Chairman Kimble stated that he spoke with Member Smolik who advised him that the Jiffy Lube application that was on the agenda was approved through Planning Commission.

PUBLIC HEARINGS:

APPLICANT: Frank Malawski, Sevan Solutions, 3025 Highland Parkway, Suite 850, Downers Grove, Illinois 60515

OWNER: Rini Realty Company, 924 Westpoint Parkway, Suite 150, Westlake, Ohio 44145

REQUEST: Requesting a front yard setback variance of 37'- 0" along Pitts Boulevard. Side yard setback east side 0'- 0".

LOCATION: 34385 Center Ridge Rd in a B-3 District

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

Chairman Kimble asked if there was a representative present.

Matthew Pisko, 37704 Hillstech Drive, Farmington Hills, Michigan 48331, was sworn in.

**BOARD OF ZONING AND BUILDING APPEALS
REGULAR MEETING – THURSDAY, OCTOBER 28, 2021**

PAGE 2

Mr. Pisko stated he was filling in for Frank Malawski who is out of their Chicago office but was unable to be present due to a death in the family.

Chairman Kimble asked Mr. Pisko to explain the application.

Mr. Pisko stated that Jiffy Lube is a low traffic business and are attracted by Meijer grocery stores. He explained that there is an agreement between Michigan and Ohio to insert Jiffy Lube into unoccupied parking spaces because they are low volume and they don't cause any traffic within the main parking field. He advised that the trend started where grocery stores are partnering with Jiffy Lube. Shell, BP, Sonoco pulled out but now are back and the first time that they built a new location was 22 years ago. He stated they were working with them in Michigan, Ohio, Pennsylvania, New Jersey, Colorado and Texas to try and get the band back together. He explained that the site is long and narrow and the project has taken into account the relocation of the approach to allow more stacking to get to Center Ridge Road. He stated that the project came up with some deficiencies as far as area. He further explained that if they were to turn the building 90 degrees the business couldn't stack traffic without interfering with the cross traffic that the business would create in eliminating the approach that went very close to the intersection. He advised that the current plan was the best they could do to stick with the ordinance, 13 feet on the east and 15 feet on the west is the smallest they could ask for to build their typical building on. He stated the plan has landscaping and continued the ring road, moved the approach to the south to create more stack space and would appreciate the Board's consideration for their application.

Chairman Kimble stated that he was familiar with that corner at the intersection as it is one of the busiest in town. He advised that Giant Eagle is established and wouldn't be changing shape. He further explained that the applicant's request is a unique situation to ask for a 100% variance to build right to the property line and if it was all one parcel it would make sense. He advised that the applicant has a 26 foot wide driveway, a four foot vegetation barrier and they are 30 feet in between buildings which does abide by the City's codes if it was one lot. He stated that the fact that it isn't one lot is why the applicant was present at the meeting. He stated that visually it would blend in and the front of the building was pretty much in line with Giant Eagle's building. He explained that the whole reason the applicant was present was due to the residential district and the apartment complex but this site would be vastly far from that and not encroaching on their property or those residents by any means.

Mr. Pisko explained that he lived in Levonia, Michigan so he was familiar with the light patterns and understood that it gets dark early but the business is really a low volume business from 7 a.m. to 7 p.m. He stated that there isn't any light trespass, when the business goes dark, it doesn't attract customers. He advised that the business doesn't create any sight, sounds or smells and it closes early.

Member Masterson stated the City has had several different shopping centers and everyone likes to have their own parcel, their own land. As the Chairman was saying, if this was one gigantic parcel the Board wouldn't need a variance. She explained that taking a look at the entire pie, it

**BOARD OF ZONING AND BUILDING APPEALS
REGULAR MEETING – THURSDAY, OCTOBER 28, 2021**

PAGE 3

makes sense and the Board understands that each business, especially during Covid, everyone wants to have their own property, their own land. She asked if part of the reason that the applicant was asking for the variances was to keep their building on their parcel.

Mr. Pisko stated that was correct.

Chairman Kimble asked for questions or comments from the Board.

None were given.

Chairman Kimble asked for questions or comments from the public.

None were given.

Chief Building Official Fursdon advised that Jiffy Lube was not buying the property but were leasing it from Rini Realty and Rini could easily combine that if they wanted to. He stated he didn't know if it was a time factor and they wanted to get the project underway. He further explained that due to the fact that the site is an individual parcel, when the plan was reviewed the applicant was advised to get the side yard variance. Jiffy Lube wouldn't have its' own parcel. He explained that it would still be owned by Rini Realty, the owner of the whole shopping center.

