

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

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: 9-25-24 Hearing Date: _____
Zoning of Property RESIDENTIAL Permanent Parcel No. 301-01-012
R-1 SINGLE FAMILY

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

Address of property seeking variance: 20772 Beach Cliff Blvd.
Timothy J. O'Toole Timothy J. O'Toole
Name of Property Owner Name of Applicant / Representative
20772 Beach Cliff Blvd. 20772 Beach Cliff Blvd.
Address Address
440-829-0521 440-829-0521
Telephone No. Cell Phone No. Telephone No. Cell Phone No.

E-MAIL: timothyjotoole@gmail.com E-MAIL: timothyjotoole@gmail.com

Description of what is intended to be done:

ADD ONE 16 X 20 ROOM ADDITION IN PLACE OF
EXISTING ENCLOSED PORCH AND ADDITIONAL
REAR LOT AREA.

Sections of the Code from which variance is being requested:

REAR YARD SETBACK, SCHEDULE 1153.07(2)

List variances requested:

REAR LOT SETBACK @ 10 FT.

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
• 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>		
• Rear, side & front setbacks	<input checked="" type="checkbox"/>	(Area) Practical Difficulties
• Coverage (>28%)	<input type="checkbox"/>	(Area) Practical Difficulties
DRIVEWAYS: <i>(Complete Building Permit Application)</i>		
• Width	<input type="checkbox"/>	(Area) Practical Difficulties
• Distance from property line	<input type="checkbox"/>	(Area) Practical Difficulties
• Circular if lot width is <90'	<input type="checkbox"/>	(Area) Practical Difficulties
SIGNS: <i>(Complete Sign Permit Application)</i>		
• Area allowed (maximum sq. ft.)	<input type="checkbox"/>	(Area) Practical Difficulties
• Height	<input type="checkbox"/>	(Area) Practical Difficulties
• Front setback	<input type="checkbox"/>	(Area) Practical Difficulties
• Lot width <100'	<input type="checkbox"/>	(Area) Practical Difficulties
• Number of items of information	<input type="checkbox"/>	(Area) Practical Difficulties
• On side of building	<input type="checkbox"/>	(Area) Practical Difficulties
FENCES: <i>(Complete Fence Permit Application)</i>		
• Height or Openness	<input type="checkbox"/>	(Area) Practical Difficulties
• 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> Note: Total square footage of all accessory buildings, including detached garages, is not to exceed 600 square feet.)		
• Height	<input type="checkbox"/>	(Area) Practical Difficulties
• Setback from property line	<input type="checkbox"/>	(Area) Practical Difficulties
• 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>		
• 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>		
• < the number of spaces required	<input type="checkbox"/>	(Area) Practical Difficulties
• 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).

REAR LOT OF HOME HAS LIMITED DEPTH

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).

ABSENT AN APPROVED VARIANCE HOMEOWNER CANNOT ADD SPACE/SQ FOOTAGE TO EXISTING HOME WITHOUT ADDING TO FRONT OF HOME CREATING UNSIGHTLY STREET PRESENCE AND ADDED SPACE WOULD BE NON-FUNCTIONAL BASED ON HOME LAYOUT.

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).

EXISTING ENCLOSED PORCH AT 22 FT. SETBACK FROM REAR LOT LINE. PROPOSED ADDITION WILL REDUCE SETBACK TO 10 FT. DECREASING SETBACK BY ~50%. PROPOSED ROOM ADDS APPROX. 320 SQ. FT TO MODESTLY SIZED HOME. (2,100 SQ. FT.)

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).

PROPOSED ROOM WILL BE DESIGNED AND CONSTRUCTED IN COMPLEMENTARY TUDOR STYLE, MAINTAINING THE LOOK & FEEL OF EXISTING HOME & NEIGHBORHOOD. PROPOSED ROOM DOES NOT DISRUPT DIRECT SIGHTLINES FROM NEARBY PROPERTY. THERE IS NOT STRUCTURE DIRECTLY BEHIND PROPOSED ROOM WITH SEVERAL HUNDRED YARDS. ADJACENT AND NEARBY PROPERTIES WILL BE NEGLIGIBLY IMPACTED BY PROPOSED ROOM ADDITION.

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

NO IMPACT TO DELIVERY OF GOVERNMENT SERVICES.

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

HOME OWNER WAS NOT AWARE OF 25 FT SETBACK FOR REAR OF PROPERTY AT THE TIME OF PURCHASE.

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

NONE

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).

