

21012 HILLIARD BLVD.

ROCKY RIVER, OHIO 44116

(440) 331-0600

## **NOTICE OF PUBLIC HEARING**

**BOARD OF ZONING AND BUILDING APPEALS  
ON  
NOVEMBER 10, 2022**

TO WHOM IT MAY CONCERN:

THE BOARD OF ZONING AND BUILDING APPEALS WILL HOLD A PUBLIC HEARING ON THURSDAY, NOVEMBER 10, 2022 AT 7:00 PM FOR A VARIANCE TO CONSTRUCT AN ADDITION WITH A 19.5" REAR YARD SETBACK VS. 25' REAR YARD SETBACK REQUIRED (Section 1153.07(f)(2)) AND A VARIANCE TO CONSTRUCT A GARAGE ADDITION WITH A 26' FRONT SETBACK VS. 30' FRONT SETBACK REQUIRED (Section 1153.0(a)) FOR ANNE ANTONIUS, 22656 PEACHTREE LN.

BEFORE REACHING A DECISION, THE BOARD WILL GIVE THOSE IN ATTENDANCE AN OPPORTUNITY TO BE HEARD.

PLANS SHOWING THE PROPOSED LOCATION ARE ON FILE IN THE BUILDING DIVISION OFFICE AND ARE AVAILABLE FOR REVIEW VIA E-MAIL OR IN-PERSON AT ROCKY RIVER CITY HALL, 21012 HILLIARD BOULEVARD. PLEASE CONTACT KATE STRAUB, PLANNING & ZONING COORDINATOR AT [kstraub@rrcity.com](mailto:kstraub@rrcity.com) OR BY CALLING 440-331-0600 EXT. 2037.

Notices sent to:  
See attached list

JOHN GRETTA  
22657 LOCUST LN  
ROCKY RIVER, OH 44116

HANEK, ROBERT M  
22677 PEACHTREE LN  
ROCKY RIVER, OH 44116

MARTIN TARR  
22617 LOCUST LN  
ROCKY RIVER, OH 44116

ROBERT & LISA PAULIN  
22667 PEACH TREE LN  
ROCKY RIVER, OH 44116

O'BRIEN, KATHLEEN M  
22637 LOCUST LN  
ROCKY RIVER, OH 44116

LOBE, OLIVE N.  
22676 PEACH TREE LN  
ROCKY RIVER, OH 44116

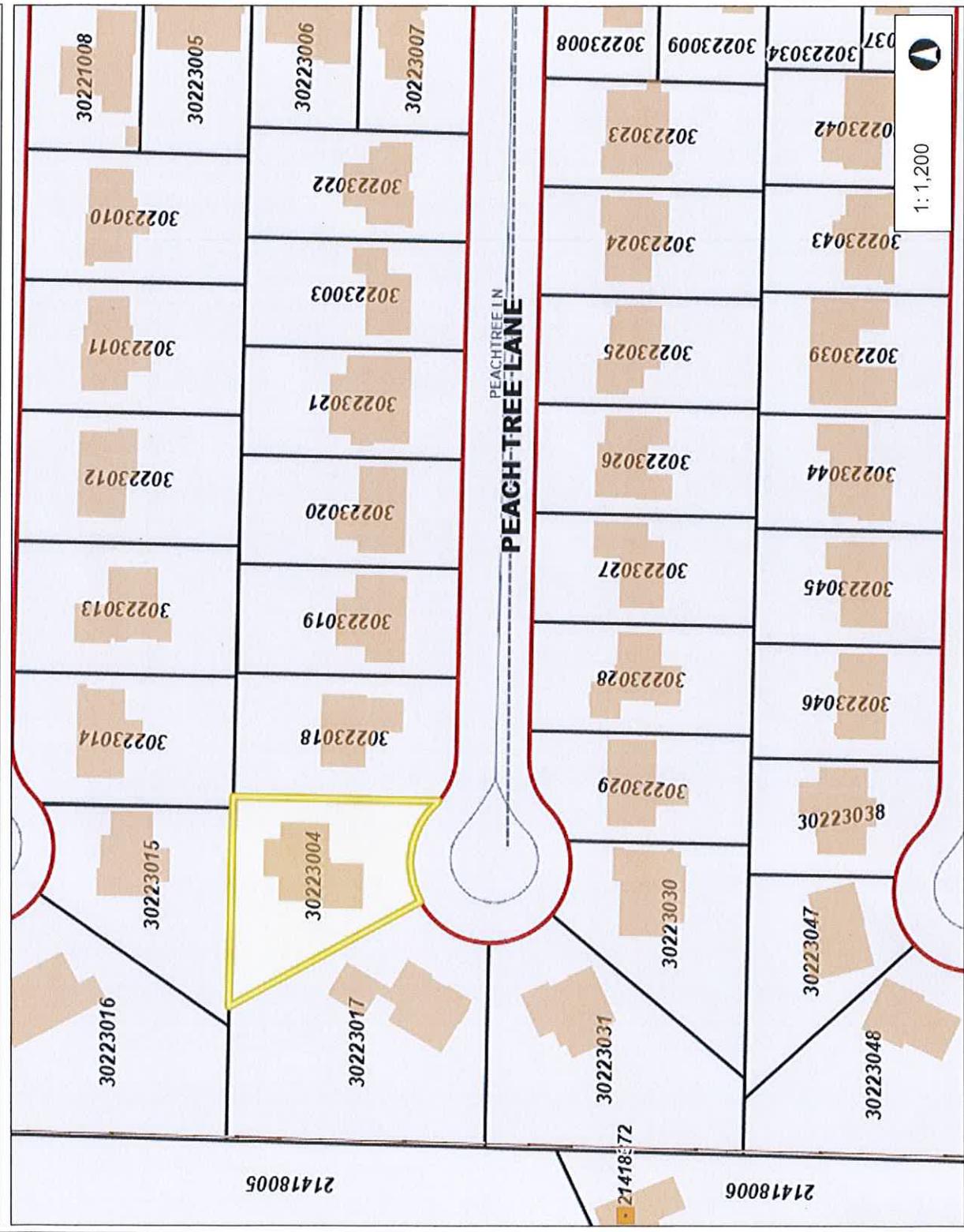
ANHOLD, SUSAN D  
22677 LOCUST LN  
ROCKY RIVER, OH 44116

