

**NORTH RIDGEVILLE BOARD OF ZONING & BUILDING APPEALS  
MINUTES FOR THE REGULAR MEETING HELD OCTOBER 22, 2015**

**TO ORDER:** The meeting was called to order at 7:00 P.M. with the Pledge of Allegiance.

**ROLL CALL:** Present were members Mario Cipriano, Martin DeVries, Tim Anderson, Vice Chairman Linda Masterson and Chairman Shawn Kimble.  
Also present were Chief Building Official Guy Fursdon, Assistant Law Director Toni Morgan and Secretary Donna Tjotjos.

**MINUTES:**

Chairman Kimble asked if there were any corrections to the regular meeting minutes dated September 24. Hearing none, he entertained a motion.

It was moved by DeVries and seconded by Anderson to approve the minutes of the regular meeting dated September 24.

Chairman Kimble asked the Clerk to call the roll.

Yes, 4            No, 0            Abstain, 1 (Cipriano)

Motion was approved by a vote of four yes, zero no and one abstention.

**REPORTS:**

Chairman Kimble asked if there were any reports from Planning Commission.

No report

Chairman Kimble asked if there were any reports from Board of Flood and Drainage.

No report

**OTHER REPORTS AND CORRESPONDENCE:**

Chairman Kimble stated since there are no other reports or correspondence, he asked the Clerk to read the application under public hearings.

**PUBLIC HEARING:**

**APPLICANT:** Dennis Haynes, Denny's Mower Repair and More, 36466 Sugar Ridge Road

**OWNER:** Same

**REQUEST:** A 15 foot side yard variance to construct an additional building.

**LOCATION:** 36466 Sugar Ridge Road in an I-2 District  
Permanent Parcel No. 07-00-026-101-004

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

Chairman Kimble asked if there was a representative.

Dennis Haynes of 36466 Sugar Ridge Road was sworn in.

Chairman Kimble asked if he could explain his application.

Dennis Haynes explained he is running out of space at his property and a lot of stuff has to be left outside and of course this new building would be what he needs. He has a long narrow lot that placement will be of importance for efficiency, maneuverability and so on. That is why he is asking for the 15 foot variance from the normal 25 feet to 10 feet on the west side of the property. It would work out much better in the place it is, due to possible future expansion to the north if needed. Basically the building can't go crossways of the business because it would then render the back lot useless and make it impossible to get to, to maintain it. The leach field is on the east side and he can't build on top of that because of the accessibility to the field if anything needed to be done to it. He concluded that this is why this is the best location for him and for the efficiency of his business.

Chairman Kimble asked if the building was placed crossways would it interfere with the leach field.

Dennis Haynes stated yes. The leach field extends roughly 35 feet at an average because the piping is different lengths for the field. To turn it long ways across the lot would basically give him minimal space to go around each side and it would cut off the whole back of the property. If he needed to expand, he would have to build a building the same way behind it again and so going around the property and having the right of way to get back through there would be tight. The east side was basically the same problem with the leach field. He couldn't build it on top of that. The location where he is proposing would be the best in order for it to be used the way he is going to use it.

Chairman Kimble stated that the applicant would have to go further back just because in doing the math with what property is there, he would have to be behind the leach field to even be able to go across the property. It would destroy any chance of having any future expansion. He agrees with what the applicant has planned. He asked if there was going to be a garage door going straight in.

Dennis Haynes stated no. They are both going to be facing eastward. Two doors facing east a man door facing the roadway along with a window for daylight to get in there. He explained that he would be planting some bushes up front.

Chairman Kimble asked if customers would be using this building or would he still be using the main building.

Dennis Haynes stated that it would be used for storage because there is so much equipment sitting outside and what happens is there are people who just drop stuff off for winter clean up or getting their equipment ready for spring, they don't want their baby sitting outside. When he has 15 to 20 mowers inside already, he has no place to put them and so rather than tarping them or just having them sit out. Most mowers are weatherproof anyway, it won't hurt them, but in the customer's eyes it is like putting a convertible outside without the top on. Thus, he is losing business because the customers won't leave the mowers there.

Chairman Kimble asked if there were any members that would like to speak on this matter.

