

**NORTH RIDGEVILLE BOARD OF ZONING & BUILDING APPEALS  
MINUTES FOR THE REGULAR MEETING HELD NOVEMBER 17, 2016**

**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, Planning Commission Liaison Tim Anderson, and Vice Chairperson Linda Masterson.  
Absent and excused is Chairperson Shawn Kimble.  
Also present were Assistant Law Director Toni Morgan, Chief Building Official Guy Fursdon and Deputy Clerk Donna Tjotjos.

**MINUTES:**

Vice Chairperson Masterson asked if there were any corrections to the minutes dated September 22, 2016. Hearing none, those minutes will stand approved and will be placed on file.

Vice Chairperson Masterson asked if there were any corrections to the minutes dated October 27, 2016. Hearing none, those minutes will stand approved and will be placed on file.

**REPORTS:**

Vice Chairperson Masterson asked if there were any reports from Planning Commission.

Member Anderson stated yes. The second application on tonight's docket was approved by Planning Commission during their last meeting.

Vice Chairperson Masterson asked if there were any reports from Board of Flood and Drainage.

Member Cipriano responded that at the Board of Flood and Drainage Control meeting, they discussed the awarding of the Ohio Turnpike Grant which will allow some remediation and inclusion of a 72 inch pipe to the west point basin and there are a couple of other projects going on. Some state funds were awarded for the Mills Creek flood control and also Cross Creek Subdivision which is known as the lots and ditch work. In summary, we've received some monies from the state and the Turnpike and we are using those monies to remediate areas, based on priority that is the source of the worst problem flooding of the city.

Vice Chairperson Masterson thanked both members for their reports. She asked if there were any other reports. Since there were no other reports or correspondence, she moved the meeting on to the Public Hearings. She asked if the Clerk would read the first application.

**OTHER REPORTS AND CORRESPONDENCE:**

**PUBLIC HEARING:**

**APPLICANT:** Lynn Stern, Scissor Wizards Mobile Dog Grooming, 5401 Manning Street

**OWNER:** Same  
**REQUEST:** Approval to park a mobile dog grooming recreational vehicle on property to be used for home occupation in an R-1 District.  
**LOCATION:** 5401 Manning Circle in an R-1 District  
Permanent Parcel No. 07-00-019-000-208  
**(Postponed during the regular meeting September 22, 2016)(Postponed during the regular meeting October 27, 2016 for inspection)**

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

Vice Chairperson Masterson asked if there was a representative present. She asked the representative to state her name and address so that she could be sworn in.

Lynn Stern, 5401 Manning Circle was sworn in.

Vice Chairperson Masterson stated that the Board had postponed action on this case so that the Building Department could go and inspect to ensure that everything that was stated during the last meeting was in compliance. She addressed the Chief Building Official and asked if that was done.

Chief Building Official Fursdon explained that the department supplied pictures that were taken today.

Secretary Tjotjos explained that the first three photos were taken on October 28 and the last three photos were taken today.

Vice Chairperson Masterson asked if everything had been done that was asked.

Chief Building Official Fursdon stated that as the Board Members could see from the photos, it appears that they are not driving on the tree lawn. They have put more gravel in and they are parking the vehicle behind the front building line and in previous photos they have something on the vehicle that blocks the signage in order that it look like an average mobile home.

Vice Chairperson Masterson asked if the representative has any additional comments that she would like to state regarding her application that hasn't already been said.

Lynn Stern stated that she will continue doing this like this. She will not drive over the grass anymore and she will keep the vehicle back and keep the boards on the windows.

Vice Chairperson Masterson asked if the Members had any questions.

Member DeVries stated that this issue was discussed before and what did the representative decide to do about the waste management.

Lynn Stern stated that she puts it down the toilet.

Member DeVries asked if that was working successfully right now.

Lynn Stern stated yes.