ANTONIUS, ANNE T.  
22656 PEACH TREE LN  
ROCKY RIVER, OH 44116

SANDRA KAY RICCHETTI  
22636 PEACH TREE LN  
ROCKY RIVER, OH 44116

ROMELL, GEORGE G.  
22616 PEACH TREE LN  
ROCKY RIVER, OH 44116

# Cuyahoga County GIS Viewer



0 100 200 Feet

This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Projection: WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

Cuyahoga County —  
**Enterprise GIS**  
PUTTING CUYAHOGA COUNTY ON THE MAP

- B. The width of the side yard on the side street, as defined herein, shall be not less than one-half ( $\frac{1}{2}$ ) of the depth of the front yard required for the adjoining lot which abuts on a side street, unless shown otherwise on the Setback Map.
- C. Accessory buildings in a rear yard shall be located not less than twenty-five (25) feet (.76 m) from the side street line, but in no case less than required for the main building, and not less than ten (10) feet (3.05 m) from the rear lot line.
- (2) Interior Side Setback. The width of a side setback along the interior side lot line shall not be less than the minimum side setback as set forth in Schedule 1153.07.

(f) Schedule 1153.07 Minimum Setback Requirements:

<b>Schedule 1153.07 Minimum Setback Requirements</b>		
	<b>R-1 Single-Family Residential District</b>	<b>R-2 Two-Family Residential District</b>
(1) Side Setback <sup>(a)</sup>		
A. Minimum of any one side	8 feet	<u>8 feet</u>
B. Total side setback	16 feet	<u>16 feet</u>
(2) Rear Setback <sup>(b)</sup>	25 ft.	<u>25 ft.</u>

<sup>(a)</sup> For lots of less than sixty (60) feet in width, each side setback shall be not less than one-eighth (1/8) of the width of the lot, but not less than five (5) feet, whichever is greater.

<sup>(b)</sup> The required rear setback, when the parcel is adjacent to Lake Erie, shall be determined by averaging the rear setbacks of the nearest dwellings on either side of the lot, but shall not be less than 25 feet. For the purposes of this Section only, the "property line" along Lake Erie shall be the point where the natural shoreline intersects the ordinary high water elevation as determined by the Ohio Department of Natural Resources, Division of Geological Survey.

(b) Maximum Lot Coverage. The maximum lot coverage by building shall be as set forth in Schedule 1153.05 for the district in which the lot is located.

(c) Schedule 1153.05 Minimum Lot Requirements.

