

21012 HILLIARD BLVD.

ROCKY RIVER, OHIO 44116

(440) 331-0600

## NOTICE OF PUBLIC HEARING

BOARD OF ZONING AND BUILDING APPEALS  
ON  
JUNE 8, 2023

TO WHOM IT MAY CONCERN:

THE BOARD OF ZONING AND BUILDING APPEALS WILL HOLD A PUBLIC HEARING ON THURSDAY, JUNE 8, 2023 AT 7:00 PM FOR A VARIANCE TO CONSTRUCT A 504 SQ. FT. PAVILION IN THE REAR YARD VS. 250 SQ. FT. MAXIMUM PERMITTED (Section 1153.15(g)(3)) AND A VARIANCE TO CONSTRUCT A PAVILION IN THE REAR YARD WITH A HEIGHT OF 16' VS. 12' MAXIMUM HEIGHT PERMITTED (Section 1153.15(g)(1)) FOR DIANE JARMOSZUK, 21884 AVALON 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 "CITY EVENTS" ON THE HOME PAGE OF THE CITY WEBSITE ([www.rrcity.com](http://www.rrcity.com)) AND CLICKING ON "BOARD OF ZONING AND BUILDING APPEALS" OR ON THE HOME PAGE CALENDAR. PLEASE CONTACT KATE STRAUB, PLANNING & ZONING COORDINATOR AT [kstraub@rrcity.com](mailto:kstraub@rrcity.com) OR BY CALLING 440-331-0600 EXT. 2037 FOR MORE INFORMATION.

Notices sent to:

See attached list

PARCEL PIN	Name	Address	City	State	Zip
30207005	MASSAD, WADE I. & AMY L.	21960 AVALON DR	ROCKY RIV OH	44116	
30207006	339 NORTHCLIFF LLC	21916 AVALON DR	ROCKY RIV OH	44116	
30207007	JARMOSZUK, DIANE G. AND JARMOSZUK, NICHOLAS	21884 AVALON DR	ROCKY RIV OH	44116	
30207008	James R Conforto Trustee	21828 AVALON RD	Rocky Riv OH	44116	
30207009	James Conforto trustee	21828 AVALON DR	ROCKY RIV OH	44116	
30207011	Michael R Kennedy	21831 AVALON DR	Rocky Riv OH	44116-113	
30207012	STAVOLE, DENISE M	21873 AVALON DR	ROCKY RIV OH	44116	
30207013	AMY EBERLIEN	21891 AVALON DR	ROCKY RIV OH	44116	
30207014	DI SALVO GIUSEPPE & AMANDA	21911 AVALON DR	ROCKY RIV OH	44116	
30207015	Charles Roberts	21957 AVALON DR	Rocky Riv OH	44116-113	
30207027	BERLINER, EVAN M & STACEY R. C	320 PARKLAWN DR	Rocky Riv OH	44116	



(e) Non-conforming Accessory Buildings. Any non-conforming accessory building, including detached garages, lawfully existing prior to the adoption of this Development Code may be reconstructed or replaced with a new building at the same location as the existing accessory building, providing that any increase in the building area be located in the interior of the lot and away from the lot lines.

(f) Additional Regulations for Parking Areas. Accessory off-street parking spaces shall be provided in compliance with the parking requirements set forth in Chapter 1187, Off-Street Parking and Loading Regulations, which shall be located on the same lot as the dwelling served.

(g) Detached Decks, Patio Fireplaces, Play Structures, Gazebos, & Pergolas. A detached deck, patio fireplace, play structure, pergola, gazebo, or similar structure shall be considered a permitted accessory use and shall be subject to the following regulations:

- (1) No detached deck or horizontal surface shall exceed three (3) feet in height but The maximum height of all other structures shall be twelve (12) feet. All such structures shall be at least seven (7) feet from any property line;
- (2) The part of a play structure that is under a roof shall not be greater than fifty (50) square feet in area. For the purposes of this sub-section, slides, swings and similar play equipment shall not be included in the calculation for total surface area; and,
- (3) The total area of any built-in, horizontal surface that is an integral part of the structure (platform area including any covered area and any elevated platforms) shall not exceed two hundred fifty (250) square feet.

