



21012 HILLIARD BLVD.

ROCKY RIVER, OHIO 44116

(440) 331-0600

NOTICE OF PUBLIC HEARING

BOARD OF ZONING AND BUILDING APPEALS
ON
OCTOBER 26, 2023

TO WHOM IT MAY CONCERN:

THE BOARD OF ZONING AND BUILDING APPEALS WILL HOLD A PUBLIC HEARING ON THURSDAY, OCTOBER 26, 2023 AT 7:00 PM FOR A VARIANCE TO CONSTRUCT A TWO-STORY ADDITION WITH A 5.5' SIDE YARD SETBACK VS. 6.26' SIDE YARD SETBACK REQUIRED (Section 1153.07(f)(1)); A VARIANCE TO CONSTRUCT A DETACHED GARAGE WITH A HEIGHT OF 15' – 11" VS. 15' MAXIMUM HEIGHT PERMITTED (Section 1153.09(b)); AND A VARIANCE TO CONSTRUCT A DETACHED GARAGE WITH A 2' – 4" SIDE YARD SETBACK VS. 5' SIDE YARD SETBACK REQUIRED (Section 1153.15(b)(1)) FOR MARK AND EMILY MALLOY, 1372 HOMELAND DR. 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 VIA E-MAIL OR TO VIEW IN PERSON AT ROCKY RIVER CITY HALL, 21012 HILLIARD BOULEVARD. YOU MAY ALSO VIEW THE PLANS BY VISITING THE CALENDAR ON THE HOME PAGE OF THE CITY WEBSITE (www.rrcity.com) AND CLICKING ON THE MEETING LISTED FOR THIS DATE. PLEASE CONTACT KATE STRAUB, PLANNING & ZONING COORDINATOR AT kstraub@rrcity.com OR BY CALLING 440-331-0600 EXT. 2037 FOR MORE INFORMATION.

Notices sent to:
See attached list

RONALD & NANCY RIECK
1137 WHITLESAY LN
ROCKY RIVER, OH 44116

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NADER, MICHAEL & STUEBNER,
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PELLMAN, MICHELLE S. AND
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MALLOY, MARK P. & EMILY A.
1372 HOMELAND DR
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JAY & SANDRA OWEN
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THE CITY OF ROCKY RIVER,
HOMELAND DR
ROCKY RIVER, OH 44116

PELLMAN, MICHELLE S. AND
CROWE, NORMAN R.
1354 HOMELAND DR
ROCKY RIVER, OH 44116

ANSEVIN, BRIAN D. AND
ANSEVIN, JENNIFER A.
1326 HOMELAND DR
ROCKY RIVER, OH 44116

- 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:

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

(a) 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.

(b) 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.

1153.09 HEIGHT REQUIREMENTS.

All buildings and structures in any residential district shall comply with the following height regulations:

- (a) The height of principal buildings and structures shall not exceed twenty-five (25) feet.
- (b) The height of accessory buildings and structures shall not exceed ten (10) feet, except the height of detached garages shall not exceed twelve (12) feet at the highest point of the structure for a flat roof, and shall not exceed fifteen (15) feet at the highest point of the structure for any other roof that is not a flat roof, notwithstanding the height definition defined in Section 1123.02(b)(19) of this Code.
- (c) Permitted height exceptions are set forth in Section 1181.01, Supplementary Height Regulations. (Ord. 87-17. Passed 12-17-18.)

1153.11 DESIGN GUIDELINES FOR ONE AND TWO FAMILY DWELLINGS.

The purpose of the following design guidelines is to further the goals of the City's Master Plan. These guidelines are meant to insure that development projects respect the existing built environment that was recognized and valued in the City's Master Plan.

The provisions of this Section shall apply to all residential development, except Cluster Development, within the R-1 and R-2 Districts. Any addition, remodeling, relocation, or construction requiring review by the Architectural Review Board shall adhere to the guidelines in this Section, where applicable. The Architectural Review Board may exempt applicants from these standards when the exterior building modifications are minor in nature, meaning the design modifications will have no discernable impact on neighboring properties, the public, the public right-of-way, or those intended to occupy or use the proposed development.

- (a) Character of Dwellings. Principal dwellings are to be designed and located on the site and be of a scale to complement buildings in close proximity and enhance the character of the surrounding area by having features that are appropriate and compatible with existing buildings and structures. In making this determination, the following shall be considered:

- (1) Building height, width, and general proportions;
- (2) Architectural features, including patterns of windows and doors, roof pitch, balconies, porches, shutters, dormers, eaves and other decorative detail;
- (3) Building materials.
- (4) Explanation Of Terms. Certain terms and words shall be interpreted with regard to the following explanations:

A. Appropriateness. A proposal is judged to be appropriate when it respects the existing architectural style of a building or buildings and fits comfortably within its setting, neighborhood and overall community. This condition applies to landscaping and accessory structures, as well.

B. Compatibility. A design or a material selection is compatible when it does not strongly deviate from its parent building, or the overall character of the neighborhood. To be compatible does not require look alike designs, but rather designs that reflect some aspects of its parent building or buildings in the general vicinity, such as scale of windows, overhangs, building materials, patterns of siding, roof slope. Conversely, incompatibility occurs when an architectural design, landscape design or accessory building proposal is aesthetically harsh or overwhelming relative to its neighbors.

C. Proportion. The relationship of parts of a building, landscape, structures, or buildings to each other and to the whole balance.

(b) Schedule 1153.15 Permitted Accessory Structures In Front, Side And Rear Yards:

Use	Yard Permitted	Minimum Setback From Lot Line		
		Front	Side	Rear
(1) Detached accessory buildings, including garages	Rear	NP	5 ft.	5 ft.
(2) Driveways	Front, corner side, side, rear	NA	3 ft.	3 ft.
(3) ATTACHED ARCHITECTURAL FEATURES	Rear	See also Section 1153.13		
(4) Fences, walls	Front, corner side, side, rear	0 ft.	0 ft.	0 ft.
(5) Outdoor storage of recreation vehicle/equipment	Rear	See also Section 1153.15(m)		
(6) Private Swimming Pools	Rear	NP	See also Section 1153.15(h)	
(7) Play Structure, Pergola, Gazebo, PATIO FIREPLACE	Rear	NP	See also Section 1153.15(g)	
(8) Boat House	Rear	NP	See also Section 1153.15(i)	

Notes to Schedule 1153.15:

NA Not Applicable.
NP Not Permitted

(c) Accessory Buildings. An accessory storage building shall not exceed one hundred (120) square feet in gross floor area. No more than two (2) accessory buildings, only one (1) of which shall be an accessory storage building, shall be located on a single zoning lot. The maximum, gross floor area of all accessory buildings on a zoning lot, including detached garages, shall not exceed 600 square feet. Accessory building shall not contain habitable spaces.

(d) Detached Garages. Detached garages shall be constructed with a masonry foundation or concrete beam at grade. The exterior materials of such detached garages shall be compatible in color and texture with the principal building. If at the discretion of the Zoning Administrator detached garages are reviewed by the Architectural Review Board, the Architectural Review Board may require landscape plantings along the side and rear property lines due to the proximity of structures on abutting lots.