THERE IS NO OTHER SPACE RATHER THAN ~~REAR~~ ^{FRONT} LOT THAT WOULD BE UNSIGHTLY AND NEGATIVELY IMPACT NEIGHBORHOOD CHARACTER.

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).

SET BACK REGULATIONS ARE IN PLACE TO ENSURE NEIGHBORS + COMMUNITY CAN LIVE COMFORTABLY IN PROXIMITY. PROPOSED PROPERTY ADDITION HAS NO DIRECT IMPACT TO ADJACENT PROPERTIES.

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 PRIVILEGES WILL BE CONFERRED AS MULTIPLE RESIDENCES IN COMMUNITY HAVE BEEN GRANTED REAR LOT SETBACKS.

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.

AS NOTED, MULTIPLE HOMES HAVE SIMILAR REAR LOT SETBACKS

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.

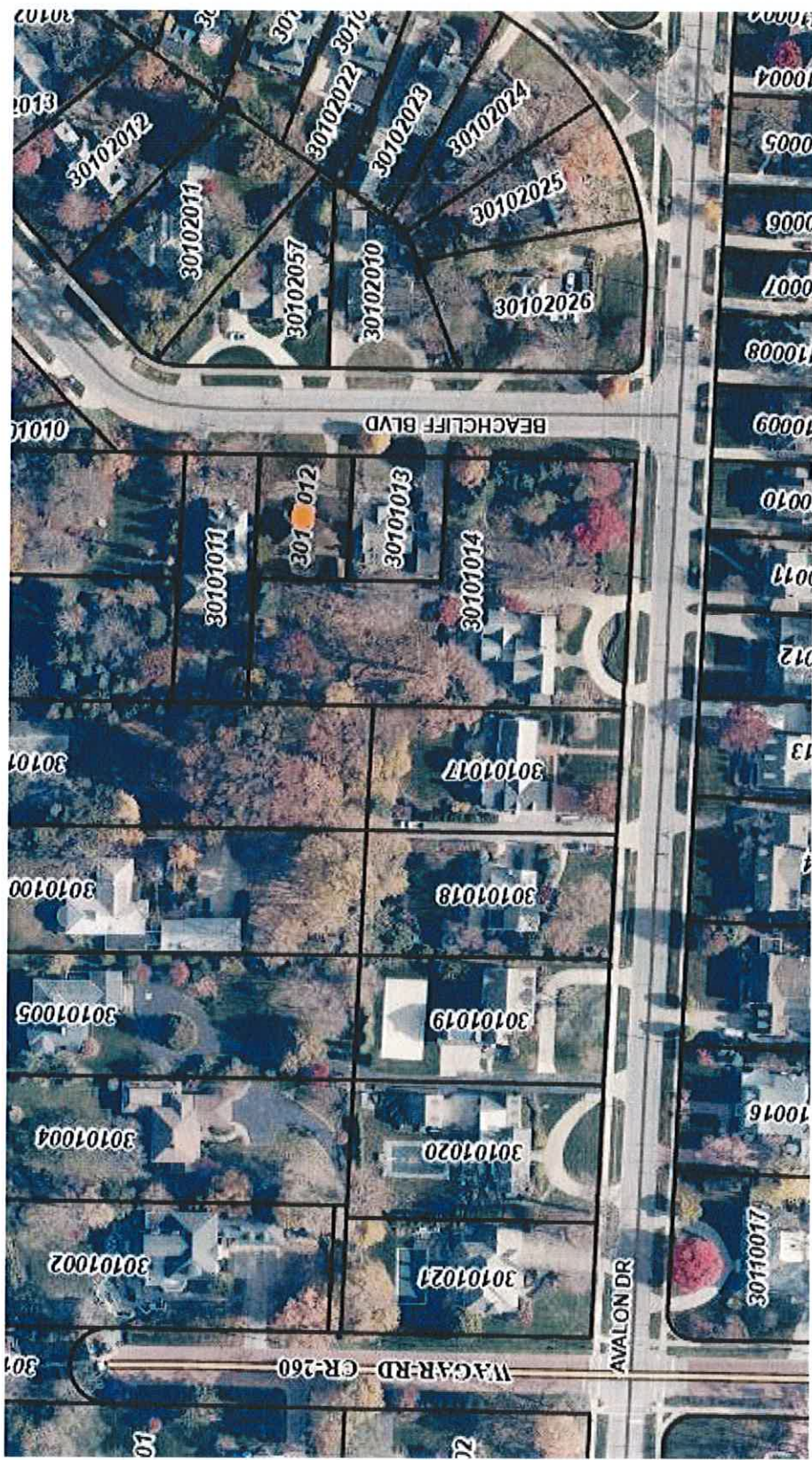


Figure 1 - 20772 Beach Cliff Blvd (orange dot) & Surrounding properties



Figure 2 - 20772 Beach Cliff Blvd. with adjacent properties and existing porch (blue outline) with proposed room addition (red outline).



