

# CITY OF ROCKY RIVER



## NOTICE OF PUBLIC HEARING

BOARD OF ZONING AND BUILDING APPEALS  
ON

~~NOVEMBER 21, 2024~~ **Heard in December, Refer to  
new Notice**

TO WHOM IT MAY CONCERN:

THE BOARD OF ZONING AND BUILDING APPEALS WILL HOLD A PUBLIC HEARING ON December 12, 2024, AT 7:00 PM FOR A VARIANCE TO CONSTRUCT A FRONT PORCH WITH A 32' FRONT SETBACK VS. 40' AS REQUIRED PER SECTION: 1153.07 FOR GRASON GERARD, **625 ELMWOOD 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 FOR REVIEW VIA E-MAIL OR IN-PERSON AT ROCKY RIVER CITY HALL, 21012 HILLIARD BOULEVARD. PLEASE CONTACT KATHRYN KERBER AT [KKERBER@RRCITY.COM](mailto:KKERBER@RRCITY.COM) OR BY CALLING 440-331-0600 EXT. 2598.

Notices sent to:  
See attached list

SCHENKER, JAMES J. & HANNA, WENDY  
L.  
1276 JACKSON  
LAKEWOOD,OH 44107

THOMAS & MARNI PEATE  
21419 KENWOOD AVENUE  
ROCKY RIVER,OH 44116

RIES, ERIC R & LUC ARELLI,  
MARIMARGARET  
2157 KENWOOD AVE  
ROCKY RIVER,OH 44116

Kissling, Clement J., II  
651 ELMWOOD RD  
Rocky River,OH 44116

PYCRAFT, DAVID D & BUCKINGHAM,  
LINDSAY S  
21401 MAPLEWOOD AVE  
ROCKY RIVER,OH 44116

O'DONNELL, JOHN  
615 ELMWOOD RD  
ROCKY RIVER,OH 44116

Gattozzi, Lynn M  
21421 MAPLEWOOD AVE  
Rocky River,OH 44116

PAP, MICHAEL S. & SARAH T.  
21437 KENWOOD AVE  
ROCKY RIVER,OH 44116

Skapoulas, Nick H. & Jennifer  
21581 KENWOOD AVE  
ROCKY RIVER,OH 44116

BAKER, ERIC D. & SUSAN P.  
722 ELMWOOD RD  
ROCKY RIVER,OH 44116

HYLAND, LAUREN MARIE  
616 ELMWOOD RD  
ROCKY RIVER,OH 44116

MUZILLA, JON S & APPLGATE, AMANDA  
M  
752 ELMWOOD RD  
ROCKY RIVER,OH 44116

GERARD, GRAYSON JOHN  
625 ELMWOOD RD  
ROCKY RIVER,OH 44116

610 ELMWOOD RD, LTD  
604 ELMWOOD RD  
ROCKY RIVER,OH 44116

NOLL, TERRY E.  
21382 MAPLEWOOD AVE  
ROCKY RIVER,OH 44116

Drescher Thomas L & Ann K  
21461 KENWOOD AVE  
Rocky River,OH 44116

First Federal Savings  
3721 OBERLIN AVE  
Lorain,OH 44053-2761

Lynch, Kevin  
21487 KENWOOD AVE  
Rocky River,OH 44116

Eric Russ  
21420 MAPLEWOOD AVE  
Rocky River,OH 44116-1248

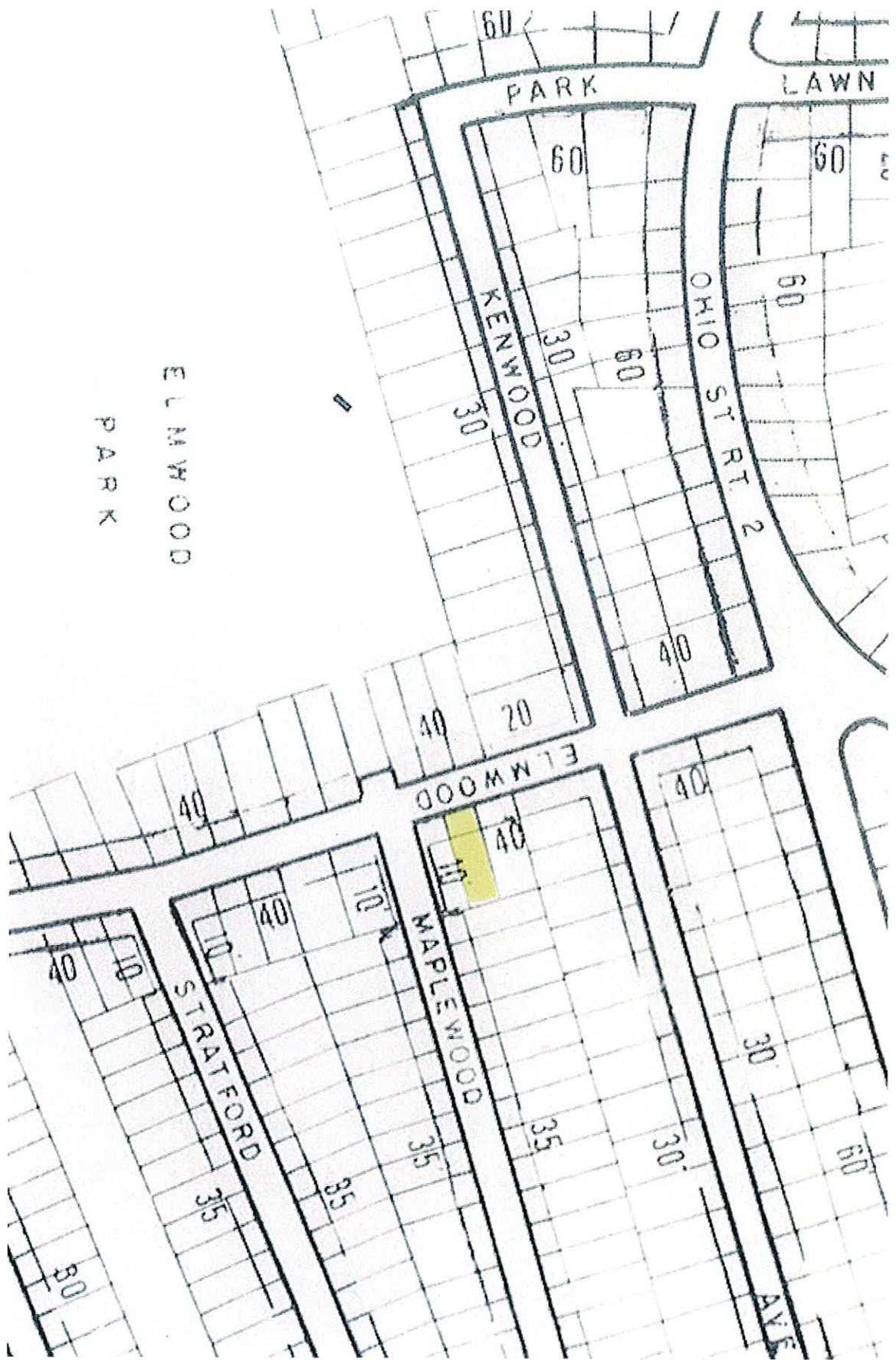
REITZ, MARK P & CUPP, MELISSA D.  
21375 MAPLEWOOD AVE  
ROCKY RIVER,OH 44116

Thomas Keating Palumbo  
1335 W MELROSE DR  
Westlake,OH 44145-2839

HAMMERMEISTER FAMILY TRUST  
604 ELMWOOD RD  
ROCKY RIVER,OH 44116

Jacobs, John Christopher  
741 ELMWOOD RD  
Rocky River,OH 44116

Rocky River City Of  
ELMWOOD RD  
Rocky River,OH 44116



# 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. **IMPORTANT: Mark the corners of additions, a/c condensers or whatever applies to your variance.**
- 4) **Elevation drawings** (for pergola, garage, addition or exterior alteration).
