



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 AN ADDITION WITH ATTACHED COVERED PATIO WITH A 5.6' SIDE YARD SETBACK VS. 6.875' SIDE YARD SETBACK REQUIRED FOR ANTHONY CHAPMAN, 1090 HOMELAND 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 "CITY EVENTS" ON THE HOME PAGE OF THE CITY WEBSITE (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 OR BY CALLING 440-331-0600 EXT. 2037 FOR MORE INFORMATION.

Notices sent to:
See attached list

PARCEL PIN	Name	Address	City	State	Zip
30228001	Gregory R & J L Evans	1130 HOMELAND DR	Rocky River	OH	44116-2154
30228006	STAMPER, SEAN A. & AMANDA K.	1037 WHITTLESAY LN	ROCKY RMER	OH	44116
30228007	KLECKNER, TODD E & MARGARET L	1047 WHITTLESAY LN	ROCKY RMER	OH	44116
30228008	David & Mary Deckelman	1057 WHITTLESAY LN	Rocky River	OH	44116-2160
30228009	SANDOVAL, FLORY M	1067 WHITTLESAY LN	ROCKY RMER	OH	44116
30228010	JANET FAILS	1077 WHITTLESAY LN	ROCKY RMER	OH	44116
30229004	LASHER, JENNIFER R.	1050 HOMELAND DR	ROCKY RMER	OH	44116
30229005	BURKE, JOSEPH T.	1068 HOMELAND DR	ROCKY RMER	OH	44116
30229006	CHAPMAN, ANTHONY	1090 HOMELAND DR	ROCKY RMER	OH	44116
30229007	GRANZIER, JOHN D. AND GRANZIER, ELIZAE	1112 HOMELAND DR	ROCKY RMER	OH	44116
30229009	WILLIAMS, DANIEL R. & AMY	1150 HOMELAND DR	ROCKY RMER	OH	44116
30229023	ANDERSEN JR., JAMES & ANDERSEN, LISA	1129 HOMELAND DR	ROCKY RMER	OH	44116
30229024	BRUCE & LINDA NEVILLE	1109 HOMELAND DR	ROCKY RMER	OH	44116
30229025	DANIEL MAZZOLA	1089 HOMELAND DR	ROCKY RMER	OH	44116
30229026	MARK BRAUN	15100 STILLFIELD PL	CENTREVILLE	VA	20120
30229027	BAUMGARTNER, TODD C. & BAUMGARTER	1047 HOMELAND DR	Rocky River	OH	44116