Figure 3 - Rear lot facing North. Proposed room staked.



Figure 4 - Rear Lot facing South - Proposed room staked.



Figure 5 - Rear lot facing East.



Figure 6 - Front of 20772 Beach Cliff facing west.



Figure 7 - North side of 20772 Beach Cliff facing west

PROPOSED NEW SUNROOM ADDITION FOR THE THERESE & TIMOTHY O'TOOLE RESIDENCE 20772 BEACH CLIFF BOULEVARD, ROCKY RIVER, OHIO 44116

DATE: 26 SEPT. 2024

DRAWINGS FOR REVIEW BY THE ROCKY RIVER, BOARD OF ZONING APPEALS

PROJECT DESCRIPTION

THE SCOPE OF THE PROJECT INCLUDES THE REPLACEMENT OF THE EXISTING SUNROOM ON THE REAR OF THE HOUSE, WITH A NEW SUNROOM ADDITION.

THE EXISTING HOUSE WAS BUILT BEFORE THE CURRENT ZONING CODE. BECAUSE THE PROPERTY IS ONLY 75' x 100' AND THE HOUSE IS SETBACK 40' FROM THE FRONT PROPERTY LINE, THERE IS VERY LITTLE SPACE BETWEEN THE REAR PROPERTY LINE AND THE HOUSE - THE MAIN PART OF THE HOUSE IS 30'+/- FROM THE REAR PROPERTY LINE AND THE EXISTING SUNROOM DOES NOT CONFORM WITH THE REQUIRED REAR SETBACK. UNDER THE CURRENT REAR SETBACK REQUIREMENTS, THERE IS NO ROOM TO REASONABLY ADD TO THE HOME. AS A RESULT OF THE DIFFICULTIES CAUSED BY APPLYING A LITERAL INTERPRETATION OF THE CODE TO SUCH A LIMITED SITE, WE ARE REQUESTING THE FOLLOWING VARIANCE:

VARIANCE #1: ROCKY RIVER ZONING ORDINANCE - REAR SETBACK, SCHEDULE 1153.07(2)
WE ARE REQUESTING THE REAR SETBACK BE REDUCED TO 10' IN THE AREA OF THE PROPOSED NEW SUNROOM ADDITION. THE ADDITION WILL BE WITHIN THE REQUIRED SIDE SETBACK.

SITE INFORMATION

ZONING DISTRICT:	R-1, SINGLE-FAMILY
LOT SIZE:	7,496 SF
BUILDING AREA:	
EXISTING HOUSE:	1,364 SF
NEW SUNROOM ADDITION:	317 SF
TOTAL BUILDING AREA:	1,681 SF
ALLOWABLE LOT COVERAGE:	28%
ACTUAL LOT COVERAGE:	22.4%

DRAWING INDEX

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5	NEW BASEMENT/CRAWLSPACE PLAN
6	NEW EXTERIOR ELEVATIONS
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8	NEW EXTERIOR ELEVATIONS