- 5) **Photographs** of your property with the structure you are asking for a variance for clearly staked. Also submit photos of affected adjacent properties. Submit a photo example of proposed fences and storage sheds.
- 6) **Support letters** from surrounding property owners, if available.
- 7) **PLEASE NOTE THAT THE GRANTING OF A VARIANCE IS NOT A BUILDING PERMIT. PLEASE CHECK WITH THE BUILDING DEPARTMENT TO BE SURE YOU HAVE YOUR PERMIT AND CAN START CONSTRUCTION.**
- 8) Email your entire submission to [kstraub@rrcity.com](mailto:kstraub@rrcity.com). When she reviews it and gives you the OK, provide 10 stapled sets of the entire submission.

**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.**

Susan Beem 05/28/2021  
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: May 28, 2024 Hearing Date: \_\_\_\_\_  
Zoning of Property \_\_\_\_\_ Permanent Parcel No. \_\_\_\_\_

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

Address of property seeking variance: \_\_\_\_\_

Brayson Gerard \_\_\_\_\_  
Name of Property Owner Name of Applicant / Representative

625 Elmwood \_\_\_\_\_  
Address Address

Telephone No. 440-785-6350 Cell Phone No. \_\_\_\_\_  
Telephone No. Cell Phone No.

E-MAIL: graysongerarded@gmail.com E-MAIL: \_\_\_\_\_

Description of what is intended to be done:  
- addition of a front porch

Sections of the Code from which variance is being requested:  
set back distance from street

List variances requested:  
Waive set back allowing front porch to encroach street

Brayson Gerard \_\_\_\_\_  
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"> <li>• Any functional, land or building USE not specifically permitted in either a particular zoning district, or otherwise not permitted by the Development Code</li> </ul>	<input type="checkbox"/>	(Use) Unnecessary Hardship
<b>ADDITIONS &amp; BUILDINGS:</b> <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> <li>• Rear, side &amp; front setbacks</li> </ul>	<input checked="" type="checkbox"/>	(Area) Practical Difficulties <i>front</i>
<ul style="list-style-type: none"> <li>• Coverage (&gt;28%)</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<b>DRIVEWAYS:</b> <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> <li>• Width</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> <li>• Distance from property line</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> <li>• Circular if lot width is &lt;90'</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<b>SIGNS:</b> <i>(Complete Sign Permit Application)</i>		