Member DeVries stated that he is pro-business and he is a dog lover. He can see that the representative has taken a lot of steps to get this done. The vehicle isn't sitting out in front of the property and she isn't going across the tree lawn which were issues that the neighbors had and the Board had. He stated that the Board appreciates the applicant working with the city and he believes that it is a heck of an improvement.

Member Masterson reiterated what Member DeVries just stated. The point of a home occupation is to look like there isn't being anything done at that location as far as the waste and if this applicant is in violation, the building department and the health department will take the applicant up on that. She asked if anyone in the audience would like to make a comment regarding this application. Hearing none, she asked if the Administration had anything they would like to comment on. Hearing none, she entertained a motion.

Member Cipriano made a motion to approve the variances as previously stated.

Member DeVries seconded.

Vice Chairperson Masterson asked if the members had any questions on that motion.

Chief Building Official stated that this is not a variance. It's an approval for home occupation.

Member Cipriano stated he would restate his motion.

It was moved by Cipriano and seconded by DeVries to approve the business occupancy to be granted to the applicant as requested.

Vice Chairperson Masterson asked if the members had any question on the motion. Hearing none she asked the Clerk to call the roll.

Yes, 4                      No, 0

Deputy Clerk Tjotjos addressed the Chair and announced the motion was approved by a vote of four to zero.

Vice Chairperson Masterson asked the Clerk to read the next application.

**APPLICANT:** Mike Lipowski, Perspectus Architecture, 13212 Shaker Square  
**OWNER:** University Hospital, 2047 Cornell Road, Cleveland, OH 44106  
**REQUEST:** A variance of 122 parking spaces to allow for only 220 parking spaces  
**LOCATION:** 32800 Lorain Road in a B-4 District  
Permanent Parcel No. 07-00-010-107-048, 07-00-003-101-020, 07-00-003-101-021

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

Vice Chairperson Masterson asked if there was a representative present. She asked the representative to state his name and address so that he could be sworn in.

Mike Lipowski, Perspectus Architecture, 13212 Shaker Square, Cleveland, Ohio was sworn in.

Vice Chairperson Masterson asked the representative to explain his request.

Mike Lipowski stated that they have two reasons for requesting this variance. The first is that they have looked at other University Hospital facilities that are of similar size and similar function and those facilities average around 200 parking spaces. The second reason is that this project is pursuing best management practices and a couple of the lead points that they are pursuing are in storm water management. They understand that the city has some storm water issues and they believe that reducing the number of parking spaces would only help the storm water runoff for the city.

Vice Chairperson Masterson agreed on the lead point of view. She addressed Chief Building Official Fursdon and asked if the city has done anything with the parking lot ordinances. She asked if they have ever been updated.

Chief Building Official Fursdon stated that nothing has been done in at least 15 to 20 years.

Vice Chairperson Masterson stated that the city is still asking for an excessive number of parking spots. We generally don't meet the criteria of what the needs are of the business.

Chief Building Official Fursdon stated that it could be because if you look at something like retail. All retails are not the same. A grocery store would demand more parking than maybe a convenient would even on a square footage basis. It is kind of a difficult thing to narrow down but it certainly could probably be revisited and looked to see if it was adequate. The last time they changed that, it was in reference to the retail. Years ago the retail requirement was three and a half square feet of parking per one square foot of building. If you maxed out your 25% lot coverage, you couldn't have enough parking. It seemed rather excessive and so they changed it to the 200 at an applicant's recommendation and thought to be at that time to be the rule of

thumb, but every retail is not the same, every office and every medical facility is not the same.

Vice Chairperson Masterson stated that two other obstacles that this site has is a very large existing pond and a very large existing wetland, which would lead this applicant to have multiple difficulties in meeting the parking requirements. She asked if any member had comments or questions.

Member DeVries stated that on page six it states that the applicant points out there are other University Hospital facilities with the same situation and he asked for examples.

Mike Lipowski stated there is one in Twinsburg right off of 480 and 91 and a recent one is in Concorde right off of 90 by Quail Hollow.

Member DeVries asked how long they have both been open.

Mike Lipowski stated one has been open for four years and the other six years.