(h) Private Swimming Pools. A private swimming pool, not including farm ponds; retention basins; and lakes, shall be any pool or open tank not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than one and one-half (1.5) feet. No such swimming pool, exclusive of portable swimming pools with a diameter less than twelve (12) feet or with an area of less than 100 square feet, shall be allowed in any R-1 or R-2 District, except as an accessory use and unless it complies with the following conditions and requirements:

- (1) Private swimming pools shall be located on the same zoning lot with the principle use to which it is an accessory use.
- (2) The pool shall not be located, including any walks or paved areas or accessory structure adjacent thereto, closer than eight (8) feet to any property line of the zoning lot on which it is located.
- (3) Every outdoor pool shall be enclosed by a fence forty- eight (48) inches in height around the perimeter of the pool, except the freestanding aboveground pools with sides greater than thirty-six (36) inches high from the ground on which its rests shall not require additional fencing, insofar as the side of such pool itself constitutes a barrier equal to a fence, and ladders and/or any means of access used to enter such pool shall be removed when not in use. One (1) or more gates shall be provided, and each is to be secured so as to prevent access by children. The location of the fence shall be at the discretion of the applicant, but must be at the approval of the Building Division. The fence shall be constructed of permanent and durable materials, and shall be fifty-percent (50%) or more open to light and air, which shall permit a person to see through into the swimming pool.

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: 5/23/23  
Zoning of Property \_\_\_\_\_

Hearing Date: JUNE 8, 2023  
Permanent Parcel No. \_\_\_\_\_

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

Address of property seeking variance: 21884 AVALON DR.

JARMOSZUK RESIDENCE

Name of Property Owner

21884 AVALON DR

Address

Telephone No.

440-897-7639

Cell Phone No.

E-MAIL: Dianejarm@gmail.com

Description of what is intended to be done:

OUTDOOR PAVILION BIGGER THAN "CODE" SIZE

• MAX UNDER ROOF IS 250 SQF

• PROPOSE 504 SQFT (18' x 28')

CHRIS MELTZER

Name of Applicant / Representative

2413 S. Arlington Rd., Akron

Address

330-882-4639

Telephone No.

Cell Phone No.

E-MAIL: Chris@brothergrimmlandscape.com

Sections of the Code from which variance is being requested:

List variances requested:

Dianejarm@gmail.com 5/23/23  
Muhler 5/23/23

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

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: 21884 AVALON DR.  
Diane Jarmoszuk Name of Property Owner BROTHERS GRIMM LANDSCAPE Name of Applicant / Representative DESIGN CO.  
21884 AVALON DR Address 2413 S. Arlington Rd, AKRON Address  
440-897-7639 Telephone No. 330-882-4639 Cell Phone No. 330-882-4639 Telephone No. 330-882-4639 Cell Phone No.  
E-MAIL: dianejarm@gmail.com E-MAIL: chris@brothersgrimmlandscape.com

Description of what is intended to be done:  
New Pavilion (height)

Sections of the Code from which variance is being requested:  
\_\_\_\_\_  
\_\_\_\_\_

List variances requested:

height of new pavilion - 16' ft tall @ peak

Nicholas Jarmoszuk  
Property Owner's Signature

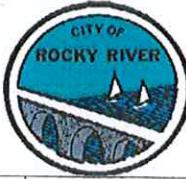
Chris Miller  
Applicant/Representative's Signature

★ 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

**City Of Rocky River**  
 21012 Hilliard Boulevard Rocky River, Ohio 44116  
**APPLICATION FOR RESIDENTIAL PLAN APPROVAL**

Submit one application per building or structure; **ALL** sections must be completed.



