

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 FRONT PORCH WITH A DORMER ADDITION WITH A 34' FRONT SETBACK VS. 40' FRONT SETBACK REQUIRED (Section 1153.07(a)); A VARIANCE TO CONSTRUCT A FRONT PORCH WITH A DORMER ADDITION WITH A 7' – 7 ¾" SIDE YARD SETBACK VS. 8' SIDE YARD SETBACK REQUIRED (Section 1153.07(a)); A VARIANCE TO CONSTRUCT A 128 SQ. FT. STORAGE SHED VS. 120 MAXIMUM SQ. FT. PERMITTED FOR STORAGE SHEDS (Section 1153.15(c)); AND A VARIANCE TO CONSTRUCT A STORAGE SHED WITH A 2' SIDE YARD SETACK VS. 5' SIDE YARD SETBACK REQUIRED (Section 1153.15(b)(1)) FOR MARK AND JEN OSBORNE, 21111 WEST WAGAR CIRCLE.

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

SANTILLI, NICHOLAS R. &
SANTILLI, SANDRA L.
21131 WEST WAGAR CIR
ROCKY RIVER, OH 44116

MCCHRYSTAL, KELLY A
21070 WEST WAGAR CIR
ROCKY RIVER, OH 44116

DONG, RONG ZHU & LIN, XIAO
NAN
21110 W WAGER CIR
ROCKY RIVER, OH 44116

MAUREEN MANNIX
21130 W WAGAR CIR
ROCKY RIVER, OH 44116

WNUKOWSKI, NORMAN C.
21160 W WAGAR CIR
ROCKY RIVER, OH 44116

OSBORNE, MARK & JENNIFER
21111 W WAGAR CIR
ROCKY RIVER, OH 44116

JAMES H HANSLIK & JOANN M
CLARK
21161 W WAGAR CIR
ROCKY RIVER, OH 44116-2322

CONWELL STEPHANIE H
21091 WEST WAGAR CIR
ROCKY RIVER, OH 44116

MICHAEL & TAAMZIN ONEIL
21151 W WAGAR CIR
ROCKY RIVER, OH 44116

STEARNS CARL F
1920 WAGAR RD
ROCKY RIVER, OH 44116

BRUCKMAN, DAVID & BURNETT-
BRUCKMAN, CATHERINE M.
21150 WEST WAGER CIR
ROCKY RIVER, OH 44116

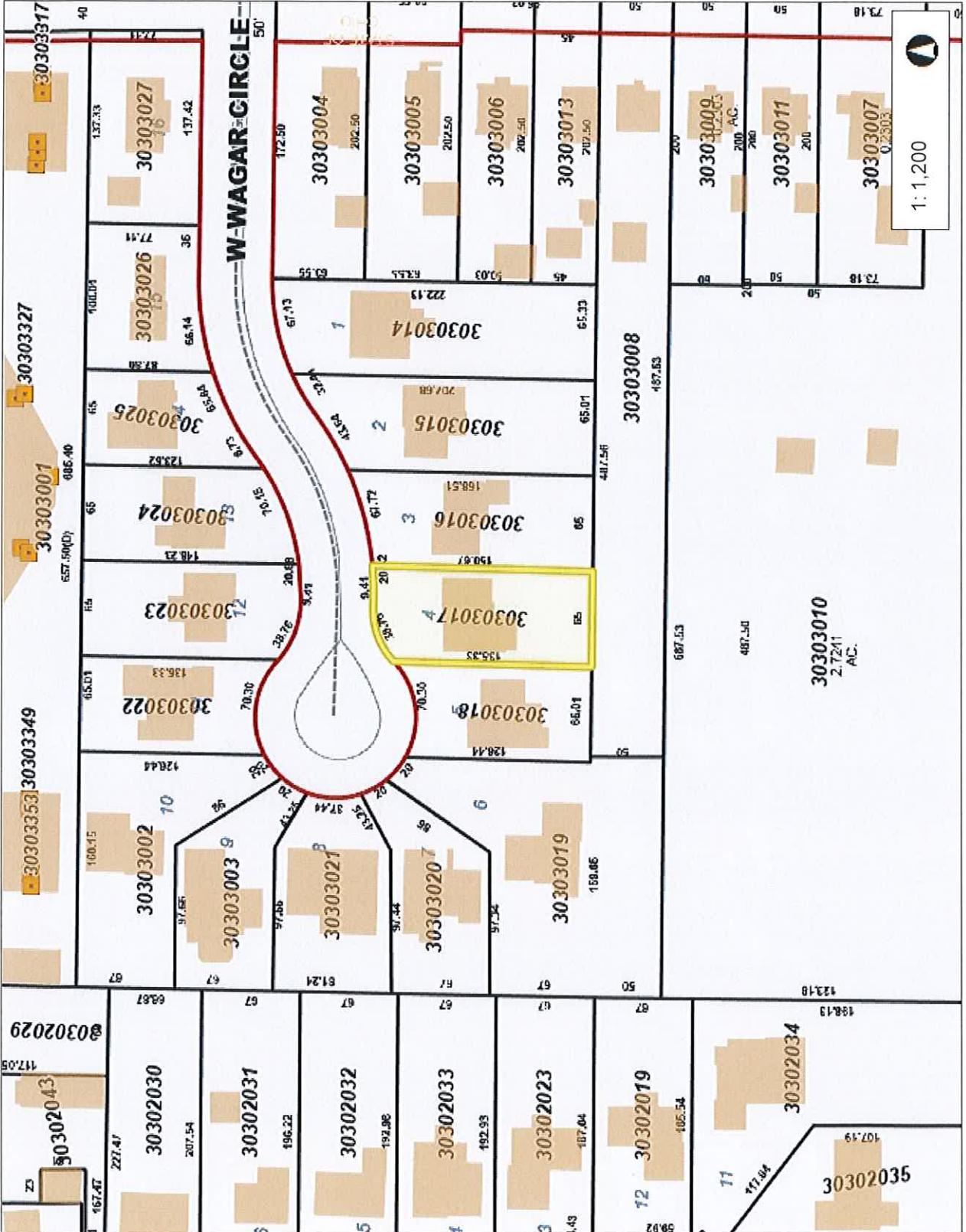
NICK & M STIPANOVICH
21059 W WAGAR CIR
ROCKY RIVER, OH 44116-2320

