

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 NEW FRONT PORCH WITH A 26.5' FRONT SETBACK VS. 30' FRONT SETBACK REQUIRED (Section 1153.07(a)) FOR KEVIN AND LINDA LANGE, 21716 KENWOOD AVE.

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

TLAPA, GREGORY B. & KERRY
21641 LAKE RD
ROCKY RIVER, OH 44116

DUS, STANLEY P., TRUSTEE
21683 LAKE RD
ROCKY RIVER, OH 44116

MCKENNA, THOMAS P & MARY
21731 KENWOOD AVE
ROCKY RIVER, OH 44116

PARNELL, MATTHEW P. &
SUZANNE D. (CO-TRUSTEES)
21669 KENWOOD AVE
ROCKY RIVER, OH 44116

COMBES, RUSSELL G &
COMBES, BARBARA A
21730 KENWOOD AVE
ROCKY RIVER, OH 44116

KONRAD, MARY T. & KEVIN A.
21752 KENWOOD AVE
ROCKY RIVER, OH 44116

HOPKINS, MAEVE K. &
HOPKINS, ANNE D.
21771 LAKE RD
ROCKY RIVER, OH 44116

LANGE KEVIN A. & LANGE LINDA
O.
21716 KENWOOD AVE
ROCKY RIVER, OH 44116

KEMPER D ARNOLD
21751 KENWOOD AVE
ROCKY RIVER, OH 44116-1235

MICHAEL & MICHELLE FRITZ
431 PARKLAWN DR
ROCKY RIVER, OH 44116

COUGHLIN, KATHRYN R.
21668 KENWOOD AVE
ROCKY RIVER, OH 44116

KORY KORAN
21711 KENWOOD AVE
ROCKY RIVER, OH 44116

MORAN, DANIEL R & MORAN,
LINDSAY
21695 KENWOOD AVE
ROCKY RIVER, OH 44116

BRUDER, GEOFFREY &
BRUDER, MEGAN
21694 KENWOOD AVE
ROCKY RIVER, OH 44116

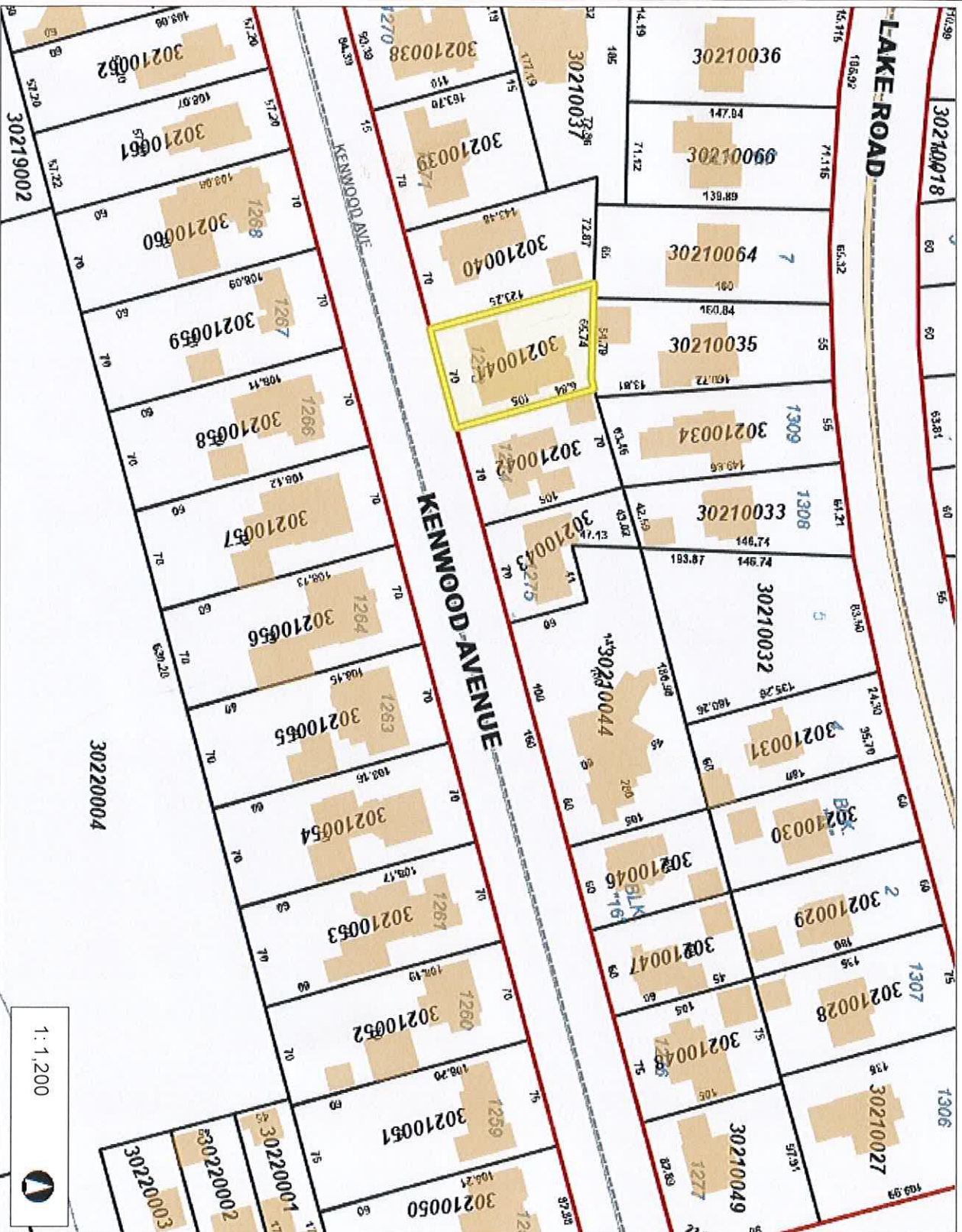
PATRICIA SIMS
21713 LAKE ROAD
ROCKY RIVER, OH 44116

