



21012 HILLIARD BLVD.

ROCKY RIVER, OHIO 44116

(440) 331-0600

NOTICE OF PUBLIC HEARING

BOARD OF ZONING AND BUILDING APPEALS
ON
AUGUST 10, 2023

TO WHOM IT MAY CONCERN:

THE BOARD OF ZONING AND BUILDING APPEALS WILL HOLD A PUBLIC HEARING ON THURSDAY, AUGUST 10, 2023 AT 7:00 PM FOR A VARIANCE TO CONSTRUCT A SECOND CURB CUT FOR A CIRCULAR DRIVEWAY ON A LOT THAT IS 70' WIDE VS. AT LEAST 90' LOT WIDTH REQUIRED FOR A SECOND CURB CUT (Section 1187.31(d)(1) FOR KATE AND CHRIS HORNE, 22105 LAKE RD.

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 THE CALENDAR ON THE HOME PAGE OF THE CITY WEBSITE (www.rrcity.com) AND CLICKING ON THE MEETING LISTED FOR THIS DATE. 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

DAILY, GORDON R. & CARA M.
22158 LAKE RD
ROCKY RIVER, OH 44116

SCHLAGETER LINDA M
22126 LAKE RD
ROCKY RIVER, OH 44116

JOHN M SCHANZ JR
22100 LAKE RD
ROCKY RIVER, OH 44116-1009

NIEDERST, DAVID B.
22200 LAKE RD
ROCKY RIVER, OH 44116

NK
P.O. BOX 910
ROCKY RIVER, OH 44116

MCNALLY, SHEILA KILBANE
22135 LAKE RD
ROCKY RIVER, OH 44116

HORNE, CHRIS AND HORNE,
KATE
22105 LAKE RD
ROCKY RIVER, OH 44116-1008

BALL, STEVEN S
2700 LIBERTY AVE
PITTSBURGH, PA 15222

ALBANESE, JUDITH E
22225 ARBOR CLIFF LN
ROCKY RIVER, OH 44116

UHLER, CHARLES & KRISTEN
22235 ARBOR CLIFF LN
ROCKY RIVER, OH 44116

KAY C MORRIS
22231 ARBOR CLIFF LN
ROCKY RIVER, OH 44116-1051

ARBOR CLIFF LANE
HOMEOWNERS ASSN.
ARBOR CLIFF LN
ROCKY RIVER, OH 44116

CHRISTOPHER AND GAYLE
SPENCER C/O HOWARD HANNA
MORTGAGE 6000 PARKLAND
AVE
MAYFIELD HTS, OH 44124

COTTICCHIA, DAVID R &
NATALIE
22215 ARBOR CLIFF DR
ROCKY RIVER, OH 44116

BOEHM III, JOSEPH J. &
PATRICIA S.
22056 LAKE RD
ROCKY RIVER, OH 44116

MONARCH, LTD.
22024 AVALON DR
ROCKY RIVER, OH 44116-1138

DOMINIC V PERRY TRUSTEE
21998 AVALON DR
ROCKY RIVER, OH 44116-1136

CARLIN, JAMES T. & SHARON P.-
CO TRUSTEES
22011 AVALON DR
ROCKY RIVER, OH 44116

OATEY BLAKE P & CHRISTINE
22061 LAKE RD
ROCKY RIVER, OH 44116

GOLISH, MATTHEW D. &
ELIZABETH Z.
22045 LAKE RD
ROCKY RIVER, OH 44116

O'SHEA, CHAD C. & MELISSA A.
22025 LAKE RD
ROCKY RIVER, OH 44116

HOVER, AUSTIN F & AMANDA L.
21999 LAKE RD
ROCKY RIVER, OH 44116

- (a) Ingress and Egress. Entrances to parking spaces shall be only from an adjoining public street or alley or from a permanent private, access easement. Adequate ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided for vehicles.
- (b) Location. The location and width of entrance and exit access drives to parking facilities shall be planned to interfere as little as possible with the use of nearby property and with pedestrian and vehicular traffic on the nearest streets.
- (c) Interconnected Drives. The Planning Commission may require parking areas serving adjacent business establishments to be interconnected by drives and designed to provide the maximum safety and convenience.
- (d) (Ord. 71-21. Passed 6-13-22.) Driveways shall not be less than eight (8) feet or greater than twenty (20) feet in width in R-1 and R-2 Districts. In R-1 and R-2 Districts, only one curb cut shall be permitted for any lot, except that two curb cuts shall be permitted for any lot that meets all of the following conditions:
 - (1) The lot width is ninety (90) feet or wider; and,
 - (2) The front setback for the lot is at least fifty (50) feet or greater; and,
 - (3) Landscaping on the interior of any turn-around driveway shall be at least 2-1/2' in height and shall be approved by the Zoning Administrator; and,
 - (4) For corner lots, both curb cuts are to be located on the same street.