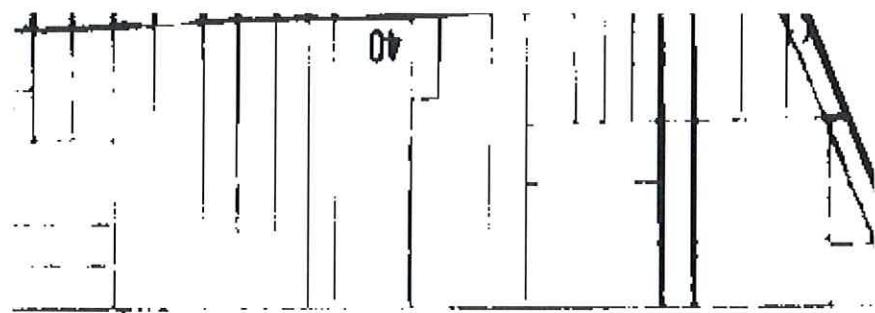
PRICE, JUSTIN & MOLLY
21071 WEST WAGER CIR
ROCKY RIVER, OH 44116

PATRICK DONOUGHE
21170 WEST WAGAR CIR
ROCKY RIVER, OH 44116

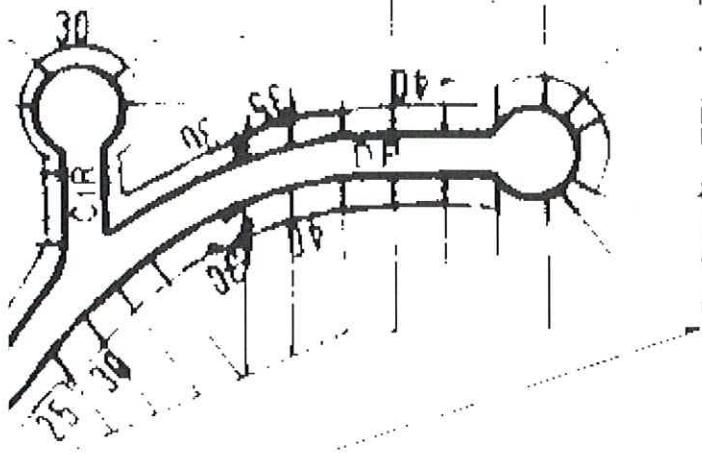
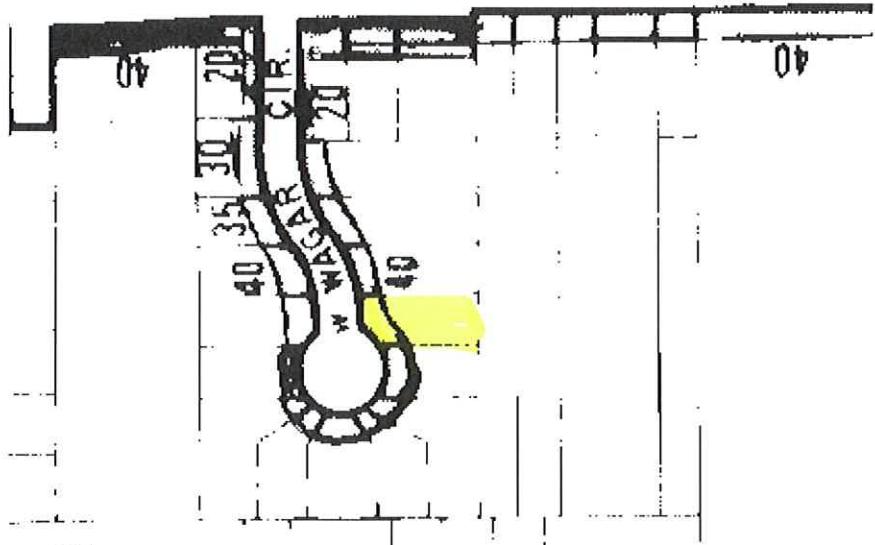
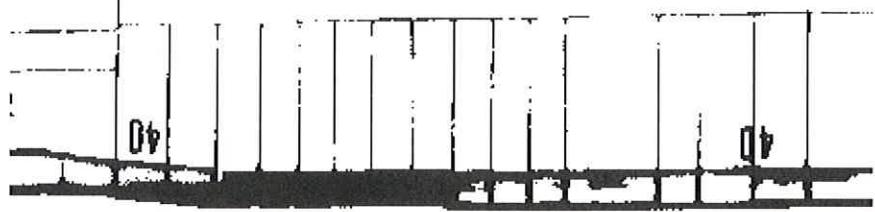
NORTZ, CHRISTOPHER J.
21090 WEST WAGAR CIR
ROCKY RIVER, OH 44116

Cuyahoga County GIS Viewer





1
2
3



(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.

- 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.

(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.

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:

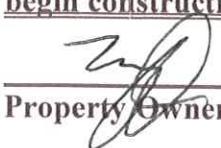
- 1) **Appropriate Building Permit Application** for your project. (i.e., Building Permit Application, Fence Permit Application, Accessory Permit Application, etc.); **Check representing Application Fee.**
- 2) **Fully completed Variance Application.** Begin with a written narrative describing exactly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

10-18-2023

Date

MARK REINHOLD

Applicant/Representative

10-12-23

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: 10.12.2023 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: _____

MARK JEN OSBOURNE

Name of Property Owner

2111 WAGAR COURT

Address

Telephone No.

216 244 4069

Cell Phone No.

E-MAIL: osmium955@gmail.com

MARK REINHOLD

Name of Applicant / Representative

1120 FOREST ROAD

Address

216 906 7897

Telephone No.

Cell Phone No.