SHEET TITLE: BZA APPLICATION: TITLE SHEET

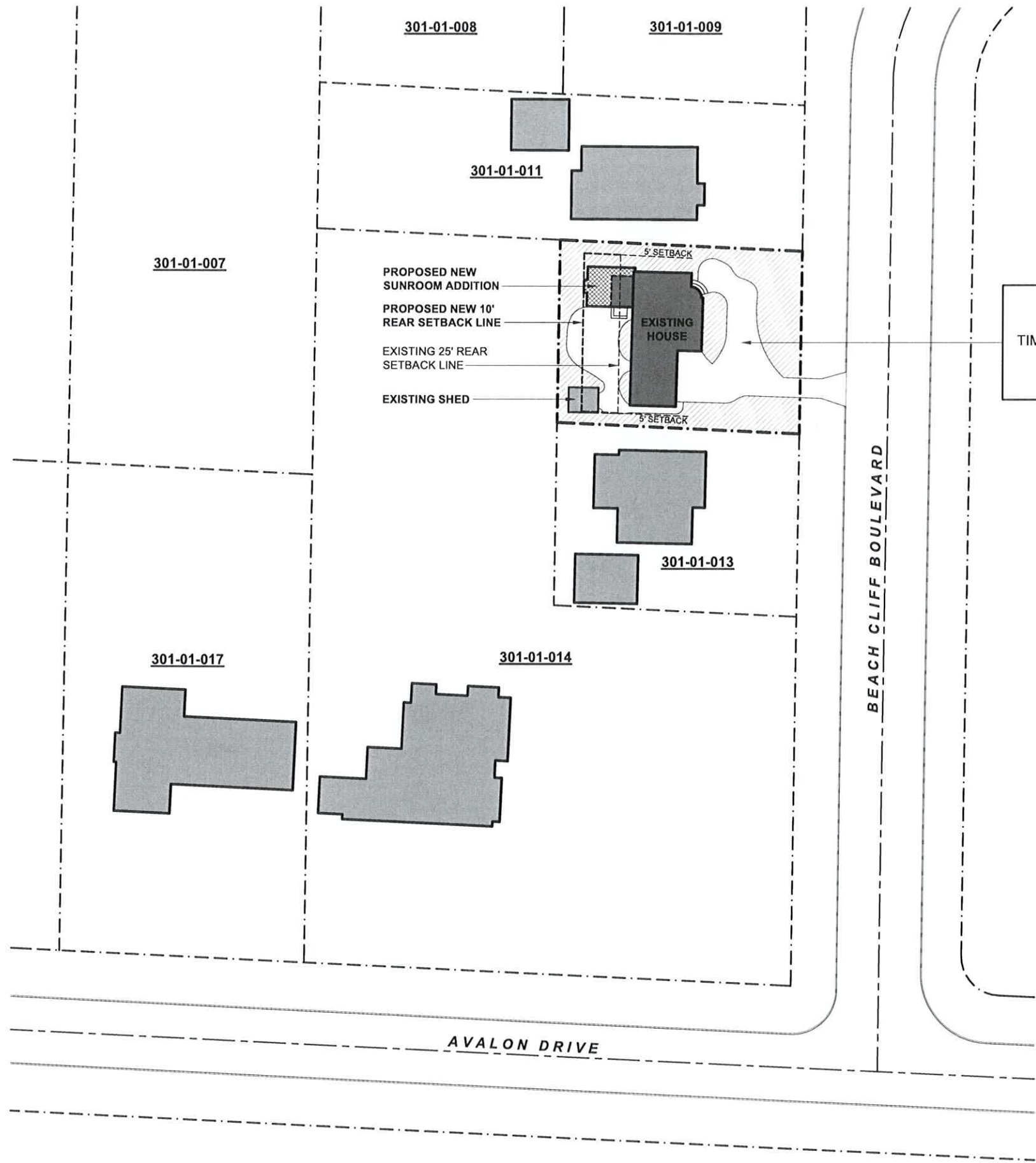
PROJECT: PROPOSED NEW SUNROOM ADDITION FOR THE
THERESE AND TIMOTHY O'TOOLE RESIDENCE
20772 BEACH CLIFF BOULEVARD, ROCKY RIVER, OHIO 44116

PROJECT NO.
2024.15A

SHEET NO.

1

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AREA PLAN

SCALE: 1" = 50'-0"

1



DATE: 26 SEPT. 2024

SHEET TITLE: BZA APPLICATION: AREA PLAN
PROJECT: PROPOSED NEW SUNROOM ADDITION FOR THE
THERESE AND TIMOTHY O'TOOLE RESIDENCE
20772 BEACH CLIFF BOULEVARD, ROCKY RIVER, OHIO 44116