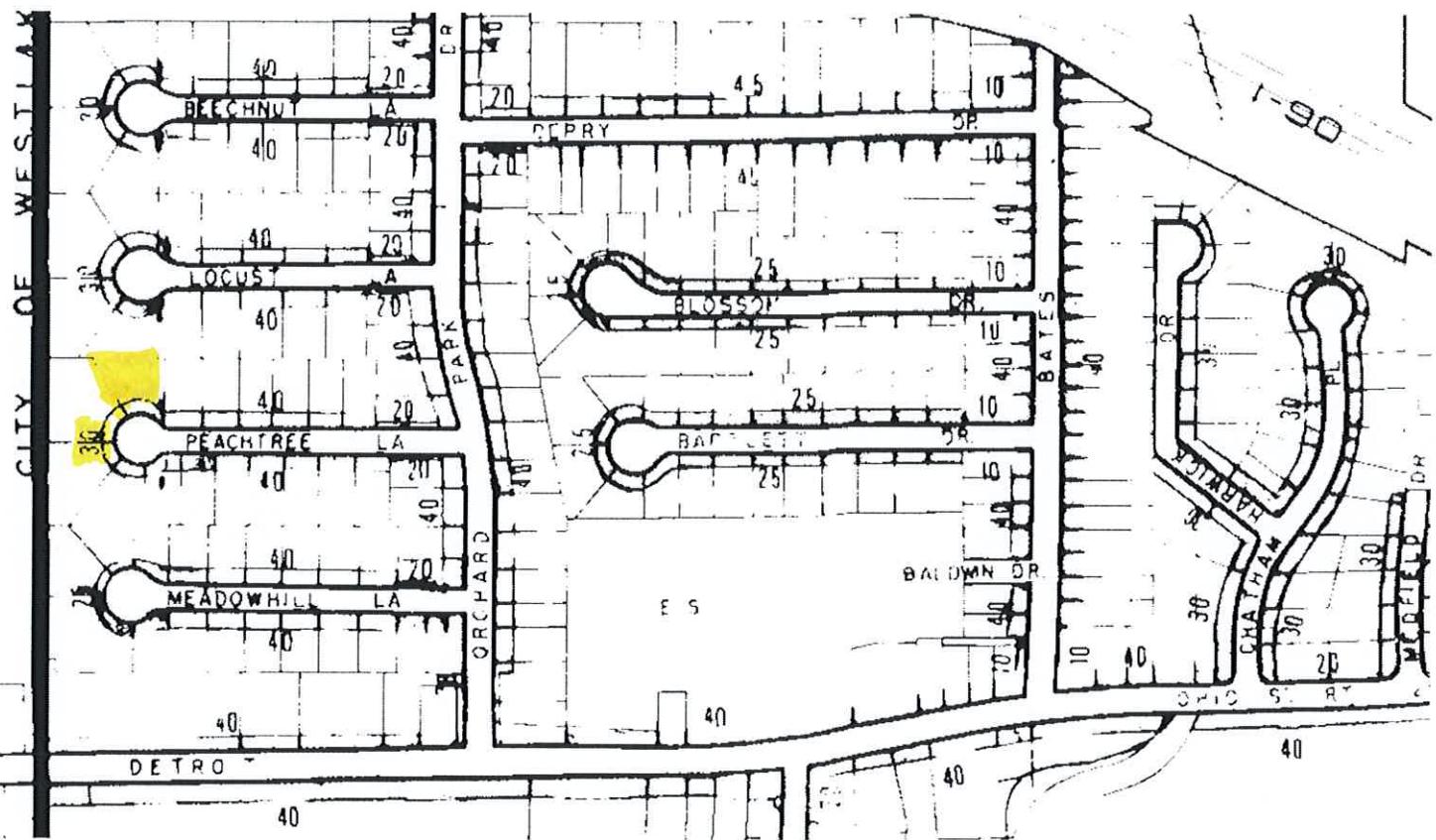
<b>Schedule 1153.05 Minimum Lot Requirements</b>		
	<b>R-1 Single-Family Residential District</b>	<b>R-2 Two-Family Residential District</b>
(1) Minimum lot area	10,000 square feet	6000 square feet <sup>(b)</sup>
(2) Minimum width at building setback line <sup>(a)</sup>	75 feet	60 feet
(3) Maximum lot coverage by building	28%	28%

<sup>(a)</sup> On curved streets, the lot width shall be the arc length of the building setback line.  
<sup>(b)</sup> Per Dwelling Unit

### **1153.07 SETBACK REQUIREMENTS.**

Dwelling units shall be located on a lot in a manner that maintains the minimum front, side, and rear setbacks set forth in this Section for the district in which the lot is located, except as otherwise regulated in Chapter 1183, Conditional Use Regulations. The area within each required setback shall remain unobstructed by structures, except as otherwise permitted in this Code.