<ul style="list-style-type: none"> <li>• Area allowed (maximum sq. ft.)</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> <li>• Height</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> <li>• Front setback</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> <li>• Lot width &lt;100'</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> <li>• Number of items of information</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> <li>• On side of building</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<b>FENCES:</b> <i>(Complete Fence Permit Application)</i>		
<ul style="list-style-type: none"> <li>• Height or Openness</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> <li>• Front Yard (in setback)</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<b>ACCESSORY BUILDINGS (Play Structures, Storage Sheds:</b> <i>(Complete Accessory Structure Permit Application); Detached Garages:</i> <i>(Complete Building Permit Application)</i>		
<i>Note: Total square footage of all accessory buildings, including detached garages, is not to exceed 600 square feet.)</i>		
<ul style="list-style-type: none"> <li>• Height</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> <li>• Setback from property line</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> <li>• Square footage</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<b>Air Conditioners and Generators:</b> <i>(Complete HVAC Permit for A/C or Electrical Permit for Generators)</i>		
<ul style="list-style-type: none"> <li>• In side yard &lt;10' from property line or in front yard</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<b>Parking:</b> <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> <li>• &lt; the number of spaces required</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> <li>• Setback from property line</li> </ul>	<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).

n/a

- 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).

add curb appeal to meet the aesthetics of neighboring homes

- 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).

design was created to achieve functionality with least amount of deviation from code

- 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).

Properties would only benefit

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.

*NO*

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).

*There would not be enough area  
for a front porch*

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).

*Add a desired update*

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.

