

**NORTH RIDGEVILLE PLANNING COMMISSION  
MINUTES OF REGULAR MEETING  
TUESDAY, APRIL 12, 2022**

**CALL TO ORDER:**

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

**ROLL CALL:**

Present were members Steve Ali, Paul Graupmann, Vice-Chairwoman Jennifer Swallow, Chairman James Smolik and Council Liaison Bruce Abens. Also present were Chief Building Official Guy Fursdon, Planning & Economic Development Director Kimberly Lieber, City Engineer Dan Rodriguez and Deputy Clerk of Council Tina Wieber.

**MINUTES:**

Chairman Smolik asked if the members had a chance to review the minutes of the regular meeting on Tuesday, March 8, 2022. He asked if there were any corrections. Hearing no corrections, the minutes were approved.

**NEW BUSINESS:**

**North Ridgeville City Schools, 34600 Bainbridge Rd, PPN 07-00-016-104-233**

Applicant: John Moosbrugger, Modular Classrooms, LLC, 1545 Brennen Rd, Columbia, South Carolina 29206. Proposal consists of installation of modular classroom building for use at the North Ridgeville High School. Property is zoned R-1.

Application and Administrative comments were read.

Planning and Economic Development Director Lieber explained that the Commission would be receiving Staff Meeting Bulletins included in their packets summarizing the pre-hearing meetings going forward. She explained that she did have recommendations from that meeting regarding the applicant overlaying the proposed trailer with existing conditions and giving a little more context as to what would remain and what would be removed and how the existing would tie into the proposed project. She added that they had answered quite a few questions that she had in the plans that they resubmitted but noted that the fire department had requested that all the parking that would be removed would be converted to a fire lane so whatever stripping or signage that may be required by the fire department should be included. She remarked that she still had some concern regarding the north end where the trailer and the new concrete walks intersect with the existing concrete walks. She explained that on the plans it showed a set of stairs which illustrated a grade change. She further explained that where existing sidewalks connect with the proposed new walks and ramps there needed to be detailed to ensure that the elevations make sense, the grades make sense and the access makes sense as well. She stated that clearly the schools needed to get the project done and those details would make sure that it was

safe and compliant.

Chairman Smolik asked the applicant to state his name and address for the record.

Chris Burn, Modular Classrooms, LLC, 1545 Brennen Rd, Columbia, South Carolina 29206.

Mr. Burn indicated that he was representing John Moosebrugger. He stated that a couple of the questions regarding the plan were the parking lot and the grass area underneath the building. He advised that they would be leaving that area alone and wouldn't be digging anything up or moving it. He explained that they would be putting piers in the ground where there is grass and they would put piers in the ground where the asphalt parking lot was. He stated that they would be removing the parking and making it a true fire lane for the fire department. He asked if there was a question regarding ADA compliant ramps.

Planning and Economic Development Director discussed that her concern was on the north side of the modular unit where they showed the ramp location and new stairwell location, that it connects with the existing concrete walk and that there was a grade change on that side of the property. She advised that she wanted to make sure that on the detail that when they pulled the permit they take into account those grade changes.

Chairman Smolik advised that the existing sidewalk ran four feet higher than the existing parking lot. He explained that where they had the varsity baseball field, there was a mounding where the parents sat and that was what elevated that sidewalk.

Mr. Burn remarked that it had to meet at 112 and that it couldn't be any greater than that. He stated that he would mention that to the architect but that it might have to be dug out some to make that work. He indicated that he was familiar with that hill but didn't have the grade. He added that they were putting two ADA handicap ramps on either side of the structure.

Chairman Smolik stated that unfortunately the school wasn't there but he wanted to know the ultimate end game as far as if the structure was temporary or semi-temporary and what they were looking for.

Mr. Burn explained that they had purchased the building and did not lease it but how long they planned to keep it he wasn't sure. He stated that a lot of schools purchase them and then sell them again. He advised that from what he had heard it wouldn't be permanent and the school board asked John if he would buy it back at the end of that particular project. He indicated that as far as he knew it wasn't permanent.

Chairman Smolik asked if their schedule was for the Fall of 2022.

Mr. Burn stated that was correct. He indicated that all of the buildings were there and had been staged. He explained that the school had a lot of people ready to go to work and have the classrooms in by July before school starts.

Chairman Smolik asked if there were any questions or comments from the Commission.

Councilman Abens asked if it was a used unit.

Mr. Burn stated that it was.

Councilman Abens asked if it had been recertified.

Mr. Burn explained that he wasn't sure.

Councilman Abens mentioned that he would have to do that.