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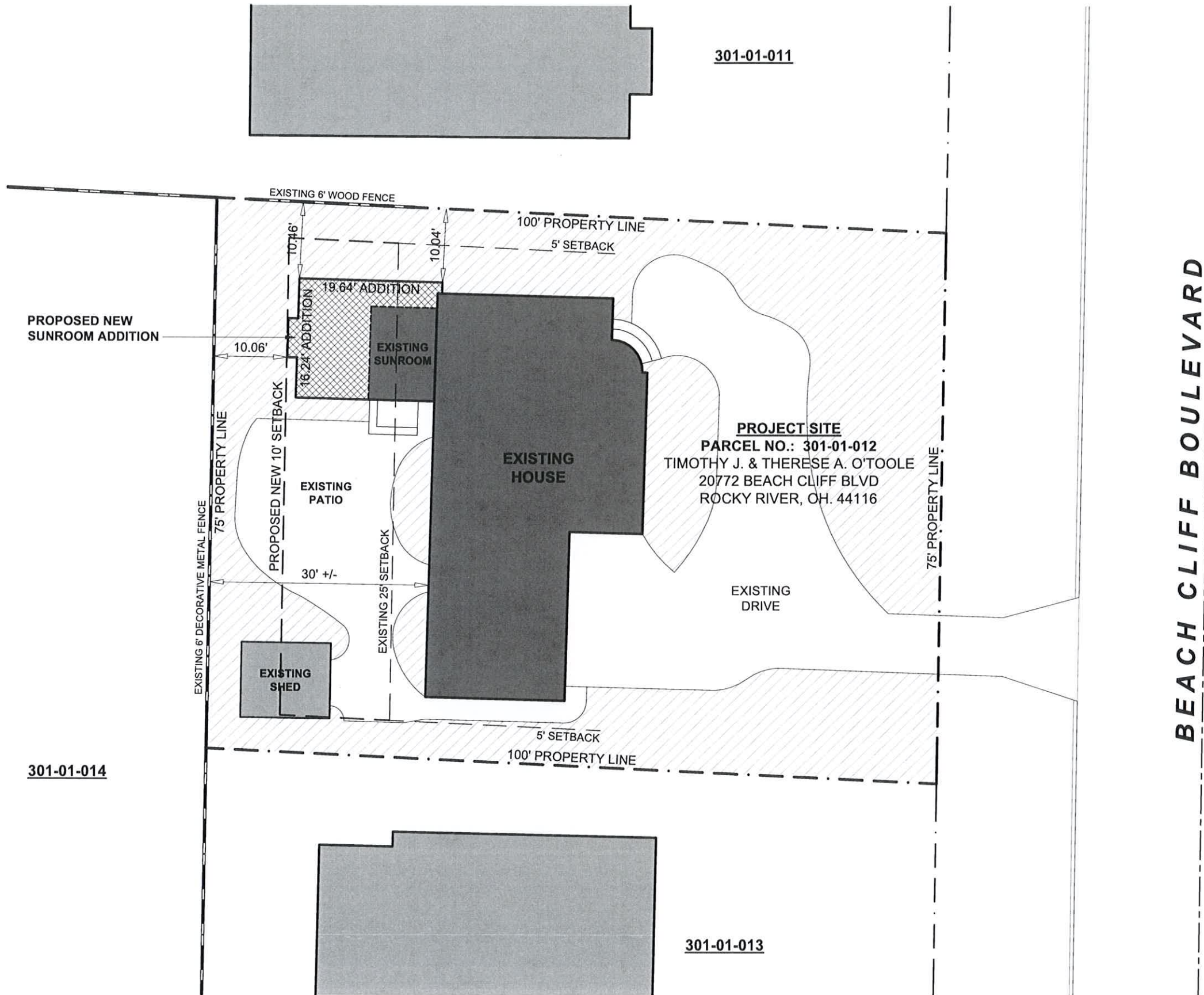
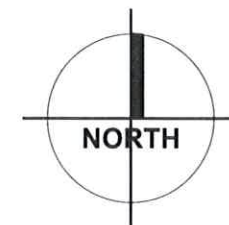
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PROPOSED NEW SITE PLAN

SCALE: 1" = 15'-0"

