

CITY OF ROCKY RIVER
21012 HILLIARD BOULEVARD
ROCKY RIVER, OH 44116
PHONE: (440) 331-0600 FAX: (440) 895-2628

**Accessory Structure Permit
Application**

Permit Fee: \$ 50.00

Plan Review: \$ _____

Total: \$ _____

DATE: _____

ADDRESS OF STRUCTURE: <u>21535 HILLIARD BLVD.</u>		
OWNERSHIP: <u>EHAB & ABRAHAM ABUEKIES</u>	<u>21535 HILLIARD BLVD</u>	<u>440-454-4657</u>
Name	Address	Phone
CONTRACTOR: <u>N.A.</u>		
Name	Address	Phone

TYPE OF STRUCTURE: <input checked="" type="checkbox"/> SHED <input type="checkbox"/> DECK <input type="checkbox"/> PLAY STRUCTURE <input type="checkbox"/> POOL <input type="checkbox"/> OTHER	
SIZE OF STRUCTURE: <u>12'-6" x 13'-0"</u>	CORNER LOT?: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Dumpster <u>N.A.</u> POD <u>N.A.</u> Start Date: <u>N.A.</u> End Date: <u>N.A.</u>	
Dumpsters & Pods - \$45.00 Flat Rate and shall be allowed on-site for a maximum of 15 days unless associated with a building permit.	

VARIANCE NEEDED: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	ESTIMATED COST: \$ _____
BOARD OF APPEALS MEETING DATE: <u>5-11-2023</u>	
TYPE OF VARIANCE: <u>153.15 (c) ACCESSORY BUILDINGS</u>	
OWNER / APPLICANT SIGNATURE: <u>C.A. McGeethick J. PRES.</u>	

- Attach site drawing showing location of proposed structure and its proximity to the house, garage and/or other existing structures. Provide dimensions of structures.
- Submit application and drawings to the Building Department. The applicant will be required to display an "Intent to Build" sign for 10 days. After 10 days a permit can be obtained.
- It is the responsibility of the property owner/contractor who is issued the permit to verify the location structure.

For office use only:

NOTICES SENT TO ABUTTING NEIGHBORS

Permanent Parcel # _____

10 Day Posting Card Issued: _____

Permit #: _____

Permit Issued: _____

Fee Paid Date: _____

DATE NOTICES SENT: _____

BZA Application Fee: \$135.00

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: 4-27-2023 Hearing Date: 5-11-2023
Zoning of Property R-1 Permanent Parcel No. 303-11-006

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

Address of property seeking variance: 21535 HILLIARD

EHAB & ABRAHAM ABUJERIES ARCHITECTS, C.A. MCCLETRICK LLC
Name of Property Owner Name of Applicant / Representative

21535 HILLIARD BLVD. 14551 MADISON AVE. LAKEWOOD, OH. 44107
Address Address

440-454-4657 216-227-0700
Telephone No. Cell Phone No. Telephone No. Cell Phone No.

E-MAIL: ibjerries@gmail.com E-MAIL: ARCHICAM@AMERITECH.NET

Description of what is intended to be done:

RETENTION OF A SECOND NON-PERMITTED SHED

Sections of the Code from which variance is being requested:

1133.15 ACCESSORY USES AND STRUCTURES

(C) ACCESSORY STRUCTURES

List variances requested:

PERMISSION TO RETAIN A SECOND STORAGE SHED OF 162 SQ. FT. AND AN EXISTING
SHED OF 120 SQ. FT. TOTAL 282 SQ. FT. THE TOTAL DOES NOT EXCEED THE
PERMITTED 600 SQ. FT. FOR ACCESSORY BUILDINGS

Abu Abu Jeries C.A. McCletrick, President
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 ☒

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.

Abdul Ady...
Property Owner Date

C.A. Meethink 4-21-23
Applicant/Representative ROS Date

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 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"> 2ND SIZED Square footage 	<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 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Setback 	<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).

THE SECOND SHED WAS CONSTRUCTED TO STORE A FAMILY MEMBER'S FURNITURE DURING HER MILITARY DEPLOYMENT. THE PROPERTY HAS A TOTAL AREA OF 89,189.92 SQ. FT. OR .0989 ACRES

- 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).

AS STATED, THE SECOND SHED WAS BUILT TO HOUSE A FAMILY MEMBER'S FURNITURE. THE OBVIOUS HARDSHIP WOULD BE THE NECESSITY TO MOVE THE CONTENTS TO AN OFF SITE STORAGE FACILITY INCURRING MOVING EXPENSES, RENTAL OF A STORAGE SPACE AND THE COST OF DEMOLISHING THE SHED.

- 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 TOTAL LOT COVERAGE, INCLUDING THE SECOND SHED, IS 6.2%. FURTHER, THE STRUCTURE IS SITUATED 24.3' FROM THE REAR (SOUTH) PROPERTY LINE AND 28.7' FROM THE SIDE (EAST) PROPERTY LINE.

- 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).

NEITHER THE NEIGHBORHOOD OR THE ADJACENT PROPERTIES WILL SUFFER SUBSTANTIAL DETRIMENT SHOULD THE VARIANCE BE GRANTED.

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

NO GOVERNMENTAL DELIVERY OF SERVICES WOULD BE ADVERSELY AFFECTED BY GRANTING THE VARIANCE

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

WE CAN'T SPECULATE ABOUT THE OWNER'S FAMILIARITY WITH THE CITY OF ROCKY RIVER'S ZONING CODE AT THE TIME THEY PURCHASED THE PROPERTY.

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

THERE ARE NO SPECIAL CONDITIONS OR CIRCUMSTANCES IN EXISTENCE AS A RESULT OF THE ACTIONS OF THE OWNER. ALSO, SEE ANSWER TO ITEM "C"

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).

PLEASE SEE ANSWER TO ITEM "D"

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).

PLEASE SEE ANSWERS TO ITEMS "B," "C" AND "D"

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.

WE FEEL THAT GRANTING THE VARIANCE WOULD NOT CONFER TO THE APPLICANT ANY SPECIAL PRIVILEGE.

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.

PLEASE SEE ANSWERS TO ITEMS "A," "B," "C" AND "D"

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.