**APPROVALS DATES:**

Planning Comm: \_\_\_\_\_  
 Board of Appeals: \_\_\_\_\_  
 Design & Review: \_\_\_\_\_

Application Date: \_\_\_\_\_

Intent Sign Date: \_\_\_\_\_

<b>1 PLAN SUBMISSION:</b>  Plan review will commence once all below plan copies are submitted.  Have 2 paper and 1 digital plan been submitted for plan review? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  If No, date to be submitted by: _____	<b>2 TYPE OF PROJECT:</b>  <input type="checkbox"/> New Building Construction <input type="checkbox"/> Building Addition <input type="checkbox"/> Alteration (no additional sq. ft.) <input type="checkbox"/> Repair/Maintain/ <input type="checkbox"/> Accessory Building( > 200 sqft ) <input checked="" type="checkbox"/> Other (driveway, retaining wall,)	<b>3 PHASED PLAN REVIEW:</b>  <input type="checkbox"/> Foundation <input type="checkbox"/> Framing: <input type="checkbox"/> Other: <input type="checkbox"/> Other: <input type="checkbox"/> Other: <input type="checkbox"/> Other:
<b>4a. DESCRIPTION OF THE EXTENT OF WORK INCLUDED FOR APPROVAL: (RCO 107.2.1)</b>  <i>NEW BACKYARD PAVER PATIO &amp; PAVILION</i>		
<b>4b. Total Estimated Cost : \$</b> <i>\$250,000</i>		
<b>4c. List total square footage of All levels of construction. (Foundation = sf.) (Main Floor = sf.) (Second Floor = sf.) (Attic/Roof = sf.) (Other = sf.)</b>		
<b>5 PROJECT LOCATION: (RCO 107.2.2)</b>  Legal description _____ Street Address <i>21884 AVALON DR</i> City/Township <i>ROCKY RIVER</i> Zip Code _____ County <i>OTT</i> Directions _____		
<input type="checkbox"/> Is this project/building located in a flood plain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Has flood plain administrator been contacted for requirements? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>6 Method Of Demonstrating Energy Code Compliance</b>  Demonstrating Compliance to the 2019 RCO Section 1101.14-1104 _____ or Demonstrating Compliance to the 2019 RCO Section 1105 (Simulated Performance) _____ or Demonstrating Compliance to the 2019 RCO Section 1106 (ERI) _____ or Demonstrating Compliance to the 2019 RCO Section 1112 (OHBA option) _____ or Demonstrating Compliance to the 2018 IECC _____		
<b>7 BUILDING OWNER INFORMATION: (RCO 107.2.4)</b>  Name of owner <i>DIANE JARMOSZUK</i> Attention: _____ Street Address <i>21884 AVALON DR</i> City <i>Rocky River</i> State <i>OH</i> Zip _____ Phone No. <i>440-897-7639</i> Fax _____ E-mail <i>DIANEJARM@gmail.com</i>		
<b>8 APPLICANT INFORMATION: (Owner or Owner's authorized agent) (RCO 107.2.4)</b>  Applicant <i>CHRIS MELTZER</i> Attention: _____ Street Address <i>2413 S. Arlington Rd</i> City <i>AKRON</i> State <i>OH</i> Zip <i>44319</i> Phone No. <i>330-882-4639</i> Fax _____ E-mail <i>Chris@brothersgrfmnlandscape.com</i>		

# ROCKY RIVER BOARD OF ZONING & BUILDING APPEALS

## INSTRUCTIONS TO APPLICANTS

**MEETINGS:** 2nd Thursday of each month at 7:00 P.M. – Council Chambers, First Floor of 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 10 sets of the following:

- 1) Appropriate Building Permit Application for your project. (i.e., Building Permit Application, Fence Permit Application, Accessory Permit Application, etc.)
- 2) Fully completed Variance Application, which includes a written explanation of the project. 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, showing all existing structures on the subject property, as well as structures on affected neighboring properties. Dimensions of all existing structures (length, width and height, where appropriate). All proposed structures/improvements must also be shown on the site drawing, with dimensions and distances from property lines clearly labeled.
- 4) Elevation drawings (for pergola, garage, addition or exterior alteration).
- 5) Photographs of your property and affected adjacent properties. Also, submit a photo example of proposed fences and storage sheds.
- 6) Support letters from surrounding property owners, if available.
- 7) Any other information as may be requested by the Board, Law Director, or Building Commissioner.
- 8) **PLEASE NOTE THAT THE GRANTING OF A VARIANCE IS NOT A BUILDING PERMIT. A SEPARATE BUILDING PERMIT MUST BE ISSUED PRIOR TO ALL CONSTRUCTION.**