1



SHEET TITLE: BZA APPLICATION: PROPOSED NEW SITE PLAN

PROJECT: PROPOSED NEW SUNROOM ADDITION FOR THE

THERESE AND TIMOTHY O'TOOLE RESIDENCE

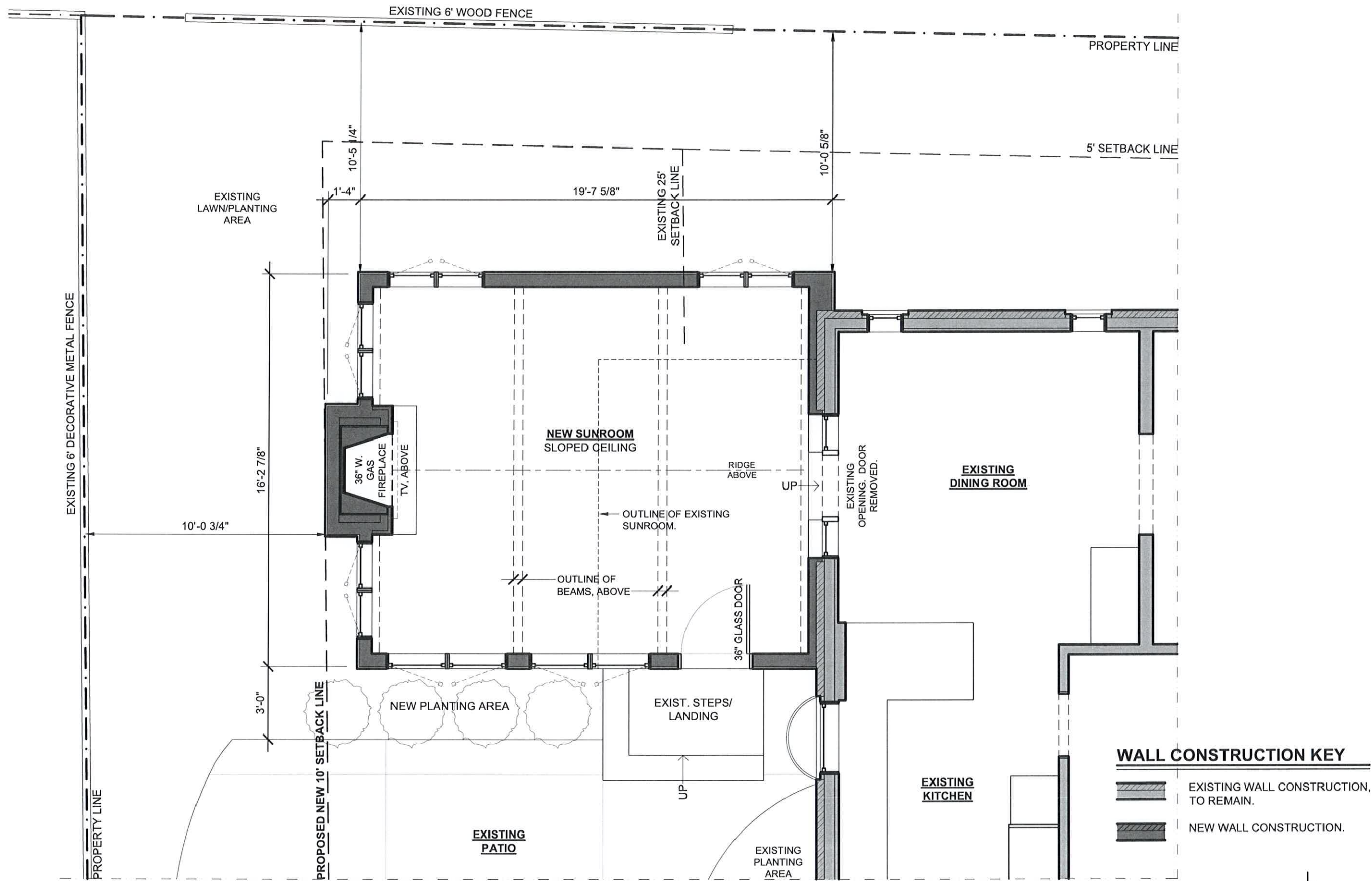
20772 BEACH CLIFF BOULEVARD, ROCKY RIVER, OHIO 44116

PROJECT NO.
2024.15A

SHEET NO.
3

DATE: 26 SEPT. 2024

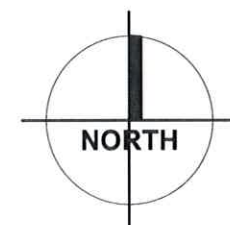
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NEW FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