Member DeVries stated he was out to the property and one of his concerns with the original structure of the building being built that close to the property line was the water shed and he can see that he has taken a number of steps to address that as far as drainage down the property line. He knows the area very well as he used to ride horses back there as a kid and so, if you look to the east Ohio Edison has power lines right there and to the west, there is a storage facility. However, the applicant isn't going to be adding any kind of lighting to shine in that direction. There is no access in that direction that will cause any sound or nuisance to the neighbors and when he was there he noticed quite a bit of inventory stacked up behind the main building. If anything, he believes the neighbors would appreciate him putting that inventory inside a barn. He thought the plans looked good and he believes this would actually increase the neighborhood's look.

Member Cipriano was out to the property as well and he can see the difficulty really trying to place that structure somewhere else because of the leach field and in the future, if he wants to expand the building, then this building would be in the way. He could see why it wouldn't go clear in the back because it is too far away. There is still quite a bit of clearance even with the variance to the next structure, which is the storage facility. He believes that this applicant does have a challenge and difficulty. He agrees and believes it is a good plan.

Member Masterson stated she was at the property and went after dark, which was about 7:30 last night. She did notice the very large inventory. She was able to pull pretty far into the property and she is glad to see the business going better. She understands the practical difficulty. She doesn't see a better location for this structure other than where the leach field is, however, that is not the Board's concern on its location. She stated one of the reasons this Board is here is to grant variances when there are extreme unique situations. The situation is that he has grown and he needs to house the inventory for his clientele. She thanked the applicant for expressing his practical difficulties quite well.

Chairman Kimble asked if there were any other questions or comments from the Board. Hearing none, he opened the floor to the audience for questions or comments. He asked the gentleman to state his name and address so that he could be sworn in.

Peter Miska of 153 Xavier Street, Elyria and current condo association owner was sworn in. He stated that he knows Denny a little bit and he tends to agree a little bit of what he is trying to do. He understands from the business point of view and he agrees that he needs someplace to put some of that equipment. He stated that he has taken his own pictures just in case there needed to be some sort of resolve here. His question as a condo owner is how he is actually going to have his customers come in and drop the stuff off. He doesn't have a big complaint about it, but there are some of his customers that use their condo association to drive around and do the load and unload. As the people come in and with the building being there, will they be cutting through? Currently there is a small fence in part of the section. It almost looks like the new building will be close to where that fence is. There is a small ditch there for the drainage of the water. His only concern and question is the people coming in to drop off their equipment and picking up there equipment and asked if the applicant could provide a little bit of information on that.

Chairman Kimble stated that he did ask about that and asked if the applicant could address those concerns. He stated that he asked where the entrance door would be coming in and the applicant did state it would be on the east side. It is on the opposite side of the building.

Peter Miska stated currently, the customers will come and use the condo area as their drop off and pick up area.

Dennis Haynes explained that he tells the guys, because they have long trailers and dump trucks and they have pulled up and driven through the grassy area. That is why he is putting the building there so it kind of keeps them from pulling up there because they will have to go around the building now. He stated that there will be shrubbery that will come off the lower corner and that will create a blockage. He also is taking steps to create an area in the back for his employees to park. As it stands right now, they are parking up front. He stated this way when the customers come in with the trailers, they can easily turn around and come back to the back of the building to unload. He has asked them not to go across the street because he doesn't own that property and he is glad that he brought that up because that is something he was going to cover. He explained that the fence is quite a ways back. He believes that where the end of the building is to the fence is about 35 to 40 feet. There is only about 35 feet of the fence left. He is taking steps to deter them. Right now, he can only tell them not to do that.

Chairman Kimble asked if there was anyone else in the audience that would like to speak on this matter. He asked if there were any other questions from the Board. Hearing none, he entertained a motion.

It was moved by Masterson and seconded by DeVries to approve the 15 foot side yard variance to construct an additional building.

Chairman Kimble asked the Clerk to call the roll.

Yes, 5            No, 0

Motion was approved by a vote of five to zero.

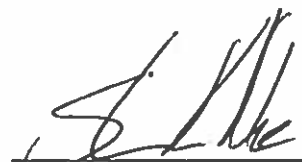
**OTHER BUSINESS:** None.

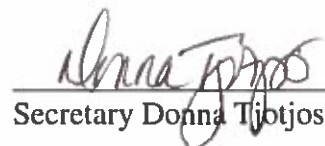
**ADJOURNMENT:**

Chairman Kimble moved to adjourn the meeting. He asked all those in favor of adjourning the meeting signify by aye.

**MOTION CARRIED**

The meeting was adjourned at 7:17 P.M.

  
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Chairperson, Shawn Kimble

  
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Secretary Donna Tjotjios

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November 19, 2015