- (a) Front Setback. Each lot shall have and maintain a front setback in compliance with the Setback Map, City of Rocky River, May 12, 1975.
- (b) Front Setback on Through Lots. On a through lot, a front setback shall be provided on each frontage equal to the minimum required front setback as set forth on the Setback Map, City of Rocky River, May 12, 1975. There shall be no required rear setback on a through lot.
- (c) Side Setbacks. Each interior and through lot shall have and maintain two side setbacks. Schedule 1153.07 sets forth the minimum width of each side setback.
- (d) Rear Setbacks. Each lot shall have and maintain a rear setback as specified in Schedule 1153.07.
- (e) Corner Lot Setbacks. Corner lots shall have and maintain the setback requirements in this sub-section, if the Setback Map, City of Rocky River, May 12, 1975, is unclear. See Figure 1 below.
  - (1) Corner Side Setback. Where new construction or an addition to an existing building is proposed for a corner lot, such building or building addition shall maintain a corner side setback that complies with the following:
    - A. The depth of the front yard on a corner lot shall be not less than the required setback as established on the Setback Map or by regulations in this Zoning Code.



BZA Application Fee: \$135.00

Date Paid: 11-2-22

**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: \_\_\_\_\_ Hearing Date: \_\_\_\_\_  
Zoning of Property: \_\_\_\_\_ Permanent Parcel No. \_\_\_\_\_

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

Address of property seeking variance: 22656 Peachtree Lane, Rocky River, OH 44116

Anne Antonius

Name of Property Owner

22656 Peachtree Lane, Rocky River, OH 44116

Address

440-356-0212

216-548-6029

Telephone No.

Cell Phone No.

**E-MAIL:** rant@cox.com

Lonnie Tollett

Name of Applicant / Representative

3119 Grafton Road, Grafton OH 44044

Address

216-905-2085

Cell Phone No.

**E-MAIL:** lonnietollett@whitecap.com

Description of what is intended to be done:

Bedroom and bath addition off back of the house to replace the existing sunroom

Add single car garage to Existing Garage

Sections of the Code from which variance is being requested:

Distance from property line

List variances requested:

Requesting reduction in required footage from property line from 25 ft to 20 ft

Front set back variance for garage

Anne Antonius 1/2/22  
Property Owner's Signature

1/2/22 1/3/22  
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"> <li>• Any functional, land or building USE not specifically permitted in either a particular zoning district, or otherwise not permitted by the Development Code</li> </ul>	<input type="checkbox"/>	(Use) Unnecessary Hardship
<b>ADDITIONS &amp; BUILDINGS: (Complete Building Permit Application)</b>		
<ul style="list-style-type: none"> <li>• Rear, side &amp; front setbacks</li> <li>• Coverage (&gt;28%)</li> </ul>	<input checked="" type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
<b>DRIVEWAYS: (Complete Building Permit Application)</b>		
<ul style="list-style-type: none"> <li>• Width</li> <li>• Distance from property line</li> <li>• Circular if lot width is &lt;90'</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
<b>SIGNS: (Complete Sign Permit Application)</b>		
<ul style="list-style-type: none"> <li>• Area allowed (maximum sq. ft.)</li> <li>• Height</li> <li>• Front setback</li> <li>• Lot width &lt;100'</li> <li>• Number of items of information</li> <li>• On side of building</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
<b>FENCES: (Complete Fence Permit Application)</b>		
<ul style="list-style-type: none"> <li>• Height or Openness</li> <li>• Front Yard (in setback)</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
<b>ACCESSORY BUILDINGS (Play Structures, Storage Sheds: (Complete Accessory Structure Permit Application); Detached Garages: (Complete Building Permit Application)</b>		
<p><b>Note:</b> Total square footage of all accessory buildings, including detached garages, is not to exceed 600 square feet.)</p>		
<ul style="list-style-type: none"> <li>• Height</li> <li>• Setback from property line</li> <li>• Square footage</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
<b>Air Conditioners and Generators: (Complete HVAC Permit for A/C or Electrical Permit for Generators)</b>		
<ul style="list-style-type: none"> <li>• In side or rear yard &lt;10' from property line or in front yard</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
<b>Parking: (Complete Building Permit Application)</b>		
<ul style="list-style-type: none"> <li>• &lt; the number of spaces required</li> <li>• Setback from property line</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties

# ROCKY RIVER BOARD OF ZONING & BUILDING APPEALS

## INSTRUCTIONS TO APPLICANTS

**MEETINGS:** 2nd Thursday of each month at 7:00 P.M. in Council Chambers of Rocky River City Hall.

**DUE DATE FOR SUBMITTALS:** 2 weeks (14 days) prior to the scheduled BZA meeting. Late or incomplete submittals will not be forwarded to the Board for inclusion on the upcoming agenda.