1



SHEET TITLE: BZA APPLICATION: NEW FIRST FLOOR PLAN

PROJECT: PROPOSED NEW SUNROOM ADDITION FOR THE

THERESE AND TIMOTHY O'TOOLE RESIDENCE

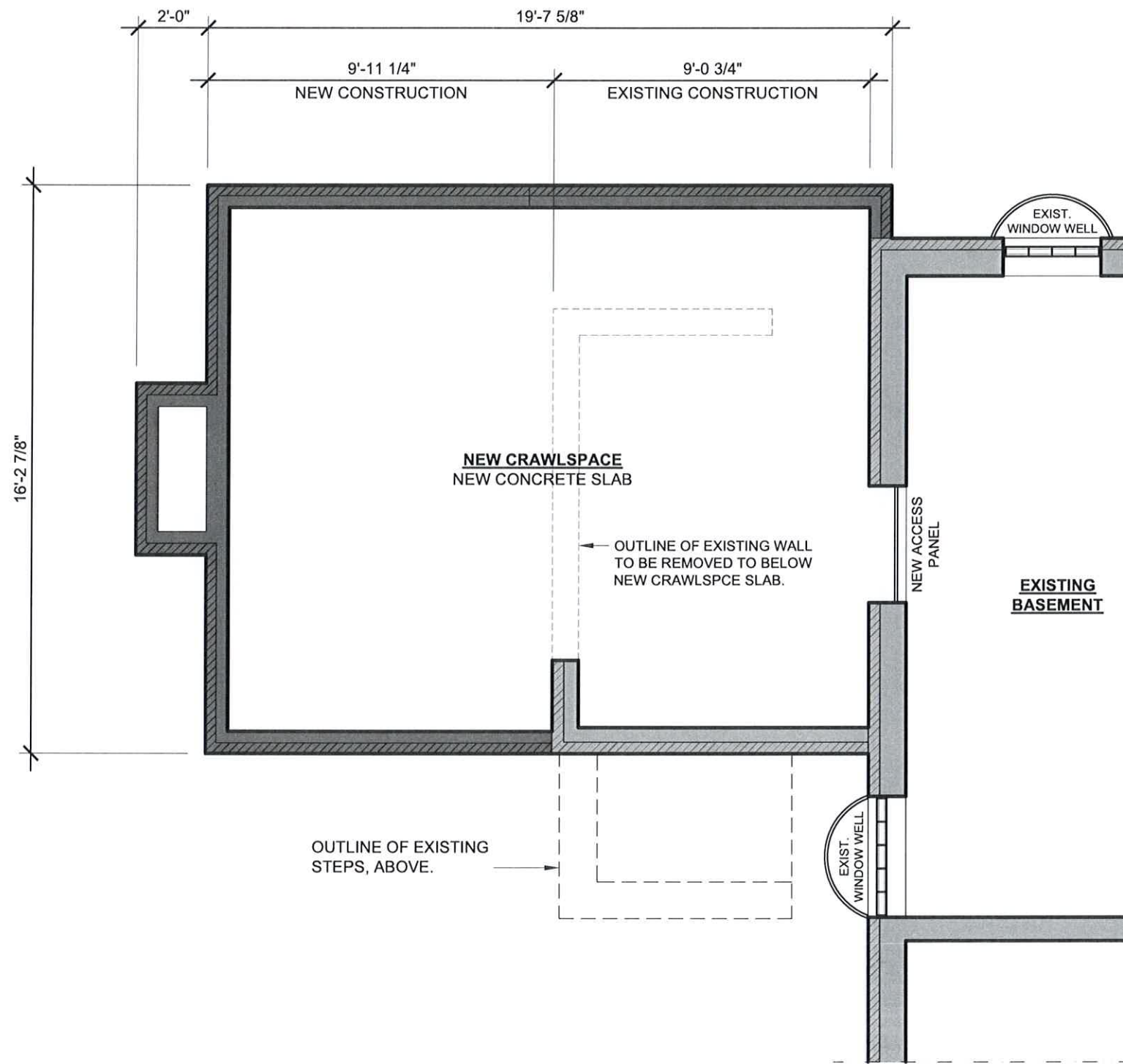
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PROJECT NO.
2024.15A

SHEET NO.
4

DATE: 26 SEPT. 2024



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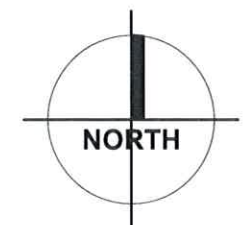


NEW BASEMENT/CRAWLSPACE PLAN 1

SCALE: 1/4" = 1'-0"

WALL CONSTRUCTION KEY

-  EXISTING WALL CONSTRUCTION, TO REMAIN.
-  NEW WALL CONSTRUCTION.