*NONE*

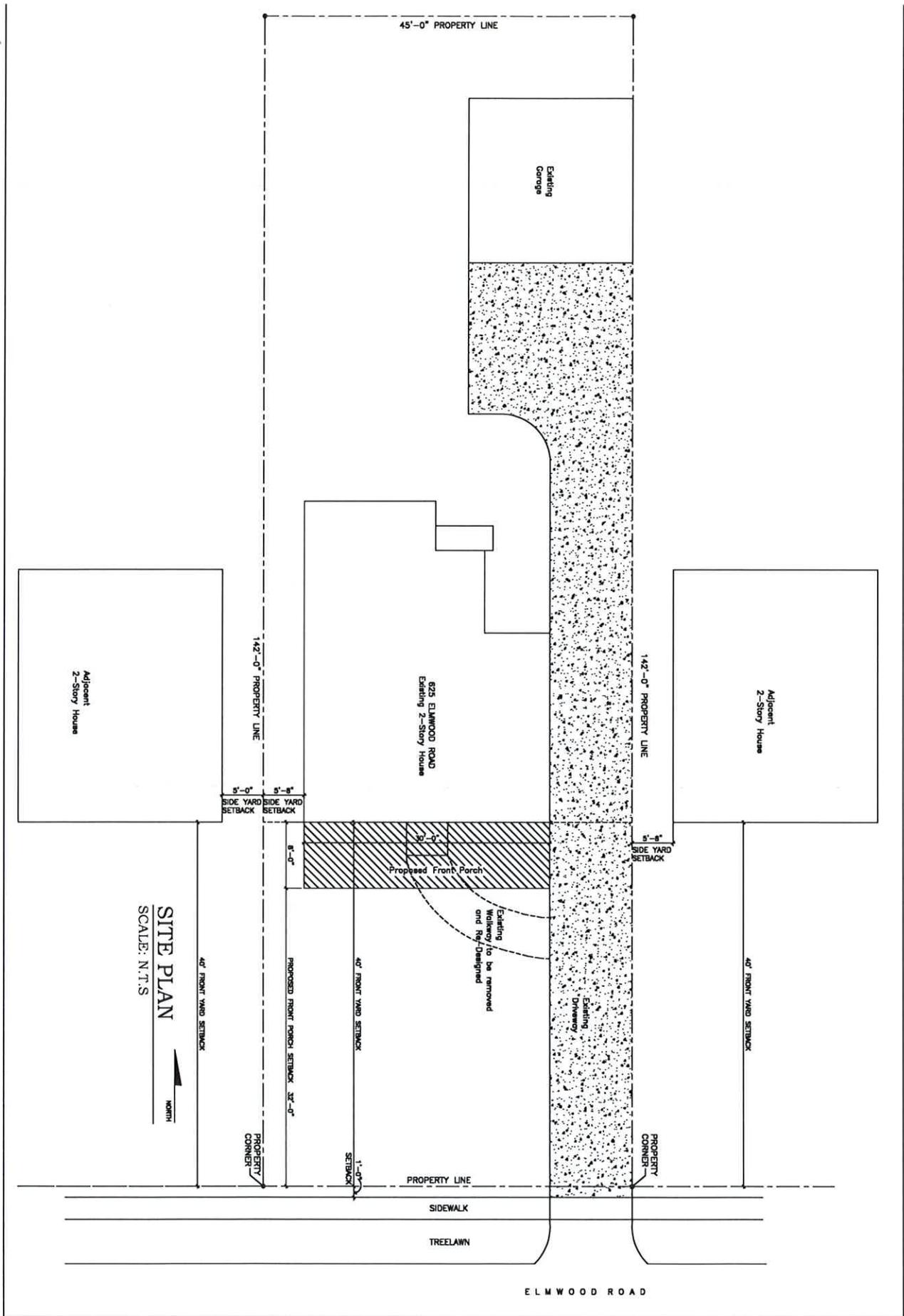
K.) Explain whether a literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code.