Chairman Kimble stated it would be the same owners.

Chief Building Official Fursdon advised that was correct.

Mr. Pisko explained that there would be a memorandum of lease and Jiffy Lube is amiable to purchase a property and that's the best thing to do but in this circumstance a lease is just fine. The memorandum does define the terms of how they will interact property to property.

Ms. Wensing (seated in the audience) inquired as to how long the lease would be for.

Mr. Pisko advised that it would be for 20 years and then there are terms and terms and terms. He stated it was a long life lease.

Moved by Member Masterson and seconded by Thibodeaux to approve the variance.

A voice vote was taken and the motion carried.

Yes – 4 No – 0

APPLICANT: Diane Bija, New Creation Builders, 818 East 73rd Street,

OWNER: Cleveland, Ohio 44103
Charles Jacobs III, 36413 Westfield Drive, North Ridgeville,
Ohio 44039

REQUEST: Requesting variance to N.R.C.O. §1294.03 (e) (4) constructing a
2,716 sf outbuilding on a 24,300 sf lot with 12% lot coverage
requiring a 2% variance

LOCATION: 36413 Westfield Drive in an R-1 District
Permanent Parcel Nos. 07-00-026-104-044
CASE NO.: PPZ2021-0092

Chairman Kimble asked if there was a representative present.

Applicant was not present.

Chairman Kimble moved to change the order of the docket to the last order of business for the meeting in order give the applicant an opportunity to show up and it was seconded by Masterson.

A voice vote was taken and the motion carried.

Yes – 4 No – 0

APPLICANT: Todd Dahlquist, 4909 Stratton Mill Street, North Ridgeville,
Ohio 44039

OWNER: Same

REQUEST: Requesting a variance to N.R.C.O. §1282.11 (c)(3) for a 7 foot
front yard variance for an addition onto an existing garage.

LOCATION: 4909 Stratton Mill Street in an R-1 District
Permanent Parcel No. 07-00-031-000-150
CASE NO.: PPZ2021-0095

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

Chairman Kimble asked if there was a representative present.

Kendra Wensing & Todd Dahlquist, 4909 Stratton Mill Street, North Ridgeville, Ohio 44039,
were sworn in.

Chairman Kimble asked Ms. Wensing and Mr. Dahlquist to explain the application.

Mr. Dahlquist stated that he wanted to build an addition to put a third car garage onto his existing garage. He explained that it was an option that Ryan Homes offered to a lot of the builders. He stated that he didn't actually build the home but they did want it after the fact. He stated that he put together plans to build the addition but realized that they needed a seven foot variance to build what they wanted.

Chairman Kimble explained that he had been by the property and that it was unique how the house is angled. He stated that going down the side of the garage they had a fence that runs along it and goes into almost the side of the rear abutting neighbor's house. He explained that even with this addition being built it would still be lined up with the homes that are directly behind their property. The garage wouldn't stick out even more in front of the house behind them. He explained that their house is moved over more than the houses directly to the east of theirs and to right behind them. He advised that it would visually blend in with the neighborhood and didn't see any issues from a visibility aspect. He explained the visibility was the whole point of the ordinance for the two front yards on a corner lot, to make sure there are no visible obstructions for kids on sidewalks or someone walking their dog or even cars going around that intersection. He stated that he saw no safety hazards and it would blend in with the neighborhood.

Member Masterson advised that she drove around the neighborhood the previous day and every other house on the corner has a three car garage. She stated that the applicant's property appeared odd having a two car garage.

Ms. Wensing explained that she took a tape measure and measured straight out and took a picture of the house on the property behind them and it sticks out at least twenty feet outside of that.

Mr. Dahlquist stated that they parked a truck in the area of the proposed addition to see if it would obstruct anyone's view. He explained that coming up to that corner they have school buses that come there and pick up neighborhood kids and the last thing they wanted to do was to build anything that would be visibly dangerous for them to make their turns and to see what is coming. He stated the view is wide open.

Member Masterson inquired if the applicant was going to move the fence to be at the end of the addition.

Mr. Dahlquist advised that was part of the plan as well.

Member Masterson asked the Chief Building Official Fursdon if they would need a variance to move the fence.

