

Cintron Residence 2-11-2021

Planning App for VARIANCE

BZA Application Fee: _____

Date Paid: _____

CITY OF ROCKY RIVER
21012 Hilliard Blvd., Rocky River, Ohio 44116
Telephone (440) 331-0600 — Fax (440) 895-2628

APPLICATION FOR BOARD OF ZONING & BUILDING APPEALS
(Please Print or Type)

Application Filing Date: 2/9/2021
Zoning of Property _____

Hearing Date: _____
Permanent Parcel No. _____

**NOTICE OF REQUEST OF A HEARING BEFORE THE
BOARD OF ZONING & BUILDING APPEALS**

Address of property seeking variance: _____

Erin + Gary Cintron
Name of Property Owner

1932 Wynwood dr.
Address

Telephone No. _____

Cell Phone No. _____

E-MAIL: _____

Leon Sampat
Name of Applicant / Representative

22082 Lorain Rd
Address

216-403-9654
Telephone No.

216-246-7812
Cell Phone No.

E-MAIL: Leon@LSArchitectsinc.com

Description of what is intended to be done:

Alterations and house addition

Sections of the Code from which variance is being requested:

1153.07C

List variances requested:

Side Yard Setback

Property Owner's Signature _____


Applicant/Representative's Signature

★ Please note that the Board members visit the subject property prior to each BZA meeting.
Please indicate whether or not you have a dog(s) that may be outside at the time of their visits.

Yes ☐

No ☒

TYPICAL VARIANCE SHEET

Please check appropriate box and answer questions as directed.

	Check as Applicable	VARIANCE STANDARD
<ul style="list-style-type: none"> Any functional, land or building USE not specifically permitted in either a particular zoning district, or otherwise not permitted by the Development Code 	<input type="checkbox"/>	(Use) Unnecessary Hardship
ADDITIONS & BUILDINGS: <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> Rear, side & front setbacks 	<input checked="" type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Coverage (>28%) 	<input type="checkbox"/>	(Area) Practical Difficulties
DRIVEWAYS: <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> Width 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Distance from property line 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Circular if lot width is <90' 	<input type="checkbox"/>	(Area) Practical Difficulties
SIGNS: <i>(Complete Sign Permit Application)</i>		
<ul style="list-style-type: none"> Area allowed (maximum sq. ft.) 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Height 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Front setback 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Lot width <100' 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Number of items of information 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> On side of building 	<input type="checkbox"/>	(Area) Practical Difficulties
FENCES: <i>(Complete Fence Permit Application)</i>		
<ul style="list-style-type: none"> Height or Openness 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Front Yard (in setback) 	<input type="checkbox"/>	(Area) Practical Difficulties
ACCESSORY BUILDINGS (Play Structures, Storage Sheds: <i>(Complete Accessory Structure Permit Application)</i> ; Detached Garages: <i>(Complete Building Permit Application)</i>		
Note: Total square footage of all accessory buildings, including detached garages, is not to exceed 600 square feet.)		
<ul style="list-style-type: none"> Height 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Setback from property line 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Square footage 	<input type="checkbox"/>	(Area) Practical Difficulties
Air Conditioners and Generators: <i>(Complete HVAC Permit for A/C or Electrical Permit for Generators)</i>		
<ul style="list-style-type: none"> In side yard <10' from property line or in front yard 	<input type="checkbox"/>	(Area) Practical Difficulties
Parking: <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> < the number of spaces required 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Setback from property line 	<input type="checkbox"/>	(Area) Practical Difficulties

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APPLICATION FOR DEVELOPMENT PLAN REVIEW

See Chapter 1127, Rocky River Codified Ordinances

Location of Project: _____ Date: _____
(P.P. Nos.)

Present Use: _____ Proposed Use: _____

Owner: _____
(Name) (Address & Zip) (Tel No.)

Engineer: _____
(Name) (Address & Zip) (Tel No.)

Architect: _____
(Name) (Address & Zip) (Tel No.)

Gross Land Area: _____ Acres _____ sq. ft.

Building Area (Including Detached Accessory Buildings) _____ sq. ft.

Parking Spaces: _____ + _____ = Total: _____
(Enclosed) (Unenclosed)

Estimate of traffic volume to be generated by this project: _____

Cost estimate (include all public & private improvements): \$ _____

Standards for construction of driveways, public & private streets, sidewalks, parking & loading areas and fire lanes.

Methods and standards for maintenance of private streets, driveways, open spaces, parking areas, common land, garbage and waste disposal.

(Owner's Signature)

(Contact E-Mail Address)

PLAN REVIEW NOTES:

Planning Commission:
\$150 Application Fee Paid: _____ (Date)
Plan Exam Fee \$ _____

This application must be accompanied by ten (10) sets of plans, as follows (see Sec: 1137).

PRACTICAL DIFFICULTIES

ALL QUESTIONS REQUIRE A COMPLETE RESPONSE

R.R.C.O. 1133.17(c)(1). In order to grant an area variance, the following factors shall be considered and weighted by the Board of Appeals to determine practical difficulty:

- A.) Describe what special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other land or structures in the same zoning district (i.e., exceptional irregularity, narrowness, shallowness or steepness of the lot; or proximity to non-conforming and inharmonious uses, structures or conditions).

Width of existing garage insufficient for width of
new 2 car garage - original garage was a single
16' door with very little room on each side.

- B.) Explain whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance (discuss use limitations without the variance).

Neighborhood standard is 2 car garage. Existing
design of garage does not meet standards

- C.) Explain whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures (demonstrate how much the variance request deviates from Code requirements, i.e., coverage is 1 or 2% above Code, or setback is 1 or 2 feet less than Code requirement).

Request is the minimum standard 2 car garage
dimension. 8 foot side yard setback to be provided
at 5 foot 3 inches.

- D.) Explain whether the essential character of the neighborhood would be substantially altered and whether adjoining properties would suffer substantial detriment as a result of the variance (discuss the increase of value, use, and aesthetic appeal for both your property and adjoining properties, together with any negative impact to adjoining properties).

No, garage would fit in more into the architectural
fabric of the neighborhood.

E.) Explain whether the variance would adversely affect the delivery of governmental services, such as water, sewer, or trash pickup.

No, it would not effect governmental, water, sewer or trash services.

F.) Explain whether the property owner purchased the property with knowledge of the zoning restrictions.

The property owner did not purchase the property with knowledge of these restrictions.

G.) Explain whether special conditions or circumstances exist as a result of actions of the owner.

No special circumstances exist as a result of actions of the owner.

H.) Explain whether the property owner's predicament feasibly can be obviated through some method other than a variance (why other means and methods of property improvements or enhancements would not suffice).

Based on lot + building proportions proposed design offers the most conservative solution.

I.) Explain whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance (discuss the positive impact of your improvement on your property and on the surrounding neighborhood).

proposed design improves architectural fabric, and is a more compatible addition to neighboring 2 story residences

J.) Explain whether the granting of the variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

Granting this variance would allow resm property owners use of a 2 car garage standard to this neighborhood.

K.) Explain whether a literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code.

Property owners would not be able to enjoy use of a two car garage typical of this neighborhood, and use of any garage size smaller would be incompadible with the size/scale of new addition.

PLEASE NOTE: A separate Permit Application and fee will be due prior to issuance of the Building Permit. NO CONSTRUCTION IS TO BEGIN until the Building Permit has been issued.