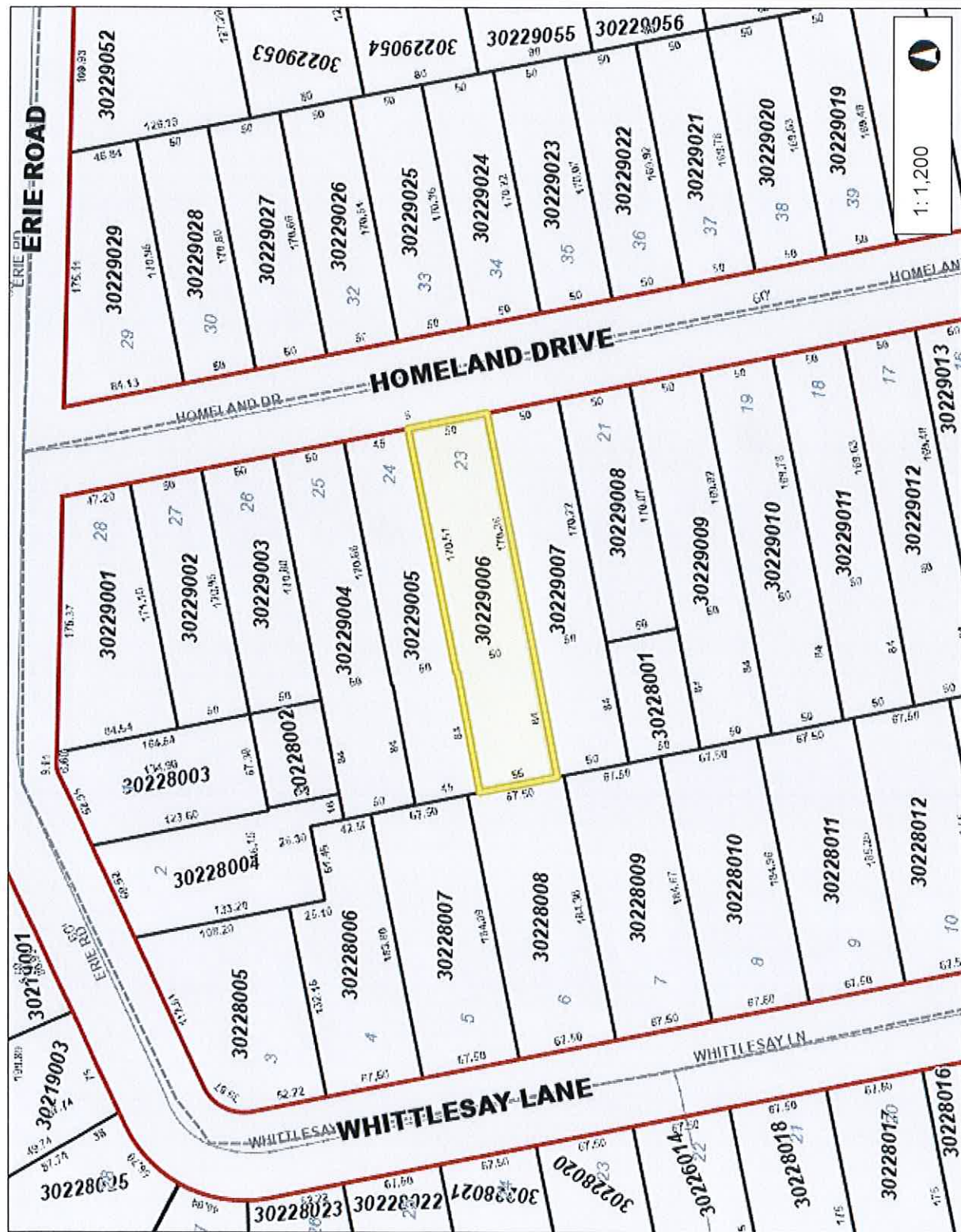
Cuyahoga County GIS Viewer



Date Created: 6/1/2023

Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel



- 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.
<p>^(a) For lots of less than sixty (60) feet in width, each side setback shall be not less than one-eighth ($\frac{1}{8}$) of the width of the lot, but not less than five (5) feet, whichever is greater.</p> <p>^(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.</p>		

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~~¹⁰ stapled sets of the following along with app. fee:

- 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. Site plan should show lot coverage by building calculation (existing and proposed).
PLEASE STAKE THE PROPERTY TO SHOW FOOTPRINT OF ADDITIONS, SHEDS OR LOCATIONS OF A/C CONDENSERS, etc.
- 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

Date

Applicant/Representative

Date

Greg Heltz 5-25-23

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: June 8th 23
Permanent Parcel No. 302-29-006

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

Address of property seeking variance: 1090 Homeland

Chapman

Name of Property Owner

1090 Homeland

Address

Telephone No.

216-534-2311

Cell Phone No.

Anthony LATINA

Name of Applicant / Representative

1156 Linda St.

Address

Telephone No.

440.773.9335

Cell Phone No.

E-MAIL: ac311205@gmail.com

E-MAIL: Anthony@latinadbg.com

Description of what is intended to be done:

REAR ADDITION

Sections of the Code from which variance is being requested:

List variances requested:

7' RT SIDE YARD VARIANCE

Property Owner's Signature

Anthony Latina

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> <i>Total square footage of all accessory buildings, including detached garages, is not to exceed 600 square feet.)</i>		
<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).

Home currently sits - 5'-1" off property line.
requesting 7" variance per new code.

- 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).

Yes will yield a reasonable return when
owners decide one day to sell.

- 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).

new code is 6'-8" - currently home sits
5'-1" off property line - new addition sits in
6" from existing. - only requesting 1' variance.

- 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).

Granting this variance would not alter the neighborhood.
nor would it suffer substantial detriment to neighboring
property. This addition will only add value
to the neighbors property.

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

NO IT WOULD NOT.

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

NO THEY DID NOT.

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

NO SPECIAL CONDITIONS. - IT'S THAT THE CODE NOW IS 6'-8" OFF PROPERTY LINES.

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 WAY TO CONSTRUCT ADDITION W/out VARIANCE
ADDITION IS ONLY 27' WIDE - CAN'T GO ANY WIDER
DUE TO WINDOWS TO THE SOUTH.

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).

PLAN AND SIMPLE - ADDING VALUE TO NEIGHBORS
AND TO THE COMMUNITY.

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.

WILL NOT CONFER ANY SPECIAL PRIVILEGES

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.

BOTH NEIGHBORS HAVE HAD ADDITIONS DONE TO THEIR HOMES.

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.