**WHO MUST ATTEND:** A representative, including the property owner, must be present at the BZA meeting for all variance requests.

**APPLICATION FEE:** Residential Variance - \$100.00 first variance + \$35.00 each additional variance  
Commercial Variance - \$150.00 first variance + \$35.00 each additional variance request.

**SUBMISSION REQUIREMENTS:** Please provide 11 stapled sets of the following:

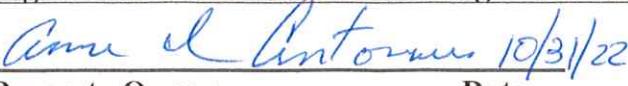
- 1) **Appropriate Building Permit Application** for your project. (i.e., Building Permit Application, Fence Permit Application, Accessory Permit Application, etc.); **Check representing Application Fee.**
- 2) **Fully completed Variance Application.** Begin with a written narrative describing exactly what project you would like to do and why it is necessary to do so. Please refer to the Typical Variance Sheet for guidance on which standard (Practical Difficulty **OR** Unnecessary Hardship) applies to your request – only complete questions under the appropriate heading.
- 3) **Detailed site drawing** – see attached example, showing all existing structures on the subject property, as well as structures on properties directly adjacent to the location of the subject of your variance request (i.e., line of neighbor's house, driveway and garage closest to the addition you are proposing). Proposed structures must also be shown on the site drawing, with dimensions and distances from property lines clearly labeled. **PLEASE STAKE THE PROPERTY TO SHOW FOOTPRINT OF ADDITIONS, SHEDS OR LOCATIONS OF A/C CONDENSERS, etc.** Site plan should show lot coverage by building calculation (existing and proposed).
- 4) **Elevation drawings** (for pergola, garage, addition or any exterior alteration). Show what all sides of the finished project will look like. Submit a photo example of proposed fences and sheds. Show height of structure on the elevations. Additions will require existing and proposed interior floor plans for the floors that are affected.
- 5) **Photographs** of your property and adjacent properties. Label each photo for clarity.
- 6) **Support letters** from surrounding property owners, if available.
- 7) **Any other information as may be requested** by the Building Department or Board Members.

All documentation or other information shall be delivered to:

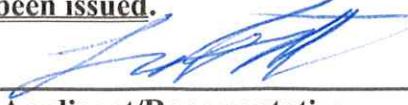
**Rocky River Board of Zoning & Building Appeals, City of Rocky River Building Department, 21012 Hilliard Blvd., Rocky River, Ohio 44116. Call 440-331-0600 ext. 2037 with questions.**

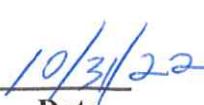
*(Applicants may not communicate with or present information relating to their variance request to any Board member directly. Communications must be submitted to the Building Department for delivery to the Board.)*

**I, (the owner/applicant) understand that upon the granting of my variance request from the BZA, a separate Permit Application fee will be due prior to the issuance of the Building Permit. I will not begin construction until the Building Permit has been issued.**

  
Property Owner

Date

  
Applicant/Representative

  
Date

## 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).

No special conditions exist

*Cul-de-sac Lot*

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).

I will be 80 years old in a few months. My husband passed away a few years ago. My daughter and son-in-law have agreed to sell their home in Rocky River, purchase my home, and allow me to live here. The variance is needed to add a bedroom and bath for them.

I am asking for this variance so we can make this house work for all of us and I can stay in my home.

*Parking for  
Extra CAR*

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).

The variance requested is the minimum amount needed to make the bedroom a standard size. It is replacing an existing sun room.

*Garage is 26' setBack, instead of 30'*

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).

There will be no negative impact to any surrounding neighbors. The room is replacing an existing room.

*The garage will have no negative impact  
The house next door has a 3 CAR garage*

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

There will be no affect

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

I've lived in this home for 20 years

*No not at time of purchase*

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

I would like to be able to stay in my home - this variance would provide that opportunity

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).

No, a variance is needed

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).

The addition would increase the value of the home

*and Blend with surrounding houses*

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.

No special privileges will be granted

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.

Without this variance I will not be able to get the assistance I need to stay in my home

**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.**

Rocky River Board of Zoning & Building Appeals,

I am a neighbor of Anne Antonius at 22656 Peachtree Lane. I am aware of the addition she would like to put on her home. I have no objections to the Board granting Anne the variance she is requesting.



Signature

10/30/22

Date

JOHN GRETNA

Printed Name

22657 Locust Lane

Address

440 356-6157

Phone Number