LOIZOS, STACY P. (TRUSTEE)
21755 LAKE RD
ROCKY RIVER, OH 44116

RICHARD A CHRIST J M
MCQUILLAN
21612 KENWOOD AVE
ROCKY RIVER, OH 44116-1234



Cuyahoga County GIS Viewer



Date Created: 10/18/2023

Legend

- ☐ Municipalities
- ☐ Right Of Way
- ☐ Platted Centerline
- ☐ Parcel
- ☒ Buildings - 2017

1:1,200



Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

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.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

(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.

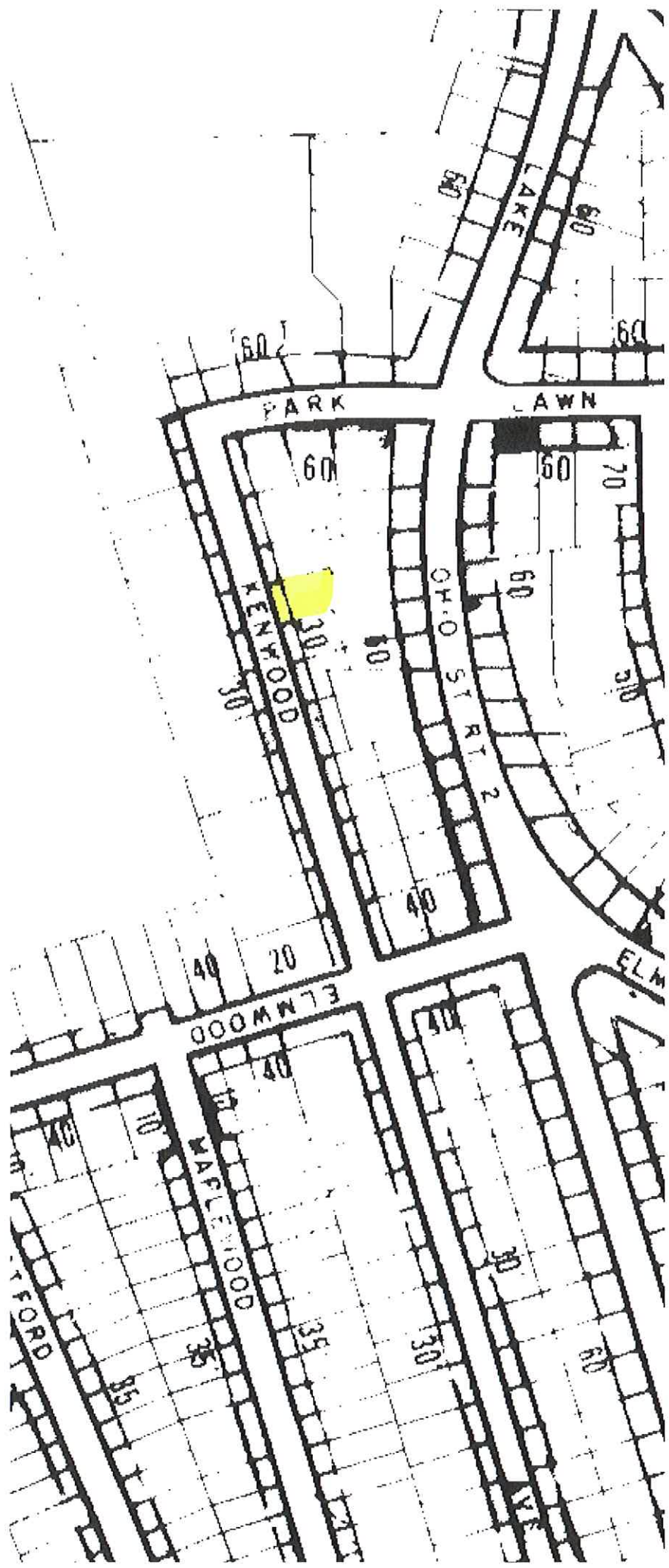
(c) Schedule 1153.05 Minimum Lot Requirements.