Member DeVries asked if there were any issues in parking.

Mike Lipowski stated the one in Concorde; they actually roped off some of the spots. He wasn't sure why, but those parking spaces haven't been used.

Member Cipriano asked how many full time employees will be there.

Mike Lipowski stated the facility has ten different physician suites and they are never all there at the same time, which is another side reason for the variance. They calculated and at most there could be 88 employees in the building.

Member Cipriano asked if there were any average numbers to the visitors of the facility.

Mike Lipowski stated he didn't have those numbers.

Member Cipriano stated that the facility doesn't have any permanent beds.

Mike Lipowski stated that was correct. It is all outpatient and physician offices. There is an emergency department. Another good example as to why this code is not applicable to them is that the emergency department is 10,000 square feet and there are only 14 exam rooms. So, if you do the math, you need 60 parking spaces for potentially 20 to 30 people if it was fully occupied.

Vice Chairperson Masterson asked if the Administration had any comments or questions.

Chief Building Official Fursdon stated that if he understands this is only the first phase for this facility. They have possible future plans for developing this further.

Vice Chairperson Masterson opened the floor to the audience and asked if anyone had any questions or comments. Seeing none, she moved the discussion back to the Board members. She asked if the Board members had any additional comments. Hearing none, she entertained a motion.

It was moved by Cipriano and seconded by DeVries to grant the variances as stated in the application.

Vice Chairperson Masterson asked the members if they had any questions on the motion. Hearing none, she asked the Clerk to call the roll.

Yes, 4                      No, 0

Deputy Clerk Tjotjos addressed the Chair and announced the motion was been approved by a vote of four to zero.

Vice Chairperson Masterson asked the Clerk to read the next application.

**APPLICANT:** Chris Copeland, P.E., The Mannik & Smith Group, Inc., 23225  
Mercantile Road, Beachwood, OH 44122  
**OWNER:** Brixmor Property Group, Inc., 22054 Farmington Road, Farmington,  
MI 48336  
**REQUEST:** Approval of the following variances to construct a new building.  
1). Variance to eliminate the required ten foot buffer strip along  
right of way.  
2). Variance of 74 parking spaces to allow for only 279 parking  
spaces.  
**LOCATION:** 33701 Center Ridge Road in a B-3 District.  
Permanent Parcel Nos. 07-00-008-116-019 and 07-00-008-116-020

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

Vice Chairperson Masterson asked if there was a representative present. She asked the representative to state his name and address so that he could be sworn in.

Steven Hermiller, Mannik & Smith Group, Inc. 23225 Mercantile Road, Cleveland, Ohio; Chris Copeland, Mannik & Smith Group, Inc. 23225 Mercantile Road, Beachwood, OH; Mark Salma, Brixmore Property Group, 22054 Farmington Road, Farmington, MI were all sworn in.

Vice Chairperson Masterson asked the representative to give the Board a brief explanation of the

project.

Steven Hermiller explained that this project has a lot going on with the road widening improvements. Induced on the property owner was the road widening and noted on the drawing in the upper right corner there is a bare spot where they are moving the new right of way further into the property on both sides. What is depicted on this plan is the red area, which is the area that the variance is for tonight. The item in orange is the displacement of the property line only to accommodate a new building facility, which will be presented to Planning Commission during their next meeting. Focusing on the area in red with the new adjusted right of way line, the right of way bumps out the three parking spaces that are up in the corner area. The reason it bumps out is because the engineers from ODOT put a guy-wire that stretched down into the property and they put a ten foot by ten foot right of way bump or finger that jets into the property and so, when they offset that ten feet, thereby causing those three spaces to be in violation when technically, it would be nice to have a seamless row of parking, which were going to park up to where the guy-wire would be. They will have curbing and those types of features so that there will be no impediment. It won't touch the right of way; it is just a request for that encroachment. Then on the pie shaped piece that slivers down, the reason it goes at that angle is because the existing pavement goes all the way further to the right of way today. They are just pulling it back to accommodate more green space. They will probably be eliminating some of that asphalt that people currently park on today. What they want to create is a linear row of parking that is esthetically pleasing where people don't have to drive around the bump outs around the parking area. The eastern southern side shows somewhat of an island down at the bottom where they are just trying to transition more smoothly as you head up to the intersection. Those parking spaces narrowly go from a ten foot encroachment to basically nothing as you head to the north. The parking count request; at no fault of their own, the take caused an elimination of 74 parking spaces and they were happy to find a new tenant and use for this facility so quickly. They are actually working with ODOT and the Attorney General's Office to speed things up quicker so that they can make this a more viable business faster and lift some of the regulations that ODOT has in place currently. The original parking count on the shopping center was a 5.89 per thousand which is a very high count in the retail standards. As a matter of fact they are actually lowering those regulations now to 3.3 because of the mixed use dynamic on shopping centers. Their current count is 4.65. They went from 5.89 down to 4.65 which still are acceptable in terms of the retail standards. Those are the two items that are being requested for variances.