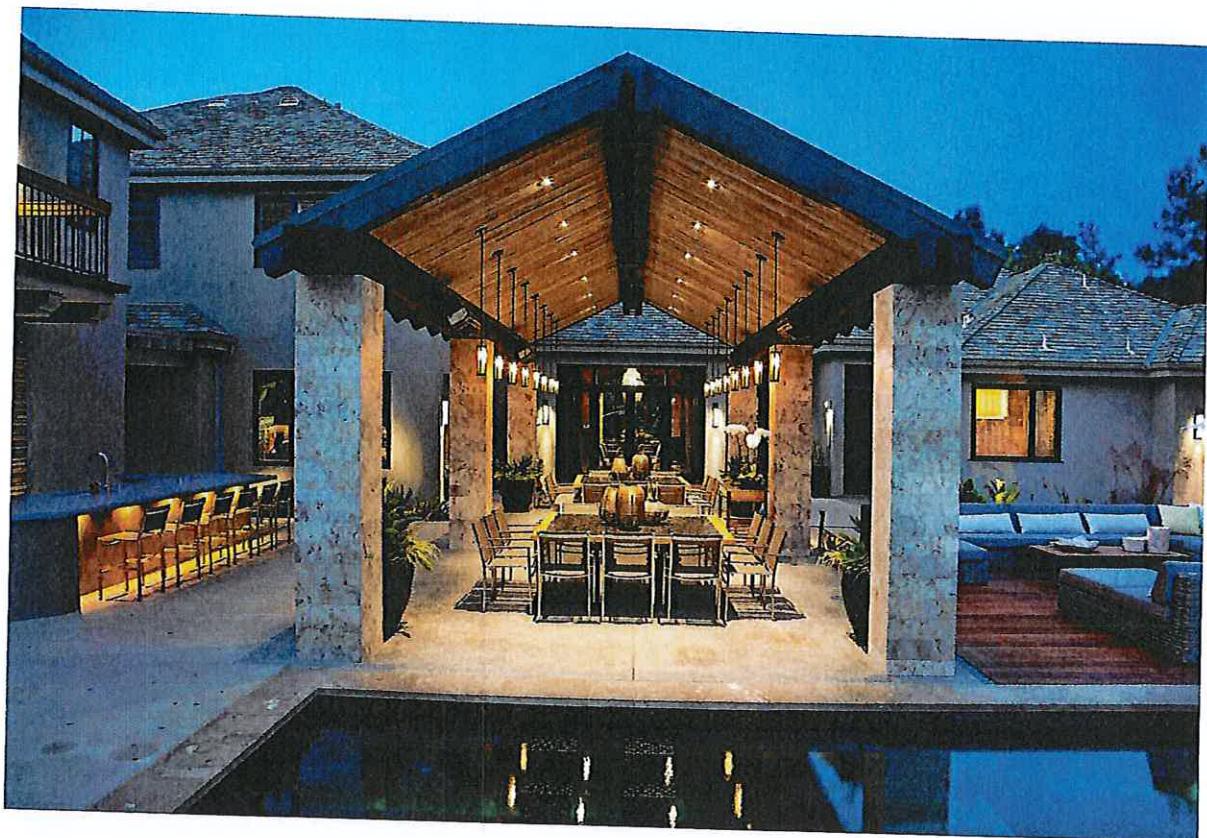
All documentation or other information shall be delivered to:

**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.

*Deanne Thompson*  
Nicholas J. *5/23/23*  
Property Owner Date

*Q. M. H.*  
Applicant/Representative *5/23/23*  
Date





IXE.  
style + design