E-MAIL: mark.reinhold55@gmail.com

Description of what is intended to be done:

addition to 2nd floor dormer space

addition to front porch.

storage shed - enlarge along same side setback + sg. footage

Sections of the Code from which variance is being requested:

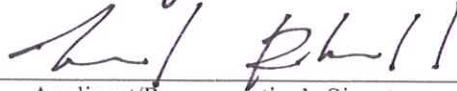
List variances requested:

side yard set back / accessory building lot cov.

front yard set back / side yard set back, shed.



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 • Coverage (>28%) | <input checked="" type="checkbox"/> | (Area) Practical Difficulties |
| | <input type="checkbox"/> | (Area) Practical Difficulties |
| DRIVEWAYS: <i>(Complete Building Permit Application)</i> | | |
| <ul style="list-style-type: none"> • Width • Distance from property line • Circular if lot width is <90' | <input type="checkbox"/> | (Area) Practical Difficulties |
| | <input type="checkbox"/> | (Area) Practical Difficulties |
| | <input type="checkbox"/> | (Area) Practical Difficulties |
| SIGNS: <i>(Complete Sign Permit Application)</i> | | |
| <ul style="list-style-type: none"> • Area allowed (maximum sq. ft.) • Height • Front setback • Lot width <100' • Number of items of information • On side of building | <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 |
| FENCES: <i>(Complete Fence Permit Application)</i> | | |
| <ul style="list-style-type: none"> • Height or Openness • Front Yard (in setback) | <input type="checkbox"/> | (Area) Practical Difficulties |
| | <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> | | |
| <p><u>Note:</u> Total square footage of all accessory buildings, including detached garages, is not to exceed 600 square feet.)</p> | | |
| <ul style="list-style-type: none"> • Height • Setback from property line • Square footage | <input type="checkbox"/> | (Area) Practical Difficulties |
| | <input checked="" type="checkbox"/> | (Area) Practical Difficulties |
| | <input checked="" 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 • Setback from property line | <input type="checkbox"/> | (Area) Practical Difficulties |
| | <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).

MOST OF THE "HOUSE" ISSUES ARE DUE TO
UNIQUE SITING ON A CUL-DE-SAC. THE SHED
SITING (BETTER THAN EXISTING) SAVES BACK YARD SPACE.

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).

THE HOUSE IMPROVEMENTS ADD TO VALUE and
VALUE OF THE NEIGHBOR HOOD. PORCH ADDITION
MAKES IT MORE USABLE / FRIENDLY). SHED ADDS VALUE.

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).

PORCH AND JULIET BALCONY ARE QUITE MINOR.
470+/- @ BALCONY. PORCH UNIQUE DUE TO CUL-DE-SAC
IS ALREADY 100% IN SET BACK, ADDITION JUST
MAKES PORCH USABLE.

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).

BENEFITS:

- UPDATED SHED
- MORE CONTEMPORARY FAÇADE
- MORE USABLE PORCH
- MORE 2ND FL. AREA
- SEE PICS. FOR MINOR IMPACT.

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

NO AFFECT

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

YES... WE DISCUSSED DURING DESIGN.

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

NO... MOST CONDITIONS ARE BECAUSE OF CUL-DE-SAC.

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).

SEE "CUL-DE-SAC" NOTES.

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).

YES... MINOR REQUESTS ONLY.

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 PRIVILEGE WILL BE GRANTED OR ASKED FOR.

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.

YES. ESPECIALLY @ FRONT PORCH.

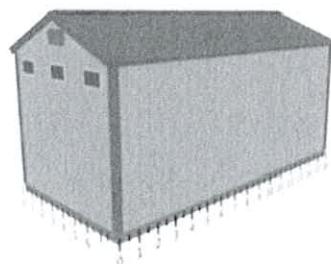
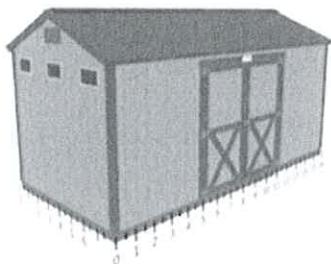
PLEASE NOTE: A separate Permit Application and fee will be due prior to issuance of the Building Permit. NO CONSTRUCTION IS TO BEGIN until the Building Permit has been issued.