Vice Chairperson Masterson stated as she stated before for the previous applicant, she believes that our parking lot requirements are excessive. We are all familiar with this location since there has been so much construction down there for such a long time and she thinks it is a very reasonable request. She believes that the way the new structure is located on the property is very good use considering the state already took one of the buildings. She believes that this application has met more than enough of their requirements for hardship. She asked if the Board had any comments.

Member Cipriano asked what the facility will be in order to understand the type of traffic in and out.

Steven Hermiller stated that the use is going to be less, but it will be a bank use and it won't be a restaurant use so it will be much less from the trip generation stand point. He added that the original building that was there was 2800 square feet. This facility is being reduced to 2,000 square feet. That also plays into the count of the formula for parking. They are doing the best that they can to accommodate the current requirement.

Member Cipriano addressed the Chief Building Official and asked if this would impede on the sidewalks that need to be there in terms of the ten foot buffer.

Chief Building Official Fursdon stated that they could put wall blocks in the parking that would prohibit them from going passed their property into the sidewalk area. The sidewalk won't be right up against the right of way line. It will be maybe a foot to two feet in on the right of way.

Member Cipriano stated that it seems to be about 30 feet from the curb to the street right now.

Chief Building Official Fursdon agreed but asked him to keep in mind that from the curb to the end of the right of way, somewhere in there they will put a city sidewalk.

Member Cipriano added that there is a slight grade there as well.

Vice Chairperson Masterson asked if any other Board members had any questions. She asked if the Administration had any questions. Hearing none and seeing no one in the audience to make comment, she moved the discussion back to the Board.

Chief Building Official Fursdon agreed with the Board and stated that the bank is going to be busy during the day, the restaurant on that site is busy at night and Pat Catans is busier in the evenings and weekends and so, he believes it is a good fit. He has never seen a parking problem up at that facility, even when both restaurants were there.

Member Cipriano added that he was up there this evening and the restaurant was booming up there and the store was still open and there were still lots of parking spots that were open.

Vice Chairperson Masterson asked if there were any other questions from the Board. Hearing none, she entertained a motion.

It was moved by Cipriano seconded by Masterson to grant the variances as requested in the application.

Vice Chairperson Masterson asked the Clerk to call the roll.



Yes, 3

No, 0

Abstain, 1 (DeVries)

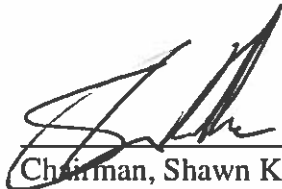
Deputy Clerk Tjotjos addressed the Chair and announced the motion was approved by a vote of three yes, zero no and one abstention.

**OTHER BUSINESS:**

**ADJOURNMENT:**

Vice Chairperson Masterson announced since there is no other business to be brought before the Board, she adjourned the meeting.

Meeting was adjourned at 7:30 P.M.

  
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Chairman, Shawn Kimble

  
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Secretary Donna Tjotjos

December 22, 2016