*NONE*

**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.**

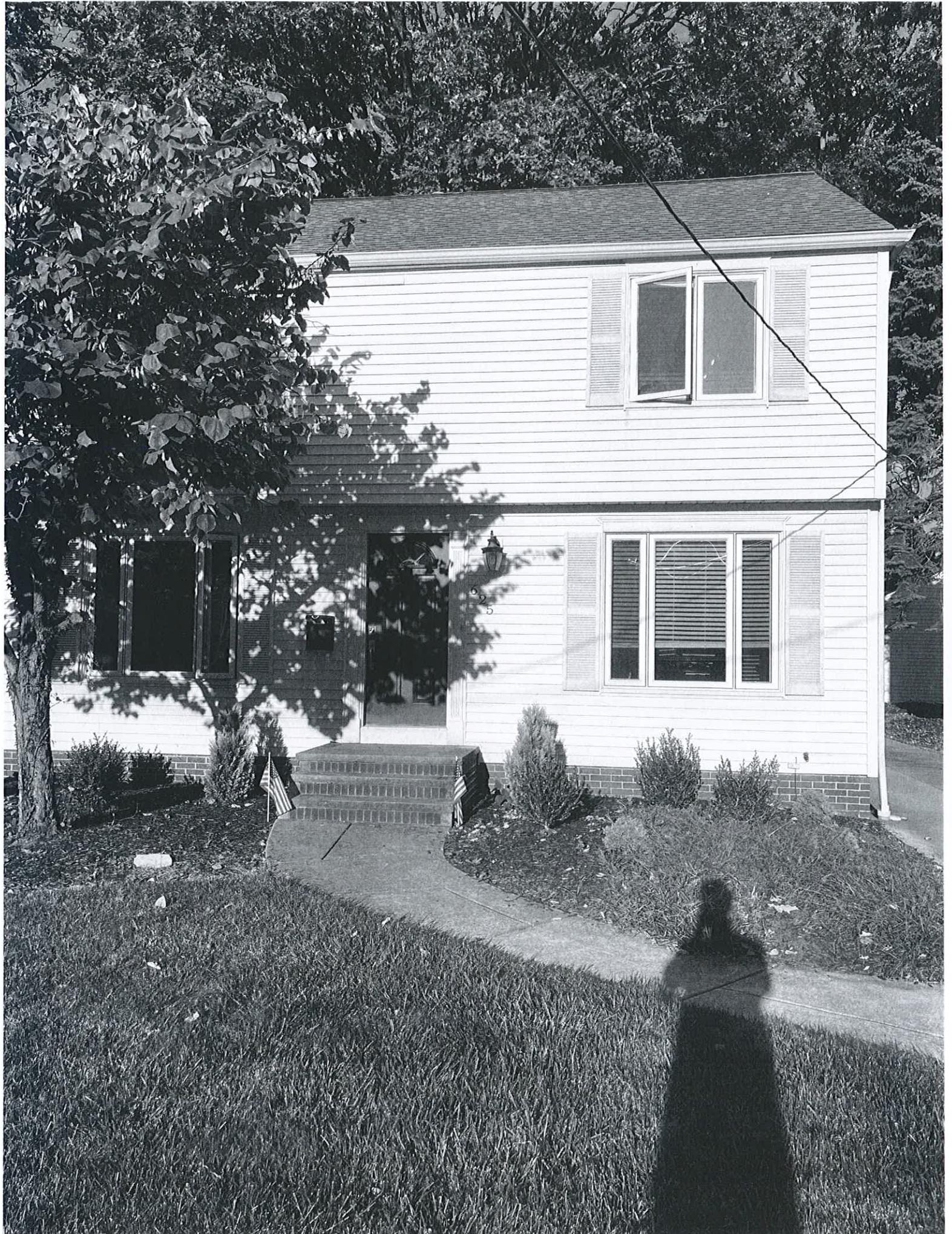


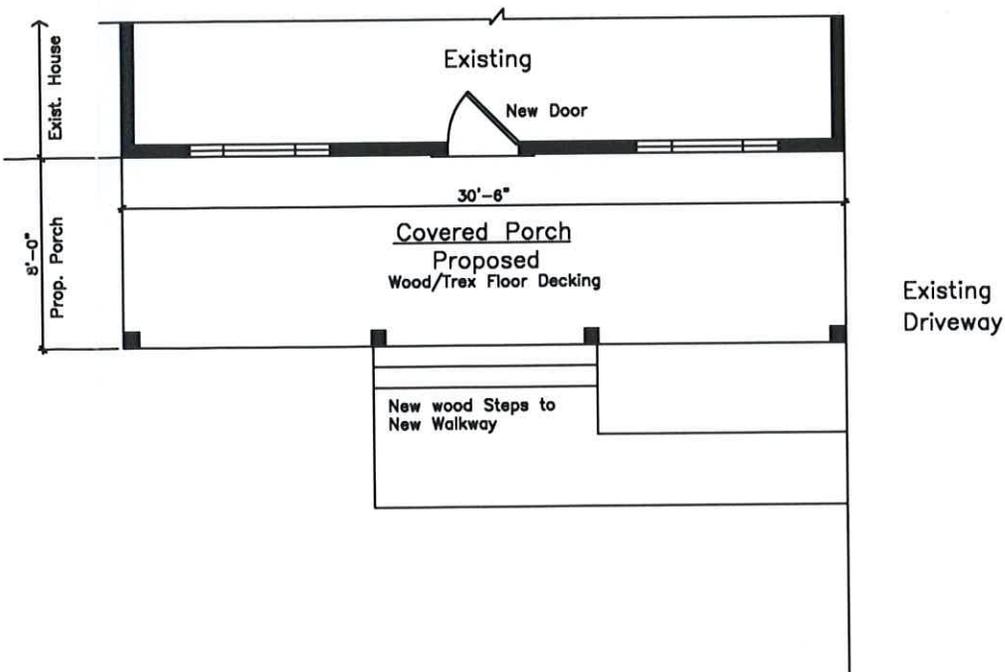
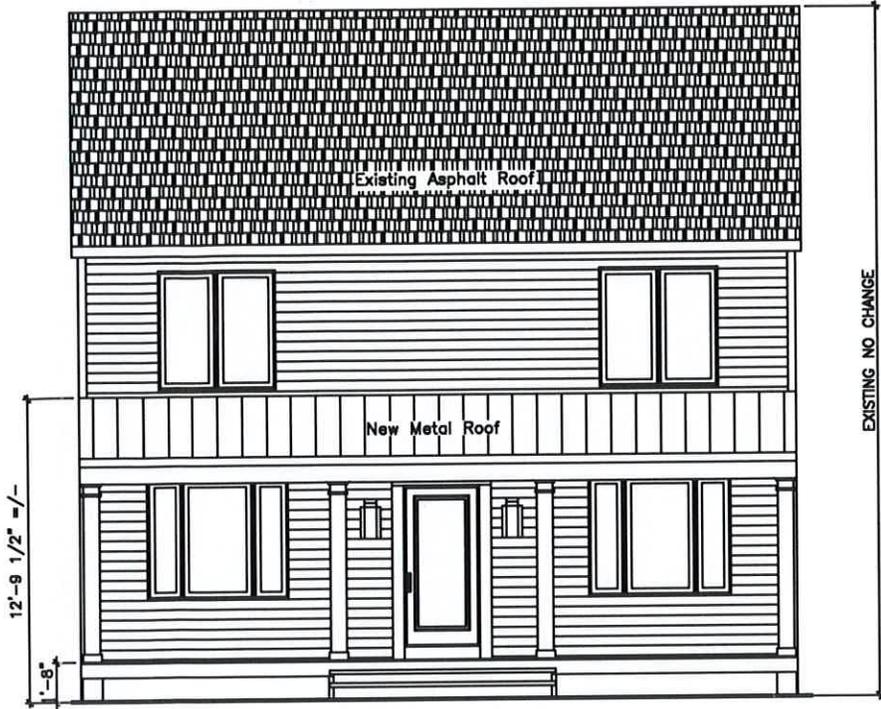




Prepared By	HCN
Date	4/23/2024
Sheet #	02/040
Project No.	

**GERARD RESIDENCE**  
625 ELMWOOD RD  
ROCKY RIVER, OHIO





GERARD RESIDENCE

drawn by  
checked by  
date

plan ID

sheet title  
sheet no.