Chief Building Official Fursdon advised that it was considered a moved building by the Building Code. He stated that the architect indicated that he was going to redraw it for the City when he spoke with him so they would have plans on how it was constructed.

Councilman Abens explained that his understanding of the code as it pertained to modulars, the plans would need to be recertified by the State of Ohio and get an Ohio Seal. He further explained that the Ohio Seal expired the first time it's placed. He then asked who the builder was.

Mr. Burn stated that he wasn't sure. He advised that it was an Ohio Code building and that it didn't really matter who built it as long as it was up to Code.

Chief Building Official Fursdon replied that it was a moved structure.

Mr. Burn explained that it was a relocated structure and was no longer compliant with the State. He advised that if they wanted to go and take apart the walls that that could be done.

Chief Building Official Fursdon replied that it was treated as a relocated structure and to the best of his knowledge that hadn't changed.

Mr. Burn replied that it wouldn't be considered a certified modular building but a relocated structure.

Councilman Abens indicated that from what he had seen regarding the specifications of the building that it was a temporary building and wasn't permanent.

Chairman Smolik stated that he had questions and wasn't sure if Mr. Burn would be able to answer them as they were directed more toward the School Board. He stated that he wasn't fond of the location especially because they were putting the building over a sanitary cleanout.

Mr. Burn remarked that he had seen that and that there would be access to that. He stated that the structure would be completely off the ground and that there were other accesses as well.

Chairman Smolik asked if the school had thought about rotating it 180.

Mr. Burn replied that he knew that it had to be 30 feet from both existing structures but he didn't know if they could come any closer.

Chief Building Official Fursdon stated they could not.

Chairman Smolik explained that they could still hold that offset and just rotate it. He advised that to the east there was grass and it wouldn't hurt anything.

Mr. Burn pointed at the drawing and said that they couldn't move that way.

Chairman Smolik replied that they could.

Mr. Burn remarked that they could but with the mound they didn't want to go into that big expense.

Chairman Smolik asked if they had looked at alternative positions of the structure.

Mr. Burn advised that that was the only one that he knew of where they wanted to put it. He explained that they weren't given a choice and that maybe that was a question for the school board.

Chairman Smolik indicated that it appeared they had already started putting up temporary barricades for bringing the students over to that section. He stated that he didn't know if Mr. Burn had been there but that it looked as if there was a dust collector in the same hallway that they would be bringing the students through and he wasn't sure about the noise. He remarked that unfortunately the school board wasn't there. He added that in order for students to access the structure they would be going through the hallway adjacent to the mechanical arts rooms and there was a huge dust collector there.

Mr. Burn commented that for doored access he noticed that there were four different accesses into the school and asked where he was talking about.

Chairman Smolik stated that it would be the upper left of the drawing. He remarked that the units were on the parking lot. He then asked if they would be painted.

Mr. Burn replied that he thought they would be completely resided.

Chairman Smolik asked if there was a rendering of what the final product would look like.

Mr. Burn advised that he wasn't sure but he thought it was vinyl siding that they would be putting on the modular classroom.

Chairman Smolik asked if there were any other questions or comments from the Commission.

Vice-Chairwoman Swallow asked if the unit would be connected to the building for access from inside.

Mr. Burn mentioned that it wouldn't be physically connected but would have an access to the center hallway that goes down the building and pointed to another location on the drawing to get into the existing school.

Chairman Smolik asked if there were any questions or comments from the Administration.

Chief Building Official Fursdon replied that it was his understanding that it was temporary until they could get plans in place to build a new high school and approval for that and then the unit would be gone.

Councilman Abens asked if the main hallway was fire rated because it should be.

Mr. Burn stated that he didn't know that.

Chairman Smolik advised that it appeared to be an enclosed fabric cloth hall.

Mr. Burn stated it was vinyl gyp and that they had been building them that way since 1986. He mentioned if it was going to be fire rated he thought it would have been because Ohio is pretty strict with building codes. He explained that if it was a suspended ceiling they had to make sure that when they reconnect each section they had to be fireproof but that this was a solid roof. He added that if it had to be hour rated it was five-eighths drywall. He didn't think it needed to because there was a break in the building, it was 30 feet from the building and you could get out at either end.

Councilman Abens discussed that at St. Martin De Porres they had to have a two hour rated hallway for four classrooms.

Mr. Burn advised that it might have been that way because of how it was sitting.

Councilman Abens stated that they were unable to do that so they had to put up ramps at every door.

Chairman Smolik asked if there were any questions or comments from the audience.

None were given.