Schedule 1153.05 Minimum Lot Requirements		
	R-1 Single-Family Residential District	R-2 Two-Family Residential District
(1) Minimum lot area	10,000 square feet	6000 square feet ^(b)
(2) Minimum width at building setback line ^(a)	75 feet	60 feet
(3) Maximum lot coverage by building	28%	28%
^(a) On curved streets, the lot width shall be the arc length of the building setback line.		
^(b) 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.



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:

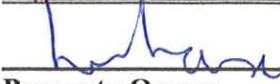
- 1) **Appropriate Building Permit Application** for your project. (i.e., Building Permit Application, Fence Permit Application, Accessory Permit Application, etc.); **Check representing Application Fee.**
- 2) **Fully completed Variance Application.** Begin with a written narrative describing exactly 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

9/14/23

Date



Applicant/Representative

Date

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: _____
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: 21716 Kenwood Ave

Kevin & Linda Lange
Name of Property Owner

Hurst Design Build Remodel - Tammi Graf
Name of Applicant / Representative

21716 Kenwood Ave, R.R. OH 44116
Address

26185 Center Ridge Rd Westlake, OH 44145
Address

440-331-0310
Telephone No.

440-339-8096
Cell Phone No.

440-588-8114
Telephone No.

216-374-6404
Cell Phone No.

E-MAIL: lodycke@hotmail.com

E-MAIL: tgraf@hurstremodel.com

Description of what is intended to be done:

Extend width & depth of front porch & add a covered roof, step (full width of porch) and 3' walkway to the driveway.

Sections of the Code from which variance is being requested:

1153.07 Setback Requirements

30' Front Setback required. 26'-6" proposed 3'-6" Variance requested

List variances requested:

Request a variance to build front porch 3'-6" into the front yard setback.

[Signature]

Property Owner's Signature

[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); Detached Garages:</i> <i>(Complete Building Permit Application)</i>		
<u>Note:</u> 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 or rear 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

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).

None

- 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).

A covered front porch will eliminate/reduce dangerous ice on front steps and icicles. It will also improve owner's ability to enjoy front yard.

- 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 request is the minimum depth needed to have furniture on the porch & move around. The request is 3'-6" more than Code. Current entry stoop is 1'-6" into front yard, but is uncovered.

- 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).

The variance will only result in an increase in value, use and aesthetic appeal for the neighborhood. It will improve the functionality of the front porch and increase the appearance of the home.

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

No - There will be a clean path to the front door.
The roof would protect any delivery.

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

No - This is a family home (second generation).
Other neighbors have covered porches, so knowledge of restrictions.

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

None

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, to improve the look and use of front porch and
update house we need the variance.

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).

This will modernize the front of the house like many
in our neighborhood have been doing.

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.

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.

No, but they would not be able to enjoy their
front yard. Current stoop is 1'-6" into the
required setback.

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.