SHEET TITLE: BZA APPLICATION: NEW BASEMENT/CRAWLSPACE PLAN
PROJECT: PROPOSED NEW SUNROOM ADDITION FOR THE
THERESE AND TIMOTHY O'TOOLE RESIDENCE
20772 BEACH CLIFF BOULEVARD, ROCKY RIVER, OHIO 44116

DATE: 26 SEPT. 2024

PROJECT NO.
2024.15A

SHEET NO.
5

DATE: 18 SEPT. 2024

SHEET TITLE: BZA APPLICATION: EXTERIOR ELEVATIONS

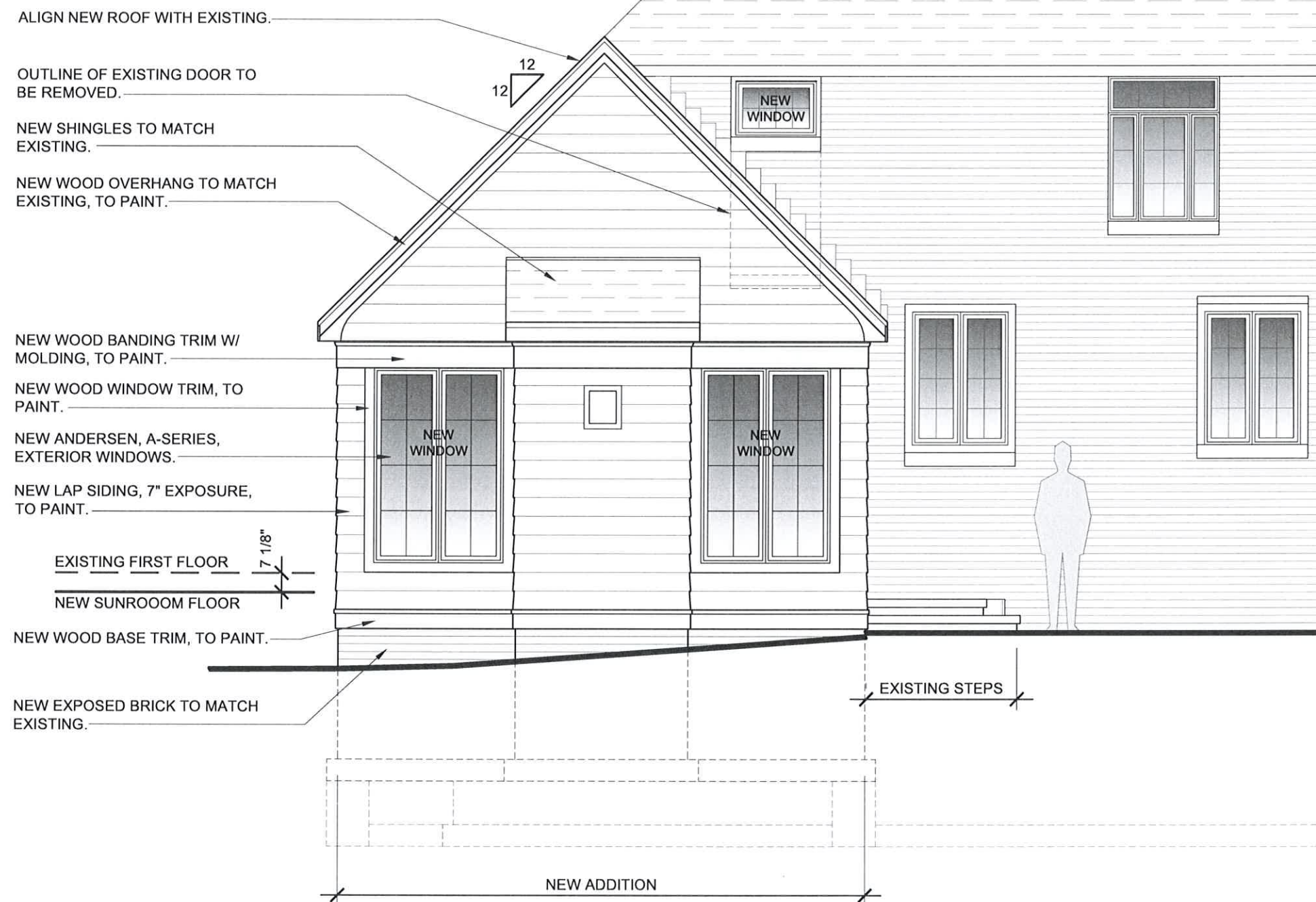
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PROJECT NO.
2024.15A

SHEET NO.

6



NEW WEST/REAR ELEVATION

SCALE: 1/4" = 1'-0"

1



1

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OUTLINE OF EXISTING HOUSE,
BEYOND.



NEW NORTH ELEVATION

SCALE: 1/4" = 1'-0"

1

SHEET TITLE: BZA APPLICATION: EXTERIOR ELEVATIONS

PROJECT: PROPOSED NEW SUNROOM ADDITION FOR THE
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PROJECT NO.
2024.15A

SHEET NO.

8

DATE: 18 SEPT. 2024