



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 5' TALL BOARD-ON-BOARD FENCE IN THE CORNER SIDE YARD WITH A 15' CORNER SIDE SETBACK VS. ONLY ORNAMENTAL FENCES SHALL BE PERMITTED WITHIN THE CORNER SIDE YARD TO A MAXIMUM HEIGHT OF 42" (Section 1153.15(j)(4)) FOR FORREST BISHOP, 19943 PARKVIEW 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

CHAN, BENJAMIN
19950 BONNIE BANK BLVD
ROCKY RIVER, OH 44116-

DUNN, JOSEPH LYLE
3711 WOOSTER RD
ROCKY RIVER, OH 44116

SKAINS JR., RICHARD B. &
GABRIELLA S.
3710 WOOSTER RD
ROCKY RIVER, OH 44116

WADE, NATHAN D.
19980 PARKVIEW AVE
ROCKY RIVER, OH 44116

BISHOP, FORREST B. & HALLAH
19943 PARKWAY AVE
ROCKY RIVER, OH 44116

STERNAD, PATRICIA A. AND
STERNAD, RONALD J.--
TRUSTEES
20022 BONNIE BANKS BLVD
ROCKY RIVER, OH 44116

SYBYL, JENNIFER M
3691 WOOSTER RD
ROCKY RIVER, OH 44116

CIRIACO COVUCCIA
19950 PARKVIEW RD
ROCKY RIVER OH, 44116

VANDERPLOUGH, JONATHAN &
EMILY
21190 ERIE RD
ROCKY RIVER, OH 44116

FREEMAN, CHERYL L.
19979 PARKVIEW AVE
ROCKY RIVER, OH 44116

MASSIE, KYLE & KATHERINE
19976 BONNIE BANK BLVD
ROCKY RIVER, OH 44116

ADORNO, JUAN F.
3641 WOOSTER RD
ROCKY RIVER, OH 44116

STEPHEN QUARRICK
19994 BONNIE BANK BLVD
ROCKY RIVER, OH 44116

FALSO, JOSHUA J. & MIRANDA M.
19968 PARKVIEW AVE
ROCKY RIVER, OH 44116



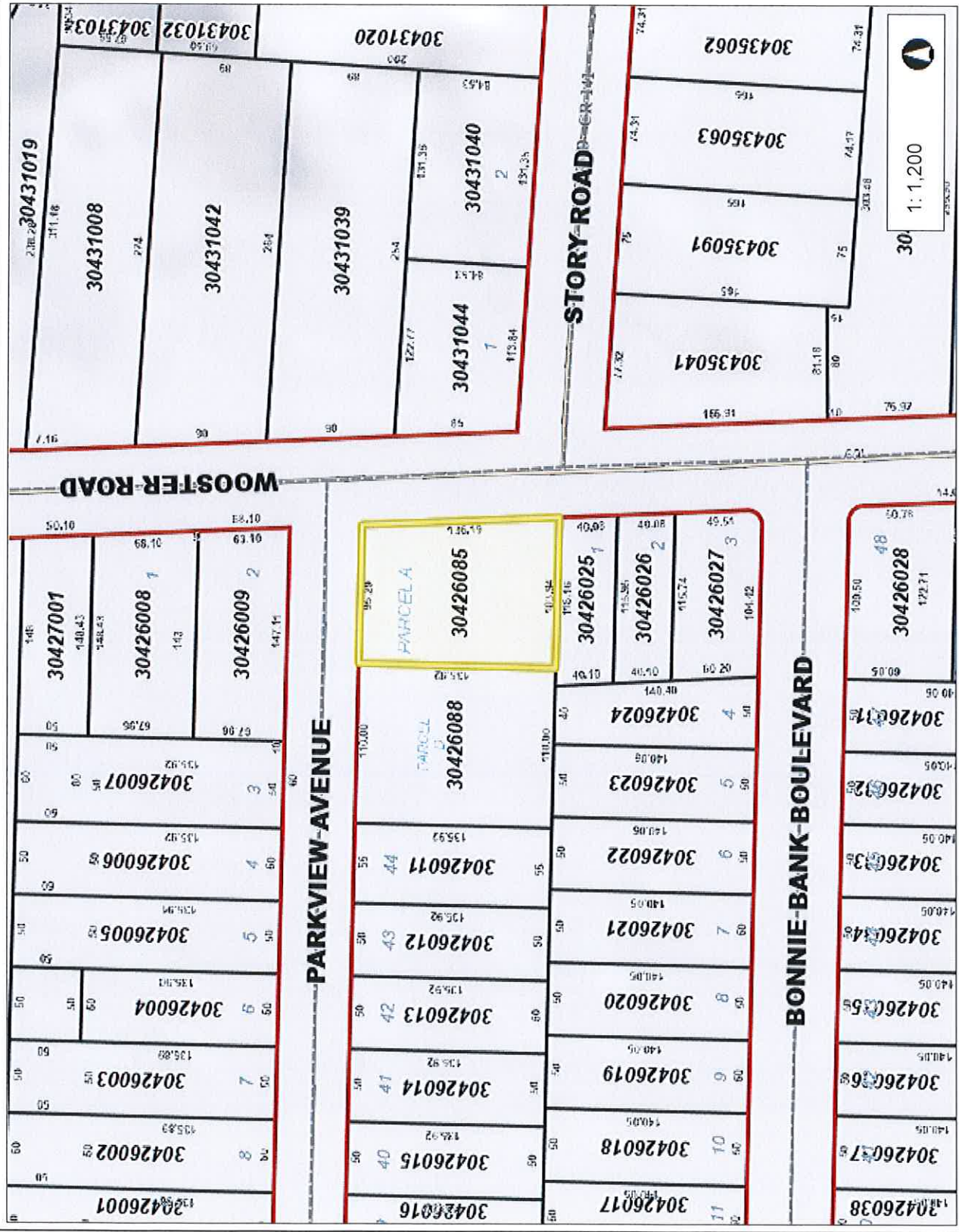
Cuyahoga County GIS Viewer



Date Created: 6/1/2023

Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel



Scale: 1:1,200



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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:

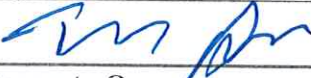
- 1) **Appropriate Building Permit Application** for your project. (i.e., Building Permit Application, Fence Permit Application, Accessory Permit Application, etc.); **Check representing Application Fee.**
- 2) **Fully completed Variance Application.** Begin with a written narrative describing exactly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

5/19/23

Date

Applicant/Representative

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: May 2023 Hearing Date: June 8, 2023
Zoning of Property Res. Permanent Parcel No. 304-26-085

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

Address of property seeking variance: 19943 Parkview Ave.

Forrest B. Bishop
Name of Property Owner

Forrest B. Bishop