Chairmand Smolik asked for questions or comments from the Commission.

None were given.

Chairman Smolik stated that he was disappointed that the school board didn't show up because he had some questions for them as far as what they were thinking for the location of the project and the orientation and what would be their main way of getting students in and out.

It was moved by Grapuman and seconded by Ali to approve the plans.

A roll call vote was taken and the motion carried.

Yes – 3      No – 1      Abstained – 1

**T 58-2022**

An Ordinance amending various sections of Chapter 1294 supplementary regulations of the North Ridgeville Zoning Code in order to update the City's fence regulations. Note: Also provided as a companion piece is **T 57-2022** An ordinance repealing section 660.12 fences of the North Ridgeville general offenses code.

Chairman Smolik asked Planning and Economic Development Director Lieber for comments.

Planning and Economic Development Director Lieber indicated that she would defer to the Council Sponsor Councilman DeVries if he would prefer to give a summary and then she would follow up or if he preferred she would give the summary.

Councilman DeVries stated that he would hand it over to her since she had all of the information down.

Planning and Economic Development Director Lieber advised that the amendments proposed to Chapter 1294 Supplementary Regulations were initiated in response to the number of variances being sought and approved by the BZBA for front yard fence height, mainly on corner lots where the fence was behind the house but located between the dwelling and street line. She stated the current code allows for three and half foot of height and that residents filing for variances reported challenges meeting the requirement, as commercially available fencing materials come in standard 4-foot heights. Therefore, every month there were several of these variance requests for BZBA. She further stated that making this change provided staff the opportunity to look at other ways of improving this area of our zoning code. They looked for other places in the codified ordinances that addressed fencing so they could eliminate conflict and ideally locate all fencing regulations in one spot in the code so that anyone looking to install a fence would have one place to refer to. She went on to explain the changes that have been made.

**1294.01(e) *Swimming Pools***

- Removed 5 foot height limit from pool fences. Pool fences would be subject to the 6 foot height limit of all other residential fences.

1294.01(h) *Fences*

- Grouped regulations into categories: applicable to all fences, fences in residential districts, fences in non-residential districts.
- Clarified what is meant by “good side” of fence.
- Defined living fence and make height limits consistent with regulations in Section 1032.06 (Master Tree Plan).
- Included language prohibiting fences from impeding visibility, access to utilities or flow of stormwater.
- Prohibited electrically charged fences (consistent with T-57 Repeal of Section 660.12).
- Increased height limit of front yard fences in residential districts from 3.5 to 4 feet, maintaining 50% open.
- Improved language around fences installed along property lines, establishing criteria to determine when a fence can be placed on a property line and when an offset is required.
- Prohibited barbed wire fences in residential districts. Allow two strands of barbed wire in non-residential districts with minimum distance of 6 feet to ground (relocation/amendment from Section 660.12).
- Changed reference from “B and I” districts to non-residential districts to encompass any and all non-residential districts now or as named in the future.

Chairman Smolik stated that currently the code allows the electric fence and now they were trying to remove that section of the code.

Planning and Economic Development Director Lieber advised that was correct.

Chairman Smolik asked if someone would want it would they go to BZBA.

Planning and Economic Development Director Lieber advised that was correct.

Councilman DeVries advised that he had a discussion with Chief Building Official Fursdon and currently there wasn't anyone residential that has an electric fence and that it wouldn't change anyone's circumstances.

Chief Building Official Fursdon explained that in the commercial district it hadn't been allowed in years and that even in the agricultural district they wouldn't allow it.

Chairman Smolik stated that even though it was in the code they were just cleaning it up.

Chief Building Official Fursdon stated that was correct.

Chairman Smolik asked for questions or comments from the Commission.

Chief Building Official Fursdon explained that the only one in the code that was allowed was the nonlethal and that even that could be problematic if a child got ahold of it. He stated that with the student population growing it would just be best to eliminate it and get rid of the potential.

Chairman Smolik asked if there were any questions or comments from the public.

Councilman DeVries commented that he wanted to thank Guy and Kim for their help with the amendments and stated that it made sense and was the right thing to do.

Chairman Smolik asked for questions or comments from the Commission.

None were given.

It was moved by Swallow and seconded by Graupmann to approve the both pieces of legislation.

A roll call vote was taken and the motion carried.

Yes – 5      No – 0

**ADJOURNMENT:**

The meeting was adjourned at 7:29 PM.

  
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**James Smolik**  
Chairman

  
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**Tina Wieber**  
Deputy Clerk of Council

\_\_\_\_\_  
Tuesday, May 10, 2022  
**Date Approved**