1 of 1

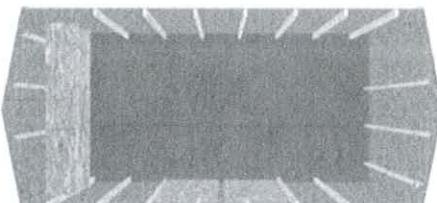
JHED

Mark Osborne
21111 West Wagar Circle
Rocky River OH 44116
Q7972445-7954338



Wall D

Wall A



Wall C

Wall B

Base Details/Permit Details

Building Size & Style

TR-700 - 8' wide by 16' long

Paint Selection

Base: Smoky Slate, Trim: Ground Coffee

Roof Selection

Golden Cedar 3 Tab

Drip Edge

Brown

Is a permit required for this job?

Yes, Engineering fees still apply

Who is pulling the permit?

Customer

Optional Details

Doors

3' x 6' 2" Double Door (6'), LowerX

Transoms

6 Ea Transom Window (16"x8")

Roof

157 Sq Ft Roof - 5/12 Roof Pitch

Upgrade

16 Lin Ft Ridge Vent

Floor and Foundation

128 Sq Ft 3/4" Treated Floor Decking

Upgrade

Interior

16 Lin Ft Shelving - 16" deep

Vents

2 Ea 16"x8" Wall Vent - Brown

Jobsite/Installer Details

Do you plan to insulate this building after Tuff Shed installs it?

No

Is there a power outlet within 100 feet of installation location?

Yes

The building location must be level to properly install the building. How level is the install location?

Within 5'-8" of level

Will there be 18" of unobstructed workspace around the perimeter of all four walls?

Yes

Can the installers park their pickup truck & trailer within approximately 200' of your installation site?

Yes

Substrate Shed will be installed on?

Grass

Customer Signature:

DocuSigned by:

ESDEC005AC64F1

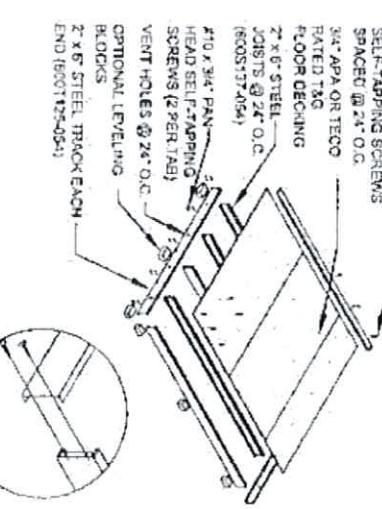
Date: 10/10/2023

TR/TRD-700 SHED UP TO 12' WIDE x UP TO 24' LONG

SUNDANCE SERIES



1 BUILDING SECTION



2A WINDOW HEADER DETAIL FOR LOAD BEARING WALLS

2B DOOR HEADER DETAIL FOR LOAD BEARING WALLS

3 HEADER DETAIL FOR NON-LOAD BEARING WALLS

4 SHED BASE DETAIL



Storage Buildings & Garages
TUFF SHED, INC.

| | |
|---------------------|-------------------------|
| Order # | These drawings and the |
| Customer: | DESIGN ARE THE PROPERTY |
| Drawn By: SJ | OF TUFF SHED INC. THESE |
| Date: 2/28/19 | DRAWINGS ARE FOR A |
| Checked By: | BUILDING TO BE SUPPLIED |
| Date: | AND BUILT BY TUFF SHED. |
| Drawn By: TUFF SHED | ANY OTHER USE IS |
| Date: | FORBIDDEN BY TUFF SHED |
| Spcln: N.T.S. | PC & THE ENGINEER OF |
| | RECORDS. |

DRAWINGS BY:
TUFF SHED, INC.
IN-HOUSE DRAFTING DEPARTMENT
1777 S. JARRELL STREET
DENVER, COLORADO 80210

303.755-TUFF
FAX: 303.755-1000
E-MAIL: info@tuffshed.com
WEBSITE: www.tuffshed.com

NOTES - 2018 IBC & IRU - 11SC
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