Chief Building Official Fursdon explained that they would not. He stated that this becomes the new front line of the building so they would just conform with the new building line with the fence.

**BOARD OF ZONING AND BUILDING APPEALS
REGULAR MEETING – THURSDAY, OCTOBER 28, 2021**

PAGE 6

Member Cain stated he agreed that the addition would not obstruct the view. He explained that when he visited the property that they seem to be on a corner lot that didn't have a third garage and it was one of the few developments that he had been in in North Ridgeville that the fence actually went to the back corner of the house instead of all the way over in the side yard.

Member Masterson explained that most of the houses in that development the fence went off the corner of the house.

Member Cain agreed.

Chairman Kimble asked for questions or comments from the Board members.

None were given.

Chairman Kimble asked for questions or comments from the Administration.

None were given.

Chairman Kimble asked for questions or comments from the public.

None were given.

Moved by Member Cain and seconded by Masterson to approve the variance.

A voice vote was taken and the motion carried.

Yes – 4 No – 0

APPLICANT: Diane Bija, New Creation Builders, 818 East 73rd Street,
Cleveland, Ohio 44103
OWNER: Charles Jacobs III, 36413 Westfield Drive, North Ridgeville,
Ohio 44039
REQUEST: Requesting variance to N.R.C.O. §1294.03 (e) (4) constructing a
2,716 sf outbuilding on a 24,300 sf lot with 12% lot coverage
requiring a 2% variance
LOCATION: 36413 Westfield Drive in an R-1 District
Permanent Parcel Nos. 07-00-026-104-044
CASE NO.: PPZ2021-0092

Charles T. Jacobs III, 36413 Westfield Drive, North Ridgeville, Ohio 44039, was sworn in.

Chairman Kimble asked Mr. Jacobs to explain the application.

Mr. Jacobs explained that he wants to build a garage and was told that he couldn't build it because it would be too big for the property and also it was stated that he had two outbuildings, two A-frames on his property and that both of the A-frames were not present. He stated the outbuildings weren't present when he purchased the property.

Chairman Kimble asked Chief Building Official Fursdon if the A-frames were included in the math.

Chief Building Official Fursdon stated they were not. He explained that he was told that both of the A-frames were removed. He stated it wasn't clear when or where they were removed by the builder but was told that both of the A-frames were removed or would be removed so he based the math on the new building and the size of the lot and the existing home. He further explained that the math includes the home and any outbuildings because the applicant is over a half acre. He stated 10 percent is allowed and the applicant is at 12 percent which is just slightly over and is why the variance is needed.

Mr. Jacobs stated that when he looked at the plan and it was showing two outbuildings, they were never there. He explained he was trying to figure out how he would go about stating the outbuildings were never there to the County to be able to have it removed from the plan.

Chief Building Official explained that not only for that but the applicant should go to the County or contact them to find out what is required because he was still paying taxes on them, to save himself additional taxes.

Mr. Jacobs agreed.

Chairman Kimble stated he had been by the property and one thing he noticed driving down the road was that there are several properties that have very large outbuildings in the backyard. He explained that a two percent variance is very minimal and didn't believe that anyone would say that the proposed outbuilding was too big or that it stood out. He further explained that it would blend in with the neighborhood.

Mr. Jacobs stated that the reason for the placement of the outbuilding was so that it wouldn't be visible from the street and also to free up some of his driveway due to the fact that he has plenty of cars.

Member Masterson explained that she agreed and that it was a two percent variance and that it was so minimal no one would notice a two percent variance.

Mr. Kimble stated that in looking at the plan it appears the outbuilding will be closer to the house as opposed to the rear property line and wasn't sure it would be seen from the street.

Mr. Jacobs stated that he didn't want to attract attention.

**BOARD OF ZONING AND BUILDING APPEALS
REGULAR MEETING – THURSDAY, OCTOBER 28, 2021**

PAGE 8

Chairman Kimble asked for questions or comments from the Board members.

None were given.

Chairman Kimble asked for questions or comments from the Administration.

None were given.

Moved by Member Cain and seconded by Thibodeaux to approve the variance.

A voice vote was taken and the motion carried.

Yes – 4 No – 0

OTHER BUSINESS:

No other business.

ADJOURNMENT:

The meeting was adjourned at 7:30 PM.

Shawn Kimble
Chairman

Tina Wieber
*Recording Secretary/Deputy Clerk of
Council*

Thursday, November 18, 2021
Date Approved