



## NOTICE OF PUBLIC HEARING

BOARD OF ZONING AND BUILDING APPEALS  
ON  
MARCH 9, 2023

TO WHOM IT MAY CONCERN:

THE BOARD OF ZONING AND BUILDING APPEALS WILL HOLD A PUBLIC HEARING ON THURSDAY, MARCH 9, 2023 AT 7:00 PM FOR A VARIANCE TO CONSTRUCT A DETACHED GARAGE WITH A 3' SIDE YARD SETBACK VS. 5' SIDE YARD SETBACK REQUIRED FOR JOSE & SANDRA ARANCIBIA FOR JOSE AND SANDRA ARANCIBIA, 20031 LAVERNE 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 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

PERZ, BARBARA  
20050 LAVERNE AVE  
ROCKY RIVER, OH 44116

MARSTON RYAN F. &  
KERIANNE K  
19989 LAVERNE AVE  
ROCKY RIVER, OH 44116

VACHA SARA E.  
20030 LAVERNE AVE  
ROCKY RIVER, OH 44116

REMAKEL, STEPHANY &  
ELKING, PHILIP  
20000 LAVERNE AVE  
ROCKY RIVER, OH 44116

STEINMETZ, ERIC  
20040 CAROLYN AVE  
ROCKY RIVER, OH 44116

BENKO, DONNA T. TRUSTEES  
20089 LAVERNE AVE  
ROCKY RIVER, OH 44116

WILMA MISENKO  
20074 CAROLYN AVE  
ROCKY RIVER, OH 44116-4002

KIMBERLY A. DELL-WAGNER  
MARK E. WAGNER  
P.O. BOX 11701  
NEWARK, NJ 07101-8701

KIM C. CURTIS ET AL  
2580 CLAGUE RD  
WESTLAKE, OH 44145

MANALO, JULIE L. & DRAKE C.  
20090 CAROLYN AVE  
ROCKY RIVER, OH 44116

JOHN C & I THESKEN  
20051 LAVERNE AVE  
ROCKY RIVER, OH 44116-4009

JOSE L ARANCIBIA  
20031 LAVERNE AVE  
ROCKY RIVER, OH 44116

COULTER, DENISE K  
19982 CAROLYN AVE  
ROCKY RIVER, OH 44116

LESZKO, JULIA A.  
20017 LAVERNE AVE  
ROCKY RIVER, OH 44116

HOLMES, ERIC J.  
20071 LAVERNE AVE  
ROCKY RIVER, OH 44116

PHENNEY, EVAN J. & LAURA M.  
19994 CAROLYN AVE  
ROCKY RIVER, OH 44116

BRIAN J WILLSE MARYJO R  
OGRINC  
20016 CAROLYN AVE  
ROCKY RIVER, OH 44116-4002

MARTIN O'CONNOR  
20030 CAROLYN AVE  
ROCKY RIVER, OH 44116

GERBER, KEVIN A. & GERBER,  
DEBRA  
20070 LAVERNE AVE  
ROCKY RIVER, OH 44116

UTRATA, DANIEL C.  
20003 LAVERNE AVE  
ROCKY RIVER, OH 44116

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: \_\_\_\_\_ 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:	20031 Laverne Ave.		
Jose and Sandra Arancibia	John or Amy D'Amico		
Name of Property Owner	Name of Applicant / Representative		
20031 Laverne Ave. Rocky River, OH 44116	1309 Ridge Rd. Suite 4 Hinckley, OH 44233		
Address	Address		
216-509-0711	216-509-0711	440-230-9900	216-533-0901
Telephone No.	Cell Phone No.	Telephone No.	Cell Phone No.
E-MAIL:	E-MAIL:		
josearancibia@sbcglobal.net	amy.greatgarage@gmail.com		

Description of what is intended to be done:

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Sections of the Code from which variance is being requested:

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List variances requested:

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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

**Description of what is intended to be done:**

Demo existing 20'x 24' detached garage and build a new 22' x 24' detached garage 3' off the sideline and on the same sideline set back as the existing garage and move the proposed garage up from 20' to 44' off the rear line. The front of the proposed garage will be lined up with the rear of the house.

**Sections of the Code from which variance is being requested:**

**List variances requested:**

2' Sideline set back from 5' to 3' off the sideline

## 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:</b> <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> <li>• Rear, side &amp; front setbacks</li> <li>• Coverage (&gt;28%)</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
<b>DRIVEWAYS:</b> <i>(Complete Building Permit Application)</i>		
<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:</b> <i>(Complete Sign Permit Application)</i>		
<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:</b> <i>(Complete Fence Permit Application)</i>		
<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):</b> <i>(Complete Accessory Structure Permit Application)</i> ; <b>Detached Garages:</b> <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"> <li>• Height</li> <li>• Setback from property line</li> <li>• Square footage</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
	<input checked="" type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
<b>Air Conditioners and Generators:</b> <i>(Complete HVAC Permit for A/C or Electrical Permit for Generators)</i>		
<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:</b> <i>(Complete Building Permit Application)</i>		
<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

## **PRACTICAL DIFFICULTIES**

### **A) Describe what special conditions and circumstances exist...**

This particular lot has 59% of their property either in the front yard or the large side yard. Only 20% of their property is their back yard.

### **B) Explain whether the property in question will yield a reasonable return...**

Without this variance, the property will be left with a large unusable lot.

### **C) Explain whether the variance is substantial...**

The variance is not substantial. The existing garage is already sitting 3' off the property line. We are simply moving the garage forward on the same sideline set back of 3' and moving up to the REAR of the house.

### **D) Explain whether the essential character of the neighborhood would substantially altered...**

We believe the essential character will remain the same seeing that the garage is simply moving forward from its rear property line 24' and would still be 83' off the front public walk. The neighbor to the East has been notified of the garage location and do not have an objection. Mainly because we are about 15' away from the corner of their house and there is a 6' wood fence in between the house and garage with that fence maintaining its 7' away from the proposed garage.

### **E) Explain whether the variance would adversely affect the delivery of governmental services...**

All governmental services will be maintained as usual with no changes.

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

At the time of purchase the homeowner was not aware that moving the garage up would even be an issue.

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

The homeowner made no actions to create where this existing garage sits on the property.

**H) Explain whether the property owner's predicament feasibly can be obviated through some method other than a variance...**

There is simply no other way to create a usable back yard where children can play without and families can gather with moving the garage out of the rear portion of the yard.

**I) Explain whether the spirit and intent behind the zoning requirement would be observed...**

We believe granting a variance is exactly for situations like this and therefore The spirit and intent is being observed.

**J) Explain whether the granting of the variance requested will confer on the applicant any special privilege...**

On the contrary, we feel this homeowner is denied practical usage of their lot because of the location of their house and garage on the property.

**K) Explain whether a literal interpretation of the provisions of the code would deprive the applicant of rights commonly enjoyed by other properties...**

Because of the uniqueness of their lot configuration the homeowners would be deprived of a normal back yard that is simply located behind the house.