Name of Applicant / Representative

19943 Parkview Ave.
Address

19943 Parkview Ave.
Address

440-666-4458
Telephone No.

440-6664458
Cell Phone No.

Telephone No.

Cell Phone No.

E-MAIL: forrestbyers@gmail.com

E-MAIL: _____

Description of what is intended to be done:

New 5' board on board privacy fence. Approx. 1/2 of rear yard and east side yard.

Sections of the Code from which variance is being requested:

Sidyard setback on a corner lot.

List variances requested:

Sidyard setback 15' vs 35' required.

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 	<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
<ul style="list-style-type: none"> * side yard (in setback) 	X	
ACCESSORY BUILDINGS (Play Structures, Storage Sheds: <i>(Complete Accessory Structure Permit Application); Detached Garages:</i> <i>(Complete Building Permit Application)</i>		
<i><u>Note:</u> 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).

Setback at Wooster Road is 35', prohibiting substantial use of the
rear yard. Traffic from Wooster Road and Story Road have clear view of
the rear yard.

- 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).

Additional 20' allows for substantial use of rear yard., i.e. safety
for small children as well as privacy at patio.

- 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).

Minimum necessary to make reasonable, safe and private use of rear yard.
Non corner lot allows 0 setback at sideyard.

- 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).

There is no detriment to adjoining rear neighbor. Rear neighbors clear
view at driveway to Wooster Road is considered with angle at rear corner.

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

None

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

Yes

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

No

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, the fence is for privacy and safety of small children.

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).

The fence is a continuation of the rear neighbors fence and privacy to rear neighbor.

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, non corner lots are afforded full, safe and private us of their entire rear yard.

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.

See item J.

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.