1187.33 CONSTRUCTION, USE, IMPROVEMENT AND MAINTENANCE STANDARDS.

All driveways, parking areas, waiting areas, queuing areas, loading/unloading areas shall be constructed in accordance with standards established by the City Engineer and the following:

- (a) Grading and Pavement. Parking areas and access driveways shall be so graded and drained so as to dispose of all surface water and drainage into proper outlets so that such surface water and drainage shall not be allowed to flow onto adjacent properties or remain standing in said driveways or parking areas. In other than one or two family uses all surface water and drainage shall not be allowed to flow across a public sidewalk. All parking areas and driveways improved or constructed shall be bituminous or Portland cement pavement, brick pavers, embossed concrete, or other approved pavement materials in accordance with standards established by the City and approved by the City Engineer and the Planning Commission. All existing gravel or other non-paved parking areas and driveways shall be maintained so as not to create a hazard. Gravel or other driveway material shall not collect on sidewalks, driveway aprons or public right of way. For purposes of this Section "improved or constructed" is not intended to include maintenance.
- (b) Design of Parking Areas for Other Than Single Family Detached and Two Family Dwellings. Parking areas other than for single-family detached and two-family dwellings shall be so arranged and marked as to provide for orderly and safe parking and storage of vehicles in accordance with the design standards in this Chapter. Parking areas shall be improved, except at entrances and exits, with curbs or other devices to define parking spaces or limits of paved areas, if necessary. Curbs or other devices shall be provided along the perimeter of any parking area, around landscape areas, or a driveway that is within six (6) feet of a public sidewalk or of a lot line of an adjoining parcel, so as to prevent encroachment of vehicles into adjacent areas or public ways, yards, landscape areas, or setbacks required by this Code, city ordinances and regulations adopted thereunder, and so as to regulate the flow of traffic within the lot.

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) **This 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.
- 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.

STEPHANIE HAYDEN (AGENDA)

Steven Hauer 7-27
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: 7/27/23 Hearing Date: 8/10/23
Zoning of Property R-1 SINGLE FAMILY Permanent Parcel No. 302-06-008

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

Address of property seeking variance: 22105 LAKE ROAD, ROCKY RIVER 44116

KATE & CHRIS HORNE

Name of Property Owner

STEPHANIE HAYDEN

Name of Applicant / Representative

22105 LAKE ROAD

Address

1650 CROSSINGS PKWY, SUITE E, WESTLAKE

44145

—
Telephone No.

—
Cell Phone No.

440-808-3483
Telephone No.

216-965-3485
Cell Phone No.

E-MAIL:

E-MAIL:

Description of what is intended to be done:

EXPAND EXISTING DRIVEWAY TO A HORSESHOE SHAPE WITH
NEW CURB CUT ON LAKE ROAD

Sections of the Code from which variance is being requested:

List variances requested:

HORSESHOE SHAPED DRIVEWAY ON LOT LESS THAN 90' WIDE.
OWNER'S LOT IS 70' WIDE.

STEPHANIE HAYDEN (AGENT)

Property Owner's Signature

Stephanie Hayden

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: (Complete Building Permit Application)		
<ul style="list-style-type: none"> Rear, side & front setbacks Coverage (>28%) 	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
DRIVEWAYS: (Complete Building Permit Application)		
<ul style="list-style-type: none"> Width Distance from property line Circular if lot width is <90' 	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
	<input checked="" type="checkbox"/>	(Area) Practical Difficulties
SIGNS: (Complete Sign Permit Application)		
<ul style="list-style-type: none"> Area allowed (maximum sq. ft.) Height Front setback Lot width <100' Number of items of information On side of building 	<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
FENCES: (Complete Fence Permit Application)		
<ul style="list-style-type: none"> Height or Openness Front Yard (in setback) 	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
ACCESSORY BUILDINGS (Play Structures, Storage Sheds: (Complete Accessory Structure Permit Application); Detached Garages: (Complete Building Permit Application)		
<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 Setback from property line Square footage 	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
Air Conditioners and Generators: (Complete HVAC Permit for A/C or Electrical Permit for Generators)		
<ul style="list-style-type: none"> In side yard <10' from property line or in front yard 	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties
Parking: (Complete Building Permit Application)		
<ul style="list-style-type: none"> < the number of spaces required Setback from property line 	<input type="checkbox"/>	(Area) Practical Difficulties
	<input type="checkbox"/>	(Area) Practical Difficulties

PRACTICAL DIFFICULTIES

ALL QUESTIONS REQUIRE A COMPLETE RESPONSE

R.R.C.O. 1133.17(e)(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).

PROPERTY IS LOCATED ALONG LAKE ROAD AT THE TOP OF A HILL SITUATED TO THE WEST. THE GEOGRAPHY / SPEED OF TRAFFIC ON LAKE ROAD MAKES BACKING OUT DIFFICULT / DANGEROUS DUE TO THE INABILITY TO SEE TRAFFIC COMING FROM WEST.

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).

N/A

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).

WIDTH REQUIRED FOR HORSESHOE SHAPE IS 70' AND WIDTH OF LOT IS 70'-0".

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).

CHARACTER OF NEIGHBORHOOD WOULD NOT BE ALTERED - THERE ARE OTHER HORSESHOE DRIVEWAYS ON LAKE ROAD

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

WOULD NOT IMPACT - EXISTING DRIVEWAY IS INTACT.

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

NO OWNER DID NOT ANTICIPATE NEED FOR LARGER DRIVEWAY WHEN HOME WAS PURCHASED.

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

VARIANCE IS REQUESTED DUE TO GEOGRAPHY OF LAKE ROAD, NOT AS A RESULT OF OWNER'S ACTIONS.

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).

DUE TO LOT WIDTH, A SECOND CURB CUT TO EXIT THE DRIVEWAY FACING FORWARD IS THE BEST WAY TO ADDRESS ISSUE

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).

THIS VARIANCE WOULD IMPROVE THE SAFETY OF THE PROPERTY OWNER AND VEHICLES DRIVING ON LAKE ROAD BY THE HILL.

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 SPECIAL PRIVILEGE. THE OTHER LOTS NEAR THE HILL HAVE TURN-AROUND DRIVEWAYS OR LARGER MOTORCOURTS.

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.

THE APPLICANTS DESIRE TO PULL OUT OF THEIR DRIVEWAY SAFELY AND NEED THIS VARIANCE TO DO SO.

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.