- (4) Fences on a Corner Lot Within the Required Corner Side Setback. For lots located on a corner, fences may be located in the required corner side setback provided such fences are located behind the front wall of the principal building and setback five (5) feet from the corner side lot line. Only ornamental fences shall be permitted within the corner side yard to a maximum height of forty-two inches. A Zoning Certificate shall be required for a fence in the corner side yard, and such Certificate shall be approved by the Zoning Administrator. The Architectural Review Board is authorized to grant an exception to this sub-section. The Architectural Review Board may grant a complete exception from this standard, or it may modify the standard in view of the peculiarities of the site. The Architectural Review Board may also impose reasonable conditions, such as the planting of landscaping, when approving such an exception. In evaluating a request for an exception, the Review Boards shall consider:
- A. The proposed opacity of the fence;
 - B. The proposed height,
 - C. The location of the propose fence; and,
 - D. Any impacts on adjacent property or the public right-of-way.
- (5) Fences that are painted shall be one color. Fences and walls shall be maintained in good repair and condition, be structurally sound, and attractively finished at all times by the owner and/or occupant of the lot on which they are located. The smooth finished side of the fence or wall shall be the side of the fence that faces outward from the yard that is fenced;
- (6) Barbed wire, and electrified fences are prohibited. Acceptable fencing materials include stone, brick, finished wood, iron, metal, or synthetic look-alike products;
- (7) Privacy Fences. Basket weave, woven, louver, ventilating, stockade, palisade fences, and other fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall comply with the following:
- A. Height & Location. Such fences shall have a height not to exceed six (6) feet provided that the fence shall not enclose more than two (2) sides of an area and shall not be located within the front or side setback established for the principal building nor within the rear setback established for an accessory building, except as provided for in sub-sections 1153.15 (j) (7) B. - D. below.
 - B. Privacy Fences on Rear Yards Adjacent to and Abutting Route I-90. On lot lines contiguous with the easement or right-of-way of I-90, privacy fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall be permitted to a height not to exceed eight (8) feet
 - C. Privacy Fence on Rear and Side Yards Adjacent to and Abutting the Norfolk Southern Railroad Tracks. On lot lines contiguous with the easement or right-of-way of the Norfolk Southern railroad tracks through the City, privacy fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall be permitted to a height not to exceed eight (8) feet; provided, however, that should such contiguous lot line be a side lot line, such privacy fence may not extend on such lot line beyond any front setback line which may exist as the regulations thereon are contained in these Codified Ordinances.

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

Fence Permit Application

Permit Fee: \$55.00

Date: May

COMMERCIAL: _____ RESIDENTIAL: X

ADDRESS OF IMPROVEMENT: _____

OWNERSHIP: Forrest B. Bishop 19943 Parkview Ave 440/666-4458
Name Address Phone

CONTRACTOR: N/A _____
Name Address Phone

CONTRACTOR EMAIL: N/A ESTIMATED COST \$3,000.00

TYPE OF FENCE: Ornamental Split Rail Board on Board Picket Privacy

HEIGHT & LOCATION OF FENCE: Front 0 / Ht 0 Side E / Ht 5' Rear S / Ht 5'

CORNER LOT: Yes X No _____


VARIANCE NEEDED: Yes X No _____

BOARD OF APPEALS MEETING DATE: June 8, 2023

VARIANCES NEEDED: Sidyard Setback

PROHIBITED FENCES
Barbed Wire
Electrified

** Caution should be used when replacing or installing a new fence on the property line and although a survey is not required, it is strongly recommended. Plan review and approvals by an HOA or any easement locations or deed restrictions are the responsibility of the applicant. Any dispute over the location of a proposed or installed fence will be settled by the applicant providing a current survey. By initialing this box I understand my responsibilities as the applicant. I will call the Building Department for a Final Inspection of the fence installation.

SIGNATURE OF OWNER:  _____
SIGNATURE OF APPLICANT: _____

- Attach site drawing showing location of proposed fence and its proximity to the house, garage and/or other existing fences. Label length of proposed fence.
- 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.
- A final inspection verifying materials and design is required at conclusion of the project. PLEASE CALL TO SCHEDULE FINAL INSPECTION

For office use only:
NOTICES SENT TO ABUTTING NEIGHBORS
Date Sent: _____ Permanent Parcel # _____
10 Day Posting Card Issued _____
Permit #: _____